SCHEDULES

SCHEDULE 23

Section 107

LEGISLATION NO LONGER OF PRACTICAL USE

PART 1

COMPANIES

Companies Act 2006 (c. 46)

1 Omit section 1175 of, and Schedule 9 to, the Companies Act 2006 (which make amendments of Part 7 of the Companies Act 1985 and Part 8 of the Companies (Northern Ireland) Order 1986).

PART 2

INDUSTRY

Newspaper Libel and Registration Act 1881 (c. 60)

2 In the Newspaper Libel and Registration Act 1881, omit sections 7 to 18 and Schedules A and B (provisions relating to a register of proprietors of newspapers other than newspapers belonging to companies formed and registered under the Companies Act 2006 or incorporated in another EEA state).

3 In consequence of paragraph 2, in section 1 of the Newspaper Libel and Registration Act 1881, omit the definitions of "registrar", "occupation" and "place of residence".

Mining Industry Act 1920 (c. 50)

4 The Mining Industry Act 1920 is repealed.

5 In consequence of paragraph 4, in Schedule 4 to the Mines and Quarries Act 1954, omit the entry for the Mining Industry Act 1920.

Mining Industry Act 1926 (c. 28)

6 (1) In the Mining Industry Act 1926, omit section 20 (which confers power on coal-mining companies to establish profit sharing schemes irrespective of the terms of their articles of association).

(2) The repeal made by sub-paragraph (1) is to have no effect in relation to any scheme still in existence that was established, and is being carried on, in reliance on the power conferred by section 20 of the Mining Industry Act 1926.

Industry Act 1972 (c. 63)

7 In the Industry Act 1972, in Schedule 3 (shipbuilding: transitional provisions), omit paragraph 1(b)(ii) (saving provision for the Shipbuilding Industry Board (Dissolution Provisions) Order 1971 (S.I. 1971/1939)).

Aircraft and Shipbuilding Industries Act 1977 (c. 3)

8 The Aircraft and Shipbuilding Industries Act 1977 is repealed.

9 (1) The following amendments are made in consequence of paragraph 8.

(2) In the Civil Aviation Act 1982, in Schedule 15, omit paragraph 18.

(3) In the Companies Act 1989, in Schedule 18, omit paragraph 16.

British Steel Act 1988 (c. 35)

10 The British Steel Act 1988 is amended in accordance with paragraphs 11 and 12.

11 (1) Omit section 6 (target investment limit for Government shareholding in successor company to British Steel Corporation).

(2) In consequence of sub-paragraph (1)—

(a) in section 4(1), omit "Subject to section 6(5),";

(b) in section 13(2), omit "6 or".

12 In Schedule 3 (transitional provisions and savings), omit paragraph 10 (saving provision for regulations made under section 24 of the Iron and Steel Act 1953 (compensation to officers and servants) or having effect as if made under paragraph 2 of Schedule 4 to the Iron and Steel Act 1975 (compensation to employees)).

European Communities (Definition of Treaties) (International Railway Tariffs Agreements) Order 1980 (S.I. 1980/1094)

13 The European Communities (Definition of Treaties) (International Railway Tariffs Agreements) Order 1980 is revoked.

PART 3

ENERGY

Atomic Energy Act 1946 (c. 80)

14 Omit sections 6 and 7 of, and Schedule 1 to, the Atomic Energy Act 1946 (which confer powers to do work for the purpose of discovering certain minerals and to compulsorily acquire rights to work such minerals).

15 (1) The following amendments are made in consequence of paragraph 14.

(2) In the 1946 Act—

(a) in section 15(1), omit the words ", except an order made under section seven thereof or an order varying or revoking such an order,";

(b) in section 16, omit the words from "Provided that" to the end of the section;

(c) in section 19, omit paragraphs (c) and (d);

(d) in section 20(1), omit the words “, except sections six and seven thereof,”.

(3) In the Atomic Energy Authority Act 1954, in Schedule 3, omit—

(a) the paragraph beginning “In subsection (1) of section seven”;

(b) the paragraph beginning “At the end of section sixteen”;

(c) the paragraph beginning “In paragraph (c) of section nineteen”.

Energy Act 1976 (c. 76)

16 Omit section 9 of the Energy Act 1976 (which requires the consent of the Secretary of State for offshore natural gas to be subjected in Great Britain to certain processes of liquefaction which result in the production of liquid methane or ethane).

17 In consequence of paragraph 16—

(a) in the Oil and Gas (Enterprise) Act 1982, in Schedule 3, omit paragraph 37;

(b) in the Gas Act 1995, in Schedule 4, omit paragraph 11(1);

(c) in the Petroleum Act 1998, in Schedule 4, omit paragraph 12.

Nuclear Industry (Finance) Act 1977 (c. 7)

18 Omit section 3 of the Nuclear Industry (Finance) Act 1977 (which provides for expenditure which the Secretary of State may incur with a view to, or in connection with, the acquisition of shares etc in the National Nuclear Corporation Limited to be paid out of money provided by Parliament).

Sustainable Energy Act 2003 (c. 30)

19 Omit section 7 of the Sustainable Energy Act 2003 (which required the Gas and Electricity Markets Authority to pay into the Consolidated Fund amounts of up to £60 million, on the Secretary of State’s direction, for the Secretary of State then to spend on promoting the use of energy from renewable sources).

Electricity and Gas (Energy Efficiency Obligations) Orders

20 The following Orders (which impose energy efficiency obligations on certain gas and electricity suppliers for periods which have now expired) are revoked—

(a) the Electricity and Gas (Energy Efficiency Obligations) Order 2001 (S.I. 2001/4011);

(b) the Electricity and Gas (Energy Efficiency Obligations) Order 2004 (S.I. 2004/3392).

21 In consequence of paragraph 20, the Electricity and Gas (Energy Efficiency Obligations) (Amendment) Order 2003 (S.I. 2003/1180) is revoked.

PART 4

TRANSPORT

Road Traffic Act 1988 (c. 52)

22 (1) Omit section 64A of the Road Traffic Act 1988 (which makes it an offence to use certain unregistered vehicles on a road without an EC certificate of conformity).

(2) In consequence of sub-paragraph (1)—

(a) in section 183(2) of the Road Traffic Act 1988 (which makes provision about the application of certain provisions of that Act to vehicles in the public service of the Crown), for "sections 64A, 65 and 65A" substitute "sections 65 and 65A";

(b) in Part 1 of Schedule 2 to the Road Traffic Offenders Act 1988 (prosecution and punishment of offences under the Traffic Acts), omit the entry relating to section 64A of the Road Traffic Act 1988.

Subordinate legislation relating to railways

23 The following Orders are revoked—

(a) the Railways Act 1993 (Extinguishment of Relevant Loans) (Railtrack plc) Order 1996 (S.I. 1996/664);

(b) the Railtrack Group PLC (Target Investment Limit) Order 1996 (S.I. 1996/2551);

(c) the Strategic Rail Authority (Capital Allowances) Order 2001 (S.I. 2001/262).

PART 5

ENVIRONMENT

Farm and Garden Chemicals Act 1967 (c. 50)

24 The Farm and Garden Chemicals Act 1967 is repealed.

25 (1) The following amendments are made in consequence of paragraph 24.

(2) In the Food Safety Act 1990, in Schedule 3, omit paragraph 5.

(3) In the Regulatory Enforcement and Sanctions Act 2008, in Schedule 3, omit the entry for the Farm and Garden Chemicals Act 1967.

Merchant Shipping Act 1988 (c. 12)

26 The Merchant Shipping Act 1988 is repealed.

Statutory Water Companies Act 1991 (c. 58)

27 The Statutory Water Companies Act 1991 is repealed.

28 (1) The following amendments are made in consequence of paragraph 27.

(2) In the Water Act 1983—

(a) omit section 3(5)(b);

(b) in section 10, omit the definition of "statutory water company" (but not the "and" following it).

(3) In the Water Act 1989, in section 174(8), omit "the Statutory Water Companies Act 1991,".

(4) In the Water Industry Act 1991—

(a) in section 5(5), omit "the Statutory Water Companies Act 1991,";

(b) in section 6(5)—

(i) after "water undertaker" insert "or a sewerage undertaker";

(ii) omit the words from "or a statutory water company" to the end of the subsection;

(c) in section 202(6), omit "the Statutory Water Companies Act 1991,";

(d) in section 206(10), omit "the Statutory Water Companies Act 1991,";

(e) in Schedule 3—

(i) omit paragraph 1(b) and the "and" before it;

(ii) omit paragraph 2(b) (but not the "and" following it);

(iii) omit paragraph 5(3);

(iv) in paragraph 7(4), omit paragraph (a) and the "and" following it;

(v) in paragraph 7(4)(b), omit "in any other case,";

(vi) in paragraph 8, omit paragraph (a) and the "and" following it;

(vii) in paragraph 8(b), omit "in any other case,";

(viii) in paragraph 9, in the substituted subsection (1)(c) of section 23 of the 1986 Act, omit the words from the beginning of the paragraph to "that is not a limited company,";

(ix) in paragraph 9, in the substituted subsection (2) of section 23 of the 1986 Act, omit the words from ", except where the company" to "is not a limited company,";

(f) in Schedule 13, in paragraph 4, omit the words from "(including," to the end of the paragraph.

(5) In the Water Resources Act 1991, in section 204(7), omit "the Statutory Water Companies Act 1991,".

(6) In the Enterprise Act 2002, in Schedule 15, omit the entry for the Statutory Water Companies Act 1991.

(7) In the Companies Act 2006, in section 994(3), omit paragraph (b) and the "or" before it.

Sea Fish (Conservation) Act 1992 (c. 60)

29 Omit section 10 of the Sea Fish (Conservation) Act 1992 (which requires a report on the operation of the Act to be laid before Parliament within the period of 6 months beginning with 1 January 1997).

Highways (Assessment of Environmental Effects) Regulations 1988 and 1994

30 The following Regulations are revoked—

(a) the Highways (Assessment of Environmental Effects) Regulations 1988 (S.I. 1988/1241);

(b) the Highways (Assessment of Environmental Effects) Regulations 1994 (S.I. 1994/1002).

PART 6

ANIMALS AND FOOD

Sea Fisheries Act 1868 and other fisheries legislation

31 The following Acts are repealed—

(a) the Sea Fisheries Act 1868, including so far as it extends outside the United Kingdom by virtue of section 70 of that Act;

(b) the Fisheries Act 1891;

(c) the British Fishing Boats Act 1983.

32 (1) The following amendments are made in consequence of paragraph 31.

(2) In the Fishery Limits Act 1976, in Schedule 2, omit paragraph 7.

(3) In the Merchant Shipping Act 1995, in Schedule 13, omit paragraphs 2, 9 and 68.

(4) In the Statute Law (Repeals) Act 1998, in Schedule 2, omit paragraph 9.

(5) In the Tribunals, Courts and Enforcement Act 2007, in Schedule 13, omit paragraph 67.

Agricultural Produce (Grading and Marking) Acts 1928 and 1931

33 The Agricultural Produce (Grading and Marking) Act 1928 and the Agricultural Produce (Grading and Marking) Amendment Act 1931 are repealed.

34 (1) The following amendments are made in consequence of paragraph 33.

(2) In the Agriculture (Miscellaneous Provisions) Act 1963, omit section 23.

(3) In the Agriculture and Horticulture Act 1964, omit section 22(1).

(4) In the Criminal Justice Act 1967, in Part 1 of Schedule 3, omit the entries for the Agricultural Produce (Grading and Marking) Act 1928 and the Agricultural Produce (Grading and Marking) Amendment Act 1931.

(5) In the Trade Descriptions Act 1968—

(a) omit section 2(4)(b);

(b) in Schedule 1, omit paragraph 3.

(6) In the Local Government etc. (Scotland) Act 1994, in Schedule 13, omit paragraph 14.

(7) In the Regulatory Enforcement and Sanctions Act 2008, in Schedule 3, omit the entry for the Agricultural Produce (Grading and Marking) Act 1928.

Breeding of Dogs Act 1973 (c. 60)

35 In section 1 of the Breeding of Dogs Act 1973 (licensing of breeding establishments for dogs), omit subsection (4)(i) (requirement for local authority, in determining whether to grant a licence, to have regard to the need for securing the keeping of accurate records).

36 (1) The following amendments are made in consequence of paragraph 35.

(2) In section 1 of the Breeding of Dogs Act 1973—

(a) at the end of subsection (4)(g), insert "and";

(b) omit the "and" following subsection (4)(h);

(c) in the closing words of subsection (4), for "paragraphs (a) to (i)" substitute "paragraphs (a) to (h)";

(d) omit subsection (4A).

(3) In the Breeding and Sale of Dogs (Welfare) Act 1999, omit section 2(3).

Animal Health Act 1981 (c. 22)

37 Part 2A of the Animal Health Act 1981 (provision about transmissible spongiform encephalopathies in sheep) is repealed.

38 In consequence of paragraph 37, omit section 6 of, and the Schedule to, the Animal Health Act 2002.

Milk: cessation of production

39 The Milk (Cessation of Production) Act 1985 is repealed.

40 The Milk (Cessation of Production) (Northern Ireland) Order 1985 (S.I. 1985/958 (N.I. 9)) is revoked.

Breeding and Sale of Dogs (Welfare) Act 1999 (c. 11)

41 (1) Section 8 of the Breeding and Sale of Dogs (Welfare) Act 1999 (sale of dogs) is amended as follows.

(2) Omit subsection (1)(e) (offence for keeper of a licensed breeding establishment to sell to the keeper of a licensed pet shop or a licensed Scottish rearing establishment a dog which, when delivered, is not wearing a collar with an identifying tag or badge).

(3) Omit subsection (3) (offence for keeper of a licensed pet shop to sell a dog which, when delivered to him, was wearing a collar with an identifying tag or badge but is not wearing such a collar when delivered to the purchaser).

(4) In consequence of sub-paragraph (2)—

(a) in subsection (1), at the end of paragraph (c), insert "or";

(b) in that subsection, omit the "or" following paragraph (d).

Coal and Other Mines (Horses) Order (S.I. 1956/1777)

42 The Coal and Other Mines (Horses) Order 1956 is revoked.

PART 7

EDUCATION

Greenwich Hospital School (Regulations) (Amendment) Order 1948 (S.I. 1948/2792)

43 The Greenwich Hospital School (Regulations) (Amendment) Order 1948 is revoked.

PART 8

CIVIL LAW

Defamation Act 1996 (c. 31)

44 Omit section 13 of the Defamation Act 1996 (which allows an individual litigant in defamation cases to waive the ban in Article IX of the Bill of Rights on proceedings in Parliament being impeached or questioned in court).

PART 9

CRIMINAL LAW

Town Police Clauses Act 1847 (10 &11 Vict. (c. 89))

45 In section 28 of the Town Police Clauses Act 1847 (which creates a number of offences) omit the paragraphs beginning—

(a) "Every person who exposes for show, hire or sale";
(b) "Every person who slaughters or dresses any cattle";
(c) "Every person having the care of any waggon, cart or carriage";
(d) "Every person who causes any public carriage, sledge, truck, or barrow";
(e) "Every person who causes any tree or timber or iron beam";
(f) "Every person who leads or rides any horse or other animal";
(g) "Every person who places or leaves any furniture";
(h) "Every person who places, hangs up, or otherwise exposes to sale";
(i) "Every person who rolls or carries any cask";
(j) "Every person who places any line, cord or pole";
(k) "Every person who publicly offers for sale or distribution,";
(l) "Every person who wilfully and wantonly disturbs any inhabitant";
(m) "Every person who flies any kite,";
(n) "Every person who cleanses, hoops, fires, washes, or scalds";
(o) "Every person who throws or lays down any stones";
(p) "Every person who beats or shakes any carpet";
(q) "Every person who fixes or places any flower-pot or box";
(r) "Every person who throws from the roof";
(s) "Every occupier of any house or other building";
(t) "Every person who leaves open any vault or cellar";
(u) "Every person who throws or lays any dirt, litter, or ashes";
(v) "Every person who keeps any pigstye".

PART 10

HOUSING

Housing Act 1988 (c. 50)

46 (1) Paragraph 3 of Schedule 18 to the Housing Act 1988 (saving provision in respect of repeal of sections 56 to 58 of the Housing Act 1980) ceases to have effect in relation to tenancies of dwelling-houses in England.

(2) Accordingly, in that paragraph of that Schedule, after "tenancy" insert "of a dwelling-house in Wales".