



Local Government (Scotland) Act 1973

1973 CHAPTER 65

PART VII

FINANCE

Miscellaneous

118 Local financial returns

- (1) Subject to subsection (3) below, every authority to which this section applies shall make a return to the Secretary of State in respect of each financial year—
 - (a) of their revenue and expenses;
 - (b) in the case of a rating authority, of the revenue received from each rate levied in their area and, where the rating authority is a regional council, of the amount paid to any district council in respect of the district rate and to any other local authority in respect of a requisition made under any enactment.
- (2) Returns under this section shall be in such form, shall contain such particulars, shall be authenticated in such manner, and shall be submitted to the Secretary of State by such date, as the Secretary of State may direct, and a direction under this subsection may impose different requirements in relation to returns of different classes.
- (3) If it appears to the Secretary of State that sufficient information about any of the matters mentioned in subsection (1) above has been supplied to him by an authority under any other enactment, he may exempt that authority from all or any of the requirements of this section so far as they relate to that matter.
- (4) The Secretary of State shall, in respect of each year, cause a summary to be made of the returns sent to him under this section and of any information supplied to him under any other enactment in consequence of which he has granted an exemption under subsection (3) above and shall lay that summary before both Houses of Parliament.
- (5) In this section references to an authority to which this section applies are references to a local authority, any committee, joint committee or joint board the members of which, other than ex officio members, are appointed by one or more local authorities

or any water development board within the meaning of the Water (Scotland) Act 1967 or any river purification board within the meaning of section 135 of this Act.

119 Initial expenses of new local authorities

- (1) As soon as may be after the first election of councillors for a new local authority, each existing rating authority whose area, or part of whose area, for rating purposes falls within the area of that new local authority shall, in accordance with the provisions of this section, cause the appropriate contribution to be paid into the general fund of the new local authority.
- (2) In subsection (1) above " the appropriate contribution " means—
 - (a) in the case of a contribution to a regional council, three quarters,
 - (b) in the case of a contribution to an islands council, the whole,
 - (c) in the case of a contribution to a district council, one quarter,
 of an amount calculated in accordance with subsection (3) below.
- (3) The amount referred to in subsection (2) above shall be—
 - (a) in a case where the whole of the area for rating purposes of the existing rating authority falls within the area of the new local authority, an amount equal to the product of a rate of 1p in the pound, or the standard penny rate product, whichever is the higher, for the first-mentioned area for the year 1973-74;
 - (b) in a case where a part only of the area for rating purposes of the existing rating authority falls within the area of the new local authority, an amount which bears the same proportion to the amount calculated in accordance with paragraph (a) above as the rateable valuation of that part of the first-mentioned area for the year 1973-74 bears to the rateable valuation of the whole of that area for that year.
- (4) A new local authority may before 16th May 1975 borrow for the purpose of meeting any expenses incurred by them before that date.
- (5) With a view to providing sums which may be transferred by an order under section 215 of this Act to one or more new local authorities, any existing rating authority may include in any rate levied by them in respect of the year 1974-75 provision to meet contingencies or to meet any expenses which, if this Act had not been passed, would have fallen to be met by the existing authority on or after 16th May 1975 and before the moneys to be received in respect of the rate for the year 1975-76 would have become available.
- (6) In this section—
 - " product of a rate of 1p in the pound " and " standard penny rate product " have the same meanings respectively as they have in Part I of the Local Government (Financial Provisions) (Scotland) Act 1963 ;
 - " rateable valuation " has the meaning assigned to it by section 43(1) of the Valuation and Rating (Scotland) Act 1956;
 - " rating authority " means a rating authority within the meaning of section 209 of the 1947 Act;
 - " year " has the same meaning as in the said Act of 1963.

120 Rate support grant

- (1) Rate support grant orders under section 3 of the Local Government (Scotland) Act 1966 shall be made in advance for a period of one year, instead of for successive periods of two years, and accordingly—
 - (a) in section 3(3) of that Act, for the words from " successive periods " to the end of the subsection there shall be substituted the words " a period of one year ";
 - (b) a rate support grant order made before the passing of this Act shall, in so far as it was made in respect of the year 1974-75, cease to have effect.
- (2) If in the exercise of the power conferred on him by section 4 of the said Act of 1966 the Secretary of State at any time after 15th May 1975 redetermines for the year 1974-75 the amount and portion mentioned in paragraphs (a) and (b) of section 2(2) of the said Act of 1966, he may by an order made under the said section 4, instead of increasing to any extent the amount fixed by the rate support grant order made in respect of that year as the aggregate amount of the rate support grants and any element of those grants for that year, increase to that extent the amount fixed by the rate support grant order made in respect of the year 1975-76 as the aggregate of the rate support grants and any element of those grants for the last-mentioned year.
- (3) Expressions used in this section and in sections 2 to 4 of the said Act of 1966 have the same meanings in this section as in those sections.

121 Rates of interest in relation to certain sums due to local authorities

- (1) The rate of interest fixed by subsection (2) below shall be substituted for the rate or, as the case may be, the maximum rate of interest determined by or under the following enactments (which relate among other things to the interest payable to local authorities on certain sums due to them), that is to say—
 - section 56(3) of the Water (Scotland) Act 1946;
 - section 10(2) of the Coast Protection Act 1949 ;
 - sections 29(5) and 31(4) of the Housing (Financial Provisions) (Scotland) Act 1968;
 - section 23(5) of the Mines and Quarries (Tips) Act 1969 ;
 - section 25(3) of the Housing (Scotland) Act 1969.
- (2) The said rate shall be one-quarter per cent above the relevant rate determined by the Treasury in relation to loans made for a period of fifteen years under section 3 of the National Loans Act 1968 (local loans by the Loan Commissioners); and in this subsection " the relevant rate " means the rate applying on whichever of the following dates, namely 16th May or 16th November or such other date as may be prescribed by regulations under section 111 of this Act, most closely precedes the date from which interest first becomes payable in relation to the sum in question, or, where more than one rate has been so determined, such one of those rates as the Treasury may from time to time direct either generally or with respect to any particular enactment.
- (3) As soon as may be after giving a direction under subsection (2) above the Treasury shall cause it to be published in the Edinburgh Gazette.

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

122 Miscellaneous amendments of enactments relating to finance

Schedule 9 to this Act shall have effect for making amendments and modifications of enactments relating to local government finance which are not replaced by the foregoing provisions of this Part of this Act.