

## SCHEDULES

### SCHEDULE 2

#### RELAXATION OF CONTROLS OVER LOCAL AND OTHER AUTHORITIES

##### *The Local Government (Scotland) Act 1973 (c. 65)*

- 29 In subsection (6) of section 3 (titles of chairmen of councils), for the words from “the chairman”, where they occur for the second time, to the end there shall be substituted the words “ and the chairman of each other regional, islands or district council shall be known by such title as that council may decide. ”.

#### **Modifications etc. (not altering text)**

- C1** The text of ss. 1, 5–8, 11, 12, 16, 24–28, 33, 36, 37(1)(2)(3)(4), 38(1), 40, 41, Sch. 1 (a)(b)(c)(i)(ii)(iii)(d)(i)(ii)(e), Sch. 2 paras. 1–10, 12–14, 16–25, 27–34, 37–42, Sch. 3 paras. 2–7, 12–20, 22–24, 26, 28, 32, 33, 34, 36, 37, 38, 39 and Sch. 4 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991

- 30 (1) In section 23 (change of name of region, islands area or district)
- (a) in subsection (1)—
    - (i) the words “Subject to subsection (4) below,” shall cease to have effect; and
    - (ii) for the words “a majority of the whole number of the members of the council” there shall be substituted the words “ not less than two-thirds of the members voting thereon ”; and
  - (b) subsection (4) shall cease to have effect.
- (2) Sub-paragraph (1) above and, in so far as relating to section 23, Schedule 4 to this Act have no effect as regards a case where consent to a change of name has, before the coming into force of this paragraph, been applied for, for the purposes of the said subsection (4).

#### **Modifications etc. (not altering text)**

- C2** The text of ss. 1, 5–8, 11, 12, 16, 24–28, 33, 36, 37(1)(2)(3)(4), 38(1), 40, 41, Sch. 1 (a)(b)(c)(i)(ii)(iii)(d)(i)(ii)(e), Sch. 2 paras. 1–10, 12–14, 16–25, 27–34, 37–42, Sch. 3 paras. 2–7, 12–20, 22–24, 26, 28, 32, 33, 34, 36, 37, 38, 39 and Sch. 4 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991

- 31 (1) For subsections (2) to (4) of section 53 (amendment of community councils scheme) there shall be substituted the following subsections—

*Changes to legislation: There are currently no known outstanding effects for the Local Government (Miscellaneous Provisions) (Scotland) Act 1981, Cross Heading: The Local Government (Scotland) Act 1973 (c. 65). (See end of Document for details)*

- “(2) The local authority shall consider any representations made under subsection (1) above and may amend the scheme in accordance with—
- (a) the notified proposals; or
  - (b) those proposals as amended to take account of any such representations:

Provided that the scheme shall not be amended under paragraph (b) of this subsection unless public notice of the amendments to the proposals has been given with a further invitation to make representations under subsection (1) above.

- (3) A decision of the local authority—
- (a) to review, under subsection (1) above; or
  - (b) to amend, under subsection (2) above,
- a scheme, shall be by resolution passed by not less than two-thirds of the members voting thereon at a local authority meeting specially convened for the purpose with notice of the object.”.

- (2) Sub-paragraph (1) above and, in so far as relating to section 53, Schedule 4 to this Act have no effect as regards the operation of section 53 in relation to proposals which, before the coming into force of this paragraph, were submitted to the Secretary of State, under subsection (3) of that section.

**Modifications etc. (not altering text)**

- C3** The text of ss. 1, 5–8, 11, 12, 16, 24–28, 33, 36, 37(1)(2)(3)(4), 38(1), 40, 41, Sch. 1 (a)(b)(c)(i)(ii)(iii)(d)(i)(ii)(e), Sch. 2 paras. 1–10, 12–14, 16–25, 27–34, 37–42, Sch. 3 paras. 2–7, 12–20, 22–24, 26, 28, 32, 33, 34, 36, 37, 38, 39 and Sch. 4 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

- 32 Section 54 (default powers of Secretary of State as regards community councils scheme) shall cease to have effect.

**Modifications etc. (not altering text)**

- C4** The text of ss. 1, 5–8, 11, 12, 16, 24–28, 33, 36, 37(1)(2)(3)(4), 38(1), 40, 41, Sch. 1 (a)(b)(c)(i)(ii)(iii)(d)(i)(ii)(e), Sch. 2 paras. 1–10, 12–14, 16–25, 27–34, 37–42, Sch. 3 paras. 2–7, 12–20, 22–24, 26, 28, 32, 33, 34, 36, 37, 38, 39 and Sch. 4 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

- 33 In section 73 (local authority’s power to appropriate for the purpose of any function land vested in them for the purpose of any other function)—
- (a) in subsection (2), for the words from “(3)(a)” to “(3)(b)” there shall be substituted the word “ (3) ”; and
  - (b) in subsection (3), for the words from “—(a)” to “space, or” there shall be substituted the words “ land which ”.

**Changes to legislation:** There are currently no known outstanding effects for the Local Government (Miscellaneous Provisions) (Scotland) Act 1981, Cross Heading: The Local Government (Scotland) Act 1973 (c. 65). (See end of Document for details)

**Modifications etc. (not altering text)**

**C5** The text of ss. 1, 5–8, 11, 12, 16, 24–28, 33, 36, 37(1)(2)(3)(4), 38(1), 40, 41, Sch. 1 (a)(b)(c)(i)(ii)(iii)(d)(i)(ii)(e), Sch. 2 paras. 1–10, 12–14, 16–25, 27–34, 37–42, Sch. 3 paras. 2–7, 12–20, 22–24, 26, 28, 32, 33, 34, 36, 37, 38, 39 and Sch. 4 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

34 Section 121 (involvement of Treasury in determining rates of interest in relation to certain sums due to local authorities) shall cease to have effect.

**Modifications etc. (not altering text)**

**C6** The text of ss. 1, 5–8, 11, 12, 16, 24–28, 33, 36, 37(1)(2)(3)(4), 38(1), 40, 41, Sch. 1 (a)(b)(c)(i)(ii)(iii)(d)(i)(ii)(e), Sch. 2 paras. 1–10, 12–14, 16–25, 27–34, 37–42, Sch. 3 paras. 2–7, 12–20, 22–24, 26, 28, 32, 33, 34, 36, 37, 38, 39 and Sch. 4 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

35, 36. . . . . **F1**

**Textual Amendments**

**F1** Ss. 21(1)(2), 22, 23, 34, 35, Sch. 2 paras. 11, 15, 35, 36, Sch. 3 paras. 8, 9, 10, 29–31 and 40–46 repealed by Housing (Scotland) Act 1987 (c. 26, SIF 61), ss. 335, 339(3), **Sch. 24**

**Changes to legislation:**

There are currently no known outstanding effects for the Local Government (Miscellaneous Provisions) (Scotland) Act 1981, Cross Heading: The Local Government (Scotland) Act 1973 (c. 65).