

Changes to legislation: There are currently no known outstanding effects for the Local Government (Miscellaneous Provisions) (Scotland) Act 1981, SCHEDULE 3. (See end of Document for details)

SCHEDULES

SCHEDULE 3

Section 40.

MINOR AND CONSEQUENTIAL AMENDMENTS

1 F1

Textual Amendments

- F1** Ss. 2–4, 9, 14, 15, Sch. 3 paras. 1, 11, 25, 27, 35 repealed by Abolition of Domestic Rates Etc. (Scotland) Act 1987 (c. 47, SIF 81:2), s. 34, Sch. 6

The Town and Country Planning (Scotland) Act 1959 (c. 70)

- 2 In section 24(2) (requirement of consent of Secretary of State etc. to certain appropriations of land by local and other authorities), for the words from “following” to the end there shall be substituted the words “ provision that land which is held for use as allotments shall not be appropriated except with the consent of the Secretary of State. ”.

Modifications etc. (not altering text)

- C1** The text of ss. 1, 5–8, 11, 12, 16, 24–28, 33, 36, 37(1)(2)(3)(4), 38(1), 40, 41, Sch. 1 (a)(b)(c)(i)(ii)(iii)(d)(i)(ii)(e), Sch. 2 paras. 1–10, 12–14, 16–25, 27–34, 37–42, Sch. 3 paras. 2–7, 12–20, 22–24, 26, 28, 32, 33, 34, 36, 37, 38, 39 and Sch. 4 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991

- 3 In section 27—

- (a) in subsection (2) (requirement of consent by Secretary of State etc. to certain disposals of land by local and other authorities), for the words from “— (a)” to the end there shall be substituted the words “ of land held for use as allotments, if it is a disposal which apart from this section could not be effected except with the consent of a Minister, shall not be effected except with the consent of the Secretary of State. ”; and
- (b) subsection (3) (provisions ancillary to subsection (2)) shall cease to have effect.

Modifications etc. (not altering text)

- C2** The text of ss. 1, 5–8, 11, 12, 16, 24–28, 33, 36, 37(1)(2)(3)(4), 38(1), 40, 41, Sch. 1 (a)(b)(c)(i)(ii)(iii)(d)(i)(ii)(e), Sch. 2 paras. 1–10, 12–14, 16–25, 27–34, 37–42, Sch. 3 paras. 2–7, 12–20, 22–24, 26, 28, 32, 33, 34, 36, 37, 38, 39 and Sch. 4 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991

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- 4 In the fourth Schedule (authorities to whom Part II of the Act applies), after paragraph 3 there shall be inserted the following paragraph—

“3A A water development board as defined in section 109(1) of the Water (Scotland) Act 1980.”.

Modifications etc. (not altering text)

- C3** The text of ss. 1, 5–8, 11, 12, 16, 24–28, 33, 36, 37(1)(2)(3)(4), 38(1), 40, 41, Sch. 1 (a)(b)(c)(i)(ii)(iii)(d)(i)(ii)(e), Sch. 2 paras. 1–10, 12–14, 16–25, 27–34, 37–42, Sch. 3 paras. 2–7, 12–20, 22–24, 26, 28, 32, 33, 34, 36, 37, 38, 39 and Sch. 4 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991

The Local Government (Financial Provisions) (Scotland) Act 1963 (c. 12)

- 5 In section 20 (repayment of rates paid in error), after the word “Where” there shall be inserted the words “, notwithstanding section 2(2)(d) of the Local Government (Scotland) Act 1975 or any entry in a valuation roll which is no longer in force,”.

Modifications etc. (not altering text)

- C4** The text of ss. 1, 5–8, 11, 12, 16, 24–28, 33, 36, 37(1)(2)(3)(4), 38(1), 40, 41, Sch. 1 (a)(b)(c)(i)(ii)(iii)(d)(i)(ii)(e), Sch. 2 paras. 1–10, 12–14, 16–25, 27–34, 37–42, Sch. 3 paras. 2–7, 12–20, 22–24, 26, 28, 32, 33, 34, 36, 37, 38, 39 and Sch. 4 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991

- 6 (1) In section 26(2) (interpretation), for the definition of “year” (and “year” followed by a reference to two calendar years) there shall be substituted the following definition — “ “year” means the financial year of a local authority; and “year” followed by a reference to two calendar years means the financial year beginning in the first of those calendar years; ”.
- (2) The amendment made by sub-paragraph (1) above shall be deemed for all purposes to have had effect from the coming into operation of section 18 of the Local Government (Scotland) Act 1975 (financial year of local authorities).

Modifications etc. (not altering text)

- C5** The text of ss. 1, 5–8, 11, 12, 16, 24–28, 33, 36, 37(1)(2)(3)(4), 38(1), 40, 41, Sch. 1 (a)(b)(c)(i)(ii)(iii)(d)(i)(ii)(e), Sch. 2 paras. 1–10, 12–14, 16–25, 27–34, 37–42, Sch. 3 paras. 2–7, 12–20, 22–24, 26, 28, 32, 33, 34, 36, 37, 38, 39 and Sch. 4 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991

The Land Compensation (Scotland) Act 1963 (c. 51)

- 7 In paragraph 2 of Schedule 2 (compensation for houses acquired as being unfit for human habitation), at the end there shall be added the following sub-paragraph—

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- “(7) In the application of this paragraph to any lands and heritages whose net annual value is ascertained under subsection (8) of section 6 of the Valuation and Rating (Scotland) Act 1956 (and for which there is therefore no gross annual value shown in the valuation roll)—
- (a) in sub-paragraph (2) above, for the word “gross” there shall be substituted the words “1.25 times the net”; and
 - (b) in sub-paragraph (4) above, for the word “gross”, wherever it occurs, there shall be substituted the word “net”.”.

Modifications etc. (not altering text)

- C6** The text of ss. 1, 5–8, 11, 12, 16, 24–28, 33, 36, 37(1)(2)(3)(4), 38(1), 40, 41, Sch. 1 (a)(b)(c)(i)(ii)(iii)(d)(i)(ii)(e), Sch. 2 paras. 1–10, 12–14, 16–25, 27–34, 37–42, Sch. 3 paras. 2–7, 12–20, 22–24, 26, 28, 32, 33, 34, 36, 37, 38, 39 and Sch. 4 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991

8—10. **F2**

Textual Amendments

- F2** Ss. 21(1)(2), 22, 23, 34, 35, Sch. 2 paras. 11, 15, 35, 36, Sch. 3 paras. 8, 9, 10, 29–31 and 40–46 repealed by Housing (Scotland) Act 1987 (c. 26, SIF 61), ss. 335, 339(3), **Sch. 24**

The Local Government (Scotland) Act 1966 (c. 51)

11 **F3**

Textual Amendments

- F3** Ss. 2–4, 9, 14, 15, Sch. 3 paras. 1, 11, 25, 27, 35 repealed by Abolition of Domestic Rates Etc. (Scotland) Act 1987 (c. 47, SIF 81:2), s. 34, **Sch. 6**

12 In Part II of Schedule 4 (variation of fees for licences etc.), after paragraph 4 there shall be inserted the following paragraph—

“4A. Section 5(3) of the Pedlars Act The Secretary of State.”
1871.

Modifications etc. (not altering text)

- C7** The text of ss. 1, 5–8, 11, 12, 16, 24–28, 33, 36, 37(1)(2)(3)(4), 38(1), 40, 41, Sch. 1 (a)(b)(c)(i)(ii)(iii)(d)(i)(ii)(e), Sch. 2 paras. 1–10, 12–14, 16–25, 27–34, 37–42, Sch. 3 paras. 2–7, 12–20, 22–24, 26, 28, 32, 33, 34, 36, 37, 38, 39 and Sch. 4 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991

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The Post Office Act 1969 (c. 48)

F4 13

Textual Amendments
F4 Sch. 3 para. 13 repealed (27.5.1997) by 1997 c. 11, ss. 3, 6(2), Sch. 1 Pt. I (with s. 5, Sch. 3)

The Housing (Financial Provisions) (Scotland) Act 1972 (c. 46)

14 (1) In section 42(3)(bb) (requirements in certain rent agreements), after the words “increase in” there shall be inserted the words “ the rent ”.

(2) The amendment made by sub-paragraph (1) above shall be deemed for all purposes to have had effect from 1st December 1980.

Modifications etc. (not altering text)
C8 The text of ss. 1, 5–8, 11, 12, 16, 24–28, 33, 36, 37(1)(2)(3)(4), 38(1), 40, 41, Sch. 1 (a)(b)(c)(i)(ii)(iii)(d)(i)(ii)(e), Sch. 2 paras. 1–10, 12–14, 16–25, 27–34, 37–42, Sch. 3 paras. 2–7, 12–20, 22–24, 26, 28, 32, 33, 34, 36, 37, 38, 39 and Sch. 4 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991

The Town and Country Planning (Scotland) Act 1972 (c. 52)

F5 15

Textual Amendments
F5 Sch. 3 para. 15 repealed (27.5.1997) by 1997 c. 11, ss. 3, 6(2), Sch. 1 Pt. I (with s. 5, Sch. 3)

F6 16

Textual Amendments
F6 Sch. 3 para. 16 repealed (27.5.1997) by 1997 c. 11, ss. 3, 6(2), Sch. 1 Pt. I (with s. 5, Sch. 3)

F7 17

Textual Amendments
F7 Sch. 3 para. 17 repealed (27.5.1997) by 1997 c. 11, ss. 3, 6(2), Sch. 1 Pt. I (with s. 5, Sch. 3)

F8 18

Textual Amendments
F8 Sch. 3 para. 18 repealed (27.5.1997) by 1997 c. 11, ss. 3, 6(2), Sch. 1 Pt. I (with s. 5, Sch. 3)

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F⁹19

Textual Amendments

F⁹ Sch. 3 para. 19 repealed (27.5.1997) by 1997 c. 11, ss. 3, 6(2), Sch. 1 Pt. I (with s. 5, Sch. 3)

F¹⁰20

Textual Amendments

F¹⁰ Sch. 3 para. 20 repealed (27.5.1997) by 1997 c. 11, ss. 3, 6(2), Sch. 1 Pt. I (with s. 5, Sch. 3)

21 F¹¹

Textual Amendments

F¹¹ Sch. 2 para. 26, Sch. 3 para. 21 repealed by Roads (Scotland) Act 1984 (c. 54, SIF 108), s. 156(3), Sch. 11

F¹²22

Textual Amendments

F¹² Sch. 3 para. 22 repealed (27.5.1997) by 1997 c. 11, ss. 3, 6(2), Sch. 1 Pt. I (with s. 5, Sch. 3)

F¹³23

Textual Amendments

F¹³ Sch. 3 para. 23 repealed (27.5.1997) by 1997 c. 11, ss. 3, 6(2), Sch. 1 Pt. I (with s. 5, Sch. 3)

The Local Government (Scotland) Act 1973 (c. 65)

F¹⁴24

Textual Amendments

F¹⁴ Sch. 3 para. 24 repealed (1.4.1996) by 1994 c. 39, s. 180(2), Sch. 14; S.I. 1996/323, art. 4(1)(b), Sch. 2

25 F¹⁵

Textual Amendments

F¹⁵ Ss. 2–4, 9, 14, 15, Sch. 3 paras. 1, 11, 25, 27, 35 repealed by Abolition of Domestic Rates Etc. (Scotland) Act 1987 (c. 47, SIF 81:2), s. 34, Sch. 6

F¹⁶26

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Textual Amendments

F16 Sch. 3 para. 26 repealed (1.4.1995) by 1994 c. 39, s. 180(2), **Sch. 14**; S.I. 1994/3150, art. 4(d), **Sch. 2**

27 **F17**

Textual Amendments

F17 Ss. 2–4, 9, 14, 15, Sch. 3 paras. 1, 11, 25, 27, 35 repealed by *Abolition of Domestic Rates Etc. (Scotland) Act 1987 (c. 47, SIF 81:2)*, s. 34, **Sch. 6**

F18 28

Textual Amendments

F18 Sch. 3 para. 28 repealed (1.4.1996) by 1994 c. 39, s. 180(2), **Sch. 14**; S.I. 1996/323, art. 4(1)(d), **Sch. 2**

29—31. **F19**

Textual Amendments

F19 Ss. 21(1)(2), 22, 23, 34, 35, Sch. 2 paras. 11, 15, 35, 36, Sch. 3 paras. 8, 9, 10, 29–31 and 40–46 repealed by *Housing (Scotland) Act 1987 (c. 26, SIF 61)*, ss. 335, 339(3), **Sch. 24**

The Local Government (Scotland) Act 1975 (c. 30)

32 In section 2(2)(d) (effect of correction to valuation roll), after the word “shall” where it first occurs there shall be inserted the words “, subject to section 20 of the Local Government (Financial Provisions) (Scotland) Act 1963, ”.

Modifications etc. (not altering text)

C9 The text of ss. 1, 5–8, 11, 12, 16, 24–28, 33, 36, 37(1)(2)(3)(4), 38(1), 40, 41, Sch. 1 (a)(b)(c)(i)(ii)(iii)(d)(i)(ii)(e), Sch. 2 paras. 1–10, 12–14, 16–25, 27–34, 37–42, Sch. 3 paras. 2–7, 12–20, 22–24, 26, 28, 32, 33, 34, 36, 37, 38, 39 and Sch. 4 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991

33 In section 8(3) (times at which instalments of rates are payable), for the word “the” where it occurs for the second time there shall be substituted the word “ a ”.

Modifications etc. (not altering text)

C10 The text of ss. 1, 5–8, 11, 12, 16, 24–28, 33, 36, 37(1)(2)(3)(4), 38(1), 40, 41, Sch. 1 (a)(b)(c)(i)(ii)(iii)(d)(i)(ii)(e), Sch. 2 paras. 1–10, 12–14, 16–25, 27–34, 37–42, Sch. 3 paras. 2–7, 12–20, 22–24, 26, 28, 32, 33, 34, 36, 37, 38, 39 and Sch. 4 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991

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- 34 In section 14(1)(b) (termination of certain existing grants in respect of rural bus and ferry services)—
- (a) for the words “section 34(2)” there shall be substituted the words “subsection (3) of section 34 ”; and
 - (b) for the word “and” where it first occurs, there shall be substituted the words “) or under subsection (4) of that section (towards expenditure incurred ”.

Modifications etc. (not altering text)

C11 The text of ss. 1, 5–8, 11, 12, 16, 24–28, 33, 36, 37(1)(2)(3)(4), 38(1), 40, 41, Sch. 1 (a)(b)(c)(i)(ii)(iii)(d)(i)(ii)(e), Sch. 2 paras. 1–10, 12–14, 16–25, 27–34, 37–42, Sch. 3 paras. 2–7, 12–20, 22–24, 26, 28, 32, 33, 34, 36, 37, 38, 39 and Sch. 4 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991

35 **F20**

Textual Amendments

F20 Ss. 2–4, 9, 14, 15, Sch. 3 paras. 1, 11, 25, 27, 35 repealed by [Abolition of Domestic Rates Etc. \(Scotland\) Act 1987](#) (c. 47, SIF 81:2), s. 34, [Sch. 6](#)

F2136

Textual Amendments

F21 Sch. 3 para. 36 repealed (1.4.2016) by [Local Government etc. \(Scotland\) Act 1994](#) (c. 39), ss. 180(2), 184(2), [Sch. 14](#); S.S.I. 2016/31, art. 2(b)

The Licensing (Scotland) Act 1976 (c. 66)

- 37 In section 1 (appointment of licensing board by council of district or islands area)—
- (a) in subsection (3), after the word “divided” there shall be inserted the words “ (or continue to be divided) ”;
 - (b) in each of subsections (6) and (7)—
 - (i) after the word “elections”, there shall be inserted the words “of those members—
 - (a) except in so far as paragraph (b) below otherwise provides,”; and
 - (ii) at the end there shall be added the words “; and
 - (b) where a determination under subsection (3) above is made (whether or not such meeting of the council as is mentioned in paragraph (a) above), either—
 - (i) at the meeting at which the determination is made; or
 - (ii) at the first meeting of the council held after such meeting as is mentioned in subparagraph (i) above.”; and

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- (c) in subsection (11), for the words “a fresh” there shall be substituted the word “an”.

Modifications etc. (not altering text)

C12 The text of ss. 1, 5–8, 11, 12, 16, 24–28, 33, 36, 37(1)(2)(3)(4), 38(1), 40, 41, Sch. 1 (a)(b)(c)(i)(ii)(iii)(d)(i)(ii)(e), Sch. 2 paras. 1–10, 12–14, 16–25, 27–34, 37–42, Sch. 3 paras. 2–7, 12–20, 22–24, 26, 28, 32, 33, 34, 36, 37, 38, 39 and Sch. 4 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991

The Water (Scotland) Act 1980 (c. 45)

F22 38

Textual Amendments

F22 Sch. 3 para. 38 repealed (1.4.1996) by 1994 c. 39, s. 180(2), Sch. 14; S.I. 1996/323, art. 4(1)(d), Sch. 2

- 39 In section 109 (interpretation), after subsection (4) there shall be added the following subsection—

“(5) For the purposes of section 29(2) of the Land Registration (Scotland) Act 1979 (construction of reference to Register of Sasines etc.) this Act shall be deemed to be an enactment passed before that Act.”.

Modifications etc. (not altering text)

C13 The text of ss. 1, 5–8, 11, 12, 16, 24–28, 33, 36, 37(1)(2)(3)(4), 38(1), 40, 41, Sch. 1 (a)(b)(c)(i)(ii)(iii)(d)(i)(ii)(e), Sch. 2 paras. 1–10, 12–14, 16–25, 27–34, 37–42, Sch. 3 paras. 2–7, 12–20, 22–24, 26, 28, 32, 33, 34, 36, 37, 38, 39 and Sch. 4 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991

40–46. F23

Textual Amendments

F23 Ss. 21(1)(2), 22, 23, 34, 35, Sch. 2 paras. 11, 15, 35, 36, Sch. 3 paras. 8, 9, 10, 29–31 and 40–46 repealed by Housing (Scotland) Act 1987 (c. 26, SIF 61), ss. 335, 339(3), Sch. 24

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