



Local Government (Emergency Provisions) Act 1916

1916 CHAPTER 12 6 and 7 Geo 5

An Act to make provision with respect to Officers and Servants of Local Authorities serving in or with His Majesty's Forces and to make various administrative provisions with a view to economy in money and labour in connection with the present War.
[17th May 1916]

Modifications etc. (not altering text)

- C1 Act extended by S.R. & O. 1918/548 (Rev. I, p. 896: 1918 I, p. 50)
- C2 Functions of Local Government Board under this Act now exercisable by Secretary of State: [Ministry of Health Act 1919 \(c. 21\)](#), s. 3(1)(a)(5), [Sch. 1, S.I. 1951/142](#), 1900 (1951 I, pp. 1348, 1347), 1965/319 and 1970/1681
- C3 Words of enactment omitted under authority of [Statute Law Revision Act 1948 \(c. 62\)](#), s. 3
- C4 This Act is not necessarily in the form in which it has effect in Northern Ireland
- C5 Act: transfer of functions (W.) (1.7.1999) by [S.I. 1999/672](#), art. 2, [Sch. 1](#)

Commencement Information

- I1 Act wholly in force at Royal Assent

PART I

PROVISIONS AS TO OFFICERS OF LOCAL AUTHORITIES IN NAVAL OR MILITARY SERVICE

1 F1

Textual Amendments

- F1 [Ss. 1, 4, 5\(a\)](#) repealed by [Statute Law Revision Act 1927 \(c. 42\)](#)

Status: Point in time view as at 13/01/2020.

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[2 Payments under superannuation schemes.

If an officer or servant of a local authority dies whilst serving in or with His Majesty’s forces, or in consequence of wounds or disease received or contracted during such service which prevented that person from returning to the service of the local authority, the local authority shall have, and shall be deemed always to have had, power to make to that person’s surviving spouse, surviving civil partner or other dependants, such payments as could have been made to them under any superannuation scheme (whether established by statute or otherwise) in force in the district had that person been actually serving the local authority at the time of death.]

Modifications etc. (not altering text)

- C6** S. 2 extended by [Pensions \(Increase\) Act 1971 \(c. 56\)](#), **ss. 5(1), 7(2)** Sch. 2 para. 39, Sch. 3 paras. 1, 2, 7
- C7** S. 2 substituted (E.W.) (13.3.2014) by [The Marriage \(Same Sex Couples\) Act 2013 \(Consequential and Contrary Provisions and Scotland\) Order 2014 \(S.I. 2014/560\)](#), art. 1(2), **Sch. 1 para. 3**; and (S.) (16.12.2014) by [The Marriage and Civil Partnership \(Scotland\) Act 2014 and Civil Partnership Act 2004 \(Consequential Provisions and Modifications\) Order 2014 \(S.I. 2014/3229\)](#), Sch. 5 para. 2; and extended to N.I. (N.I.) (13.1.2020) by [The Marriage \(Same-sex Couples\) and Civil Partnership \(Opposite-sex Couples\) \(Northern Ireland\) Regulations 2019 \(S.I. 2019/1514\)](#), regs. 1(2), **149(b)(i) (bb)** (with regs. 6-9)

3 ^{F2}

Textual Amendments

- F2** Ss. 3, 6 repealed by [Statute Law \(Repeals\) Act 1977 \(c. 18\)](#), s. 1(1), **Sch. 1 Pt. XI**

PART II

MISCELLANEOUS ADMINISTRATIVE PROVISIONS

4 ^{F3}

Textual Amendments

- F3** Ss. 1, 4, 5(a) repealed by [Statute Law Revision Act 1927 \(c. 42\)](#)

[^{F45} Provisions as to notification of diseases.

[^{F5} Notwithstanding anything in the ^{M1} Infectious Disease (Notification) Act, 1889, or in any other Act, or in any Order of the Local Government Board, the following provisions shall have effect:—

- (a) ^{F6}
- (b) Every case of any such disease occurring in any building, tent, van, shed, or similar structure in the occupation of any of His Majesty’s forces, or of any

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person employed [^{F7}under the Ministry of Defence] shall be notified to the [^{F8}chief administrative medical officer of the Health Board for the area] by the medical attendant if it would have been his duty to notify it if it had occurred elsewhere; and the [^{F8}Health Board] shall pay to the medical attendant (unless he is a medical officer who holds a commission in any of His Majesty’s forces) for the certificate or notification a fee of one shilling, whether the case occurs in his private practice or otherwise.]]

Textual Amendments

- F4 S. 5 repealed (E.W.) by Public Health Act 1936 (c. 49), s. 346, **Sch. 3** and Public Health (London) Act 1936 (c. 50), **Sch. 7**
- F5 S. 5 repealed (S.) (1.10.2009) by Public Health etc. (Scotland) Act 2008 (Commencement No. 2, Savings and Consequential Provisions) Order 2009 (S.S.I. 2009/319), art. 2, **Sch. 3 Pt. 1**
- F6 Ss. 1, 4, 5(a) repealed by Statute Law Revision Act 1927 (c. 42)
- F7 Words substituted by S.I. 1964/488
- F8 Words substituted by National Health Service (Scotland) Act 1972 (c. 58), **Sch. 6 para. 70**

Modifications etc. (not altering text)

- C8 S. 5 applied by S.I. 1965/1536
- C9 “any such disease” means a case of disease to which the Act or Order applies

Marginal Citations

- M1 1889 c. 72.

6 F9

Textual Amendments

- F9 Ss. 3, 6 repealed by Statute Law (Repeals) Act 1977 (c. 18), s. 1(1), **Sch. 1 Pt. XI**

7 F10

Textual Amendments

- F10 S. 7 repealed by Local Government Act 1929 (c. 17), **Sch. 12 Pt. I**

8 F11

Textual Amendments

- F11 S. 8 repealed by Statute Law Revision Act 1927 (c. 42)

9 F12

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Textual Amendments

F12 S. 9 repealed by [Local Government Act 1929 \(c. 17\)](#), [Sch. 12 Pt. VI](#)

10, 11. **F13**

Textual Amendments

F13 Ss. 10, 11 repealed by [Statute Law Revision Act 1927 \(c. 42\)](#)

12 Simplifying mode of giving sanctions, &c.

(1) Notwithstanding any statutory or other provision requiring a sanction, assent, approval, authority or direction of the Local Government Board to be given, altered or varied by order or by instrument under seal, any such sanction, assent, approval, authority or direction may be given, altered or varied in a letter or other writing signed by a secretary or assistant secretary of the Board, and shall be as valid in all respects and shall have the same effect as if it had been given by an order of the Board or by an instrument under the seal of the Board, and for the purposes of the ^{M2}Documentary Evidence Act, 1868, as amended by any subsequent enactment, such letter or writing shall be deemed to be an order of the Board.

(2) This section shall not apply to Scotland or Ireland.

Marginal Citations

M2 [1868 c. 37.](#)

13 **F14**

Textual Amendments

F14 S. 13 repealed by [Statute Law \(Repeals\) Act 1977 \(c. 18\)](#), s. 1(1), [Sch. 1 Pt. XI](#)

14 **F15**

Textual Amendments

F15 S. 14 repealed by [Local Government Act 1933 \(c. 51\)](#), [Sch. 11 Pts. IV, V](#)

15 **F16**

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Textual Amendments

F16 S. 15 repealed by [Statute Law Revision Act 1927 \(c. 42\)](#)

16 **F17**

Textual Amendments

F17 S. 16 repealed (E.W.) by [Public Health \(Tuberculosis\) Act 1921 \(c. 12\)](#), [Sch.](#) and (S.) by [National Health Service \(Scotland\) Act 1947 \(c. 27\)](#), [Sch. 11 Pt. II](#)

17 **F18**

Textual Amendments

F18 S. 17 repealed by [Statute Law Revision Act 1927 \(c. 42\)](#)

18 **F19**

Textual Amendments

F19 S. 18 repealed by [Naval and Military War Pensions, &c. \(Administrative Expenses\) Act 1917 \(c. 14\)](#), s. 10(3)

19, 20. **F20**

Textual Amendments

F20 Ss. 19, 20 repealed by [Statute Law Revision Act 1927 \(c. 42\)](#)

PART III

GENERAL

21 Interpretation.

For the purposes of this Act the expression “local authority” means any person or body of persons who receive or expend the proceeds of any local rate and any other public body which the Local Government Board may determine to be a local authority, but overseers of the poor shall not be included except by direction of that Board:

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Provided that where any such authority is [^{F21}a local policing body or] a police authority it shall not, as such, be deemed, for the purposes of Part I. of this Act, to be a local authority.

In England and Wales a teacher, officer, or servant appointed by the managers of a public elementary school not provided by the local education authority shall, and a teacher, officer, or servant of an institution aided by a local education authority out of the proceeds of any rate, may, if that authority think fit, be deemed, for the purposes of this Act, to be an officer or servant of the local education authority concerned.

Where the Board of Education certify to the Local Government Board that it is expedient that this Act shall apply to any public educational institution, this Act shall apply thereto, notwithstanding any trust affecting the institution, as if the managers or other governing body of the institution were a local authority, and the teachers, officers and servants of the institution were officers and servants of a local authority.

For the purposes of this Act, or for such of them as may be specified by the Local Government Board, service in connection with naval or military operations which that Board consider may properly be treated in the same manner as actual naval or military service shall be deemed to be service with His Majesty’s forces.

F22
F23

Textual Amendments

- F21 Words in s. 21 inserted (16.1.2012) by [Police Reform and Social Responsibility Act 2011 \(c. 13\)](#), s. 157(1), [Sch. 16 para. 64](#); S.I. 2011/3019, art. 3, Sch. 1
- F22 S. 21: para. beginning "Except" repealed (5.11.1993) by 1993 c. 50, s. 1(1), [Sch. 1 Pt. X](#)
- F23 Definition repealed by [Statute Law \(Repeals\) Act 1977 \(c. 18\)](#), s. 1(1), [Sch. 1 Pt. XI](#)

Modifications etc. (not altering text)

- C10 Functions of overseers of the poor now generally exercisable in City of London by Common Council and elsewhere by rating authorities: [London Government Act 1899 \(c. 14\)](#), s. 11(1), [City of London \(Union of Parishes\) Act 1907 \(c. cxl\)](#), s. 11, [Rating and Valuation Act 1925 \(c. 90\)](#), s. 62(1), S.R. & O. 1927/55 (Rev. XIX, p. 599: 1927, p. 964), [London Government Act 1963 \(c. 33\)](#), s. 63(1) and [General Rate Act 1967 \(c. 9\)](#), s. 1(1)
- C11 Functions of Board of Education now exercisable by Secretary of State for Education and Science: [Education Act 1944 \(c. 31\)](#), s. 2(1) and S.I. 1964/490

22 Application to Scotland.

In the application of this Act to Scotland the following provisions shall have effect:—

- (1) References to the Local Government Board shall be construed as references to the Secretary for Scotland or to such Scottish department as for any particular purpose of this Act may be designated by him, references to the Board of Education shall be construed as references to the Scottish Education Department, references to public educational institutions shall be construed as references to State-aided educational institutions, . . . ^{F24}

(2) ^{F25}

(3) ^{F26}

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Textual Amendments

- F24** Words repealed by [Statute Law \(Repeals\) Act 1977 \(c. 18\), s. 1\(1\), Sch. 1 Pt. XI](#)
F25 [S. 22\(2\)](#) repealed by [Local Government \(Scotland\) Act 1947 \(c. 43\), s. 381, Sch. 14](#)
F26 [S. 22\(3\)](#) repealed by [Local Government \(Scotland\) Act 1929 \(c. 25\), Sch. 9](#)

Modifications etc. (not altering text)

- C12** Functions of Secretary for Scotland now exercisable by Secretary of State: [Secretaries of State Act 1926 \(c. 18\), s. 1](#)
C13 Functions of Scottish Education Department now exercisable by Secretary of State: [Reorganisation of Offices \(Scotland\) Act 1939 \(c. 20\), s. 1](#)

23 Application to Ireland

In the application of this Act to Ireland the following provisions shall have effect :—

- (1) References to the Local Government Board shall be construed as references to the Local Government Board for Ireland, and references to the Local Taxation Returns Acts, 1860 and 1877, shall be construed as references to subdivision (5) of Article twenty of the schedule to the Local Government (Application of Enactments) Order, 1898 :
- (2) It shall not be necessary to include in or append to include in or append to the annual report of the Local Government Board for Ireland the statements as to orders and directions in respect of outdoor relief required by section twenty-one of the ^{M3}Poor Relief (Ireland) (No. 2) Act, 1847, or the statement as to audit of union accounts required by section twenty of the ^{M4}Poor Relief (Ireland) Act, 1849 :
- (3) It shall be a sufficient compliance with the requirements of section twenty-nine of the ^{M5}Poor Relief (Ireland) Act, 1847, if a general statement as to the expenditure on the relief of the poor and the total number relieved in Ireland is laid before Parliament instead of an account of the expenditure and number relieved in each union :
- (4) Subsection (1) of section one of the ^{M6}Poor Relief (Ireland) Act, 1914, shall be amended by the insertion of the words “or for the better administration of the Poor Relief (Ireland) Acts, 1838 to 1900,” after the words “present war,” and by the omission of the words “for the said purpose” :
- (5) The expression “highway authority” means the county council, county borough council, or urban district council, as the case requires.

Modifications etc. (not altering text)

- C14** The text of s. 23 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

Marginal Citations

- M3** 10 & 11 Vict. c. 90.
M4 12 & 13 Vict. c. 104
M5 10 & 11 Vict. c. 31.
M6 5 & 6 Geo. 5. c. 14.

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24 †Short title and duration.

(1) This Act may be cited as the Local Government (Emergency Provisions) Act, 1916.

(2) F27

Textual Amendments

F27 S. 24(2) repealed by Statute Law Revision Act 1927 (c. 42)

Modifications etc. (not altering text)

C15 Unreliable marginal note

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