
STATUTORY INSTRUMENTS

2018 No. 1128

The Local Government (Boundary Changes) Regulations 2018

PART 2

Transfer of functions to successor council, continuity and responsibility for functions exercised by a shadow authority

Continuity: references in enactments, etc.

5.—(1) A provision of an enactment in which a predecessor council or its area is mentioned by name shall have effect on and after the reorganisation date, as if, for the name of that council or its area, there were substituted the name of the successor council or of the area of that council.

(2) A provision of an enactment which, immediately before the reorganisation date, applies to an area (however defined) that is affected by a section 10 order, shall on and after that date continue to apply to, but only to, the area to which it applied immediately before that date.

(3) Where a provision referred to in paragraph (2) applies as regards the whole or part of the area of a predecessor council by reason only of a resolution passed or order made by that council, the resolution or order shall have effect on and after the reorganisation date as if it had been passed or made by the successor council as regards the whole or, as the case may be, the relevant part of its area.

(4) In paragraphs (1) and (2) “enactment” includes a local and personal Act, a private Act, any statutory instrument to which the Statutory Instruments Act 1946⁽¹⁾ applies (whenever the Act or instrument is passed or made) and any charter or other grant under the royal prerogative (whenever granted) but does not include—

- (a) an Act of the Scottish Parliament or Northern Ireland legislation;
- (b) an order under section 7 or 10 of the 2007 Act or regulations under section 14 of that Act.