

SCHEDULES

SCHEDULE 2

PROVISIONS APPLYING TO PRESERVED COUNTIES

The Defence Act 1842 (c. 94)

- 1 The provisions of section 19 of the Defence Act 1842 (valuing of premises in default of agreement) shall be subsection (1) of that section and at the end add—
- “(2) In this section and in sections 23 and 24 “county” means, in relation to Wales, a preserved county (as defined by section 64 of the Local Government (Wales) Act 1994).”

The Licensing Act 1964 (c. 26)

- 2 (1) In sections 85 (parties organised for gain) and 188 (closing of licensed premises in case of riot) of the Licensing Act 1964, in each case at the end add—
- “(4) In subsection (1) above “county”, in relation to Wales, means a preserved county (as defined by section 64 of the Local Government (Wales) Act 1994).”
- (2) In section 193 of that Act (disqualification of justices), at the end add—
- “(9) In subsections (1) and (2) above “county”, in relation to Wales, means a preserved county (as defined by section 64 of the Local Government (Wales) Act 1994).”

The Sea Fisheries (Shellfish) Act 1967 (c. 83)

- 3 The provisions of section 10 of the Sea Fisheries (Shellfish) Act 1967 (jurisdiction in relation to fishery) shall be subsection (1) of that section and at the end add—
- “(2) In the application of this section in relation to Wales, the reference to a county in subsection (1) of this section includes a reference to a preserved county (as defined by section 64 of the Local Government (Wales) Act 1994).”

The Local Government Act 1972 (c. 70)

- 4 In section 54 of the 1972 Act (proposals for changes in local government areas in Wales), after subsection (1) insert—
- “(1A) The Welsh Commission may, in consequence of a review conducted by them under this Part of this Act make proposals to the Secretary of State for effecting changes in the area of a preserved county which appear to the Commission to be desirable having regard, in particular, to the purposes for which the preserved counties are retained.”

Status: This is the original version (as it was originally enacted).

5 For section 56(1) of the 1972 Act (power of Secretary of State to direct holding of reviews), substitute—

“(1) The Secretary of State may direct the Welsh Commission to conduct a review of—

- (a) Wales as a whole,
- (b) any one or more local government areas or parts of such areas in Wales, or
- (c) any one or more preserved counties or parts of such counties,

for the purpose of considering whether or not to make such proposals in relation to the area reviewed as are authorised by section 54 above and what proposals, if any, to make; and the Commission shall, if they think fit, formulate such proposals accordingly.”

6 At the end of section 219 of the 1972 Act (sheriffs and under-sheriffs), after subsection (8) add—

“(9) In subsections (1) and (5) above “county”, in relation to Wales, means a preserved county.”

7 At the end of section 224 of the 1972 Act (arrangements by principal councils for custody of documents) add—

“(3) In subsection (1) above “county”, in relation to Wales, means a preserved county.”

8 For section 269 of the 1972 Act (meaning of “England” and “Wales”) substitute—

“269 Meaning of “England” and “Wales”

In this Act “Wales” means the combined area of the preserved counties and “England” does not include any area which is included in any of the preserved counties.”

The Interpretation Act 1978 (c. 30)

9 In Schedule 1 to the Interpretation Act 1978 (words and expressions defined) for the definition of “Wales” substitute—

““Wales” means the combined area of the counties which were created by section 20 of the Local Government Act 1972, as originally enacted, but subject to any alteration made under section 73 of that Act (consequential alteration of boundary following alteration of watercourse).”

The Justices of the Peace Act 1979 (c. 55)

10 (1) In section 1 of the Justices of the Peace Act 1979 (commission areas), in paragraph (a), after “county” insert “in England” and after that paragraph insert—

“(aa) every preserved county in Wales;”.

(2) In section 4 of that Act (petty sessions areas), after subsection (1) insert—

“(1A) In subsection (1) above, any reference to a non-metropolitan county is to be construed, in relation to Wales, as a reference to a preserved county.”

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

- (3) In section 19 of that Act (general provisions as to magistrates' courts committees), in subsection (2), in paragraph (a), after “county” insert “in England”, and after paragraph (b) insert—

“(bb) every preserved county in Wales;”.

- (4) In section 70 of that Act (interpretation), after the definition of “prescribed” insert—

““preserved county” has the meaning given by section 64 of the Local Government (Wales) Act 1994;”.

The Magistrates' Courts Act 1980 (c. 43)

- 11 (1) In section 1 of the Magistrates' Courts Act 1980 (issue of summons to accused or warrant for his arrest), in subsection (8) after “county” insert “in England, any preserved county in Wales”.

- (2) In section 2 of that Act (jurisdiction to deal with charges), in subsections (1) and (3) after first “county” insert “in England, a preserved county in Wales” and after second “county” insert “, the preserved county”.

- (3) In section 3 of that Act (offences committed on boundaries etc.), in subsection (4) after “county” insert “in England, any preserved county in Wales”.

- (4) In section 150(1) of that Act (interpretation), after the definition of “prescribed” insert—

““preserved county” has the meaning given by section 64 of the Local Government (Wales) Act 1994;”.

The Representation of the People Act 1983 (c. 2)

- 12 (1) The provisions of section 177 of the Representation of the People Act 1983 (local election offence punishable summarily) shall be subsection (1) of that section and at the end add—

“(2) In subsection (1) above “county”, in relation to Wales, means a preserved county (as defined by section 64 of the Local Government (Wales) Act 1994).”

- (2) In Schedule 1 to that Act (parliamentary election rules), in the Appendix, in the entry relating to the form of the certificate to be endorsed on the writ, insert the following—

“Note: in relation to any constituency in Wales, “county” in this form refers to a preserved county (as defined by section 64 of the Local Government (Wales) Act 1994).”

The Parliamentary Constituencies Act 1986 (c. 56)

- 13 In paragraph 4 of Schedule 2 to the Parliamentary Constituencies Act 1986 (rules for redistributing seats), after sub-paragraph (1) insert—

“(1A) In sub-paragraph (1)(a) above “county” means, in relation to Wales, a preserved county (as defined by section 64 of the Local Government (Wales) Act 1994).”