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## SCHEDULES

### SCHEDULE 34

Section 194.

#### REPEALS

##### **Modifications etc. (not altering text)**

- C1** The text of Schs. 2, 3, Sch. 4 paras. 1(1)(2)–(4), 10, Sch. 5, Sch. 6 paras. 1, 4–6, 10–16, 21, Sch. 7 Pt. I paras. 2(2)(5)(6), 3(2)(4), 6, 7, 8, Sch. 7 Pt. II paras. 14(1), 15, Sch. 23 Pt. II para. 2, Pt. III paras. 3–7, Pt. V paras. 12–20, Pt. VI para. 21, Sch. 25 Pt. II para. 7, Pt. III para. 8, Pt. IV para. 9, Sch. 26 para. 18, Sch. 33 paras. 1–5, 7, 13, 14 Sch. 34, Sch. 32 Pt. III para. 19 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

#### PART I

##### REPEALS CONSEQUENTIAL ON SECTION 1(1)—VARIOUS CONTROLS

Chapter	Short title	Extent of repeal
12, 13 & 14 Geo. 6. c. 55	Prevention of Damage by Pests Act 1949.	Section 2(2).  Section 12(1).  In section 21(1) the words “to give general directions under section twelve of this Act and”.
14 & 15 Geo. 6. c. 63.	Rag Flock and Other Filling Materials Act 1951.	Section 6(5) and (6).  Section 7(5) and (6).  Section 15(5).  Section 27.
4 & 5 Eliz. 2. c. 16.	Food and Drugs Act 1955.	Section 99(2).  In section 109, in subsection (2) the words “Subject to the next following subsection,” and subsection (3).
1970 c. 40.	Agriculture Act 1970.	Section 67(7).  Section 80(2), (3) and (4).

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		Section 86(8).
1972 c. 70.	Local Government Act 1972.	Section 138(2).
1974 c. 3.	Slaughterhouses Act 1974.	Section 2(6) and (7). In section 12(1) the words “and shall if so required by the Minister”. In section 16(1)(a) the words “and shall if so required by the Minister”.

## PART II

### REPEALS CONSEQUENTIAL ON SECTION 1(2)—CLEAN AIR AND POLLUTION

Chapter	Short title	Extent of repeal
4 & 5 Eliz. 2 c. 52.	Clean Air Act 1956	Section 4. In section 6, subsection (3), and in subsection (5) the words “under subsection (3) or”. In section 11, in subsection (1) the words “confirmed by the Minister”, in subsection (5) the words “and confirmed” (in both places where they occur) and in subsection (6) the words “confirmation and”. In section 12(2) the words “and confirmed”. In section 31(6), the words from “or”, in the second place where it occurs, to the end in their application to England and Wales. Section 35(4).
1964 c. 56.	Housing Act 1964.	In section 95, in subsection (2), the words “as confirmed” and the words “then, if the order is confirmed,” and subsection (2A).
1968 c. 62.	Clean Air Act 1968.	Section 4(3). Section 6(3).

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		In section 10, subsections (1) to (4).
		In section 12(1) the words "14 or".
		Section 14(3).
1974 c. 40.	Control of Pollution Act 1974.	In section 2, in subsection (2), the words from "but provision may be made by regulations" to the end, in subsection (3) (a)(vi) the words "and such other persons as may be prescribed", and subsection (7).
		In section 5, in subsection (1), the words "and include such information as is prescribed", in subsection (2) the words from "but provision may be made by regulations" to the end, in subsection (4) (a) the words "and to any other prescribed person", in subsection (4)(b) the words "or person" (in each place where they occur), in subsection (5)(a) the words "and (iii) any other prescribed person", and in subsection (5)(b) the words "or person" (in each place where they occur).
		In section 6, in subsection (1) the words "as to the conditions which are not to be specified in a disposal licence, and", and in subsection (2) the words "Subject to regulations made in pursuance of the preceding subsection".
		In section 11, in subsection (3), paragraph (b) and in paragraph (c) the words "and to any other prescribed person" in subsection (4)(a) the words "and to any other prescribed person", and, in

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subsection (6), paragraph (b) and the word “and” immediately preceding it.

In section 23, subsection (3) and, in subsection (4), the word “also”.

In section 28(1) the words “in the prescribed form”.

In section 63, in subsection (1) the words “confirmed by the Secretary of State”, in subsection (3) the words “and confirmed” (in both places where they occur), and in subsection (4) the words “confirmation and”.

Section 73(2)(a).

In section 79(5) the words “or with the consent of the Secretary of State”.

In Schedule 3, paragraph 22.

### PART III

#### REPEALS CONSEQUENTIAL ON SECTION 1(3)—AMENITY ETC.

Chapter	Short title	Extent of repeal
39 & 40 Vict. c. 56.	Commons Act 1876.	Section 8.
62 & 63 Vict. c. 30.	Commons Act 1899.	In section 2, the second sentence.  In section 12 the words “and subject to the approval of the Local Government Board”.
12, 13 & 14 Geo. 6. c. 97.	National Parks and Access to the Countryside Act 1949.	Section 37.  In section 61(3) paragraph (b) of the proviso. Section 62(4).  Section 79.  In section 80(3) the words “made with the approval of the Minister”.
1968 c. 41.	Countryside Act 1968.	Section 17.

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1978 c. 3.	Refuse Disposal (Amenity) Act 1978.	In section 3(2) the words “in the prescribed manner” and the words “in the prescribed manner and”.  Section 4(4).  In section 6(2) the words “in the prescribed manner” and the words “in the prescribed manner and”.
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## PART IV

### REPEALS CONSEQUENTIAL ON SECTION 1(4)—WEIGHTS AND MEASURES AND TRADE

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Chapter	Short title	Extent of repeal
14 Geo. 6. c. 28.	Shops Act 1950.	In section 8(1) the words “and confirmed by the Secretary of State in manner provided in this Act”.  In section 9, in subsection (2), the words from “and the order” to the end, and subsection (3).  Section 10.
1963 c. 31.	Weights and Measures Act 1963.	In section 5(1A) the words “with the approval of the Secretary of State”.  In section 39, subsections (3), (4) and (5).  In section 41(2) the words from “and notice” to the end.
1968 c. 29.	Trade Descriptions Act 1968.	Section 26(3) and (4).
1974 c. 39.	Consumer Credit Act 1974.	Section 161(4), (5) and (6).
1979 c. 38.	Estate Agents Act 1979.	Section 26(5), (6), (7) and (8).
1979 c. 45.	Weights and Measures Act 1979.	In section 1(8)(a) the words from “and for the payment” to the end.  In section 4(3) the words from “to the investigation of a complaint” to “are not being properly discharged” the words “in sections 38(1)”

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and the words “39(3) the references”.

## PART V

### REPEALS CONSEQUENTIAL ON SECTION 1(5)—ALLOTMENTS

Chapter	Short title	Extent of repeal
8 Edw. 7. c. 36.	Small Holdings and Allotments Act 1908.	In section 28(3) the words “Rules under this section” to the end.  In section 32(2) the words “and which is approved by the Local Government Board”.  In the proviso to section 47(1) the words from “but, if the tenant feels aggrieved” to the end.  In section 49(2) the words “with the consent of, and subject to regulations made by, the Local Government Board”.  Section 54.  Section 59.
9 & 10 Geo. 5. c. 59.	Land Settlement (Facilities) Act 1919.	In section 22(1) the words from “with the consent” to “may impose”.
12 & 13 GGeo. 5. c. 51.	Allotments Act 1922.	Section 20.
15 & 16 Geo. 5. c. 61.	Allotments Act 1925.	Section 13.

## PART VI

### REPEALS CONSEQUENTIAL ON SECTION 1(6)—CHARGES AND RATES OF INTEREST ETC.

Chapter	Short title	Extent of repeal
26 Geo. 5 & 1 Edw. 8. c. 49.	Public Health Act 1936.	In section 291(3), the proviso.
5 & 6 Eliz. 2. c. 56.	Housing Act 1957.	Section 10(6).
9 & 10 Eliz. 2. c. 65.	Housing Act 1961.	Section 18(8).
1964 c. 75.	Public Libraries and Museums Act 1964.	In section 8(2), the words “not exceeding such amount

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		as may be specified in that behalf by the Secretary of State".
1966 c. 42.	Local Government Act 1966.	In Schedule 3, in Part II, paragraphs 7, 15 and 32.
1966 c. 51.	Local Government (Scotland) Act 1966.	In Schedule 4, in Part II, paragraphs 13 and 22.
1968 c. 54.	Theatres Act 1968.	In Schedule 1, in paragraph 3, sub-paragraphs (2) and (3).
1972 c. 70.	Local Government Act 1972.	Section 171.
1972 c. xl.	Greater London Council (General Powers) Act 1972.	Section 19(6)(c).
1973 c. 60.	Breeding of Dogs Act 1973.	Section 1(3).
1973 c. 65.	Local Government (Scotland) Act 1973.	In section 121(1) the words "section 10(2) of the Coast Protection Act 1949" and "section 23(5) of the Mines and Quarries (Tips) Act 1969".
1974 c. 44.	Housing Act 1974.	Section 76(6).

## PART VII

### REPEALS CONSEQUENTIAL ON SECTION 1(7)—HIGHWAYS

Chapter	Short title	Extent of repeal
12, 13 & 14 Geo. 6. c. 97.	National Parks and Access to the Countryside Act 1949.	In section 53, in subsection (1), the words "with the approval of the Minister" in paragraph (b) and at the end of that paragraph the words "as the Minister may either generally or in any particular case direct", and subsections (3) and (4).
7 & 8 Eliz. 2 c. 25.	Highways Act 1959.	In section 30, subsections (2) and (3) and in subsection (4), the words "Subject to the provisions of subsection (2) of this section." Section 59(6). In section 73(1) the proviso. Sections 95 and 96.

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		In section 108(10), the words “and any question arising under this subsection whether the withholding of a consent is unreasonable shall be determined by the Minister”.
		In section 126, subsection (2), in subsection (3) the words “or the Minister of Housing and Local Government under the last foregoing paragraph”, and in subsection (4), the words “or subsection (2)”.
		Section 181(5).
		In section 211(2) the proviso.
		In section 233, in subsection (2), the words from “but” to the end and in subsection (5) the words “subject to the approval of the Minister”.
		Section 246(2).
		Section 264(5).
		Section 280(2), (3) and (4).
		Section 288.
		In Schedule 24, paragraph 12(4).
9 & 10 Eliz. 2. c. 63.	Highways (Miscellaneous Provisions) Act 1961.	Section 16(4).
1966 c. 42.	Local Government Act 1966.	Section 29(3).
1968 c. 41.	Countryside Act 1968.	In section 29(4) the words “and the highway authority shall before refusing to make an order under subsection (22) of this section consult the Minister of Agriculture, Fisheries and Food”.
1968 c. 73.	Transport Act 1968.	Section 120.
1971 c. 41.	Highways Act 1971.	Section 85.

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## PART VIII

### REPEALS CONSEQUENTIAL ON SECTION 1(8)—ROAD TRAFFIC

Chapter	Short title	Extent of repeal
1967 c. 76.	Road Traffic Regulation Act 1967.	Section 1(9).  In section 9(5) the words “made by the Greater London Council”.  Section 17.  Section 26(5).  Section 84B(1)(g).  In section 84D, in subsection (2)(d), the words “section 26(5) or” and subsection (3).  Section 113(2).
1968 c. 41.	Countryside Act 1968.	Section 32(9).
1972 c. 70.	Local Government Act 1972.	In Schedule 19, paragraph 11.
1973 c. 65.	Local Government (Scotland) Act 1973.	In Schedule 14, paragraph 63.

## PART IX

### RATES

Chapter	Short title	Extent of repeal
1967 c. 9.	General Rate Act 1967.	In section 4(2), the words “of seven days”.  Section 5(1)(g).  In section 19(6), the definition of “house”.  In section 30(1), the word “(2)”.  Section 48(4).  Section 50(2).  In Schedule 1, in paragraph 1(2), the words “and no reduction shall be made under section 48 of this Act

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		in respect of any rates so payable".
		Schedule 2.
		In Schedule 10, paragraph 2, in paragraph 5(c) the words from "(apart" to "this Act)" and in paragraph 6 the words "in accordance with paragraph 1(a) of this Schedule".
1969 c. 19.	Decimal Currency Act 1969.	In Schedule 2, paragraph 28(3).
1973 c. xxx.	Greater London Council (General Powers) Act 1973.	Section 26.
1974 c. 7.	Local Government Act 1974.	In Schedule 7, paragraph 4.
1975 c. 5.	General Rate Act 1975.	The whole Act.
1976 c. 15	Rating (Caravan Sites) Act 1976.	In section 1(4) the words "in determining whether the hereditament is a mixed hereditament".

## PART X

### TOWN AND COUNTRY PLANNING

Chapter	Short title	Extent of repeal
1971 c. 78.	Town and Country Planning Act 1971.	<p>In section 6, in subsection (2), the words "and shall, if directed to do so by the Secretary of State" and in subsection (5), the words "and, for the Secretary of State to direct them to institute,".</p> <p>In section 7, in subsection (2), the words "during such period as the Secretary of State may direct" and the words from "and" to the end, and subsection (5).</p> <p>In section 10C(2), the words "Subject to regulations under this section,".</p> <p>In section 11, in subsection (3)(b), the words "or as the Secretary of State</p>

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may in any particular case direct", in subsection (5), the words "or as the case may in any particular case be specified in directions given by the Secretary of State;" subsection (6), and in subsection (10), the words "the preceding provisions of".

In section 12, in subsection (1)(a), the words "to any relevant matter arising out of a survey carried out under section 6 or 11 of this Act and", in subsection (2), the words "and at such other places as may be prescribed" and in subsection (3), the words "containing such particulars, if any, as the case may be prescribed".

Section 50.

In section 55(2), the word "only" and in paragraph (a), the words "(in this Act referred to as "listed building consent")".

Section 56(2).

In section 60(5), paragraph (c) and in paragraph (d), the words "the Secretary of State or".

In section 61, in subsection (2)(b), the words from "or" to the end of the paragraph and subsection (3).

In section 277, subsection (3) and (5)(a) and (b).

In section 277A, subsection (3) and in subsection (4), the words "or to an individual building so specified".

Section 277B(3).

In Schedule 3, in paragraph 4, the word "58".

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		<p>In Schedule 4, in paragraph 1, the words from “or” to the end, in paragraph 2, the words from “and” to the end, paragraph 6, in paragraph 11, in sub-paragraph (2)(b), the words “or as the Secretary of State may direct”, and in sub-paragraph (3), the words “or as may in any particular case be specified in directions given by the Secretary of State”, and in paragraph 12, in sub-paragraph (2), the words “and at such other places as may be prescribed” and in sub-paragraph (3), the word “such” and the words “if any, as may be prescribed”.</p> <p>In Schedule 11, paragraph 3, paragraph 12(1)(b) and the word “and” immediately preceding it and in paragraph 12(3), the words from “and the notice” to the end.</p>
1972 c. 70.	Local Government Act 1972.	<p>In Schedule 16, in paragraph 15(2), the words from “unless” to the end, in paragraph 25, in sub-paragraph (1), the words “Subject to sub-paragraph (2) below,” and sub-paragraph (2), and paragraph 32(d).</p> <p>In Schedule 17, paragraph 6(b).</p>
1978 c. 50.	Inner Urban Areas Act 1978.	Section 12.

## PART XI

### COMMUNITY LAND

Chapter	Short title	Extent of repeal
1961 c. 33.	Land Compensation Act 1961.	In Schedule 2, paragraph 2(1)(i) and the word “or” immediately preceding it.

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1963 c. 51.	Land Compensation (Scotland) Act 1963.	In Schedule 2, paragraph 1(1)(g) and the word “or” immediately preceding it.
1971 c. 78.	Town and Country Planning Act 1971.	Section 34(1A).
1972 c. 52.	Town and Country Planning (Scotland) Act 1972.	In section 31(2) the words “and with respect to resolutions and notifications under Schedule 8 to the Community Land Act 1975”. Section 31(2A).
1974 c. 7.	Local Government Act 1974.	In section 25(1)(aa) the words from “and” to the end.
1975 c. 24.	House of Commons Disqualification Act 1975.	In Part II of Schedule 1, the entry relating to a Financial Tribunal within the meaning of section 27(1) of the Community Land Act 1975.
1975 c. 30.	Local Government (Scotland) Act 1975.	Section 23(1)(aa).
1975 c. 77.	Community Land Act 1975.	The whole Act.
1976 c. 75.	Development of Rural Wales Act 1976.	In Schedule 7, paragraph 16.
1977 c. 42.	Rent Act 1977.	In Schedule 23, paragraph 71.

## PART XII

### LAND COMPENSATION

Chapter	Short title	Extent of repeal
1973 c. 26.	Land Compensation Act 1973.	Section 14.  In section 19, in subsection (1) the definition of “claim period” and in subsection (3) the words from “but, if it does” onwards. Section 32(8).
1973 c. 56.	Land Compensation (Scotland) Act 1973.	Section 12.  In section 17, in subsection (1) the definition of “claim period” and in

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subsection (3) the words from  
“but, if it does” onwards.

Section 29(8).

### PART XIII

#### REPEALS CONSEQUENTIAL ON SECTION 118 ENGLAND AND WALES

Chapter	Short title	Extent of repeal
9 & 10 Geo. 6. c. 49.	Acquisition of Land (Authorisation Procedure) Act 1946.	In Schedule 1, in paragraph 3(1), the words in head (b) from “except” to “case”, head (c) and the proviso, and in paragraph 7A, the words “the confirming authority and to” and the words “or affixing of notices”.
12, 13 & 14 Geo. 6. c. 97.	National Parks and Access to the Countryside Act 1949.	Section 77(4).
7 & 8 Eliz. 2. c. 53.	Town and Country Planning Act 1959.	In section 23(3), the words following paragraph (ii). In section 26, subsection (3) and in subsection (5) the words following paragraph (ii). Section 30(5).
1971 c. 78.	Town and Country Planning Act 1971.	Section 119(2).  In section 121(1) the words “open space”. Section 122(2)(a) and (3). Section 123(2)(a) and (b), (3) to (6).
1972 c. 70.	Local Government Act 1972.	In section 122, in subsection (2), the words “open space” in paragraph (a) and the words following paragraph (b), and subsections (3), (5) and (6). Section 123(3), (4) and (5). Section 123A.  In section 126, in subsection (4), the words “open space” in paragraph (a)

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and the words following paragraph (b), and subsections (5) and (7).

## SCOTLAND

1973 c. 65. Local Government (Scotland) Act 1973. Section 74A.

## PART XIV

### TOWN DEVELOPMENT

Chapter	Short title	Extent of repeal
15 & 16 Geo. 6 & 1 Eliz. 2. c. 54.	Town Development Act 1952.	In section 4(1), the words "county or". Section 7(c). In the second paragraph of section 8(1), paragraph (c). In section 10(3), the words "county or". Section 11.
1972 c. 70.	Local Government Act 1972.	Section 185(2) and (3). In Schedule 18, paragraph 1 and in paragraph 4 the words from "the", in the first place where it occurs, to "and".

## PART XV

### NEW TOWNS

Chapter	Short title	Extent of repeal
1964 c. 26.	Licensing Act 1964.	In section 112(1), in paragraph (a), subparagraph (ii) and the word "or" immediately preceding it and, in paragraph (b), subparagraph (ii) and the word "or" immediately preceding it. In section 112(5) the words "or licensed premises".

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## PART XVI

### MISCELLANEOUS

<b>Chapter</b>	<b>Short title</b>	<b>Extent of repeal</b>
38 & 39 Vict. c. 55.	Public Health Act 1875.	Section 172.
15 & 16 Geo. 6. & 1 Eliz. 2. c. 31.	Cremation Act 1952.	In section 1, in subsection (1) the words from "unless" to "nor" and the words "to be in accordance with such plans" and subsections (2) and (3).
7 & 8 Eliz. 2. c. 25.	Highways Act 1959.	In section 127(c) the words "or a gipsy."
4 & 5 Eliz. 2. c. 52.	Clean Air Act 1956.	Section 23.
1963 c. 33.	London Government Act 1963.	Section 73(2).
		In Schedule 2, in paragraph 28(1), the words "with the approval of the Treasury".
1966 c. 42.	Local Government Act 1966.	In section 9(3), the words "to a local authority".
		In Schedule 5, paragraph 1.
1968 c. 52.	Caravan Sites Act 1968.	In section 6(2), the words from "and the Minister" to the end.
1970 c. 42.	Local Authority Social Services Act 1970.	Section 6(3) and (4).
		In section 13, in subsection (1), the words "and regulations" in subsection (3), the words "or regulations under section 6(3) thereof", and in subsection (5), the words "or regulations".
		In section 15(2), the word "3".
1972 c. 70.	Local Government Act 1972.	Section 144(3).
		Section 174(3).
		In section 190, in subsection (1) the words from "and for the words" to the end, and subsections (2) and (3).



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1973 c. 37.	Water Act 1973.	In Schedule 3, paragraph 11(2).
1973 c. 65.	Local Government (Scotland) Act 1973.	Section 46(2).
1974 c. 7.	Local Government Act 1974.	Section 1(8) In Schedule 1, paragraphs 1 to 5 and 10.
1976 c. 70.	Land Drainage Act 1976.	Section 65(8).
1978 c. 50.	Inner Urban Areas Act 1978.	Section 14.
1978 c. xiii.	Greater London Council (General Powers) Act 1978.	Section 8.

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