

Status: Point in time view as at 04/05/2012.

Changes to legislation: There are currently no known outstanding effects for the Local Government and Public Involvement in Health Act 2007, Part 2. (See end of Document for details)

SCHEDULES

SCHEDULE 13

CONSEQUENTIAL AMENDMENTS RELATING TO JOINT WASTE AUTHORITIES

PART 2

OTHER AMENDMENTS

Landlord and Tenant Act 1954 (c. 56)

- 25 In section 69(1) of the Landlord and Tenant Act 1954 (interpretation), in the definition of “local authority”, after “National Park authority,” insert “ an authority established for an area in England by an order under section 207 of the Local Government and Public Involvement in Health Act 2007 (joint waste authorities), ”.

Commencement Information

- 11** Sch. 13 para. 25 in force at 1.4.2008 by S.I. 2008/917, art. 2(1)(p)

Trustee Investments Act 1961 (c. 62)

- 26 In section 11(4)(a) of the Trustee Investments Act 1961 (local authority investment schemes), after “1985” insert “ , an authority established for an area in England by an order under section 207 of the Local Government and Public Involvement in Health Act 2007 (joint waste authorities) ”.

Commencement Information

- 12** Sch. 13 para. 26 in force at 1.4.2008 by S.I. 2008/917, art. 2(1)(p)

Leasehold Reform Act 1967 (c. 88)

- 27 In section 28(5)(a) of the Leasehold Reform Act 1967 (retention or resumption of land required for public purposes), after “1985,” insert “ any authority established for an area in England by an order under section 207 of the Local Government and Public Involvement in Health Act 2007 (joint waste authorities), ”.

Commencement Information

- 13** Sch. 13 para. 27 in force at 1.4.2008 by S.I. 2008/917, art. 2(1)(p)

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Employers' Liability (Compulsory Insurance) Act 1969 (c. 57)

- 28 In section 3(2)(b) of the Employers' Liability (Compulsory Insurance) Act 1969 (employers exempted from insurance), after “1985,” insert “ an authority established for an area in England by an order under section 207 of the Local Government and Public Involvement in Health Act 2007 (joint waste authorities),”.

Commencement Information

I4 Sch. 13 para. 28 in force at 1.4.2008 by S.I. 2008/917, art. 2(1)(p)

Local Authorities (Goods and Services) Act 1970 (c. 39)

- 29 In section 1(4) of the Local Authorities (Goods and Services) Act 1970 (supply of goods and services by local authorities), in the definition of “local authority”, after “1985” insert “, any authority established for an area in England by an order under section 207 of the Local Government and Public Involvement in Health Act 2007 (joint waste authorities)”.

Commencement Information

I5 Sch. 13 para. 29 in force at 1.4.2008 by S.I. 2008/917, art. 2(1)(p)

Employment Agencies Act 1973 (c. 35)

- 30 In section 13(7) of the Employment Agencies Act 1973 (interpretation), after paragraph (f) insert—
 “(fza) the exercise by an authority established for an area in England under section 207 of the Local Government and Public Involvement in Health Act 2007 (joint waste authorities) of any of its functions;”.

Commencement Information

I6 Sch. 13 para. 30 in force at 1.4.2008 by S.I. 2008/917, art. 2(1)(p)

Local Government Act 1974 (c. 7)

- 31 (1) Part 3 of the Local Government Act 1974 (Commission for Local Administration in England) is amended as follows.
- (2) In section 25(1) (authorities subject to investigation), after paragraph (cc) insert—
 “(cd) an authority established for an area in England by an order under section 207 of the Local Government and Public Involvement in Health Act 2007 (joint waste authorities);”.
- (3) In section 26C(6) (referral of complaints by authorities) (inserted by section 174 of this Act), after paragraph (c) insert—
 “(d) in relation to an authority established by an order under section 207 of the Local Government and Public Involvement in Health Act 2007, a person who may be a member of the authority in accordance with section 208 of that Act.”

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Commencement Information

I7 Sch. 13 para. 31 in force at 1.4.2008 by S.I. 2008/917, art. 2(1)(p)

Health and Safety at Work etc Act 1974 (c. 37)

- 32 In section 28(6) of the Health and Safety at Work etc Act 1974 (restrictions on disclosure of information), after “1985” insert “, an authority established for an area in England by an order under section 207 of the Local Government and Public Involvement in Health Act 2007 (joint waste authorities)”.

Commencement Information

I8 Sch. 13 para. 32 in force at 1.4.2008 by S.I. 2008/917, art. 2(1)(p)

Local Government (Miscellaneous Provisions) Act 1976 (c. 57)

- 33 In section 44(1) of the Local Government (Miscellaneous Provisions) Act 1976 (interpretation of Part 1), in the definition of “local authority”—
- (a) in paragraph (a), after “1985” insert “, an authority established for an area in England by an order under section 207 of the Local Government and Public Involvement in Health Act 2007 (joint waste authorities)”;
 - (b) in paragraph (c), after “authorities,” insert “ an authority established for an area in England by an order under section 207 of the Local Government and Public Involvement in Health Act 2007 (joint waste authorities),”.

Commencement Information

I9 Sch. 13 para. 33 in force at 1.4.2008 by S.I. 2008/917, art. 2(1)(p)

Rent (Agriculture) Act 1976 (c. 80)

- 34 In section 5(3) of the Rent (Agriculture) Act 1976 (no statutory tenancy where landlord's interest belongs to local authority etc), after paragraph (bb) insert—
- “(bba) an authority established for an area in England by an order under section 207 of the Local Government and Public Involvement in Health Act 2007 (joint waste authorities);”.

Commencement Information

I10 Sch. 13 para. 34 in force at 1.4.2008 by S.I. 2008/917, art. 2(1)(p)

Rent Act 1977 (c. 42)

- 35 In section 14 of the Rent Act 1977 (landlord's interest belonging to local authority etc), after paragraph (cb) insert—

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“(cba) an authority established for an area in England by an order under section 207 of the Local Government and Public Involvement in Health Act 2007 (joint waste authorities);”.

Commencement Information

I11 Sch. 13 para. 35 in force at 1.4.2008 by S.I. 2008/917, art. 2(1)(p)

Local Government, Planning and Land Act 1980 (c. 65)

- 36 (1) The Local Government, Planning and Land Act 1980 is amended as follows.
- (2) In section 2(1) (duty of authorities to publish information), after paragraph (ka) insert—
- “(kaa) an authority established for an area in England by an order under section 207 of the Local Government and Public Involvement in Health Act 2007 (joint waste authorities);”.
- (3) In section 98(8A) (authorities referred to by subsection (8)(d)), after paragraph (e) (and before the “and” following that paragraph) insert—
- “(ea) an authority established for an area in England by an order under section 207 of the Local Government and Public Involvement in Health Act 2007 (joint waste authorities);”.
- (4) In section 99(4) (representations by certain bodies), after paragraph (db) insert—
- “(dba) an authority established for an area in England by an order under section 207 of the Local Government and Public Involvement in Health Act 2007 (joint waste authorities);”.
- (5) In section 100(1)(a) (meaning of “subsidiary”), for “or a joint authority established by Part IV of the Local Government Act 1985,” substitute “, a joint authority established by Part 4 of the Local Government Act 1985 or an authority established for an area in England by an order under section 207 of the Local Government and Public Involvement in Health Act 2007 (joint waste authorities),”.
- (6) In Schedule 16 (bodies to whom Part 10 applies), after paragraph 5B insert—
- “5BA An authority established for an area in England by an order under section 207 of the Local Government and Public Involvement in Health Act 2007 (joint waste authorities).”

Commencement Information

I12 Sch. 13 para. 36 in force at 1.4.2008 by S.I. 2008/917, art. 2(1)(p)

Acquisition of Land Act 1981 (c. 67)

- 37 In section 17(4) of the Acquisition of Land Act 1981 (local authority and statutory undertakers' land), in paragraph (a) of the definition of “local authority”, for “and a joint authority established by Part IV of the Local Government Act 1985,” substitute “, a joint authority established by Part 4 of the Local Government Act 1985 or an authority established for an area in England by an order under section 207 of

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the Local Government and Public Involvement in Health Act 2007 (joint waste authorities), ”.

Commencement Information

I13 Sch. 13 para. 37 in force at 1.4.2008 by S.I. 2008/917, art. 2(1)(p)

Local Government (Miscellaneous Provisions) Act 1982 (c. 30)

- 38 (1) The Local Government (Miscellaneous Provisions) Act 1982 is amended as follows.
- (2) In section 33(9) (enforceability by local authorities of certain covenants relating to land)—
- (a) in paragraph (a), for “or a joint authority established by Part IV of the Local Government Act 1985” substitute “, a joint authority established by Part 4 of the Local Government Act 1985 or an authority established for an area in England by an order under section 207 of the Local Government and Public Involvement in Health Act 2007 (joint waste authorities) ”;
- (b) in paragraph (b), after “joint authority” insert “ or joint waste authority ”.
- (3) In section 41(13) (lost and uncollected property), in the definition of “local authority”, after paragraph (e) (and before the “and” following that paragraph) insert—
- “(ea) an authority established for an area in England by an order under section 207 of the Local Government and Public Involvement in Health Act 2007 (joint waste authorities);”.

Commencement Information

I14 Sch. 13 para. 38 in force at 1.4.2008 by S.I. 2008/917, art. 2(1)(p)

Stock Transfer Act 1982 (c. 41)

- 39 In paragraph 7(2)(a) of Schedule 1 to the Stock Transfer Act 1982 (specified securities), after “1985” insert “, an authority established for an area in England by an order under section 207 of the Local Government and Public Involvement in Health Act 2007 (joint waste authorities) ”.

Commencement Information

I15 Sch. 13 para. 39 in force at 1.4.2008 by S.I. 2008/917, art. 2(1)(p)

County Courts Act 1984 (c. 28)

- 40 In section 60(3) of the County Courts Act 1984 (right of audience), in the definition of “local authority”, after “1985,” insert “ an authority established for an area in England by an order under section 207 of the Local Government and Public Involvement in Health Act 2007 (joint waste authorities), ”.

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Commencement Information

I16 Sch. 13 para. 40 in force at 1.4.2008 by S.I. 2008/917, art. 2(1)(p)

Housing Act 1985 (c. 68)

- 41 (1) Section 4 of the Housing Act 1985 (descriptions of authority) is renumbered subsection (1) of that section.
- (2) In paragraph (e) of that subsection—
- (a) for “and a joint authority established by Part IV of the Local Government Act 1985” substitute “, a joint authority established by Part 4 of the Local Government Act 1985, a joint waste authority”;
 - (b) for “a joint authority established by Part IV of the Local Government Act 1985”, in the second place where it occurs, substitute “, a joint authority established by Part 4 of the Local Government Act 1985, a joint waste authority”.
- (3) After that subsection insert—
- “(2) In this section “joint waste authority” means an authority established for an area in England by an order under section 207 of the Local Government and Public Involvement in Health Act 2007.”

Commencement Information

I17 Sch. 13 para. 41 in force at 1.4.2008 by S.I. 2008/917, art. 2(1)(p)

Landlord and Tenant Act 1985 (c. 70)

- 42 In section 38 of the Landlord and Tenant Act 1985 (minor definitions), in the definition of “local authority”, after “1985” insert “, an authority established for an area in England by an order under section 207 of the Local Government and Public Involvement in Health Act 2007 (joint waste authorities)”.

Commencement Information

I18 Sch. 13 para. 42 in force at 1.4.2008 by S.I. 2008/917, art. 2(1)(p)

Local Government Act 1988 (c. 9)

- 43 In Schedule 2 to the Local Government Act 1988 (public supply or works contracts: the public authorities), after the entry relating to an authority established by an order under section 10(1) of the Local Government Act 1985 insert— “ An authority established for an area in England by an order under section 207 of the Local Government and Public Involvement in Health Act 2007 (joint waste authorities). ”

Commencement Information

I19 Sch. 13 para. 43 in force at 1.4.2008 by S.I. 2008/917, art. 2(1)(p)

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Changes to legislation: There are currently no known outstanding effects for the Local Government and Public Involvement in Health Act 2007, Part 2. (See end of Document for details)

Housing Act 1988 (c. 50)

- 44 In Schedule 1 to the Housing Act 1988 (tenancies that cannot be assured tenancies), in paragraph 12(1) after paragraph (f) insert—
- “(fa) an authority established for an area in England by an order under section 207 of the Local Government and Public Involvement in Health Act 2007 (joint waste authorities);”.

Commencement Information

I20 Sch. 13 para. 44 in force at 1.4.2008 by S.I. 2008/917, art. 2(1)(p)

Road Traffic Act 1988 (c. 52)

- 45 In section 144(2)(a)(i) of the Road Traffic Act 1988 (exceptions from requirement of third-party insurance), after “the London Fire and Emergency Planning Authority,” insert “an authority established for an area in England by an order under section 207 of the Local Government and Public Involvement in Health Act 2007 (joint waste authorities)”.

Commencement Information

I21 Sch. 13 para. 45 in force at 1.4.2008 by S.I. 2008/917, art. 2(1)(p)

Local Government and Housing Act 1989 (c. 42)

- 46 The Local Government and Housing Act 1989 is amended as follows.

Commencement Information

I22 Sch. 13 para. 46 in force at 1.4.2008 by S.I. 2008/917, art. 2(1)(p)

- 47 In section 21(1) (interpretation of Part 1), after paragraph (g) insert—
- “(ga) an authority established for an area in England by an order under section 207 of the Local Government and Public Involvement in Health Act 2007 (joint waste authorities);”.

Commencement Information

I23 Sch. 13 para. 47 in force at 1.4.2008 by S.I. 2008/917, art. 2(1)(p)

- 48 In section 152(2) (interpretation of sections 150 and 151), after paragraph (i) insert—
- “(ia) an authority established for an area in England by an order under section 207 of the Local Government and Public Involvement in Health Act 2007 (joint waste authorities);”.

Commencement Information

I24 Sch. 13 para. 48 in force at 1.4.2008 by S.I. 2008/917, art. 2(1)(p)

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Environmental Protection Act 1990 (c. 43)

- 49 In section 52(1A) of the Environmental Protection Act 1990 (payments for recycling and disposal etc of waste), at the end insert “ or any authority established for an area in England by an order under section 207 of the Local Government and Public Involvement in Health Act 2007 (joint waste authorities) ”.

Commencement Information

I25 Sch. 13 para. 49 in force at 1.4.2008 by S.I. 2008/917, art. 2(1)(p)

Local Government (Overseas Assistance) Act 1993 (c. 25)

- 50 In section 1(10) of the Local Government (Overseas Assistance) Act 1993 (power to provide advice and assistance), after paragraph (d) insert—
 “(da) an authority established for an area in England by an order under section 207 of the Local Government and Public Involvement in Health Act 2007 (joint waste authorities);”.

Commencement Information

I26 Sch. 13 para. 50 in force at 1.4.2008 by S.I. 2008/917, art. 2(1)(p)

Housing Grants, Construction and Regeneration Act 1996 (c. 53)

- 51 In section 3(2) of the Housing Grants, Construction and Regeneration Act 1996 (ineligible applicants for grants), after paragraph (j) (and before the “or” following that paragraph) insert—
 “(ja) an authority established for an area in England by an order under section 207 of the Local Government and Public Involvement in Health Act 2007 (joint waste authorities);”.

Commencement Information

I27 Sch. 13 para. 51 in force at 1.4.2008 by S.I. 2008/917, art. 2(1)(p)

Audit Commission Act 1998 (c. 18)

- 52 In Schedule 2 to the Audit Commission Act 1998 (accounts subject to audit), in paragraph 1, after paragraph (m) insert—
 “(ma) an authority established for an area in England by an order under section 207 of the Local Government and Public Involvement in Health Act 2007 (joint waste authorities);”.

Commencement Information

I28 Sch. 13 para. 52 in force at 1.4.2008 by S.I. 2008/917, art. 2(1)(p)

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Local Government Act 1999 (c. 27)

- 53 In section 1(1) of the Local Government Act 1999 (best value authorities), after paragraph (g) insert—
- “(ga) an authority established for an area in England by an order under section 207 of the Local Government and Public Involvement in Health Act 2007 (joint waste authorities);”.

Commencement Information

I29 Sch. 13 para. 53 in force at 1.4.2008 by S.I. 2008/917, art. 2(1)(p)

Freedom of Information Act 2000 (c. 36)

- 54 In Schedule 1 to the Freedom of Information Act 2000 (public authorities), after paragraph 15 insert—
- “15A An authority established for an area in England by an order under section 207 of the Local Government and Public Involvement in Health Act 2007 (joint waste authorities).”

Commencement Information

I30 Sch. 13 para. 54 in force at 1.4.2008 by S.I. 2008/917, art. 2(1)(p)

Local Government Act 2003 (c. 26)

- 55 (1) The Local Government Act 2003 is amended as follows.
- (2) In section 23(1) (definition of local authority for purposes of Part 1), after paragraph (k) insert—
- “(ka) an authority established for an area in England by an order under section 207 of the Local Government and Public Involvement in Health Act 2007 (joint waste authorities);”.
- (3) In section 33(1) (power to pay grant: interpretation), after paragraph (j) insert—
- “(ja) an authority established for an area in England by an order under section 207 of the Local Government and Public Involvement in Health Act 2007 (joint waste authorities);”.

Commencement Information

I31 Sch. 13 para. 55 in force at 1.4.2008 by S.I. 2008/917, art. 2(1)(p)

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