

SCHEDULE 3

AMENDMENTS AND ADAPTATIONS OF ENACTMENTS

Other enactments

13. In the Land Drainage Act 1930, in section 41, the reference in subsection (1) to the Minister of Transport shall have effect as a reference to the Secretary of State for the Environment, and the reference in subsection (7) to the Board of Trade as a reference to the Board of Trade or the Secretary of State for Trade and Industry.

14. In the Local Government Act 1933 there shall be substituted for section 249(2) and (3) the following subsections:—

“(2) The confirming authority in relation to byelaws made under this section shall be the Secretary of State and, as respects byelaws relating to public health or to any other matter which in the opinion of the Secretaries of State in question concerns the functions of the Secretary of State for the Environment rather than those of the Secretary of State otherwise concerned, shall be the Secretary of State for the Environment.

(3) The validity of a byelaw made under this section and confirmed by a Secretary of State shall not be questioned in any legal proceedings on the ground that it ought to have been, or on the ground that it ought not to have been, confirmed by the Secretary of State for the Environment.”;

and in section 250(10) the references to the Minister shall accordingly have effect as references to the Secretary of State for the Environment.

15.—(1) For purposes of the Acquisition of Land (Authorisation Procedure) Act 1946 and the Acquisition of Land (Authorisation Procedure) (Scotland) Act 1947 the “appropriate Minister” in relation to lighthouse undertakings shall be the Board of Trade or the Secretary of State and in any other case, except that of the Post Office, shall be the Secretary of State.

(2) In Schedule 1 to the Acquisition of Land (Authorisation Procedure) Act 1946 the words “the Secretary of State” shall be substituted—

(a) in paragraph 11(1) for the words “the Minister of Agriculture and Fisheries (in the case of a common or of a fuel or field garden allotment) or the Minister of Town and Country Planning (in the case of an open space not being a common or such an allotment)”, and in paragraph 11(2) for the words “the Minister having jurisdiction to give the certificate” and for the words “the said Minister”; and

(b) in paragraph 12 for the words “the Minister of Works” and the words “the Minister”.

16. For purposes of the Civil Aviation Act 1949 the “appropriate Minister” in relation to lighthouse undertakings shall be the Board of Trade or the Secretary of State and in any other case, except that of the Post Office, shall be the Secretary of State.

17. In the Rag Flock and Other Filling Materials Act 1951 the references (as originally enacted) in sections 8(1) and 30 to the Minister of Local Government and Planning and the Secretary of State shall have effect as references to the Secretary of State for the Environment and the Secretary of State for Scotland, and section 15(4) and (5) shall apply accordingly.

18.—(1) In section 81(12)(a) of the Highways Act 1959 (which provides that in certain cases a highway authority shall not serve a notice without the consent of the Minister of Works) after the word “service” there shall be inserted the words “by a local highway authority”.

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(2) For purposes of section 254(6) of the Highways Act 1959 the “appropriate Minister” shall be, except in relation to the Post Office, the Secretary of State.

19.—(1) In section 9(1) of the Public Health Act 1961 the first reference to the Minister shall have effect as a reference to the Secretary of State for the time being charged with the exercise of the power to make building regulations and the Secretary of State for Wales acting jointly.

(2) In section 49 of the Public Health Act 1961 the references (as originally enacted) to the Minister of Transport and to the Minister of Power shall have effect as references respectively to the Secretary of State for the Environment and to the Secretary of State for Trade and Industry.

20.—(1) In section 63(7) of the Transport Act 1962 any reference to the Secretary of State shall have effect as a reference to the Secretary of State for Scotland.

(2) In section 86 of the Transport Act 1962 after subsection (6), there shall be inserted as a new subsection:—

“(6A) In Scotland any question to be determined by the Minister under subsection (4) above and any appeal under subsection (5) shall be determined by the Secretary of State for the Environment and the Secretary of State for Scotland jointly.”

21.—(1) For purposes of the Pipe-lines Act 1962 the “appropriate Minister” in relation to lighthouse undertakings shall be the Board of Trade or the Secretary of State and in any other case, except that of the Post Office, shall be the Secretary of State.

(2) In section 15(6) of the Pipe-lines Act 1962 the reference to the Minister and the Minister of Transport acting jointly shall have effect as a reference to the Secretary of State for the time being discharging the functions expressed to be conferred on the Minister by that Act acting jointly with the Secretary of State for the Environment (as regards England), with the Secretary of State for Wales (as regards Wales) or with the Secretary of State for Scotland (as regards Scotland).

22. In section 18(4) of the Airports Authority Act 1965 the reference to the Minister shall have effect as a reference to the Board of Trade or Secretary of State for Trade and Industry, and the reference to the Minister of Housing and Local Government or Secretary of State as a reference to the Secretary of State for the time being having general responsibility in planning matters in relation to England, Wales or Scotland, as the case may be.

23.—(1) In section 115(2) of the General Rate Act 1967 references to the Secretary of State shall have effect as references to the Secretary of State for Wales, and the reference to the Minister of Housing and Local Government shall have effect as a reference to such other Secretary of State as may for the time being be discharging functions expressed to be conferred by that Act on the Minister.

(2) In paragraphs 13(b) of Schedule 6 and 15(b) of Schedule 7 to the General Rate Act 1967 the references (as originally enacted) to the Minister of Power shall have effect as references to the Secretary of State for Trade and Industry.

24. In the Road Traffic Regulation Act 1967—

- (a) in section 7(2) the reference to the Secretary of State shall have effect as a reference to the Secretary of State for the Home Department; and
- (b) in sections 54(1), 55(1) and 71(2) references to the Minister and the Secretary of State acting jointly shall have effect as references to those Secretaries of State acting jointly that are for the time being charged with general responsibility under the Act in relation to England, Wales and Scotland respectively, and section 107 shall apply accordingly.

25. In the Transport Act 1968—

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- (a) in section 137(3)(a) the reference to the Minister shall have effect as a reference to the Secretary of State for the Environment or, in relation to the Scottish Group, the Secretary of State for Scotland; and
- (b) in section 144 any reference to the Minister shall have effect as a reference to the Secretary of State for the Environment.