Draft Order laid before Parliament under section 235(6) of the Localism Act 2011, for approval by resolution of each House of Parliament.

DRAFT STATUTORY INSTRUMENTS

2012 No.

LOCAL GOVERNMENT
TOWN AND COUNTRY PLANNING, ENGLAND AND WALES

The Localism Act 2011 (Consequential Amendments) Order 2012

Made - - - - ***

Coming into force in accordance with article 1(2)

The Secretary of State makes the following Order in exercise of the powers conferred by section 236 of the Localism Act 2011(**1**).

A draft of this Order has been approved by a resolution of each House of Parliament in accordance with section 235(6) of that Act.

Citation and commencement

1.—(1) This Order may be cited as the Localism Act 2011 (Consequential Amendments) Order 2012.

(2) This Order comes in to force on the day after the day on which it is made with the exception of Article 3 and Schedule 2, which come into force on 6th April 2012.

Amendments to enactments

2. The amendments specified in Schedule 1 to this Order shall have effect.

3. The amendments specified in Schedule 2 to this Order shall have effect.

4. The amendments specified in Schedule 3 to this Order shall have effect.

(**1**) 2011 c. 20

Signed by authority of the Secretary of State for Communities and Local Government

Name
Parliamentary Under Secretary of State
Department for Communities and Local Government

Date

SCHEDULE 1

Article 2

General powers of authorities: consequential amendments

Industrial and Provident Societies Act 1965 (c. 12)

1. In section 6(1A) of the Industrial and Provident Societies Act 1965(**2**) (exception to maximum shareholding in society) after "Act 2000" insert "or the power in section 1 of the Localism Act 2011".

Nationality, Immigration and Asylum Act 2002 (c. 41)

2. The Nationality, Immigration and Asylum Act 2002 is amended as follows.

3. In section 55(4) (provisions under which an authority may not provide or arrange for the provision of support following late claim of asylum)—

(1) omit "and" at the end of paragraph (b), and

(2) at the end of paragraph (c) insert—

", and

(d) section 1 of the Localism Act 2011 (local authority's general power of competence)".

4. In paragraph 1(1) of Schedule 3 (enactments under which a person to whom the paragraph applies shall not be eligible for support or assistance) (**3**) after paragraph (k) insert—

"(ka) section 1 of the Localism Act 2011 (local authority's general power of competence),".

Local Authorities (Goods and Services) (Public Bodies) (England) Order 2002

5. In article 2(2) of the Local Authorities (Goods and Services) (Public Bodies) (England) Order 2002(**4**) (designation of certain bodies as public bodies) after "Act 2000" insert "or section 1 of the Localism Act 2011(**5**)".

Health and Social Care (Community Health and Standards) Act 2003 (c. 43)

6. In section 148 of the Health and Social Care (Community Health and Standards) Act 2003 (interpretation), in paragraph (c)(i) of the definition of "English local authority social service"(**6**) after "(c. 22)" insert "or section 1 of the Localism Act 2011"

Service Charges (Consultation Requirements) (England) Regulations 2003

7. In regulation 3(1)(b)(ii) of the Service Charges (Consultation Requirements)(England) Regulations 2003(**7**) (management agreements between local authorities and certain bodies not to be qualifying long term agreements) after "Act 2000" insert "or section 1 of the Localism Act 2011(**8**)".

(**2**) Section 6(1A) was inserted by S.I. 2010/866.
(**3**) Paragraph 1(1) was amended by the National Health Service (Consequential Provisions) Act 2006 (c. 43), Schedule 1, paragraph 229 and the Children and Young Persons Act 2008 (c. 23) , section 22(6).
(**4**) S.I. 2002/522.
(**5**) 2011 c. 20.
(**6**) The definition of "English local authority social service" was amended by the Education and Inspections Act 2006 (c. 40), Schedule 14 paragraphs 82 and 93.
(**7**) S.I. 2003/1987, to which there are amendments not relevant to this Order.
(**8**) 2011 c. 20.