



Children and Young Persons (Scotland) Act 1937

1937 CHAPTER 37

PART VII

MISCELLANEOUS AND GENERAL

101 Powers, duties and expenses of local authorities, and c

- (1) Expenses incurred by a local authority under Part I of this Act shall be defrayed in like manner as expenditure for the relief of the poor.
- (2) Expenses incurred under this Act by an education authority shall be defrayed in like manner as expenses of the authority under the Education (Scotland) Acts, 1872 to 1936, and expenses incurred under this Act by a poor law authority or by a local authority in their capacity as poor law authority shall be defrayed in like manner as expenditure for the relief of the poor :

Provided that expenses incurred in respect of a child or young person brought to a poorhouse under this Act shall form part of the establishment charges of the poorhouse.

- (3) Expenses incurred under this Act by a police authority shall be defrayed in like manner as expenditure for administration of the police, provided that in any burgh where such expenditure was under the law existing at the passing of the Children Act, 1908, payable in whole or in part out of the burgh general assessment expenses incurred under this Act by the police authority of such burgh or any contribution to such expenses payable by the burgh by virtue of section twenty-one of the Local Government (Scotland) Act, 1929, shall be defrayed out of such rate payable by owners and occupiers in equal proportions as the town council may determine.
- (4) Expenses incurred under this Act by a local authority (other than any expenses referred to in either of the last two foregoing subsections), and any contribution to such expenses payable by a town council by virtue of section twenty-one of the Local Government (Scotland) Act, 1929, shall be defrayed out of such rate payable by owners and occupiers in equal proportions as the council may determine.

Status: This is the original version (as it was originally enacted).

- (5) A local authority or an education authority shall have power to borrow for the purposes of any powers or duties conferred or imposed on them by this Act, and the provisions of section twenty-three of the Local Government (Scotland) Act, 1929, and, in the case of an education authority, of section forty-five of the Education (Scotland) Act, 1872, as amended by any subsequent enactment shall apply to the power hereby conferred.
- (6) A local authority or an education authority shall for the purposes of any powers or duties conferred or imposed on them by this Act have power to acquire, dispose of or otherwise deal with land in like manner as a local authority under the Housing (Scotland) Act, 1925, for the purposes of that Act, and sections fifty and fifty-one of, and the Third Schedule to, the said Act shall apply accordingly with the substitution of the Secretary of State or the Scottish Education Department, as the case may be, for the Board referred to in the said enactments or in any enactment applied by them.
- (7) A local authority, an education authority, a poor law authority or a committee to whom any powers of any such authority under this Act have been delegated, may by resolution empower the clerk or other officer of the authority to exercise in the name of the authority in any case which appears to him to be one of urgency any powers of the authority or, as the case may be, of the committee with respect to the institution of proceedings under this Act.
- (8) A local authority may, with the approval of the Department of Health for Scotland (and so long as that approval is not withdrawn), subscribe to the funds of an association or society for the prevention of cruelty to children.