

ELIZABETH II



1996 CHAPTER x

An Act to confirm a Provisional Order under the Private Legislation Procedure (Scotland) Act 1936, relating to City of Edinburgh Council.

[18th December 1996]

WHEREAS the Provisional Order set forth in the Schedule hereunto annexed has been made by the Secretary of State under the provisions of the Private Legislation Procedure (Scotland) Act 1936, and it is requisite that the said Order should be confirmed by Parliament:

1936 c. 52

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

1. The Provisional Order contained in the Schedule hereunto annexed is hereby confirmed.

Confirmation of
Order in
Schedule.

2. This Act may be cited as the City of Edinburgh Order Confirmation Act 1996.

Short title.

SCHEDULE

City of Edinburgh Council

Provisional Order to empower The City of Edinburgh Council to create and maintain a general reserve fund.

- 1973 c. 65. Whereas by virtue of section 2 of the Local Government (Scotland) Act 1973 the City of Edinburgh District Council (hereinafter referred to as “the former Council”) were vested with all the functions of a district council for the area of the City of Edinburgh District as the said area was described in column 3 of Part III of Schedule 1 to the said Act of 1973:
- 1991 c. xix. And whereas in pursuance of the said Act of 1973 and the City of Edinburgh District Council Order 1991 (hereinafter referred to as “the Order of 1991”) certain powers and functions were exercisable by and vested in the former Council:
- And whereas in pursuance of section 36 of the Order of 1991 the former Council were empowered to continue to maintain, and did so continue to maintain, a general reserve fund until that section ceased to have effect on 1st January 1995:
- 1994 c. 39. And whereas by virtue of section 2 of the Local Government etc. (Scotland) Act 1994 The City of Edinburgh Council (hereinafter in this Order referred to as “the Council”) are vested with all the functions of the former Council for the area of the City of Edinburgh as the said area is described in column 1 of Part I of Schedule 1 to the said Act of 1994:
- And whereas it is expedient that provisions similar to section 36 of the Order of 1991 should be enacted and applied to the City of Edinburgh:
- 1936 c. 52. And whereas the purposes aforesaid cannot be effected without an Order confirmed by Parliament under the provisions of the Private Legislation Procedure (Scotland) Act 1936:
- Now, therefore, in pursuance of the powers contained in the said Act of 1936 the Secretary of State orders as follows:—
- Short title. 1. This Order may be cited as the City of Edinburgh Council Order 1996.
- General reserve fund. 2.—(1) Subject to subsection (2) below, the Council may create and maintain a fund (to be called “the general reserve fund”) and may apply it in defraying any expenditure which might be met out of the district rate.

(2) The Council may in any financial year pay into the general reserve fund such amounts as they think fit, so however that the general reserve fund shall not at any time exceed the sum produced by multiplying £20.00 by the relevant population of the Council's area as determined in accordance with subsection (4AA) of section 83 of the Local Government (Scotland) Act 1973 (power of local authorities to incur expenditure not otherwise authorised).

1973 c. 65.

(3) The sum mentioned in subsection (2) above shall, from time to time, be increased or decreased (as the case may be) by an amount which bears the same proportion to that sum as shall be borne by any increase or decrease in the index of retail prices to the figure shown therein for the month in which this Order was enacted; and in this subsection "the index of retail prices" means the general index of retail prices (for all items) published in the monthly publication of the Office for National Statistics known as 'Monthly Digest of Statistics', or any successor from time to time of that index.

City of Edinburgh Council Order
Confirmation Act 1996

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