



Local Government (Wales) Act 1994

1994 CHAPTER 19

PART II

FUNCTIONS

General

17 General provision for transfer of functions.

- (1) This section has effect for the purpose of adapting relevant legislative provisions and in particular for the purpose of providing for the exercise of functions conferred by such provisions.
- (2) A provision is a “relevant legislative provision” for the purposes of this section if it is a provision of—
 - (a) any public general Act passed before, or during the same Session as, this Act; or
 - (b) an instrument which—
 - (i) was made before the passing of this Act, under a public general Act; and
 - (ii) is of a legislative character but is not in the nature of a local enactment.
- (3) This section has effect subject to any provision made by, or by any instrument under, this Act and is not to be taken as affecting any provision so made.
- (4) In any relevant legislative provision—
 - (a) any reference to an area which is the area of a county council or the area of a district council, and
 - (b) any reference which is to be construed as a reference to such an area, shall be construed, in relation to Wales, as a reference to a new principal area.
- (5) In any relevant legislative provision—
 - (a) any reference to the council of a county or district, and

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Changes to legislation: There are currently no known outstanding effects for the Local Government (Wales) Act 1994, Section 17. (See end of Document for details)

- (b) any reference which is to be construed as such, shall be construed, in relation to Wales, as a reference to the council of a new principal area.
- (6) Where, in relation to any relevant legislative provision, any question arises as to which new principal area is the appropriate new principal area for the purposes of that provision, that question shall be determined by order made by the Secretary of State.
- (7) Where any relevant legislative provision is by virtue of this section to be construed in accordance with subsection (4) or (5)—
- (a) it shall be so construed subject to any modifications necessary to give full effect to the provision; and
 - (b) the Secretary of State may by order make such amendments or other modifications of the provision as he considers necessary or expedient in consequence of any provision made by or under this Act.

Modifications etc. (not altering text)

- C1** S.17: transfer of functions (1.7.1999) by S.I. 1999/672, art. 2, **Sch. 1**
- C2** S. 17(4)(5) excluded (1.4.1996) by 1990 c. 8, s. **336(1A)(c)** (as inserted (1.4.1996) by 1994 c. 19, s. 20(4), Sch. 6 Pt. II para. 24(14) (with ss. 54(5)(7), 55(5), Sch. 17 paras. 22(1), **23(2)**); S.I. 1996/396, art. 3, **Sch. 1**)
- S. 17(4)(5) excluded (1.4.1996) by 1980 c. 66, s. **329(2A)(c)** (as inserted (1.4.1996) by 1994 c. 19, s. 20(4), Sch. 7 Pt. I para. 27(3) (with ss. 54(5)(7), 55(5), Sch. 17 paras. 22(1), **23(2)**); S.I. 1996/396, art. 3, **Sch. 1**)
- S. 17(4)(5) excluded (1.4.1996) by 1981 c. 14, s. **82(3)(c)** (as added (1.4.1996) by 1994 c. 19, s. 20(4), Sch. 7 Pt. II para. 36(3) (with ss. 54(5)(7), 55(5), Sch. 17 paras. 22(1), **23(2)**); S.I. 1996/396, art. 3, **Sch. 1**)
- S. 17(4)(5) excluded (1.4.1996) by 1984 c. 27, s. **142(1A)(c)** (as inserted (1.4.1996) by 1994 c. 19, s. 20(4), Sch. 7 Pt. II para. 38(10) (with ss. 54(5)(7), 55(5), Sch. 17 paras. 22(1), **23(2)**); S.I. 1996/396, art. 3, **Sch. 1**)

Commencement Information

- II** S. 17 wholly in force at 1.4.1996; s. 17 not in force at Royal Assent see s. 66; s. 17 in force for certain purposes at 20.3.1995 by S.I. 1995/546, art. 3, **Sch.** (subject to arts. 4-8 (as amended by S.I. 1995/851)); s. 17 in force at 1.4.1996 insofar as not already in force by S.I. 1996/396, art. 3, **Sch. 1**

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