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STATUTORY INSTRUMENTS

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**1996 No. 323 (C.6) (S.23)**

**LOCAL GOVERNMENT, SCOTLAND  
WATER SUPPLY, SCOTLAND**

**The Local Government etc. (Scotland) Act 1994  
(Commencement No.7 and Savings) Order 1996**

*Made - - - - 9th February 1996*

The Secretary of State, in exercise of the powers conferred on him by section 184(2) and (3) of the Local Government etc. (Scotland) Act 1994(1) and of all other powers enabling him in that behalf, hereby makes the following Order:

**Citation and interpretation**

1.—(1) This Order may be cited as the Local Government etc. (Scotland) Act 1994 (Commencement No.7 and Savings) Order 1996.

(2) In this Order, “the Act” means the Local Government etc. (Scotland) Act 1994.

**Days appointed and savings**

2.—(1) Subject to paragraph (2) below, 19th February 1996 is the day appointed for the coming into force of—

- (a) section 46 of the Act (licensing boards);
- (b) section 180 of the Act, so far as it relates to the provisions in Schedules 13 and 14 to the Act specified in sub-paragraphs (c) and (d) below;
- (c) in Schedule 13 to the Act, paragraph 176(2), (10), (12)(b) and (16)(a) to (c); and
- (d) in Schedule 14 to the Act, the repeals of the following provisions of the Local Government Finance Act 1992(2):—
  - (i) in section 93(1)(a) the words “regional, islands or district” and “as appropriate”;
  - (ii) section 97(2);
  - (iii) section 112(2)(d);
  - (iv) in Schedule 2, in paragraph 8(5)(b), the words “or where the authority is a regional council, each amount set under section 93 of this Act”, and, in paragraph 12(2), sub-

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(1) 1994 c. 39.  
(2) 1992 c. 14.

sub-paragraph (b) and, in sub-sub-paragraphs (e) and (f), the word “levying”; and paragraph 19(7)(b); and

(v) in Schedule 11, Parts I and II and paragraphs 26 and 27.

(2) In the period until 1st April 1996, the provisions of the Local Government Finance Act 1992 which are amended or repealed by the provisions of the Act brought into force by paragraph (1)(b) to (d) above shall continue to apply (without amendment or repeal) in relation to any financial year which began prior to that date.

3. 31st March 1996 is the day appointed for the coming into force of—

- (a) section 180 of the Act, so far as it relates to the provision in Schedule 13 to the Act specified in paragraph (b) below, and
- (b) in Schedule 13 to the Act, paragraph 100(9)(h).

4.—(1) Subject to paragraph (2) below, 1st April 1996 is the day appointed for the coming into force of—

- (a) the provisions of the Act specified in column 1 of Schedule 1 to this Order (which relate to the matters specified in column 2 of that Schedule);
- (b) section 180 of the Act, so far as it relates to the provisions in Schedules 13 and 14 to the Act specified in sub-paragraphs (c) and (d) below;
- (c) in Schedule 13 to the Act, paragraphs 1, 2, 4 (so far as not already in force), 5, 6, 8 to 26, 27 (so far as not already in force), 28 to 33, 35 to 37, 38(1) and (8), 39 to 56, 58, 59, 60 (so far as not already in force), 61, 63 to 66, 67 (so far as not already in force), 68 to 70, 71 (so far as not already in force), 72 (so far as already not in force), 73, 74, 75 (so far as not already in force), 76 to 84, 85(1), (2) and (3)(b)(ii) and (c), 86 to 91, 92 (other than sub-paragraphs (34), (35) and (48) and so far as not already in force), 93(1) and (3), 94, 95(3), (5) to (7) and (10), 96 to 99, 100(6) to (8) and (9)(a) to (i) (so far as not already in force), 101 to 115, 116(1) to (5), 117, 118, 119 (other than sub-paragraph (54)(a)(ii) and (h)(iii) and so far as not already in force), 120 to 128, 129 (so far as not already in force), 130 to 148, 150 to 155, 156 (so far as not already in force), 157 to 161, 163 to 166, 167 (other than sub-paragraphs (2), (4), (5), (7) and (9)), 168 to 175, 176 (so far as not already in force) and 178 to 184; and
- (d) the repeals in Schedule 14 to the Act specified in Schedule 2 to this Order.

(2) The commencement, by virtue of paragraph (1)(d) above, of Schedule 14 to the Act so far as relating to the repeal of section 223 of the Local Government (Scotland) Act 1973(3) shall not affect the continuing operation of that section in relation to the councils constituted under section 2 of the Act for the areas of Orkney Islands, Shetland Islands and Western Isles.

St Andrew’s House, Edinburgh  
9th February 1996

*George Kynoch*  
Parliamentary Under Secretary of State, Scottish  
Office

## SCHEDULE 1

Article 4(1)(a)

## PROVISIONS OF THE ACT COMING INTO FORCE ON 1ST APRIL 1996

Column 1 Provision of the Act	Column 2 Subject matter
Section 6	Date of elections
Section 21	Application of section 211 of the Local Government (Scotland) Act 1973(4) to joint boards
Section 22	Community councils
Section 30	Rating authorities
Section 31	Education
Section 32	Co-operation between education authorities
Section 35	Amalgamation schemes
Section 41	Amendment of section 13 of the Transport Act 1968(5)
Section 45	Chief social work officer
Section 48	Amendment of District Courts (Scotland) Act 1975(6)
Section 51(1), (2), (4) and (5)	Registration of births, deaths and marriages
Section 53	Records held by local authorities
Section 54(1) to (4)	Use, acquisition and disposal of records
Section 58 (so far as not already in force)	Further provision as to discharge of functions by authorities
Section 65(1)	General duties of Secretary of State and of new authorities
Section 68(2) and (3)	Functions of Customers Council
Section 72	References to Monopolies and Mergers Commission
Section 75	Maximum charges for services provided with help of new authority
Section 78	Liability of occupiers etc. for charges
Section 79(4)	Recovery of charges by diligence
Section 80	Power to demand and recover charges not to affect duty to maintain domestic water supply etc.
Section 82	Arrears of charges: restrictions on voting

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(4) Section 211 was amended by the Local Government and Housing Act 1989 (c. 42), section 159.

(5) 1968 c. 73.

(6) 1975 c. 20.

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Column 1 Provision of the Act	Column 2 Subject matter
Section 99	Compulsory acquisition of land
Section 100	Disposal of land
Section 102	Emptying of septic tanks
Section 105	Restriction on references to Secretary of State of questions regarding water supply
Section 106	Removal of restriction on supply of water to premises outwith water authority's limits of supply
Section 107	Supply of water for use outwith Scotland
Section 108	Further provision as regards removal of restrictions on supply of water outwith limits of supply
Section 109	Right of objection to proposed laying of mains
Section 110	Vesting of certain supply pipes
Section 111	Duty of water authority to keep map showing water mains etc.
Section 112	Simplification of provisions as respects opting for water supply by meter
Section 117	Directions in the interests of national security
Section 118(2) and (3)	Annual report
Section 119	Records held by new authorities
Section 120(2)	Notice of proposal to investigate new source of water supply
Section 121	Power of new authorities to promote or oppose private legislation
Section 127(1) (so far as not already in force)	The Principal Reporter
Section 132	Duty of Administration to provide accommodation etc. for children's hearings
Section 139	Report by local authority for purpose of investigation preliminary to children's hearing
Section 140	Power of local authorities to provide assistance to voluntary organisations
Section 142	Organisation of polling districts
Section 144	Denominational schools: proposals under section 22D of Education (Scotland) Act 1980(7)

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(7) 1980 c. 44; section 22D was inserted by the Education (Scotland) Act 1981 (c. 58), section 6.

Column 1 Provision of the Act	Column 2 Subject matter
Section 145	Provision of school transport and other facilities
Section 162(2)	Abolition of Scottish Valuation Advisory Council
Section 164(3), (4) and (5)	Calculation of limits on spending
Section 174	Power of local authority to submit amending schemes to Secretary of State
Section 183(2), (4) and (5)	Interpretation and amendment of statutory references
Schedule 4	Amendments to the Town and Country Planning (Scotland) Act 1972 <sup>(8)</sup>
Schedule 10	Recovery by diligence of charges payable to a collecting authority by virtue of section 79 of the Act

## SCHEDULE 2

Article 4(1)(d)

## REPEALS IN SCHEDULE 14 TO THE ACT COMING INTO FORCE ON 1ST APRIL 1996

Chapter	Short title	Extent of repeal
7 & 8 Geo.6 c.26.	The Rural Water Supplies and Sewerage Act 1944.	The whole Act.
10 & 11 Geo.6 c.41.	The Fire Services Act 1947.	In section 36, subsections (3) and (6).
10 & 11 Geo.6 c.43.	The Local Government (Scotland) Act 1947.	In section 237(2)(b), the words from “and, if” to “determined”.
11 & 12 Geo.6 c.29.	The National Assistance Act 1948.	In section 33, subsection (2). In the Third Schedule, paragraphs 9 to 13.
12, 13 and 14 Geo.6 c.74.	The Coast Protection Act 1949.	In section 20(5), the words “or the council of a district in Scotland”.
12, 13 and 14 Geo.6 c.97.	The National Parks and Access to the Countryside Act 1949.	In section 21(1), the words “general or district”.
3 & 4 Eliz.2 c.13.	The Rural Water Supplies and Sewerage Act 1955.	The whole Act.
4 & 5 Eliz.2 c.60.	The Valuation and Rating (Scotland) Act 1956.	

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<sup>(8)</sup> 1972 c. 53.

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Chapter	Short title	Extent of repeal
		Section 1.
		Section 3.
		In section 43(1), the definition of “Advisory Council”.
7 & 8 Eliz.2 c.40.	The Deer (Scotland) Act 1959.	In section 25A, in subsection (2), the words “islands and district”, and in subsections (4) and (5) the words “islands or district”.
		In section 25D, in subsection (8), the words “islands or district”.
1960 c. 62.	The Caravan Sites and Control of Development Act 1960.	Section 24(8A).
1961 c. 41.	The Flood Prevention (Scotland) Act 1961.	In section 4(2), the words “(whether a different authority from the local authority or not)”.
		Section 12(2).
1965 c. 49.	The Registration of Births, Deaths and Marriages (Scotland) Act 1965.	Section 15(4).
1967 c. 77.	The Police (Scotland) Act 1967.	Section 19(5).
		Section 21A.
1967 c. 78.	The Water (Scotland) Act 1967.	The whole Act.
1967 c. 86.	The Countryside (Scotland) Act 1967.	In section 49, subsection (5).
		In section 61, in each of subsections (5), (6) and (8), the word “local”.
		In section 63, in each of subsections (2) and (4) to (9), the word “local” wherever it occurs; and in subsection (11), the word “local” where it first occurs and the words from “and any reference” to the end.
		In section 65(5), paragraph (c) and, in paragraph (f), the words “within the meaning of section 109(1) of the Water

Chapter	Short title	Extent of repeal
		(Scotland) Act 1980"; and paragraph (g).
1968 c. 16.	The New Towns (Scotland) Act 1968.	In section 34(1)(a), the words "water, sewerage or other".
1968 c. 46.	The Health Services and Public Health Act 1968.	In section 71, subsection (3).
1968 c. 47.	The Sewerage (Scotland) Act 1968.	Section 18.  Section 40. Section 47. Section 52.  In section 59(1), the definitions of "authorised officer", "local authority" and "trunk road".
1968 c. 49.	The Social Work (Scotland) Act 1968.	Section 2.  In section 5A(3), paragraph (b). Section 34(3). In section 36, subsections (1), (4) and (6). In section 76(2), the words "to which the case stands referred". In Schedule 3, in paragraph 3, sub-paragraph (i) and, in sub-paragraph (ii), the words "in any other case,".
1968 c. 73.	The Transport Act 1968.	In section 9A(9)(b), the words "regional or islands".  In section 56(4)(b), the words "regional or islands".
1970 c. 6.	The Rural Water Supplies and Sewerage (Scotland) Act 1970.	The whole Act.
1971 c. 49.	The Rural Water Supplies and Sewerage Act 1971.	The whole Act.
1972 c. 52.	The Town and Country Planning (Scotland) Act 1972.	Section 4(5).  Section 5(5) and (7).

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Chapter	Short title	Extent of repeal
		In section 8(1) the words from “and may provide for” to the end.
		In section 15(1), the words from “or of the provisions of Part IX” to “to be carried out, or”, the words “, after holding a local inquiry or other hearing,” and the words “carrying out the survey or are not”.
		In section 22, the word “(1)” and subsection (2).
		Section 25(4).
		Section 28(3).
		Section 32(7).
		Section 49G.
		Section 50(4).
		In section 52(4), the words “regional, general or district”.
		In section 56F(1), the words from “and section 179” to “1973”.
		In section 56K(10), the words “and section 179 of the Local Government (Scotland) Act 1973”.
		Section 84A.
		In section 87A(1), the words “general and district”.
		In section 102, in subsection (1) the words “to whom this subsection applies”, and subsection (5).
		Section 169(8).
		Section 229A.
		In paragraphs (a) and (b) of section 231(2), the words “or as applied under section 181 of the Local Government (Scotland) Act 1973”.
		Section 254(4).



Chapter	Short title	Extent of repeal
		Section 265(9).
		In section 275(1), the definition of “district planning functions”.
1973 c. 65.	The Local Government (Scotland) Act 1973.	Section 1.
		Section 2.
		Section 3.
		Section 3A.
		Section 4.
		Section 5.
		Section 11.
		In section 24(5)(f), the words “regional, islands or district”.
		Section 31(4).
		In section 47, in subsection (4), the words “, other than a water development board within the meaning of the Water (Scotland) Act 1980,” and subsection (5).
		In section 51, in subsection (1), the words “within the meaning of this Part of this Act” and subsection (3).
		In section 56(6), paragraphs (a) and (c).
		In section 56(9), paragraph (c).
		In section 63, in subsection (2), the words “or a district council” and, in subsection (5) (a), the words “or district council”.
		In section 64(5), paragraphs (c) and (f).
		Section 69(4).
		Section 74(3).
		In section 83, in subsection (2), the words “, subject to subsection (3A) below,”; and subsections (2A), (2B) and (3A).

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Chapter	Short title	Extent of repeal
		In section 87, in subsection (1), the words “any other local authority in the area”, in subsection (2), the words from “and where” to the end, and subsection (3).
		Section 90A.
		In section 106(1), paragraph (c) and the proviso.
		Section 109.
		In section 111(1)(e), the words “or to a water development board within the meaning of the Water (Scotland) Act 1980,”.
		Section 116(1) to (5), (7) and (8).
		In section 118, in subsection (1), the words “(a)” and paragraph (b) and, in subsection (5), the words “or any water development board within the meaning of the Water (Scotland) Act 1980”.
		Section 127.
		Sections 131 and 132.
		In section 133, subsection (1).
		Section 134(1).
		Sections 137(1) and 138(1).
		Section 140.
		Sections 142 and 143.
		Section 146(7).
		Section 148(1).
		In section 153, in subsection (1), the words “regional or islands”, in subsection (2), the words “regional or islands” and, wherever it occurs, “such” and, in subsection (3), the words “regional or islands” and, where it first occurs, “such”.

Chapter	Short title	Extent of repeal
		<p>In section 154, in subsection (1), the words “Subject to subsection (3A) below” and “regional or islands”, in subsection (2), the word “regional”, in both places where it occurs, in subsection (3), the words “regional or islands” and “such” and subsections (3A) and (3B).</p> <p>Sections 154A and 154B.</p> <p>Sections 155(1) and 156(1).</p> <p>Section 159.</p> <p>Section 161.</p> <p>In section 163, subsection (1), in subsection (2), the words “as aforesaid” and subsection (3).</p> <p>In section 166, subsection (1) and, in subsection (2), paragraphs (a), (e) and (f).</p> <p>Section 168.</p> <p>Section 170A(5)(a).</p> <p>In section 170B(2), the words “or water development boards” where they first occur.</p> <p>Section 171(1) and (2).</p> <p>Section 173.</p> <p>Section 174.</p> <p>Section 176.</p> <p>Section 177.</p> <p>Section 179.</p> <p>Section 181.</p> <p>Section 182.</p> <p>Section 183.</p> <p>In section 202, in subsection (1), the words “Subject to subsection (1A) below”; and subsections (1A) and (13).</p>

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Chapter	Short title	Extent of repeal
		<p>In section 215, subsections (3) to (7).</p> <p>Sections 222 to 224.</p> <p>Section 226.</p> <p>Section 230.</p> <p>In section 235(1), the definitions of “area”, “college council”, “school council”, “education committee” and “water authority”.</p> <p>In section 236(2), the words “Subject to section 74(3) of this Act and to section 20 of the Water (Scotland) Act 1980,”; and paragraph (e).</p> <p>Schedules 1 and 2.</p> <p>In Schedule 6, in paragraph 2, the letter “(a)”.</p> <p>In Schedule 9, paragraph 53.</p> <p>Schedule 10.</p> <p>Schedules 13 and 14.</p> <p>In Schedule 17, in paragraph 1(1)(a), the words “or to a constituent board” and “or to a constituent water authority”; and paragraph 2.</p> <p>Schedule 20.</p> <p>Schedule 22.</p> <p>In Part II of Schedule 27, paragraphs 159, 180 and 182.</p>
1974 c. 40.	The Control of Pollution Act 1974.	Section 106(3).
1975 c. 20.	The District Courts (Scotland) Act 1975.	Section 7(3).
		Section 18(3).
1975 c. 24.	The House of Commons Disqualification Act 1975.	In Schedule 1, in Part IV, the entry relating to Her Majesty’s Lord-Lieutenant or Lieutenant for an islands area in Scotland and, in the entry relating to Her Majesty’s Lord-Lieutenant for the district of the city of

Chapter	Short title	Extent of repeal
1975 c. 30.	The Local Government (Scotland) Act 1975.	<p>Aberdeen, Dundee, Edinburgh, or Glasgow, the words “the district of”.</p> <p>In section 1, in subsection (3) (b), the words “, after consultation with the Advisory Council,”, subsection (3)(c), and subsection (7).</p> <p>Section 4.</p> <p>Section 6(1A).</p> <p>In section 7(1A), the words “and, in the case of the non-domestic water rate, the net annual value and the apportioned net annual value of part residential subjects”.</p> <p>Section 13.</p> <p>In section 16, the words “, water development boards”.</p> <p>In section 23, subsections (1) (c) and (d) and (2)(c).</p> <p>In section 29A, in subsection (3)(a), the words from “or under” to “committees”.</p> <p>In Schedule 3, paragraph 1(4); in paragraph 22, in sub-paragraph (2), the words from “(a)” to “or”, where it occurs immediately following sub-paragraph (b); and in paragraph 28(1) the words “paragraph 1(4) above and” and “, a water development board”.</p> <p>In Part II of Schedule 6, paragraphs 23 and 53.</p>
1975 c. 72.	The Children Act 1975.	<p>In section 99(1), the word “or” immediately preceding paragraph (e).</p>
1976 c. 66.	The Licensing (Scotland) Act 1976.	<p>In section 1, subsection (3), in subsection (4), the words “district or islands” and, in subsection (5), the words “or electoral division”.</p>

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Chapter	Short title	Extent of repeal
		In section 3(2), the words “of the district or islands area”.
		In section 5(8), the words “district or islands”.
		In section 7, in subsection (1), the words “district and islands” and subsection (2).
1976 c. 71.	The Supplementary Benefits Act 1976.	In Schedule 5, in paragraph 2(2), the words “and of”, “, regions, islands areas” and “and”, where it thirdly occurs, and, in paragraph 4(2), the words “, a region, an islands area” and “or”, where it secondly occurs.
1978 c. 29.	The National Health Service (Scotland) Act 1978.	In section 16A(1), in paragraph (b), the words “of a regional or islands council's”, in paragraph (c), the words “of a district or islands council's” and, in paragraph (d), the words “of a regional or islands council's”.
1978 c. 50.	The Inner Urban Areas Act 1978.	In section 1(2), the words “or region”. In section 2(1), the words “or region”, in both places where they occur. In section 7(1)(a), the words “or region”.
1980 c. 9.	The Reserve Forces Act 1980.	In section 131, in subsection (2), the words “the district of”, subsections (3) and (4) and, in subsection (5), the words “the districts of”.
1980 c. 44.	The Education (Scotland) Act 1980.	In section 4, the words “regional or island authority”. In section 6, in subsection (2), the letter “(a)” and paragraph (b) and subsection (3). Section 78. In section 86, in paragraph (a), the words from “or” to “authority”, where thirdly

Chapter	Short title	Extent of repeal
1980 c. 45.	The Water (Scotland) Act 1980.	<p data-bbox="995 383 1351 472">occurring and in paragraph (e), the words “or by the director of education”.</p> <p data-bbox="995 495 1166 526">Sections 3 to 5.</p> <p data-bbox="995 573 1351 857">In section 10, in subsection (1), the words “or water development board”; in subsection (1A) the words “onto agricultural land or forestry land” and “or as the case may be water development board’s”; and subsection (6).</p> <p data-bbox="995 880 1351 1323">In section 11, in subsection (1), in paragraph (a), the words “or a water development board” and in paragraph (b) the words “or board”; in subsection (2), the words “or board”; in subsection (3), the words “or board” wherever they occur; in subsection (4), the words “or board” wherever they occur and “or “the transferee board””; and in subsections (5) to (7), the words “or board” wherever they occur.</p> <p data-bbox="995 1346 1351 1845">In section 13, in subsection (1), the words “or water development board”, in both places where they occur, “or board”, in both places where they occur and “or area”; in subsection (2), the words “or water development board”, “or board” wherever they occur, “or area” and “or boards”; in subsection (3), the words “or water development board” and “or area, as the case may be”; and in subsection (6), the words “or water development board”.</p> <p data-bbox="995 1868 1118 1899">Section 15.</p> <p data-bbox="995 1921 1351 2038">In section 16, in subsection (1), the words “or water development board”; and in each of subsections (2), (3)</p>

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		<p>and (8), the words “or board” wherever they occur.</p> <p>In section 17, in subsection (1), the words “or water development board”; in subsection (2), the words “or water development board” and “or board”; in subsection (3), the words “or water development board” and, in both places where they occur, “or board”; and in subsection (4), the words “or water development board”.</p> <p>In section 18, the words “or board” in both places where they occur.</p> <p>Section 20.</p> <p>In section 22, the words “or water development board”.</p> <p>In section 23, in subsection (1), the words “or water development board”; in subsection (2), the words “or board”; and in subsection (3), the words “or water development board”.</p> <p>In section 25(2), the words “or district”, where they secondly occur.</p> <p>In section 27(1), the words “or district”, where they secondly occur.</p> <p>In section 28, in subsection (1), the words “or a water development board”; and in subsection (2), the words “or water development board”.</p> <p>In section 29, in subsection (2), the words “or water development board”; and in subsection (3), the words “or board”.</p> <p>Section 30.</p> <p>In section 32, in subsection (1) (b), the words “subject</p>



Chapter	Short title	Extent of repeal
		to subsection (2),”; and subsection (2).
		In section 33, in subsection (1), the words “or water development board”, “or their area, as the case may be” and “or board”; in subsection (3), the words “or water development board” in both places where they occur; and in each of subsections (4), (6)(b), (7), (8), (9) and (11), the words “or board” wherever they occur.
		Section 35(4).
		In section 38(1), the words “or water development board” and, in each of paragraphs (a), (c) and (d), “or board”.
		Sections 40 and 41.
		Sections 42 to 46.
		In section 47(3), the word “and” where it first occurs.
		Sections 48 and 49.
		In section 54, subsection (2); and in subsection (3)(b), the words from “and in the case” to the end.
		In section 58, in subsection (6), the words “or the district of a district council” and “or by that district council”; and subsection (8).
		Sections 60 and 61.
		Section 63(6).
		In section 68, in subsection (1), the words “or water development board” and “or board”; in the proviso to that subsection the words “or board”; and subsection (3).
		In section 70, in subsection (1), the words “or water development board”; in subsection (2), the words “or

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		<p>board”; in subsection (4), the words “or water development board”; and in the proviso to subsection (4), the words “, or as the case may be the Board.”.</p> <p>In section 71, in subsection (1), the words “or water development board”; in subsection (5), the words “or board” and, where they secondly occur, “or boards”; and in subsection (6) the words “or boards”.</p> <p>In section 72(2), the words “and water development board”.</p> <p>In section 73, in subsection (1), the words “or water development board” and “or board”; and in each of subsections (2) and (3), the words “or board” wherever they occur.</p> <p>In section 76, in subsection (1), the words “or water development board” and “or board”; in subsection (2), the words “or water development board” and (wherever they occur, both in the subsection and in its proviso) “or board”; in subsection (3), the words “or water development board”; “or their area” and “or board”; and in the proviso to subsection (3), the words “or board”; and “or the area of that board”.</p> <p>In section 76L(1), the definition of “local authority”.</p> <p>Sections 80 to 92.</p> <p>In section 103, the words “or water development board” in both places where they occur.</p> <p>In section 107, in subsection (1)(b), the words “or a water development board” and “or board”; and in</p>

Chapter	Short title	Extent of repeal
		<p>subsection (5), the words “or a water development board”.</p> <p>In section 109, in subsection (1), the definitions of “the 1992 Act”, “apportionment scheme”, “apportionment note”; “Central Board”, “constituent water authority”, “contributing authority”, “council water charge”, “net annual value” and “part residential subjects”; and in subsection (3), the words “and water development board”.</p> <p>In Schedule 1, in paragraph 3, the words “and the area of the water development board”; in paragraph 11, the words “where the river purification authority are not the same authority as the water authority”; in paragraph 12, the words “and the area of the board”; in paragraph 13, the words “not exceeding 10 pence”; in paragraph 14, the words “or board”; in paragraph 17, the words “or board” and “or boards”; in paragraph 19, the words “or water development board” in both places where they occur and “or area”; in paragraph 20, the words “or water development board”; in paragraph 23, the words “or board” and “or boards”; in each of paragraphs 24, 26 and 27, the words “or water development board”; in paragraph 30, the words “or water development board” and “or board”; and in paragraph 31, the words “or board” in both places where they occur.</p> <p>In Schedule 2, in each of paragraphs 4 and 6, the words “or water development board” wherever they occur.</p>

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Chapter	Short title	Extent of repeal
		<p>In Schedule 3, in paragraph 1, the words “and water development board”, “within their limits of supply or area” and from “and outside” to “removing mains” where they secondly occur; in paragraph 2(2), the words “or board” in both places where they occur; in paragraph 4(1), the words “within their limits of supply” and “within the said limits”; in paragraph 5, the words “within the limits of supply”; and paragraph 8.</p> <p>Schedules 7 and 8.</p> <p>In Schedule 10, Part II in so far as relating to the Local Government (Scotland) Act 1973.</p>
1980 c. 65.	The Local Government, Planning and Land Act 1980.	<p>In section 8(1)(b), the words “(ii) a water authority; or”.</p> <p>In section 20, in subsection (1), in the definition of “development body”, sub-paragraph (i) of paragraph (b); and subsection (2A).</p> <p>In section 87(2), the word “(a)” and paragraph (b).</p> <p>In section 148(2), the words “exercising district planning functions”.</p> <p>In Schedule 32, in paragraph 33, in sub-paragraph (4), the definition of “rates”.</p>
1981 c. 23.	The Local Government (Miscellaneous Provisions) (Scotland) Act 1981.	Section 11.
1982 c. 16.	The Civil Aviation Act 1982.	<p>In Schedule 3, paragraphs 24, 28 and 38.</p> <p>In section 30, in subsection (1), the words “, other than a district council in Scotland,” and the words from “and a” to “above” and, in subsection (2), the words “, other than a</p>

Chapter	Short title	Extent of repeal
1982 c. 43.	The Local Government and Planning (Scotland) Act 1982.	<p>district council in Scotland,” and, in section 88(10), the words “, other than a district council in Scotland.”.</p> <p>Sections 6 and 7.</p> <p>In section 14(2), the words “regional or islands council as”.</p> <p>In section 27(4), the words from “Without” to “Act”.</p> <p>Sections 33 and 34.</p> <p>In section 50, paragraph (c).</p> <p>Section 56.</p> <p>In Schedule 1, Part I.</p> <p>In Schedule 3, paragraph 16.</p>
1982 c. 45.	The Civic Government (Scotland) Act 1982.	<p>Section 87(6).</p> <p>Section 89(10).</p> <p>In section 122(2)(b), sub-paragraph (iii) and the word “and” immediately preceding it.</p>
1983 c. 2.	The Representation of the People Act 1983.	<p>In section 18, in subsection (5), the words “any interested authority or”, “(or in Scotland, the returning officer)”, “or returning officer” in both places where they occur and, in the definition of “interested authority”, sub-paragraph (iii) and, in subsection (6), the words “or returning officer”.</p> <p>Section 25(3).</p> <p>In section 31(2), the words from “and for” to “polling district”, where it secondly occurs.</p> <p>In section 204(1), in the definition of “electoral area”, the words “division or”.</p>

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Chapter	Short title	Extent of repeal
1984 c. 27.	The Road Traffic Regulation Act 1984.	In section 26(4), paragraph (b) and the word “and” immediately preceding it.  In section 26(5), paragraph (b) and the word “or” immediately preceding it and the words “or, in Scotland, the district council,”.
1984 c. 54.	The Roads (Scotland) Act 1984.	In section 4(1), the words “or, in relation to cleansing, with a district council,” and the words “or council”.  In section 95(2), the words “or by the district council”.  In Schedule 9, paragraphs 27(3)(a) and 64(5)(c).
1985 c. 63.	The Water (Fluoridation) Act 1985.	Section 3.  In section 4, in subsection (6), the words “or to terminate a preserved scheme”; and in subsection (7), the words “or terminate a preserved scheme”.
1985 c. 69.	The Housing Associations Act 1985.	In section 59, in subsections (1) and (2), the words “or regional council”, wherever they appear.
1986 c. 33.	The Disabled Persons (Services, Consultation and Representation) Act 1986.	In section 16, in the definition of “local authority”, in paragraph (b), the words “, as read with section 2,”.
1987 c. 26.	The Housing (Scotland) Act 1987.	In section 61(11)(a), the words “council or”, where first occurring.  In section 212(4)(e), the words “or a water development board”.  Section 235.  In Schedule 15, in paragraph 2(1), head (f).  In Schedule 23, paragraph 23.
1989 c. 9.	The Local Government Act 1988.	In section 1, in subsection (1), the words “and (k) a water development board

Chapter	Short title	Extent of repeal
		in Scotland,”; and in subsection (3), the words “and (b) “water development board” has the same meaning as in section 109(1) of the Water (Scotland) Act 1980”.
		In Schedule 2, the words “A water development board in Scotland” and “, and (b) “water development board” has the same meaning as in section 109(1) of the Water (Scotland) Act 1980”.
1988 c. 43.	The Housing (Scotland) Act 1988.	In section 55(1), the word “and” where it occurs immediately after the definition of “tenancy”.
		In section 57(1), the word “neither” and the words from “nor” to “council”, where thirdly occurring.
1988 c. 47.	The School Boards (Scotland) Act 1988.	In section 22, in subsection (2), the definitions of “islands councillor” and “regional councillor”.
		In Schedule 2, in paragraph 5, the words “Schedule 10 to” and “and Schedule 10 to”.
1989 c. 29.	The Electricity Act 1989.	In Schedule 5, in paragraph 8(a), the words “; and (iii) the water development board”; in paragraph 9, the words “and the water development board”; and in paragraph 14, the words “, or the area of any water development board,”.
1989 c. 42.	The Local Government and Housing Act 1989.	In section 2(6)(a), the words “or director of education” and the words from “or section” to “1980”.
		In section 4(5), the words “, or Schedule 10 or 20 to,”.
		In section 5(5), the words “, or Schedule 10 or 20 to,”.
		In section 9(8)(b), the words “, or Schedule 10 or 20 to,”.

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Chapter	Short title	Extent of repeal
		In section 14, subsections (2) and (3) and, in subsection (8), paragraphs (b), (c) and (d).
		In section 155(5), the letter “(d)”.
		In Schedule 1, in paragraph 4, in sub-paragraph (1), in the definition of “ordinary committee”, in paragraph (b), the words from “the authority’s” to “or” and, in sub-paragraph (2), the definition of “social work committee” and the word “and” immediately preceding it.
		In Schedule 6, paragraphs 16 to 19.
		In Schedule 11, paragraph 43.
1990 c. 43.	The Environmental Protection Act 1990.	In section 53, in subsection (4), the words “(other than an islands council)”.
		In section 88(9), in paragraph (a), the words “, a regional council” and, in paragraph (b), the words “, regional council”.
		In section 90(3), the words “, regional council”.
		In section 92(1), the words “, regional council”.
		In section 93(1), the words “, regional council”.
		In section 95(1), the words “, regional council”.
1991 c. 22.	The New Roads and Street Works Act 1991.	In section 153, in subsection (1), the words “or district council” and “or council” and, in subsection (3), the words “or council”.
1991 c. 28.	The Natural Heritage (Scotland) Act 1991.	In section 22(1), in the definition of “compensation water”, the words “or water development board”.



Chapter	Short title	Extent of repeal
		In section 24, in each of subsections (1)(a) and (9)(a), the words “or board”.
		In Schedule 7, in paragraph 5, in sub-paragraph (1), the words “or a water development board” and (in head (a)) “or board”, in sub-paragraph (2), the words “or water development board” and in sub-paragraph (3), the words “or water development board” and “or board”; in paragraph 6, the words from “, including” to the end; and in paragraph 7, the words “or a water development board”.
		In Schedule 8, in paragraph 1, in sub-paragraph (3), in the second column of the Table, in paragraph (a) of the entry relating to “All Orders”, the words “or water development board (not being the applicant)”.
1991 c. 34.	The Planning and Compensation Act 1991.	In Schedule 13, paragraph 44.
1992 c. 4.	The Social Security Contributions and Benefits Act 1992.	In section 137(1), the definition of “levying authority”.
1992 c. 5.	The Social Security Administration Act 1992.	In section 15A(3)(d), the words “, islands council”.
		In section 191, the definition of “levying authority”.
1992 c. 14.	The Local Government Finance Act 1992.	In section 74(1), the words “regional, islands or district”.
		In section 84, in subsection (1), the words “regional and islands” and, in subsection (2) (a), the words “regional or islands”.
		In section 85, subsection (2), in subsections (3) and (5) the words “regional or islands” and, in subsection (4), the words “(a)” and “and” and paragraph (b).

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Chapter	Short title	Extent of repeal
		In section 86, in subsection (4) the words “region or islands” and, in subsections (10) and (11), the words “regional or islands”.
		In section 87(9)(a), the words “regional or islands”.
		In section 90(3)(a), the words “regional, islands or district”.
		In section 94(9) the word “regional” and the words from “and may recover” to the end.
		Section 95.
		In section 99, in subsection (1), the definitions of “the 1968 Act”, “council water charge”, “levying authority”, “public sewage treatment works”, “public sewer” and “water authority” and in the definition of “housing body”, paragraph (a); and in subsection (2), paragraphs (a) (ii) and (iii), (c) and (d).
		Section 107(1).
		In Schedule 9, paragraphs 9(c) and 25(d).
		In Schedule 11, paragraphs 24, 25, 31 to 34, 36, 37 and 38(a) to (c) and (e).
		In Schedule 13, paragraphs 37 and 93.
1993 c. 43.	The Railways Act 1993.	In section 151(1), in the definition of “local authority”, the words “regional council, islands council”.

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## EXPLANATORY NOTE

*(This note is not part of the Order)*

This Order provides for commencement on 19th February 1996 of certain provisions of the Local Government etc. (Scotland) Act 1994 (“the Act”) which amend or repeal provisions of the Local Government Finance Act 1992. This will ensure that new Scottish unitary councils will have responsibility for setting and collecting council tax in respect of financial years 1996/97 onwards and that certain water and sewerage charges will not be set for any financial year after 1995/96. Section 46 of the Act (licensing boards) is also commenced on 19th February 1996.

The Order also provides for commencement on 1st April 1996 (and on 31st March 1996 in one respect) of the relevant outstanding provisions of the Act (subject to a saving provision) relating principally to the transfer of functions to the new Scottish unitary councils and the new water and sewerage authorities and the Scottish Children’s Reporter Administration established under the Act.

## NOTE AS TO EARLIER COMMENCEMENT ORDERS

*(This note is not part of the Order)*

The Local Government etc. (Scotland) Act 1994 (Commencement No.1) Order 1994 (S.I. [1994/2850](#)) provides for commencement of provisions in the Act as follows:—

- (a) on 8th November 1994, sections 1, 5, 7, 12, 57, 61, 97(6), 125, 137(1) (partially), 157, 177 (partially), 178, 181 (partially), 183(1) and 184 and Schedules 1 and 2; and
- (b) on 4th January 1995, sections 8 to 11, 13 to 17, 24, 34, 38, 40, 44, 47, 49, 50, 51(3), 60, 97 (so far as not in force), 101, 104, 113 to 115, 124, 126, 137 (so far as not in force), 141, 143, 146 to 151, 165 to 167, 170, 172, 173, 175, 179, 180 (partially) and 182, Schedule 5 and Schedules 13 and 14 (both partially).

The Local Government etc. (Scotland) Act 1994 (Commencement No.2) Order 1994 (S.I. [1994/3150](#)) provides for commencement of provisions in the Act as follows:—

- (a) on 31st December 1994, section 180 (partially) and Schedule 13 (partially);
- (b) on 4th January 1995, sections 153, 160, 161 and 180 (partially) and Schedule 14 (partially); and
- (c) on 1st April 1995, sections 152, 154, 155, 156, 158, 159, 162(1) and 180 (partially) and Schedules 13 and 14 (both partially).

The Local Government etc. (Scotland) Act 1994 (Commencement No.3) Order 1995 (S.I. [1995/702](#)) provides for commencement of provisions in the Act as follows:—

- (a) on 10th March 1995, sections 91 to 96 and Schedule 11;
- (b) on 1st April 1995, sections 164(1) and (2), 168, and 180 (partially) and Schedules 13 and 14 (both partially);
- (c) on 6th April 1995, sections 2 to 4, 18, 19, 23, 25 to 29, 36, 39, 42, 43, 55, 56, 59, 127 (partially), 128 to 131, 133 to 136, 138, 169, 177 and 180 (both partially), 181 (so far as not in force) and 183(3) and (6), Schedules 3 and 12, and Schedule 13 (partially);
- (d) on 1st August 1995, section 58 (partially); and
- (e) on 1st April 1996, sections 20, 33 and 52, and Schedule 6.

The Local Government etc. (Scotland) Act 1994 (Commencement No.4) Order 1995 (S.I. [1995/1898](#)) provides for commencement on 17th July 1995 of the following provisions in the Act:—

sections 62 to 64, 65(2), 66, 73, 74, 76, 77, 79(1) to (3) and (5), 81, 83 to 90, 98, 116, 118(1), 120(1), 122, 123, 177 and 180 (both partially), Schedules 7 and 8, and Schedule 13 (partially).

The Local Government etc. (Scotland) Act 1994 (Commencement No.5) Order 1995 (S.I. [1995/2866](#)) provides for commencement of provisions in the Act as follows:—

(a) on 30th October 1995, sections 67, 68(1), (4) and (5), 69, 70, 71, 171 (partially) and 177 (so far as not in force) and Schedule 9; and

(b) on 1st April 1996, sections 171 (so far as not in force) and 176.

The Local Government etc. (Scotland) Act 1994 (Commencement No. 6 and Saving) Order 1995 (S.I. [1995/3326](#)) provides for commencement of provisions in the Act as follows:—

(c) on 22nd December 1995, section 180(1) and Schedule 13 (both partially); and

(d) on 1st April 1996, section 180 and Schedules 13 and 14 (all partially).