shall be held to be an application of the stakes hazarded or proceeds of the entertainment, as the case may require, for purposes of private gain; and accordingly any reference in those provisions to expenses shall not include a reference to any such charge falling to be so determined.

(4) Subsection (1) of this section extends to any society which is established and conducted either—

(*a*) wholly for purposes other than purposes of any commercial undertaking; or

(*b*) wholly or mainly for the purposes of participation in or support of athletic sports or athletic games;

and in this section the expression "society" includes any club, institution, organisation or association of persons, by whatever name called, and any separate branch or section of such a club, institution, organisation or association.

Payments at entertainments not held for private gain.

2. In sub-paragraph (ii) of paragraph (*b*) of section twenty of the Betting and Gaming Act, 1960 (which provides that, in relation to gaming to which that section applies, section sixteen of that Act shall have effect as if for the condition set out in paragraph (*c*) of subsection (1) thereof there were substituted the conditions set out in subsection (1) of section four of the Small Lotteries and Gaming Act, 1956) for the words "the condition set out in paragraph (*c*)" there shall be substituted the words "the conditions set out in paragraphs (*b*) and (*c*)".

Short title and extent.

3.—(1) This Act may be cited as the Lotteries and Gaming Act, 1962.

(2) This Act shall not extend to Northern Ireland.

CHAPTER 56

An Act to amend the law relating to the functions of local authorities with respect to records in written or other form. [1st August, 1962]

BE it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

Power to promote adequate use of records.

1.—(1) A local authority may do all such things as appear to it necessary or expedient for enabling adequate use to be made of records under its control, and in relation to such records may in particular—

(*a*) make provision for enabling persons, with or without charge and subject to such conditions as the authority may determine, to inspect the records and to make or obtain copies thereof;

(*b*) prepare, or procure or assist in the preparation of, indexes and guides to and calendars and summaries of the records;

(*c*) publish, or procure or assist in the publication of, the records or any index or guide to or calendar or summary of the records;

(*d*) hold exhibitions of the records and arrange for the delivery of explanatory lectures, with or without charging for admission to such exhibitions or lectures;

(*e*) direct that the records be temporarily entrusted to other persons for exhibition or study.

(2) Nothing in subsection (1) above shall be taken to authorise the doing of any act which infringes copyright or contravenes conditions subject to which records are under the control of a local authority.

Acquisition and deposit of records.

2.—(1) A local authority to which this subsection applies may—

(*a*) by agreement acquire by way of purchase records which, or (in the case of a collection) the majority of which, appear to the authority to be of local interest;

(*b*) accept the gift of records which, or (in the case of a collection) the majority of which, appear to the authority to be of general or local interest.

(2) A local authority to which this subsection applies may accept the deposit of records—

(*a*) which appear to the authority to be of general or local interest; or

(*b*) which are the subject of an arrangement made under subsection (4) below.

(3) A local authority may accept the deposit of records authorised to be deposited with it by any enactment other than this section.

(4) A local authority other than a parish council or parish meeting may arrange to deposit any records under its control with an authority to which subsections (1) and (2) above apply or, if the Minister of Housing and Local Government consents, with any other person.

(5) Where by virtue of this section records are under the control of a local authority in relation to which a provision of the following sections applies, namely, section two hundred and seventy-nine of the Local Government Act, 1933, and section one hundred and sixty-nine of the London Government Act, 1939 (which sections regulate the custody of certain records) that provision shall apply as respects those records notwithstanding that apart from this subsection it would not so apply.

(6) Subsections (1) and (2) above apply to the council of every county or county borough and to the council of any county district or metropolitan borough specified in an order made in that behalf by the Minister of Housing and Local Government.

Power to appoint sub-committees.

3. A committee appointed under section eighty-five or ninety-one of the Local Government Act, 1933, or section fifty-nine of the London Government Act, 1939, and having functions relating to records may appoint a sub-committee and delegate to it any of those functions:

Provided that if fewer than two-thirds of the members of the sub-committee are members of the local authority which appointed the main committee, or, where that is a joint committee, of one or other of the local authorities which appointed it, the sub-committee shall be advisory only.

Financial.

4.—(1) A local authority may contribute a sum equal to the whole or a part of any such expenses as the following, that is to say—

(*a*) as respects records under the authority's control, expenses which have been incurred by any person in doing, by arrangement with the authority, anything relating to the records which the authority itself was empowered to do;

(*b*) as respects records not under the authority's control, being records which in the opinion of the authority are nevertheless of local interest,—

(i) expenses which have been incurred by any person in doing any such thing relating to the records as the authority is empowered by subsection (1) of section one above to do in relation to records under its control;

(ii) expenses which have been incurred by any person in looking after the records in a case where the authority are of opinion that reasonable provision is made for enabling persons to inspect and make copies of them.

(2) Any increase attributable to this Act in the sums payable by way of Rate-deficiency Grant or Exchequer Equalisation Grant under the enactments relating to local government in England and Wales or in Scotland shall be defrayed out of moneys provided by Parliament.

Modification of local Acts.

5. Where at the commencement of this Act there is in force—

(*a*) in a county borough a local Act the Bill for which was promoted by the council of the borough, or

(*b*) in a county or county district a local Act the Bill for which was promoted either by the council of the county or by the council of the county district,

and the said local Act contains provisions appearing to the Minister of Housing and Local Government either to be inconsistent with any of the provisions of this Act, or to be redundant having regard to any of the provisions of this Act, the said Minister on the application of the council by which the said Bill was promoted may by order make such alterations, whether by amendment or repeal, in the local Act as appear to him to be necessary for the purpose of bringing its provisions into conformity with the provisions of this Act, or for the purpose of removing redundant provisions, as the case may be.

Orders by Minister.

6.—(1) Any power to make orders conferred by this Act shall be exercisable by statutory instrument; and any instrument containing an order made under section five thereof shall be subject to annulment in pursuance of a resolution of either House of Parliament.

(2) Any order made under subsection (6) of section two of this Act may be varied or revoked by a subsequent order made thereunder.

Minor amendments.

7.—(1) Subsection (4) of section one hundred and forty-four A of the Law of Property Act, 1922, and subsection (2) of section thirty-six of the Tithe Act, 1936 (which respectively empower the Master of the Rolls to direct the transfer to the Public Record Office, or to a public library or museum or historical or antiquarian society, of manorial documents and copies of instruments of apportionment) shall apply in relation to a local authority as they apply in relation to a public library and the governing body of a public library.

(2) Section two hundred and seventy-nine of the Local Government Act, 1933, shall be amended as follows—

(*a*) in subsection (1) (which provides that certain records are to be in the custody of the clerk of a county council and kept as the council direct) for the words from "shall be in the custody" to the end there shall be substituted the words "shall, subject to any directions which the council may give, be in the charge and custody of the clerk of the county council who, subject to any such directions, shall be responsible therefor.";

(*b*) in subsection (2) (which empowers a borough council or district council to give general directions as to custody of records) the word "general" is hereby repealed.

Interpretation.

8.—(1) In this Act—

"local authority" means the council of a county, county borough, metropolitan borough or county district, or the council of a borough included in a rural district, or a parish council or parish meeting, or the Council of the Isles of Scilly;

"records" means materials in written or other form setting out facts or events or otherwise recording information.

(2) For the purposes of this Act records shall be treated as being under the control of a local authority if they are in the possession of the authority by virtue of section two of this Act or otherwise, or if the authority has power to give directions as to their custody.

Short title, saving, commencement and extent.

9.—(1) This Act may be cited as the Local Government (Records) Act, 1962.

(2) Save as otherwise expressly provided by this Act, the provisions thereof are without prejudice to any provision relating to records made by or under any other Act (including a local Act) or Measure.

(3) This Act shall come into operation on the expiration of the period of two months beginning with the date of its passing.

(4) This Act shall not extend to Scotland or Northern Ireland.

Table of Statutes referred to in this Act

Short Title	Session and Chapter
Law of Property Act, 1922	12 & 13 Geo. 5. c. 16.
Local Government Act. 1933	23 & 24 Geo. 5. c. 51.
Tithe Act, 1936	26 Geo. 5. & 1 Edw. 8. c. 43.
London Government Act, 1939	2 & 3 Geo. 6. c. 40.