

## 1973 No. 943

## LOCAL GOVERNMENT, ENGLAND AND WALES

## The Local Government (Interim Provision) Order 1973

<i>Made</i> - - - -	22nd May 1973
<i>Laid before Parliament</i>	29th May 1973
<i>Coming into Operation</i>	30th May 1973

The Secretary of State for the Environment, in relation to England, and the Secretary of State for Wales, in relation to Wales, in exercise of the powers conferred on them by section 254(1)(a) and (2)(c) and (d) of the Local Government Act 1972(a) and of all other powers enabling them in that behalf, hereby make the following order:—

*Title and commencement*

1. This order may be cited as the Local Government (Interim Provision) Order 1973 and shall come into operation on 30th May 1973.

*Interpretation*

2.—(1) The Interpretation Act 1889(b) shall apply for the interpretation of this order as it applies for the interpretation of an Act of Parliament.

(2) In this order—

“the Act” means the Local Government Act 1972; and

“Wales” means the area consisting of the counties established by section 20 of the Act (new local government areas in Wales), and England does not include any area included in any of those counties.

*Superannuation contributions of former clerks of the peace, etc.*

3. Where a person who—

(a) is, under sub-paragraph (2) of paragraph 13 of Schedule 10 to the Courts Act 1971(c), contributing to the superannuation fund (within the meaning of Part I of the Local Government Superannuation Act 1937(d)) specified in that sub-paragraph the amount therein specified;

(b) would, apart from the appointment mentioned below, be transferred on 1st April 1974 under section 255 of the Act to the employment of any local authority,

is appointed by a county council before 1st April 1974 to hold any office or employment before or as from that date, the said sub-paragraph (2) shall have

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(a) 1972 c. 70.

(b) 1889 c. 63.

(c) 1971 c. 23.

(d) 1937 c. 68.

effect with the substitution for “maintained by the authority referred to in sub-paragraph (1)(b) above” of “which is the appropriate superannuation fund in respect of him in that office or employment”.

The references in this article to provisions of the said Acts of 1937 and 1971 are references thereto as having effect by virtue of paragraph 5(1) of Schedule 7 to the Superannuation Act 1972(a).

*Election of councillors of the parish of Bawtry*

4. An election of councillors of the parish of Bawtry as enlarged by paragraph 2 of Part IV of Schedule 1 to the Act shall be held on 25th November 1973 and the Parish Council Election Rules 1973(b) shall apply thereto with the necessary modifications. The persons elected as the result of the said election shall not act in their offices before 1st April 1974 except for the purpose of taking any action with a view to enabling the parish council to exercise their functions on and after that date.

*Wards of the parish of Abbots Langley*

5. The New Parishes Order 1973(c) shall have effect as if in Schedule 2 (Wards), in columns (2), (3) and (4), the following entries had been inserted—

“No. 5 (Abbots Langley)		The Abbots Langley ward of the existing parish of Abbots Langley	3 ”
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*Geoffrey Rippon,*

Secretary of State for the Environment.

22nd May 1973.

*Peter Thomas,*

Secretary of State for Wales.

21st May 1973.

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EXPLANATORY NOTE

*(This Note is not part of the Order.)*

This Order deals with three matters—

(a) Paragraph 13 of Schedule 10 to the Courts Act 1971 made provision in relation to certain contributory employees within the meaning of the Local Government Superannuation Act 1937 affected by the Act of 1971: in the context of this order the more important of such persons are clerks and deputy clerks of the peace. Sub-paragraph (2) enabled such persons to pay the same contributions as they had paid before the paragraph came into operation. These contributions were to be paid to the superannuation fund maintained by the authority by whom the person in question was

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(a) 1972 c. 11.

(b) S.I. 1973/166(1973 I, p. 670).

(c) S.I. 1973/688.

employed or paid. As a result of the Local Government Act 1972 some of the persons covered by paragraph 13 will come to be employed by new county councils Article 3 of this order therefore provides for the substitution of references to the appropriate superannuation fund:

- (b) Provision for elections of councillors of parishes to which parts of other parishes are added by paragraph 2 of Part IV of Schedule 1 to the Local Government Act 1972 on 12th April 1973 was made by the New Parishes Order 1973. That provision was ineffective in one parish as the necessary action could not be taken in time. Article 4 of this order makes new provision for an election;
- (c) The New Parishes Order 1973 (see (b)) provided for four wards in the parish of Abbots Langley. A fifth ward was in error omitted. Article 5 of this order provides that the earlier order shall have effect with additional entries, to rectify the omission.

SI 1973/943  
ISBN 0-11-030943-X



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