

Status: Point in time view as at 13/03/1996.

Changes to legislation: Local Government and Housing Act 1989, Cross Heading: The Local Government (Miscellaneous Provisions) Act 1976 is up to date with all changes known to be in force on or before 24 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

SCHEDULES

SCHEDULE 11

MINOR AND CONSEQUENTIAL AMENDMENTS

The Local Government (Miscellaneous Provisions) Act 1976

47 In section 33 of the ^{M1}Local Government (Miscellaneous Provisions) Act 1976 (restoration or continuation of supply of water, gas or electricity) in subsection (4) for the word “and”, where it first occurs, there shall be substituted “ the sum so recoverable, together with any interest accrued due, shall, until recovered, be a charge on the premises concerned and if ” and at the end of that subsection there shall be inserted the following subsection—

“(4A) A charge under subsection (4) above takes effect from the date when the council makes the payment referred to in that subsection and, for the purposes of enforcing a charge,—

- (a) the council shall have the same powers and remedies, under the Law of Property Act 1925 and otherwise, as if it were a mortgagee by deed having powers of sale and lease, of accepting surrenders of leases and, subject to paragraph (b) below, of appointing a receiver; and
- (b) the power to appoint a receiver shall be exercisable at any time after the expiry of one month from the date when the charge takes effect.”

Marginal Citations

M1 1976 c. 57.

48 In section 40 of that Act (local authorities not affected by trusts attaching to certain securities issued by them), in subsection (1) after the word “officer” there shall be inserted “ or other person ”.

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