SCHEDULES

SCHEDULE 2 S

Section 25.

RELAXATION OF CONTROLS OVER LOCAL AND OTHER AUTHORITIES

The Burial Grounds (Scotland) Act 1855 (c. 68)

In section 24 (fixing of payments for interments in burial ground) the words ", subject to the approval of the sheriff of the county," and the words from "; and a table" to the end shall cease to have effect.

Modifications etc. (not altering text)

C1 The text of ss. 1, 5–8, 11, 12, 16, 24–28, 33, 36, 37(1)(2)(3)(4), 38(1), 40, 41, Sch. 1 (a)(b)(c)(i)(ii) (iii)(d)(i)(ii)(e), Sch. 2 paras. 1–10, 12–14, 16–25, 27–34, 37–42, Sch. 3 paras. 2–7, 12–20, 22–24, 26, 28, 32, 33, 34, 36, 37, 38, 39 and Sch. 4 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991

The Public Health (Scotland) Act 1897 (c. 38)

^{F1}2

Textual Amendments

F1 Words in Sch. 4 repealed (1.10.2009) by Public Health etc. (Scotland) Act 2008 (asp 5), s. 128(2), Sch. 3 Pt. 1 (with s. 127); S.S.I. 2009/319, art. 2(a), Sch. 1

The Cremation Act 1902 (c. 8)

In section 9 (fees for cremation) the words "any such" and the words "as may be authorised by any table approved by the Local Government Board," shall cease to have effect.

Modifications etc. (not altering text)

C2 The text of ss. 1, 5–8, 11, 12, 16, 24–28, 33, 36, 37(1)(2)(3)(4), 38(1), 40, 41, Sch. 1 (a)(b)(c)(i)(ii) (iii)(d)(i)(ii)(e), Sch. 2 paras. 1–10, 12–14, 16–25, 27–34, 37–42, Sch. 3 paras. 2–7, 12–20, 22–24, 26, 28, 32, 33, 34, 36, 37, 38, 39 and Sch. 4 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991



The Acquisition of Land (Authorisation Procedure) (Scotland) Act 1947 (c. 42)

Sch. 2 para. 5 repealed (1.9.2009) by Licensing (Scotland) Act 2005 (asp 16), s. 150(2), Sch. 7 (with

- For sub-paragraph (4) of paragraph 19 of Schedule 1 (control of confirming Minister over use of procedure for serving documents where name or address of person to be served unknown) there shall be substituted the following sub-paragraph—
 - "(4) Where the maker of the order in connection with which the document is to be served is satisfied, after reasonable inquiry, that it is not practicable to ascertain (either or both)—
 - (a) the name;
 - (b) the address,

of a person to be served, the document shall be taken to be duly served if, being addressed to that person either by name or by the description of "the owner", "the lessee" or "the occupier" of the land (describing it) to which the order relates, as the case may be, and being plainly identifiable as a document of importance, it is delivered to some person on the land, or, if there is no such person thereon to whom iy may be delivered, it (or a copy of it) is affixed to some conspicuous part of the land.".

Modifications etc. (not altering text)

7

s. 143); S.S.I. 2007/472, art. 3

C3 The text of ss. 1, 5–8, 11, 12, 16, 24–28, 33, 36, 37(1)(2)(3)(4), 38(1), 40, 41, Sch. 1 (a)(b)(c)(i)(ii) (iii)(d)(i)(ii)(e), Sch. 2 paras. 1–10, 12–14, 16–25, 27–34, 37–42, Sch. 3 paras. 2–7, 12–20, 22–24, 26, 28, 32, 33, 34, 36, 37, 38, 39 and Sch. 4 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991

The Highways (Provision of Cattle-Grids) Act 1950 (c. 24)

Section 11 (regulations as to construction of cattle-grids) shall cease to have effect.

Modifications etc. (not altering text)

C4 The text of ss. 1, 5–8, 11, 12, 16, 24–28, 33, 36, 37(1)(2)(3)(4), 38(1), 40, 41, Sch. 1 (a)(b)(c)(i)(ii) (iii)(d)(i)(ii)(e), Sch. 2 paras. 1–10, 12–14, 16–25, 27–34, 37–42, Sch. 3 paras. 2–7, 12–20, 22–24, 26, 28, 32, 33, 34, 36, 37, 38, 39 and Sch. 4 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991

The Food and Drugs (Scotland) Act 1956 (c. 30)

Section 35(2) (transmission to the Secretary of State of public analyst's quarterly reports) shall cease to have effect.

Modifications etc. (not altering text)

C5 The text of ss. 1, 5–8, 11, 12, 16, 24–28, 33, 36, 37(1)(2)(3)(4), 38(1), 40, 41, Sch. 1 (a)(b)(c)(i)(ii) (iii)(d)(i)(ii)(e), Sch. 2 paras. 1–10, 12–14, 16–25, 27–34, 37–42, Sch. 3 paras. 2–7, 12–20, 22–24, 26, 28, 32, 33, 34, 36, 37, 38, 39 and Sch. 4 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991

The Town and Contry Planning (Scotland) Act 1959 (c. 70)

- After subsection (2) of section 24 (requirement of consent of Secretary of State etc. to certain appropriations of land by local and other authorities) there shall be inserted the following subsection—
 - "(2A) Before exercising any power of appropriation in relation to land which consists, or forms part, of a common or of an open space (not being land which is held for use as allotments) an authority to whom this Part of this Act applies—
 - (a) shall, for at least two consecutive weeks in a newspaper circulating in their area, publish a notice of the proposed appropriation; and
 - (b) shall consider any objections to that appropriation which may be made to them.".

Modifications etc. (not altering text)

- C6 The text of ss. 1, 5–8, 11, 12, 16, 24–28, 33, 36, 37(1)(2)(3)(4), 38(1), 40, 41, Sch. 1 (a)(b)(c)(i)(ii) (iii)(d)(i)(ii)(e), Sch. 2 paras. 1–10, 12–14, 16–25, 27–34, 37–42, Sch. 3 paras. 2–7, 12–20, 22–24, 26, 28, 32, 33, 34, 36, 37, 38, 39 and Sch. 4 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991
- After subsection (2) of section 27 (requirement of consent of Secretary of State etc. to certain disposals of land by local and other authorities) there shall be inserted the following subsection—
 - "(2A) Before disposing of any land which consists, or forms part, of a common or of an open space (not being land which is held for use as allotments) an authority to whom this Part of this Act applies—

- (a) shall, for at least two consecutive weeks in a newspaper circulating in their area, publish a notice of the proposed disposal; and
- (b) shall consider any objections to that disposal which may be made to them.".

Modifications etc. (not altering text)

C7 The text of ss. 1, 5–8, 11, 12, 16, 24–28, 33, 36, 37(1)(2)(3)(4), 38(1), 40, 41, Sch. 1 (a)(b)(c)(i)(ii) (iii)(d)(i)(ii)(e), Sch. 2 paras. 1–10, 12–14, 16–25, 27–34, 37–42, Sch. 3 paras. 2–7, 12–20, 22–24, 26, 28, 32, 33, 34, 36, 37, 38, 39 and Sch. 4 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991

11 F4

Textual Amendments

F4 Ss. 21(1)(2), 22, 23, 34, 35, Sch. 2 paras. 11, 15, 35, 36, Sch. 3 paras. 8, 9, 10, 29–31 and 40–46 repealed by Housing (Scotland) Act 1987 (c. 26, SIF 61), ss. 335, 339(3), **Sch. 24**

The Police (Scotland) Act 1967 (c. 77)

In section 2(2) (pay, allowances and reimbursement of expenses) the words ", being expenses of a kind approved either generally or in particular cases by the Secretary of State" shall cease to have effect.

Modifications etc. (not altering text)

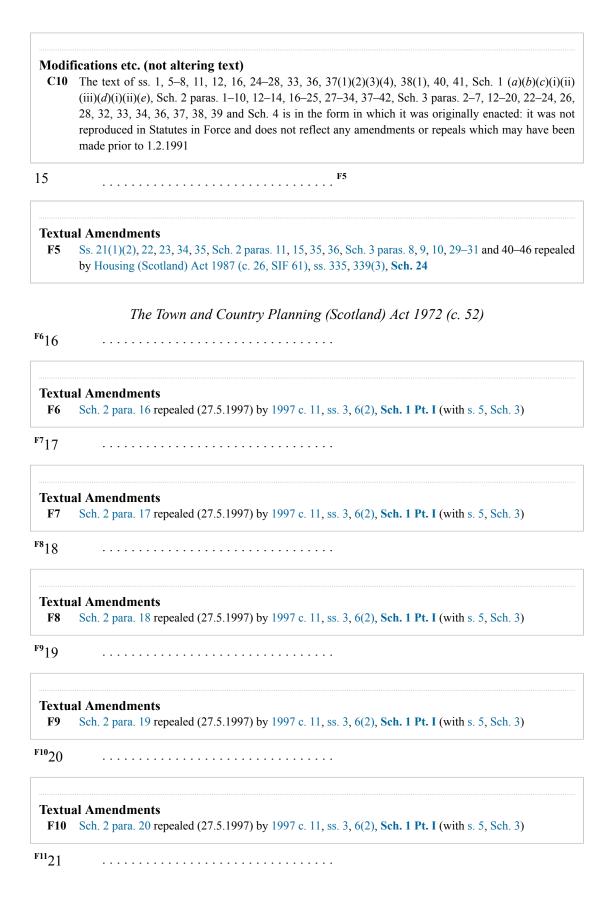
- C8 The text of ss. 1, 5–8, 11, 12, 16, 24–28, 33, 36, 37(1)(2)(3)(4), 38(1), 40, 41, Sch. 1 (a)(b)(c)(i)(ii) (iii)(d)(i)(ii)(e), Sch. 2 paras. 1–10, 12–14, 16–25, 27–34, 37–42, Sch. 3 paras. 2–7, 12–20, 22–24, 26, 28, 32, 33, 34, 36, 37, 38, 39 and Sch. 4 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991
- Section 46(2) (restriction on aggregate amount of rewards) shall cease to have effect.

Modifications etc. (not altering text)

C9 The text of ss. 1, 5–8, 11, 12, 16, 24–28, 33, 36, 37(1)(2)(3)(4), 38(1), 40, 41, Sch. 1 (a)(b)(c)(i)(ii) (iii)(d)(i)(ii)(e), Sch. 2 paras. 1–10, 12–14, 16–25, 27–34, 37–42, Sch. 3 paras. 2–7, 12–20, 22–24, 26, 28, 32, 33, 34, 36, 37, 38, 39 and Sch. 4 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991

The Social Work (Scotland) Act 1968 (c. 49)

Subsections (3) and (4) of section 3 (Secretary of State's involvement in appointment of any director of social work) shall cease to have effect.



Textua	l Amendments
F11	Sch. 2 para. 21 repealed (27.5.1997) by 1997 c. 11, ss. 3, 6(2), Sch. 1 Pt. I (with s. 5, Sch. 3)
	50th. 2 para. 21 repeated (27.3.17)77 by 1777 c. 11, 33. 3, 5(2), 5ch. 1 1 t. 1 (with 3. 3, 50h. 3)
F1200	
F1222	
Textua	l Amendments
F12	Sch. 2 para. 22 repealed (27.5.1997) by 1997 c. 11, ss. 3, 6(2), Sch. 1 Pt. I (with s. 5, Sch. 3)
F1323	
23	
Textua	l Amendments
F13	Sch. 2 para. 23 repealed (27.5.1997) by 1997 c. 11, ss. 3, 6(2), Sch. 1 Pt. I (with s. 5, Sch. 3)
F1424	
2 4	
Textua	l Amendments
F14	Sch. 2 para. 24 repealed (27.5.1997) by 1997 c. 11, ss. 3, 6(2), Sch. 1 Pt. I (with s. 5, Sch. 3)
F1525	
	l Amendments
F15	Sch. 2 para. 25 repealed (27.5.1997) by 1997 c. 11, ss. 3, 6(2), Sch. 1 Pt. I (with s. 5, Sch. 3)
26	F16
T4	1 1
	l Amendments
F16	Sch. 2 para. 26, Sch. 3 para. 21 repealed by Roads (Scotland) Act 1984 (c. 54, SIF 108), s. 156(3), Sch. 11
F1727	
Toutus	l Amendments
F17	Sch. 2 para. 27 repealed (27.5.1997) by 1997 c. 11, ss. 3, 6(2), Sch. 1 Pt. I (with s. 5, Sch. 3)
P40	
F1828	
Toytus	l Amendments
F18	Sch. 2 para. 28 repealed (27.5.1997) by 1997 c. 11, ss. 3, 6(2), Sch. 1 Pt. I (with s. 5, Sch. 3)

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

In subsection (6) of section 3 (titles of chairmen of councils), for the words from "the chairman", where they occur for the second time, to the end there shall be substituted the words "and the chairman of each other regional, islands or district council shall be known by such title as that council may decide.".

Modifications etc. (not altering text)

- C11 The text of ss. 1, 5–8, 11, 12, 16, 24–28, 33, 36, 37(1)(2)(3)(4), 38(1), 40, 41, Sch. 1 (a)(b)(c)(i)(ii) (iii)(d)(i)(ii)(e), Sch. 2 paras. 1–10, 12–14, 16–25, 27–34, 37–42, Sch. 3 paras. 2–7, 12–20, 22–24, 26, 28, 32, 33, 34, 36, 37, 38, 39 and Sch. 4 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991
- 30 (1) In section 23 (change of name of region, islands area or district)
 - (a) in subsection (1)—
 - (i) the words "Subject to subsection (4) below," shall cease to have effect; and
 - (ii) for the words "a majority of the whole number of the members of the council" there shall be substituted the words "not less than twothirds of the members voting thereon"; and
 - (b) subsection (4) shall cease to have effect.
 - (2) Sub-paragraph (1) above and, in so far as relating to section 23, Schedule 4 to this Act have no effect as regards a case where consent to a change of name has, before the coming into force of this paragraph, ben applied for, for the purposes of the said subsection (4).

Modifications etc. (not altering text)

- C12 The text of ss. 1, 5–8, 11, 12, 16, 24–28, 33, 36, 37(1)(2)(3)(4), 38(1), 40, 41, Sch. 1 (a)(b)(c)(i)(ii) (iii)(d)(i)(ii)(e), Sch. 2 paras. 1–10, 12–14, 16–25, 27–34, 37–42, Sch. 3 paras. 2–7, 12–20, 22–24, 26, 28, 32, 33, 34, 36, 37, 38, 39 and Sch. 4 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991
- 31 (1) For subsections (2) to (4) of section 53 (amendment of community councils scheme) there shall be substituted the following subsections—
 - "(2) The local authority shall consider any representations made under subsection (1) above and may amend the scheme in accordance with—
 - (a) the notified proposals; or
 - (b) those proposals as amended to take account of any such representations:

Provided that the scheme shall not be amended under paragraph (b) of this subsection unless public notice of the amendments to the proposals has been given with a further invitation to make representations under subsection (1) above.

- (3) A decision of the local authority—
 - (a) to review, under subsection (1) above; or

- (b) to amend, under subsection (2) above, a scheme, shall be by resolution passed by not less than two-thirds of the members voting thereon at a local authority meeting specially convened for the purpose with notice of the object."
- (2) Sub-paragraph (1) above and, in so far as relating to section 53, Schedule 4 to this Act have no effect as regards the operation of section 53 in relation to proposals which, before the coming into force of this paragraph, were submitted to the Secretary of State, under subsection (3) of that section.

Modifications etc. (not altering text)

- C13 The text of ss. 1, 5–8, 11, 12, 16, 24–28, 33, 36, 37(1)(2)(3)(4), 38(1), 40, 41, Sch. 1 (a)(b)(c)(i)(ii) (iii)(d)(i)(ii)(e), Sch. 2 paras. 1–10, 12–14, 16–25, 27–34, 37–42, Sch. 3 paras. 2–7, 12–20, 22–24, 26, 28, 32, 33, 34, 36, 37, 38, 39 and Sch. 4 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991
- Section 54 (default powers of Secretary of State as regards community councils scheme) shall cease to have effect.

Modifications etc. (not altering text)

- C14 The text of ss. 1, 5–8, 11, 12, 16, 24–28, 33, 36, 37(1)(2)(3)(4), 38(1), 40, 41, Sch. 1 (a)(b)(c)(i)(ii) (iii)(d)(i)(ii)(e), Sch. 2 paras. 1–10, 12–14, 16–25, 27–34, 37–42, Sch. 3 paras. 2–7, 12–20, 22–24, 26, 28, 32, 33, 34, 36, 37, 38, 39 and Sch. 4 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991
- In section 73 (local authority's power to appropriate for the purpose of any function land vested in them for the purpose of any other function)—
 - (a) in subsection (2), for the words from "(3)(a)" to "(3)(b)" there shall be substituted the word "(3)"; and
 - (b) in subsection (3), for the words from "—(a)" to "space, or" there shall be substituted the words "land which".

Modifications etc. (not altering text)

- C15 The text of ss. 1, 5–8, 11, 12, 16, 24–28, 33, 36, 37(1)(2)(3)(4), 38(1), 40, 41, Sch. 1 (a)(b)(c)(i)(ii) (iii)(d)(i)(ii)(e), Sch. 2 paras. 1–10, 12–14, 16–25, 27–34, 37–42, Sch. 3 paras. 2–7, 12–20, 22–24, 26, 28, 32, 33, 34, 36, 37, 38, 39 and Sch. 4 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991
- Section 121 (involvement of Treasury in determining rates of interest in relation to certain sums due to local authorities) shall cease to have effect.

Modifications etc. (not altering text)

C16 The text of ss. 1, 5–8, 11, 12, 16, 24–28, 33, 36, 37(1)(2)(3)(4), 38(1), 40, 41, Sch. 1 (a)(b)(c)(i)(ii) (iii)(d)(i)(ii)(e), Sch. 2 paras. 1–10, 12–14, 16–25, 27–34, 37–42, Sch. 3 paras. 2–7, 12–20, 22–24, 26,

28, 32, 33, 34, 36, 37, 38, 39 and Sch. 4 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991

35, 36. F19

Textual Amendments

F19 Ss. 21(1)(2), 22, 23, 34, 35, Sch. 2 paras. 11, 15, 35, 36, Sch. 3 paras. 8, 9, 10, 29–31 and 40–46 repealed by Housing (Scotland) Act 1987 (c. 26, SIF 61), ss. 335, 339(3), **Sch. 24**

The Slaughter of Animals (Scotland) Act 1974 (c. 45)

In section 8(1) (byelaws as to slaughterhouses) the words ", and if required by the Secretary of State" shall cease to have effect.

Modifications etc. (not altering text)

C17 The text of ss. 1, 5–8, 11, 12, 16, 24–28, 33, 36, 37(1)(2)(3)(4), 38(1), 40, 41, Sch. 1 (a)(b)(c)(i)(ii) (iii)(d)(i)(ii)(e), Sch. 2 paras. 1–10, 12–14, 16–25, 27–34, 37–42, Sch. 3 paras. 2–7, 12–20, 22–24, 26, 28, 32, 33, 34, 36, 37, 38, 39 and Sch. 4 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991

The Water (Scotland) Act 1980 (c. 45)

Section 2 (power to require surveys and formulation of proposals) shall cease to have effect.

Modifications etc. (not altering text)

- C18 The text of ss. 1, 5–8, 11, 12, 16, 24–28, 33, 36, 37(1)(2)(3)(4), 38(1), 40, 41, Sch. 1 (a)(b)(c)(i)(ii) (iii)(d)(i)(ii)(e), Sch. 2 paras. 1–10, 12–14, 16–25, 27–34, 37–42, Sch. 3 paras. 2–7, 12–20, 22–24, 26, 28, 32, 33, 34, 36, 37, 38, 39 and Sch. 4 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991
- 39 Section 19 (transfer of part of water undertaking) shall cease to have effect.

Modifications etc. (not altering text)

- C19 The text of ss. 1, 5–8, 11, 12, 16, 24–28, 33, 36, 37(1)(2)(3)(4), 38(1), 40, 41, Sch. 1 (a)(b)(c)(i)(ii) (iii)(d)(i)(ii)(e), Sch. 2 paras. 1–10, 12–14, 16–25, 27–34, 37–42, Sch. 3 paras. 2–7, 12–20, 22–24, 26, 28, 32, 33, 34, 36, 37, 38, 39 and Sch. 4 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991
- In section 58(1) (termination of right to supply water on special terms) the words ", with the approval of the Secretary of State" shall cease to have effect.

Modifications etc. (not altering text)

C20 The text of ss. 1, 5–8, 11, 12, 16, 24–28, 33, 36, 37(1)(2)(3)(4), 38(1), 40, 41, Sch. 1 (a)(b)(c)(i)(ii) (iii)(d)(i)(ii)(e), Sch. 2 paras. 1–10, 12–14, 16–25, 27–34, 37–42, Sch. 3 paras. 2–7, 12–20, 22–24, 26, 28, 32, 33, 34, 36, 37, 38, 39 and Sch. 4 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991

F2041

Textual Amendments

F20 Sch. 2 para. 41 repealed (4.1.1995) by 1994 c. 39, s. 180(2), Sch. 14; S.I. 1994/3150, art. 3(d)(e)(ii)

F2142

Textual Amendments

F21 Sch. 2 para. 42 repealed (4.1.1995) by 1994 c. 39, s. 180(2), Sch. 14; S.I. 1994/3150, art. 3(d)(e)(ii)

Changes to legislation:

There are currently no known outstanding effects for the Local Government (Miscellaneous Provisions) (Scotland) Act 1981, SCHEDULE 2.