



Local Government (Scotland) Act 1973

1973 CHAPTER 65

PART XII

MISCELLANEOUS, GENERAL AND TRANSITIONAL

General

235 General provisions as to interpretation.

(1) In this Act, except where the context otherwise requires—

“appropriate Minister”, with respect to any matter, means the Minister in charge of any Government Department concerned with that matter; but the validity of any order or regulation purporting to be made by any Minister by virtue of a power conferred on the appropriate Minister by this Act shall not be affected by any question as to whether or not that Minister was the appropriate Minister for the purpose;

^{F1}

...

^{F1}

...

“education authority”, “educational establishment”, “further education” and “school” have the same meanings as in [^{F2}the ^{M1}Education (Scotland) Act 1980];

^{F1}

...

[^{F3}“electoral ward” shall be construed in accordance with section 5 of the Local Government etc. (Scotland) Act 1994;]

“enactment” includes an order, regulation, rule or other instrument having effect by virtue of an Act;

“existing”, in relation to any authority, means that authority as they existed immediately before the passing of this Act;

“financial year” has [^{F4}, except in section 98,] the meaning assigned to it by section 96(5) of this Act;

“joint board” means a body corporate, constituted for the purposes of a combination of local authorities under this Act or by or under any other enactment, consisting exclusively of persons appointed by the local authorities;

Status: Point in time view as at 29/04/1996.

Changes to legislation: Local Government (Scotland) Act 1973, Section 235 is up to date with all changes known to be in force on or before 27 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

“joint committee” means a body, not being a body corporate, constituted for the purpose of a combination of local authorities under this Act or by or under any other enactment, consisting exclusively of persons appointed by the local authorities;

“land” includes land covered with water and any interest right or servitude in or over land;

[^{F5}“local authority” means a council constituted under section 2 of the Local Government etc. (Scotland) Act 1994;]

“local statutory provision” means a provision of a local Act (including an Act confirming a provisional order) or a provision of a public general Act passed with respect only to the whole or part of an existing local government area or a provision of an instrument made under any such local or public general Act or of an instrument in the nature of a local enactment made under any other Act;

“new”, in relation to any authority, means that authority as established by or under this Act;

“1947 Act” means the ^{M2}Local Government (Scotland) Act 1947;

“prescribed” means prescribed by regulations made by the Secretary of State;

“rating authority” [^{F6}shall be construed in accordance with section 30 of the Local Government etc. (Scotland) Act 1994];

^{F7}
 . . .

- (2) Any reference in this Act to a regional, islands or district council includes a reference to any combination of those councils.
- (3) Any reference in this Act to a proper officer and any reference which by virtue of this Act is to be construed as such a reference shall, in relation to any purpose and any local authority or other body or any area, be construed as a reference to an officer appointed for that purpose by that body or for that area, as the case may be.
- (4) In this Act, except where the context otherwise requires, references to any enactment shall be construed as references to that enactment as amended, extended or applied by or under any other enactment, including any enactment contained in this Act.

Textual Amendments

- F1** S. 235(1): definitions of
 “area”
 ,
 “college council”
 ,
 “school council”
 and
 “education committee”
 repealed (1.4.1996) by 1994 c. 39, s. 180(1)(2), Sch. 13 para. 92(66)(a), **Sch. 14**; S.I. 1996/323, art. 4(1)(b)(c)(d), **Sch. 2**
- F2** Words substituted by virtue of Interpretation Act 1978 (c. 30), s. 17(2)(a) and Education (Scotland) Act 1980 (c. 44), **Sch. 3 para. 1**
- F3** S. 235(1): definition of
 “electoral ward”
 substituted (1.4.1996) by 1994 c. 39, s. 180(1), **Sch. 13 para. 92(66)(b)**; S.I. 1996/323, art. 4(1)(b)(c)
- F4** S. 235(1): words in definition of
 “financial year”

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inserted (29.4.1996 with effect first in relation to the period from 1.4.1997 to 31.10.1997) by 1996 c. 10, s. 4(2)(3); S.I. 1997/1979, art. 2

F5 S. 235(1): definition of
“local authority”

substituted (1.4.1996) by 1994 c. 39, s. 180(1), Sch. 13 para. 92(66)(c); S.I. 1996/323, art. 4(1)(b)(c)

F6 S. 235(1): words in definition of
“rating authority”

substituted (1.4.1996) by 1994 c. 39, s. 180(1), Sch. 13 para. 92(66)(d); S.I. 1996/323, art. 4(1)(b)(c)

F7 S. 235(1): definition of
“water authority”

repealed (1.4.1996) by 1994 c. 39, s. 180(2), Sch. 14; S.I. 1996/323, art. 4(1)(b)(d), Sch. 2

Marginal Citations

M1 1980 c. 44.

M2 1947 c. 43.

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