



Local Government (Scotland) Act 1973

1973 CHAPTER 65

PART VI

MISCELLANEOUS POWERS OF LOCAL AUTHORITIES

Miscellaneous

83 Power of local authorities to incur expenditure for certain purposes not otherwise authorised.

- (1) ^{F1}
- (2) ^{F1}
- ^{F2}(2A)
- ^{F2}(2B)
- (2C) ^{F1}
- (2D) ^{F1}
- (3) A local authority may, ^{F3} . . . incur expenditure on contributions to any of the following funds, that is to say—
 - (a) the funds of any charitable body in furtherance of its work in the United Kingdom; or
 - (b) the funds of any body which provides any public service in the United Kingdom otherwise than for the purposes of gain; or
 - (c) any fund which is raised in connection with a particular event directly affecting persons resident in the United Kingdom on behalf of whom a public appeal for contributions has been made by a [^{F4}convener of a local authority, a convener] of a community council, a lord-lieutenant or by a body of which any of these persons is a member [^{F5}or by such a person or body as is referred to in section 137(3)(c) of the Local Government Act 1972].

Changes to legislation: Local Government (Scotland) Act 1973, Cross Heading: Miscellaneous is up to date with all changes known to be in force on or before 12 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

- ^{F6}(3A)
- (4) ^{F1}
- (4AA) ^{F1}
- (4A) ^{F1}
- (4B) ^{F1}
- (5) ^{F1}
- (7) ^{F1}

Textual Amendments

- F1** S. 83(1)(2)(2C)(2D)(4)-(7) repealed (1.4.2003) by Local Government in Scotland Act 2003 (asp 1), **ss. 60(1)(a)**, 62; S.S.I. 2003/134, **art. 2(1)**, Sch.
- F2** S. 83(2A)(2B) repealed (1.4.1996) by 1994 c. 39, s. 180(1)(2), Sch. 13 para. 92(19)(a), **Sch. 14**; S.I. 1996/323, art. 4(1)(c)(d), **Sch. 2**
- F3** Words in s. 83(3) repealed (1.4.2003) by Local Government in Scotland Act 2003 (asp 1), **ss. 60(1)(a)**, 62; S.S.I. 2003/134, **art. 2(1)**, Sch.
- F4** Words in s. 83(3)(c) substituted (1.4.1996) by 1994 c. 39, s. 180(1), **Sch. 13 para. 92(19)(b)**; S.I. 1996/323, **art. 4(1)(c)**
- F5** Words added by **Local Government and Housing Act 1989 (c. 42, SIF 81:2)**, **s. 36(9)**
- F6** S. 83(3A) repealed (1.4.1996) by 1994 c. 39, s. 164(3), 180(2), **Sch. 14**; S.I. 1996/323, art. 4(1)(a)(d), Schs. 1, 2

Modifications etc. (not altering text)

- C1** S. 83 amended by **Local Authorities (Expenditure Powers) Act 1983 (c. 52)**, **s. 1(1)(b)**
- C2** S. 83 amended by **Local Authorities (Expenditure Powers) Act 1983 (c. 52, SIF 81:2)**, **s. 1(1)(b)**

84 Powers of local authorities with respect to emergencies or disasters.

- (1) Where an emergency or disaster involving destruction of or danger to life or property occurs or is imminent or there is reasonable ground for apprehending such an emergency or disaster, and a local authority are of opinion that it is likely to affect the whole or part of their area or all or some of its inhabitants, the authority may—
- (a) incur such expenditure as they consider necessary in taking action themselves (either alone or jointly with any other person or body and either in their area or elsewhere in or outside the United Kingdom) which is calculated to avert, alleviate or eradicate in their area or among its inhabitants the effects or potential effects of the event; and
 - (b) make grants or loans to other persons or bodies on conditions determined by the authority in respect of any such action taken by those persons or bodies.

^{F7}(2)

- (3) The power conferred by subsection (1)

above shall be in addition to, and not in derogation of, any power conferred on a local authority by or under any other enactment, including any enactment contained in this Act.

Changes to legislation: Local Government (Scotland) Act 1973, Cross Heading: Miscellaneous is up to date with all changes known to be in force on or before 12 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

^{F8}(4)

Textual Amendments

- F7** S. 84(2) repealed (4.1.1995) by 1994 c. 39, s. 180(1)(2), Sch. 13 para. 92(20), **Sch. 14**; S.I. 1994/2850, art. 3(c)(vii)(d), **Sch. 3**
- F8** S. 84(4) repealed (4.1.1995) by 1994 c. 39, s. 180(2), **Sch. 14**; S.I. 1994/2850, art. 3(d), **Sch. 3**

85 Acceptance of gifts of property.

A local authority may accept, hold and administer—

- (a) for the purpose of discharging any of their functions, gifts of property, whether heritable or moveable, made for that purpose; or
- (b) for the benefit of the inhabitants of their area or of some part of it, gifts made for that purpose;

and may execute any work (including works of maintenance or improvement) incidental to or consequential on the exercise of the powers conferred by this section.

Modifications etc. (not altering text)

- C3** S. 85 applied (*temp.* from 6.4.1995 until 1.4.1996) by S.I. 1995/789, art. 2, **Sch. para. 3**

86 Insurance by local authorities against accidents to members.

- (1) A local authority may enter into a contract with any person whereby, in consideration of payments by the authority by way of premium or otherwise, that person undertakes to pay to the authority such sums as may be provided in the contract in the event of any member of the authority meeting with a personal accident, whether fatal or not, while he is engaged on the business of the authority.
- (2) Any sum received by the authority under any such contract shall, after deduction of any expenses incurred in the recovery thereof, be paid by them to, or to the personal representatives of, the member concerned.
- (3) The provisions of the ^{M1}Life Assurance Act 1774 shall not apply to any such contract, but any such contract shall be deemed for the purposes of [^{F9}the Financial Services and Markets Act 2000] to be a policy of insurance upon the happening of personal accidents.
- (4) In this section, the expression “member of the authority” includes a member of a committee or sub-committee of the authority who is not a member of that authority.

Textual Amendments

- F9** Words in s. 86(3) substituted (1.12.2001) by S.I. 2001/3649, **art. 219**

Modifications etc. (not altering text)

- C4** S. 86 applied (*temp.* from 6.4.1995 until 1.4.1996) by S.I. 1995/789, art. 2, **Sch. para. 3**
- S. 86 applied (with modifications) (1.4.1996) by S.I. 1995/3026, **arts. 1(2), 14**

Changes to legislation: Local Government (Scotland) Act 1973, Cross Heading: Miscellaneous is up to date with all changes known to be in force on or before 12 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

Marginal Citations

M1 1774 c. 48.

87 Research and the collection of information.

- (1) A [^{F10}local authority] may conduct, or assist in the conducting of, investigations into, and the collection of information relating to, any matters concerning their area or any part thereof and may make, or assist in the making of arrangements whereby any such information and the results of any such investigation are made available to ^{F11}. . . any government department or the public.
- (2) The appropriate Minister with respect to any matter may require [^{F12}a local authority] to provide him with any information with respect to that matter which is in the possession of, or available to, that [^{F13}local authority] in consequence of the exercise of any power conferred by or under any enactment; ^{F14}. . .

^{F15}(3)

Textual Amendments

- F10** Words in s. 87(1) substituted (1.4.1996) by 1994 c. 39, s. 180(1), **Sch. 13 para. 92(21)(a)(i)**; S.I. 1996/323, **art. 4(1)(c)**
- F11** Words in s. 87(1) repealed (1.4.1996) by 1994 c. 39, s. 180(1)(2), Sch. 13 para. 92(21)(a)(ii), **Sch. 14**; S.I. 1996/323, art. 4(1)(c)(d), **Sch. 2**
- F12** Words in s. 87(2) substituted (1.4.1996) by 1994 c. 39, s. 180(1), **Sch. 13 para. 92(21)(b)(i)**; S.I. 1996/323, **art. 4(1)(c)**
- F13** Words in s. 87(2) substituted (1.4.1996) by 1994 c. 39, s. 180(1), **Sch. 13 para. 92(21)(b)(ii)**; S.I. 1996/323, **art. 4(1)(c)**
- F14** Words in s. 87(2) repealed (1.4.1996) by 1994 c. 39, s. 180(1)(2), Sch. 13 para. 92(21)(b)(iii), **Sch. 14**; S.I. 1996/323, art. 4(1)(c)(d), **Sch. 2**
- F15** S. 87(3) repealed (1.4.1996) by 1994 c. 39, s. 180(1)(2), Sch. 13 para. 92(21)(c), **Sch. 14**; S.I. 1996/323, art. 4(1)(c)(d), **Sch. 2**

88 Provision of information, etc., relating to matters affecting local government.

- (1) A local authority may make, or assist in the making of, arrangements whereby the public may on application readily obtain, either at premises specially maintained for the purpose or otherwise, information concerning the services available within the area of the authority provided either by the authority or by other authorities [^{F16}mentioned in subsection (1B) below] or by government departments, or by charities and other voluntary organisations, and other information [^{F17}relating to the functions of the authority].
- [^{F18}(1A) A local authority may arrange for the publication within their area of information as to the services available in the area provided by them or by other authorities mentioned in subsection (1B) below.]
- [^{F19}(1B) The other authorities referred to above are any other local authority and any authority, board or committee which discharges functions which would otherwise fall to be discharged by two or more local authorities.]
- (2) A local authority may—

Changes to legislation: Local Government (Scotland) Act 1973, Cross Heading: Miscellaneous is up to date with all changes known to be in force on or before 12 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

- (a) arrange for the publication within their area of information [^{F20}relating to the functions of the authority]; and
- (b) arrange for the delivery of lectures and addresses and the holding of discussions on such matters; and
- (c) arrange for the display of pictures, cinematograph films or models or the holding of exhibitions relating to such matters; and
- (d) prepare, or join in or contribute to the cost of the preparation of, pictures, films, models or exhibitions to be displayed or held as aforesaid.

[^{F21}(3) A local authority may assist voluntary organisations to provide for individuals—

- (a) information and advice concerning those individuals' rights and obligations; and
- (b) assistance, either by the making or receiving of communications or by providing representation to or before any person or body, in asserting those rights or fulfilling those obligations.]

Textual Amendments

- F16** Words inserted by [Local Government Act 1986 \(c. 10, SIF 81:1\)](#), [ss. 3\(1\)\(a\)](#), 6
- F17** Words substituted by [Local Government Act 1986 \(c. 10, SIF 81:1, 2\)](#), [Pt. II ss. 3\(1\)\(a\)](#), 6
- F18** [S. 88\(1A\)](#) inserted by [Local Government Act 1986 \(c. 10, SIF 81:1, 2\)](#), [ss. 3\(1\)\(b\)](#), 6
- F19** [S. 88\(1B\)](#) inserted by [Local Government Act 1986 \(c. 10, SIF 81:1, 2\)](#), [ss. 3\(2\)](#), 6
- F20** Words substituted by [Local Government Act 1986 \(c. 10, SIF 81:1, 2\)](#), [ss. 3\(1\)\(c\)](#), 6
- F21** [S. 88\(3\)](#) inserted (1.4.1996) by [1994 c. 39, s. 140](#); [S.I. 1996/323, art. 4\(1\)\(a\)](#), [Sch. 1](#)

89 Subscriptions to local government associations.

A local authority may pay reasonable subscriptions, whether annually or otherwise, to the funds—

- (a) of any association of local authorities formed (whether inside or outside the United Kingdom) for the purpose of consultation as to the common interests of those authorities and the discussion of matters relating to local government, or
- (b) of any association of officers or members of local authorities which was so formed.

Modifications etc. (not altering text)

- C5** [S. 89](#) applied (*temp.* from 6.4.1995 until 1.4.1996) by [S.I. 1995/789, art. 2, Sch. para. 3](#)

[^{F2290} Powers of local authority to carry on tourism-related activities.

(1) A local authority may—

- (a) provide, or encourage any other person to provide, facilities for leisure, conferences, trade fairs and exhibitions or improve, or encourage any other person to improve, any existing facilities for those purposes;
- (b) promote, by advertisement or otherwise, facilities provided by that local authority (whether such facilities are owned by the authority or otherwise);
- (c) organise, or assist others in the organisation of, and promote, by advertisement or otherwise, conferences, trade fairs and exhibitions;

Changes to legislation: Local Government (Scotland) Act 1973, Cross Heading: Miscellaneous is up to date with all changes known to be in force on or before 12 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

- (d) ^{F23}
- (2) Subject to subsection (3) below, a local authority shall not have power to—
- (a) encourage persons, by advertisement or otherwise (and whether inside or outside the United Kingdom)—
 - (i) to visit their area for purposes relating to leisure; or
 - (ii) to hold conferences, trade fairs or exhibitions within their area;
 - (b) provide information about accommodation and facilities and services relating to leisure in their area or provide a booking service for such accommodation, to persons visiting their area;
 - (c) carry on such other activities relating to those mentioned in paragraphs (a) and (b) above as the Secretary of State may by regulations specify.
- (3) A local authority shall have power to do any of the things mentioned in paragraphs (a) to (c) of subsection (2) above—
- (a) in so far as it is necessary to do any of those things for the purposes of carrying on the activities mentioned in paragraphs (a) and (b) of subsection (1) above; or
 - (b) where the Secretary of State has given his prior consent (subject to such conditions as he considers necessary or expedient) in writing.
- (4) A local authority shall not, for the purposes of carrying on activities relating to tourism other than—
- (a) those such as are mentioned in paragraphs (a) to [^{F24}(c)] of subsection (1) above; or
 - (b) by virtue of subsection (3) above, those such as are mentioned in subsection (2) above,
- form, acquire or join with any person or body corporate.
- (5) Without prejudice to subsection (1) above, a local authority may contribute towards expenses incurred by any person—
- (a) doing anything mentioned in paragraph (a) of that subsection; or
 - (b) organising and holding a conference, trade fair or exhibition.
- (6) A local authority may appoint officers for the purposes of enabling the authority to carry out any of their powers under this section; and section 65 of this Act shall apply in relation to any officers appointed under this subsection subject to the following [^{F25}modification]—
- (a) ^{F26}
 - (b) in subsection (2), the words from “but” to the end shall be omitted.
- (7) A statutory instrument containing regulations under subsection (2)(c) above shall be subject to annulment in pursuance of a resolution of either House of Parliament.
- (8) ^{F27}]

Textual Amendments

F22 S. 90 substituted (1.4.1996) by 1994 c. 39, s. 176; S.I. 1995/2866, art. 3(b)

F23 S. 90(1)(d) repealed (1.4.2007) by Tourist Boards (Scotland) Act 2006 (asp 15), ss. 4, 5(1), Sch. 2 para. 2(a); S.S.I 2007/47, {art. 2}

Changes to legislation: Local Government (Scotland) Act 1973, Cross Heading: Miscellaneous is up to date with all changes known to be in force on or before 12 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

- F24** Word in s. 90(4) substituted (1.4.2007) by [Tourist Boards \(Scotland\) Act 2006 \(asp 15\)](#), ss. 4, 5(1), [Sch. 2 para. 2\(b\)](#); S.S.I 2007/47, {art. 2}
- F25** Word in s. 90(6) substituted (1.4.2007) by [Tourist Boards \(Scotland\) Act 2006 \(asp 15\)](#), ss. 4, 5(1), [Sch. 2 para. 2\(c\)\(i\)](#); S.S.I 2007/47, {art. 2}
- F26** S. 90(6)(a) and word repealed (1.4.2007) by [Tourist Boards \(Scotland\) Act 2006 \(asp 15\)](#), ss. 4, 5(1), [Sch. 2 para. 2\(c\)\(ii\)](#); S.S.I 2007/47, {art. 2}
- F27** S. 90(8) repealed (1.4.2007) by [Tourist Boards \(Scotland\) Act 2006 \(asp 15\)](#), ss. 4, 5(1), [Sch. 2 para. 2\(d\)](#); S.S.I 2007/47, {art. 2}

^{F28}**90A**

Textual Amendments

- F28** S. 90A repealed (1.4.1996) by [1994 c. 39, s. 180\(2\)](#), [Sch. 14](#); S.I. 1996/323, art. 4(1)(d), [Sch. 2](#)

91 ^{F29}

Textual Amendments

- F29** S. 91 repealed by [Local Government and Planning \(Scotland\) Act 1982 \(c. 43\)](#), [Sch. 4 Pt. I](#)

92 Transfer of securities on alteration of area, etc.

- (1) Where any securities are standing in the books of a company in the name of a local authority the following provisions shall have effect—
 - (a) if the name of the authority is changed, then at the request of the authority and on production of a statutory declaration by the proper officer of the authority specifying the securities and verifying the change of name and identity of the authority, the company shall enter the securities in the new name of the local authority in like manner as if the securities had been transferred to the authority under that name;
 - (b) if by virtue of anything done under any provision of this Act or any enactment similar to any such provision (whenever passed), any other local authority have become entitled to the securities or any dividends or interest thereon, as the case may be, a certificate of the proper officer of the council of that other authority or the scheme, order or award under which that other authority have become so entitled, shall be a sufficient authority to the company to transfer the securities into the name of the local authority specified in that behalf in the certificate, or in the scheme, order or award, as the case may be, and to pay the dividends or interest to that authority;
 - (c) if in any other case any other local authority have become entitled to the securities or any dividends or interest thereon, as the case may be, the Court of Session may on the petition of that other authority make an order vesting in that other authority the right to transfer the securities or to receive the dividends or interest, as the case may be.

- (2) In this section, the expression—

Changes to legislation: Local Government (Scotland) Act 1973, Cross Heading: Miscellaneous is up to date with all changes known to be in force on or before 12 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

“company” includes the Bank of England and any company or person keeping books in which any securities are registered or inscribed;

^{F30} . . .

[^{F31}(3) “Securities” means—

- (a) shares;
- (b) instruments creating or acknowledging indebtedness;
- (c) government and public securities;
- (d) instruments giving entitlements to investments;
- (e) certificates representing securities;
- (f) units in a collective investment scheme;
- (g) rights to, or interests in, any security of the kind mentioned in paragraphs (a) to (f);
- (h) rights (whether actual or contingent) to money lent to, or deposited with—
 - (i) a society registered under the Industrial and Provident Societies Act 1965, or
 - (ii) a building society within the meaning of the Building Societies Act 1986.

(4) Subsection (3) must be read with—

- (a) section 22 of the Financial Services and Markets Act 2000;
- (b) any relevant order under that section; and
- (c) Schedule 2 to that Act.]

Textual Amendments

F30 Words in s. 92(2) repealed (1.12.2001) by S.I. 2001/3649, art. 220(2)

F31 s. 92(3)(4) inserted (1.12.2001) by S.I. 2001/3649, art. 220(3)

Modifications etc. (not altering text)

C6 S. 92(3) extended (24.6.2003) by The Uncertificated Securities (Amendment) (Eligible Debt Securities) Regulations 2003 (S.I. 2003/1633), reg. 15, Sch. 2 para. 8(2)(c)

Changes to legislation:

Local Government (Scotland) Act 1973, Cross Heading: Miscellaneous is up to date with all changes known to be in force on or before 12 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

[View outstanding changes](#)

Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- Sch. 7 para. 7(3) inserted by [1989 c. 42 Sch. 11 para. 36](#)