

## SCHEDULES

### SCHEDULE 9

#### AMENDMENTS WITH RESPECT TO FINANCE

##### *The Local Government (Scotland) Act 1947*

- 1 In section 195, after the words " this Act" there shall be inserted the words " or Part  
VII of the Local Government (Scotland) Act 1973. "
- 2 In section 216—
- (a) for the words from " as early " to " July " there shall be substituted the words " by such date as may be prescribed ";
  - (b) for the words from " as the authorities " to " determine " there shall be substituted the words " as may be prescribed ";
  - (c) at the end there shall be inserted the following words:—  
“In this section—
    - (a) references to a joint committee or joint board shall be construed as references to a joint committee or joint board all the members of which, other than ex officio members, are appointed by one or more local authorities ;
    - (b) ' prescribed ' means prescribed by regulations made by the Secretary of State under section 111 of the Local Government (Scotland) Act 1973.”
- 3 In section 221, the words " corresponding to or as nearly as may be to the year " shall cease to have effect.
- 4 In section 223, the proviso shall cease to have effect.
- 5 In section 229—
- (a) subsection (2) shall cease to have effect;
  - (b) in subsection (3), the words "or of the provisions of any local Act" and the words from " and the provisions " to the end shall cease to have effect.
- 6 In section 231, the words "and save as otherwise provided in any local Act", the words "the office of the collector of the authority or at" and the word " other " shall cease to have effect.
- 7 In section 232, in subsection (1), in the proviso, paragraph (c) shall cease to have effect.
- 8 In section 234, the words from " made up under" to the end shall cease to have effect.
- 9 In section 237—
- (a) subsection (2)(f) shall cease to have effect;
  - (b) for subsection (3) there shall be substituted the following subsection:—

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“(3) A demand note shall be in such form, and shall contain such information in addition to the information required by subsection (2) above, as may be prescribed by regulations made by the Secretary of State under section 111 of the Local Government (Scotland) Act 1973”.

- 10        In section 238, subsection (4) shall cease to have effect.
- 11        In section 243, in subsection (1), the words " in a local Act or " shall cease to have effect.
- 12        In section 252, the words from " whether such expenses " to " county council" shall cease to have effect.
- 13        In section 258, in subsection (1)—
- (a) for paragraph (d) there shall be substituted the following paragraph:—
- “(d) in the case of a local authority being the council of a region, for the purpose of lending to the council of any district which falls within that region any money which that district council are authorised to borrow ;”;
- (b) paragraph (e) shall cease to have effect;
- (c) in paragraph (g), the words from the beginning to "town council" shall cease to have effect;
- (d) after paragraph (g) there shall be inserted the following paragraphs:—
- “(ga) for the purpose of lending to any community council established for their area or any part thereof under Part IV of the Local Government (Scotland) Act 1973 ;
- (gb) for the purpose of lending to any harbour authority within the meaning of section 57(1) of the Harbours Act 1964 for a harbour situated wholly or partly within their area any money which the harbour authority are authorised to borrow ; and”.
- 14        In section 258, in subsection (2), for the words " in respect of sums requisitioned from that authority by another authority " there shall be substituted the words " to another authority on account of rates ".
- 15        In section 258, in subsection (3), for the words " the Minister concerned is" there shall be substituted the words " they are " ; and the words from " and gives" to the end shall cease to have effect.
- 16        In section 259—
- (a) in subsection (1), paragraph (a) shall cease to have effect and in the proviso, for the words "paragraphs (a) and" there shall be substituted the word " paragraph ";
- (b) subsections (2) and (3) shall cease to have effect.
- 17        In section 260—
- (a) in subsection (1), in paragraph (e), the words " in the case of a county council or town council" shall cease to have effect;
- (b) subsection (2) shall cease to have effect.
- 18        In section 261—
- (a) in subsection (1), for the words " county council or a town council" there shall be substituted the words " local authority " ; the words " on or after the

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- sixteenth day of May nineteen hundred and thirty and by a district council after the commencement of this Act" shall cease to have effect; for the words " of the council" there shall be substituted the words " of the authority " ; the words from " and all money" to " pari passu" shall cease to have effect; for the words " a council" there shall be substituted the words " a local authority " ; and for the words " which the council" there shall be substituted the words " which the authority ";
- (b) in subsection (3), for the words " town council of a burgh " there shall be substituted the words " council of an islands area or district " ; and for the words " the burgh" there shall be substituted the words " the islands area or district ";
- (c) in subsection (5), for the words " section seventy-one of, or the Fourth Schedule to, the Housing (Scotland) Act 1925 " there shall be substituted the words " section 165 of, or Schedule 7 to, the Housing (Scotland) Act 1966 ".
- 19 In section 262, in subsection (1), in paragraph (b) of the proviso, for the words " paragraph (d), (e), (f) or (g)" there shall be substituted the words " paragraph (d), (f), (g), (ga) or (gb) " and the words from " in order " to " relates " and the words from " in accordance " onwards shall cease to have effect.
- 20 In section 263, in subsection (1), for the words " county council or a town council" there shall be substituted the words " local authority " ; the words " or under a local Act" shall cease to have effect; and for the words " the council", in both places where they occur, there shall be substituted the words " the authority ".
- 21 In section 264, subsection (4) shall cease to have effect.
- 22 In section 265, in subsection (5), the words " with the sanction of the Secretary of State " shall cease to have effect.
- 23 In section 266—
- (a) in subsection (1), the words from " and if it appears " to the end shall cease to have effect;
- (b) in subsection (3), the words " with the consent of the Secretary of State " shall cease to have effect;
- (c) in subsection (4), the words " subject to obtaining the consent of the Secretary of State " and the words " with the like consent" shall cease to have effect.
- 24 In section 268, in subsection (2), the words from " Where the treasurer " to the end shall cease to have effect.
- 25 In section 269—
- (a) in subsections (1) to (3), for the words " county council or a town council " and " county council or town council", wherever they occur, there shall be substituted the words " local authority " ; and for the words " the council", wherever they occur, there shall be substituted the words " the authority ";
- (b) in subsection (1), in the proviso, paragraph (a) shall cease to have effect.
- 26 In section 271, in subsection (1), the words from " by a county council" to " section " shall cease to have effect and subsection (2) shall cease to have effect.
- 27 In section 272, for the words " county council or town council" there shall be substituted the words " local authority ".
- 28 In section 273—

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- (a) in subsections (1) to (3), for the words "county council or town council" there shall be substituted the words " local authority ";
  - (b) in subsection (1), for the words " the council " there shall be substituted the words " the authority ".
- 29 In section 274, for the words " county council or a town council" there shall be substituted the words " local authority " ; for the words " the council" there shall be substituted the words " the authority " ; and the proviso shall cease to have effect.
- 30 In section 275—
- (a) in subsection (1), for the words from "county council" to " that effect" there shall be substituted the words " local authority shall, as from 16th May 1975, " ; and for the words " the council" there shall be substituted the words " the authority ";
  - (b) in subsection (2), for the word "council" there shall be substituted the word " authority ";
  - (c) subsection (3) shall cease to have effect;
  - (d) in subsection (4), for the words " town council of a burgh " there shall be substituted the words " council of an islands area or district " ; and for the words " the burgh " there shall be substituted the words " the islands area or district ".
- 31 In section 279—
- (a) the words "with consent of the Secretary of State" shall cease to have effect;
  - (b) in the proviso, in paragraph (i), the words from " shall require " to " fund or " shall cease to have effect;
  - (c) in the proviso, paragraph (ii) shall cease to have effect.
- 32 In section 292, for the words " county council or a town council" there shall be substituted the words " local authority " ; for the words " the council" there shall be substituted the words " the authority " ; and for the words " Housing (Scotland) Acts, 1925 to 1946 " there shall be substituted the words " Housing (Scotland) Acts 1966 to 1972 ".
- 33 In section 295, for the words " town council of a burgh " there shall be substituted the words " council of an islands area or district ".
- 34 In section 379, in subsection (1)—
- (a) in the definition of " security " , for the words " a burgh " there shall be substituted the words " an islands area or district ";
  - (b) in the definition of " statutory borrowing power", for the words " town council of a burgh " there shall be substituted the words " council of an islands area or district ".
- 35 In Schedule 7, in Form (1)—
- (a) in Note (1), for the words " a burgh " there shall be substituted the words " an islands area or district " ; and the words " of the burgh " shall cease to have effect;
  - (b) in Note (2), the word " district" shall cease to have effect;
  - (c) Note (3) shall cease to have effect.
- 36 In Schedule 8—
- (a) in the title, for the words " COUNTY COUNCIL OR TOWN COUNCIL " there shall be substituted the words " LOCAL AUTHORITY " ;

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- (b) in rule 1, for the definition of " appointed day " there shall be substituted the following definition :—
  - “ appointed day ' means 16th May 1975”;
- (c) in rule 1, for the definition of " council" there shall be substituted the following definition:—
  - “ council ' means a regional, islands or district council”;
- (d) in rule 18, in paragraph (4), in the proviso, for the words "Housing (Scotland) Acts, 1925 to 1946" there shall be substituted the words " Housing (Scotland) Acts 1966 to 1972 ";
- (e) in rule 20, for the words from " and the auditor " to the end there shall be substituted the words " and shall be audited in accordance with Part VII of the Local Government (Scotland) Act 1973 ".