

SCHEDULE 3

Article 10

APPLICATION OF LOCAL AUTHORITY PROVISIONS

Local Government Act 1972

1. The following provisions of the Local Government Act 1972⁽¹⁾ shall have effect as if references to a joint authority included references to an authority established by this order—

- (a) section 70 (restriction on promotion of Bills for changing local government areas);
- (b) section 80(1)(a) and (2)(b) (disqualification for election and holding office);
- (c) section 85(4) (failure to attend meetings);
- (d) section 86(2) (declaration of vacancy);
- (e) section 92(7) (proceedings for disqualification);
- (f) section 98(1A) (pecuniary interests);
- (g) section 99 (meetings and proceedings);
- (h) section 100J(1)(b) (access to information)⁽²⁾;
- (i) section 101(13) (discharge of functions);
- (j) section 146A(1) (miscellaneous powers of local authorities);
- (k) section 153(3) (application of capital money);
- (l) sections 176(3) and 177(1)(ac) (allowances to members);
- (m) section 223(2) (legal proceedings);
- (n) sections 224(2), 225(3), 228(7A), 229(8), 230(2), 231(4), 232(1A), 233(11) and 234(4) (documents and notices);
- (o) section 239(4A) (promoting and opposing local or personal Bills); and
- (p) paragraphs 6A and 46 of Schedule 12 (meetings and proceedings).

2. Sections 82, 84(2) and 90 of the Local Government Act 1972 (validity of acts done by unqualified persons, resignation and term of office of person filling casual vacancy)⁽³⁾ shall have effect as if references to a person appointed to an office under Part IV of the Local Government Act 1985 included references to a person appointed to an office under this order.

3. In relation to an authority established by this order—

- (a) section 173A(3) of the Local Government Act 1972 (financial loss allowances)⁽⁴⁾ shall have effect as if for the word “election” in both places where it occurs the following word were substituted “appointment”;
- (b) section 177 of that Act (attendance allowances) shall have effect as if—
 - (i) in subsection (2) for the words “paragraphs (b) to (f) of subsection (1) above” the following words were substituted “paragraphs (ab) to (f) of subsection (1) above”;
 - (ii) after that subsection the following subsection were inserted—

“(2AA) References in section 173 and 173A above to a local authority and a councillor include references to an authority established by the Waste Regulation and Disposal (Authorities) Order 1985 and a member of the authority appointed by

⁽¹⁾ Relevant amendments to these provisions were made by Part I of Schedule 14 to Local Government Act 1985.

⁽²⁾ Inserted by section 1(1) of the Local Government (Access to Information) Act 1985 (c.43).

⁽³⁾ Relevant amendments to these provisions were made by Part I of Schedule 14 to Local Government Act 1985.

⁽⁴⁾ Inserted by section 24(2) of the Local Government, Planning and Land Act 1980 (c.65), and amended by section 7 of the Miscellaneous Financial Provisions Act 1983 (c.29).

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one of its constituent councils, but in this subsection 'member' does not include a person deemed to be a member by virtue of subsection (3) below"

; and

- (c) paragraph 6B of Schedule 12 to that Act⁽⁵⁾ shall have effect as if after the words "in the case of a joint authority" the following words were inserted " , two members in the case of an authority established by the Waste Regulation and Disposal (Authorities) Order 1985".

Other enactments

4. The following enactments⁽⁶⁾ shall have effect as if references to a joint authority established by Part IV of the Local Government Act 1985 included references to an authority established by this order—

- (a) section 69(1) of the Landlord and Tenant Act 1954;
- (b) paragraph 1(aa) of the Schedule to the Public Bodies (Admission to Meetings) Act 1960;
- (c) section 11(4)(a) of the Trustee Investment Act 1961;
- (d) section 85(2) of the General Rate Act 1967;
- (e) section 28(5)(a) of the Leasehold Reform Act 1967;
- (f) section 86(1) of the Post Office Act 1969;
- (g) section 3(2) of the Employers' Liability (Compulsory Insurance) Act 1969;
- (h) section 1(4) of the Local Authorities (Goods and Services) Act 1970;
- (i) section 144(2)(a) of the Road Traffic Act 1972;
- (j) section 13(7)(f) of the Employment Agencies Act 1973;
- (k) sections 25(1)(c) and 26(11)(b) of the Local Government Act 1974;
- (l) section 28(6) of the Health and Safety at Work Act 1974;
- (m) section 44(1) of the Local Government (Miscellaneous Provisions) Act 1976;
- (n) section 71 of the Race Relations Act 1976;
- (o) section 5(3)(bb) of the Rent (Agriculture) Act 1976;
- (p) section 14(cb) of the Rent Act 1977;
- (q) section 64(6) of the Justices of the Peace Act 1979;
- (r) section 19(1) of, paragraph 1(3)(ab) of Schedule 1 and paragraph 9(2)(a) of Schedule 1A to, the Housing Act 1980⁽⁷⁾;
- (s) sections 2(1)(ka), 20(1), 71(1)(j) and 99(4)(db) of and paragraph 5B of Schedule 16 to the Local Government, Planning and Land Act 1980;
- (t) section 17(4)(a) of the Acquisition of Land Act 1981;
- (u) sections 33(9)(a) and (b) and 41(13)(e) of the Local Government (Miscellaneous Provisions) Act 1982;
- (v) paragraph 7(2)(a) of Schedule 1 to the Stock Transfer Act 1982;
- (w) section 60(3) of the County Courts Act 1984⁽⁸⁾;
- (x) section 4(e) of the Housing Act 1985; and

(5) Inserted by paragraph 35(2) of Schedule 14 to the Local Government Act 1985.

(6) Relevant amendments to the enactments listed were made by Part II of Schedule 14 to the Local Government Act 1985.

(7) prospectively repealed with savings by Schedule 1, and paragraph 2 of Schedule 3, to the Housing (Consequential Provisions) Act 1985 (c.71).

(8) relevant amendments were made by paragraph 40 of Schedule 14 to the Local Government Act 1985.

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(y) section 38 of the Landlord and Tenant Act 1985.

5. Sections 5(3) and 75(4) of the London Government Act 1963(9) shall have effect as if after the words “the Inner London Education Authority” the following words were inserted “, an authority established by Part I, II, III, IV or V of the Waste Regulation and Disposal (Authorities) Order 1985”.

(9) relevant amendments were made by paragraph 40 of Schedule 14 to the Local Government Act 1985.