
STATUTORY INSTRUMENTS

1996 No. 2278 (S.184)

LOCAL GOVERNMENT, SCOTLAND

The Local Government (Access to Information) (Scotland) Order 1996

Made - - - - *29th August 1996*
Laid before Parliament *9th September 1996*
Coming into force - - *30th September 1996*

The Secretary of State, in exercise of the powers conferred on him by section 181(1) and (2) of the Local Government etc. (Scotland) Act 1994(1) and of all other powers enabling him in that behalf, hereby makes the following Order:

Citation and commencement

1. This Order may be cited as the Local Government (Access to Information) (Scotland) Order 1996 and shall come into force on 30th September 1996.

Amendment of Part IIIA of Local Government (Scotland) Act 1973

2.—(1) The Local Government (Scotland) Act 1973(2) shall be amended in accordance with the following provisions of this article.

(2) In section 50E (extension of application of sections 50A to 50D)—

(a) in subsection (1)—

(i) the word “and” shall cease to have effect; and

(ii) after paragraph (b), there shall be inserted—

“and

(c) a relevant body, or a committee or sub-committee of such a body;”;

(b) in subsection (2), for the words “or sub-committee” in each place where they occur there shall be substituted the words “, sub-committee or relevant body”; and

(c) in subsection (3), for the words from “appointed” where it first occurs to the end there shall be substituted—

(1) 1994 c. 39.

(2) 1973 c. 65; Part IIIA was inserted by the Local Government (Access to Information) Act 1985 (c. 43), section 2.

- (a) in the case of a relevant body or a committee or sub-committee of such a body, appointed the members of the relevant body;
 - (b) in the case of any other committee, appointed the committee; or
 - (c) in the case of any other sub-committee, appointed the committee of which that body is a sub-committee.”.
- (3) In section 50F(1) (additional rights of access to documents for members of local authorities)—
 - (a) the word “or” where it occurs immediately after paragraph (a) shall cease to have effect;
 - (b) after paragraph (b), there shall be inserted—
 - “; or
 - (c) a relevant body, any member of which was appointed by the authority, or of a committee or sub-committee of such a body”; and
 - (c) for the words “or sub-committee” where they occur for the second and third time, there shall be substituted the words “, sub-committee or relevant body”.
- (4) In section 50H(6) (privilege: application and extent), after the words “section 50E(1) above” there shall be inserted the words “and any meeting of a relevant body or of a committee or sub-committee of such a body”.
- (5) In section 50K(1) (interpretation of Part), after the definition of “newspaper” there shall be inserted—
 - ““relevant body” means—
 - (a) a joint board; or
 - (b) the Strathclyde Passenger Transport Authority.”.
- (6) In paragraph 1(2) of Part III of Schedule 7A (access to information: exempt information)—
 - (a) after the word “sub-committee” where it first occurs, there shall be inserted the words “or relevant body”;
 - (b) the word “and” where it occurs immediately after head (a) shall cease to have effect;
 - (c) in head (b)(i) and (ii), after the words “local authority” there shall be inserted the words “or relevant body”; and
 - (d) at the end of head (b), there shall be inserted—
 - “and
 - (c) in the case of a relevant body, to any local authority which appointed a member of that body;”.

Application of article 2

3. The amendments effected by article 2 above shall not apply in relation to meetings held before this Order comes into force.

St Andrew’s House,
Edinburgh
29th August 1996

George Kynoch
Parliamentary Under Secretary of State, Scottish
Office

EXPLANATORY NOTE

(This note is not part of the Order)

The Local Government etc. (Scotland) Act 1994 provided, in connection with the reorganisation of local government in Scotland at 1st April 1996, for the establishment of new joint boards to be responsible for police, fire and valuation functions in certain areas and for the establishment of a new Strathclyde Passenger Transport Authority. This Order amends Part IIIA of the Local Government (Scotland) Act 1973 so that the provisions in that Part relating to access to meetings and documents of local authorities will in future apply equally to meetings and documents of joint boards and the SPTA, and of committees and sub-committees of those bodies.