



Local Government and Miscellaneous Financial Provisions (Scotland) Act 1958

1958 CHAPTER 64 6 and 7 Eliz 2

PART IV

GENERAL AND SUPPLEMENTARY

18 Transitional adjustments

- (1) For the years to which this section applies, contributions shall be made as hereinafter provided to or by local authorities in respect of the loss or gain accruing to them from the coming into operation of sections one, two, four, six and seven of this Act.
- (2) For the purposes of this section the loss or gain accruing to a local authority as aforesaid shall be ascertained in accordance with regulations made by the Secretary of State, and such regulations shall provide that it shall be ascertained, on such assumptions as may be specified in the regulations, by reference to the estimated rate required to be levied for the year beginning on the sixteenth day of May, nineteen hundred and fifty-seven, to the estimated rate which would have been required to be levied for that year if sections one, two, four, six and seven of this Act had been in force for that year and the previous year, and to the rateable valuation of the area of the local authority estimated as if the said sections had been in force for those years, but with any exceptions or modifications specified in the regulations.
- (3) This section applies to the years beginning on the sixteenth day of May, nineteen hundred and fifty-nine, and the sixteenth day of May, nineteen hundred and sixty, and such subsequent years as may be specified by regulations under this section.
- (4) The amount of the contribution to a local authority for the first year to which this section applies shall be the amount of the loss accruing to the authority as ascertained under this section; for the second year to which this section applies shall be nine-tenths of that loss; and for any subsequent year to which this section applies shall be such fraction of that loss as may be provided in relation to that year by regulations under this section.

- (5) The amount of the contributions for any year by local authorities shall be such as in the aggregate to equal the amount of the contributions for that year to local authorities, and the amount of the contribution by each local authority shall be proportional to the gain accruing to the authority as ascertained under this section.
- (6) Contributions under this section to or by a local authority shall be made by additions to or deductions from the amounts of the general grants which, apart from this section, would be payable to that authority under Part I of this Act.
- (7) Contributions under this section made to or by a local authority shall be disregarded in ascertaining the relevant local expenditure for the area of the authority for the purposes of section five of the Act of 1954.
- (8) Regulations under this section may contain such provisions as may appear to the Secretary of State necessary or expedient for the purposes of this section in consequence of any changes in the boundaries of the area of a local authority, or the formation of any such area.
- (9) Regulations of the Secretary of State under this section may impose on local authorities, joint boards and joint committees requirements to furnish estimates and other information appearing to the Secretary of State necessary for the purposes of this section, including requirements as to the time at which, and form in which, the information is to be furnished. In this subsection " local authority ", " joint board " and " joint committee " have the same meanings as they have for the purposes of the Act of 1947.
- (10) Regulations made under this section shall be subject to annulment in pursuance of a resolution of the Commons House of Parliament.

19 Expenses and receipts

- (1) There shall be defrayed out of moneys provided by Parliament—
 - (a) all sums payable by the Secretary of State under this Act; and
 - (b) any increase attributable to the provisions of this Act in the sums required or authorised under any other Act to be so defrayed.
- (2) Any increase attributable to the provisions of this Act in the receipts of the Registrar-General for Births, Deaths and Marriages in Scotland shall be paid into the Exchequer.

20 Orders and regulations to be made by statutory instrument

Any power conferred by this Act on the Secretary of State to make orders or regulations shall be exercisable by statutory instrument.

21 Interpretation

- (1) In this Act, unless the context otherwise requires, the following expressions have the meanings hereby assigned to them respectively, that is to say—
 - " Act of 1947 " means the Local Government (Scotland) Act, 1947;
 - " Act of 1954 " means the Local Government (Financial Provisions) (Scotland) Act, 1954 ;
 - " Act of 1956 " means the Valuation and Rating (Scotland) Act, 1956;

" local authority " means a county council or the town council of a burgh, and " area ", in relation to a local authority, means, in the case of a town council, the burgh, and, in the case of a county council, the county exclusive of any burgh situated therein ;

" relevant expenditure " has the meaning assigned to it by subsection (1) of section one of this Act;

" year " means a period of twelve months beginning on the sixteenth day of May.

- (2) Any provision in this Act containing a reference to the sixteenth day of May shall, in its application to an authority whose financial year begins on a day other than the sixteenth day of May, have effect with the substitution for the said reference of a reference to that other day ; but this subsection shall be without prejudice to subsection (9) of section seven of this Act.
- (3) Without prejudice to subsection (7) of section seven of, and paragraph 6 of the Second Schedule to, this Act—
- (a) any reference in this Act to the rateable valuation of any area for any year shall be construed as a reference to the total of the rateable values of the lands and heritages in that area as shown in the valuation roll in force on the first day of that year, and
 - (b) any reference in this Act to the standard rateable value of any area for any year shall be construed as a reference to the standard rateable value of the area for that year as estimated by the Secretary of State for the purposes of the Act of 1954.
- (4) Any reference in this Act to any enactment shall, unless the context otherwise requires, be construed as a reference to that enactment as amended, extended or applied by any subsequent enactment, including this Act.

22 Repeals

The enactments specified in the Sixth Schedule to this Act are hereby repealed to the extent specified in the third column of that Schedule:

Provided that the repeals specified in Part II of that Schedule shall not have effect for the purposes of any period before the first day of April, nineteen hundred and fifty-nine; and the repeals specified in Part III of that Schedule shall not have effect for the purposes of any period before the sixteenth day of May nineteen hundred and fifty-nine.

23 Citation and extent

- (1) This Act may be cited as the Local Government and Miscellaneous Financial Provisions (Scotland) Act, 1958.
- (2) This Act shall extend to Scotland only.