

## SCHEDULES

### SCHEDULE 20

Section 161.

#### ARRANGEMENTS FOR DISCHARGE OF SOCIAL WORK FUNCTIONS

- 1 Subject to the provisions of section 161 of this Act and of any other express provision contained in this Act or any Act passed after this Act, a local authority may arrange for the discharge of any of their social work functions by their social work committee, a subcommittee of that committee, an officer of the authority or by any other local authority in Scotland.
- 2 Where by virtue of this Schedule or any other enactment any social work functions of a local authority may be discharged by their social work committee, then, unless the authority otherwise direct, the committee may arrange for the discharge of any of those functions by a sub-committee or an officer of the authority.
- 3 Where by virtue of this Schedule or any other enactment any social work functions of a local authority may be discharged by another local authority, paragraphs 1 and 2 above shall apply in relation to those functions as they apply in relation to the functions of that other authority, except that—
  - (a) the foregoing provision shall have effect subject to the terms of any arrangement relating to the functions ; and
  - (b) that other authority shall not, by virtue of this paragraph, arrange for the discharge of those functions by some other local authority.
- 4 Any arrangement made by a local authority or by a social work committee under this Schedule for the discharge of any functions by a social work committee, sub-committee, officer or local authority shall not prevent the authority or committee by whom the arrangement is made from exercising those functions.
- 5 A local authority may arrange for the discharge of any of their social work functions jointly with one or more other local authorities and, where arrangements are in force for them to do so—
  - (a) they may also arrange for the discharge of those functions by a joint committee of theirs or by an officer of one of them, and paragraph 2 above shall apply in relation to those functions as it applies in relation to the functions of the individual authorities ; and
  - (b) any enactment relating to those functions or the authorities by whom or the areas in respect of which they are to be discharged shall have effect subject to all necessary modifications in its application in relation to those functions and the authorities by whom and the areas in respect of which (whether in pursuance of the arrangements or otherwise) they are to be discharged.
- 6 For the purpose of discharging any functions of a local authority in pursuance of arrangements made under paragraph 5 above, a local authority may jointly with one or more other local authorities appoint a joint committee.
- 7 For the purpose of discharging any functions of a local authority in pursuance of arrangements made under this Schedule, a social work committee or any joint

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*Status: This is the original version (as it was originally enacted).*

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committee appointed under paragraph 6 above may appoint one or more sub-committees.

8 Subject to the provisions of this Schedule, the number of members of a joint committee or sub-committee appointed thereunder, their term of office, and the area (if restricted) within which such a joint committee or sub-committee are to exercise their authority, shall be fixed by the appointing authorities or, as the case may be, by the appointing committee.

9 A joint committee appointed under paragraph 6 above and a sub-committee appointed under paragraph 7 above, may, subject to the provisions of section 59 of this Act, include persons who are not members of the appointing authorities or, in the case of a subcommittee, of the authority or authorities of whom they are a sub-committee.

10 At least two-thirds of the members appointed to a joint committee appointed under paragraph 6 above shall be members of the appointing authorities.

11 Every member of a joint committee appointed under this Schedule who at the time of his appointment was a member of one of the appointing authorities shall, upon ceasing to be a member of that authority, also cease to be a member of the joint committee and of any sub-committee thereof ; but for the purpose of this paragraph a member of an authority shall not be deemed to have ceased to be a member thereof by reason of retirement if he has been re-elected a member thereof not later than the day of his retirement.