



Local Government (Scotland) Act 1973

1973 CHAPTER 65

PART VI

MISCELLANEOUS POWERS OF LOCAL AUTHORITIES

Miscellaneous

[^{F1}90 Powers of local authority to carry on tourism-related activities.

- (1) A local authority may—
 - (a) provide, or encourage any other person to provide, facilities for leisure, conferences, trade fairs and exhibitions or improve, or encourage any other person to improve, any existing facilities for those purposes;
 - (b) promote, by advertisement or otherwise, facilities provided by that local authority (whether such facilities are owned by the authority or otherwise);
 - (c) organise, or assist others in the organisation of, and promote, by advertisement or otherwise, conferences, trade fairs and exhibitions;
 - (d) ^{F2}
- (2) Subject to subsection (3) below, a local authority shall not have power to—
 - (a) encourage persons, by advertisement or otherwise (and whether inside or outside the United Kingdom)—
 - (i) to visit their area for purposes relating to leisure; or
 - (ii) to hold conferences, trade fairs or exhibitions within their area;
 - (b) provide information about accommodation and facilities and services relating to leisure in their area or provide a booking service for such accommodation, to persons visiting their area;
 - (c) carry on such other activities relating to those mentioned in paragraphs (a) and (b) above as the Secretary of State may by regulations specify.
- (3) A local authority shall have power to do any of the things mentioned in paragraphs (a) to (c) of subsection (2) above—

Changes to legislation: Local Government (Scotland) Act 1973, Section 90 is up to date with all changes known to be in force on or before 26 April 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) View outstanding changes

- (a) in so far as it is necessary to do any of those things for the purposes of carrying on the activities mentioned in paragraphs (a) and (b) of subsection (1) above; or
 - (b) where the Secretary of State has given his prior consent (subject to such conditions as he considers necessary or expedient) in writing.
- (4) A local authority shall not, for the purposes of carrying on activities relating to tourism other than—
- (a) those such as are mentioned in paragraphs (a) to [^{F3}(c)] of subsection (1) above; or
 - (b) by virtue of subsection (3) above, those such as are mentioned in subsection (2) above,
- form, acquire or join with any person or body corporate.
- (5) Without prejudice to subsection (1) above, a local authority may contribute towards expenses incurred by any person—
- (a) doing anything mentioned in paragraph (a) of that subsection; or
 - (b) organising and holding a conference, trade fair or exhibition.
- (6) A local authority may appoint officers for the purposes of enabling the authority to carry out any of their powers under this section; and section 65 of this Act shall apply in relation to any officers appointed under this subsection subject to the following [^{F4}modification]—
- (a) ^{F5}
 - (b) in subsection (2), the words from “but” to the end shall be omitted.
- (7) A statutory instrument containing regulations under subsection (2)(c) above shall be subject to annulment in pursuance of a resolution of either House of Parliament.
- (8) ^{F6}]

Textual Amendments

- F1** S. 90 substituted (1.4.1996) by 1994 c. 39, s. 176; S.I. 1995/2866, art. 3(b)
- F2** S. 90(1)(d) repealed (1.4.2007) by Tourist Boards (Scotland) Act 2006 (asp 15), ss. 4, 5(1), Sch. 2 para. 2(a); S.S.I 2007/47, {art. 2}
- F3** Word in s. 90(4) substituted (1.4.2007) by Tourist Boards (Scotland) Act 2006 (asp 15), ss. 4, 5(1), Sch. 2 para. 2(b); S.S.I 2007/47, {art. 2}
- F4** Word in s. 90(6) substituted (1.4.2007) by Tourist Boards (Scotland) Act 2006 (asp 15), ss. 4, 5(1), Sch. 2 para. 2(c)(i); S.S.I 2007/47, {art. 2}
- F5** S. 90(6)(a) and word repealed (1.4.2007) by Tourist Boards (Scotland) Act 2006 (asp 15), ss. 4, 5(1), Sch. 2 para. 2(c)(ii); S.S.I 2007/47, {art. 2}
- F6** S. 90(8) repealed (1.4.2007) by Tourist Boards (Scotland) Act 2006 (asp 15), ss. 4, 5(1), Sch. 2 para. 2(d); S.S.I 2007/47, {art. 2}

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- Sch. 7 para. 7(3) inserted by [1989 c. 42 Sch. 11 para. 36](#)