
STATUTORY INSTRUMENTS

1976 No. 246

The Local Government Area Changes Regulations 1976

Dissolution of charter trustees

12.—(1) The provisions of this regulation shall have effect where the city or town for which charter trustees have been constituted under subsection (4) of section 246 of the Local Government Act 1972—

- (a) becomes a parish;
- (b) becomes wholly comprised in a parish; or
- (c) becomes wholly comprised in two or more parishes,

and the said subsection (4) therefore, in accordance with subsection (8) of the said section 246, ceases to apply to the city or town.

(2) Any reference in this regulation to “the parish council” shall be construed—

- (a) in the cases described in (a) and (b) in paragraph (1), as a reference to the parish council for the parish so described;
- (b) in the case described in (c) in paragraph (1), as a reference to the parish council specified in relation to this paragraph in respect of the city or town in the order.

(3) The charter trustees shall be dissolved.

(4) Any mayor or deputy mayor of the city or town shall cease to hold office as such.

(5) Any local officer of dignity appointed under paragraph (c) of the said subsection (4) shall hold office as if he had been appointed by the parish council.

(6) All property and liabilities vested in or attaching to the charter trustees shall by virtue of the order be transferred to and vest in or attach to the parish council.

All contracts, deeds, bonds, agreements and other instruments subsisting in favour of, or against, and all notices in force which were given (or have effect as if they had been given) by, or to, the charter trustees shall be of full force and effect in favour of, or against, the parish council.

Any action or proceeding or any cause of action or proceeding, pending or existing at the dissolution of the charter trustees, by, or against, the charter trustees shall not be prejudicially affected by reason of the dissolution, and may be continued, prosecuted and enforced by, or against, the parish council.

(7) The accounts of the charter trustees and of the committees and officers thereof shall be made up to the dissolution of the charter trustees and shall be audited in like manner and subject to the same incidents and consequences as if the charter trustees had not been dissolved:

Provided that where the audit is carried out by a district auditor the expression “the body in question” in section 161(2)(a) (orders for repayment of expenditure declared unlawful) and (4) (certification of sums not brought into account or losses) of the Local Government Act 1972 shall include the parish council.

(8) Any officer of the charter trustees shall be transferred to the employment of the parish council, and regulation 71 shall apply to such officer as it applies to officers transferred by regulation 70.

(9) In this regulation, “city or town” means an area for which charter trustees act under section 246(4) to (8) of the Local Government Act 1972.

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(10) This regulation applies only to England.