



Local Government (Scotland) Act 1894

1894 CHAPTER 58 57 and 58 Vict

PART V

PARISH TRUSTS

30 Powers of parish councils over parish charities and churchyards.

- (1)^{F1}
- (6) The heritors of any parish may transfer the property of any churchyard which they hold to the parish council, and the parish council, if they accept such transfer, shall thereafter hold such churchyard for the same purposes and subject to the same rights for and subject to which it was held by such heritors, and shall have and may exercise and perform all the powers and duties before such transfer vested in or imposed on such heritors in relation to the churchyard transferred (except any power or duty of enlarging or extending such churchyard and assessing for the cost of such enlargement or extension): . . .^{F2}: and provided also that such transfer shall not alter or transfer any liability to assess for the repayment of any debt or the incidence of any assessment levied for such repayment. After such transfer the powers and duties transferred shall no longer be exercised and performed by such heritors.
- (7)^{F1}

Textual Amendments

- F1** Ss. 27, 28, 30(1)–(5), (7)–(9), 31, 33–35, 37, 39, 41, 49–53, Schs. 2–4 repealed by [Local Government \(Scotland\) Act 1947 \(c. 43\)](#), s. 381, [Sch. 14](#)
- F2** Words repealed by [National Assistance Act 1948 \(c. 29\)](#), [Sch. 7 Pt. III](#)

Modifications etc. (not altering text)

- C1** Functions of parish councils with respect to churchyards so far as within small burghs transferred to town councils of the said burghs by [Local Government \(Scotland\) Act 1929 \(c. 25\)](#), s. 1(1)

Changes to legislation:

There are currently no known outstanding effects for the Local Government (Scotland) Act 1894, Part V.