

## SCHEDULE 5

article 18

### Application of other enactments and instruments with modifications

#### Section 175 of the 1972 Act

1. In section 175 of the 1972 Act (allowances for attending conferences and meetings) subsection (3B) <sup>M1</sup> shall have effect as if a National Park authority were for the purposes of that subsection a combined body all the members of which are representatives of local authorities.

##### Marginal Citations

**M1** Subsection (3B) of section 175 of the 1972 Act was inserted by section 25(3) of the [Local Government Planning and Land Act 1980 \(c.65\)](#). It was amended by the 1989 Act Schedule 11, paragraph 27(b). Paragraph 11(1) of Schedule 7 to the 1995 Act makes a National Park authority a body to which sections 174 to 176 of the 1972 Act (allowances for travelling, conferences and visits) shall apply.

#### Section 177 of the 1972 Act

2. In section 177 of the 1972 Act (provisions supplementary to sections 173 to 176) paragraph (b) of subsection (1) <sup>M2</sup> shall have effect as if a National Park authority were a body specified in section 21(1) of the 1989 Act as referred to in paragraph (a) of subsection (1) of section 177.

##### Marginal Citations

**M2** Subsection (1) of section 177 was substituted by the 1989 Act, Schedule 11, paragraph 28(2). It was amended by [S.I. 1991/446](#).

#### Accounts and Audit Regulations 1983

3.—(1) The Accounts and Audit Regulations 1983 (“the 1983 Regulations”) <sup>M3</sup> shall have effect subject to the following provisions of this paragraph.

(2) Regulation 7 (preparation of statement of accounts) shall have effect as if a National Park authority were a body mentioned within paragraph (2)(a) of that regulation and references in the 1983 Regulations to a body to which paragraph (2) of regulation 7 applies shall be construed accordingly.

(3) Regulation 18 (joint committees etc) shall have effect as if a National Park authority were a combined authority to which the 1983 Regulations apply and as if the reference to each constituent authority were, in relation to a National Park authority, construed as a reference to the Secretary of State for Wales, the Countryside Council for Wales and to the council for every principal area the whole or any part of which is in the National Park for which that National Park authority is established.

##### Marginal Citations

**M3** [S.I. 1983/1761](#): relevant amendments were made by [S.I. 1986/1271](#); [S.I. 1990/435](#) and [S.I. 1994/3018](#). A National Park authority is a body whose accounts are required to be audited in accordance with [Part III of the Local Government Finance Act 1982 \(c.32\)](#) by paragraph 19(1) of Schedule 7 to the 1995 Act.

**Changes to legislation:** There are outstanding changes not yet made by the legislation.gov.uk editorial team to *The National Park Authorities (Wales) Order 1995*. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

### **Local Authorities (Publicity Account) (Exemption) Order 1987**

4. In respect of the financial year beginning on 1st April 1995 the Local Authorities (Publicity Account) (Exemption) Order 1987 <sup>M4</sup> shall have effect as if for the existing article 6 there were substituted the following article—

**“ Annual expenditure in respect of the financial year beginning on 1st April 1995**

6. Section 5(1) does not apply to expenditure incurred by a National Park authority established for a National Park in Wales in the financial year beginning on 1st April 1995 where—

- (a) that authority resolves as soon as reasonably practicable after the 23rd November 1995 not to spend more than £3000 on publicity, and
- (b) that limit is not exceeded by the authority in the course of that year.”

#### **Marginal Citations**

**M4** [S.I. 1987/2004](#). Schedule 8 paragraph 9 to the 1995 Act provides that [Part II of the Local Government Act 1986 \(c.10\)](#) (restrictions on publicity) shall have effect as if a National Park authority were a local authority for the purposes of that Part.

### **Local Authorities (Members’ Allowances) Regulations 1991**

5.—(1) The Local Authorities (Members’ Allowances) Regulations 1991 (“the 1991 Regulations”) <sup>M5</sup> shall apply subject to the following provisions of this paragraph.

(2) Regulation 3 (prescribed bodies) shall have effect as if the reference in paragraph (a) to local authorities included National Park authorities.

(3) Subject to sub-paragraphs (4) to (6), Part II of the 1991 Regulations shall have effect as if—

- (a) a National Park authority were an authority to which that Part applies;
- (b) subject to sub-paragraph (c), references in that Part to a councillor (including references to a member of an authority who is a councillor) were, in relation to a National Park authority, construed as references to a local authority member or, as the case may be, a Secretary of State member;
- (c) in regulation 5(2)(b) the reference to a joint authority included a National Park authority.

(4) Paragraph (1) of Regulation 6 (allowances schemes) shall be construed as requiring a National Park authority as soon as practicable after 23rd November 1995 to make a scheme in accordance with the 1991 Regulations for the payment of allowances in respect of the period up to the 1st April 1996 and for subsequent years.

(5) A scheme made in accordance with sub-paragraph (4) shall have effect from 23rd November 1995.

(6) Paragraph (2) of regulation 10 (attendance allowances) shall have effect as if a scheme made by the council for a principal area were a scheme to which that paragraph applies and as if that paragraph required that such a scheme shall not provide for the payment of an attendance allowance in respect of any duty carried out by a member of such a council in his capacity as that council’s representative on a National Park authority.

(7) Regulation 24 (paying allowances under section 173 or 174 of the 1972 Act) shall have effect as if—

- (a) in paragraph (a) the reference to local authorities included National Park authorities; and

**Changes to legislation:** There are outstanding changes not yet made by the legislation.gov.uk editorial team to The National Park Authorities (Wales) Order 1995. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

- (b) in paragraph (b) a National Park authority were a combined body all the members of which are representatives of local authorities.

#### Marginal Citations

**M5** [S.I. 1991/351](#): Relevant amendments were made by [S.I. 1995/553](#) Paragraph 11(1) of Schedule 7 to the 1995 Act provides that a National Park authority shall be deemed to be a relevant authority for the purposes of section 18 of the 1989 Act (basic attendance and special responsibility allowances). Paragraph 11(2) of the said Schedule makes provision for a member of a National Park authority who is appointed by the Secretary of State to be deemed a councillor in relation to that authority in relation to the said section 18 of the 1989 Act.

### Local Authorities (Members' Interests) Regulations 1992

6.—(1) Subject to the following provisions of this paragraph, the Local Authorities (Members' Interests) Regulations 1992 <sup>M6</sup> shall apply as if—

- (a) a National Park authority were an authority for the purposes of the Regulations; and  
(b) a local authority member or a Secretary of State member of a National Park authority were a councillor for the purposes of the Regulations.

(2) Regulation 3 (general notices) shall be construed as if it required a person who is appointed as a member of a National Park authority on or after 23rd November 1995 to give the general notice required by that regulation not later than one month after the date on which he first attends a relevant meeting within the meaning of regulation 3(4), after his appointment.

#### Marginal Citations

**M6** [S.I. 1992/618](#). Paragraph 10(2) of Schedule 7 to the 1995 Act provides that section 19 of the 1989 Act (members' interests) shall have effect as if a National Park authority were a local authority for the purposes of Part I of the 1989 Act.

### Local Authorities (Standing Orders) Regulations 1993

7.—(1) Subject to paragraph 10 of Schedule 6 and to the following provisions of this paragraph, the Local Authorities (Standing Orders) Regulations 1993 <sup>M7</sup> shall apply as if a National Park authority were a relevant authority for the purposes of the Regulations or, in the case of regulation 4(1), a county council.

(2) Paragraph 2 of Schedule 2 (standing orders relating to meetings and proceedings) shall have effect as if the reference to a meeting called under paragraph 3 of Schedule 12 to the 1972 Act were a reference to an extraordinary meeting of a National Park authority.

#### Marginal Citations

**M7** [S.I. 1993/202](#). Paragraph 12(3) of Schedule 7 to the 1995 Act provides that section 20 of the 1989 Act (power to require adoption of certain procedural standing orders) shall have effect as if a National Park authority were a relevant authority for the purposes of that section.

**Changes to legislation:** There are outstanding changes not yet made by the legislation.gov.uk editorial team to The National Park Authorities (Wales) Order 1995. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

## Local Government (Compensation for Redundancy) Regulations 1994

**8.**—(1) The Local Government (Compensation for Redundancy) Regulations 1994<sup>M8</sup> shall apply subject to the following provisions of this paragraph.

- (2) Paragraph (1) of Regulation 2 (Interpretation) shall have effect as if—
- (a) in the definition of “employing body”, the reference to a county borough council in Wales included reference to a National Park authority, and
  - (b) for the purposes of the definition of “relevant body” (as it applies in Wales), a National Park authority were a body referred to in section 43(1)(a) of the 1994 Act.
- (3) Regulation 6 (Prescribed conditions) shall have effect as if—
- (a) in paragraphs (4)(a)(ii) and (b) the reference to loss of employment attributable to any provision made by or under the 1994 Act included reference to loss of employment attributable to any provision made by or under Part III of the 1995 Act; and
  - (b) a National Park authority were a relevant body for the purposes of paragraph (4)(b).

### Marginal Citations

**M8** [S.I. 1994/3025](#).

## Local Government Reorganisation (Wales) (Limitation of Compensation) Regulations 1995

**9.** The Local Government Reorganisation (Wales) (Limitation of Compensation) Regulations 1995<sup>M9</sup> shall apply as if a National Park authority were a new authority for the purposes of the Regulations.

### Marginal Citations

**M9** [S.I. 1995/1039](#). Article 16 of this Order applies section 45 of the 1994 Act (other compensation payments), under which these Regulations are made, to a National Park authority in Wales as if it were a new principal council for the purposes of that section.

## The Local Government (Wales) (Service Agency Agreements) Regulations 1995

**10.** The Local Government (Wales) (Service Agency Agreements) Regulations 1995<sup>M10</sup> shall apply as if a National Park authority were a new authority for the purposes of the Regulations.

### Marginal Citations

**M10** [S.I. 1995/1040](#). Paragraph 12 of Schedule 8 to the 1995 Act makes a National Park authority for a National Park in Wales a new principal council for the purposes of section 25 of the 1994 Act (service agency agreements), under which these Regulations are made.

**Changes to legislation:**

There are outstanding changes not yet made by the legislation.gov.uk editorial team to The National Park Authorities (Wales) Order 1995. Any changes that have already been made by the team appear in the content and are referenced with annotations.

[View outstanding changes](#)

**Changes and effects yet to be applied to :**

- Sch. 5 para. 20 revoked by [S.I. 2010/490 Sch. 7 Pt. 1](#)

**Changes and effects yet to be applied to the whole Instrument associated Parts and Chapters:**

Whole provisions yet to be inserted into this Instrument (including any effects on those provisions):

- Sch. 3 para. 6(2A)-(2D) inserted by [S.I. 2021/356 reg. 6\(4\)](#)
- Sch. 5 para. 22 added by [S.I. 1996/1224 art. 2\(b\)](#)
- Sch. 5 para. 11-21 added by [S.I. 1996/534 Sch. para. 2](#)
- Sch. 5 para. 2E inserted by [S.I. 1996/1224 art. 2\(a\)](#)
- Sch. 5 para. 2A-2D inserted by [S.I. 1996/534 Sch. para. 1](#)
- Sch. 5 para. 16 omitted by [S.I. 1997/633 art. 3\(1\)](#)
- Sch. 5 para. 21 revoked by [S.I. 2012/801 art. 33Sch. 8](#)