



# Local Government and Miscellaneous Financial Provisions (Scotland) Act 1958

1958 CHAPTER 64 6 and 7 Eliz 2

## PART III **S**

### MISCELLANEOUS

10, 11. .... <sup>F1</sup> **S**

#### Textual Amendments

**F1** Ss. 10, 11, 22, Sch. 4 paras. 1, 2, 7–9, 12, 13(1)(2), 14, 15, 16(1), 17, Sch. 6 repealed by Statute Law (Repeals) Act 1974 (c. 22), **Sch. Pt. XI**

## 12 Extension of maximum period for repayment of sums borrowed for certain purposes. **S**

- (1) The maximum period for the repayment of sums borrowed by a local authority for the purposes of—
- (a) the Public Libraries Acts,
  - <sup>F2</sup>(b) .....
  - (c) the <sup>M1</sup>Children and Young Persons (Scotland) Act, 1937,
  - (d) section seventy-four of the Act of 1947 (which relates to the provision of halls, offices and other buildings),
  - (e) section one hundred and thirty-two of the <sup>M2</sup>Local Government Act, 1948 (which relates to the provision of entertainments),
  - (f) section twenty-one of the <sup>M3</sup>National Assistance Act, 1948, or
  - (g) section fifteen of the <sup>M4</sup>Children Act, 1948 (which relates to the provision by local authorities of homes for the accommodation of children in their care),

*Changes to legislation:* There are currently no known outstanding effects for the Local Government and Miscellaneous Financial Provisions (Scotland) Act 1958, Part III. (See end of Document for details)

shall be such period not exceeding sixty years as may be sanctioned by the Secretary of State; and accordingly in the Sixth Schedule to the Act of 1947, in the entries relating to the Public Libraries Acts and to the said Act of 1937, for the words “fifty years” there shall be substituted the words “sixty years”<sup>F3</sup> ...; and the following entries shall be added at the end of the said Schedule, that is to say—

“Section seventy-four of the <sup>M5</sup> Local Government (Scotland) Act, 1947.	Such period not exceeding sixty years as may be sanctioned by the Secretary of State.
Section one hundred and thirty-two of the <sup>M6</sup> Local Government Act, 1948.	Such period not exceeding sixty years as may be sanctioned by the Secretary of State.
Section twenty-one of the <sup>M7</sup> National Assistance Act, 1948.	Such period not exceeding sixty years as may be sanctioned by the Secretary of State.
Section fifteen of the <sup>M8</sup> Children Act, 1948.	Such period not exceeding sixty years as may be sanctioned by the Secretary of State.”

- (2) Where a local authority is authorised to borrow money for the purpose of any enactment, any provision (whether in that or another enactment) that any sum so borrowed shall be repaid within a period of fewer than sixty years, or within such period not exceeding fifty-nine or fewer years as the local authority or a Minister may determine, shall be construed as applying only to sums so borrowed for expenditure otherwise than on the acquisition of land; and any sum so borrowed by the local authority for expenditure on the acquisition of land (being a sum to which any such provision as aforesaid would, apart from this subsection, apply) shall be repaid within such period not exceeding sixty years as may be sanctioned by the Secretary of State, or, where the consent of another Minister is required for the borrowing, by that other Minister.
- (3) In this section “local authority” and “Minister” have the same meanings as in the Act of 1947, and references to the acquisition of land do not include references to the acquisition, with any land, of buildings or other works thereon, being buildings or other works required to make the land fit for the purpose for which it is acquired.

#### Textual Amendments

- F2** S. 12(1)(b) repealed (4.4.2019) by [Burial and Cremation \(Scotland\) Act 2016 \(asp 20\)](#), s. 112(2), [sch. 2](#) (with s. 111); [S.S.I. 2018/380](#), [reg. 2](#), [sch.](#) (with [reg. 8](#))
- F3** Words in s. 12(1) repealed (4.4.2019) by [Burial and Cremation \(Scotland\) Act 2016 \(asp 20\)](#), s. 112(2), [sch. 2](#) (with s. 111); [S.S.I. 2018/380](#), [reg. 2](#), [sch.](#) (with [reg. 8](#))

#### Marginal Citations

- M1** 1937 c. 37.  
**M2** 1948 c. 26.  
**M3** 1948 c. 29.  
**M4** 1948 c. 43.  
**M5** 1947 c. 43.  
**M6** 1948 c. 26.

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**M7** 1948 c. 29.

**M8** 1948 c. 43.

### 13 Abolition of certain requirements relating to local government administration. **S**

- (1) For the purpose of abolishing certain requirements relating to local government administration and for making provision consequential thereon the enactments specified in the Fifth Schedule shall have effect subject to the modifications so specified in relation to them respectively.
- (2) This section shall come into operation on the sixteenth day of May, nineteen hundred and fifty-nine.

14 ..... <sup>F4</sup> **S**

#### Textual Amendments

**F4** S. 14 repealed by [Education \(Scotland\) Act 1962 \(c. 47\)](#), s. 147, **Sch. 8**

### 15 Inspection of minutes of certain authorities. **S**

- (1) The minutes of—
  - (a) the proceedings of a local authority,
  - (b) the proceedings of any committee appointed by a local authority so far as such proceedings relate to any of the authority's functions under . . . <sup>F5</sup>, the <sup>M9</sup>Town and Country Planning (Scotland) Act, 1947, or the <sup>M10</sup>National Assistance Act, 1948, and
  - (c) the proceedings of any joint committee or joint board established for the purpose of performing all or any of the functions of two or more local authorities under any of the Acts mentioned in the last foregoing paragraph,
 shall be open to the inspection of any local government elector for the area of the local authority, or, in the case of a joint committee or joint board, the area of any of the local authorities represented on the joint committee or joint board, on payment of a fee not exceeding one shilling, and any such local government elector may make a copy thereof or an extract therefrom.
- (2) In this section “local authority” and “local government elector” have the same meanings as in the Act of 1947.

#### Textual Amendments

**F5** Words repealed by [National Health Service \(Scotland\) Act 1972 \(c. 58\)](#), **Sch. 7 Pt. II**

#### Marginal Citations

**M9** 1947 c. 53.

**M10** 1948 c. 29.

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16 ..... <sup>F6</sup> **S**

**Textual Amendments**

**F6** [S. 16](#) repealed by [Trustee Investments Act 1961 \(c. 62\)](#), [Sch. 5](#)

17 ..... <sup>F7</sup> **S**

**Textual Amendments**

**F7** [S. 17](#) repealed by [Marriage \(Scotland\) Act 1977 \(c. 15, SIF 49:2\)](#), s. 28(2), [Sch. 3](#) (subject to a saving in s. 27(3) in relation to marriages before 1.1.1978)

**Changes to legislation:**

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