



London Government Act 1963

1963 CHAPTER 33

PART VII

FUNCTIONS AS TO HEALTH AND WELFARE SERVICES AND OTHER MATTERS

46 Accommodation and welfare of disabled and old persons, etc.

- (1) The council of each London borough shall as respects the borough and the Common Council shall as respects the City—
 - (a) be the local authority for the purposes of the National Assistance Act 1948 (including Part III thereof);
 - (b) have the functions conferred by or by virtue of that Act on councils of county boroughs ;
 - (c) be the local authority for the purposes of section 3 of the Disabled Persons (Employment) Act 1958.
- (2) In accordance with the foregoing subsection, but subject to the subsequent provisions of this section, the following references, that is to say—
 - (a) references in any enactment to the local authority or registration authority within the meaning or for the purposes of either of the said Acts or any provision thereof;
 - (b) references to a local authority, so far as concerns the functions of such an authority under either of those Acts or any provision thereof;
 - (c) references in the said Act of 1948 to the council of a county borough,shall be construed in relation to Greater London as references to the council of a London borough or the Common Council, as the case may be; and references in any enactment to the area of any such authority, and references in the said Act of 1948 to a county borough, shall be construed accordingly.
- (3) The Greater London Council shall have the like powers of contributing to the funds of voluntary organisations as are conferred on the councils of London boroughs by sections 26(6), 30(2) and 31(3) of the said Act of 1948.

Status: This is the original version (as it was originally enacted).

- (4) The functions of the council of a county borough under section 47 of the said Act of 1948 (which relates to the removal to suitable premises of persons in need of care and attention) and section 50 of that Act (which relates to the burial and cremation of the dead) shall, as respects the Inner Temple and the Middle Temple, be exercisable by the Sub-Treasurer and the Under-Treasurer thereof respectively, and those persons shall be included among the appropriate authorities specified in sections 47(12) and 50(2) of that Act.
- (5) Without prejudice to paragraph 27(a) of Schedule 4 to this Act, section 59 of the said Act of 1948 (which relates to the accounts of county borough councils) shall not apply to the London borough councils.
- (6) It shall be the duty of each London borough council and of the Common Council to continue to provide for the area of the council on and after 1st April 1965 the accommodation and the services and facilities for disabled persons corresponding (with any necessary modifications) with those which were required or authorised to be provided for that area immediately before that date by the local authority or authorities for the whole or any part of that area in pursuance of the provisions of Part III of the said Act of 1948 or of section 3 of the said Act of 1958 and of any schemes made under those provisions ; and any such schemes in force immediately before that date shall continue in force until revoked or modified by further schemes under the relevant provisions of the next following subsection.
- (7) It shall be the duty of each London borough council and of the Common Council, within such period after 1st April 1965 as the Minister of Health may by directions specify, to submit schemes for the exercise of the council's functions with respect to the provision for the area of the council of accommodation and of services and facilities for disabled persons and section 34 of the said Act of 1948 shall apply to schemes under this section as it applies to schemes under sections 21 and 29 of that Act:

Provided that in relation to the provision of facilities for disabled persons this subsection shall have effect as if for the references therein and in the said section 34 to the Minister of Health there were substituted references to the Minister of Labour.

- (8) In this section—
- (a) references to accommodation provided under Part III of the said Act of 1948 and to a local authority providing accommodation shall be construed as if they were contained in the said Part III;
 - (b) references to services for disabled persons shall be construed as references to the services required or authorised to be provided under section 29 of that Act for persons who are substantially and permanently handicapped, including persons suffering from any form of mental disorder ; and
 - (c) references to facilities for disabled persons are references to facilities for employment for them or work on their own account, or for their training for such employment or work, required or authorised to be provided under section 3 of the Disabled Persons (Employment) Act 1958.