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STATUTORY INSTRUMENTS

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**1990 No. 1274 (C.36)**

**LOCAL GOVERNMENT, ENGLAND AND WALES  
HOUSING, ENGLAND AND WALES**

**The Local Government and Housing Act 1989  
(Commencement No. 8 and Transitional Provisions) Order 1990**

*Made - - - - 13th June 1990*

The Secretary of State, in exercise of the powers conferred upon him by section 195(2) and (3) of the Local Government and Housing Act 1989<sup>(1)</sup> and of all other powers enabling him in that behalf, hereby makes the following Order:

1. This Order may be cited as the Local Government and Housing Act 1989 (Commencement No. 8 and Transitional Provisions) Order 1990.

2. In this Order—

“the 1985 Act” means the Housing Act 1985<sup>(2)</sup> and

“the 1989 Act” means the Local Government and Housing Act 1989.

3. The following provisions of the 1989 Act shall come into force on 1st July 1990 subject to the transitional provisions and savings in the Schedule to this Order—

sections 67 to 72 in so far as they are not already in force,

section 73,

sections 101(1) to (4) and (5)(a), 102 to 130 and 132 to 136 in so far as they are not already in force,

section 165(1) in so far as it is not already in force,

section 169(2)(b) and (c),

section 194(1) in so far as it relates to paragraphs 3, 21, 28(1) and (2) in so far as it confers a power to make regulations on the Secretary of State, 52, 63, 66 to 69, 90, 91 and 97 of Schedule 11,

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(1) 1989 c. 42.

(2) 1985 c. 68.

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section 194(4) in so far as it relates to the repeals, in Part II of Schedule 12, of the Local Authorities (Expenditure Powers) Act 1983<sup>(3)</sup> and, to the extent that such repeals are not yet in force, in the 1985 Act except for the repeal of sections 524 to 526 of that Act.

*Chris Patten*  
One of Her Majesty's Principal Secretaries of  
State

13th June 1990

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(3) 1983 c. 52; by virtue of section 195(5) of the 1989 Act any provision of Part II of Schedule 12 which repeals any provision of the Local Authorities (Expenditure Powers) Act 1983 does not extend to Scotland.

## SCHEDULE

### TRANSITIONAL PROVISIONS AND SAVINGS

#### **Local Government Act 1972**

1. The amendment to section 80(1) of the Local Government Act 1972 (c. 70) does not have effect, in relation to a person who on 1st July 1990 is a member of a local authority, before the expiry of the period for which he was elected or for which he otherwise became a member of the authority.

#### **Housing Act 1985**

2. The repeal of sections 460 to 520 of the 1985 Act does not have effect in relation to any application made under section 461 which has been approved by the local housing authority before 1st July 1990.

#### **Local Government and Housing Act 1989**

3. Section 113(1)(c) of the 1989 Act is modified, in the case of a notice served under section 366 of the 1985 Act (works required for the provision of means of escape from fire) before the 1st April 1990 in respect of compliance with which no application for a special grant under that Act has been approved, by the substitution for the reference to section 352 of a reference to section 366.

4. Subsection (5)(b) of section 132 of the 1989 Act (contributions by the Secretary of State towards expense of grants under Part XV of the 1985 Act in certain cases) is modified by the substitution for the reference to section 101 of a reference to section 101(1) to (4) and (5)(a).

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## EXPLANATORY NOTE

*(This note is not part of the Order)*

This Order brings into force on 1st July 1990 the following provisions of the Local Government and Housing Act 1989 (subject to the transitional provisions and savings in the Schedule)—

sections 67 to 72 to the extent that they are not in force (companies in which local authorities have interests),

section 73 (companies in which local authorities have interests: authorities acting jointly and by committees),

sections 101(1) to (4) and (5)(a), 102 to 130 and 132 to 136 to the extent that they are not in force (grants towards cost of improvements and repairs etc.);

section 165(1) to the extent that it is not in force (amendments to the Housing Act 1985);

section 169(2)(b) and (c) (works in connection with which local authorities and the Secretary of State have power to provide services);

section 194(1) in relation to certain minor and consequential amendments in Schedule 11;

section 194(4) in so far as it relates to the repeals, in Part II of Schedule 12, of the Local Authorities (Expenditure Powers) Act 1983 (in respect of England and Wales only) and, to

the extent that such repeals are not already in force, in the 1985 Act except for the repeal of sections 524 to 526 of that Act (contributions under superseded enactments, and definitions).

### NOTE AS TO EARLIER COMMENCEMENT ORDERS

*(This note is not part of the Order)*

The following provisions of the Local Government and Housing Act 1989 have been brought into force by commencement orders made before the date of this Order—

Provisions	Date of commencement	S.I. No.
s.1(5) and (6)	29th November 1989	<a href="#">1989/2186</a>
s.2.		
s.140 (partially)	1st December 1989	<a href="#">1989/2180</a>
s.142 (partially)		
ss.143 and 144		
s.145 (partially)		
s.159		
s.179		
s.194(1) and (4) (partially)		
Sch.6 (partially)		
Sch.11 (partially)		
Sch. 12 (partially)		
s.9 (partially)	16th January 1990	<a href="#">1989/2445</a>
ss.13 to 15 (partially)		
s.17 (partially)		
s.18		
s.19 (partially)		
s.20		
s.22		
s.30 (partially)		
s.31		
ss.33 to 36 (partially)		
ss.39 to 66		
ss.67 to 72 (partially)		
ss.89 to 92 (partially)		
ss.95 and 96 (partially)		

Provisions	Date of commencement	S.I. No.
s.98 (partially)		
s.99		
s.102 (partially)		
s.104 (partially)		
ss.109 and 110 (partially)		
s.115 (partially)		
s.121 (partially)		
s.127 (partially)		
ss.130 to 132 (partially)		
s.137		
s.138		
s.160		
s.162		
s.165(1) (partially)		
ss.167 and 168		
s.171		
s.172(6), (7) and (8)		
s.175		
s.176 to 178		1989/2180
s.180		1989/2445
s.182		
s.185		1989/2180
s.194(1) and (4) (partially)		
s.194 (partially)		1989/2445
Sch.5 (partially)		
Sch.9 (partially)		
Sch.11 (partially)		
Sch.11 (partially)		1989/2180
Sch.12 (partially)		
Sch.12 (partially)		1989/2445
s.194(1) (partially)	26th February 1990	1990/191
Sch.11 (partially)		

Provisions	Date of commencement	S.I. No.
s.1(1) to (4), (7) and (8)	1st March 1990	1989/2445
s.164		1990/191
s.165(3) to (9)		
s.172 (in so far as not already in force)		1989/2445
s.173		
s.194(4) (partially)		1990/191
Sch.12 (partially)		
s.194(2) (partially)	5th March 1990	1990/431
s.194(3)		
s.10	1st April 1990	1990/431
s.23		
s.25		
s.26		
s.27		
s.28		
s.29		
ss.33 to 35 (in so far as not already in force)		1990/762
s.36 (in so far as not already in force)		1990/431
s.37		
s.38		
ss.89 to 98 (in so far as not already in force)		
s.100 (in so far as not already in force)		
s.131 (in so far as not already in force)		
s.132(1) to (4) (partially)		
s.145 (partially)		1989/2180
s.156		1990/431
s.165(1) (partially)		
s.165(2)		

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Provisions	Date of commencement	S.I. No.
s.169 (partially)		
s.170		1989/2180
s.183		1990/431
s.186		
s.194(1) (partially)		
s.194(1) (partially)		1990/762
s.194(2) (in so far as not already in force)		1990/431
s.194(4) (partially)		1989/2180
s.194(4) (partially)		1990/431
Sch.6 (partially)		1989/2180
Sch.9 (partially)		1990/431
Sch.11 (partially)		1990/762
Sch.11 (partially)		1990/431
Sch.12 (partially)		1989/2180
Sch.12 (partially)		1990/431
s.30(1) (in so far as not already in force)	3rd May 1990	1990/961
s.30(2) (partially)		
s.32		

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