



# Local Government (Scotland) Act 1947

## 1947 CHAPTER 43

### PART XX

#### GENERAL.

##### *Contracts and Obligations.*

#### **336 Contracts and obligations of local authorities.**

- (1) A local authority may enter into any contract necessary for the discharge of any of their functions.
- (2) A local authority shall not grant any obligation, contract any debt, enter into any contract or agreement or execute any deed unless the same shall have been authorised by the authority or by a committee thereof or a person duly empowered by the authority, and in the case of contracts for the supply of goods or materials or for the execution of works, standing orders of the authority shall—
  - (a) require that, except as otherwise provided by or under the standing orders, notice of the intention of the authority or committee or person, as the case may be, to enter into the contract shall be published and tenders invited; and
  - (b) regulate the manner in which such notice shall be published and tenders invited:

Provided that a creditor in any such obligation or debt or a person entering into a contract or agreement with a local authority or a person transacting on the faith of a deed executed by a local authority shall not be bound to inquire whether the same has been duly authorised as aforesaid, and all such obligations, debts, contracts, agreements and deeds granted, contracted, entered into or executed by a local authority if otherwise valid shall have full force and effect, notwithstanding that the same have not been duly authorised in accordance with the provisions of this section.

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*Status: This is the original version (as it was originally enacted).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

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**337 Protection for members and officers of local authority in relation to obligations, and &c.**

No member or officer of a local authority shall be personally liable for the fulfilment of any obligation undertaken or contract or agreement made by the authority or for the repayment of any money borrowed by the authority whether under this Act or any other enactment or any statutory order or otherwise.