

**Changes to legislation:** Local Government Act 2003, SCHEDULE 6 is up to date with all changes known to be in force on or before 19 June 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) View outstanding changes

## SCHEDULES

### SCHEDULE 6 **E+W**

Section 120

#### SECTION 120: TRANSITION

##### *Commencement not to affect existing application of section 15 of the 1982 Act*

- 1 The coming into force of section 120 shall not affect the descriptions of person in relation to whom section 15 of the Local Government (Miscellaneous Provisions) Act 1982 (c. 30) applies in an area in which that section is already in force.

##### **Commencement Information**

- I1** Sch. 6 para. 1 in force at 1.4.2004 for W. by S.I. 2003/3034, art. 2, Sch. 1 Pt. II  
**I2** Sch. 6 para. 1 in force at 1.4.2004 for E. by S.I. 2003/2938, art. 7(a) (with art. 8, Sch.)

##### *Commencement not to affect pending resolutions about the application of section 15 of the 1982 Act*

- 2 (1) This paragraph applies where immediately before the coming into force of section 120—
- (a) there is in force a resolution under section 13(2) of the Local Government (Miscellaneous Provisions) Act 1982 (c. 30) that section 15 of that Act is to apply to an authority's area, and
  - (b) the resolution specifies as the day for the coming into force of that section the day on which section 120 comes into force, or any later day.
- (2) The coming into force of section 120 shall not affect—
- (a) the validity of the resolution, or
  - (b) the descriptions of person in relation to whom section 15 of that Act applies in pursuance of the resolution.

##### **Commencement Information**

- I3** Sch. 6 para. 2 in force at 1.4.2004 for E. by S.I. 2003/2938, art. 7(a) (with art. 8, Sch.)  
**I4** Sch. 6 para. 2 in force at 1.4.2004 for W. by S.I. 2003/3034, art. 2, Sch. 1 Pt. II

##### *Additional powers of commencement in relation to section 15 of the 1982 Act as amended*

- 3 (1) This paragraph applies where an authority has before the coming into force of section 120 passed a resolution that provides, or resolutions that between them provide, for section 15 of the Local Government (Miscellaneous Provisions) Act 1982 to apply to the authority's area in relation to all of the existing descriptions of person.

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- (2) Section 13 of that Act shall have effect for the purpose of enabling the authority to bring section 15 of that Act into force in its area—
- (a) in relation to persons carrying on the business of cosmetic piercing, and
  - (b) in relation to persons carrying on the business of semi-permanent skin-colouring.
- (3) In sub-paragraph (1), the reference to the existing descriptions of person is to the descriptions of person specified in section 15(1) of that Act immediately before the coming into force of section 120.

#### Commencement Information

- I5** Sch. 6 para. 3 in force at 1.4.2004 for W. by S.I. 2003/3034, art. 2, Sch. 1 Pt. II  
**I6** Sch. 6 para. 3 in force at 1.4.2004 for E. by S.I. 2003/2938, art. 7(a) (with art. 8, Sch.)

#### *Effect of existing ear-piercing registrations following extension of control to cosmetic piercing*

- 4 (1) This paragraph applies where, immediately before section 15 of the Local Government (Miscellaneous Provisions) Act 1982 comes into force in an authority's area in relation to persons carrying on the business of cosmetic piercing—
- (a) that section is in force in the area in relation to persons carrying on the business of ear-piercing, and
  - (b) a person is registered under that section by the authority to carry on a business of ear-piercing at premises in the area which are registered under that section for the carrying-on of that business.
- (2) From the coming into force of that section in that area in relation to persons carrying on the business of cosmetic piercing, the registrations of the person and the premises in respect of ear-piercing shall have effect as registrations in respect of cosmetic piercing, subject to sub-paragraph (3).
- (3) Sub-paragraph (2) ceases to apply when the business of cosmetic piercing carried on by the person at the premises subsequently first involves cosmetic piercing other than ear-piercing.

#### Commencement Information

- I7** Sch. 6 para. 4 in force at 1.4.2004 for E. by S.I. 2003/2938, art. 7(a) (with art. 8, Sch.)  
**I8** Sch. 6 para. 4 in force at 1.4.2004 for W. by S.I. 2003/3034, art. 2, Sch. 1 Pt. II

#### *Interpretation*

- 5 In this Schedule, except paragraph 2(1)(a) and 3(1), any reference to section 15 of the Local Government (Miscellaneous Provisions) Act 1982 includes a reference to section 16 of that Act so far as it has effect for the purposes of that section.

#### Commencement Information

- I9** Sch. 6 para. 5 in force at 1.4.2004 for E. by S.I. 2003/2938, art. 7(a) (with art. 8, Sch.)  
**I10** Sch. 6 para. 5 in force at 1.4.2004 for W. by S.I. 2003/3034, art. 2, Sch. 1 Pt. II

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**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 18(2A) inserted by [2007 c. 28 Sch. 14 para. 5\(2\)\(b\)](#)
- s. 24(1) s. 24 renumbered as s. 24(1) by [2007 c. 28 Sch. 14 para. 5\(3\)](#)
- s. 24(2) inserted by [2007 c. 28 Sch. 14 para. 5\(3\)](#)