



# Local Government etc. (Scotland) Act 1994

## 1994 CHAPTER 39

### PART III

#### THE PRINCIPAL REPORTER AND THE SCOTTISH CHILDREN'S REPORTER ADMINISTRATION

##### *General and supplemental*

#### **137 Staff: application of Chapter 2 of Part I.**

- (1) Sections 8 (except subsections (3) and (4)), 9 and 12 of this Act shall apply also in relation to the transfer to the Administration of officers appointed under subsection (1) of section 36 of the 1968 Act and staff provided in pursuance of subsection (6) of that section with the following modifications—
  - (a) references to an existing local authority shall include references to an islands council and references to a new authority shall be construed as references to the Administration; and
  - (b) the reference in section 12(2)(a) to authorities which cease to exist by virtue of Chapter 1 of Part I of this Act shall include a reference to authorities which cease to have functions under section 36(1) and (6) of the 1968 Act.
- (2) Section 10 of this Act shall, with the modification specified in subsection (3) below, apply in relation to persons ceasing to be officers appointed or staff provided as mentioned in subsection (1) above and being subsequently employed by the Administration as it applies in relation to persons ceasing to be employed by an existing local authority and being subsequently employed by another person.
- (3) The modification referred to in subsection (2) above is that references in section 10 of this Act to an existing local authority shall include references to an islands council.
- (4) Section 11 of this Act shall apply also in relation to the remuneration of officers appointed and staff provided as mentioned in subsection (1) above with the following modifications—

*Status: Point in time view as at 06/04/1995.*

*Changes to legislation: There are currently no known outstanding effects for the Local Government etc. (Scotland) Act 1994, Cross Heading: General and supplemental. (See end of Document for details)*

- (a) references to an authority shall be construed as references only to an existing local authority and references to an existing local authority shall include references to an islands council;
  - (b) the reference in subsection (5) to the Secretary of State consulting associations of local authorities and employees of local authorities shall include a reference to the Secretary of State consulting the Administration; and
  - (c) the reference in subsection (7) to an authority not having ceased to exist shall include a reference to an authority not having ceased to have functions under section 36(1) and (6) of the 1968 Act.
- (5) Section 13 of this Act shall apply in relation to officers appointed or staff provided as mentioned in subsection (1) above with the modification that references in that section to an existing local authority shall include references to an islands council.

**Commencement Information**

- II** S. 137 wholly in force at 4.1.1995; s. 137 not in force at Royal Assent see s. 184(2); s. 137(1) in force for specified purposes at 8.11.1994 and in force at 4.1.1995 insofar as already not in force by [S.I. 1994/2850, arts. 2, 3\(a\), Schs. 1, 2](#)

**138 Property etc.: application of Chapter 3 of Part I.**

- (1) Chapter 3 of Part I of this Act shall, with the modifications specified in subsection (2) below, apply in relation to the transfer to the Principal Reporter or the Administration of the property, rights, liabilities and obligations of reporters appointed under section 36(1) of the 1968 Act and such property, rights, liabilities and obligations as a local authority for the purpose of that Act has for the purposes of—
- (a) their functions under section 34(3) of that Act (duty to provide suitable accommodation and facilities for children’s hearings); or
  - (b) providing accommodation and facilities for, or otherwise facilitating or supporting the performance of the functions of, reporters appointed under subsection (1) of section 36 of the 1968 Act or staff provided in pursuance of subsection (6) of that section.
- (2) The modifications referred to in subsection (1) above are as follows—
- (a) references in Chapter 3 of Part I of this Act to existing local authorities shall include references to reporters appointed under section 36(1) of the 1968 Act and to islands councils; and
  - (b) references in that Chapter to new local authorities shall include references to the Principal Reporter and to the Administration.

**Status:**

Point in time view as at 06/04/1995.

**Changes to legislation:**

There are currently no known outstanding effects for the Local Government etc. (Scotland) Act 1994, Cross Heading: General and supplemental.