



Local Government (Miscellaneous Provisions) Act 1976

1976 CHAPTER 57

PART I

GENERAL

Miscellaneous

41 Evidence of resolutions and minutes of proceedings etc.

- (1) A document which—
- (a) purports to be a copy of—
 - (i) a resolution, order or report of a local authority or a precursor of a local authority, or
 - (ii) the minutes of the proceedings at a meeting of a local authority or a precursor of a local authority; and
 - (b) bears a certificate purporting to be signed by the proper officer of the authority or a person authorised in that behalf by him or the authority and stating that the resolution was passed or the order or report was made by the authority or precursor on a date specified in the certificate or, as the case may be, that the minutes were signed in accordance with paragraph 41 of Schedule 12 to the Local Government Act 1972 or the corresponding provision specified in the certificate of the enactments relating to local government which were in force when the minutes were signed,
- shall be evidence in any proceedings of the matters stated in the certificate and of the terms of the resolution, order, report or minutes in question.
- (2) In the preceding subsection references to a local authority, except the first and second references in paragraph (b), include references to a committee of a local authority and a subcommittee of such a committee and references to a precursor of a local authority

Status: This is the original version (as it was originally enacted).

include references to a committee of such a precursor and a sub-committee of such a committee.

(3) A document which—

- (a) purports to be a copy of an instrument by which the proper officer of a local authority appointed a person to be an officer of the authority or authorised a person to perform functions specified in the instrument; and
- (b) bears a certificate purporting to be signed as mentioned in subsection (1)(b) of this section and stating that the document is a copy of the instrument in question,

shall be evidence in any proceedings of the fact that the instrument was made by the said proper officer and of the terms of the instrument.

(4) In the preceding provisions of this section " precursor ", in relation to a local authority, means any authority which has ceased to exist but which when it existed was constituted, in pursuance of the enactments relating to local government which were then in force, for an area any part of which is included in the area of the local authority.