



Local Government Act 1894

1894 CHAPTER 73 56 and 57 Vict

An Act to make further provision for Local Government in England and Wales. [5th March 1894]

Modifications etc. (not altering text)

- C1 Councils of administrative counties, boroughs (except those in rural districts), urban districts, rural districts and urban parishes outside Greater London and Isles of Scilly together with municipal corporations of boroughs outside Greater London now abolished and councils of metropolitan counties, non-metropolitan counties and districts constituted by [Local Government Act 1972 \(c. 70\)](#), ss. 1, 2, [Sch. 1](#)
- C2 Act amended with the substitution for any reference to a rural parish or its council or meeting of a reference to (E.) a parish or its council or meeting and (W.) a community or its council by [Local Government Act 1972 \(c. 70\)](#), s. 179 subject as in that section mentioned
- C3 Functions of Local Government Board now exercisable by Secretary of State: [Ministry of Health Act 1919 \(c. 21\)](#), s. 3(1)(a), S.I. 1951/142, 1900 (1951 I, pp. 1348, 1347), S.I. 1965/319 and 1970/1681 Act: transfer of functions (W.) (1.7.1999) by S.I. 1999/672, art. 2, [Sch. 1](#)
- C4 Words of enactment omitted under authority of [Statute Law Revision Act 1948 \(c. 62\)](#), s. 3

PART I

PARISH MEETINGS AND PARISH COUNCILS

1—4^{F1}

Textual Amendments

- F1 Ss. 1—4 repealed by [Local Government Act 1933 \(c. 51\)](#), [Sch. 11 Pt. IV](#)

Status: Point in time view as at 01/02/1991.

Changes to legislation: There are currently no known outstanding effects for the Local Government Act 1894. (See end of Document for details)

Powers and Duties of Parish Councils and Parish Meetings

5 †Parish council to appoint overseers.

- (1) ^{F2}
- (2) ^{F3}
 - (a) ^{F2}
 - (b) references in any Act to the churchwardens and overseers shall, as respects any rural parish, except so far as those references relate to the affairs of the church, be construed as references to the overseers,
 - (c) ^{F4}

Textual Amendments

F2 S. 5(1)(2)(a) repealed by [Rating and Valuation Act 1925 \(c. 90\)](#), **Sch. 8**

F3 Words repealed by [Statute Law Revision Act 1908 \(c. 49\)](#)

F4 S. 5(2)(c) repealed by [Local Government Act 1933 \(c. 51\)](#), **Sch. 11 Pt. IV**

Modifications etc. (not altering text)

C5 Unreliable margin note

C6 Functions of churchwardens and overseers now generally exercisable in City of London by Common Council and elsewhere by rating authorities: [City of London \(Union of Parishes\) Act 1907 \(c. xl\)](#), **s. 11**, [London Government Act 1899 \(c. 14\)](#), **s. 11(1)**, [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)**

6 Transfer of certain powers of vestry and other authorities to parish council.

- (1) Upon the parish council of a rural parish coming into office, there shall be transferred to that council:—
 - (a) The powers, duties, and liabilities of the vestry of the parish except—
 - (i) so far as relates to the affairs of the church or to ecclesiastical charities; and
 - (ii) any power, duty, or liability transferred by this Act from the vestry to any other authority:
 - (b) The powers, duties, and liabilities of the churchwardens of the parish, except so far as they relate to the affairs of the church or to charities, or are powers and duties of overseers . . . ^{F5}
 - (c) The powers, duties, and liabilities of the overseers or of the churchwardens and overseers of the parish with respect to—
 - (i) ^{F6}
 - (ii) The provision of parish books . . . ^{F7} or matters relating thereto; and
 - (iii) The holding or management of parish property, not being property relating to affairs of the church or held for an ecclesiastical charity, and the holding or management of village greens, or of allotments, whether for recreation grounds or for gardens or otherwise for the benefit of the inhabitants or any of them;
 - (d) ^{F8}

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- (2) F9
- (3) F10

Textual Amendments

- F5** Words repealed by [Local Government Act 1933 \(c. 51\)](#), [Sch. 11 Pt. IV](#)
- F6** [S. 6\(1\)\(c\)\(i\)](#) repealed by [Rating and Valuation Act 1925 \(c. 90\)](#), [Sch. 8](#)
- F7** Words repealed by [Local Government Act 1933 \(c. 51\)](#), [Sch. 11 Pt. IV](#) and [Fire Brigades Act 1938 \(c. 72\)](#), [Sch. 3 Pt. I](#)
- F8** [S. 6\(1\)\(d\)](#) repealed by [Local Government Act 1929 \(c. 17\)](#), [Sch. 12 Pt. VII](#)
- F9** [S. 6\(2\)](#) repealed by [Housing Act 1925 \(c. 14\)](#), [Sch. 6](#)
- F10** [S. 6\(3\)\(4\)](#) repealed by [Small Holdings and Allotments Act 1908 \(c. 36\)](#), [Sch. 3](#)

Modifications etc. (not altering text)

- C7** Functions of churchwardens and overseers now generally exercisable in City of London by Common Council and elsewhere by rating authorities: [City of London \(Union of Parishes\) Act 1907 \(c. xl\)](#), [s. 11](#), [London Government Act 1899 \(c. 14\)](#), [s. 11\(1\)](#), [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\(1\)](#)

- 7 F11

Textual Amendments

- F11** [S. 7](#) repealed by [Local Government Act 1972 \(c. 70\)](#), [Sch. 30](#)

8 Additional powers of parish council.

- (1) A parish council shall have the following additional powers, namely, power—
 - (a) F12
 - (b) F13
 - (c) to apply to the Board of Agriculture under section nine of the ^{M1}Commons Act, 1876; and
 - (d) . . . ^{F14}sections one hundred and eighty-three to one hundred and eighty-six of the ^{M2}Public Health Act, 1875, shall apply.
^{F14}as if the parish council were a local authority within the meaning of those sections; and
 - (e) F15
 - [^{F16}(g) to acquire by agreement any right of way, whether within their parish or an adjoining parish, the acquisition of which is beneficial to the inhabitants of the parish or any part thereof; and]
 - (h) F17
 - (i) to execute any works (including works of maintenance or improvement) incidental to or consequential on the exercise of any of the foregoing powers, or in relation to any parish property, not being property relating to affairs of the church or held for an ecclesiastical charity; and

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(k) to contribute towards the expense of doing any of the things above mentioned, or to agree or combine with any other parish council to do or contribute towards the expense of doing any of the things above mentioned.

(2) F17

(3) F18

(4) Notice of any application to the Board of Agriculture in relation to a common shall be served upon the council of every parish in which any part of the common to which the application relates is situate.

Textual Amendments

F12 S. 8(1)(a) repealed by [Local Government Act 1933 \(c. 51\)](#), **Sch. 11 Pt. IV**

F13 S. 8(1)(b) repealed by [Local Government Act 1972 \(c. 70\)](#), **Sch. 30**

F14 Words repealed by [Local Government Act 1972 \(c. 70\)](#), **Sch. 30**

F15 S. 8(1)(e)(f) repealed by [Public Health Act 1936 \(c. 49\)](#), s. 346, **Sch. 3 Pt. V**

F16 S. 8(1)(g) repealed so far as it applies to a highway within the meaning of the [Highways Act 1959](#) by [Highways Act 1959 \(c. 25\)](#), **Sch. 25**

F17 S. 8(1)(h)(2) repealed by [Local Government Act 1933 \(c. 51\)](#), **Sch. 11 Pt. IV**

F18 S. 8(3) repealed by [Public Health Act 1936 \(c. 49\)](#), s. 346, **Sch. 3 Pt. V**

Modifications etc. (not altering text)

C8 Functions of Board of Agriculture now exercisable by Minister of Agriculture, Fisheries and Food: [Board of Agriculture and Fisheries Act 1903 \(c. 31\)](#), **s. 1(1)**, [Ministry of Agriculture and Fisheries Act 1919 \(c. 91\)](#), **s. 1** and [S.I. 1955/554 \(1955 I, p. 1200\)](#)

C9 S. 8(1)(i) extended by [Local Government Act 1929 \(c. 17\)](#), **s. 115(3)**

Marginal Citations

M1 1876 c. 56.

M2 1875 c. 55.

9 F19

Textual Amendments

F19 S. 9 repealed by [Local Government Act 1933 \(c. 51\)](#), **Sch. 11 Pt. IV**

10 F20

Textual Amendments

F20 S. 10 repealed by [Small Holdings and Allotments Act 1907 \(c. 54\)](#), **Sch. 2**

11, 12. F21

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Textual Amendments

F21 Ss. 11, 12 repealed by [Local Government Act 1933 \(c. 51\)](#), [Sch. 11 Pt. IV](#)

13 **F22**

Textual Amendments

F22 S. 13 repealed by [Highways Act 1959 \(c. 25\)](#), s. 312(2), [Sch. 25](#)

14 **F23**

Textual Amendments

F23 S. 14 repealed by [Charities Act 1960 \(c. 58\)](#), [Sch. 7 Pt. I](#)

15 **F24**

Textual Amendments

F24 S. 15 repealed by [Local Government Act 1933 \(c. 51\)](#), [Sch. 11 Pt. IV](#)

16 **F25**

Textual Amendments

F25 Ss. 16, 19(8) repealed by [S.I. 1979/1123](#), [art. 3\(1\)](#)

17, 18. **F26**

Textual Amendments

F26 Ss. 17, 18, 19(1)–(3) repealed by [Local Government Act 1933 \(c. 51\)](#), [Sch. 11 Pt. IV](#)

19 Provisions as to small parishes.

In a rural parish not having a separate parish council, the following provisions shall, . . .
^{F27} subject to provisions made by a grouping order, if the parish is grouped with some other parish or parishes, have effect:—

(1) **F28**

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(4) All powers, duties, and liabilities of the vestry shall, except so far as they relate to the affairs of the Church or to ecclesiastical charities, or are transferred by this Act to any other authority, be transferred to the parish meeting;

(5) F29

(6) F30

(8) F31

(9) F30

Textual Amendments

F27 Words repealed by Statute Law Revision Act 1908 (c. 49)

F28 Ss. 17, 18, 19(1)–(3) repealed by Local Government Act 1933 (c. 51), **Sch. 11 Pt. IV**

F29 S. 19(5) repealed by Rating and Valuation Act 1925 (c. 90), **Sch. 8** and Charities Act 1960 (c. 58), **Sch. 7 Pt. I**

F30 S. 19(6)(7)(9)–(11) repealed by Local Government Act 1933 (c. 51), **Sch. 11 Pt. IV**

F31 Ss. 16, 19(8) repealed by S.I. 1979/1123, **art. 3(1)**

PART II

GUARDIANS AND DISTRICT COUNCILS

20 F32

Textual Amendments

F32 S. 20 repealed by Poor Law Act 1927 (c. 14), **Sch. 11**

21 **Names of county districts and district councils.**

..... F33, —

(1)

(2) F34

(3) In this [^{F35}and every other] Act of Parliament, unless the context otherwise requires, the expression “district council” shall include the council of every urban district, whether a borough or not, and of every rural district, and the expression “county district” shall include every urban and rural district whether a borough or not.

Textual Amendments

F33 Words repealed by Statute Law Revision Act 1908 (c. 49)

F34 Ss. 21(2), 22–24 repealed by Local Government Act 1933 (c. 51), **Sch. 11 Pt. IV**

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F35 Words repealed except so far as they apply to any enactment passed before 1st June 1934 by [Local Government Act 1933 \(c. 51\)](#), [Sch. 11 Pt. IV](#) and so far as they apply to [Rating and Valuation Act 1925 \(c. 90\)](#) by [London Government Act 1963 \(c. 33\)](#), [Sch. 18 Pt. II](#)

22— **F36**
24.

Textual Amendments

F36 Ss. 21(2), 22–24 repealed by [Local Government Act 1933 \(c. 51\)](#), [Sch. 11 Pt. IV](#)

25 †**Powers of district council with respect to sanitary and highway matters.**

- (1) **F37**
- (2) **F38**
- (4) **F39**
- (5) **F40**
- (7) **F41**

Textual Amendments

- F37** S. 25(1) repealed by [Statute Law \(Repeals\) Act 1978 \(c. 45\)](#), s. 1(1), [Sch. 1 Pt. XII](#)
- F38** S. 25(2)(3) repealed by [Highways Act 1959 \(c. 25\)](#), s. 312(2), [Sch. 25](#) and [London Government Act 1963 \(c. 33\)](#), s. 16(2), [Sch. 6 para. 70](#)
- F39** S. 25(4) repealed by [Local Government Act 1929 \(c. 17\)](#), [Sch. 12 Pt. III](#)
- F40** S. 25(5)(6) repealed by [Local Government Act 1933 \(c. 51\)](#), [Sch. 11 Pt. IV](#)
- F41** S. 25(7) repealed by [Statute Law \(Repeals\) Act 1976 \(c. 16\)](#), s. 1(1), [Sch. 1 Pt. VIII](#)

Modifications etc. (not altering text)

C10 Unreliable margin note

26 †**Duties and powers of district council as to rights of way, rights of common, and roadside wastes.**

- (1) **F42**
- (2) A district council may with the consent of the county council for the county within which any common land is situate aid persons in maintaining rights of common where, in the opinion of the council, the extinction of such rights would be prejudicial to the inhabitants of the district; and may with the like consent exercise in relation to any common within their district all such powers as may, under section eight of the ^{M3}Commons Act, 1876, be exercised by an urban sanitary authority in relation to any common referred to in that section; and notice of any application to the Board of Agriculture in relation to any common within their district shall be served upon the district council.
- (3) A district council may, for the purpose of carrying into effect this section, institute or defend any legal proceedings, and generally take such steps as they deem expedient.

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(4) F42

(7) Nothing in this section shall prejudice any powers exercisable by an urban sanitary authority at the passing of this Act, . . . F43

Textual Amendments

F42 S. 26(1)(4)–(6) repealed by [Highways Act 1959 \(c. 25\)](#), s. 312(2), **Sch. 25** and [London Government Act 1963 \(c. 33\)](#), s. 16(2), **Sch. 6 para. 70**

F43 Words repealed by [Statute Law \(Repeals\) Act 1978 \(c. 45\)](#), s. 1(1), **Sch. 1 Pt. XII**

Modifications etc. (not altering text)

C11 Unreliable margin note

C12 Functions of Board of Agriculture under s. 26(2) now exercisable by Secretary of State: [Board of Agriculture and Fisheries Act 1903 \(c. 31\)](#), s. **1(1)**, [Ministry of Agriculture and Fisheries Act 1919 \(c. 91\)](#), s. **1** and [S.I. 1955/554 \(1955 I, p. 1200\)](#), 1965/143, 319, 1967/156, 1970/1681

Marginal Citations

M3 [1876 c. 56](#).

27 Transfer of certain powers of justices to district councils.

(1) F44 the powers, duties, and liabilities of justices out of session in relation to any of the matters following, that is to say,—

(a) F45

(b) F46

(c) the licensing of dealers in game;

(d) F47

(e) the abolition of fairs and alteration of days for holding fairs;

(f) F47

when arising within a county district, shall be transferred to the district council of the district.

(2) F48

(3) All fees payable in respect of the powers, duties, and liabilities transferred by this section shall be payable to the district council.

Textual Amendments

F44 Words repealed by [Statute Law Revision Act 1908 \(c. 49\)](#)

F45 S. 27(1)(a) repealed by [Statute Law \(Repeals\) Act 1989 \(c. 43\)](#), s. 1(1), **Sch. 1 Pt. IV**

F46 S. 27(1)(b) repealed by [Consumer Credit Act 1974 \(c. 39\)](#), s. 192(4), **Sch. 5**

F47 Ss. 27(1)(d)(f), 28, 29 repealed by [Local Government Act 1933 \(c. 51\)](#), **Sch. 11 Pt. IV**

F48 S. 27(2) repealed by [Statute Law \(Repeals\) Act 1989 \(c. 43\)](#), s. 1(1), **Sch. 1 Pt. IV**

28, 29. F49

Status: Point in time view as at 01/02/1991.

Changes to legislation: There are currently no known outstanding effects for the Local Government Act 1894. (See end of Document for details)

Textual Amendments

F49 Ss. 27(1)(d)(f), 28, 29 repealed by [Local Government Act 1933 \(c. 51\)](#), [Sch. 11 Pt. IV](#)

30 **F50**

Textual Amendments

F50 S. 30 repealed by [Poor Law Act 1927 \(c. 14\)](#), [Sch. 11](#)

31 **F51**

Textual Amendments

F51 S. 31 repealed by [London Government Act 1939 \(c. 40\)](#), [Sch. 8](#)

32 **F52**

Textual Amendments

F52 Ss. 32, 35 repealed by [Statute Law \(Repeals\) Act 1978 \(c. 45\)](#), s. 1(1), [Sch. 1 Pt. XII](#)

33 **F53**

Textual Amendments

F53 S. 33 repealed by [Local Government Act 1933 \(c. 51\)](#), [Sch. 11 Pt. IV](#) and S.I. 1965/654

34 **F54**

Textual Amendments

F54 S. 34 repealed by [Rating and Valuation Act 1925 \(c. 90\)](#), [Sch. 8](#)

35 **F55**

Textual Amendments

F55 Ss. 32, 35 repealed by [Statute Law \(Repeals\) Act 1978 \(c. 45\)](#), s. 1(1), [Sch. 1 Pt. XII](#)

Status: Point in time view as at 01/02/1991.

Changes to legislation: There are currently no known outstanding effects for the Local Government Act 1894. (See end of Document for details)

PART III

36— F56
42.

Textual Amendments

F56 Ss. 36–42 repealed by [Local Government Act 1933 \(c. 51\)](#), [Sch. 11 Pt. IV](#) and [London Government Act 1939 \(c. 40\)](#), [Sch. 8](#)

PART IV

SUPPLEMENTAL

43, 44. F57

Textual Amendments

F57 Ss. 43, 44 repealed by [Representation of the People Act 1918 \(7 & 8 Geo. 5 c. 64\)](#), [Sch. 8](#)

45 F58

Textual Amendments

F58 S. 45 repealed by [Local Government Act 1933 \(c. 51\)](#), [Sch. 11 Pt. IV](#)

46 F59

Textual Amendments

F59 S. 46 repealed by [Local Government Act 1933 \(c. 51\)](#), [Sch. 11 Pt. IV](#) and [London Government Act 1939 \(c. 40\)](#), [Sch. 8](#)

47 F60

Textual Amendments

F60 S. 47 repealed by [Local Government Act 1933 \(c. 51\)](#), [Sch. 11 Pt. IV](#)

48 F61

Status: Point in time view as at 01/02/1991.

Changes to legislation: There are currently no known outstanding effects for the Local Government Act 1894. (See end of Document for details)

Textual Amendments

F61 S. 48 repealed by [Local Government Act 1933 \(c. 51\)](#), [Sch. 11 Pt. IV](#) and [London Government Act 1939 \(c. 40\)](#), [Sch. 8](#)

49 **F62**

Textual Amendments

F62 S. 49 repealed by [Local Government Act 1933 \(c. 51\)](#), [Sch. 11 Pt. IV](#)

50 **F63**

Textual Amendments

F63 S. 50 repealed by [Rating and Valuation Act 1925 \(c. 90\)](#), [Sch. 8](#)

Parish and District Councils

51 **F64**

Textual Amendments

F64 S. 51 repealed by [Local Government Act 1933 \(c. 51\)](#), [Sch. 11 Pt. IV](#)

52 †**Supplemental provisions as to transfer of powers.**

(1) **F65**

(2) **F66**

(3) **F67**

(4) **F68**

(5) All enactments in any Act, whether general or local and personal, relating to any powers, duties, or liabilities transferred by this Act to a parish council or parish meeting from justices or the vestry or overseers or church wardens and overseers shall, subject to the provisions of this Act and so far as circumstances admit, be construed as if any reference therein to justices or to the vestry, or to the overseers, or to the churchwardens and overseers, referred to the parish council or parish meeting as the case requires, and the said enactments shall be construed with such modifications as may be necessary for carrying this Act into effect.

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Changes to legislation: There are currently no known outstanding effects for the Local Government Act 1894. (See end of Document for details)

Textual Amendments

- F65** S. 52(1) repealed by [Local Government Act 1929 \(c. 17\)](#), **Sch. 12 Pt. VII**
- F66** S. 52(2) repealed by [Statute Law Revision Act 1908 \(c. 49\)](#)
- F67** S. 52(3) repealed by [Local Government Act 1933 \(c. 51\)](#), **Sch. 11 Pt. IV**
- F68** S. 52(4) repealed by [Charities Act 1960 \(c. 58\)](#), **Sch. 7 Pt. I**

Modifications etc. (not altering text)

- C13** Unreliable margin note
- C14** Functions of churchwardens and overseers now generally exercisable in City of London by Common Council and elsewhere by rating authorities: [City of London \(Union of Parishes\) Act 1907 \(c. xl\)](#), **s. 11**, [London Government Act 1899 \(c. 14\)](#), **s. 11(1)**, [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)**

53 **F69**

Textual Amendments

- F69** S. 53 repealed by [Local Government Act 1972 \(c. 70\)](#), **Sch. 30**

54–59 **F70**

Textual Amendments

- F70** Ss. 54–61 repealed by [Local Government Act 1933 \(c. 51\)](#), **Sch. 11 Pt. IV**

Miscellaneous

60, 61. **F71**

Textual Amendments

- F71** Ss. 54–61 repealed by [Local Government Act 1933 \(c. 51\)](#), **Sch. 11 Pt. IV**

62 **F72**

Textual Amendments

- F72** S. 62 repealed by [Local Government Act 1972 \(c. 70\)](#), **Sch. 30**

63 **F73**

Status: Point in time view as at 01/02/1991.

Changes to legislation: There are currently no known outstanding effects for the Local Government Act 1894. (See end of Document for details)

Textual Amendments

F73 S. 63 repealed by [S.I. 1979/1123](#), **art. 3(1)**

64 **F74**

Textual Amendments

F74 S. 64 repealed by [Local Government Act 1933 \(c. 51\)](#), **Sch. 11 Pt. IV**

65 Saving for harbour powers.

Where any improvement commission affected by this Act have any powers, duties, property, debts, or liabilities in respect of any harbour, the improvement commission shall continue to exist and be elected for the purpose thereof, and shall continue as a separate body, as if this Act had not passed, and the property, debts, and liabilities shall be apportioned between the district council for the district and the commission so continuing, and the adjustment arising out of the apportionment shall be determined in manner provided by this Act.

66 **F75**

Textual Amendments

F75 Ss. 66, 71 repealed by [Statute Law \(Repeals\) Act 1978 \(c. 45\)](#), s. 1(1), **Sch. 1 Pt. XII**

67 Transfer of property and debts and liabilities.

Where any powers and duties are transferred by this Act from one authority to another authority—

- (1) All property held by the first authority for the purpose or by virtue of such powers and duties shall pass to and vest in the other authority, subject to all debts and liabilities affecting the same; and
- (2) The latter authority shall hold the same for the estate, interest, and purposes, and subject to the covenants, conditions, and restrictions for and subject to which the property would have been held if this Act had not passed, so far as the same are not modified by or in pursuance of this Act; and
- (3) All debts and liabilities of the first authority incurred by virtue of such powers and duties shall become debts and liabilities of the latter authority, and be defrayed out of the like property and funds out of which they would have been defrayed if this Act had not passed.

68, 69. **F76**

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Textual Amendments

F76 Ss. 68, 69 repealed by Local Government Act 1933 (c. 51), **Sch. 11 Pt. IV** and London Government Act 1939 (c. 40), **Sch. 8**

70 **F77**

Textual Amendments

F77 S. 70 repealed by Local Government Act 1958 (c. 55), **Sch. 9 Pt. V**

71 **F78**

Textual Amendments

F78 Ss. 66, 71 repealed by Statute Law (Repeals) Act 1978 (c. 45), s. 1(1), **Sch. 1 Pt. XII**

72, 73. **F79**

Textual Amendments

F79 Ss. 72, 73 repealed by Local Government Act 1933 (c. 51), **Sch. 11 Pt. IV** and London Government Act 1939 (c. 40), **Sch. 8**

74 **F80**

Textual Amendments

F80 Ss. 74, 78 repealed by Local Government Act 1933 (c. 51), **Sch. 11 Pt. IV**

75 Construction of Act.

(1) The definition of “parish” in section one hundred of the ^{M4}Local Government Act, 1888, shall not apply to this Act, but, save as aforesaid, expressions used in this Act shall, unless the context otherwise requires, have the same meaning as in the said Act.

(2) In this Act, unless the context otherwise requires—

- **F81**
- **F82**
- **F82**
- **F82**

The expression “ecclesiastical charity” includes a charity, the endowment whereof is held for some one or more of the following purposes:—

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- (a) for any spiritual purpose which is a legal purpose; or
- (b) for the benefit of any spiritual person or ecclesiastical officer as such; or
- (c) for use, if a building, as a church, chapel, mission room, or Sunday school, or otherwise by any particular church or denomination; or
- (d) for the maintenance, repair, or improvement of any such building as aforesaid, or for the maintenance of divine service therein; or
- (e) otherwise for the benefit of any particular church or denomination, or of any members thereof as such.

Provided that where any endowment of a charity, other than a building held for any of the purposes aforesaid, is held in part only for some of the purposes aforesaid, the charity, so far as that endowment is concerned, shall be an ecclesiastical charity within the meaning of this Act; and the Charity Commissioners shall, on application by any person interested, make such provision for the apportionment and management of that endowment as seems to them necessary or expedient for giving effect to this Act.

The expression shall also include any building which in the opinion of the Charity Commissioners has been erected or provided within forty years before the passing of this Act mainly by or at the cost of members of any particular church or denomination.

The expression “affairs of the church” shall include the distribution of offertories or other collections made in any church.

F82

The expression “vestry” in relation to a parish means the inhabitants of the parish whether in vestry assembled or not, and includes any select vestry either by statute or at common law.

F83

F82

F82

The expression “local and personal Act” includes a Provisional Order confirmed by an Act and the Act confirming the Order.

F82

Textual Amendments

F81 Definition of “population” repealed by [Local Government Act 1958 \(c. 55\)](#), [Sch. 9 Pt. V](#)

F82 Definition repealed by [Statute Law \(Repeals\) Act 1978 \(c. 45\)](#), s. 1(1), [Sch. 1 Pt. XII](#)

F83 Definition of “rateable value” repealed by [Local Government Act 1958 \(c. 55\)](#), [Sch. 9 Pt. V](#)

Marginal Citations

M4 [1888 c. 41.](#)

76 Extent of Act.

This Act shall not extend to Scotland or Ireland.

77 Short title.

This Act may be cited as the Local Government Act, 1894.

Status: Point in time view as at 01/02/1991.

Changes to legislation: There are currently no known outstanding effects for the Local Government Act 1894. (See end of Document for details)

PART V

TRANSITORY PROVISIONS

78 **F84**

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Textual Amendments
F84 Ss. 74, 78 repealed by [Local Government Act 1933 \(c. 51\)](#), **Sch. 11 Pt. IV**

79 **F85**

.....
Textual Amendments
F85 S. 79 repealed by [Statute Law Revision Act 1908 \(c. 49\)](#)

80 **F86**

.....
Textual Amendments
F86 S. 80 repealed by [Local Government Act 1933 \(c. 51\)](#), **Sch. 11 Pt. IV** and [London Government Act 1939 \(c. 40\)](#), **Sch. 8**

81 **F87**

.....
Textual Amendments
F87 S. 81 repealed by [Local Government Act 1958 \(c. 55\)](#), **Sch. 9 Pt. V**

82 **F88**

.....
Textual Amendments
F88 S. 82 repealed by [Highways Act 1959 \(c. 25\)](#), s. 312(2), **Sch. 25**

83 **F89**

.....
Textual Amendments
F89 S. 83 repealed by [Local Government Act 1933 \(c. 51\)](#), **Sch. 11 Pt. IV** and [London Government Act 1939 \(c. 40\)](#), **Sch. 8**

Status: Point in time view as at 01/02/1991.

Changes to legislation: *There are currently no known outstanding effects for the Local Government Act 1894. (See end of Document for details)*

84 **F90**

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Textual Amendments

F90 S. 84 repealed by [Statute Law \(Repeals\) Act 1978 \(c. 45\), s. 1\(1\), Sch. 1 Pt. XII](#)

85— **F91**
89.

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Textual Amendments

F91 Ss. 85–89 repealed by [Local Government Act 1933 \(c. 51\), Sch. 11 Pt. IV](#) and [London Government Act 1939 \(c. 40\), Sch. 8](#)

Status: Point in time view as at 01/02/1991.

Changes to legislation: There are currently no known outstanding effects for the Local Government Act 1894. (See end of Document for details)

SCHEDULES

^{F92}F92 FIRST SCHEDULE

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Textual Amendments

F92 Sch. 1 repealed by [Local Government Act 1933 \(c. 51\)](#), **Sch. 11 Pt. IV**

.....
F92

^{F93}F93 SECOND SCHEDULE

.....
Textual Amendments

F93 Sch. 2 repealed by [Statute Law Revision Act 1908 \(c. 49\)](#)

.....
F93

Status:

Point in time view as at 01/02/1991.

Changes to legislation:

There are currently no known outstanding effects for the Local Government Act 1894.