



Local Government (Scotland) Act 1966

1966 CHAPTER 51

PART IV

Miscellaneous and General

- 35 Placing of staff etc. of local authority at disposal of Secretary of State or of another local authority.**
- (1) A local authority may enter into an agreement with the Secretary of State or another local authority for the placing at his or their disposal, for the purposes of any function of a party to the agreement under any enactment (including an enactment in any local Act) or any instrument whether passed or made before or after the passing of this Act, on such terms as may be provided by the agreement, of the services of persons employed by the local authority and of any premises, equipment and other facilities under their control.
 - (2) For the avoidance of doubt it is hereby declared that for superannuation purposes, in the absence of agreement to the contrary, service rendered by a person whose services are placed by a local authority at the disposal of the Secretary of State or another local authority in pursuance of this section is service rendered to the first-mentioned local authority.
 - (3) In this section "local authority" has the meaning assigned to it by section 113(1) of the Town and Country Planning (Scotland) Act 1947, and "premises" includes land and buildings.
- 36 Amendment of section 119 of the Local Government Act 1948.**
- (1) Section 119(1) of the Local Government Act 1948 (which relates to expenses of councillors in attending conferences etc.) shall be amended by substituting for the words "limitation with respect to numbers as may be prescribed" the words "conditions as may be specified" and by substituting for the words "other body or association for the time being recognised by the Secretary of State for the purposes of this section" the words "association of such councils".

- (2) The said section 119(1) shall have effect as if the reference to a conference or meeting included a reference to—
- (a) a conference or meeting convened by any person or body (other than a person or body convening it in the course of his or their trade or business or a body of which the objects are wholly or partly political) for the purpose of discussing matters relating to the discharge of the functions of the local authority or to the development of trade, industry or commerce in the area of the local authority ;
 - (b) a conference or meeting convened by any government department or local authority, or by any other body exercising functions conferred by or under any enactment or Royal Charter, being a conference or meeting convened for the purpose of discussing any matter affecting the area of the local authority or its inhabitants.
- (3) In the last foregoing subsection " the local authority " means the county, town or district council whose powers under the said section 119(1) are in question, and in relation to the discharge of functions includes any committee or sub-committee of the council concerned.
- (4) In the said section 119, after subsection (2), there shall be inserted the following subsection :—
- “(2A) Allowances may be paid by county, town or district councils in respect of expenses reasonably incurred by their members in connection with the installation or use of telephones for the purpose of the performance of their official duties”.

37 Limitation on expenditure of local authorities under section 132 of the Local Government Act 1948.

The limitation applicable to the expenditure of a local authority in Scotland under section 132 of the Local Government Act 1948 (which relates to the provision of entertainments) shall be the same as that applicable to the expenditure of a local authority in England under that section, and accordingly subsection (10)(d) of that section shall cease to have effect.

38 Amendment of section 187 of the Local Government (Scotland) Act 1947.

The fee payable to clerks of the peace when justices of the peace qualify as such shall henceforth be paid by the county council or town council concerned, and accordingly there shall be inserted at the end of section 187 of the Local Government (Scotland) Act 1947 the following words:—

“In this section ' fees ' includes the fee for the time being prescribed by virtue of section 29 of the Licensing (Scotland) Act 1959 which is payable to clerks of the peace when justices of the peace qualify as such.”.

39 Amendment of section 339 of the Local Government (Scotland) Act 1947.

Section 339 of the Local Government (Scotland) Act 1947 (which relates to expenditure by county and town councils on special purposes) shall have effect as if in subsection (1A) thereof for the word " Scotland " in each place, except the last, where it occurs there were substituted the words " the United Kingdom ".

40 Interpretation of "public utility undertaking" in section 379(1) of Local Government (Scotland) Act 1947.

For the avoidance of doubt it is hereby declared that the definition of "public utility undertaking" in section 379(1) of the Local Government (Scotland) Act 1947 does not include an aerodrome undertaking or any business ancillary thereto.

41 Payments by local authorities to offset effect of selective employment tax.

A local authority within the meaning of the Town and Country Planning (Scotland) Act 1947 may make to any person such payments as the authority consider appropriate for the purpose of offsetting, either wholly or in part, payments by way of the selective employment tax made by that person in respect of persons employed for the purposes of any contract entered into by the authority before 4th May 1966.

42 Amendment of certain enactments relating to licences.

- (1) The enactments mentioned in Part I of Schedule 4 to this Act (which among other things provide for the licensing of guns, hawkers, passage brokers, emigrant runners and porters, and for regulating activities to which the licences relate) shall cease to have effect.
- (2) The enactments mentioned in the first column of Part II of Schedule 4 to this Act (which specify fees or maximum fees for licences, certificates or permits to which those enactments relate or for registration under those enactments) may be amended, by an order made by the Minister or department specified in relation to the enactment in question in the second column of the said Part II, so as to vary any sum specified by that enactment or so as to provide that any sum payable under that enactment shall cease to be so payable; and an order under this subsection may be limited to such cases as may be specified by the order and may make different provision for different cases specified by the order.
- (3) Any statutory instrument containing an order under this section shall be subject to annulment in pursuance of a resolution of either House of Parliament.

43 Dog licences.

- (1)
 - (a) Licences issued in Scotland under the Dog Licences Act 1959 shall cease to be excise licences and the duties chargeable under that Act shall be levied by local authorities.
 - (b) Accordingly sections 7, 10 and 13 of that Act shall apply to Scotland so however that for the references to England and Wales, to county boroughs and to the Minister of Housing and Local Government there shall be substituted respectively references to Scotland, to large burghs (within the meaning of the Local Government (Scotland) Act 1947) and to the Secretary of State.
- (2) The Postmaster General shall, before paying to the council of a county or burgh the amount of the duties received by him in respect of licences for dogs issued in the county or burgh, deduct from that amount such sum as he considers is equal to the expenses incurred by him on work done in connection with the issue of the licences.
- (3) The Secretary of State may by order amend the provisions of the said Act of 1959 with respect to the time for payment of duty under that Act, the age of any dog or hound in respect of which the duty is chargeable and the period for which a licence under

that Act is to be in force; and an order under this subsection may be limited to such cases as may be specified by the order and may make different provision for different circumstances specified by the order.

Any statutory instrument containing an order under this subsection shall be subject to annulment in pursuance of a resolution of either House of Parliament.

- (4) It shall cease to be a condition for exemption from duty under section 4 of the said Act of 1959 (which relates to dogs kept for tending sheep and cattle) that the owner of the dog in question obtains a certificate of exemption under that section.
- (5) In section 11 of the said Act of 1959, for the references to the Treasury and to England or Wales there shall be substituted respectively references to the Secretary of State and to Scotland.
- (6) In sections 12(1) and 13 of the said Act of 1959 (under which a person is liable to a penalty of five pounds for an offence) for the words "five pounds " there shall be substituted the words " ten pounds ".
- (7) This section (other than subsection (4)) shall come into force on 16th May 1967 and subsection (4) shall come into force on the passing of this Act.

44 Game licences.

- (1) The duties chargeable in Scotland under the Game Licences Act 1860 and section 5 of the Customs and Inland Revenue Act 1883 shall be levied by local authorities and accordingly those duties shall cease to be Excise duties.
- (2) The Secretary of State may by order make such provision as it seems necessary or expedient to make for giving effect to the foregoing subsection, and without prejudice to that generality may make provision for—
 - (a) transferring to local authorities the powers of the Commissioners of Customs and Excise in relation to duties and licences under the said Act of 1860 ;
 - (b) the issue of licences under that Act by officers of the Post Office and the expenses of the Postmaster General in that connection;
 - (c) the appointment of officers of local authorities as officers of the Post Office for the purpose of the issue of such licences; and
 - (d) the form of, and the keeping of registers of, such licences.
- (3) Any statutory instrument containing an order made under this section shall be subject to annulment in pursuance of a resolution of either House of Parliament.
- (4) This section shall come into force on 16th May 1967.

45 Orders and regulations.

- (1) Any power conferred on the Secretary of State by this Act to make an order or regulations shall be exercisable by statutory instrument.
- (2) Any power conferred by this Act to make an order includes the power to vary or revoke the order by a subsequent order made in the like manner and subject to the like conditions.

46 General interpretation.

(1) In this Act, unless the context otherwise requires—

" the Act of 1963 " means the Local Government (Financial Provisions) (Scotland) Act 1963 ;

" highway authority " has the meaning assigned to it in relation to Scotland by section 257(1) of the Road Traffic Act 1960, and " local highway authority " means a highway authority other than the Secretary of State;

" housing revenue account " has the same meaning as in section 137 of the Housing (Scotland) Act 1950;

" joint board " includes a combination or joint committee of local authorities;

" land " includes land covered by water and any interest in or right over land ;

" local authority " means a county council or the town council of a burgh ;

" local water authority " has the meaning assigned to it by section 5(4) of the Water (Scotland) Act 1946;

" product of a rate of one penny in the pound " and " standard penny rate product " have the meanings assigned to them by section 9 of the Act of 1963 ;

" rate " does not include any domestic water rate;

" rating authority " has the meaning assigned to it by section 209 of the Local Government (Scotland) Act 1947;

" road " has the meaning assigned to it by section 257(1) of the Road Traffic Act 1960;

" Valuation Acts " means the Lands Valuation (Scotland) Act 1854, and the Acts amending that Act;

" valuation roll " includes a supplementary valuation roll made up under section 11 of the Valuation and Rating (Scotland) Act 1956, except in relation to section 14 of this Act;

" water undertaking " means an undertaking for the supply of water carried on by a local water authority;

" year " has the meaning assigned to it by section 26(2) of the Act of 1963 ;
and

" year of revaluation " has the meaning assigned to it by section 9 of the Valuation and Rating (Scotland) Act 1956.

(2) References in this Act to any enactment are references to that enactment as amended by or under any subsequent enactment including this Act.

47 Expenses.

There shall be defrayed out of moneys provided by Parliament—

- (a) any sums required for the payment of grants under this Act or of other expenses of the Secretary of State under this Act; and
- (b) any increase attributable to the provisions of this Act in the sums payable out of such moneys under any other Act.

48 Amendments and repeals.

- (1) The enactments mentioned in Schedule 5 to this Act shall have effect subject to the amendments there specified, being amendments consequential on the provisions of this Act.
- (2) The enactments described in Schedule 6 to this Act are hereby repealed to the extent specified in the third column of that Schedule, and so much of that Schedule as relates to the Game Licences Act 1860, the Ministry of Transport Act 1919, the Trunk Roads Act 1936, the Town and Country Planning (Scotland) Act 1947, sections 1, 8 and 10 of the Dog Licences Act 1959 and Schedule 2 to the Act of 1963 shall come into force on 16th May 1967.

49 Short title and extent.

- (1) This Act may be cited as the Local Government (Scotland) Act 1966.
- (2) This Act shall extend to Scotland only.