

Changes to legislation: There are currently no known outstanding effects for the Local Government (Scotland) Act 1975, Cross Heading: The Local Government (Scotland) Act 1973 (c. 65). (See end of Document for details)

SCHEDULES

SCHEDULE 6

ADAPTATION AND AMENDMENT OF ENACTMENTS

PART II

MINOR AND CONSEQUENTIAL AMENDMENTS

Modifications etc. (not altering text)

- C1** The text of Sch. 6 Pt. II is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and, except as specified, does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

The Local Government (Scotland) Act 1973 (c. 65)

- [^{F1}46 In section 49 (application of sections 45 to 47 to certain bodies)—
- (a) subsection (1)(b) shall cease to have effect ;
 - (b) after subsection (1) there shall be inserted the following subsection:—
“(1A) Sections 45 to 47 to this Act shall apply to any local valuation panel or valuation appeal committee but as if payments referred to in those sections qwere made by the valuation authority.”.]

Textual Amendments

- F1** Sch. 6 Pt. II para. 46 repealed (*prosp.*) by [Local Government and Housing Act 1989 \(c. 42, SIF 81:1\)](#), ss. 194(4), 195(2), [Sch. 12 Pt. II](#)

- 47 In section 94 (capital expenses), after subsection (1) there shall be inserted the following subsection—
“(1A) The giving of approval by a local authoritu as a Passenger Transport Authority to any proposal for expenditure referred to in section 15(1)(c) of the Transport Act 1968 shall be deemed for the purposes of this section to be an incurrinf of liability by the authority to meet capital expenses.”.
- 48 In section 97(6) (Commission for Local Authority Accounts in Scotland), after the words “includes”, “Audit,” and “accountants, and” there shall be inserted respectively the words “ (a) ”, “ (b) ” and “ (c) ”.
- 49 In section 113 (persons eligible for rate rebates)—
(a) for paragraph (b) of subsection (1) there shall be substituted the following paragraph—

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“(b) a person who is the occupier of lands and heritages which are not a dwelling-house, but who resides or is usually resident in a part of the lands and heritages which is used for the purposes of a private dwelling and has at the relevant date a rateable value which does not exceed any limit prescribed ;” ;

- (b) subsection (3) shall cease to have effect ;
- (c) in subsection (4) for the word “paragraph” there shall be substituted the words “ paragraphs (b) and ” and at the end the shall be added the words “ ; but indetermining any such question the sheriff shall have regard to any apportionment shown in the valuation roll ”.

50 In section 125 (school and college councils), after subsection (3) there shall be inserted the following subsections—

“(3A) Notwithstanding any rule of law, a person in minority shall be eligible to be appointed as a member of a scholl or college council.

(3B) Without prejudice to the entitlement of a member of a scholl or college council who is also a member of a body to which sections 45 and 46 of this Act apply to receive allowances under those sections, an eduction authority may pay to any member of such a council—

- (a) in respect of his attendance at a meeting of the council, or
- (b) in rspect of the doing by him of anything approved by the authority, or anything of a class so approved, for the purpose of, or inconnection with, the discharge of functions of the council,

such allowances, in the nature of those payable under those section, other than subsection (1) of the said section 45, as they think fit, being payments of such reasonable amounts as they may determine in any particular case or class of case and not exceeding the amounts prescribed under subsection (4) of the said section 45 and specified under the said section 46 for the corresponding allowances under those sections.”.

51 In section 183(1) (directions relating to specialist advice), for paragraphs (b) and (c) there shall be substituted the following paragraph—

“(b) under sections 262 and 262A of that Act (designation of, and control of demolition in, conservation areas)”.

52 In section 194 (execution of deeds by local authority and use of seal), in subsection (1), for the words “this Act” there shall be substituted the words “ any enactment ”.

F253

Textual Amendments
F2 Sch. 6 Pt. II para. 53 repealed (1.4.1996) by 1994 c. 39, s. 180(2), Sch. 14 (with s. 128(2)); S.I. 1996/323, art. 4(1)(d), Sch. 2

54 In Schedule 7 (meetings and proceedings of local authorities)—

- (a) in paragraph 2(4) after the words “a council” there shall be inserted the words “ and any other business brought before that meeting as a matter of urgency in accordance with the council’s standing orders ” ;

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- (b) in paragraph 5(1) after the word “Act” there shall be inserted the words “and to any provisions of standing orders relating to the suspension of such orders”;
 - (c) in paragraph 5(2) after the word “appointment” there shall be inserted the words “of a member of the council”.
- 55 In Schedule 14 (amendment of enactments relating to roads), paragraphs 55 and 56 shall cease to have effect.
- 56 In Schedule 17 (amendment of enactments relating to water)—
- (a) for paragraph 1 there shall be substituted the following paragraph—
 - “1 (1) Notwithstanding any other provision of this Act or an order made thereunder, any reference in any enactment, order, scheme, regulations, award or byelaws passed or made before the coming into force of this Act—
 - (a) in unspecified terms to a regional water board or the region of such a board (or any expression construed as such a reference by virtue of paragraph 2 of Schedule 2 to the Water (Scotland) Act 1967) or to a constituent board shall be construed respectively as a reference to a water authority or to the limits of supply of such an authority or to a constituent water authority;
 - (b) to a particular regional water board or the region of such a board (or any expression construed as aforesaid) shall be construed respectively as a reference to the water authority responsible for the water undertaking to which the enactment relates or to the limits of supply of such an authority.
 - (2) If there is any doubt as to the identity of the water authority referred to in sub-paragraph (1)(b) above, that authority shall be taken to be such authority as may be specified in a direction given by the Secretary of State.”;
 - (b) F3

Textual Amendments

F3 Sch. 6 Pt. II paras. 10, 15, 16, 39 and 56(b) repealed by [Water \(Scotland\) Act 1980 \(c. 45, SIF 130\)](#), [Sch. 11](#)

- 57 In Schedule 23 (amendment of enactments relating to planning), in paragraph 2(b) for the words from “a general” to the end there shall be substituted the words “an islands or district council”.
- 58 In Schedule 29 (repeals), the entry relating to the Acquisition of Land (Authorisation Procedure) (Scotland) Act 1947 shall cease to have effect and paragraph 9 of Schedule 1 to that Act is hereby revived, and in column 3 of the entry relating to the Local Government (Scotland) Act 1966 for the words “30, subsections (3) and (4). Sections 31 and” there shall be substituted the words “30(4) the words from “section 149” to “Act)”. Section ”.

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