



Local Government (Scotland) Act 1947

1947 CHAPTER 43

PART XX

GENERAL.

Execution of Deeds and Use of Seal.

342 Execution of deeds by local authority and use of seal.

- (1) Save as otherwise provided in this Act, a deed to which a county council or a town council are a party shall be held to be validly executed on behalf of the council if it is sealed with the common seal of the council and subscribed on behalf of the council by two members of the council and the clerk of the council, whether attested by witnesses or not, or if it is executed in such other manner as may be provided in a local Act.
- (2) Save as otherwise provided in this Act, a deed to which a district council are a party shall be held to be validly executed on behalf of the council—
 - (a) where the council have a common seal, if it is sealed with the common seal of the council and subscribed on behalf of the council by two members of the council and the clerk of the council, whether attested by witnesses or not;
 - (b) in any other case, if it is subscribed on behalf of the council by two members of the council and the clerk of the council, and attested by witnesses.
- (3) The seal of a county council or town council or, where a district council have a common seal, the seal of the district council may be affixed to a deed or other document if authority to affix the seal to the deed or other document has been given at a meeting of the council, or has been given otherwise in accordance with standing orders of the council:

Provided that a person entering into any transaction with any such council shall not be bound to inquire whether authority to affix the seal has been given in accordance with the provisions of this subsection, and all deeds executed by such a council if otherwise valid shall have full force and effect notwithstanding that such authority may not have been given.