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*Status: Point in time view as at 01/10/1994.*

**Changes to legislation:** There are currently no known outstanding effects for the Police and Magistrates' Courts Act 1994, Cross Heading: Local Government Act 1972. (See end of Document for details)

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## SCHEDULES

### SCHEDULE 4

#### APPLICATION TO POLICE AUTHORITIES OF ENACTMENTS RELATING TO LOCAL AUTHORITIES

##### Extent Information

**E1** The provisions of Sch. 4 have the same extent as the provisions they amend, see s. 96(1)-(3)

##### Commencement Information

**II** Sch. 4 wholly in force at 1.4.1995; Sch. 4 not in force at Royal Assent, see s. 94(1); Sch. 4 except paras. 1-4, 15(2), 42 in force for certain purposes (1.10.1994) by S.I. 1994/2025, art. 6(1)(2)(g)(3)-(6); Sch. 4 in force (1.4.1995) insofar as not already in force by S.I. 1994/3262, art. 4(1), Sch. (with transitional provision in art. 4(8)) (as amended (14.3.1995) by S.I. 1995/246, art. 2(3))

### PART I

#### AMENDMENTS OF LOCAL GOVERNMENT ENACTMENTS

##### *Local Government Act 1972*

- 6 In section 94 of the <sup>M1</sup>Local Government Act 1972 (disability of members of authorities for voting on account of interest in contracts, etc.), in subsection (5) (b) (receipt of certain allowances not to be treated as a pecuniary interest) after the words "176 below" there shall be inserted the words " or paragraph 26 of Schedule 1B to the <sup>M2</sup>Police Act 1964 ".

##### Marginal Citations

**M1** 1972 c. 70.

**M2** 1964 c. 48.

- 7 In section 98 of that Act, in subsection (1A) (application to joint authorities of provisions about members' interests) after the words "joint authority" there shall be inserted the words " and a police authority established under section 3 of the <sup>M3</sup>Police Act 1964 ".

##### Marginal Citations

**M3** 1964 c. 48.

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- 8 In section 99 of that Act (meetings and proceedings of local authorities) after the words “joint authorities,” there shall be inserted the words “ police authorities established under section 3 of the <sup>M4</sup>Police Act 1964 ”.

**Marginal Citations**

**M4** 1964 c. 48.

- 9 (1) Section 100J of that Act (application to joint authorities etc. of provisions relating to access to meetings and documents) shall be amended as follows.
- (2) For subsection (1)(e) there shall be substituted—
- “(e) a police authority established under section 3 of the <sup>M5</sup>Police Act 1964;”.
- (3) In subsection (4), in paragraph (a)—
- (a) for the words “combined police authority” there shall be substituted the words “ police authority established under section 3 of the <sup>M6</sup>Police Act 1964 ”, and
- (b) for the word “which” there shall be substituted the words “ or other person that ”.

**Marginal Citations**

**M5** 1964 c. 48.

**M6** 1964 c. 48.

- 10 (1) Section 107 of that Act (application to police authorities of provisions relating to the discharge of functions by local authorities) shall be amended as follows.
- (2) In subsection (1)—
- (a) the words “104 and” shall be omitted, and
- (b) after the words “those sections” there shall be inserted the words “ and section 104 ”.
- (3) In subsection (3) for the words “for the purposes of” there shall be substituted the word “ by ”.
- (4) After subsection (3) there shall be inserted—
- “(3A) Where pursuant to arrangements made by virtue of subsection (3) above—
- (a) a chief officer of police, or
- (b) the deputy of a chief officer of police,
- may discharge functions of a police authority, he may himself arrange for the discharge of any of those functions by a member of the police force or by a person who is employed by the authority but is not under the authority’s direction and control.”
- (5) In subsection (8) for the words “for the purposes of” there shall be substituted the word “ by ”.
- (6) Subsections (9) and (10) shall be omitted.

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- 11 (1) Section 146A of that Act (application to police authorities of miscellaneous powers of local authorities) shall be amended as follows.
- (2) In subsection (1)—
- (a) at the beginning there shall be inserted the words “ Subject to subsection (1A) below, ”, and
  - (b) after the words “joint authority” there shall be inserted the words “ and a police authority established under section 3 of the <sup>M7</sup>Police Act 1964 ”.
- (3) After subsection (1) there shall be inserted—
- “(1A) A police authority established under section 3 of the <sup>M8</sup>Police Act 1964 shall not be treated—
- (a) as a local authority for the purposes of section 112, 139, 140A or 140C above, or
  - (b) as a principal council for the purposes of section 122 above.”

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**Marginal Citations**

**M7** 1964 c. 48.

**M8** 1964 c. 48.

- 12 In section 223 of that Act (appearance of local authorities in legal proceedings), in subsection (2) after the words “joint authority” there shall be inserted the words “ , a police authority established under section 3 of the <sup>M9</sup>Police Act 1964 ”.

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**Marginal Citations**

**M9** 1964 c. 48.

- 13 In section 228 of that Act (inspection of documents), in subsection (7A) after the words “joint authority” there shall be inserted the words “ or a police authority established under section 3 of the <sup>M10</sup>Police Act 1964 ”.

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**Marginal Citations**

**M10** 1964 c. 48.

- 14 The words “and a police authority established under section 3 of the <sup>M11</sup>Police Act 1964” shall be inserted after the words “joint authority”—
- (a) in section 229 of that Act (photographic copies of documents), in subsection (8);
  - (b) in section 231 of that Act (service of notices on local authorities, etc.), in subsection (4);
  - (c) in section 232 of that Act (public notices), in subsection (1A);
  - (d) in section 233 of that Act (service of notices by local authorities), in subsection (11); and
  - (e) in section 234 of that Act (authentication of documents), in subsection (4).

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### Marginal Citations

**M11** 1964 c. 48.

- 15 (1) Schedule 12 to that Act (meetings and proceedings of local authorities) shall be amended as follows.
- (2) In sub-paragraph (1) of paragraph 6A after the words “joint authority”, there shall be inserted the words “ or a police authority established under section 3 of the <sup>M12</sup>Police Act 1964 ”.
- (3) In paragraph 6B—
- (a) after the word “that” there shall be inserted “ (a) ”, and
  - (b) for the words “members in the case of a joint authority” there shall be substituted the words “, and
    - (b) in the case of a police authority established under section 3 of the <sup>M13</sup>Police Act 1964, sub-paragraphs (2) and (3) of paragraph 5 shall not apply and if the chairman is absent from a meeting of such an authority another member chosen by the members of the authority present shall preside.”
- (4) In paragraph 46, after the words “joint authority” there shall be inserted the words “ and a police authority established under section 3 of the <sup>M14</sup>Police Act 1964 ”.

### Commencement Information

**II** Sch. 4 para. 15 wholly in force at 1.4.1995; Sch. 4 not in force at Royal Assent, see s. 94(1); Sch. 4 para. 15(1)(3) in force for certain purposes at 1.10.1994 by S.I. 1994/2025, art. 6(1)(2)(d)(3)–(6); Sch. 4 para. 15 in force at 1.4.1995 insofar as not already in force by S.I. 1994/3262, art. 4(1), Sch. (with transitional provisions in art. 4(2)) (as amended (14.3.1995) by S.I. 1995/246, art. 2(3))

### Marginal Citations

**M12** 1964 c. 48.

**M13** 1964 c. 48.

**M14** 1964 c. 48.

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