

Status: Point in time view as at 01/02/1991.

Changes to legislation: Local Government (Access to Information) Act 1985, SCHEDULE 2 is up to date with all changes known to be in force on or before 25 June 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 2

Section 3.

CONSEQUENTIAL AMENDMENTS

Fire Services Act 1947 (c.41)

- 1 In section 8 of the Fire Services Act 1947 (constitution and powers of fire authorities constituted by combination schemes) after subsection (3) there shall be inserted the following subsection—

“(3A) Meetings of a fire authority which is (as well as one which is not) constituted by a combination scheme are open to the public, and documents relating to such meetings are open to inspection by the public, in accordance with the provisions of Part VA of the Local Government Act 1972.”

Defamation Act 1952 (c.66)

- 2 (1) The Schedule to the Defamation Act 1952 (by virtue of which, among other things, newspaper reports of all proceedings at meetings of local authorities and their committees are privileged unless admission to the meetings is denied to representatives of newspapers and other members of the public) shall be amended as follows.

- (2) At the beginning of paragraph 13 (interpretation) there shall be inserted “(1)” and for the definition of “local authority” in that paragraph there shall be substituted the following—

““local authority” means—

- (a) any principal council, within the meaning of the Local Government Act 1972, any body falling within any paragraph of section 100J(1) of that Act and any local authority, within the meaning of the Local Government (Scotland) Act 1973;
- (b) any authority or body to which the Public Bodies (Admission to Meetings) Act 1960 applies; and
- (c) any authority or body to which sections 23 to 27 of the Local Government Act (Northern Ireland) 1972 apply;

and any reference to a committee of a local authority shall be construed in accordance with sub-paragraph (2) below.”

- (3) After paragraph 13(1) there shall be added the following sub-paragraph—

“(2) Any reference in this Schedule to a committee of a local authority includes a reference—

- (a) to any committee or sub-committee in relation to which sections 100A to 100D of the Local Government Act 1972 apply by virtue

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of section 100E of that Act (whether or not also by virtue of section 100J of that Act); and

- (b) to any committee or sub-committee in relation to which sections 50A to 50D of the Local Government (Scotland) Act 1973 apply by virtue of section 50E of that Act.”

Defamation Act (Northern Ireland) 1955 (c.11)(N.I.).

- 3 (1) The Schedule to the Defamation Act (Northern Ireland) 1955 (which makes similar provision to the Schedule to the ^{M1}Defamation Act 1952) shall be amended as follows.

- (2) At the beginning of paragraph 13 (interpretation) there shall be inserted “(1)” and for the definition of “local authority” in that paragraph there shall be substituted the following—

““local authority” means—

- (a) any authority or body to which sections 23 to 27 of the Local Government Act (Northern Ireland) 1972 apply;
- (b) any principal council, within the meaning of the Local Government Act 1972, any body falling within any paragraph of section 100J(1) of that Act and any local authority, within the meaning of the Local Government (Scotland) Act 1973;
- (c) any authority or body to which the Public Bodies (Admission to Meetings) Act 1960 applies;

and any reference to a committee of a local authority shall be construed in accordance with sub-paragraph (2) below.”

- (3) After paragraph 13(1) there shall be added the following sub-paragraph—

“(2) Any reference in this Schedule to a committee of a local authority includes a reference—

- (a) to any committee or sub-committee in relation to which sections 100A to 100D of the Local Government Act 1972 apply by virtue of section 100E of that Act (whether or not also by virtue of section 100J of that Act); and
- (b) to any committee or sub-committee in relation to which sections 50A to 50D of the Local Government (Scotland) Act 1973 apply by virtue of section 50E of that Act.”

Marginal Citations

M1 1952 c. 66.

Public Bodies (Admission to Meetings) Act 1960 (c.67)

- 4 (1) The Public Bodies (Admission to Meetings) Act 1960 shall be amended as follows.

- (2) In section 1(1), the words “local authority or other” shall be omitted and for the words “an authority or other body” there shall be substituted the words “a body”.

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- (3) Section 2(2) shall be omitted.
- (4) In the Schedule (which defines the bodies to which the Act applies) for paragraph 1(a) there shall be substituted the following paragraph—
 - “(a) parish or community councils, the Council of the Isles of Scilly and joint boards or joint committees which discharge functions of any of those bodies (or of any of those bodies and of a principal council, within the meaning of the Local Government Act 1972, or a body falling within paragraph (a), (b) or (c) of section 100J(1) of that Act)”.
- (5) In paragraph 1 of the Schedule, paragraphs (aa) and (ab) (as inserted by the Local Government Act 1985) and (d) shall be omitted.
- (6) In paragraph 1(h) of the Schedule, for the words “police authorities” there shall be substituted the words “bodies to which sections 100A to 100D of the Local Government Act 1972 apply, whether or not by virtue of section 100E or 100J of that Act”.
- (7) In paragraph 2 of the Schedule, paragraphs (a), (b), (c) and (f) shall be omitted.

Police Act 1964 (c.48)

- 5 In section 3 of the Police Act 1964 (police authorities for combined areas) after subsection (3) there shall be inserted the following subsection—
 - “(3A) Meetings of a combined police authority which is (as well as one which is not) a body corporate are open to the public, and documents relating to such meetings are open to inspection by the public, in accordance with the provisions of Part VA of the Local Government Act 1972.”

Local Government Act 1972 (c.70)

- 6 (1) In section 100 of the Local Government Act 1972 (which applies the Public Bodies (Admission to Meetings) Act 1960 in relation to all committees of local authorities)
—
 - (a) in subsection (2), the words from “to any committee constituted” to “101(9) below and” shall be omitted; and
 - (b) at the end of that subsection there shall be added the words “or section 100E(3)(a) or (b) below (whether or not by virtue of section 100J below)”.
- (2) In section 228 of that Act (inspection of documents)—
 - (a) in subsection (1), for the words “local authority” there shall be substituted the words “parish or community council” and for the words “the authority” there shall be substituted the words “the council”; and
 - (b) in subsection (8) (application to parish meetings) for the words “local authority” there shall be substituted the words “parish council”.

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Local Government Finance Act 1982 (c.32)

- 7 In section 18 of the Local Government Finance Act 1982, in subsection (5) (auditor’s report to be supplied to members and newspapers) after the word “excluded” there shall be inserted “(a)” and at the end of that subsection there shall be added the following words, that is to say—

“or under section 100B(7) of the 1972 Act (which makes similar provision);
or

- (b) from the documents open to inspection by members of the public under section 100B(1) of the 1972 Act (agenda and reports open to the public before a meeting);

and Part VA of the 1972 Act shall have effect in relation to the report as if in section 100C(a)(d) 1of that Act (by virtue of which only so much of a report as relates to proceedings open to the public is open to public inspection after the meeting) the words ”so much of” and from ”as relates’ onwards were omitted.

- (6) In subsection (5) above, ”the 1972 Act’ means the Local Government Act 1972.”

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