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*Changes to legislation:* There are currently no known outstanding effects for the Local Government etc. (Scotland) Act 1994, Paragraph 161. (See end of Document for details)

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## SCHEDULE 13

### MINOR AND CONSEQUENTIAL AMENDMENTS

#### *The Local Government and Housing Act 1989 (c.42)*

- 161 (1) The Local Government and Housing Act 1989 shall be amended in accordance with this paragraph.
- (2) In section 2(6) (politically restricted posts)—
- (a) in paragraph (a), the words “or director of education” and the words from “or section” to “1980” shall cease to have effect; and
  - (b) in paragraph (c), for “director of social work” substitute “chief social work officer”.
- (3) In section 4 (designation and reports of head of paid service)—
- (a) in subsection (5), the words “, or Schedule 10 or 20 to,” shall cease to have effect; and
  - (b) in subsection (6)(b), for “regional, islands or district council” substitute “council constituted under section 2 of the Local Government etc. (Scotland) Act 1994”.
- (4) In section 5(5) (reports of monitoring officer etc.), the words “, or Schedule 10 or 20 to,” shall cease to have effect.
- (5) In section 8(5)(b) (local authorities to adopt standing orders with respect to staff), for “regional, islands or district council” substitute “council constituted under section 2 of the Local Government etc. (Scotland) Act 1994”.
- (6) In section 9 (assistants for political groups)—
- (a) in subsection (8)(b), the words “, or Schedule 10 or 20 to,” shall cease to have effect; and
  - (b) in subsection (11), in the definition of “relevant authority”, in paragraph (b), for “regional, islands or district council” substitute “council constituted under section 2 of the Local Government etc. (Scotland) Act 1994”.
- (7) In section 14 (voting rights of members of certain committees: Scotland)—
- (a) subsections (2) and (3) shall cease to have effect;
  - (b) in subsection (4), for the words “subsections (1) to (3)” substitute “subsection (1)”;
  - <sup>F1</sup>(c) .....
  - (d) for subsection (6) substitute—
- “(6) Nothing in this section shall prevent the appointment as a voting member of—
- (a) a committee such as is mentioned in subsection (1) of section 124 of the <sup>M1</sup>Local Government (Scotland) Act 1973 (committees appointed by education authority); or
  - (b) a joint committee of two or more authorities whose purposes include either of those mentioned in paragraphs (a) and (b) of that subsection; or
  - (c) any sub-committee of such a committee or joint committee,

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- of a person such as is mentioned in subsection (4) of the said section 124.”;
- (e) in subsection (8), after paragraph (a) insert—  
“aa) section 124(5);”;
- (f) in subsection (9), for “regional, islands or district council” substitute “council constituted under section 2 of the Local Government etc. (Scotland) Act 1994 ”.
- (8) In section 21(2) (interpretation of Part I), for “regional, islands or district council” substitute “ council constituted under section 2 of the Local Government etc. (Scotland) Act 1994 ”.
- (9) <sup>F2</sup>.....
- (10) In section 151(4) (power to amend provisions about charges), for paragraphs (b) and (c) substitute—  
“or  
(b) it is a charge amounting to local taxation.”.
- (11) In section 152(3) (application of certain provisions as respects Scotland)—  
(a) for paragraphs (a), (b) and (c) substitute—  
“(a) a council constituted under section 2 of the Local Government etc. (Scotland) Act 1994”; and  
(b) for paragraphs (e) and (f) substitute—  
“and  
(e) a joint board or joint committee within the meaning of section 235(1) of the Local Government (Scotland) Act 1973.”.
- (12) In section 155(5) (emergency financial assistance to local authorities)—  
(a) for paragraphs (a), (b) and (c) substitute “ a council constituted under section 2 of the Local Government etc. (Scotland) Act 1994 ”; and  
(b) the letter “(d)” shall cease to have effect.
- (13) In section 157(6) (commutation of, and interest on, periodic payments of grants etc. to local authorities), for “regional, islands or district council” substitute “ a council constituted under section 2 of the Local Government etc. (Scotland) Act 1994 ”.
- (14) In section 170(9) (authorities empowered to provide services etc. for owners or occupiers of houses as respects certain works), for “regional, islands or district council” substitute “ council constituted under section 2 of the Local Government etc. (Scotland) Act 1994 ”.

#### **Textual Amendments**

- F1** Sch. 13 para. 161(7)(c) repealed (1.4.1997) by 1995 c. 36, s. 105(5), Sch. 24; S.I. 1996/3201, art. 3(7)
- F2** Sch. 13 para. 161(9) repealed (1.5.2003) by 2000 asp 7, ss. 36(1), 37(2), Sch. 4 (with s. 31); S.S.I. 2003/74, art. 2(2)(e)

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**Marginal Citations**

**M1** 1973 c. 65.

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