

SCHEDULE 2

Article 29

Consequential Amendments

Amendment of the Local Government Officers (Political Restrictions) Regulations 1990

1.—(1) The Local Government Officers (Political Restrictions) Regulations 1990(1) are amended as follows.

(2) In regulation 3 (terms of appointment and conditions of employment)—

(a) in paragraph (1) for “Subject to paragraph (3)” substitute “Subject to paragraphs (3) and (4)”; and

(b) after paragraph (3) insert—

“(4) In relation to a member of staff of a fire and rescue authority created by an order under section 4A of the Fire and Rescue Services Act 2004 paragraph (1) only applies to a person who holds a post listed in section 2(1)(a) to (e) of the Act.”.

Amendment of the Late Payment of Commercial Debts (Interest) Act 1998 (Commencement No. 1) Order 1998

2.—(1) The Late Payment of Commercial Debts (Interest) Act 1998 (Commencement No. 1) Order 1998(2) is amended as follows.

(2) In Schedule 1 (meaning of “United Kingdom public authority”) after paragraph 1(ga) insert—

“(gb) a fire and rescue authority created by an order under section 4A of the Fire and Rescue Services Act 2004;”.

Amendment of the Redundancy Payments (Continuity of Employment in Local Government, etc) (Modification) Order 1999

3.—(1) The Redundancy Payments (Continuity of Employment in Local Government, etc) (Modification) Order 1999(3) is amended as follows.

(2) In section 6 (police, fire and civil defence) of Schedule 1 (employment to which this Order applies: employers immediately before the relevant event) after paragraph 1B insert—

“(1C) A fire and rescue authority created by an order under section 4A of the Fire and Rescue Services Act 2004.”.

Amendment of the Local Government (Best Value) Performance Indicators and Performance Standards (England) Order 2005

4.—(1) The Local Government (Best Value) Performance Indicators and Performance Standards (England) Order 2005(4) is amended as follows.

(2) In article 1(2) (citation, commencement and interpretation) at the end of the definition of “fire and rescue authority” insert “other than an authority created by an order under section 4A of that Act.”.

(1) [S.I. 1990/851](#).

(2) [S.I. 1998/2479](#). Paragraph 1 of Schedule 1 was amended by [S.I. 2004/3168](#).

(3) [S.I. 1999/2277](#). Paragraph 1A of section 6 was inserted in relation to England by [S.I. 2004/3168](#); paragraph 1B was inserted by [S.I. 2017/469](#) and paragraph 3 was amended by paragraph 10(1) and (2) of Part 1 of Schedule 2 to the Civil Contingencies Act 2004 (c. 36).

(4) [S.I. 2005/598](#).

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

Amendment of the Council Tax (Demand Notices) (England) Regulations 2009

5.—(1) The Council Tax (Demand Notices) (England) Regulations 2009⁽⁵⁾ are amended as follows.

(2) In regulation 2(1) (interpretation) in the definition of “fire and rescue authority” after sub-paragraph (a) insert—

“(ab) a fire and rescue authority created by an order under section 4A of the 2004 Act (power to provide for police and crime commissioner to be fire and rescue authority);”.

(3) In regulation 5(5) (local government restructuring: efficiency authorities and efficiency information) in the definition of “relevant event” after sub-paragraph (b) insert—

“(ba) an order under section 4A of the 2004 Act (power to provide for police and crime commissioner to be fire and rescue authority),”.

Amendment of the Elected Local Policing Bodies (Specified Information) Order 2011

6.—(1) The Elected Local Policing Bodies (Specified Information) Order 2011 is amended as follows.

(2) After paragraph 16 of the Schedule insert—

“17. Where a police and crime commissioner is also a fire and rescue authority created by an order under section 4A of the Fire and Rescue Services Act 2004 the commissioner must publish the information in sub-paragraphs (a) and (b) in a consolidated form rather than in relation to each relevant office holder separately—

- (a) in relation to an elected local policing body the information specified in paragraph 1(a), (b), (c) and (e); and
- (b) in relation to a fire and rescue authority created by an order under section 4A of the Fire and Rescue Services Act 2004 the information specified in paragraph 1(a),(b), (c) and (e) as applied with modifications to such an authority by the Fire and Rescue Authority (Police and Crime Commissioner) (Application of Local Policing Provisions, Inspection, Powers to Trade and Consequential Amendments) Order 2017.”

Amendment of the Community Right to Challenge (Fire and Rescue Authorities and Rejection of Expressions of Interest) (England) Regulations 2012

7.—(1) The Community Right to Challenge (Fire and Rescue Authorities and Rejection of Expressions of Interest) (England) Regulations 2012⁽⁶⁾ are amended as follows.

(2) In regulation 3 (relevant authorities)—

- (a) omit “or” at the end of paragraph (c); and
- (b) after paragraph (d) insert—

“ or

- (e) a fire and rescue authority created by an order under section 4A of that Act.”.

⁽⁵⁾ S.I. 2009/3193.

⁽⁶⁾ S.I. 2012/1647.

Amendment of the Council Tax Reduction Schemes (Prescribed Requirements) (England) Regulations 2012

8.—(1) The Council Tax Reduction Schemes (Prescribed Requirements) (England) Regulations 2012⁽⁷⁾ are amended as follows in relation to council tax reduction schemes⁽⁸⁾ made by billing authorities⁽⁹⁾ for financial years beginning on or after 1st April 2018.

(2) In Schedule 4 (sums disregarded from applicant’s earnings) after paragraph 3(2)(a) insert—

“(ab) as a part-time fire-fighter employed by a fire and rescue authority created by an order under section 4A of the Fire and Rescue Services Act 2004;”.

Amendment of the Re-use of Public Sector Information Regulations 2015

9.—(1) The Re-use of Public Sector Information Regulations 2015⁽¹⁰⁾ are amended as follows.

(2) In regulation 3(1) (public sector bodies) after sub-paragraph (l) insert—

“(la) a fire and rescue authority created by an order under section 4A of the Fire and Rescue Services Act 2004;”.

Amendment of the Trade Union (Facility Time Publication Requirements) Regulations 2017

10.—(1) The Trade Union (Facility Time Publication Requirements) Regulations 2017⁽¹¹⁾ are amended as follows.

(2) In Schedule 1 (public authorities) after paragraph 9 insert—

“**9A.** A fire and rescue authority created by an order under section 4A of the Fire and Rescue Services Act 2004.”.

Amendment of the Equality Act 2010 (Specific Duties and Public Authorities) Regulations 2017

11.—(1) The Equality Act 2010 (Specific Duties and Public Authorities) Regulations 2017⁽¹²⁾ are amended as follows.

(2) In Schedule 2 after the entry beginning “A fire and rescue authority” insert—

“A fire and rescue authority created by an order under section 4A of the Fire and Rescue Services Act 2004.”.

⁽⁷⁾ [S.I. 2012/2885](#). Paragraph 3 of Schedule 4 was amended by [S.I. 2013/3181](#).

⁽⁸⁾ See section 13A(9) of the Local Government Finance Act 1992 ([c. 14](#)) for the definition of “council tax reduction scheme”. Section 13A was amended by section 10 of the Local Government Finance Act 2012 ([c. 17](#)).

⁽⁹⁾ See section 1(2) of the Local Government Finance Act 1992 for the definition of “billing authority”.

⁽¹⁰⁾ [S.I. 2015/1415](#).

⁽¹¹⁾ [S.I. 2017/328](#).

⁽¹²⁾ [S.I. 2017/353](#).