



# Local Government in Scotland Act 2003

## 2003 asp 1

### PART 8

#### MISCELLANEOUS

#### **47 Power to provide funds for private water supplies**

- (1) It is the duty of a local authority to make grants to eligible persons for the purpose of enabling them to improve their private water supply or to provide themselves with a private water supply.
- (2) In this section—
  - “eligible persons” are such persons as are or persons of such class as is prescribed by regulations; and
  - “private water supply” means a supply of water (including an abstraction of water from a source situated on the premises in which it is used or consumed) other than a supply provided by Scottish Water in pursuance of its core functions (within the meaning of section 70(2) of the Water Industry (Scotland) Act 2002 (asp 3)).
- (3) The Scottish Ministers may, by regulations—
  - (a) prescribe the conditions which may, must, or must not be imposed in relation to grants made under this section;
  - (b) prescribe the procedures which must be followed by eligible persons in making applications for those grants and by local authorities when considering such applications and making payments of those grants;
  - (c) provide for the payment of those grants, in such cases as are specified in the regulations, to persons other than the applicants;
  - (d) provide for the calculation of those grants;
  - (e) fix, or provide for the fixing of, maximum amounts for those grants;
  - (f) provide for the delegation of any function of a local authority under this section to any person specified, or referred to, in the regulations;
  - (g) repeal, or suspend the effect of, subsection (1) above;
  - (h) make provision incidental or supplemental to that made under paragraphs (a) to (g) above.

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*Status: This is the original version (as it was originally enacted).*

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- (4) Regulations under this section may make different provision for different cases or different classes of case.
- (5) The power to make regulations under this section is exercisable by statutory instrument which shall, subject to subsection (6) below, be subject to annulment in pursuance of a resolution of the Scottish Parliament.
- (6) No regulations under this section which repeal, or suspend the effect of, subsection (1) above are to be made unless a draft of the instrument containing them has been approved by resolution of the Scottish Parliament.
- (7) The Scottish Ministers shall make grants to local authorities in respect of their expenditure reasonably incurred in making grants under this section.