



National Assistance Act 1948

1948 CHAPTER 29

PART III

LOCAL AUTHORITY SERVICES.

Local and Central Authorities.

34 Provisions as to local authority schemes.

- (1) The following provisions of this section shall have effect as to schemes made under section twenty-one or twenty-nine of this Act.
- (2) Subject to the provisions of this section, any such scheme shall be made by the local authority and submitted to the Minister, and shall come into force when approved by him.
- (3) Not later than the date on which any such scheme is submitted to the Minister by the council of a county, that council shall send a copy of the scheme—
 - (a) in the case of London to the Common Council of the City of London and to the council of each metropolitan borough;
 - (b) in the case of any other county, to the council of each county district in the county;and the Minister before approving the scheme shall take into consideration any representations by any such council as is referred to in paragraph (a) or (b) of this subsection made with respect to the scheme within one month from the date on which it was submitted to the Minister.
- (4) The Minister may approve any such scheme submitted to him either in the form in which it is submitted or with such modifications as he thinks fit.
- (5) Any scheme under either of the said sections may be varied or revoked by a subsequent scheme thereunder, and the provisions of the three last foregoing subsections shall apply to such a varying or revoking scheme.

*Status: This is the original version (as it was originally enacted). This
item of legislation is currently only available in its original format.*

- (6) Where in the case of any local authority-no scheme is for the time being in force for the exercise of their functions under section twenty-one of this Act, or for the exercise of any powers under section twenty-nine of this Act which the authority are under a duty to exercise, the Minister may require the authority, within such time as he may specify, to submit such a scheme to him for his approval, and if the authority—
- (a) fail to comply with the requirement, or
 - (b) submit a scheme which appears to the Minister not proper to be approved by him either as submitted or with modifications,
- the Minister may himself make a scheme for the exercise of the said functions or powers by the local authority.
- (7) Where it appears to the Minister that by reason of a change of circumstances it is expedient that any scheme for the exercise by a local authority of their functions under section twenty-one or twenty-nine of this Act should be varied, the Minister may require the authority, within such time as he may specify, to submit to him for his approval a scheme for varying the first-mentioned scheme in such respects as may be specified in the requirement, and if the local authority fail to comply with the requirement the Minister may himself make the varying scheme.
- (8) This section shall have effect in its application to Scotland as if for subsection (3) the following subsection were substituted:—
- “(3) Not later than the date on which any scheme made under section twenty-one of this Act is submitted to the Minister by the council of a county, the council shall send a copy of the scheme to the town council of each small burgh in the county and the Minister before approving the scheme shall take into consideration any representations by any such town council made with respect to the scheme within one month from the date on which it was submitted to the Minister.”