

SCHEDULES

SCHEDULE 3

LOCAL GOVERNMENT ADMINISTRATION

Local Government (Scotland) Act 1975 (c. 30)

- 11 Part II of the Local Government (Scotland) Act 1975 (local administration) shall be amended as mentioned in paragraphs 12 to 17 below.
- 12 In section 23 (authorities subject to investigation) in subsection (1) there shall be added at the end—
- “(i) any licensing board within the meaning of the Licensing (Scotland) Act 1976.”
- 13 (1) In section 24 (matters subject to investigation)—
- (a) in subsection (2) after “unless” there shall be inserted “it is made in writing to the Commissioner specifying the action alleged to constitute maladministration or”;
 - (b) in subsection (4) after “unless it was made to” there shall be inserted “the Commissioner or” and for “there are special circumstances which make it proper” there shall be substituted “it is reasonable”;
 - (c) in subsection (9) for “exclude from the provisions of that Schedule” there shall be substituted “add to or exclude from the provisions of that Schedule (as it has effect for the time being)”.
- (2) Sub-paragraph (1)(b) above applies to any complaint made after the coming into force of this Schedule.
- 14 In section 28(7) (reports on investigations) the words “about its publication” shall cease to have effect.
- 15 In section 29 (reports on investigations: further provisions) in subsection (3)—
- (a) in paragraph (a) after “subsection (1)” there shall be inserted “or (2A)”;
 - (b) in paragraph (b) for “referred to in the report” there shall be substituted “to which the report relates”.
- 16 In section 30 (defamation and disclosure) in subsection (1)(c) for “a report available to the public” there shall be substituted “copies of a report available as provided by section 28(4) above”.
- 17 (1) In Schedule 4 (functions of the Commissioner, other than that of making a report, may be performed by an officer) in paragraph 4(3) the words “, other than that of making any report,” shall be omitted.
- (2) This paragraph applies to the making of any report after the coming into force of this Schedule, whether or not the making was begun by the Commissioner before the coming into force.