



Local Government Act 1972

1972 CHAPTER 70

PART IX

FUNCTIONS

Education, social and welfare services

195 Social services functions.

- (1) Outside Greater London, the local authorities for the purposes of the ^{M1}Local Authority Social Services Act 1970 (in this section referred to as “the Act of 1970”) shall be the councils of non-metropolitan counties and the councils of metropolitan districts; and accordingly in section 1 of that Act for the words “counties, county boroughs” there shall be substituted the words “ non-metropolitan counties, metropolitan districts ”.
- (2) In a non-metropolitan county [^{F1}in England] each district council and the county council shall from time to time consult together with respect to the nature and extent of the accommodation needed for people who by reason of infirmity or disability (whether arising from age or otherwise) are in need of accommodation of a special character.
- (3) The following proposals and schemes, so far as in force immediately before 1st April 1974, that is to say,—
 - (a) proposals approved under section 20 of the ^{M2}National Health Service Act 1946 relating to the duties of local health authorities under section 22 of that Act (care of mothers and young children) or under section 12 of the ^{M3}Health Services and Public Health Act 1968 (prophylaxis, care and after-care), and
 - (b) schemes approved under section 34 of the ^{M4}National Assistance Act 1948 (relating to the provision of accommodation, the welfare of handicapped persons and the employment of disabled persons),

shall cease to have effect; and the local authorities who, by virtue of section 1 of the Act of 1970, ^{F2}. . . , are the local authorities for the purposes of that Act may, with the approval of the Secretary of State, and to such extent as he may direct shall, make

Changes to legislation: Local Government Act 1972, Section 195 is up to date with all changes known to be in force on or before 21 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

arrangements for carrying out the functions to which those proposals and schemes formerly related.

- (4) Any delegation scheme under section 46 of the ^{M5}Local Government Act 1958 (relating to health and welfare functions) which is in force immediately before 1st April 1974 shall cease to have effect.
- (5) Any scheme or regional plan made by a children’s regional planning committee under the ^{M6}Children and Young Persons Act 1969 and in force immediately before 1st April 1974 shall, subject to the provisions of that Act, continue in force with such modifications as may be necessary to take account of the replacement of the existing local authorities by the new authorities.
- (6) The enactments specified in Schedule 23 to this Act, being enactments conferring social services functions on local authorities in varying capacities, shall have effect subject to the amendments specified in that Schedule, being amendments designed—
- (a) to vest those functions in the local authorities who, by virtue of section 1 of the Act of 1970, as amended by subsection (1) above, are the local authorities for the purposes of that Act; and
 - (b) to give effect to subsection (3) above, as it affects those authorities.
- [^{F3}(7) In section 64(1) of the ^{M7}National Assistance Act 1948 (interpretation), in the definition of “local authority”, the words “county borough” shall be omitted and, after word “district”, there shall be inserted the words “ or London borough or the Common Council of the City of London ”.]

Textual Amendments

- F1** Words in s. 195(2) inserted (1.4.1996) by 1994 c. 19, s. 66(5), **Sch. 15 para. 40(a)** (with ss. 54(5)(7), 55(5), **Sch. 17 paras. 22(1), 23(2)**); S.I. 1996/396, art. 4, **Sch. 2**
- F2** Words in s. 195(3) repealed (1.4.1996) by 1994 c. 19, s. 66(5)(8), **Sch. 15 para. 40(b)**, **Sch. 18** (with ss. 54(5)(7), 55(5), **Sch. 17 paras. 22(1), 23(2)**); S.I. 1996/396, art. 4, **Sch. 2**
- F3** S. 195(7) added (*retrospectively*) by **Health Services Act 1980 (c. 53, SIF 113:2)**, s. 23

Marginal Citations

- M1** 1970 c. 42.
- M2** 1946 c. 81.
- M3** 1968 c. 46.
- M4** 1948 c. 29.
- M5** 1958 c. 55.
- M6** 1969 c. 54.
- M7** 1948 c.29(**81:3**).

Changes to legislation:

Local Government Act 1972, Section 195 is up to date with all changes known to be in force on or before 21 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

[View outstanding changes](#)

Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 80(3B) omitted by [2021 asc 1 Sch. 2 para. 1\(3\)\(c\)](#)
- s. 101(6ZA) inserted by [2023 c. 55 Sch. 12 para. 2](#)
- s. 123(2C) inserted by [2023 c. 55 s. 75](#)
- s. 131(2)(n) and word inserted by [2023 asc 3 Sch. 13 para. 16](#)