



Local Government (Scotland) Act 1947

1947 CHAPTER 43

PART XX

GENERAL.

Provision for Default of Local Authority.

356 Provision for default of local authority.

- (1) If a complaint is made to the Minister concerned that a local authority have failed to do what is required of them by or under this Act or any other enactment or any statutory order or the Minister concerned is of opinion that an investigation should be made as to whether a local authority have so failed, he may cause a local inquiry to be held into the matter.
- (2) If after such a local inquiry the Minister concerned is satisfied that there has been such a failure on the part of the authority in question, he may make an order declaring the authority to be in default and directing them for the purpose of remedying the default to take such steps and within such time or times as may be specified in the order.
- (3) If the authority declared to be in default by such an order fail to comply with any requirement thereof within the time limited thereby for compliance with that requirement, the Court of Session may, on the application of the Lord Advocate on behalf of the Minister concerned, order specific performance of the functions in respect of which there has been default, and do otherwise as to the Court appears to be just.
- (4) Nothing in this section shall affect the provisions of any other enactment relating to the enforcement of a statutory duty whether under that enactment or otherwise.