

Status: Point in time view as at 27/07/1999.

Changes to legislation: There are currently no known outstanding effects for the Police and Magistrates' Courts Act 1994, Cross Heading: Local Government Act 1972. (See end of Document for details)

SCHEDULES

SCHEDULE 4

APPLICATION TO POLICE AUTHORITIES OF ENACTMENTS RELATING TO LOCAL AUTHORITIES

Extent Information

E1 The provisions of Sch. 4 have the same extent as the provisions they amend, see s. 96(1)-(3)

Commencement Information

II Sch. 4 wholly in force at 1.4.1995; Sch. 4 not in force at Royal Assent, see s. 94(1); Sch. 4 except paras. 1-4, 15(2), 42 in force for certain purposes (1.10.1994) by S.I. 1994/2025, art. 6(1)(2)(g)(3)-(6); Sch. 4 in force (1.4.1995) insofar as not already in force by S.I. 1994/3262, art. 4(1), Sch. (with transitional provision in art. 4(8)) (as amended (14.3.1995) by S.I. 1995/246, art. 2(3))

PART I

AMENDMENTS OF LOCAL GOVERNMENT ENACTMENTS

Local Government Act 1972

^{F16}

Textual Amendments

F1 Sch. 4 para. 6 repealed (22.8.1996) by 1996 c. 16, ss. 103(3), 104(1), Sch. 9 Pt. I

7 In section 98 of that Act, in subsection (1A) (application to joint authorities of provisions about members' interests) after the words "joint authority" there shall be inserted the words " and a police authority established under section 3 of the ^{M1}Police Act 1964 ".

Marginal Citations

M1 1964 c. 48.

8 In section 99 of that Act (meetings and proceedings of local authorities) after the words "joint authorities," there shall be inserted the words " police authorities established under section 3 of the ^{M2}Police Act 1964 ".

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Marginal Citations

M2 1964 c. 48.

- 9 (1) Section 100J of that Act (application to joint authorities etc. of provisions relating to access to meetings and documents) shall be amended as follows.
- (2) For subsection (1)(e) there shall be substituted—
- “(e) a police authority established under section 3 of the ^{M3}Police Act 1964;”.
- (3) In subsection (4), in paragraph (a)—
- (a) for the words “combined police authority” there shall be substituted the words “police authority established under section 3 of the ^{M4}Police Act 1964”, and
- (b) for the word “which” there shall be substituted the words “or other person that”.

Marginal Citations

M3 1964 c. 48.

M4 1964 c. 48.

- 10 (1) Section 107 of that Act (application to police authorities of provisions relating to the discharge of functions by local authorities) shall be amended as follows.
- (2) In subsection (1)—
- (a) the words “104 and” shall be omitted, and
- (b) after the words “those sections” there shall be inserted the words “and section 104”.
- (3) In subsection (3) for the words “for the purposes of” there shall be substituted the word “by”.
- (4) After subsection (3) there shall be inserted—
- “(3A) Where pursuant to arrangements made by virtue of subsection (3) above—
- (a) a chief officer of police, or
- (b) the deputy of a chief officer of police,
- may discharge functions of a police authority, he may himself arrange for the discharge of any of those functions by a member of the police force or by a person who is employed by the authority but is not under the authority’s direction and control.”
- (5) In subsection (8) for the words “for the purposes of” there shall be substituted the word “by”.
- (6) Subsections (9) and (10) shall be omitted.
- 11 (1) Section 146A of that Act (application to police authorities of miscellaneous powers of local authorities) shall be amended as follows.
- (2) In subsection (1)—

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- (a) at the beginning there shall be inserted the words “ Subject to subsection (1A) below, ”, and
- (b) after the words “joint authority” there shall be inserted the words “ and a police authority established under section 3 of the ^{M5}Police Act 1964 ”.

(3) After subsection (1) there shall be inserted—

“(1A) A police authority established under section 3 of the ^{M6}Police Act 1964 shall not be treated—

- (a) as a local authority for the purposes of section 112, 139, 140A or 140C above, or
- (b) as a principal council for the purposes of section 122 above.”

Marginal Citations

M5 1964 c. 48.

M6 1964 c. 48.

- 12 In section 223 of that Act (appearance of local authorities in legal proceedings), in subsection (2) after the words “joint authority” there shall be inserted the words “ , a police authority established under section 3 of the ^{M7}Police Act 1964 ”.

Marginal Citations

M7 1964 c. 48.

- 13 In section 228 of that Act (inspection of documents), in subsection (7A) after the words “joint authority” there shall be inserted the words “ or a police authority established under section 3 of the ^{M8}Police Act 1964 ”.

Marginal Citations

M8 1964 c. 48.

- 14 The words “and a police authority established under section 3 of the ^{M9}Police Act 1964” shall be inserted after the words “joint authority”—
- (a) in section 229 of that Act (photographic copies of documents), in subsection (8);
 - (b) in section 231 of that Act (service of notices on local authorities, etc.), in subsection (4);
 - (c) in section 232 of that Act (public notices), in subsection (1A);
 - (d) in section 233 of that Act (service of notices by local authorities), in subsection (11); and
 - (e) in section 234 of that Act (authentication of documents), in subsection (4).

Marginal Citations

M9 1964 c. 48.

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- 15 (1) Schedule 12 to that Act (meetings and proceedings of local authorities) shall be amended as follows.
- (2) In sub-paragraph (1) of paragraph 6A after the words “joint authority”, there shall be inserted the words “ or a police authority established under section 3 of the ^{M10}Police Act 1964 ”.
- (3) In paragraph 6B—
- (a) after the word “that” there shall be inserted “ (a) ”, and
 - (b) for the words “members in the case of a joint authority” there shall be substituted the words “, and
 - (b) in the case of a police authority established under section 3 of the ^{M11}Police Act 1964, sub-paragraphs (2) and (3) of paragraph 5 shall not apply and if the chairman is absent from a meeting of such an authority another member chosen by the members of the authority present shall preside.”
- (4) In paragraph 46, after the words “joint authority” there shall be inserted the words “ and a police authority established under section 3 of the ^{M12}Police Act 1964 ”.

Commencement Information

II Sch. 4 para. 15 wholly in force at 1.4.1995; Sch. 4 not in force at Royal Assent, see s. 94(1); Sch. 4 para. 15(1)(3) in force for certain purposes at 1.10.1994 by S.I. 1994/2025, art. 6(1)(2)(d)(3)-(6); Sch. 4 para. 15 in force at 1.4.1995 insofar as not already in force by S.I. 1994/3262, art. 4(1), Sch. (with transitional provisions in art. 4(2)) (as amended (14.3.1995) by S.I. 1995/246, art. 2(3))

Marginal Citations

M10 1964 c. 48.
M11 1964 c. 48.
M12 1964 c. 48.

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