



Local Government etc. (Scotland) Act 1994

1994 CHAPTER 39

PART I

LOCAL GOVERNMENT REORGANISATION

CHAPTER 7

MISCELLANEOUS

57 Power and duty of existing local authorities to assist new authorities.

- (1) An existing local authority may do anything which in their opinion is appropriate for the purpose of—
 - (a) facilitating the transfer of their functions, staff and assets to a new authority; or
 - (b) facilitating the carrying out by a new authority of their functions on and after 1st April 1996.
- (2) Without prejudice to the generality of subsection (1) above, existing local authorities having functions in relation to any part of the area of a new authority may establish, or the Secretary of State may require them to establish, a committee in the area of that new authority to consider any matter which it is expedient they should consider in order to ensure the effective operation of that authority on and after 1st April 1996.
- (3) Existing local authorities may establish, or the Secretary of State may direct them to establish, a committee in relation to the areas of any group of new authorities to consider any matter which it is expedient they should consider in order to ensure the effective operation of those authorities on and after 1st April 1996.
- (4) A committee established under subsection (2) or (3) above shall consist of such number of representatives of the authorities by whom it is established as may be agreed

Changes to legislation: There are currently no known outstanding effects for the Local Government etc. (Scotland) Act 1994, Section 57. (See end of Document for details)

between them or, in default of such agreement, as may be determined by the Secretary of State.

- (5) The Secretary of State may direct an existing local authority to do anything which in his opinion is appropriate for the purpose of putting a new authority in a position to carry out their functions with effect from 1st April 1996.
- (6) A direction under subsection (5) above—
- (a) may be made subject to such conditions (for example, as to payment by the new authority) as may be specified in it; and
 - (b) shall be complied with by the authority to which it is made.
- (7) Any expenses incurred by a committee established under subsection (2) or (3) above shall be defrayed by the authorities by whom the committee was established in such proportions respectively as may be agreed amongst or between them or, in default of agreement, as may be determined by the Secretary of State.
- (8) In this section—
- “existing local authority” includes a joint committee and a joint board; and
 - “new authority” means any of the authorities constituted under section 2 of this Act, and includes a joint board.

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