1973. No. 341

LOCAL GOVERNMENT

Local Government (Modifications and Repeals) (No. 2) Order (Northern Ireland) 1973

Made . . . . . 14*th September* 1973

Coming into operation . . . 1*st October* 1973

To be laid before the Parliament of the United Kingdom under paragraph 4(5)(*b*) *of the Schedule to the Northern Ireland* (*Temporary Provisions*) *Act* 1972.

The Ministry of Home Affairs, on behalf of the Secretary of State and in exercise of the powers conferred on it by section 134 of the Local Government Act (Northern Ireland) 1972(**a**) and of every other power enabling it in that behalf, hereby makes the following Order:—

1. This Order may be cited as the Local Government (Modifications and Repeals) (No. 2) Order (Northern Ireland) 1973 and shall come into operation on 1st October 1973.

2. The transferred provisions mentioned in columns 1 to 3 of the Schedule shall have effect subject to the modifications and repeals specified in column 4.

Sealed with the Official Seal of the Ministry of Home Affairs for Northern Ireland this 14th day of September 1973.

(L.S.)

W. A. Willis,
Assistant Secretary.

(a) 1972. c. 9 (N.I.).

SCHEDULE

Modifications and repeals

Column 1 *Chapter or number*	Column 2 *Act*	Column 3 *Relevant provision*	Column 4 *Modification or repeal*
38 & 39 Vict. c. 17	Explosives Act 1875	Section 6	For the words from "or may approve" onwards substitute "may grant a licence in terms of the draft with or without modification or addition".
		Sections 7, 8, 15, 18, 21, 26, 28, 29, 46(5), 47(5), 48, 49, 85 and 119	For any reference to a local authority substitute a reference to the Ministry of Home Affairs.
		Section 7	In the first paragraph for the words from "upon application" to "proposed site" substitute "before a licence is granted". The words "the clerk of" are repealed. In the third paragraph the words "of any urban sanitary authority, or" and the words "if they are not the local authority" are repealed. In the fifth paragraph for the words "made to them" substitute "has been made". The sixth paragraph, beginning with the words "The place so fixed" is repealed. The final paragraph beginning with the words "Where the site" is repealed.
		Section 8	The first two paragraphs, from the words "If on the hearing" to the words "by the local authority" are repealed.
		Section 14	In the final paragraph proviso (1) is repealed.

Column 1 *Chapter or number*	Column 2 *Act*	Column 3 *Relevant provision*	Column 4 *Modification or repeal*
38 & 39 Vict. c. 17	Explosives Act 1875 (*contd.*)	Section 20	In the final paragraph for the words "local authority" substitute "Ministry of Home Affairs".
		Section 26	The final paragraph is repealed.
		Section 28	The second paragraph is repealed. In the third paragraph the words from "within the area" to "under this Act" and the words from "and a Government Inspector" to "of this Act" and the words from "and the clerk" onwards are repealed.
		Section 38	For the words "local authorities" substitute "district councils" and for the words "local authority" substitute "district council".
		Sections 69, 72, 73, 74, 75, 76, 87 and 103	For any reference to a local authority substitute a reference to a harbour authority.
		Section 72	In the first paragraph the words "other than justices in petty sessions" and the words "by such authority, either" and the words "or without" and the words from "within their jurisdiction" to "out of their jurisdiction" are repealed. The six paragraphs from the words "Where the magazine" at the beginning of the second paragraph to the words "right over land", at the end of the seventh paragraph are repealed.
		Section 78	The words "or an officer of the local authority" are repealed.
		Section 85	The final paragraph is repealed.

Column 1 *Chapter or number*	Column 2 *Act*	Column 3 *Relevant provision*	Column 4 *Modification or repeal*
38 & 39 Vict. c. 17	Explosives Act 1875 (*contd.*)	Section 103	For the words "or of any council of a borough, or any urban sanitary authority" substitute "district council".
		Section 108	In the definition of "store" the words "by a local authority" are repealed.
		Sections 116, 117 and 118	Repealed.
		Section 120	The definition of "borough" is repealed.
Order in Council No. 2, 1875		The whole Order	For any reference to a local authority substitute a reference to the Ministry of Home Affairs.
Order in Council No. 4, 1875		The whole Order	For any reference to a local authority substitute a reference to the Ministry of Home Affairs.
9 Edw. 7 c. 30	Cinematograph Act 1909	Sections 2, 3, 4, 7 and 9(3)	For the word "county" where it appears substitute the word "district".
		Section 6	Repealed.
		Section 9	Sub-sections 9(4), 9(5) and 9(6) are repealed.
12 & 13 Geo. 5 c. 20 (N.I.)	Uniformity of Laws Act (Northern Ireland) 1922	Fifth Schedule Celluloid and Cinematograph Film Act 1922	
		Sections 1(1), (2) and (3), 4(1) and (3), 5 and 6	For any reference to a local authority substitute a reference to a district council.
		Section 4	Sub-section (2) is repealed.
		Section 9	The definition of "local authority" is repealed.
14 & 15 Geo. 5 c. 7 (N.I.)	Char-a-banc Regulation Act (Northern Ireland) 1924	Sections 2, 3, 4 and 5	For any reference to a local authority substitute a reference to a district council.

Column 1 *Chapter or number*	Column 2 *Act*	Column 3 *Relevant provision*	Column 4 *Modification or repeal*
14 & 15 Geo. 5 c. 7 (N.I.)	Char-a-banc Regulation Act (Northern Ireland) 1924 (*contd.*)	Section 6	In sub-paragraph (1) the definition of "local authority" is repealed.
			The definition of "district" is repealed.
15 & 16 Geo. 5 c. 8 (N.I.)	Pharmacy and Poisons Act (Northern Ireland) 1925	Section 25	For the words "sanitary authorities" substitute "district councils".
20 Geo. 5 c. 9 (N.I.)	Street Trading (Regulation) Act (Northern Ireland) 1929	Section 1	In sub-section (1) for the words from "an urban district (other than a county borough)" to "referred to as "the district" " substitute "a district".
			The words "or commissioners" and the words "(in this Act referred to as "the local authority")" are repealed.
			In sub-section (3) the words "which is maintained by the local authority" are repealed.
		Sections 2, 3, 4, 5, 6, 7, 10 and 13	For any reference to a local authority substitute a reference to a district council.
		Sections 11 and 12	Repealed.
20 Geo. 5 c. 13 (N.I.)	Petroleum (Consolidation) Act (Northern Ireland) 1929	Section 2	In sub-section (1) the words "county, county borough or urban" are repealed.
			Paragraph (i) of the proviso to sub-section (1) is repealed.
2 Geo. 6 c. 26 (N.I.)	Air Raid Precautions Act (Northern Ireland) 1938	Section 12	For the words "local authority" substitute the words "district council".
2 & 3 Geo. 6 c. 15 (N.I.)	Civil Defence Act (Northern Ireland) 1939	The whole Act	For any reference to a local authority substitute a reference to a district council.
		Section 7	Sub-section (2) is repealed.