



# Local Government (Scotland) Act 1894

1894 CHAPTER 58 57 and 58 Vict

An Act to establish a Local Government Board for Scotland, and make further provision for Local Government in Scotland, and for other purposes. [25th August 1894]

## Modifications etc. (not altering text)

- C1 Functions of Local Government Board for Scotland now exercisable by Secretary of State: [Scottish Board of Health Act 1919 \(c. 20\), s. 4\(1\)\(a\), \(5\), Sch. 1, Reorganisation of Offices \(Scotland\) Act 1928 \(c. 34\), s. 1](#) and [Reorganisation of Offices \(Scotland\) Act 1939 \(c. 20\), s. 1](#)
- C2 Councils of counties, counties of cities, large burghs, small burghs and districts now abolished and regional, islands and district councils constituted by [Local Government \(Scotland\) Act 1973 \(c. 65\), ss. 1, 2, Sch. 1](#)
- C3 Words of enactment omitted under authority of [Statute Law Revision Act 1948 \(c. 62\), s. 3](#)

## 1 Short title.

This Act may be cited as the Local Government (Scotland) Act, 1894, and this Act, and the <sup>M1</sup>Local Government (Scotland) Act, 1889, (herein-after called the principal Act,) shall, except as otherwise provided by this Act, be construed as one Act, and may be cited together as the Local Government (Scotland) Acts.

## Marginal Citations

- M1 1889 c. 50.

## 2 Extent of Act.

This Act shall extend to Scotland only.

*Changes to legislation: There are currently no known outstanding effects for the Local Government (Scotland) Act 1894. (See end of Document for details)*

**PARTS I—III**

**3—22.** ..... <sup>F1</sup>

**Textual Amendments**

**F1** Ss. 3–25 repealed by Local Government (Scotland) Act 1973 (c. 65), Sch. 27 Pt. II para. 21, **Sch. 29**

**PART IV**

**23—** ..... <sup>F2</sup>  
**25.**

**Textual Amendments**

**F2** Ss. 3–25 repealed by Local Government (Scotland) Act 1973 (c. 65), Sch. 27 Pt. II para. 21, **Sch. 29**

**26** ..... <sup>F3</sup>

**Textual Amendments**

**F3** S. 26 repealed by Allotments (Scotland) Act 1922 (c. 52), **Sch. 1**

**27, 28.** ..... <sup>F4</sup>

**Textual Amendments**

**F4** Ss. 27, 28, 30(1)–(5), (7)–(9), 31, 33–35, 37, 39, 41, 49–53, Schs. 2–4 repealed by Local Government (Scotland) Act 1947 (c. 43), s. 381, **Sch. 14**

**29** ..... <sup>F5</sup>

**Textual Amendments**

**F5** S. 29 repealed by Roads (Scotland) Act 1984 (c. 54, SIF 108), s. 156(3), **Sch. 11**

*Changes to legislation: There are currently no known outstanding effects for the Local Government (Scotland) Act 1894. (See end of Document for details)*

## PART V

### PARISH TRUSTS

#### 30 Powers of parish councils over parish charities and churchyards.

(1) ..... F6

(6) The heritors of any parish may transfer the property of any churchyard which they hold to the parish council, and the parish council, if they accept such transfer, shall thereafter hold such churchyard for the same purposes and subject to the same rights for and subject to which it was held by such heritors, and shall have and may exercise and perform all the powers and duties before such transfer vested in or imposed on such heritors in relation to the churchyard transferred (except any power or duty of enlarging or extending such churchyard and assessing for the cost of such enlargement or extension): . . . F7: and provided also that such transfer shall not alter or transfer any liability to assess for the repayment of any debt or the incidence of any assessment levied for such repayment. After such transfer the powers and duties transferred shall no longer be exercised and performed by such heritors.

(7) ..... F6

#### Textual Amendments

F6 Ss. 27, 28, 30(1)–(5), (7)–(9), 31, 33–35, 37, 39, 41, 49–53, Schs. 2–4 repealed by [Local Government \(Scotland\) Act 1947 \(c. 43\)](#), s. 381, [Sch. 14](#)

F7 Words repealed by [National Assistance Act 1948 \(c. 29\)](#), [Sch. 7 Pt. III](#)

#### Modifications etc. (not altering text)

C4 Functions of parish councils with respect to churchyards so far as within small burghs transferred to town councils of the said burghs by [Local Government \(Scotland\) Act 1929 \(c. 25\)](#), s. 1(1)

## PART VI

### SUPPLEMENTAL

31 ..... F8

#### Textual Amendments

F8 Ss. 27, 28, 30(1)–(5), (7)–(9), 31, 33–35, 37, 39, 41, 49–53, Schs. 2–4 repealed by [Local Government \(Scotland\) Act 1947 \(c. 43\)](#), s. 381, [Sch. 14](#)

32 ..... F9

*Changes to legislation: There are currently no known outstanding effects for the Local Government (Scotland) Act 1894. (See end of Document for details)*

**Textual Amendments**

**F9** Ss. 32, 36 repealed by Local Government (Scotland) Act 1929 (c. 25), **Sch. 9**

**33**— ..... **F10**  
**35.**

**Textual Amendments**

**F10** Ss. 27, 28, 30(1)–(5), (7)–(9), 31, 33–35, 37, 39, 41, 49–53, Schs. 2–4 repealed by Local Government (Scotland) Act 1947 (c. 43), s. 381, **Sch. 14**

**36** ..... **F11**

**Textual Amendments**

**F11** Ss. 32, 36 repealed by Local Government (Scotland) Act 1929 (c. 25), **Sch. 9**

**37** ..... **F12**

**Textual Amendments**

**F12** Ss. 27, 28, 30(1)–(5), (7)–(9), 31, 33–35, 37, 39, 41, 49–53, Schs. 2–4 repealed by Local Government (Scotland) Act 1947 (c. 43), s. 381, **Sch. 14**

**38** ..... **F13**

**Textual Amendments**

**F13** S. 38 repealed by Local Government (Scotland) Act 1929 (c. 25), **Sch. 9** and Local Government (Scotland) Act 1947 (c. 43), s. 381, **Sch. 14**

**39** ..... **F14**

**Textual Amendments**

**F14** Ss. 27, 28, 30(1)–(5), (7)–(9), 31, 33–35, 37, 39, 41, 49–53, Schs. 2–4 repealed by Local Government (Scotland) Act 1947 (c. 43), s. 381, **Sch. 14**

**40** ..... **F15**

*Changes to legislation: There are currently no known outstanding effects for the Local Government (Scotland) Act 1894. (See end of Document for details)*

**Textual Amendments**

**F15** S. 40 repealed by Sex Disqualification (Removal) Act 1919 (c. 71), **Sch.** and Local Government (Scotland) Act 1947 (c. 43), s. 381, **Sch. 14**

**41** ..... **F16**

**Textual Amendments**

**F16** Ss. 27, 28, 30(1)–(5), (7)–(9), 31, 33–35, 37, 39, 41, 49–53, Schs. 2–4 repealed by Local Government (Scotland) Act 1947 (c. 43), s. 381, **Sch. 14**

**42**— ..... **F17**  
**48.**

**Textual Amendments**

**F17** Ss. 42–48 repealed by Local Government (Scotland) Act 1973 (c. 65), Sch. 27 para. 22, **Sch. 29**

**49**— ..... **F18**  
**53.**

**Textual Amendments**

**F18** Ss. 27, 28, 30(1)–(5), (7)–(9), 31, 33–35, 37, 39, 41, 49–53, Schs. 2–4 repealed by Local Government (Scotland) Act 1947 (c. 43), s. 381, **Sch. 14**

**54 Definitions.**

Expressions used in this Act have the same meaning, if not inconsistent with the context, as expressions used in the principal Act: Provided that, if not inconsistent with the context—

..... **F19**  
The expression “parish” means a parish quoad civilia which is at the passing of this Act or may hereafter be constituted a separate parish . . . **F20**  
..... **F19**

**Textual Amendments**

**F19** Definitions repealed by Local Government (Scotland) Act 1947 (c. 43), s. 381, **Sch. 14** and Local Government (Scotland) Act 1973 (c. 65), Sch. 27 Pt. II para. 23, **Sch. 29**  
**F20** Words repealed by National Assistance Act 1948 (c. 29), **Sch. 7 Pt. III**

*Changes to legislation: There are currently no known outstanding effects for the Local Government (Scotland) Act 1894. (See end of Document for details)*

**55 Repeal.**

.....<sup>F21</sup> so much of any Act as is inconsistent with  
this Act is. ....<sup>F21</sup> hereby repealed.

**Textual Amendments**

**F21** Words repealed by Statute Law Revision Act 1908 (c. 49)

**PART VII**

**56** .....<sup>F22</sup>

**Textual Amendments**

**F22** S. 56, Sch. 1 repealed by Statute Law Revision Act 1908 (c. 49)

SCHEDULE 1

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*Changes to legislation: There are currently no known outstanding effects for the Local Government (Scotland) Act 1894. (See end of Document for details)*

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<sup>F23</sup><sub>F23</sub> SCHEDULE 1

**Textual Amendments**

**F23** S. 56, Sch. 1 repealed by Statute Law Revision Act 1908 (c. 49)

.....  
F23

<sup>F24</sup><sub>F24</sub> SCHEDULE 2—4

**Textual Amendments**

**F24** Ss. 27, 28, 30(1)–(5), (7)–(9), 31, 33–35, 37, 39, 41, 49–53, Schs. 2–4 repealed by Local Government (Scotland) Act 1947 (c. 43), s. 381, **Sch. 14**

.....  
F24

**Changes to legislation:**

There are currently no known outstanding effects for the Local Government (Scotland) Act 1894.