

Changes to legislation: Local Government (Scotland) Act 1973, SCHEDULE 21 is up to date with all changes known to be in force on or before 02 August 2023. 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

SCHEDULE 21

Section 163.

AMENDMENT OF ENACTMENTS RELATING TO PUBLIC LIBRARIES, MUSEUMS AND ART GALLERIES

The ^{M1}Public Libraries Consolidation (Scotland) Act 1887

Marginal Citations

M1 1887 c. 42.

1 The whole Act shall cease to have effect except sections 1, 2, 3, 10, 21, 22, 24, 28, 31 and 32 which shall have effect subject to amendments thereto set out in the following provisions of this Schedule.

^{x1}2 For section 2 (definitions) there shall be substituted the following section—

“2 Interpretation.

In this Act, except where the context otherwise requires—

“library authority” for the purposes of this Act means an islands or district council except that within the Highland, Borders and Dumfries and Galloway regions it means the appropriate regional council, and “area”, in relation to such an authority, shall be construed accordingly.

“museum and art gallery authority” for the purposes of this Act means a regional, islands or district council, and “area”, in relation to such an authority, shall be construed accordingly.”.

Editorial Information

X1 The text of ss. 130(3), 132(2), 134(2), 135(10), 138(2), 146(2)–(9), 147(2)(6)(7)(8), 155(2)(3)(5)(6)(7), 156(2)(3), 166(2), 170(2), 175, 184, 213(3), 237(1), Schs. 16, 19, 21 paras. 2–12 and Sch. 26 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

^{x2}3 In section 10 (lands, etc., may be purchased or rented)—

- (a) for the words “magistrates and council or board” there shall be substituted the words “library authority or museum and art gallery authority”;
- (b) for the words “schools for science, art galleries, and schools for art” there shall be substituted the words “and art galleries”.

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Editorial Information

- X2** The text of ss. 130(3), 132(2), 134(2), 135(10), 138(2), 146(2)–(9), 147(2)(6)(7)(8), 155(2)(3)(5)(6)(7), 156(2)(3), 166(2), 170(2), 175, 184, 213(3), 237(1), Schs. 16, 19, 21 paras. 2–12 and Sch. 26 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

- ^{x3}₄ In section 21 (powers of committee)—
- (a) for any reference to the committee there shall be substituted a reference to the library authority or the museum and art gallery authority, whichever is appropriate in the context;
 - (b) for the words “and museums” and “or museums”, wherever they occur, there shall be substituted the words “or museums or art galleries”;
 - (c) the first and second paragraphs shall cease to have effect;
 - (d) in the third paragraph, after the word “science” there shall be inserted the words “gramophone records, tape recordings and films”;
 - (e) in the seventh paragraph, for the words from “for the purpose of” to “appointed” there shall be substituted the words “to inhabitants of the area of the authority”, for the words “burgh or parish”, wherever else they occur, there shall be substituted the word “area” and the words “may not be a householder, and” shall cease to have effect.

Editorial Information

- X3** The text of ss. 130(3), 132(2), 134(2), 135(10), 138(2), 146(2)–(9), 147(2)(6)(7)(8), 155(2)(3)(5)(6)(7), 156(2)(3), 166(2), 170(2), 175, 184, 213(3), 237(1), Schs. 16, 19, 21 paras. 2–12 and Sch. 26 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

- ^{x4}₅ In section 22 (power of committee to make byelaws)—
- (a) for the first two references to the committee there shall be substituted a reference to the library authority or the museum and art gallery authority;
 - (b) the words between “Scotland” and “and shall” shall cease to have effect;
 - (c) for the words from “of the county” to “situated” there shall be substituted the words “exercising jurisdiction in the area of the authority”;
 - (d) for the words “magistrates and council, or board” where they last occur, there shall be substituted the words “library authority or museum and art gallery authority”;

Editorial Information

- X4** The text of ss. 130(3), 132(2), 134(2), 135(10), 138(2), 146(2)–(9), 147(2)(6)(7)(8), 155(2)(3)(5)(6)(7), 156(2)(3), 166(2), 170(2), 175, 184, 213(3), 237(1), Schs. 16, 19, 21 paras. 2–12 and Sch. 26 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

- ^{x5}₆ For section 24 (exhibition of byelaws previous to confirmation), there shall be substituted the following section—

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“24 Exhibition of byelaws and proposed byelaws.

A copy of proposed byelaws and a copy of byelaws which have been made by a library authority or a museums and art gallery authority under section 22 of this Act shall be put up in some conspicuous place in each of the libraries, or, as the case may be, the museums or art galleries, of the authority.”

Editorial Information

X5 The text of ss. 130(3), 132(2), 134(2), 135(10), 138(2), 146(2)–(9), 147(2)(6)(7)(8), 155(2)(3)(5)(6)(7), 156(2)(3), 166(2), 170(2), 175, 184, 213(3), 237(1), Schs. 16, 19, 21 paras. 2–12 and Sch. 26 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

^{x67}

In section 28 (recovery of penalties and forfeitures)—

- (a) for the words from “name of” to “district” there shall be substituted the words “name of the library authority or museum and art gallery authority, as the case may be, before either the sheriff or justices exercising jurisdiction in the area of the authority”;
- (b) for any reference to the committee there shall be substituted a reference to the library authority or museum and art gallery authority;
- (c) the words “clerk or other” shall cease to have effect.

Editorial Information

X6 The text of ss. 130(3), 132(2), 134(2), 135(10), 138(2), 146(2)–(9), 147(2)(6)(7)(8), 155(2)(3)(5)(6)(7), 156(2)(3), 166(2), 170(2), 175, 184, 213(3), 237(1), Schs. 16, 19, 21 paras. 2–12 and Sch. 26 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

The ^{M2}Public Libraries (Scotland) Act 1920

Marginal Citations

M2 [1920 c. 45.](#)

^{x78}

The whole Act shall cease to have effect.

Editorial Information

X7 The text of ss. 130(3), 132(2), 134(2), 135(10), 138(2), 146(2)–(9), 147(2)(6)(7)(8), 155(2)(3)(5)(6)(7), 156(2)(3), 166(2), 170(2), 175, 184, 213(3), 237(1), Schs. 16, 19, 21 paras. 2–12 and Sch. 26 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

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The ^{M3}Public Libraries (Scotland) Act 1955

Marginal Citations

M3 1955 c. 27.

^{x8}₉ Section 3 (revocation of decision to adopt the principal Act) shall cease to have effect.

Editorial Information

X8 The text of ss. 130(3), 132(2), 134(2), 135(10), 138(2), 146(2)–(9), 147(2)(6)(7)(8), 155(2)(3)(5)(6)(7), 156(2)(3), 166(2), 170(2), 175, 184, 213(3), 237(1), Schs. 16, 19, 21 paras. 2–12 and Sch. 26 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

^{x9}₁₀ In section 5(1) (interpretation), for the definition of “statutory library authority” there shall be substituted the following definition—

““statutory library authority” means a library authority as defined in section 2 of the Public Libraries Consolidation (Scotland) Act 1887 or any body authorised by any other enactment (including any enactment contained in a local Act) to provide library services”.

Editorial Information

X9 The text of ss. 130(3), 132(2), 134(2), 135(10), 138(2), 146(2)–(9), 147(2)(6)(7)(8), 155(2)(3)(5)(6)(7), 156(2)(3), 166(2), 170(2), 175, 184, 213(3), 237(1), Schs. 16, 19, 21 paras. 2–12 and Sch. 26 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

The ^{M4}Education (Scotland) Act 1962

Marginal Citations

M4 1962 c. 47.

^{x10}₁₁ In section 12(1) (county library service)—

- (a) the words “of a county”, the words “not only” and the words from “but also” to the end shall cease to have effect;
- (b) for the words “the education” there shall be substituted the words “an education”.
- (c) for the words “in the county” there shall be substituted the words “in the region or islands area, as the case may be”.

Editorial Information

X10 The text of ss. 130(3), 132(2), 134(2), 135(10), 138(2), 146(2)–(9), 147(2)(6)(7)(8), 155(2)(3)(5)(6)(7), 156(2)(3), 166(2), 170(2), 175, 184, 213(3), 237(1), Schs. 16, 19, 21 paras. 2–12 and Sch. 26 is in the

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The ^{M5}Education (Scotland) Act 1969

Marginal Citations

M5 1969 c. 49

- ^{xii}12 In section 2(1) (provision of museums by education authorities), the words “(other than the town council of a burgh being a county of a city)” shall cease to have effect, and, in paragraph (e), for the words from “the town” to the end there shall be substituted the words “any other body”.

Editorial Information

X11 The text of ss. 130(3), 132(2), 134(2), 135(10), 138(2), 146(2)–(9), 147(2)(6)(7)(8), 155(2)(3)(5)(6)(7), 156(2)(3), 166(2), 170(2), 175, 184, 213(3), 237(1), Schs. 16, 19, 21 paras. 2–12 and Sch. 26 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

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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](#)