



# Local Government (Miscellaneous Provisions) Act 1976

## 1976 CHAPTER 57

### PART I

#### GENERAL

#### *Heating etc*

#### **12 Provisions supplementary to s. 11.**

- (1) A local authority which supplies or proposes to supply heat, hot air, hot water or steam in pursuance of the preceding section may make byelaws—
  - (a) with respect to the works and apparatus to be provided or used by persons other than the authority in connection with the supply;
  - (b) for preventing waste and unauthorised use of the supply and unauthorised interference with works and apparatus used by the authority or any other person in connection with the supply;
  - (c) providing for any specified contravention of the byelaws to be an offence punishable on summary conviction with a fine of such an amount, not exceeding [<sup>F1</sup>level 3 on the standard scale], as is specified in the byelaws.
- (2) Subsections (1) to (5) of section 82 of Schedule 3 to the <sup>M1</sup>Water Act 1945 (which relates to the entry of premises by authorised officers of water undertakers) shall have effect for the purpose of authorising the entry of premises by authorised officers of an authority which provides or proposes to provide such a supply as is mentioned in the preceding subsection as if for any reference to undertakers there were substituted a reference to the authority and as if in subsection (1) of that section—
  - (a) for paragraph (a) there were substituted the following paragraph—
    - “(a) for the purpose of installing, examining, adjusting, removing or reading any meter used or to be used by the authority for measuring the heat, hot air, hot water or steam supplied or to be supplied by the authority;”

*Status: Point in time view as at 11/08/2022.*

*Changes to legislation: There are currently no known outstanding effects for the Local Government (Miscellaneous Provisions) Act 1976, Section 12. (See end of Document for details)*

- (b) for the words from “the special Act” onwards in paragraph (b) there were substituted the words “byelaws in force by virtue of section 12 of the Local Government (Miscellaneous Provisions) Act 1976”; and
- (c) for the words “the special Act” in paragraphs (c) and (d) there were substituted the words “section 11 of that Act”.
- (3) [<sup>F2</sup>Subsections (1) and (2) above have effect subject to paragraph 11(2) of Schedule 1 to the Building Act 1984; and]section 80 of the <sup>M2</sup>Health and Safety at Work etc. Act 1974 (which among other things provides that regulations under subsection (1) of that section may repeal or modify any provision to which that subsection applies if it appears to the authority making the regulations that it is expedient to do so in consequence of any provision made by or under Part I of that Act) shall have effect as if the provisions to which subsection (1) of that section applies included subsection (1) of this section and byelaws in force by virtue of subsection (1) of this section.
- (4) The accounts of a local authority by which expenditure is incurred under any of the provisions of the preceding section and this section shall include a separate account of that expenditure and of any income connected with functions conferred on the authority by those provisions.

#### Textual Amendments

- F1** Words substituted by virtue of [Criminal Justice Act 1982 \(c. 48, SIF 39:1\)](#), **ss. 40, 46**
- F2** Words substituted by [Building Act 1984 \(c. 55, SIF 15\)](#), s. 133(1), **Sch. 6 para. 17**

#### Modifications etc. (not altering text)

- C1** Power to repeal or alter s. 12(1) conferred by [Building Act 1984 \(c. 55, SIF 15\)](#), s. 1(3), **Sch. 1 para. 11(2)(a)**
- C2** Power to modify s. 12(2) conferred by [Building Act 1984 \(c. 55, SIF 15\)](#), s. 1(3), **Sch. 1 para. 11(2)(b)**

#### Marginal Citations

- M1** 1945 c. 42.
- M2** 1974 c. 37.

**Status:**

Point in time view as at 11/08/2022.

**Changes to legislation:**

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