

Changes to legislation: Local Government (Scotland) Act 1973, SCHEDULE 9 is up to date with all changes known to be in force on or before 19 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

SCHEDULES

^{X1}SCHEDULE 9

Section 122.

AMENDMENTS WITH RESPECT TO FINANCE

Editorial Information

- X1** The text of Schs. 9, 12, 13, 14, 15, 17(2)–(64), 18, 23, 24, 25, 27 Pt. II, 28, 29 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and, except as specified, does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

^{M1}*The Local Government (Scotland) Act 1947*

Marginal Citations

- M1** 1947 c. 43.

- 1 In section 195, after the words “this Act” there shall be inserted the words “or Part VII of the Local Government (Scotland) Act 1973.”
- 2 In section 216—
- (a) for the words from “as early” to “July” there shall be substituted the words “by such date as may be prescribed”;
 - (b) for the words from “as the authorities” to “determine” there shall be substituted the words “as may be prescribed”;
 - (c) at the end there shall be inserted the following words:—
“In this section—
 - (a) references to a joint committee or joint board shall be construed as references to a joint committee or joint board all the members of which, other than ex officio members, are appointed by one or more local authorities;
 - (b) “prescribed” means prescribed by regulations made by the Secretary of State under section 111 of the Local Government (Scotland) Act 1973.”

^{F1}3—5.

Textual Amendments

- F1** Sch. 9 paras. 3–5 repealed by Local Government (Scotland) Act 1975 (c. 30), Sch. 7

- 6 In section 231, the words “and save as otherwise provided in any local Act”, the words “the office of the collector of the authority or at” and the word “other” shall cease to have effect.

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7 In section 232, in subsection (1), in the proviso, paragraph (c) shall cease to have effect.

F28

Textual Amendments
F2 Sch. 9 para. 8 repealed by Local Government (Scotland) Act 1975 (c. 30), Sch. 7

9 In section 237—
(a) subsection (2)(f) shall cease to have effect;
(b) for subsection (3) there shall be substituted the following subsection:—
“(3) A demand note shall be in such form, and shall contain such information in addition to the information required by subsection (2) above, as may be prescribed by regulations made by the Secretary of State under section 111 of the Local Government (Scotland) Act 1973”.

10 In section 238, subsection (4) shall cease to have effect.

F311

Textual Amendments
F3 Sch. 9 para. 11 repealed (1.4.1995) by 1994 c. 39, s. 180(2), Sch. 14; S.I. 1994/3150, art. 4(d), Sch. 2

12 In section 252, the words from “whether such expenses” to “county council” shall cease to have effect.

F413—

15.

Textual Amendments
F4 Sch. 9 paras. 13–15 repealed by Local Government (Scotland) Act 1975 (c. 30), Sch. 7

16 In section 259—
(a) in subsection (1), paragraph (a) shall cease to have effect and in the proviso, for the words “paragraphs (a) and” there shall be substituted the word “paragraph”;
(b) subsections (2) and (3) shall cease to have effect.

17 In section 260—
(a) in subsection (1), in paragraph (e), the words “in the case of a county council or town council” shall cease to have effect;
(b) subsection (2) shall cease to have effect.

18 In section 261—
(a) in subsection (1), for the words “county council or a town council” there shall be substituted the words “local authority”; the words “on or after the sixteenth day of May nineteen hundred and thirty and by a district council after the commencement of this Act” shall cease to have effect;

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for the words “of the council” there shall be substituted the words “of the authority”; the words from “and all money” to “pari passu” shall cease to have effect; for the words “a council” there shall be substituted the words “a local authority”; and for the words “which the council” there shall be substituted the words “which the authority”;

- (b) in subsection (3), for the words “town council of a burgh” there shall be substituted the words “council of an islands area or district”; and for the words “the burgh” there shall be substituted the words “the islands area or district”;
- (c) in subsection (5), for the words “section seventy-one of, or the Fourth Schedule to, the ^{M2}Housing (Scotland) Act 1925” there shall be substituted the words “section 165 of, or Schedule 7 to, the ^{M3}Housing (Scotland) Act 1966”.

Marginal Citations

M2 1925 c. 15.

M3 1966 c. 49.

- 19 In section 262, in subsection (1), in paragraph (b) of the proviso, for the words “paragraph (d), (e), (f) or (g)” there shall be substituted the words “paragraph (d), (f), (g), (ga) or (gb)” and the words from “in order” to “relates” and the words from “in accordance” onwards shall cease to have effect.
- 20 In section 263, in subsection (1), for the words “county council or a town council” there shall be substituted the words “local authority”; the words “or under a local Act” shall cease to have effect; and for the words “the council”, in both places where they occur, there shall be substituted the words “the authority”.
- 21 In section 264, subsection (4) shall cease to have effect.
- 22 In section 265, in subsection (5), the words “with the sanction of the Secretary of State” shall cease to have effect.
- 23 In section 266—
 - (a) in subsection (1), the words from “and if it appears” to the end shall cease to have effect;
 - (b) in subsection (3), the words “with the consent of the Secretary of State” shall cease to have effect;
 - (c) in subsection (4), the words “subject to obtaining the consent of the Secretary of State” and the words “with the like consent” shall cease to have effect.
- 24 In section 268, in subsection (2), the words from “Where the treasurer” to the end shall cease to have effect.
- 25 In section 269—
 - (a) in subsections (1) to (3), for the words “county council or a town council” and “county council or town council”, wherever they occur, there shall be substituted the words “local authority”; and for the words “the council”, wherever they occur, there shall be substituted the words “the authority”;
 - (b) in subsection (1), in the proviso, paragraph (a) shall cease to have effect.
- 26 In section 271, in subsection (1), the words from “by a county council” to “section” shall cease to have effect and subsection (2) shall cease to have effect.

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- 27 In section 272, for the words “county council or town council” there shall be substituted the words “local authority”.
- 28 In section 273—
- (a) in subsections (1) to (3), for the words “county council or town council” there shall be substituted the words “local authority”;
 - (b) in subsection (1), for the words “the council” there shall be substituted the words “the authority”.
- 29 In section 274, for the words “county council or a town council” there shall be substituted the words “local authority”; for the words “the council” there shall be substituted the words “the authority”; and the proviso shall cease to have effect.
- 30 In section 275—
- (a) in subsection (1), for the words from “county council” to “that effect” there shall be substituted the words “local authority shall, as from 16th May 1975,”; and for the words “the council” there shall be substituted the words “the authority”;
 - (b) in subsection (2), for the word “council” there shall be substituted the word “authority”;
 - (c) subsection (3) shall cease to have effect;
 - (d) in subsection (4), for the words “town council of a burgh” there shall be substituted the words “council of an islands area or district”; and for the words “the burgh” there shall be substituted the words “the islands area or district”.
- 31 In section 279—
- (a) the words “with consent of the Secretary of State” shall cease to have effect;
 - (b) in the proviso, in paragraph (i), the words from “shall require” to “fund or” shall cease to have effect;
 - (c) in the proviso, paragraph (ii) shall cease to have effect.
- 32 In section 292, for the words “county council or a town council” there shall be substituted the words “local authority”; for the words “the council” there shall be substituted the words “the authority”; and for the words “Housing (Scotland) Acts, 1925 to 1946” there shall be substituted the words “Housing (Scotland) Acts 1966 to 1972”.
- 33 In section 295, for the words “town council of a burgh” there shall be substituted the words “council of an islands area or district”.
- 34 In section 379, in subsection (1)—
- (a) in the definition of “security”, for the words “a burgh” there shall be substituted the words “an islands area or district”;
 - (b) in the definition of “statutory borrowing power”, for the words “town council of a burgh” there shall be substituted the words “council of an islands area or district”.
- 35 In Schedule 7, in Form (1)—
- (a) in Note (1), for the words “a burgh” there shall be substituted the words “an islands area or district”; and the words “of the burgh” shall cease to have effect;
 - (b) in Note (2), the word “district” shall cease to have effect;
 - (c) Note (3) shall cease to have effect.

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- 36 In Schedule 8—
- (a) in the title, for the words “COUNTY COUNCIL OR TOWN COUNCIL” there shall be substituted the words “LOCAL AUTHORITY”;
 - (b) in rule 1, for the definition of “appointed day” there shall be substituted the following definition:—

““appointed day” means 16th May 1975”;
 - (c) in rule 1, for the definition of “council” there shall be substituted the following definition:—

““council” means a regional, islands or district council”;
 - (d) in rule 18, in paragraph (4), in the proviso, for the words “Housing (Scotland) Acts, 1925 to 1946” there shall be substituted the words “Housing (Scotland) Acts 1966 to 1972”;
 - (e) in rule 20, for the words from “and the auditor” to the end there shall be substituted the words “and shall be audited in accordance with Part VII of the Local Government (Scotland) Act 1973”.

The ^{M4}Local Government Act 1948

Marginal Citations

M4 1948 c. 26.

F⁵37

Textual Amendments

F5 Sch. 9 para. 37 repealed (19.5.1997) by 1997 c. 29, s. 33(2), Sch. 4; S.I. 1997/1097, art. 3(d), Sch.

38 In section 144, subsections (3), (4) and (8) shall cease to have effect in relation to Part V of the Act.

39 In section 145, in subsection (2)—

- (a) the definitions of “large burgh” and “small burgh” shall cease to have effect;
- (b) for the definition of “local authority” there shall be substituted the following definition:—

““local authority” means a regional, islands or district council;”.

The ^{M5}Rating and Valuation (Scotland) Act 1952

Marginal Citations

M5 1952 c. 47.

F⁶40

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Textual Amendments

F6 S. 40 repealed (19.5.1997) by 1997 c. 29, s. 33(2), **Sch. 4**; S.I. 1997/1097, art. 3(d), **Sch.**

^{F7}41

Textual Amendments

F7 S. 41 repealed (19.5.1997) by 1997 c. 29, s. 33(2), **Sch. 4**; S.I. 1997/1097, art. 3(d), **Sch.**

^{F8}42

Textual Amendments

F8 S. 42 repealed (19.5.1997) by 1997 c. 29, s. 33(2), **Sch. 4**; S.I. 1997/1097, art. 3(d), **Sch.**

^{F9}43

Textual Amendments

F9 S. 43 repealed (19.5.1997) by 1997 c. 29, s. 33(2), **Sch. 4**; S.I. 1997/1097, art. 3(d), **Sch.**

The ^{M6}Valuation and Rating (Scotland) Act 1956

Marginal Citations

M6 1956 c. 60.

44 In section 1—
(a) subsections (1) to (4) shall cease to have effect;
(b) in subsection (5), for the words “section eighty-three or ninety-three of the Act of 1947” there shall be substituted the words “section 116(2) of the Local Government (Scotland) Act 1973”; and the words “under this section” shall cease to have effect;
(c) subsection (6) shall cease to have effect;
(d) in subsection (7), the words “appointed under this section” shall cease to have effect.

^{F10}45, 46.

Textual Amendments

F10 Sch. 9 paras. 45, 46 repealed by Local Government (Scotland) Act 1975 (c. 30), **Sch. 7**

47 In section 11, at the end there shall be inserted the following subsection:—
“(4) Any provision of any local Act which is inconsistent with the foregoing provisions of this section shall cease to have effect.”

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- 48 In section 21, in subsection (1), the words “are situated within the landward area of a county and” shall cease to have effect.
- 49 In section 24, in subsection (4), in the definition of “separately rated area”, for the words from “a burgh”, where they first occur, to the end there shall be substituted the words “an islands area or district”.
- 50 In section 43, in subsection (1), the definitions of “burgh”, “large burgh” and “rating authority” shall cease to have effect.
- 51 In Schedule 4—
- (a) in paragraph 10, for the words “rating authority” there shall be substituted the words “local authority”;
 - (b) in paragraph 11, in sub-paragraph (3), in the proviso, for the words “rating authorities”, in both places where they occur, there shall be substituted the words “local authorities”.

The ^{M7}Local Government and Miscellaneous Financial Provisions (Scotland) Act 1958

Marginal Citations

M7 1958 c. 64.

- 52 Section 8 shall cease to have effect.

The ^{M8}Local Government (Financial Provisions) (Scotland) Act 1963

Marginal Citations

M8 1963 c. 12

- ^{F11}53

Textual Amendments

F11 Sch. 9 para. 53 repealed (1.4.1996) by 1994 c. 39, s. 180(2), Sch. 14; S.I. 1996/323, art. 4(1)(b)(d)

- 54 In section 9—
- (a) in subsection (1), for the word “rules” there shall be substituted the word “regulations”; and for the words “this subsection” there shall be substituted the words “section 111 of the Local Government (Scotland) Act 1973”;
 - (b) in subsection (3), for the words “area which is a burgh or the landward area of a county” there shall be substituted the words “district or islands area”;
^{F12}
.
 - (c) after subsection (3) there shall be inserted the following subsection:—

“(3A) The standard penny rate product for any year of an area which is a region shall be taken to be an amount equal to the sum of the standard penny rate products for that year of the districts comprised in that region.”;

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- (d) in subsection (4), for the words “the last foregoing subsection” there shall be substituted the words “subsection (3) above” and the words “to county councils and town councils” shall cease to have effect;
- (e) in subsection (6), for the words “burgh or of the landward area of a county” there shall be substituted the words “district or islands area”; and for the words “burgh or, as the case may be, the landward area”, in both places where they occur, there shall be substituted the words “district or, as the case may be, islands area”;
- (f) subsection (7) shall cease to have effect.

Textual Amendments

F12 Words repealed by [Local Government \(Scotland\) Act 1975 \(c. 30\)](#), [Sch. 7](#)

- 55 In section 19, in subsection (2), the words “the expression “local authority” includes a district council, and” shall cease to have effect.
- 56 In section 20, subsection (2) shall cease to have effect.
- 57 In section 21—
- (a) in subsection (1), for the words “county council” there shall be substituted the words “regional council”; for the words “the county”, where they first occur, there shall be substituted the words “the region”; for the words “the expenditure” there shall be substituted the words “the relevant local expenditure”; and for the words from “relevant” onwards there shall be substituted the words “sum of the relevant local expenditures for that year of the regional council and the councils of each district in the region”,
 - (b) subsection (2) shall cease to have effect;
 - (c) for subsection (3) there shall be substituted the following subsection:—

“(3) In this section “relevant local expenditure” has the same meaning as in paragraph 5 of Part II of Schedule 1 to the Local Government (Scotland) Act 1966.”
- 58 In section 26(2), in the definition of “local authority”, for the words from “county” onwards there shall be substituted the words “regional, islands or district council”.

The ^{M9}Local Government (Development and Finance) (Scotland) Act 1964

Marginal Citations

M9 [1964 c. 67.](#)

- 59 In section 8, subsections (2) and (5) shall cease to have effect.
- 60 In section 9—
- (a) in subsection (1), paragraph (b) shall cease to have effect;
 - (b) subsections (2) and (4) shall cease to have effect.
- 61 In section 10, subsection (2) shall cease to have effect.

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The ^{M10}Rating Act 1966

Marginal Citations

M10 1966 c. 9.

- 62 In section 2—
- (a) in subsection (5), for the words “section 5 of this Act” there shall be substituted the words “the standard scheme prescribed under section 112 of the Local Government (Scotland) Act 1973, including that scheme as varied under section 114 of that Act”;
 - (b) in subsection (12), in paragraph (b), the words from “or any corresponding provision” to the end shall cease to have effect.
- 63 In section 4, in subsection (5), the words “or any provision for like purposes contained in any local Act” and the words from “or any such provision” to the end shall cease to have effect.
- ^{F13}64

Textual Amendments

F13 Sch. 9 para. 64 repealed by [Supplementary Benefits Act 1976 \(c. 71\)](#), **Sch. 8 Pt. I**

The ^{M11}Local Government (Scotland) Act 1966

Marginal Citations

M11 1966 c. 51.

- 65 In section 2, in subsection (2), in paragraph (b), the words “and grants under the Rating Act 1966” shall cease to have effect.
- 66 In section 6, in subsection (2), for the words “a county” there shall be substituted the words “the area of any local authority”; and for the words “the county” there shall be substituted the words “that area”.
- 67 In section 7, in subsection (1), for the words “local authority” there shall be substituted the words “rating authority” and at the end there shall be inserted the following words:—
- “In this subsection the words “the amount of the rate”, in relation to a regional council, mean the aggregate amount of the regional rate and the district rate”.
- 68 In section 46(1), in the definition of “local authority”, for the words from “county” onwards there shall be substituted the words “regional, islands or district council”.
- 69 In Schedule 1, in Part I—
- (a) in paragraph 1, for the words “first be apportioned to all counties and those burghs which are counties of cities” there shall be substituted the words “be apportioned to all regions, islands areas and districts”;
 - (b) paragraph 2 shall cease to have effect;

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- (c) in paragraph 5, in sub-paragraph (2), the words from “and joint” to “constituent councils” shall cease to have effect; for the words “the local authorities” there shall be substituted the words “such classes of local authority as may be specified in the regulations”; and for the words “each authority” there shall be substituted the words “such authorities as may be so specified”.

70 In Schedule 1, in Part II—

- (a) in paragraph 1, the words from “shall be payable” to “burgh, but” shall cease to have effect;
- (b) paragraph 3 shall cease to have effect;
- (c) in paragraph 4, in sub-paragraph (1), for the words “county council or town council” there shall be substituted the words “islands or district council”.
- (d) for paragraph 5 there shall be substituted the following paragraph:—

“5 For the purposes of this Part of this Schedule the relevant local expenditure in relation to a regional, islands or district council for any year is so much of the council’s total expenditure for the year as would fall to be met out of the regional rate, the general rate or the district rate respectively if no resources element were payable to that council”.

71 In Schedule 1, in Part III, in paragraphs 2 and 3, for the words “local authority” there shall be substituted the words “rating authority”.

72 In Schedule 2—

- (a) in paragraph 19, in head (a), the words “and, where appropriate, the separately rated areas” shall cease to have effect;
- (b) paragraph 22 shall cease to have effect;
- (c) in paragraph 27, the definition of “burgh” shall cease to have effect; in the definition of “rating area”, for the words from “of”, where it first occurs, to the end there shall be substituted the words “of an islands council or of a district council”; and the definition of “separately rated area” shall cease to have effect.

F1473

Textual Amendments
F14 Sch. 9 para. 73 repealed by Housing (Scotland) Act 1987 (c. 26, SIF 61), ss. 335, 339(2)(3), Sch. 23 para. 20(4), Sch. 24

The ^{M12}Post Office Act 1969

Marginal Citations
M12 1969 c. 48.

74 In section 53—

- (a) for subsection (5) there shall be substituted the following subsection:—

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- “(5) An order under subsection (1) above for the purposes of the valuation roll for the year 1971-72 may be varied by a subsequent order, made in the like manner, so as to include, with respect to the years 1976-77 and 1977-78, any such provision as is authorised by subsection (3) above to be included therein.”;
- (b) for subsection (7) there shall be substituted the following subsection:—
- “(7) Expressions used in this section and in the Local Government (Scotland) Act 1966 have the same meanings in this section as in that Act.”

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- Sch. 7 para. 7(3) inserted by [1989 c. 42 Sch. 11 para. 36](#)