



Local Government Act 1966

1966 CHAPTER 42

PART IV

MISCELLANEOUS AND GENERAL

35 Amendment of certain enactments relating to licences.

- (1) The enactments mentioned in Part I of Schedule 3 to this Act (which among other things provide for the licensing or registration of agricultural gang masters, hawkers, passage brokers, emigrant runners, porters, guns, horses and pleasure boats for hire and canal boats, and for regulating activities to which the licences or registrations relate) shall cease to have effect.
- (2) The enactments mentioned in the first column of Part II of Schedule 3 to this Act (which specify fees or maximum fees for licences, certificates or permits to which those enactments relate or for registration under those enactments) may be amended, by an order made by the Minister specified in relation to the enactment in question in the second column of the said Part II, so as to vary any sum specified by that enactment or so as to provide that any sum payable under that enactment shall cease to be so payable; and an order under this subsection may be limited to such cases as may be specified by the order and may make different provision for different cases specified by the order.
- (3) The Postmaster General shall, before paying to the council of a county, county borough or London borough or to the Common Council the amount of the duties received by him, on or after the date when this subsection comes into force, in respect of licences for dogs or licences to deal in or for killing game issued in the county or borough or the City of London, as the case may be, deduct from that amount such sum as he considers is equal to the expenses incurred by him on work done in connection with the issue of the licences.
- (4) Subsection (3) of this section shall come into force on the date when the first order under subsection (2) of this section increasing the amount of the duty in respect of any dog licence comes into force; and section 19(5) of the Post Office Act 1961 is hereby repealed on that date.

36 Further provisions as to dog licences.

- (1) The Minister of Agriculture, Fisheries and Food may by order amend the provisions of the Dog Licences Act 1959 with respect to the time for payment of duty under that Act, the age of any dog or hound in respect of which the duty is chargeable and the period for which a licence under that Act is to be in force; and an order under this subsection may be limited to such cases as may be specified by the order and may make different provision for different circumstances specified by the order.
- (2) It shall cease to be a condition for exemption from duty under section 4 of the said Act of 1959 (which relates to dogs kept for tending sheep and cattle) that the owner of the dog in question obtains a certificate of exemption under that section.
- (3) The power conferred by section 11 of the said Act of 1959 to prescribe the form of a licence shall be exercisable by the Minister of Agriculture, Fisheries and Food instead of by the Treasury.
- (4) In sections 12(1) and 13 of the said Act of 1959 (under which a person is liable to a penalty of five pounds for an offence) for the words " five pounds " there shall be substituted the words " ten pounds ".

37 Payments by local authorities to offset effect of selective employment tax.

It shall be lawful for a local authority within the meaning of the Town and Country Planning Act 1962 to make to any person such payments as the authority consider appropriate for the purpose of offsetting, either wholly or in part, payments by way of the selective employment tax made by that person in respect of persons employed for the purposes of any contract entered into by the authority before 4th May 1966.

38 Amendments preparatory to consolidation.

- (1) With a view to facilitating the consolidation of the enactments relating to rating and valuation in England and Wales, subsections (2) and (3) of this section shall have effect as from such day as the Minister may by order appoint.
- (2) The following provisions (by virtue of which there subsists a residual liability to rating by reference to tithes) namely—
 - (a) in section 1 of the Poor Relief Act 1601, the words " of every inhabitant parson vicar and other and " and the words " tithes impropriate or propriations of tithes " ;
 - (b) section 69 of the Tithe Act 1836 ;
 - (c) section 1 of the Poor Rate Exemption Act 1840 ;
 - (d) section 1 of the Tithe Rating Act 1851 ;
 - (e) in Schedule 1 to the Expiring Laws Act 1922, the entry numbered (1),
 and also the provisions of the Rating and Valuation Act 1925 specified in Schedule 9 to the Tithe Act 1936 (which relate to the treatment for the purposes of rating of tithe rentcharge not extinguished by the said Act of 1936) so far as excepted from repeal by the said Act of 1936 by section 48(3) thereof and, in section 7 of the Rating Act 1874, the words "and tithe rentcharge ", shall cease to have effect; and the valuation officer shall, without any proposal, cause the valuation list to be altered by the deletion therefrom of any property which he is satisfied has, by virtue of this subsection, ceased to be rateable.

- (3) The enactments aforesaid shall have effect subject to the provisions of Schedule 4 to this Act, being provisions designed to avoid or remove minor doubts, anomalies and inconsistencies, to remove spent, obsolete or otherwise unnecessary provisions, to bring obsolete provisions into conformity with modern practice or to facilitate improvement in the form or manner in which the law is stated.

39 Application of Act to Isles of Stilly.

The provisions of this Act shall have effect in relation to the Isles of Stilly subject to such modifications as the Minister may by order direct, and the power to make an order under this section shall include power to provide that in the application of paragraph 3 of Part II of Schedule 1 to this Act both to those Isles and to counties and county boroughs references to a county shall include references to those Isles.

40 Orders, regulations and rules.

- (1) Any power conferred on a Minister by this Act to make an order, regulations or rules shall be exercisable by statutory instrument.
- (2) An order under any provision of this Act, other than section 2 or 3, may be revoked or varied by a subsequent order under that provision.
- (3) Any statutory instrument containing regulations or rules under this Act or an order under section 24, 32, 35 or 36 of this Act shall be subject to annulment in pursuance of a resolution of either House of Parliament.

41 Interpretation.

- (1) In this Act, except where the contrary intention appears, the following expressions have the meanings hereby assigned to them respectively, that is to say—
- " the appropriate Minister " means, in relation to any matter, the Minister in charge of the government department concerned or primarily concerned with that matter;
 - " the Common Council " means the Common Council of the City of London ;
 - " dwelling-house " has the same meaning as in the Valuation for Rating Act 1953 ;
 - " hereditament " has the same meaning as in the Rating and Valuation Act 1925 ;
 - " joint board " includes a combined authority or joint committee;
 - " land " includes land covered by water and any interest in or right over land ;
 - " local authority " means the council of a county, county borough or county district, the Greater London Council, the council of a London borough, the Common Council or the Council of the Isles of Stilly ;
 - " the Minister " means the Minister of Housing and Local Government;
 - " rate " has the same meaning as in the Rating and Valuation Act 1925;
 - " rate period " means a year or part of a year, being a period for which a rate is made ;

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

" rate support grant order " has the meaning assigned to it by section 2 of this Act;

" rating authority " means any local authority, except the council of a county and the Greater London Council, and includes the Sub-Treasurer of the Inner Temple and the Under-Treasurer of the Middle Temple ; and

" year " means a period of twelve months beginning with the first day of April.

- (2) In this Act the expression " year 1967-68 " means the year ending on 31st March 1968, and any corresponding expression in which two years are similarly mentioned means the year ending on 31st March in the second of those years.
- (3) Any question arising under this Act as to which Minister is the appropriate Minister shall be determined by the Treasury.
- (4) References in this Act to any enactment are references to that enactment as amended by or under any subsequent enactment.

42 Expenses.

There shall be defrayed out of moneys provided by Parliament—

- (a) any sums required for the payment of grants under this Act or of other expenses of a Minister under this Act; and
- (b) any increase attributable to the provisions of this Act in the sums payable out of such moneys under any other Act.

43 Consequential amendments and repeals.

- (1) The enactments mentioned in Schedule 5 to this Act shall have effect subject to the amendments there specified, being amendments consequential on provisions of this Act.
- (2) The enactments mentioned in Schedule 6 to this Act are hereby repealed to the extent specified in the third column of that Schedule—
 - (a) in the case of the enactments described in Part I, from the passing of this Act;
 - (b) in the case of those described in Part II, from 1st April 1967;
 - (c) in the case of those described in Part III, from the day appointed under subsection (1) of section 38 of this Act and subject, as regards the enactments mentioned in paragraph 13 of Schedule 4 to this Act, to the provisions of that paragraph.

44 Short title and extent.

- (1) This Act may be cited as the Local Government Act 1966.
- (2) This Act shall not extend to Scotland or Northern Ireland.