

## 1975 No. 930 (S.161)

## WATER SUPPLY, SCOTLAND

**The Water (Adaptation and Modification of the Local  
Government (Scotland) Acts 1947, 1973 and 1975) (Scotland)  
Regulations 1975**

<i>Made</i> - - - -	<i>28th May 1975</i>
<i>Laid before Parliament</i>	<i>12th June 1975</i>
<i>Coming into Operation</i>	<i>3rd July 1975</i>

In exercise of the powers conferred on me by section 76 of the Water (Scotland) Act 1946(a) and by section 20 of the Water (Scotland) Act 1949(b) as amended by paragraph 16 of Schedule 6 to the Local Government (Scotland) Act 1975(c), and of all other powers enabling me in that behalf, I hereby make the following regulations:—

**1.**—(1) These regulations may be cited as the Water (Adaptation and Modification of the Local Government (Scotland) Acts 1947, 1973 and 1975) (Scotland) Regulations 1975 and shall come into operation on 3rd July 1975.

(2) The Interpretation Act 1889(d) shall apply for the interpretation of these regulations as it applies for the interpretation of an Act of Parliament.

(3) Unless the context otherwise requires, any reference in these regulations to an enactment shall be construed as a reference to that enactment as amended by any subsequent enactment.

(4) In these regulations—

- “the Act of 1947” means the Local Government (Scotland) Act 1947(e);
- “the Act of 1973” means the Local Government (Scotland) Act 1973(f);
- “the Act of 1975” means the Local Government (Scotland) Act 1975.

**2.** The provisions of Part XI of the Act of 1947 (which relate to the levy and collection of rates and to requisitions), Part VII of the Act of 1973 (which relate to finance) and sections 7 to 10 of the Act of 1975 (which relate to rating) shall, in their application to the public water rate and the domestic water rate levied under Part I of the Water (Scotland) Act 1949, have effect subject to the adaptations and modifications specified in the next succeeding regulation and, in respect of the sections of the said Part XI, the said Part VII and the Act of 1975 specified in column 1 of the Schedule to these regulations, subject also to the adaptations and modifications specified in column 2 of that Schedule.

**3.** In the application of the said Part XI of the Act of 1947, the said Part VII of the Act of 1973 and the said sections 7 to 10 of the Act of 1975 to the rates referred to in the immediately preceding regulation, any reference in those Parts and sections to the Act of 1947, the Act of 1973 or the Act of 1975, or to the said Part XI, the said Part VII or the said sections 7 to 10 shall be

(a) 1946 c. 42.  
(d) 1889 c. 63.

(b) 1949 c. 31.  
(e) 1947 c. 43.

(c) 1975 c. 30.  
(f) 1973 c. 65.

construed as a reference to those Acts or to those Parts or sections as adapted or modified by these regulations.

4.—(1) The Water (Adaptation and Modification of the Local Government (Scotland) Act 1947) (Scotland) Regulations 1968(a) are hereby revoked.

(2) Section 38 of the Interpretation Act 1889 shall apply as if these regulations were an Act of Parliament and as if the regulations revoked by these regulations were Acts of Parliament repealed by an Act of Parliament.

*William Ross,*  
One of Her Majesty's Principal  
Secretaries of State.

New St. Andrew's House,  
Edinburgh.  
28th May 1975.

### SCHEDULE

#### ADAPTATIONS AND MODIFICATIONS OF PART XI OF THE ACT OF 1947, PART VII OF THE ACT OF 1973 AND SECTIONS 7 TO 10 OF THE ACT OF 1975

COLUMN 1 <i>Section adapted or modified</i>	COLUMN 2 <i>Adaptation or modification of section</i>
LOCAL GOVERNMENT (SCOTLAND) ACT 1947	
216 (which relates to requisitions by joint committees and joint boards)	The section shall not apply.
235 (under which a rating authority may require an owner to furnish a statement of lets)	The section shall not apply.
252 (which applies the provisions of Part XI as to the recovery and priority of rates to private improvement expenses)	The section shall not apply.
LOCAL GOVERNMENT (SCOTLAND) ACT 1973	
108 (which relates to the determination of regional, district and general rates)	In the application of subsection (1) to the domestic water rate, for the words "local authority" the words "regional or islands council" shall be substituted; and for the words from "rate" where it first occurs in the said subsection to the end thereof the words "the domestic water rate to be levied under Part I of the Water (Scotland) Act 1949" shall be substituted.  In subsection (2), after the words "as the case may be" where they first occur there shall be inserted the words "and in the case of a regional or an islands council, such domestic water rate"; and after the words "as the case may be" where they second occur there shall be inserted the words "and in the case of a regional or an islands council, the domestic water rate".

SCHEDULE—*continued*

COLUMN 1	COLUMN 2
<i>Section adapted or modified</i>	<i>Adaptation or modification of section</i>
LOCAL GOVERNMENT (SCOTLAND) ACT 1973— <i>continued</i>	
109 (which relates to rating authorities)	After subsection (1) there shall be inserted:— “(1A) In Part XI of the 1947 Act, this Part of this Act and sections 7 to 10 of the Local Government (Scotland) Act 1975 the expression “rating authority” shall, in the case of the domestic water rate, mean a regional or islands council.”  Subsection (2) shall not apply.
110 (which relates to payments by a regional council to district councils in respect of district rates)	Subsections (1) and (2) shall not apply.
112 to 115 (which relate to rate rebates)	The sections shall not apply to the domestic water rate.
LOCAL GOVERNMENT (SCOTLAND) ACT 1975	
9 (which restricts the amount of rates payable when a valuation appeal is pending)	In the application of subsection (2) to the domestic water rate, for the words “rateable valuation” there shall be substituted the words “annual value according to which any domestic water rate is levied under Part I of the Water (Scotland) Act 1949”.

## EXPLANATORY NOTE

*(This Note is not part of the Regulations.)*

Section 20 of the Water (Scotland) Act 1949 provides that the provisions of Part XI of the Local Government (Scotland) Act 1947, Part VII of the Local Government (Scotland) Act 1973 and sections 7 to 10 of the Local Government (Scotland) Act 1975 shall, in their application to the public water rate and the domestic water rate levied under Part I of the Act of 1949, have effect subject to such adaptations and modifications as may be prescribed.

These Regulations set out the necessary adaptations and modifications. They replace Regulations made in 1968.

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