

**Status:** Point in time view as at 03/07/2000. This version of this cross heading contains provisions that are prospective.

**Changes to legislation:** Local Government and Housing Act 1989, Cross Heading: The Local Government (Scotland) Act 1973 is up to date with all changes known to be in force on or before 10 August 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)

## SCHEDULES

### SCHEDULE 11

#### MINOR AND CONSEQUENTIAL AMENDMENTS

##### *The Local Government (Scotland) Act 1973*

- 33 In section 38(4)(b) of the <sup>M1</sup>Local Government (Scotland) Act 1973 (allowances not to be treated as pecuniary interests) after the word “Act” there shall be inserted the words “or under any scheme made by virtue of section 18 of the Local Government and Housing Act 1989.”

#### Marginal Citations

M1 1973 c. 65.

- 34 In section 47 of that Act (allowances for conferences and meetings)—
- (a) in subsection (1) (allowances payable), for the words from “allowances in the nature of” onwards there shall be substituted “allowances in the nature of an attendance allowance and an allowance for travel and subsistence, as they think fit.
- (1A) payments made under subsection (1) above shall be of such reasonable amounts as the body in question may determine in a particular case or class of case but shall not exceed—
- (a) in the case of payments of an allowance in the nature of an attendance allowance, such amounts as may be specified in or determined under regulations made by the Secretary of State; and
- (b) in the case of payments of an allowance in the nature of an allowance for travel and subsistence in respect of a conference or meeting held in the United Kingdom, such amounts as may be specified under section 46 above for the corresponding allowance under that section;
- and regulations made by the Secretary of State may make it a condition of any payment mentioned in paragraph (a) above that, in the financial year to which the payment would relate, the aggregate amount which the body in question has paid or is already liable to pay in respect of any prescribed allowance or allowances does not exceed such maximum amount as may be specified in or determined under the regulations.”;
- (b) in subsection (3A) (conferences to which section applies in relation to joint boards and committees), for the words “such body as is mentioned in section 49(1)(c) or (d) below” there shall be substituted the words “body which is a joint board, joint authority or other combined body all the members of which are representatives of local authorities”.

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#### Commencement Information

**II** Sch. 11 para. 34 wholly in force at 1.4.1991, see s. 195(2)(3) and S.I. 1991/344, art. 3(2)(a), Sch.

- 35 (1) Section 49 of that Act shall be amended as follows.
- (2) For subsection (1) (bodies to which sections 46 and 47 apply) there shall be substituted the following subsection—
- “(1) Sections 46 and 47 above apply—
- (a) to the bodies specified in section 21(2) of the Local Government and Housing Act 1989; and
- (b) to any prescribed body on which a body to which those sections apply by virtue of paragraph (a) above is represented.”
- (3) For subsection (2) (meaning of “approved duties”) there shall be substituted the following subsection—
- “(2) In sections 46 to 48 above “approved duty”, in relation to a member of a body, means such duties as may be specified in or determined under regulations made by the Secretary of State.”
- (4) In subsection (4) (members not excluded from discussion of allowances), at the end there shall be inserted the words “ or under any scheme made by virtue of section 18 of the Local Government and Housing Act 1989 ”.

#### PROSPECTIVE

- 36 In sub-paragraph (1) of paragraph 7 of Schedule 7 to that Act (recording the minutes of meetings of local authorities) for the word “following” there shall be substituted the word “ suitable ”; and after sub-paragraph (2) of that paragraph there shall be inserted the following sub-paragraph—
- “(3) For the purposes of sub-paragraph (1) above, the next suitable meeting of a local authority is their next following meeting or, where standing orders made by the authority in accordance with regulations under section 20 of the Local Government and Housing Act 1989 provide for another meeting of the authority to be regarded as suitable, either the next following meeting or that other meeting.”

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