



Local Government and Housing Act 1989

1989 CHAPTER 42

PART V

COMPANIES IN WHICH LOCAL AUTHORITIES HAVE INTERESTS

67 Application of, and orders under, Part V.

- (1) Any reference in this Part to a company is a reference to a body corporate of one of the following descriptions—
 - (a) a company limited by shares;
 - (b) a company limited by guarantee and not having a share capital;
 - (c) a company limited by guarantee and having a share capital;
 - (d) an unlimited company;
 - [^{F1}(da) a registered society within the meaning of the Co-operative and Community Benefit Societies Act 2014;] and
 - (e) a society registered or deemed to be registered ^{F2}... under the ^{M1}Industrial and Provident Societies Act (Northern Ireland) 1969.
- (2) Expressions used in paragraphs (a) to (d) of subsection (1) above have the same meaning as in [^{F3}the Companies Acts (see section 1174 of, and Schedule 8 to, the Companies Act 2006)].
- (3) Any reference in this Part to a local authority is a reference to a body of one of the following descriptions—
 - (a) a county council;
 - [^{F4}(aa) a county borough council;]
 - (b) a district council;
 - [^{F5}(bb) the Greater London Authority;
 - ^{F5}(bc) a functional body, within the meaning of the Greater London Authority Act 1999;]
 - (c) a London borough council;
 - (d) the Common Council of the City of London in its capacity as a local authority, police authority or port health authority;

Status: Point in time view as at 08/05/2017. This version of this provision has been superseded.

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- (e) the Council of the Isles of Scilly;
 - (f) a parish council;
 - (g) a community council;
 - [^{F6}(ga) the Greater London Magistrates' Courts Authority;]
 - [^{F7}(h) a fire and rescue authority constituted by a scheme under section 2 of the Fire and Rescue Services Act 2004 or a scheme to which section 4 of that Act applies;]
 - ^{F8}(i)
 - (j) an authority established under section 10 of the ^{M2}Local Government Act 1985 (waste disposal authorities);
 - (k) a joint authority established by Part IV of that Act [^{F9}(fire and rescue services and transport)];
 - (l) any body established pursuant to an order under section 67 of that Act (successors to residuary bodies);
 - (m) the Broads Authority;
 - [^{F10}(ma) a National Park authority;]
 - (n) any joint board the constituent members of which consist of any of the bodies specified above;
 - ^{F11}(o)
 - [^{F12}(oo) a joint planning board constituted for an area in Wales outside a National Park by an order under section 2(1B) of the ^{M3}Town and Country Planning Act 1990; and]
 - (p) a Passenger Transport Executive.
- (4) Any power to make an order under this Part shall be exercisable by statutory instrument subject to annulment in pursuance of a resolution of either House of Parliament; and under any such power different provision maybe made for different cases and different descriptions of cases (including different provision for different areas).
- [^{F13}(5) The power under subsection (4) above to make differential provision includes, in particular, power to make different provision for different local authorities or descriptions of local authority.]

Textual Amendments

- F1** S. 67(1)(da) inserted (1.8.2014) by [Co-operative and Community Benefit Societies Act 2014 \(c. 14\)](#), s. 154, **Sch. 4 para. 42(a)** (with Sch. 5)
- F2** Words in s. 67(1)(e) omitted (1.8.2014) by virtue of [Co-operative and Community Benefit Societies Act 2014 \(c. 14\)](#), s. 154, **Sch. 4 para. 42(b)** (with Sch. 5)
- F3** Words in s. 67(2) substituted (1.10.2009) by [The Companies Act 2006 \(Consequential Amendments, Transitional Provisions and Savings\) Order 2009 \(S.I. 2009/1941\)](#), art. 1(2), **Sch. 1 para. 104(2)** (with art. 10)
- F4** S. 67(3)(aa) inserted (7.1.1997) by [S.I. 1996/3071](#), art. 2, **Sch. 3(6)**
- F5** S. 67(3)(bb)(bc) inserted (8.5.2000 for specified purposes otherwise 3.7.2000) by [1999 c. 29](#), s. **393(1)(2)** (with [Sch. 12 para. 9\(1\)](#)); [S.I. 2000/3434](#), **arts. 3, 4**
- F6** S. 67(3)(ga) inserted (1.4.2001) by [1999 c. 22](#), s. 83(3), [Sch. 12 paras. 4, 6](#) (with s. 107, [Sch. 14 para. 7\(2\)](#)); [S.I. 2001/916](#), **art. 2(a)(i)** (with savings in [Sch. 2 para. 2](#))
- F7** S. 67(3)(h) substituted (1.10.2004 except in relation to W., 10.11.2004 for W.) by [Fire and Rescue Services Act 2004 \(c. 21\)](#), s. 61, **Sch. 1 para. 71(3)**; [S.I. 2004/2304](#), art. 2; [S.I. 2004/2917](#), art. 2

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- F8** S. 67(3)(i) omitted (22.11.2012) by virtue of Police Reform and Social Responsibility Act 2011 (c. 13), s. 157(1), **Sch. 16 para. 205**; S.I. 2012/2892, art. 2(i)
- F9** Words in s. 67(3)(k) substituted (1.4.2005) by Civil Contingencies Act 2004 (c. 36), s. 34(1), **Sch. 2 para. 10(3)(b)**; S.I. 2005/772, **art. 2(b)**
- F10** S. 67(3)(ma) inserted (19.9.1995) by 1995 c. 25, ss. 65(7), 125(2), **Sch. 8 para. 10** (with ss. 7(6), 115, 117, Sch. 8 para. 7)
- F11** S. 67(3)(o) repealed (1.4.1997) by 1995 c. 25, s. 120(3), **Sch. 24** (with ss. 7(6), 115, 117); S.I. 1996/2560, art. 2, **Sch.**
- F12** S. 67(3)(oo) inserted (23.11.1995) by 1995 c. 25, s. 78, **Sch. 10 para. 31(3)** (with ss. 7(6), 115, 117, Sch. 8 para. 7); S.I. 1995/2950, **art. 2(1)**
- F13** S. 67(5) inserted (18.11.2003 for E. and 27.11.2003 for W.) by Local Government Act 2003 (c. 26), s. 128(6), **Sch. 3 para. 2**; S.I. 2003/2938, art. 3(a) (with art. 8, Sch.); S.I. 2003/3034, art. 2, Sch. 1 Pt. 1

Modifications etc. (not altering text)

- C1** S. 67(3) modified (temp.) (31.1.2017 for specified purposes, 3.4.2017 in so far as not already in force) by Policing and Crime Act 2017 (c. 3), s. 183(1)(5)(e), **Sch. 1 para. 67**; S.I. 2017/399, reg. 2, Sch. para. 38
- C2** S. 67(3)(k) applied (with modifications) (E.) (8.5.2017) by The Greater Manchester Combined Authority (Fire and Rescue Functions) Order 2017 (S.I. 2017/469), art. 1(3), **Sch. para. 3(2)**

Commencement Information

- I1** S. 67 wholly in force at 7.10.1993; s. 67 not in force at Royal Assent see s. 195(2); s. 67 in force for certain purposes at 16.1.1990 by S.I. 1989/2445, **art. 4**; s. 67 in force so far as not already in force at 7.10.1993 by S.I. 1993/2140, **art. 3**

Marginal Citations

- M1** 1969 c.24. (N.I.)
- M2** 1985 c. 51.
- M3** 1990 c. 8.

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