
STATUTORY INSTRUMENTS

2003 No. 1021

The Local Authorities (Members' Allowances) (England) Regulations 2003

PART 6

TRANSITIONAL PROVISIONS, REVOCATION AND DISAPPLICATIONS

Revocation

33.—(1) The following Regulations shall be revoked to the extent not already revoked—

- (a) the Local Authorities (Members' Allowances) Regulations 1991(1);
- (b) the Local Authorities (Members' Allowances) (Amendment) Regulations 1995(2);
- (c) the Local Authorities (Members' Allowances) (Amendment) Regulations 1996(3);
- (d) the Local Authorities (Members' Allowances) (Amendment) (England) Regulations 2000(4);
- (e) the Local Authorities (Members' Allowances) (Amendment) (England) (No. 2) Regulations 2000(5); and
- (f) the Local Authorities (Members' Allowances) (England) Regulations 2001(6).

(2) Paragraph 4 of the Schedule to the Greater London Authority Act 1999 (Consequential Amendments of Subordinate Legislation) (Fire etc. Authority) Order 2000(7) shall be revoked.

Disapplication

34.—(1) Subject to paragraphs (2) and (3), the following shall be disapplied as respects authorities—

- (a) sections 173 to 175 of the Local Government Act 1972(8);
- (b) section 176(1)(a) and (2) of that Act; and
- (c) section 18(2)(b) of the Local Government and Housing Act 1989(9),

(1) S.I.1991/351, as amended by S.I. 1995/553, S.I. 1996/469, S.I. 2000/622, S.I. 2000/623 and S.I. 2001/1280.

(2) S.I. 1995/553.

(3) S.I. 1996/469.

(4) S.I. 2000/622.

(5) S.I. 2000/623.

(6) S.I. 2001/1280.

(7) S.I. 2000/1553 which amended regulation 5 of S.I. 1991/351.

(8) 1972 c. 70; section 173 is amended by section 24(1) of the Local Government, Planning and Land Act 1980 (c. 65) and by section 194 of and Schedule 11 to the Local Government and Housing Act 1989 (c. 42); section 173A was inserted by section 24 of the Local Government, Planning and Land Act 1980 (c. 65) and is amended by section 7 of the Miscellaneous Financial Provisions Act 1983 (c. 29) and by section 194 of and Schedule 11 to the Local Government and Housing Act 1989 (c. 42); section 174 is amended by section 25 of the Local Government, Planning and Land Act 1980 (c. 65); section 175 is amended by section 25 of the Local Government, Planning and Land Act 1980 (c. 65), section 11 of and Schedule 5 to the Water Act 1983 (c. 23), section 194 of and Schedule 11 to the Local Government and Housing Act 1989 (c. 42) and section 328 of and Schedule 29 to the Greater London Authority Act 1999 (c. 29).

(9) To which there are amendments not relevant to this provision.

for all purposes other than—

- (i) the payment of any allowance payable to members of an admissions appeal panel constituted in accordance with regulations made by the Secretary of State under the provisions of the School Standards and Framework Act 1998⁽¹⁰⁾; and
- (ii) the payment of any allowance payable to members of an exclusions appeal panel constituted in accordance with regulations made by the Secretary of State under the provisions of the Education Act 2002⁽¹¹⁾.

(2) As respects parish councils the provisions referred to in paragraph (1) shall be disapplied with effect from 30th September 2003.

(3) As respects any other authority the provisions referred to in paragraph (1) shall be disapplied with effect from the date upon which such authority makes a scheme in accordance with Parts 2 and 3 of these Regulations.

(4) In this regulation, the reference to “authorities” is a reference to the following bodies—

- (a) a district council;
- (b) a county council;
- (c) a London borough council;
- (d) the Council of the Isles of Scilly;
- (e) a fire authority constituted by a combination scheme under the Fire Services Act 1947⁽¹²⁾;
- (f) a joint authority established by Part IV of the Local Government Act 1985⁽¹³⁾;
- (g) the London Fire and Emergency Planning Authority⁽¹⁴⁾;
- (h) the Broads Authority⁽¹⁵⁾;
- (i) a National Park authority⁽¹⁶⁾;
- (j) a conservation board of an area of outstanding natural beauty⁽¹⁷⁾; and
- (k) a parish council.

⁽¹⁰⁾ 1998 c. 31. The Education (Admissions Appeals Arrangements) (England) Regulations 2002 (S.I. 2002/2899) have been made under the provisions of section 94 of the School Standards and Framework Act 1998.

⁽¹¹⁾ 2002 c. 32. The Education (Pupil Exclusions and Appeals) (Maintained Schools) (England) Regulations 2002 (S.I. 2002/3178) and the Education (Pupil Exclusions and Appeals) (Pupil Referral Units) (England) Regulations 2002 (S.I. 2002/3179) have been made under the provisions of section 52 of the Education Act 2002.

⁽¹²⁾ 1947 c. 41.

⁽¹³⁾ 1985 c. 51.

⁽¹⁴⁾ Established by Part VII of the Greater London Authority Act 1999 (c. 29).

⁽¹⁵⁾ Established by the Norfolk and Suffolk Broads Act 1988 (c. 4).

⁽¹⁶⁾ Established by the Environment Act 1995 (c. 25).

⁽¹⁷⁾ See section 86 of and Schedule 13 to the Countryside and Rights of Way Act 2000 (c. 37) for provisions as to the establishment of conservation boards.