



# Local Government Act 1894

1894 CHAPTER 73 56 and 57 Vict

**E+W**

An Act to make further provision for Local Government in England and Wales. [5th March 1894]

## Modifications etc. (not altering text)

- C1** Councils of administrative counties, boroughs (except those in rural districts), urban districts, rural districts and urban parishes outside Greater London and Isles of Scilly together with municipal corporations of boroughs outside Greater London now abolished and councils of metropolitan counties, non-metropolitan counties and districts constituted by [Local Government Act 1972 \(c. 70\)](#), ss. 1, 2, [Sch. 1](#)
- C2** Act amended with the substitution for any reference to a rural parish or its council or meeting of a reference to (E.) a parish or its council or meeting and (W.) a community or its council by [Local Government Act 1972 \(c. 70\)](#), s. 179 subject as in that section mentioned
- C3** Functions of Local Government Board now exercisable by Secretary of State: [Ministry of Health Act 1919 \(c. 21\)](#), s. 3(1)(a), S.I. 1951/142, 1900 (1951 I, pp. 1348, 1347), S.I. 1965/319 and 1970/1681 Act: transfer of functions (W.) (1.7.1999) by S.I. 1999/672, art. 2, [Sch. 1](#)
- C4** Words of enactment omitted under authority of [Statute Law Revision Act 1948 \(c. 62\)](#), s. 3

## PART I **E+W**

### PARISH MEETINGS AND PARISH COUNCILS

1—4 ..... <sup>F1</sup> **E+W**

## Textual Amendments

- F1** Ss. 1—4 repealed by [Local Government Act 1933 \(c. 51\)](#), [Sch. 11 Pt. IV](#)

*Status: Point in time view as at 26/12/2023.*

*Changes to legislation: There are currently no known outstanding effects for the Local Government Act 1894. (See end of Document for details)*

### *Powers and Duties of Parish Councils and Parish Meetings*

#### 5 †Parish council to appoint overseers. **E+W**

- (1) ..... F2
- (2) ..... F3
- (a) ..... F2
- (b) references in any Act to the churchwardens and overseers shall, as respects any rural parish, except so far as those references relate to the affairs of the church, be construed as references to the overseers,
- (c) ..... F4

#### **Textual Amendments**

**F2** S. 5(1)(2)(a) repealed by [Rating and Valuation Act 1925 \(c. 90\)](#), **Sch. 8**

**F3** Words repealed by [Statute Law Revision Act 1908 \(c. 49\)](#)

**F4** S. 5(2)(c) repealed by [Local Government Act 1933 \(c. 51\)](#), **Sch. 11 Pt. IV**

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

**C5** Unreliable margin note

**C6** Functions of churchwardens and overseers now generally exercisable in City of London by Common Council and elsewhere by rating authorities: [City of London \(Union of Parishes\) Act 1907 \(c. xl\)](#), **s. 11**, [London Government Act 1899 \(c. 14\)](#), **s. 11(1)**, [Rating and Valuation Act 1925 \(c. 90\)](#), **s. 62(1)**, [S.R. & O. 1927/55 \(Rev. XIX, p. 599: 1927, p. 964\)](#), [London Government Act 1963 \(c. 33\)](#), **s. 63(1)** and [General Rate Act 1967 \(c. 9\)](#), **s. 1(1)**

#### 6 **Transfer of certain powers of vestry and other authorities to parish council. **E+W****

- (1) Upon the parish council of a rural parish coming into office, there shall be transferred to that council:—
- (a) The powers, duties, and liabilities of the vestry of the parish except—
- (i) so far as relates to the affairs of the church or to ecclesiastical charities; and
- (ii) any power, duty, or liability transferred by this Act from the vestry to any other authority:
- (b) The powers, duties, and liabilities of the churchwardens of the parish, except so far as they relate to the affairs of the church or to charities, or are powers and duties of overseers . . . F5
- (c) The powers, duties, and liabilities of the overseers or of the churchwardens and overseers of the parish with respect to—
- (i) ..... F6
- (ii) The provision of parish books . . . F7 or matters relating thereto; and
- (iii) The holding or management of parish property, not being property relating to affairs of the church or held for an ecclesiastical charity, and the holding or management of village greens, or of allotments, whether for recreation grounds or for gardens or otherwise for the benefit of the inhabitants or any of them;
- (d) ..... F8

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- (2) ..... F9
- (3) ..... F10

**Textual Amendments**

- F5** Words repealed by [Local Government Act 1933 \(c. 51\)](#), **Sch. 11 Pt. IV**
- F6** [S. 6\(1\)\(c\)\(i\)](#) repealed by [Rating and Valuation Act 1925 \(c. 90\)](#), **Sch. 8**
- F7** Words repealed by [Local Government Act 1933 \(c. 51\)](#), **Sch. 11 Pt. IV** and [Fire Brigades Act 1938 \(c. 72\)](#), **Sch. 3 Pt. I**
- F8** [S. 6\(1\)\(d\)](#) repealed by [Local Government Act 1929 \(c. 17\)](#), **Sch. 12 Pt. VII**
- F9** [S. 6\(2\)](#) repealed by [Housing Act 1925 \(c. 14\)](#), **Sch. 6**
- F10** [S. 6\(3\)\(4\)](#) repealed by [Small Holdings and Allotments Act 1908 \(c. 36\)](#), **Sch. 3**

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

- C7** Functions of churchwardens and overseers now generally exercisable in City of London by Common Council and elsewhere by rating authorities: [City of London \(Union of Parishes\) Act 1907 \(c. xl\)](#), **s. 11**, [London Government Act 1899 \(c. 14\)](#), **s. 11(1)**, [Rating and Valuation Act 1925 \(c. 90\)](#), **s. 62(1)**, [S.R. & O. 1927/55 \(Rev. XIX, p. 599: 1927, p. 964\)](#), [London Government Act 1963 \(c. 33\)](#), **s. 63(1)** and [General Rate Act 1967 \(c. 9\)](#), **s. 1(1)**

- 7 ..... F11 **E+W**

**Textual Amendments**

- F11** [S. 7](#) repealed by [Local Government Act 1972 \(c. 70\)](#), **Sch. 30**

**8 Additional powers of parish council. E+W**

- (1) A parish council shall have the following additional powers, namely, power—
  - (a) ..... F12
  - (b) ..... F13
  - <sup>F14</sup>(c) .....
  - (d) ... <sup>F15</sup>sections one hundred and eighty-three to one hundred and eighty-six of the <sup>M1</sup>Public Health Act, 1875, shall apply. ....  
<sup>F15</sup>as if the parish council were a local authority within the meaning of those sections; and
  - (e) ..... F16
  - [<sup>F17</sup>(g) to acquire by agreement any right of way, whether within their parish or an adjoining parish, the acquisition of which is beneficial to the inhabitants of the parish or any part thereof; and]
  - (h) ..... F18
  - (i) to execute any works (including works of maintenance or improvement) incidental to or consequential on the exercise of any of the foregoing powers, or in relation to any parish property, not being property relating to affairs of the church or held for an ecclesiastical charity; and

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- (k) to contribute towards the expense of doing any of the things above mentioned, or to agree or combine with any other parish council to do or contribute towards the expense of doing any of the things above mentioned.

- (2) ..... F18
- (3) ..... F19
- F20(4) .....

**Textual Amendments**

**F12** S. 8(1)(a) repealed by [Local Government Act 1933 \(c. 51\)](#), **Sch. 11 Pt. IV**

**F13** S. 8(1)(b) repealed by [Local Government Act 1972 \(c. 70\)](#), **Sch. 30**

**F14** S. 8(1)(c) repealed (22.7.2004) by [Statute Law \(Repeals\) Act 2004 \(c. 14\)](#), **Sch. 1 Pt. 10** Group 3

**F15** Words repealed by [Local Government Act 1972 \(c. 70\)](#), **Sch. 30**

**F16** S. 8(1)(e)(f) repealed by [Public Health Act 1936 \(c. 49\)](#), s. 346, **Sch. 3 Pt. V**

**F17** S. 8(1)(g) repealed so far as it applies to a highway within the meaning of the Highways Act 1959 by [Highways Act 1959 \(c. 25\)](#), **Sch. 25**

**F18** S. 8(1)(h)(2) repealed by [Local Government Act 1933 \(c. 51\)](#), **Sch. 11 Pt. IV**

**F19** S. 8(3) repealed by [Public Health Act 1936 \(c. 49\)](#), s. 346, **Sch. 3 Pt. V**

**F20** S. 8(4) repealed (22.7.2004) by [Statute Law \(Repeals\) Act 2004 \(c. 14\)](#), **Sch. 1 Pt. 10** Group 3

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

**C8** Functions of Board of Agriculture now exercisable by Minister of Agriculture, Fisheries and Food: [Board of Agriculture and Fisheries Act 1903 \(c. 31\)](#), **s. 1(1)**, [Ministry of Agriculture and Fisheries Act 1919 \(c. 91\)](#), **s. 1** and [S.I. 1955/554 \(1955 I, p. 1200\)](#)

**C9** S. 8(1)(i) extended by [Local Government Act 1929 \(c. 17\)](#), **s. 115(3)**

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**Marginal Citations**

**M1** 1875 c. 55.

9 ..... F21 **E+W**

**Textual Amendments**

**F21** S. 9 repealed by [Local Government Act 1933 \(c. 51\)](#), **Sch. 11 Pt. IV**

10 ..... F22 **E+W**

**Textual Amendments**

**F22** S. 10 repealed by [Small Holdings and Allotments Act 1907 \(c. 54\)](#), **Sch. 2**

11, 12. .... F23 **E+W**

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**Textual Amendments**

**F23** Ss. 11, 12 repealed by [Local Government Act 1933 \(c. 51\)](#), **Sch. 11 Pt. IV**

**13** ..... <sup>F24</sup> **E+W**

**Textual Amendments**

**F24** S. 13 repealed by [Highways Act 1959 \(c. 25\)](#), s. 312(2), **Sch. 25**

**14** ..... <sup>F25</sup> **E+W**

**Textual Amendments**

**F25** S. 14 repealed by [Charities Act 1960 \(c. 58\)](#), **Sch. 7 Pt. I**

**15** ..... <sup>F26</sup> **E+W**

**Textual Amendments**

**F26** S. 15 repealed by [Local Government Act 1933 \(c. 51\)](#), **Sch. 11 Pt. IV**

**16** ..... <sup>F27</sup> **E+W**

**Textual Amendments**

**F27** Ss. 16, 19(8) repealed by [S.I. 1979/1123](#), **art. 3(1)**

**17, 18.** ..... <sup>F28</sup> **E+W**

**Textual Amendments**

**F28** Ss. 17, 18, 19(1)–(3) repealed by [Local Government Act 1933 \(c. 51\)](#), **Sch. 11 Pt. IV**

**19** **Provisions as to small parishes.** **E+W**

In a rural parish not having a separate parish council, the following provisions shall, . . .  
<sup>F29</sup> subject to provisions made by a grouping order, if the parish is grouped with some other parish or parishes, have effect:—

(1) ..... <sup>F30</sup>

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- (4) All powers, duties, and liabilities of the vestry shall, except so far as they relate to the affairs of the Church or to ecclesiastical charities, or are transferred by this Act to any other authority, be transferred to the parish meeting;
- (5) ..... F31
- (6) ..... F32
- (8) ..... F33
- (9) ..... F32

**Textual Amendments**

**F29** Words repealed by Statute Law Revision Act 1908 (c. 49)

**F30** Ss. 17, 18, 19(1)–(3) repealed by Local Government Act 1933 (c. 51), **Sch. 11 Pt. IV**

**F31** S. 19(5) repealed by Rating and Valuation Act 1925 (c. 90), **Sch. 8** and Charities Act 1960 (c. 58), **Sch. 7 Pt. I**

**F32** S. 19(6)(7)(9)–(11) repealed by Local Government Act 1933 (c. 51), **Sch. 11 Pt. IV**

**F33** Ss. 16, 19(8) repealed by S.I. 1979/1123, **art. 3(1)**

**[<sup>F34</sup>19A Powers under other enactments E+W**

- (1) Nothing in this Part affects any powers, duties or liabilities conferred on a parish council by or under any other enactment (whenever passed or made).
- (2) This section does not apply in relation to community councils (see section 179(4) of the Local Government Act 1972).]

**Textual Amendments**

**F34** S. 19A inserted (26.12.2023) by Levelling-up and Regeneration Act 2023 (c. 55), **ss. 82, 255(2)(s)** (with s. 247)

**PART II E+W**

**GUARDIANS AND DISTRICT COUNCILS**

**20 ..... <sup>F35</sup> E+W**

**Textual Amendments**

**F35** S. 20 repealed by Poor Law Act 1927 (c. 14), **Sch. 11**

**21 Names of county districts and district councils. E+W**

- ..... <sup>F36</sup> ,—
- (1) .....

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(2) ..... F37

(3) In this [<sup>F38</sup>and every other] Act of Parliament, unless the context otherwise requires, the expression “district council” shall include the council of every urban district, whether a borough or not, and of every rural district, and the expression “county district” shall include every urban and rural district whether a borough or not.

**Textual Amendments**

- F36** Words repealed by Statute Law Revision Act 1908 (c. 49)
- F37** Ss. 21(2), 22–24 repealed by Local Government Act 1933 (c. 51), **Sch. 11 Pt. IV**
- F38** Words repealed except so far as they apply to any enactment passed before 1st June 1934 by Local Government Act 1933 (c. 51), **Sch. 11 Pt. IV** and so far as they apply to Rating and Valuation Act 1925 (c. 90) by London Government Act 1963 (c. 33), **Sch. 18 Pt. II**

22— ..... F39 **E+W**  
24.

**Textual Amendments**

- F39** Ss. 21(2), 22–24 repealed by Local Government Act 1933 (c. 51), **Sch. 11 Pt. IV**

25 †Powers of district council with respect to sanitary and highway matters. **E+W**

- (1) ..... F40
- (2) ..... F41
- (4) ..... F42
- (5) ..... F43
- (7) ..... F44

**Textual Amendments**

- F40** S. 25(1) repealed by Statute Law (Repeals) Act 1978 (c. 45), s. 1(1), **Sch. 1 Pt. XII**
- F41** S. 25(2)(3) repealed by Highways Act 1959 (c. 25), s. 312(2), Sch. 25 and London Government Act 1963 (c. 33), s. 16(2), **Sch. 6 para. 70**
- F42** S. 25(4) repealed by Local Government Act 1929 (c. 17), **Sch. 12 Pt. III**
- F43** S. 25(5)(6) repealed by Local Government Act 1933 (c. 51), **Sch. 11 Pt. IV**
- F44** S. 25(7) repealed by Statute Law (Repeals) Act 1976 (c. 16), s. 1(1), **Sch. 1 Pt. VIII**

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

- C10** Unreliable margin note

26 †Duties and powers of district council as to rights of way, rights of common, and roadside wastes. **E+W**

(1) ..... F45

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- (2) A district council may with the consent of the county council for the county within which any common land is situate aid persons in maintaining rights of common where, in the opinion of the council, the extinction of such rights would be prejudicial to the inhabitants of the district; <sup>F46</sup> ...
- (3) A district council may, for the purpose of carrying into effect this section, institute or defend any legal proceedings, and generally take such steps as they deem expedient.
- (4) ..... <sup>F45</sup>
- <sup>F47</sup>(7) .....

**Textual Amendments**

**F45** S. 26(1)(4)–(6) repealed by [Highways Act 1959 \(c. 25\)](#), s. 312(2), **Sch. 25** and [London Government Act 1963 \(c. 33\)](#), s. 16(2), **Sch. 6 para. 70**

**F46** Words in s. 26(2) repealed (22.7.2004) by [Statute Law \(Repeals\) Act 2004 \(c. 14\)](#), **Sch. 1 Pt. 10** Group 3

**F47** S. 26(7) repealed (22.7.2004) by [Statute Law \(Repeals\) Act 2004 \(c. 14\)](#), **Sch. 1 Pt. 10** Group 3

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

**C11** Unreliable margin note

**C12** Functions of Board of Agriculture under s. 26(2) now exercisable by Secretary of State: [Board of Agriculture and Fisheries Act 1903 \(c. 31\)](#), s. **1(1)**, [Ministry of Agriculture and Fisheries Act 1919 \(c. 91\)](#), s. **1** and [S.I. 1955/554](#) (1955 I, p. 1200), 1965/143, 319, 1967/156, 1970/1681

**27 Transfer of certain powers of justices to district councils. E+W**

- (1) ..... <sup>F48</sup> the powers, duties, and liabilities of justices out of session in relation to any of the matters following, that is to say,—
  - (a) ..... <sup>F49</sup>
  - (b) ..... <sup>F50</sup>
  - <sup>F51</sup>(c) ..... <sup>F52</sup>
  - (d) ..... <sup>F52</sup>
  - (e) the abolition of fairs and alteration of days for holding fairs;
  - (f) ..... <sup>F52</sup>

when arising within a county district, shall be transferred to the district council of the district.
- (2) ..... <sup>F53</sup>
- (3) All fees payable in respect of the powers, duties, and liabilities transferred by this section shall be payable to the district council.

**Textual Amendments**

**F48** Words repealed by [Statute Law Revision Act 1908 \(c. 49\)](#)

**F49** S. 27(1)(a) repealed by [Statute Law \(Repeals\) Act 1989 \(c. 43\)](#), s. 1(1), **Sch. 1 Pt. IV**

**F50** S. 27(1)(b) repealed by [Consumer Credit Act 1974 \(c. 39\)](#), s. 192(4), **Sch. 5**

**F51** S. 27(1)(c) repealed (1.8.2007) by [Regulatory Reform \(Game\) Order 2007 \(S.I. 2007/2007\)](#), art. 1(1), **Sch. para. 1(e)**



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- F52** Ss. 27(1)(d)(f), 28, 29 repealed by [Local Government Act 1933 \(c. 51\), Sch. 11 Pt. IV](#)  
**F53** S. 27(2) repealed by [Statute Law \(Repeals\) Act 1989 \(c. 43\), s. 1\(1\), Sch. 1 Pt. IV](#)

**28, 29.** ..... <sup>F54</sup> **E+W**

**Textual Amendments**

- F54** Ss. 27(1)(d)(f), 28, 29 repealed by [Local Government Act 1933 \(c. 51\), Sch. 11 Pt. IV](#)

**30** ..... <sup>F55</sup> **E+W**

**Textual Amendments**

- F55** S. 30 repealed by [Poor Law Act 1927 \(c. 14\), Sch. 11](#)

**31** ..... <sup>F56</sup> **E+W**

**Textual Amendments**

- F56** S. 31 repealed by [London Government Act 1939 \(c. 40\), Sch. 8](#)

**32** ..... <sup>F57</sup> **E+W**

**Textual Amendments**

- F57** Ss. 32, 35 repealed by [Statute Law \(Repeals\) Act 1978 \(c. 45\), s. 1\(1\), Sch. 1 Pt. XII](#)

**33** ..... <sup>F58</sup> **E+W**

**Textual Amendments**

- F58** S. 33 repealed by [Local Government Act 1933 \(c. 51\), Sch. 11 Pt. IV](#) and [S.I. 1965/654](#)

**34** ..... <sup>F59</sup> **E+W**

**Textual Amendments**

- F59** S. 34 repealed by [Rating and Valuation Act 1925 \(c. 90\), Sch. 8](#)

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35 ..... F60 **E+W**

**Textual Amendments**  
F60 Ss. 32, 35 repealed by Statute Law (Repeals) Act 1978 (c. 45), s. 1(1), **Sch. 1 Pt. XII**

**PART III E+W**

36— ..... F61 **E+W**  
42.

**Textual Amendments**  
F61 Ss. 36–42 repealed by Local Government Act 1933 (c. 51), **Sch. 11 Pt. IV** and London Government Act 1939 (c. 40), **Sch. 8**

**PART IV E+W**

SUPPLEMENTAL

43, 44. .... F62 **E+W**

**Textual Amendments**  
F62 Ss. 43, 44 repealed by Representation of the People Act 1918 (7 & 8 Geo. 5 c. 64), **Sch. 8**

45 ..... F63 **E+W**

**Textual Amendments**  
F63 S. 45 repealed by Local Government Act 1933 (c. 51), **Sch. 11 Pt. IV**

46 ..... F64 **E+W**

**Textual Amendments**  
F64 S. 46 repealed by Local Government Act 1933 (c. 51), **Sch. 11 Pt. IV** and London Government Act 1939 (c. 40), **Sch. 8**

47 ..... F65 **E+W**

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**Textual Amendments**

**F65** S. 47 repealed by [Local Government Act 1933 \(c. 51\)](#), [Sch. 11 Pt. IV](#)

**48** ..... <sup>F66</sup> **E+W**

**Textual Amendments**

**F66** S. 48 repealed by [Local Government Act 1933 \(c. 51\)](#), [Sch. 11 Pt. IV](#) and [London Government Act 1939 \(c. 40\)](#), [Sch. 8](#)

**49** ..... <sup>F67</sup> **E+W**

**Textual Amendments**

**F67** S. 49 repealed by [Local Government Act 1933 \(c. 51\)](#), [Sch. 11 Pt. IV](#)

**50** ..... <sup>F68</sup> **E+W**

**Textual Amendments**

**F68** S. 50 repealed by [Rating and Valuation Act 1925 \(c. 90\)](#), [Sch. 8](#)

*Parish and District Councils*

**51** ..... <sup>F69</sup> **E+W**

**Textual Amendments**

**F69** S. 51 repealed by [Local Government Act 1933 \(c. 51\)](#), [Sch. 11 Pt. IV](#)

**52** †**Supplemental provisions as to transfer of powers.** **E+W**

- (1) ..... <sup>F70</sup>
- (2) ..... <sup>F71</sup>
- (3) ..... <sup>F72</sup>
- (4) ..... <sup>F73</sup>

(5) All enactments in any Act, whether general or local and personal, relating to any powers, duties, or liabilities transferred by this Act to a parish council or parish meeting from justices or the vestry or overseers or church wardens and overseers shall,

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subject to the provisions of this Act and so far as circumstances admit, be construed as if any reference therein to justices or to the vestry, or to the overseers, or to the churchwardens and overseers, referred to the parish council or parish meeting as the case requires, and the said enactments shall be construed with such modifications as may be necessary for carrying this Act into effect.

**Textual Amendments**

- F70** S. 52(1) repealed by [Local Government Act 1929 \(c. 17\)](#), **Sch. 12 Pt. VII**
- F71** S. 52(2) repealed by [Statute Law Revision Act 1908 \(c. 49\)](#)
- F72** S. 52(3) repealed by [Local Government Act 1933 \(c. 51\)](#), **Sch. 11 Pt. IV**
- F73** S. 52(4) repealed by [Charities Act 1960 \(c. 58\)](#), **Sch. 7 Pt. I**

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

- C13** Unreliable margin note
- C14** Functions of churchwardens and overseers now generally exercisable in City of London by Common Council and elsewhere by rating authorities: [City of London \(Union of Parishes\) Act 1907 \(c. xl\)](#), **s. 11**, [London Government Act 1899 \(c. 14\)](#), **s. 11(1)**, [Rating and Valuation Act 1925 \(c. 90\)](#), **s. 62(1)**, S.R. & O. 1927/55 (Rev. XIX, p. 599; 1927, p. 964), [London Government Act 1963 \(c. 33\)](#), **s. 63(1)** and [General Rate Act 1967 \(c. 9\)](#), **s. 1(1)**

53 ..... <sup>F74</sup> **E+W**

**Textual Amendments**

- F74** S. 53 repealed by [Local Government Act 1972 \(c. 70\)](#), **Sch. 30**

54–59 ..... <sup>F75</sup> **E+W**

**Textual Amendments**

- F75** Ss. 54–61 repealed by [Local Government Act 1933 \(c. 51\)](#), **Sch. 11 Pt. IV**

*Miscellaneous*

60, 61. .... <sup>F76</sup> **E+W**

**Textual Amendments**

- F76** Ss. 54–61 repealed by [Local Government Act 1933 \(c. 51\)](#), **Sch. 11 Pt. IV**

62 ..... <sup>F77</sup> **E+W**

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**Textual Amendments**

**F77** S. 62 repealed by [Local Government Act 1972 \(c. 70\)](#), [Sch. 30](#)

**63** ..... <sup>F78</sup> **E+W**

**Textual Amendments**

**F78** S. 63 repealed by [S.I. 1979/1123](#), [art. 3\(1\)](#)

**64** ..... <sup>F79</sup> **E+W**

**Textual Amendments**

**F79** S. 64 repealed by [Local Government Act 1933 \(c. 51\)](#), [Sch. 11 Pt. IV](#)

**65** **Saving for harbour powers.** **E+W**

Where any improvement commission affected by this Act have any powers, duties, property, debts, or liabilities in respect of any harbour, the improvement commission shall continue to exist and be elected for the purpose thereof, and shall continue as a separate body, as if this Act had not passed, and the property, debts, and liabilities shall be apportioned between the district council for the district and the commission so continuing, and the adjustment arising out of the apportionment shall be determined in manner provided by this Act.

**66** ..... <sup>F80</sup> **E+W**

**Textual Amendments**

**F80** Ss. 66, 71 repealed by [Statute Law \(Repeals\) Act 1978 \(c. 45\)](#), s. 1(1), [Sch. 1 Pt. XII](#)

**67** **Transfer of property and debts and liabilities.** **E+W**

Where any powers and duties are transferred by this Act from one authority to another authority—

- (1) All property held by the first authority for the purpose or by virtue of such powers and duties shall pass to and vest in the other authority, subject to all debts and liabilities affecting the same; and
- (2) The latter authority shall hold the same for the estate, interest, and purposes, and subject to the covenants, conditions, and restrictions for and subject to which the property would have been held if this Act had not passed, so far as the same are not modified by or in pursuance of this Act; and

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*Changes to legislation: There are currently no known outstanding effects for the Local Government Act 1894. (See end of Document for details)*

(3) All debts and liabilities of the first authority incurred by virtue of such powers and duties shall become debts and liabilities of the latter authority, and be defrayed out of the like property and funds out of which they would have been defrayed if this Act had not passed.

68, 69. .... F81 **E+W**

**Textual Amendments**  
F81 Ss. 68, 69 repealed by Local Government Act 1933 (c. 51), Sch. 11 Pt. IV and London Government Act 1939 (c. 40), Sch. 8

70 ..... F82 **E+W**

**Textual Amendments**  
F82 S. 70 repealed by Local Government Act 1958 (c. 55), Sch. 9 Pt. V

71 ..... F83 **E+W**

**Textual Amendments**  
F83 Ss. 66, 71 repealed by Statute Law (Repeals) Act 1978 (c. 45), s. 1(1), Sch. 1 Pt. XII

72, 73. .... F84 **E+W**

**Textual Amendments**  
F84 Ss. 72, 73 repealed by Local Government Act 1933 (c. 51), Sch. 11 Pt. IV and London Government Act 1939 (c. 40), Sch. 8

74 ..... F85 **E+W**

**Textual Amendments**  
F85 Ss. 74, 78 repealed by Local Government Act 1933 (c. 51), Sch. 11 Pt. IV

75 **Construction of Act.** **E+W**

(1) The definition of “parish” in section one hundred of the <sup>M2</sup>Local Government Act, 1888, shall not apply to this Act, but, save as aforesaid, expressions used in this Act shall, unless the context otherwise requires, have the same meaning as in the said Act.

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(2) In this Act, unless the context otherwise requires—

..... F86  
..... F87  
..... F87  
..... F87

The expression “ecclesiastical charity” includes a charity, the endowment whereof is held for some one or more of the following purposes:—

- (a) for any spiritual purpose which is a legal purpose; or
- (b) for the benefit of any spiritual person or ecclesiastical officer as such; or
- (c) for use, if a building, as a church, chapel, mission room, or Sunday school, or otherwise by any particular church or denomination; or
- (d) for the maintenance, repair, or improvement of any such building as aforesaid, or for the maintenance of divine service therein; or
- (e) otherwise for the benefit of any particular church or denomination, or of any members thereof as such.

Provided that where any endowment of a charity, other than a building held for any of the purposes aforesaid, is held in part only for some of the purposes aforesaid, the charity, so far as that endowment is concerned, shall be an ecclesiastical charity within the meaning of this Act; and the [<sup>F88</sup>Charity Commission] shall, on application by any person interested, make such provision for the apportionment and management of that endowment as seems to [<sup>F89</sup>it] necessary or expedient for giving effect to this Act.

The expression shall also include any building which in the opinion of the [<sup>F90</sup>Charity Commission] has been erected or provided within forty years before the passing of this Act mainly by or at the cost of members of any particular church or denomination.

The expression “affairs of the church” shall include the distribution of offertories or other collections made in any church.

..... F87

The expression “vestry” in relation to a parish means the inhabitants of the parish whether in vestry assembled or not, and includes any select vestry either by statute or at common law.

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..... F87

The expression “local and personal Act” includes a Provisional Order confirmed by an Act and the Act confirming the Order.

..... F87

**Textual Amendments**

**F86** Definition of “population” repealed by [Local Government Act 1958 \(c. 55\)](#), [Sch. 9 Pt. V](#)

**F87** Definition repealed by [Statute Law \(Repeals\) Act 1978 \(c. 45\)](#), s. 1(1), [Sch. 1 Pt. XII](#)

**F88** Words in s. 75(2) substituted (27.2.2007) by [Charities Act 2006 \(c. 50\)](#), s. 79(2), [Sch. 8 para. 9\(2\)\(a\)](#); [S.I. 2007/309](#), art. 2, [Sch.](#)

**F89** Word in s. 75(2) substituted (27.2.2007) by [Charities Act 2006 \(c. 50\)](#), s. 79(2), [Sch. 8 para. 9\(2\)\(b\)](#); [S.I. 2007/309](#), art. 2, [Sch.](#)

**F90** Words in s. 75(2) substituted (27.2.2007) by [Charities Act 2006 \(c. 50\)](#), s. 79(2), [Sch. 8 para. 9\(3\)](#); [S.I. 2007/309](#), art. 2, [Sch.](#)

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**F91** Definition of “rateable value” repealed by [Local Government Act 1958 \(c. 55\)](#), **Sch. 9 Pt. V**

**Marginal Citations**

**M2** [1888 c. 41](#).

**76** **Extent of Act.** **E+W**

This Act shall not extend to Scotland or Ireland.

**77** **Short title.** **E+W**

This Act may be cited as the Local Government Act, 1894.

**PART V** **E+W**

TRANSITORY PROVISIONS

**78** ..... **F92** **E+W**

**Textual Amendments**

**F92** [Ss. 74, 78](#) repealed by [Local Government Act 1933 \(c. 51\)](#), **Sch. 11 Pt. IV**

**79** ..... **F93** **E+W**

**Textual Amendments**

**F93** [S. 79](#) repealed by [Statute Law Revision Act 1908 \(c. 49\)](#)

**80** ..... **F94** **E+W**

**Textual Amendments**

**F94** [S. 80](#) repealed by [Local Government Act 1933 \(c. 51\)](#), **Sch. 11 Pt. IV** and [London Government Act 1939 \(c. 40\)](#), **Sch. 8**

**81** ..... **F95** **E+W**

**Textual Amendments**

**F95** [S. 81](#) repealed by [Local Government Act 1958 \(c. 55\)](#), **Sch. 9 Pt. V**



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82 ..... F96 **E+W**

**Textual Amendments**

F96 S. 82 repealed by [Highways Act 1959 \(c. 25\)](#), s. 312(2), [Sch. 25](#)

83 ..... F97 **E+W**

**Textual Amendments**

F97 S. 83 repealed by [Local Government Act 1933 \(c. 51\)](#), [Sch. 11 Pt. IV](#) and [London Government Act 1939 \(c. 40\)](#), [Sch. 8](#)

84 ..... F98 **E+W**

**Textual Amendments**

F98 S. 84 repealed by [Statute Law \(Repeals\) Act 1978 \(c. 45\)](#), s. 1(1), [Sch. 1 Pt. XII](#)

85— ..... F99 **E+W**  
89.

**Textual Amendments**

F99 Ss. 85–89 repealed by [Local Government Act 1933 \(c. 51\)](#), [Sch. 11 Pt. IV](#) and [London Government Act 1939 \(c. 40\)](#), [Sch. 8](#)

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## SCHEDULES

### F100F100 FIRST SCHEDULE E+W

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**Textual Amendments**

**F100** Sch. 1 repealed by [Local Government Act 1933 \(c. 51\)](#), [Sch. 11 Pt. IV](#)

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F100

### F101F101 SECOND SCHEDULE E+W

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**Textual Amendments**

**F101** Sch. 2 repealed by [Statute Law Revision Act 1908 \(c. 49\)](#)

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F101

**Status:**

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**Changes to legislation:**

There are currently no known outstanding effects for the Local Government Act 1894.