



# Local Government Act 1972

## 1972 CHAPTER 70

### PART XI

#### GENERAL PROVISIONS AS TO LOCAL AUTHORITIES

##### *Documents and notices, etc.*

#### **224 Arrangements by principal councils for custody of documents.**

[<sup>F1</sup>(1)] Without prejudice to the powers of the custos rotulorum to give directions as to the documents of any county, a principal council shall make proper arrangements with respect to any documents which belong to or are in the custody of the council or any of their officers.

[<sup>F2</sup>(2) This section applies to a joint authority . . . <sup>F3</sup> as it applies to a principal council.]

#### **Textual Amendments**

- F1** S. 244 renumbered as s. 244(1) as provided by [Local Government Act 1985 \(c. 51, SIF 81:1\)](#), s. 84, [Sch. 14 para. 22](#)
- F2** S. 224(2) inserted by [Local Government Act 1985 \(c. 51, SIF 81:1\)](#), s. 84, [Sch. 14 Pt. I para. 22](#)
- F3** Words repealed by [Education Reform Act 1988 \(c. 40, SIF 41:1\)](#), ss. 231(7), 235(6), 237(2), [Sch. 13 Pt. I](#)

#### **Modifications etc. (not altering text)**

- C1** S. 224 amended by [Local Government Act 1985 \(c. 51, SIF 81:1\)](#), s. 57(7), [Sch. 13 para. 12\(g\)](#)
- C2** S. 224 modified (07.08.1991) by S.I. 1991/1773, art. 8(2), [Sch. 2](#).  
S. 224: certain functions transferred (07.08.1991) by S.I. 1991/1773, art. 8, [Sch.2](#).
- C3** S. 224 modified (10.01.1992) by S.I. 1991/2913, art. 8(2), [Sch.2](#).  
S. 224 : certain functions transferred (10.01.1992) by S.I. 1991/2913, art. 8, [Sch.2](#).  
S. 224 extended (5.7.1994) by [1994 c. 19](#), ss. 39(2), 66(2)(b), [Sch. 13 para. 19\(g\)](#) (with ss. 54(5)(7), 55(5), [Sch. 17 paras. 22\(1\), 23\(2\)](#))  
S. 224 modified (1.4.1995) by S.I. 1995/401, art. 18, [Sch. para. 1\(e\)](#)

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- S. 224 applied (*temp.* from 4.5.1995 to 31.3.1996) by S.I. 1995/1042, **art. 4(1)**  
 S. 224 extended (19.9.1995) by 1995 c. 25, ss. 63, 125(5), **Sch. 7 para. 17(2)(a)** (with ss. 7(6), 115, 117, Sch. 8 para. 7)  
**C4** S. 224(2) amended by S.I. 1985/1884, art. 10, **Sch. 3 para. 1(n)**  
**C5** S. 224(2) modified by S.I. 1987/2110, art. 2(2), **Sch. 1 para. 3(n)**

## 225 Deposit of documents with proper officer of authority, etc.

- (1) In any case in which a document of any description is deposited with the proper officer of a local authority, or with the chairman of a parish or community council or with the chairman of a parish meeting, pursuant to the standing orders of either House of Parliament or to any enactment or instrument, the proper officer or chairman, as the case may be, shall receive and retain the document in the manner and for the purposes directed by the standing orders or enactment or instrument, and shall make such notes or endorsements on, and give such acknowledgments and receipts in respect of, the document as may be so directed.
- (2) All documents required by any enactment or instrument to be deposited with the proper officer of a parish or community shall, in the case of a parish or community not having a separate parish or community council, be deposited in England with the chairman of the parish meeting or in Wales with the proper officer of the district council.

[<sup>F4</sup>(3) In this section “local authority” includes a joint authority . . . <sup>F5</sup>.]

### Textual Amendments

- F4** S. 225(3) inserted by Local Government Act 1985 (c. 51, SIF 81:1), s. 84, **Sch. 14 para. 23**  
**F5** Words repealed by Education Reform Act 1988 (c. 40, SIF 41:1), ss. 231(7), 235(6), 237(2), **Sch. 13 Pt. I**

### Modifications etc. (not altering text)

- C6** S. 225 amended by Local Government Act 1985 (c. 51, SIF 81:1), s. 57(7), **Sch. 13 para. 121(g)**  
**C7** S. 225 modified (07.08.1991) by S.I. 1991/1773, art. 8(2), **Sch.2**.  
 S. 225: certain functions transferred (07.08.1991) by S.I. 1991/1773, art. 8, **Sch.2**.  
**C8** S. 225 modified (10.01.1992) by S.I. 1991/2913, art. 8(2), **Sch.2**.  
 S. 225: certain functions transferred (10.01.1992) by S.I. 1991/2913, art. 8, **Sch.2**  
 S. 225 extended (5.7.1994) by 1994 c. 19, ss. 39(2), 66(2)(b), **Sch. 13 para. 19(g)** (with ss. 54(5)(7), 55(5), Sch. 17 paras. 22(1), 23(2))  
 S. 225 applied (*temp.* from 4.5.1995 to 31.3.1996) by S.I. 1995/1042, **art. 4(1)**  
 S. 225 modified (1.4.1995) by S.I. 1995/401, art. 18, **Sch. para. 1(e)**  
**C9** S. 225(1) extended (19.9.1995) by 1995 c. 25, ss. 63(5), 125(2), **Sch. 7 para. 17(2)(a)** (with ss. 7(6), 115, 117, Sch. 8 para. 7)  
**C10** S. 225(3) amended by S.I. 1985/1884, art. 10, **Sch. 3 para. 1(n)**  
**C11** S. 225(3) modified by S.I. 1987/2110, **art. 2** (2), Sch. 1 para. 3(n)

## 226 Custody of parish and community documents.

- (1) All specified papers of a parish or community shall—
- (a) in the case of a parish which is co-extensive with an existing rural parish, remain in the same custody as before 1st April 1974; and

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- (b) in the case of any other parish or any community, be in the custody of the body to which the documents of that area, other than documents of a specified class, are transferred on that date;
- but the parish or community council or, in the case of a parish or community not having a separate parish or community council, the parish meeting in England or the district council in Wales may direct that any such papers shall be deposited in such custody as may be specified in the direction.
- (2) Nothing in this Act shall affect the custody of registers of baptisms, marriages and burials and of all other documents containing entries wholly or partly relating to the affairs of the church, as defined by the <sup>M1</sup>Local Government Act 1894, or to ecclesiastical charities, as so defined, except documents directed by law to be kept with the papers of a parish or community.
- (3) Any person having the custody of any documents mentioned in subsection (2) above shall have reasonable access to the papers mentioned in subsection (1) above and—
- (a) in a parish or community having a separate parish or community council, that council;
  - (b) in any other parish, the parish meeting;
  - (c) in any other community, the district council; and
  - (d) in any area in England not falling within paragraph (a) or (b) above, the district council, London borough council or Common Council, as the case may be;
- shall have reasonable access to the documents mentioned in subsection (2) above.
- (4) Any difference about the custody of or access to any documents mentioned in subsection (1) or (2) above shall, if the area is in a [<sup>F6</sup>metropolitan district,] London borough or the City, be determined by the Secretary of State and in any other case by the county council.
- (5) [<sup>F7</sup>The council of every county or metropolitan district] shall from time to time enquire into the manner in which specified papers under the control of a parish or community council or parish meeting [<sup>F8</sup>in their area] are kept with a view to their proper preservation, and shall make such orders as they think necessary for their preservation, and those orders shall be complied with by the parish or community council or parish meeting.

#### Textual Amendments

- F6** Words inserted by [Local Government Act 1985 \(c. 51, SIF 81:1\)](#), s. 16, [Sch. 8 para. 22\(2\)\(a\)](#)  
**F7** Words substituted by [Local Government Act 1985 \(c. 51, SIF 81:1\)](#), s. 16, [Sch. 8 para. 22\(2\)\(b\)](#)  
**F8** Words inserted by [Local Government Act 1985 \(c. 51, SIF 81:1\)](#) s. 16, [Sch. 8 para. 22\(2\)\(b\)](#)

#### Modifications etc. (not altering text)

- C12** [S. 126](#) modified (07.08.1991) by [S.I.1991/1773](#), art. 8(2), [Sch.2](#).  
[S. 126](#): certain functions transferred (07.08.1991) by [S.I.1991/1773](#), art. 8, [Sch.2](#)

#### Marginal Citations

- M1** [1894 c. 73 \(56 & 57 Vict.\)](#).

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**227 Provision of depositories for parish and community documents.**

- (1) In the case of a parish or community having a separate parish or community council that council or, if they so request, the council of the district in which the parish or community is situated, shall provide proper depositories for all the specified papers belonging to the parish or community for which no provision is otherwise made.
- (2) In the case of a parish or community not having a separate parish or community council, the council of the district in which the parish or community is situated shall provide proper depositories for all the specified papers under the control of the parish meeting or belonging to the community but in England only with the consent of the parish meeting of the parish.

**Modifications etc. (not altering text)**

**C13** S. 227 modified (07.08.1991) by S.I.1991/1773 art.8(2), Sch. 2  
 S. 227: certain functions transferred (07.08.1991) by S.I.1991/1773, art. 8, Sch. 2

**228 Inspection of documents.**

- (1) The minutes of proceedings of a [<sup>F9</sup>parish or community council] shall be open to the inspection of any local government elector for the area of the [<sup>F9</sup>the council] and any such local government elector may make a copy of or extract from the minutes.
- (2) A local government elector for the area of a local authority may inspect and make a copy of or extract from an order for the payment of money made by the local authority.
- (3) The accounts of a local authority and of any proper officer of a local authority shall be open to the inspection of any member of the authority, and any such member may make a copy of or extract from the accounts.
- <sup>F10</sup>(4) .....
- (5) Subject to any provisions to the contrary in any other enactment or instrument, a person interested in any document deposited as mentioned in section 225 above may, at all reasonable hours, inspect and make copies thereof or extracts therefrom on payment to the person having custody thereof of the sum of 10p for every such inspection, and of the further sum of 10p for every hour during which such inspection continues after the first hour.
- (6) A document directed by this section to be open to inspection shall be so open at all reasonable hours and, except where otherwise expressly provided, without payment.
- (7) If a person having the custody of any such document—
  - (a) obstructs any person entitled to inspect the document or to make a copy thereof or extract therefrom in inspecting the document or making a copy or extract,
  - (b) refuses to give copies or extracts to any person entitled to obtain copies or extracts,
 he shall be liable on summary conviction to a fine not exceeding [<sup>F11</sup>level 1 on the standard scale].
- <sup>F12</sup>(7A) This section shall apply to the minutes of proceedings and the accounts of a joint authority [<sup>F13</sup>or a police authority established under section 3 of the Police Act 1964]. . . as if that authority were a local authority and as if, <sup>F14</sup>. . . , references to a local

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government elector for the area of the authority were a reference to a local government elector for any local government area in the area for which the authority is established.]

(8) This section shall apply to the minutes of proceedings and to the accounts of a parish meeting as if that meeting were a [F15parish council].

[F16(9) In relation to the Broads Authority, the references in this section to a local government elector for the area of the authority shall be construed as references to a local government elector for the area of any of the local authorities mentioned in section 1(3)(a) of the Norfolk and Suffolk Broads Act 1988.]

#### Textual Amendments

- F9** Words substituted by [Local Government \(Access to Information\) Act 1985 \(c. 43, SIF 81:1, 2\)](#), s. 3, [Sch. 2 para. 6\(2\)\(a\)](#)
- F10** [S. 228\(4\)](#) repealed by [Local Government Finance Act 1982 \(c. 32, SIF 81:1\)](#), s. 38(5), [Sch. 6 Pt. IV](#)
- F11** Words substituted by virtue of [Criminal Justice Act 1982 \(c. 48, SIF 39:1\)](#), [ss. 38, 46](#)
- F12** [S. 228\(7A\)](#) inserted by [Local Government Act 1985 \(c. 51, SIF 81:1\)](#), s. 84, [Sch. 14 para. 24](#)
- F13** Words in [s. 228\(7A\)](#) inserted (1.10.1994 for specified purposes otherwise 1.4.1995) by 1994 c. 29, s. 43, [Sch. 4 para. 13](#); S.I. 1994/2025, [art. 6](#); S.I. 1994/3262, [arts. 4, 5](#), [Sch.](#)
- F14** Words repealed by [Education Reform Act 1988 \(c. 40, SIF 41:1\)](#), [ss. 231\(7\), 235\(6\), 237\(2\)](#), [Sch. 13 Pt. I](#)
- F15** Words substituted by [Local Government \(Access to Information\) Act 1985 \(c. 43, SIF 81:1, 2\)](#), s. 3, [Sch. 2 para. 6\(2\)\(b\)](#)
- F16** [S. 228\(9\)](#) added by [Norfolk and Suffolk Broads Act 1988 \(c. 4, SIF 81:1\)](#), [ss. 21, 23\(2\), 27\(2\)](#), [Sch. 6 para. 10\(8\)](#)

#### Modifications etc. (not altering text)

- C14** [S. 228](#) modified (07.08.1991) by [S.I.1991/1773 art.8\(2\)](#), [Sch. 2](#)  
[S. 228](#): certain functions transferred (07.08.1991) by [S.I.1991/1773, art. 8](#), [Sch. 2](#)  
[S. 228](#) applied (with modifications) (28.6.1995) by 1995 c. iii, s. 26, [Sch. 1](#)  
[S. 228](#) extended (19.9.1995) by 1995 c. 25, [ss. 63\(5\), 125\(2\)](#), [Sch. 7 para. 17\(2\)\(b\)](#) (with [ss. 7\(6\), 115, 117](#), [Sch. 8 para. 7](#))  
[S. 228](#) applied (*emp.* from 4.5.1995 to 31.3.1996) by [S.I. 1995/1042, art. 4\(1\)](#)
- C15** [S. 228\(2\)\(3\)](#) amended by [S.I. 1989/1815, art. 2](#), [Sch. 1 para. 5\(c\)](#)
- C16** [S. 228\(7A\)](#) amended by [S.I. 1985/1884, art. 10](#), [Sch. 3 para. 1\(n\)](#)
- C17** [S. 228\(7A\)](#) modified by [S.I. 1987/2110, art. 2\(2\)](#), [Sch. 1 para. 3\(n\)](#)

## 229 Photographic copies of documents.

- (1) Subject to subsections (3) and (7) below, any requirement imposed by any enactment that a local authority or parish meeting shall keep a document of any description shall be satisfied by their keeping a photographic copy of the document.
- (2) Subject to subsection (7) below, any requirement imposed by any enactment that a document of any description in the custody or under the control of a local authority or parish meeting shall be made available for inspection shall be satisfied by their making available for inspection a photographic copy of the document.
- (3) Subsection (1) above shall not apply to any document deposited with a local authority under the <sup>M2</sup>Public Records Act 1958.

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- (4) In legal proceedings a photographic copy of a document in the custody of a local authority or parish meeting, or of a document which has been destroyed while in the custody of a local authority or parish meeting, or of any part of any such document, shall, subject to subsection (6) below, be admissible in evidence to the like extent as the original.
- (5) A certificate purporting to be signed by the proper officer of the local authority, or the chairman of the parish meeting, concerned that a document is such a photographic copy as is mentioned in subsection (4) above, shall, subject to subsection (7) below, be evidence to that effect.
- (6) The court before which a photographic copy is tendered in evidence in pursuance of subsection (4) above may, if the original is in existence, require its production and thereupon that subsection shall not apply to the copy.
- (7) A photographic copy of a document in colour where the colours are relevant to the interpretation of the document shall not suffice for the purposes of this section unless it so distinguishes between the colours as to enable the document to be interpreted.
- (8) In this section “court” and “legal proceedings” have the same meanings as in the <sup>M3</sup>Civil Evidence Act 1968 [<sup>F17</sup> and “local authority” includes a joint authority [<sup>F18</sup> and a police authority established under section 3 of the Police Act 1964] . . . <sup>F19</sup>]

#### Textual Amendments

- F17** Words inserted by Local Government Act 1985 (c. 51, SIF 81:1), s. 84, **Sch. 14 para. 25**
- F18** Words in s. 229(8) inserted (1.10.1994 for specified purposes otherwise 1.4.1995) by 1994 c. 29, s. 43, **Sch. 4 para. 14(a)**; S.I. 1994/2025, **art. 6** and S.I. 1994/3262, arts. 4, 5, **Sch. 13 Pt. I**
- F19** Words repealed by Education Reform Act 1988 (c. 40, SIF 41:1), ss. 231(7), 235(6), 237(2), **Sch. 13 Pt. I**

#### Modifications etc. (not altering text)

- C18** S. 229 amended by Local Government Act 1985 (c. 51, SIF 81:1), s. 57(7), **Sch. 13 para. 12(g)**
- C19** S. 229 modified (07.08.1991) by S.I.1991/1773 art.8(2), **Sch. 2**.  
S. 229: certain functions transferred (07.08.1991) by S.I.1991/1773, art. 8, **Sch. 2**.  
S. 229 extended (5.7.1994) by 1994 c. 19, ss. 39(2), 66(2)(b), **Sch. 13 para. 19(g)** (with ss. 54(5)(7), 55(5), **Sch. 17 paras. 22(1), 23(2)**)  
S. 229 modified (1.4.1995) by S.I. 1995/401, art. 18, **Sch. para. 1(e)**  
S. 229 applied (*temp.* from 4.5.1995 to 31.3.1996) by S.I. 1995/1042, **art. 4(1)**  
S. 229 extended (19.9.1995) by 1995 c. 25, ss. 63(5), 125(2), **Sch. 7 para. 17(2)(b)** (with ss. 7(6), 115, 117, **Sch. 8 para. 7**)
- C20** S. 229(8) amended by S.I. 1985/1884, art. 10, **Sch. 3 para. 1(n)**
- C21** S. 229(8) modified by S.I. 1987/2110, art. 2(2), **Sch. 1 para. 3(n)**

#### Marginal Citations

- M2** 1958 c. 51.  
**M3** 1968 c. 64.

## 230 Reports and returns.

- [<sup>F20</sup>(1)] Every local authority, every joint board and every joint committee of local authorities shall send the Secretary of State such reports and returns, and give him such



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information with respect to their functions, as he may require or as may be required by either House of Parliament.

[<sup>F21</sup>(2) In this section “local authority” includes a joint authority <sup>F22</sup>. . . .]

#### Textual Amendments

**F20** S. 230 renumbered as S. 230(1) as provided by Local Government Act 1985 (c. 51, SIF 81:1), s. 84, **Sch. 14 Pt. I para. 26**

**F21** S. 230(2) inserted by Local Government Act 1985 (c. 51, SIF 81:1), s. 84, **Sch. 14 Pt. I para. 26**

**F22** Words repealed by Education Reform Act 1988 (c. 40, SIF 41:1), ss. 231(7), 235(6), 237(2), **Sch. 13 Pt. I**

#### Modifications etc. (not altering text)

**C22** S. 230 modified by Housing and Building Control Act 1984 (c. 29, SIF 61), s. 50

**C23** S. 230 amended by Local Government Act 1985 (c. 51, SIF 81:1), s. 57(7), **Sch. 13 para. 12(g)**  
S. 230 amended (28.4.1994) by S.I. 1994/2825, **reg. 18**

**C24** S. 230 modified (07.08.1991) by S.I.1991/1773 art.8(2), Sch. 2

S. 230: certain functions transferred (07.08.1991) by S.I.1991/1773, art. 8, **Sch.2**

S. 230 extended (5.7.1994) by 1994 c. 19, ss. 39(2), 66(2)(b), **Sch. 13 para. 19(g)** (with ss. 54(5)(7), 55(5), Sch. 17 paras. 22(1), 23(2))

S. 230 modified (1.4.1995) by S.I. 1995/401, art. 18, **Sch. para. 1(e)**

S. 230 extended (19.9.1995) by 1995 c. 25, ss. 63(5), 125(2), **Sch. 7 para. 17(2)(c)** (with ss. 7(6), 115, 117, Sch. 8 para. 7)

S. 230 extended (8.5.2000) by 1999 c. 29, s. 75 (with Sch. 12 para. 9(1)); S.I. 2000/801, art. 2(2)(b), **Sch. Pt. 2**

**C25** S. 230 applied (with modifications) (22.7.2004) by The Cotswolds Area of Outstanding Natural Beauty (Establishment of Conservation Board) Order 2004 (S.I. 2004/1777), **art. 21(2)(d)**

S. 230 applied (with modifications) (22.7.2004) by The Chilterns Area of Outstanding Natural Beauty (Establishment of Conservation Board) Order 2004 (S.I. 2004/1778), **art. 21(2)(d)**

**C26** S. 230(2) amended by S.I. 1985/1884, art. 10, **Sch. 3 para. 1(n)**

**C27** S. 230(2) modified by S.I. 1987/2110, art. 2(2), **Sch. 1 para. 3(n)**

### 231 Service of notices on local authorities, etc.

- (1) Subject to subsection (3) below, any notice, order or other document required or authorised by any enactment or any instrument made under an enactment to be given to or served on a local authority or the chairman or an officer of a local authority shall be given or served by addressing it to the local authority and leaving it at, or sending it by post to, the principal office of the authority or any other office of the authority specified by them as one at which they will accept documents of the same description as that document.
- (2) Any notice, order or other document so required or authorised to be given to or served on a parish meeting, or the chairman of the parish meeting, shall be given or served by addressing it to the chairman of the parish meeting and by delivering it to him, or by leaving it at his last known address, or by sending it by post to him at that address.
- (3) The foregoing provisions of this section do not apply to a document which is to be given or served in any proceedings in court, but except as aforesaid the methods of giving or serving documents provided for by those provisions are in substitution for the methods provided for by any other enactment or any instrument made under an enactment so far as it relates to the giving or service of documents to or on a local

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authority, the chairman or an officer of a local authority or a parish meeting or the chairman of a parish meeting.

[<sup>F23</sup>(4) In this section “local authority” includes a joint authority [<sup>F24</sup>and a police authority established under section 3 of the Police Act 1964] . . . <sup>F25</sup>.]

#### Textual Amendments

- F23** S. 231(4) inserted by Local Government Act 1985 (c. 51, SIF 81:1), s. 84, **Sch. 14 Pt. I para. 27**
- F24** Words in s. 231(4) inserted (1.10.1994 for specified purposes otherwise 1.4.1995) by 1994 c. 29, s. 43, **Sch. 4 para. 14(b)**; S.I. 1994/2025, **art. 6**; S.I. 1994/3262, arts. 4, 5, **Sch.**
- F25** Words repealed by Education Reform Act 1988 (c. 40, SIF 41:1), ss. 231(7), 235(6), 237(2), **Sch. 13 Pt. I**

#### Modifications etc. (not altering text)

- C28** S. 231 amended by Local Government Act 1985 (c. 51, SIF 81:1), s. 57(7), **Sch. 13 para. 12(g)**
- C29** S. 231 modified (07.08.1991) by S.I.1991/1773 art.8(2), **Sch. 2**  
S. 231: certain functions transferred (07.08.1991) by S.I.1991/1773, art. 8, **Sch. 2**  
S. 231 extended (5.7.1994) by 1994 c. 19, ss. 39(2), 66(2)(b), **Sch. 13 para. 19(g)** (with ss. 54(5)(7), 55(5), **Sch. 17** paras. 22(1), 23(2))  
S. 231 modified (1.4.1995) by S.I. 1995/401, art. 18, **Sch. para. 1(e)**  
S. 231 extended (19.9.1995) by 1995 c. 25, ss. 63(5), 125(2), **Sch. 7 para. 17(2)(d)** (with ss. 7(6), 115, 117, **Sch. 8** para. 7)
- C30** S. 231(1) extended by Local Land Charges Act 1975 (c. 76, SIF 98:2), s. 9(2) and by Local Government, Planning and Land Act 1980 (c. 65, SIF 123:1), s. 106, **Sch. 21 para. 10**
- C31** S. 231(4) amended by S.I. 1985/1884, art. 10, **Sch. 3 para. 1(n)**
- C32** S. 231(4) modified by S.I. 1987/2110, art. 2(2), **Sch. 1 para. 3(n)**

## 232 Public notices.

- (1) Save as otherwise expressly provided, a public notice required to be given by a local authority shall be given—
- (a) by posting the notice in some conspicuous place or places within the area of the local authority; and
  - (b) in such other manner, if any, as appears to the local authority to be desirable for giving publicity to the notice.

[<sup>F26</sup>(1A) In subsection (1) above “local authority” includes a joint authority [<sup>F27</sup>and a police authority established under section 3 of the Police Act 1964] . . . <sup>F28</sup>.]

- (2) This section shall apply to a public notice required to be given by the chairman of a parish meeting as it applies to public notices required to be given by a parish council.

#### Textual Amendments

- F26** S. 232(1A) inserted by Local Government Act 1985 (c. 51, SIF 81:1), s. 84, **Sch. 14 Pt. I para. 28**
- F27** Words in s. 232(1A) inserted (1.10.1994 for specified purposes otherwise 1.4.1995) by 1994 c. 29, s. 43, **Sch. 4 para. 14(c)**; S.I. 1994/2025, **art. 6**; S.I. 1994/3262, arts. 4, 5, **Sch.**
- F28** Words repealed by Education Reform Act 1988 (c. 40, SIF 41:1), ss. 231(7), 235(6), 237(2), **Sch. 13 Pt. I**



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**Modifications etc. (not altering text)**

- C33** S. 232 amended by Local Government Act 1985 (c. 51, SIF 81:1), s. 57(7), **Sch. 13 para. 12(g)**
- C34** S. 232 modified (07.08.1991) by S.I.1991/1773 art.8(2),2  
S. 232: certain functions transferred (07.08.1991) by S.I.1991/1773, art. 8, **Sch. 2**  
S. 232 extended (5.7.1994) by 1994 c. 19, ss. 39(2), 66(2)(b), **Sch. 13 para. 19(g)** (with ss. 54(5)(7), 55(5), Sch. 17 paras. 22(1), 23(2))  
S. 232 modified (1.4.1995) by S.I. 1995/401, art. 18, **Sch. para. 1(e)**  
S. 232 applied (*temp.* from 4.5.1995 to 31.3.1996) by S.I. 1995/1042, **art. 4(1)**  
S. 232 extended (19.9.1995) by 1995 c. 25, ss. 63(5), 125(2), **Sch. 7 para. 17(2)(d)** (with ss. 7(6), 115, 117, Sch. 8 para. 7)
- C35** S. 232(1A) amended by S.I. 1985/1884, art. 10, **Sch. 3 para. 1(n)**
- C36** S. 232(1A) modified by S.I. 1987/2110, art. 2(2), **Sch. 1 para. 3(n)**

**233 Service of notices by local authorities.**

- (1) Subject to subsection (8) below, subsections (2) to (5) below shall have effect in relation to any notice, order or other document required or authorised by or under any enactment to be given to or served on any person by or on behalf of a local authority or by an officer of a local authority.
- (2) Any such document may be given to or served on the person in question either by delivering it to him, or by leaving it at his proper address, or by sending it by post to him at that address.
- (3) Any such document may—
  - (a) in the case of a body corporate, be given to or served on the secretary or clerk of that body;
  - (b) in the case of a partnership, be given to or served on a partner or a person having the control or management of the partnership business.
- (4) For the purposes of this section and of section 26 of the <sup>M4</sup>Interpretation Act 1889 (service of documents by post) in its application to this section, the proper address of any person to or on whom a document is to be given or served shall be his last known address, except that—
  - (a) in the case of a body corporate or their secretary or clerk, it shall be the address of the registered or principal office of that body;
  - (b) in the case of a partnership or a person having the control or management of the partnership business, it shall be that of the principal office of the partnership;and for the purposes of this subsection the principal office of a company registered outside the United Kingdom or of a partnership carrying on business outside the United Kingdom shall be their principal office within the United Kingdom.
- (5) If the person to be given or served with any document mentioned in subsection (1) above has specified an address within the United Kingdom other than his proper address within the meaning of subsection (4) above as the one at which he or someone on his behalf will accept documents of the same description as that document, that address shall also be treated for the purposes of this section and section 26 of the <sup>M5</sup>Interpretation Act 1889 as his proper address.

(6) ..... F29

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- (7) If the name or address of any owner, lessee or occupier of land to or on whom any document mentioned in subsection (1) above is to be given or served cannot after reasonable inquiry be ascertained, the document may be given or served either by leaving it in the hands of a person who is or appears to be resident or employed on the land or by leaving it conspicuously affixed to some building or object on the land.
- (8) This section shall apply to a document required or authorised by or under any enactment to be given to or served on any person by or on behalf of the chairman of a parish meeting as it applies to a document so required or authorised to be given to or served on any person by or on behalf of a local authority.
- (9) The foregoing provisions of this section do not apply to a document which is to be given or served in any proceedings in court.
- (10) Except as aforesaid and subject to any provision of any enactment or instrument excluding the foregoing provisions of this section, the methods of giving or serving documents which are available under those provisions are in addition to the methods which are available under any other enactment or any instrument made under any enactment.
- [<sup>F30</sup>(11) In this section “local authority” includes a joint authority [<sup>F31</sup>and a police authority established under section 3 of the Police Act 1964] . . . <sup>F32</sup>.]

#### Textual Amendments

- F29** S. 233(6) repealed by Local Government (Miscellaneous Provisions) Act 1976 (c. 57, SIF 81:1), **Sch. 2**
- F30** S. 233(11) inserted by Local Government Act 1985 (c. 51, SIF 81:1), s. 84, **Sch. 14 Pt. I para. 29**
- F31** Words in s. 233(11) inserted (1.10.1994 for specified purposes otherwise 1.4.1995) by 1994 c. 29, s. 43, **Sch. 4 para. 14(d)**; S.I. 1994/2025, **art. 6**; S.I. 1994/3262, arts. 4, 5, **Sch.**
- F32** Words repealed by Education Reform Act 1988 (c. 40, SIF 41:1), ss. 231(7), 235(6), 237(2), **Sch. 13 Pt. I**

#### Modifications etc. (not altering text)

- C37** S. 233 extended by Housing Act 1974 (c. 44), **s. 126(6)**; saved (prosp.) by Reservoirs Act 1975 (c. 23), **ss. 15(4), 29(1)**
- C38** S. 233 applied by S.I. 1978/932, **art. 16** and by S.I. 1990/582, **reg. 47(2)**
- C39** S. 233 amended by Local Government Act 1985 (c. 51, SIF 81:1), s. 57(7), **Sch. 13 para. 12(g)**
- C40** S. 233 modified (07.08.1991) by S.I.1991/1773 art.8(2), **Sch. 2**  
S. 233: certain functions transferred (07.08.1991) by S.I.1991/1773, art.8, **Sch.2**  
S. 233 extended (5.7.1994) by 1994 c. 19, ss. 39(2), 66(2)(b), **Sch. 13 para. 19(g)** (with ss. 54(5)(7), 55(5), Sch. 17 paras. 22(1), 23(2))  
S. 233 modified (1.4.1995) by S.I. 1995/401, art. 18, **Sch. para. 1(e)**  
S. 233 extended (19.9.1995) by 1995 c. 25, ss. 63(5), 125(2), **Sch. 7 para. 17(2)(d)** (with ss. 7(6), 115, 117, Sch. 8 para. 7)
- C41** S. 233(11) amended by S.I. 1985/1884, art. 10, **Sch. 3 para. 1(n)**
- C42** S. 233(11) modified by S.I. 1987/2110, art. 2(2), **Sch. 1 para. 3(n)**

#### Marginal Citations

- M4** 1889 c. 63.  
**M5** 1889 c. 63.

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## 234 Authentication of documents.

- (1) Any notice, order or other document which a local authority are authorised or required by or under any enactment (including any enactment in this Act) to give, make or issue may be signed on behalf of the authority by the proper officer of the authority.
- (2) Any document purporting to bear the signature of the proper officer of the authority shall be deemed, until the contrary is proved, to have been duly given, made or issued by the authority of the local authority.

In this subsection the word “signature” includes a facsimile of a signature by whatever process reproduced.

- (3) Where any enactment or instrument made under an enactment makes, in relation to any document or class of documents, provision with respect to the matters dealt with by one of the two foregoing subsections, that subsection shall not apply in relation to that document or class of documents.

[<sup>F33</sup>(4) In this section “local authority” includes a joint authority [<sup>F34</sup>and a police authority established under section 3 of the Police Act 1964] . . . <sup>F35</sup>.]

### Textual Amendments

- F33** S. 234(4) inserted by Local Government Act 1985 (c. 51, SIF 81:1), s. 84, **Sch. 14 para. 30**
- F34** Words in s. 234(4) inserted (1.10.1994 for specified purposes otherwise 1.4.1995) by 1994 c. 29, s. 43, **Sch. 4 para. 14(e)**; S.I. 1994/2025, **art. 6**; S.I. 1994/3262, arts. 4, 5, **Sch.**
- F35** Words repealed by Education Reform Act 1988 (c. 40, SIF 41:1), ss. 231(7), 235(6), 237(2), **Sch. 13 Pt. I**

### Modifications etc. (not altering text)

- C43** S. 234 amended by S.I. 1989/1815, art. 2, **Sch. 1 para. 5(d)**
- C44** S. 234 modified (07.08.1991) by S.I.1991/1773 art.8(2), Sch. 2  
S. 234: certain functions transferred (07.08.1991) by S.I.1991/1773, art. 8, **Sch. 2**  
S. 234 applied (*temp.* from 4.5.1995 to 31.3.1996) by S.I. 1995/1042, **art. 4(1)**  
S. 234 extended (19.9.1995) by 1995 c. 25, ss. 63(5), 125(2), **Sch. 7 para. 17(2)(d)** (with ss. 7(6), 115, 117, Sch. 8 para. 7)
- C45** S. 234(4) amended by S.I. 1985/1884, art. 10, **Sch. 3 para. 1(n)**
- C46** S. 234(4) modified by S.I. 1987/2110, art. 2(2), **Sch. 1 para. 3(n)**

**Status:**

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