



Local Government (Scotland) Act 1894

1894 CHAPTER 58

PART I

CONSTITUTION OF A LOCAL, GOVERNMENT BOARD FOR SCOTLAND

3 Establishment of Local Government Board for Scotland

A Board shall be established, to be called the Local Government Board for Scotland (in this Act referred to as the Board), and from and after the establishment of such Board, the Board of Supervision, established by the Poor Law (Scotland) Act, 1845, shall cease to exist, and all the powers and duties vested in or imposed on the Board of Supervision by any Act of Parliament in force at the commencement of this Act, shall be vested in, transferred to, and imposed on the Board, and, except as otherwise provided by this Act, shall be exercised and performed by the Board in like manner and subject to the same conditions, liabilities, and incidents respectively, as such powers and duties might before the commencement of this Act have been exercised and performed by the Board of Supervision, or as near thereto as circumstances admit.

4 Constitution of Board

- (1) The Board shall consist of a President, being the Secretary for Scotland, the Solicitor-General for Scotland, and the Under Secretary for Scotland, together with three appointed members, of whom one shall also be appointed Vice-President and Chairman of the Board in the absence of the President, the second shall be a member of the Faculty of Advocates of not less than seven years standing, and the third shall be a registered medical practitioner, who is also registered on the Medical Register as the holder of a diploma in sanitary science, public health, or State medicine, under section twenty-one of the Medical Act, 1886, or has been for a period of not less than five years medical officer of a county or burgh. Such third appointed member shall not hold any other appointment or engage in private practice or employment.
- (2) The appointed members shall be appointed by Her Majesty, on the recommendation of the Secretary for Scotland, at any time after the passing of this Act, and from time to time as vacancies occur, and shall receive out of moneys provided by Parliament

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such salaries as the Treasury may assign. They shall hold office during Her Majesty's pleasure.

- (3) The Board shall be deemed to be established from and after the date of the first appointment of a Vice-President under this Act.

5 Seal, style, acts, orders, and rules of Board

- (1) The Board shall adopt an official seal, and describe themselves generally by the style and title of the Local Government Board for Scotland, and any act to be done, or deed to be signed, or instrument to be executed, by or on behalf of the Board, may be done or signed or executed in the name of the Board by the President, or by any member of the Board, or by the secretary if such secretary is authorised to do, sign, or execute the same by any general or special order of the Board.
- (2) A rule, order, or regulation made by the Board shall be valid if made under the seal of the Board, and signed by the President or Vice-President or one of the ex officio members of the Board, and countersigned by the secretary ; and a copy of such rule, order, or regulation, signed and certified by the secretary of the Board, shall be evidence thereof in any court of law or justice.
- (3) It shall be lawful for the Board from time to time to make rules for conducting the business of the Board, and for exercising the powers and authorities thereof.

6 Transfer of officers

- (1) The secretary and all officers, inspectors, clerks, and other persons employed at the passing of this Act in or about the execution of the powers and duties of the Board of Supervision, shall, from and after the establishment of the Board, be attached to and be under the control of the Board, and shall in other respects hold their offices and places upon the same terms and conditions, and have the same powers, privileges, and immunities with respect to the performance of their duties, as if this Act had not passed.
- (2) The Board may, by order, distribute the business to be performed under the Board amongst the several officers and persons transferred to the Board by this Act, in such manner as the Board may think expedient.
- (3) The Board may, with a view to the proper performance of the duties imposed upon them by this Act, appoint in writing, such medical officers, inspectors, clerks, and other officers, with such salaries to be paid out of moneys to be provided by Parliament, as the Board may, with the sanction of the Treasury, determine.
- (4) All expenses incurred by the Board in the execution of their duties, to such amount as may be sanctioned by the Treasury, shall be paid out of moneys provided by Parliament.

7 Construction of Acts and deeds, &c

In the construction and for the purposes of any Act of Parliament, contract, or other deed, passed, entered into, or executed, or of any action or proceeding raised, before the establishment of the Board, the name of the Board shall be deemed to be substituted for the Board of Supervision, and any act or thing which might, if this Act had not passed, have been done by the Board of Supervision, may be done by the Board.

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After the establishment of the Board, all property belonging to or vested in, or held in trust for, the Board of Supervision shall pass to, and vest in, and be held in trust for, the Board, subject to all debts and liabilities affecting the same, and shall be held by the Board for the purposes for which it is now held, or would have been held if this Act had not passed.