



Local Government etc. (Scotland) Act 1994

1994 CHAPTER 39

PART II

WATER AND SEWERAGE REORGANISATION

Charges

82 Arrears of charges: restrictions on voting

- (1) This section applies at any time to a member of a local authority, or a member of a committee of a local authority or of a joint committee of two or more local authorities (including in either case a sub-committee), if at that time a charge payable by virtue of section 79(1) of this Act has become payable by him and has remained unpaid for at least two months.
- (2) Subject to subsection (4) below, if a member to whom this section applies is present at a meeting of the authority or committee at which any matter concerning how the authority are to exercise such functions as they have by virtue of section 79 of this Act is a subject of consideration, he shall, at the meeting and as soon as practicable after its commencement, disclose the fact that this section applies to him and shall not vote on any question with respect to the matter.
- (3) If a person fails to comply with subsection (2) above, he shall be guilty of an offence, and shall for each such offence be liable on summary conviction to a fine not exceeding level 3 on the standard scale, unless he proves that he did not know—
 - (a) that this section applied to him at the time of the meeting; or
 - (b) that the matter in question was a subject of consideration at the meeting.
- (4) Subsections (1) to (3) of section 41 of the 1973 Act (removal or exclusion of disability) shall apply in relation to, and to any disability imposed by, this section as they apply in relation to, and to any disability imposed by, section 38 of that Act (provisions as to disability of members of authorities from voting).

Status: This is the original version (as it was originally enacted).

(5) In subsection (1) above “joint committee” has the meaning given by section 235(1) of the 1973 Act.