

Status: Point in time view as at 01/04/1996.

Changes to legislation: Local Government, Planning and Land Act 1980, SCHEDULE 22 is up to date with all changes known to be in force on or before 03 July 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)

SCHEDULES

SCHEDULE 22 E+W+N.I.

Section 110.

SUPPLEMENTARY PROVISIONS (WALES)

Loans

- 1 Any sum borrowed under section 10 of the 1975 Act, and outstanding immediately before the passing of this Act, shall be treated as borrowed under paragraph 1 of Schedule 21 above.

Guarantees

- 2 Any guarantee given under section 11 of the 1975 Act and having effect immediately before the passing of this Act shall have effect as if given under paragraph 2 of Schedule 21 above, and sums issued under section 11 shall be treated accordingly.

Accounts etc.

- 3 (1) Entries contained immediately before the passing of this Act in an account or record kept by the Authority under section 12 of the 1975 Act shall on the passing of this Act cease to be so contained but, as soon as practicable after accounts and records are opened under paragraph 3 of Schedule 21 above, corresponding entries shall be made in those accounts and records.
(2) Entries immediately before the passing of this Act in an account or record kept by the Authority under section 43 of the 1975 Act shall on the passing of this Act cease to be so contained but, as soon as practicable after accounts and records are opened under paragraph 4 of Schedule 21 above, corresponding entries shall be made in those accounts and records.
(3) Paragraphs 3, 4 and 5 of Schedule 21 above shall then have effect accordingly.

Land

- 4 Where before the passing of this Act a binding contract has been made by the Authority to dispose of or acquire land, section 14 or (as the case may be) 15 of the 1975 Act shall continue to apply as they applied immediately before the passing of this Act, which shall for this purpose be treated as not having been passed.

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- 5 (1) A compulsory purchase order made by the Authority before the passing of this Act shall (subject to sub-paragraph (2) below) be disregarded on the passing of this Act.
- (2) Where a compulsory purchase order has been made by the Authority and submitted to the confirming authority for confirmation before the passing of this Act, section 15 of the 1975 Act shall continue to apply as it applied immediately before the passing of this Act, which shall for this purpose be treated as not having been passed.

Staff

- 6 (1) A person who was a member, officer or servant of the Authority immediately before the passing of this Act shall continue to be a member, officer or servant as if appointed under this Part of this Act.
- (2) Nothing in this Act shall put a person in a worse position as regards his appointment.
- (3) The Secretary of State may, with the consent of [^{F1}the Treasury], make regulations requiring the Authority to pay (in such cases and to such extent as may be determined by or under the regulations) compensation to or in respect of any such person who, after the passing of this Act and as a result of the changes in the Authority's functions arising from this Part of this Act, ceases to be a member, officer or servant of the Authority or suffers a loss or diminution of emoluments or pension rights.

Textual Amendments

F1 Words substituted by virtue of S.I. 1981/1670, art, 2(1)(d)

Rights and liabilities

- 7 Rights and liabilities vested in the Authority immediately before the passing of this Act shall remain vested in the Authority and (subject to paragraphs 8 and 9 below) be treated as if they had been acquired or incurred under this Part of this Act.
- 8 Where a right was acquired by the Authority before the passing of this Act, and could not have been acquired under this Part of this Act, it may be enforced by the Authority as if this Act had not been passed.
- 9 Where a liability was incurred by the Authority before the passing of this Act, and could not have been incurred under this Part of this Act, it may be enforced against the Authority as if this Act had not been passed.

Property

- 10 Property vested in the Authority immediately before the passing of this Act, and property later acquired by the Authority by virtue of any of the preceding provisions

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of this Schedule, shall be treated as if it were acquired by the Authority for the purposes of this Part of this Act.

General duties

- 11 (1) Sub-paragraphs (2) and (3) below shall have effect in consequence of the repeal of section 17 of and Schedule 6 to the 1975 Act.
- (2) In exercising its functions after the passing of this Act the Authority shall have regard to section 103 above and need not have regard to the matters specified in section 17 of and Schedule 6 to the 1975 Act.
- (3) In disposing, or agreeing to dispose, of an interest in land after the passing of this Act, the Authority need not have regard to an application (whenever made) under paragraph 2 of Schedule 6 to the 1975 Act.

Planning permission for relevant development

- 12 (1) Sub-paragraphs (2) and (3) below shall have effect in consequence of the repeal by this Act of sections 19 and 20 of and Schedule 7 to the 1975 Act.
- (2) Paragraph 13(2) to (7) of Schedule 17 above shall apply (with the appropriate modifications) as if the Authority were an authority to which those sub-paragraphs apply.
- (3) If, before the passing of this Act, there was a duty to send to the Authority a copy of an application or notification under Part III of Schedule 7 to the 1975 Act, there shall continue to be such a duty after the passing of this Act notwithstanding the repeal of that Part.

Amended Acts

- 13 In paragraph 1 of the Schedule to the ^{M1}Public Bodies (Admission to Meetings) Act 1960 (which specifies the bodies in England and Wales to which that Act applies) paragraph (bb) shall continue to have effect as it had effect immediately before the passing of this Act and accordingly to read thus:—
- “(bb) the Land Authority for Wales;”.

Marginal Citations

M1 1960 c. 67 (81:4).

- 14 (1) Section 25(1)(aa) of the ^{M2}Local Government Act 1974 (authorities subject to investigation); shall continue to have effect as it had effect immediately before the passing of this Act, except that the words from “and” to the end shall be omitted.
- (2) Accordingly, section 25(1)(aa) shall read:—
- “(aa) the Land Authority for Wales.”.

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(3) Section 30(2A) of the ^{M3}Local Government Act 1974 shall continue to have effect as it had effect immediately before the passing of this Act and accordingly to read thus:—

“(2A) Where the complaint related to the Land Authority for Wales, the Local Commissioner shall also send the report or statement to the Secretary of State.”.

Marginal Citations

M2 1974 c. 7 (81:1).

M3 1974 c. 7(81:1).

15 The entry relating to the Authority in Part II of Schedule 1 to the ^{M4}House of Commons Disqualification Act 1975 (bodies of which all members are disqualified) shall continue to have effect as it had effect immediately before the passing of this Act, and accordingly there shall continue to be inserted in that Part at the appropriate place in alphabetical order:— “The Land Authority for Wales”.

Marginal Citations

M4 1975 c. 24 (89).

General

16 The Secretary of State may by order made by statutory instrument make such further provisions containing savings and transitionals about the Land Authority for Wales as he sees fit (including, if he sees fit, provisions supplementing the preceding provisions of this Schedule).

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