



Local Government (Scotland) Act 1973

1973 CHAPTER 65

PART VI

MISCELLANEOUS POWERS OF LOCAL AUTHORITIES

Buildings, contracts, etc.

78 Power to erect buildings, etc.

- (1) Subject to subsection (2) below and section 94 of this Act, a local authority may, for the purpose of any of their functions or for the benefit or improvement of their area, erect buildings or execute any other works on any land belonging to them or, where they are satisfied that the terms of the lease of land are such as to make it prudent for them to do so, on land leased by them, or convert, alter, enlarge or improve any existing building or other works belonging to them or, where they consider it prudent, any existing building or other works let to them.
- (2) Subsection (1) above shall not of itself authorise a local authority to do anything contrary to the conditions contained in the title to or lease of any such land or building or other works or authorise land held for one purpose to be used for another purpose.

Modifications etc. (not altering text)

- C1 Ss. 78-81 applied (10.10.2005) by [Transport \(Scotland\) Act 2005 \(asp 12\)](#), ss. 4, 54(2), [Sch. 1 para. 16\(1\)\(c\)](#); S.S.I. 2005/454, [art. 2](#), [Sch. 2](#)

79 Provision of offices, etc.

A local authority may acquire or provide and furnish and maintain halls, offices and other buildings, whether within or without the area of the authority, to be used for the purpose of transacting the business of the authority or the business of any other body for which the authority are required or authorised by or under any enactment to provide accommodation, or for the purpose of public meetings or assemblies.

Status: Point in time view as at 01/02/1991.

Changes to legislation: Local Government (Scotland) Act 1973, Cross Heading: Buildings, contracts, etc. is up to date with all changes known to be in force on or before 17 January 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

Modifications etc. (not altering text)

- C2 Ss. 78-81 applied (10.10.2005) by [Transport \(Scotland\) Act 2005 \(asp 12\)](#), ss. 4, 54(2), [Sch. 1 para. 16\(1\)\(c\)](#); S.S.I. 2005/454, [art. 2](#), [Sch. 2](#)
- C3 S. 79 applied (with modifications) (*temp.* from 6.4.1995 until 1.4.1996) by [S.I. 1995/789](#), [art. 2](#), [Sch. para. 3](#)

80 Interpretation of “functions”.

For the purposes of the foregoing provisions of this Part of this Act, the functions of a local authority shall be deemed to include the provision of accommodation for any committee, court or other body which the authority are required or authorised to provide, notwithstanding that the committee, court or body may exercise functions not vested in the authority.

Modifications etc. (not altering text)

- C4 Ss. 78-81 applied (10.10.2005) by [Transport \(Scotland\) Act 2005 \(asp 12\)](#), ss. 4, 54(2), [Sch. 1 para. 16\(1\)\(c\)](#); S.S.I. 2005/454, [art. 2](#), [Sch. 2](#)

81 Contracts of local authorities.

- (1) A local authority may make standing orders with respect to the making of contracts by them or on their behalf.
- (2) A local authority shall make standing orders with respect to the making by them or on their behalf of contracts for the supply of goods or materials or for the execution of works.
- (3) Standing orders made by a local authority with respect to contracts for the supply of goods or materials or for the execution of works shall include provision for securing competition for such contracts and for regulating the manner in which tenders are invited, but may exempt from any such provision contracts for a price below that specified in standing orders and may authorise the authority to exempt any contract from any such provision when the authority are satisfied that the exemption is justified by special circumstances.
- (4) A person entering into a contract with a local authority shall not be bound to inquire whether the standing orders of the authority which apply to the contract have been complied with, and non-compliance with such orders shall not invalidate any contract entered into by or on behalf of the authority.
- (5) In this section the expression “contracts” includes, in relation to the execution of works, arrangements for the execution of those works by persons employed by the local authority.

Modifications etc. (not altering text)

- C5 Ss. 78-81 applied (10.10.2005) by [Transport \(Scotland\) Act 2005 \(asp 12\)](#), ss. 4, 54(2), [Sch. 1 para. 16\(1\)\(c\)](#); S.S.I. 2005/454, [art. 2](#), [Sch. 2](#)
- C6 S. 81 applied (*temp.* from 6.4.1995 until 1.4.1996) by [S.I. 1995/789](#), [art. 2](#), [Sch. para. 3](#)

Status:

Point in time view as at 01/02/1991.

Changes to legislation:

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