STATUTORY INSTRUMENTS

1973 No. 373 (C.13)

LOCAL GOVERNMENT, ENGLAND AND WALES

The Local Government Act 1972 (Commencement No. 1) (England) Order 1973

Made - - - - *2nd March* 1973

The Secretary of State for the Environment, in exercise of the powers conferred upon him by section 273(2) of the Local Government Act 1972**(a)** and of all other powers enabling him in that behalf, hereby makes the following order:—

Title, application and interpretation

1. This order may be cited as the Local Government Act 1972 (Commencement No. 1) (England) Order 1973.

2. This order shall not apply to the area consisting of the counties established by section 20 (new local government areas in Wales).

3.—(1) The Interpretation Act 1889**(b)** shall apply for the interpretation of this order as it applies for the interpretation of an Act of Parliament.

(2) In this order—

"the Act" means the Local Government Act 1972; and

"the Common Council" means the Common Council of the City of London.

(3) Any reference in this order to a numbered section, Part or Schedule shall be construed as a reference to the section, Part or Schedule bearing that number in the Act.

New county and district councils

4. In respect of new county and district councils the following sections, namely—

sections 101 to 103
sections 112 to 116
sections 118 to 123
sections 128 to 132
sections 135 and 136
sections 139 to 143
section 148
section 151
section 153
section 224
section 228
section 231
sections 233 and 234

(a) 1972 c. 70. **(b)** 1889 c. 63.

section 251(1) in so far as it extends to paragraphs 3, 4 and 8 of Schedule 29 shall come into force—

(*a*) in the case of county councils, on 16th April 1973;

(*b*) in the case of metropolitan district councils, on 14th May 1973; and

(*c*) in the case of non-metropolitan district councils, on 11th June 1973.

Other authorities

5. In respect of the authorities to which this article applies, the following sections, namely—

sections 101 to 103
sections 135 and 136
section 140
section 142
section 145

shall come into force on 1st April 1973.

This article applies to the Greater London Council and London borough councils and—

in respect of sections 101 to 103, to the Common Council, the Sub-Treasurer of the Inner Temple, the Under Treasurer of the Middle Temple, a joint board to which Part VI applies or a port health authority;

in respect of sections 142 and 145, to the Common Council;

in respect of sections 101 to 103, 135, 136, 140 and 142, to parish councils; and

in respect of section 140, to the London Transport Executive established under section 4 of the Transport (London) Act 1969**(a)**.

Police authorities

6. Sections 107 and 196(2) shall come into force as respects—

(*a*) the police committee of any new county council; and

(*b*) the combined police authority for any new counties,

at the date of the resolution of the new county council constituting the police committee or of the order of the Secretary of State for the Home Department approving or making the amalgamation scheme under the Police Act 1964**(b)** constituting the combined police authority, as the case may be.

Other provisions

7. Section 89(6) shall come into force on 1st January 1974.

8. Section 105 shall come into force—

(*a*) as respects members of—

(i) a committee of an authority to whom the section applies other than a new county or district council or a parish council; and

(ii) a joint committee other than one appointed by authorities all of whom are parish councils,

on 1st April 1973;

(*b*) as respects members of a committee of a new county council, on 16th April 1973;

(*c*) as respects members of a committee of a metropolitan district council, on 14th May 1973, and

(a) 1969 c. 35. **(b)** 1964 c. 48.

(*d*) as respects members of a committee of a non-metropolitan district council, on 11th June 1973.

In this article, "committee" and "joint committee" include a sub-committee.

9.—(1) Sections 154 to 167, 196(3) and 197(4), and section 251(1) in so far as it extends to paragraph 7(1) of Schedule 29, shall come into force—

(*a*) as respects the accounts of county councils and the committees and officers thereof, on 16th April 1973;

(*b*) as respects the accounts of district councils and the committees and officers thereof—

in the case of metropolitan district councils, on 14th May 1973;

in the case of non-metropolitan district councils, on 11th June 1973; and

(*c*) as respects the accounts of any authority to which article 6 above applies, at the date specified in that article in respect of that authority.

(2) Sections 154(2) and 164 shall come into force—

(*a*) as respects the accounts of the rate fund and superannuation fund of the City of London, on 1st April 1973.

(*b*) as respects the accounts of authorities to be covered by resolutions of district councils under section 154(2)(*d*)—

in the case of metropolitan district councils, on 14th May 1973;

in the case of non-metropolitan district councils, on 11th June 1973; and

(*c*) as respects the accounts of any such joint committee as is described in section 154(2)(*e*), on the date on which the joint committee is established.

(3) Section 251(1) in so far as it extends to paragraph 7(2) to (5) of Schedule 29 shall come into force on 1st April 1973.

10. The following sections, namely—

sections 111, 168, 171 and 214(3) and (4)
sections 217(7) in so far as it extends to paragraph 3 of Schedule 27
section 219(2)
section 240 except subsections (3) and (7)

shall come into force on 1st April 1973

Interim action

11. For the purposes of the preparation or service of any precept, or the preparation or approval of any rate, to be made in respect of a period commencing on 1st April 1974, any provision of the Act which is, under section 273(1) thereof, not in force on 1st January 1974 shall come into force on that date.

12. For the purposes of taking any action authorised by any enactment (whether or not involving the expenditure of money) by any authority to ensure effective and convenient local government as from 1st April 1974, the provisions of the Act to which section 273(1) applies, so far as they have, on 1st April 1973, not been brought into force, shall be deemed to have come into force on that date.

Repeals

13. The repeal effected by section 272 and Schedule 30 of any provision specified in column (1) of the following table shall come into force, in respect of the authorities or areas specified in respect of such provision in column (2), on the date so specified in column (3).

TABLE

(1)	(2)	(3)
Section 50(1) of the Local Government Act 1933 (a)	Parishes in metropolitan counties	14th May 1973
	Parishes in non-metropolitan counties	11th June 1973
Section 61 of that Act	Greater London Council	12th April 1973
	Parishes in metropolitan counties	10th May 1973
	Parishes in non-metropolitan counties	7th June 1973
Section 67(6) of that Act	Parishes	1st January 1974
Sections 140 to 143 and 145 of that Act	All areas	2nd April 1973
Section 193(3) and (5) of that Act	Parishes	1st April 1973
In section 88 of the Education Act 1944(b) the words "but a local education authority" onwards	Local education authorities in Greater London	1st April 1973
	Non-metropolitan county councils	16th April 1973
	Metropolitan district councils.	14th May 1973
In section 172(1) of the Representation of the People Act 1949(c) the definition of "county"	County councils	1st April 1973

14. Any repeal effected by the Act of any enactment making provision with respect to any matter as to which provision (whether corresponding or different) in the Act has come into force in relation to the Greater London Council or the London borough councils shall take effect in relation to that Council, or those councils, as the case may be, on 1st April 1973 or the coming into force of the said provision, whichever is the later.

C. J. Pearce,
An Under Secretary in the
Department of the Environment.

Signed by authority of
the Secretary of State.
2nd March 1973.

EXPLANATORY NOTE
(This Note is not part of the Order.)

Section 273(1) of the Local Government Act 1972 provides that the provisions of the Act specified in section 273(3) shall, except in so far as brought into force earlier by an Order under section 273(2), not come into force until 1st April 1974. This Order made under section 273(2), brings a number of the provisions specified in section 273(3) into force at earlier dates, which differ according to the purposes and areas in question. The Order applies to England.

(a) 1933 c. 51. (b) 1944 c. 31. (c) 1949 c. 68.

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