

Changes to legislation: Local Government etc. (Scotland) Act 1994, Paragraph 129 is up to date with all changes known to be in force on or before 07 May 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) View outstanding changes

SCHEDULE 13

MINOR AND CONSEQUENTIAL AMENDMENTS

The Civic Government (Scotland) Act 1982 (c.45)

- 129 (1) The Civic Government (Scotland) Act 1982 shall be amended in accordance with this paragraph.
- (2) In section 2 (licensing authorities)—
- (a) in subsection (1), for “each district and islands area” substitute “ the area of each local authority ”; and
 - (b) in each of subsections (2) and (3), for “district or islands council”, wherever it occurs, substitute “ local authority ”.
- (3) In section 45 (control of sex shops)—
- (a) in subsection (1), for “district or islands council” substitute “ local authority ”; and
 - (b) in subsection (2)—
 - (i) for “district or islands council” substitute “ local authority ”; and
 - (ii) for “council’s” substitute “ authority’s ”.
- (4) In section 62 (notification of processions)—
- (a) in subsection (1)—
 - (i) for “regional or islands council” substitute “ local authority ”; and
 - (ii) for “council”, where it secondly and thirdly occurs, substitute “ authority ”;
 - (b) in each of subsections (2), (4), (7), (9) and (11), for “regional or islands council”, wherever it occurs, substitute “ local authority ”;
 - (c) in subsection (6)—
 - (i) for “regional or islands council” substitute “ local authority ”; and
 - (ii) for “council”, where it secondly occurs, substitute “ authority ”; and
 - (d) in subsection (12), in the definition of “chief constable”—
 - (i) for “regional or islands council” substitute “ local authority ”; and
 - (ii) for “council”, where it secondly occurs, substitute “ authority ”.
- (5) In section 63 (functions of authorities in relation to processions), in each of subsections (1), (1A)(a), (3) and (4), for “regional or islands council”, wherever it occurs, substitute “ local authority ”.
- (6) In section 64 (appeals against orders under section 63)—
- (a) in subsection (4), for “regional or islands council” substitute “ local authority ”;
 - (b) in subsection (6)—
 - (i) in paragraph (a)(i), for “regional or islands council” substitute “ local authority ”; and
 - (ii) for “council”, where it secondly and thirdly occurs, substitute “ authority ”; and
 - (c) in subsection (7), for “council” substitute “ authority ”.

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- (7) In section 87 (local authorities' powers in relation to buildings in need of repair), subsection (6) shall cease to have effect.
- (8) In section 89 (safety of platforms etc.), subsection (10) shall cease to have effect.
- (9) In section 90 (lighting of common stairs etc.)—
- (a) in each of subsections (2), (3), (4), (5), (6), (7), (8) and (9), for “district or islands council”, wherever it occurs, substitute “local authority”; and
 - (b) in each of subsections (8) and (9), for “council”, where it secondly occurs, substitute “authority”.
- (10) In section 91 (installation of lights in private property)—
- (a) in subsection (1)—
 - (i) for “district or islands council” substitute “local authority”; and
 - (ii) for “council”, where it secondly occurs, substitute “authority”;
 - (b) in subsection (2), for “district or islands council” substitute “local authority”; and
 - (c) in subsection (3)—
 - (i) for “district or islands council” substitute “local authority”; and
 - (ii) for “council”, where it secondly and thirdly occurs, substitute “authority”.
- (11) In section 92 (cleaning and painting of common stairs etc.)—
- (a) in each of subsections (2), (3), (4), (6), (7) and (8), for “district or islands council”, wherever it occurs, substitute “local authority”; and
 - (b) in subsection (8), for “council”, where it secondly and thirdly occurs, substitute “authority”.
- (12) In section 94 (disused petrol containers)—
- (a) in subsection (2), for “regional or islands council” substitute “local authority”; and
 - (b) in subsection (3)—
 - (i) for “regional or islands council” substitute “local authority”; and
 - (ii) for “council”, where it secondly occurs, substitute “authority”.
- (13) In section 95 (private open spaces), in each of subsections (2) and (3)(b), for “district or islands council” substitute “local authority”.
- (14) In section 96(1) (statues and monuments)—
- (a) for “district or island council” substitute “local authority”; and
 - (b) for “council”, where it secondly occurs, substitute “authority”.
- (15) In section 97 (street names and house numbers), for “district or islands council” substitute “local authority”.
- (16) In section 119 (regulation of charitable collections)—
- (a) in each of subsections (1), (3), (4), (5), (6), (7), (8), (9), (10)(a) and (b) and (12), for “district or islands council”, wherever it occurs, substitute “local authority”; and
 - (b) in subsection (3), for “council”, where it secondly occurs, substitute “authority”.

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- (17) In section 120 (savings for Crown and other rights), for “district or islands council” substitute “local authority”.
- (18) In section 121 (control of the seashore, adjacent waters and inland waters)—
- (a) in each of subsections (1), (3), (4), (5)(a) and (c), (6), (7), (8), (9), (10) and (11), for “district or islands council”, wherever it occurs, substitute “local authority”; and
 - (b) in subsection (7), for “council”, where it secondly occurs, substitute “authority”.
- (19) In section 122 (power to execute works on seashore)—
- (a) in each of subsections (1), (3), (4) and (5), for “district or islands council”, wherever it occurs, substitute “local authority”;
 - (b) in subsection (2)—
 - (i) in paragraph (a), for “council” substitute “local authority”; and
 - (ii) in paragraph (b)—
 - (A) after sub-paragraph (i) insert “and”;
 - (B) in sub-paragraph (ii), for “the district council” substitute “any local authority other than the authority for Orkney Islands, Shetland Islands or Western Isles”; and
 - (C) sub-paragraph (iii) and the word “and” immediately preceding it shall cease to have effect;
 - (c) in subsection (5), for “council”, where it secondly occurs, substitute “local authority”.
- (20) In section 123 (interpretation of sections 120 to 122)—
- (a) in subsection (1), in the definition of “adjacent waters”, in paragraph (b), for “district council” substitute “local authority”; and
 - (b) in subsection (2), after the words “purposes of”, where they secondly occur, insert “giving notice or, as the case may be,”.
- (21) In section 133 (interpretation), in the definition of “local authority”, for “regional, islands or district council” substitute “council constituted under section 2 of the Local Government etc. (Scotland) Act 1994”.
- (22) In Schedule 2 (control of sex shops)—
- (a) in each of paragraphs 3, 4, 5(1), (3), (4), (5), (6), (7) and (8), 7(2), (7), (8) and (10) and 8(1), (2), (3), (4), (5), (6), (7) and (8), for “district or islands council”, wherever it occurs, substitute “local authority”;
 - (b) in paragraph 6—
 - (i) in sub-paragraph (1), for “district or islands council” substitute “local authority”; and
 - (ii) in sub-paragraph (6), for “islands or district council” substitute “local authority”;
 - (c) in paragraph 9—
 - (i) in sub-paragraphs (1), (2), (4) and (5), for “district or islands council”, wherever it occurs, substitute “local authority”; and
 - (ii) in sub-paragraphs (3)(g) and (h), for “council”, in each place where it occurs, substitute “local authority”;
 - (d) in paragraph 10—

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- (i) in sub-paragraphs (1), (2) and (3), for “district or islands council”, wherever it occurs, substitute “ local authority ”; and
 - (ii) in sub-paragraph (3), for “council”, where it secondly and thirdly occurs, substitute “ authority ”;
- (e) in paragraph 12(1), (2)(b), (3), (4) and (6) for “district or islands council”, wherever it occurs, substitute “ local authority ”;
- (f) in paragraph 13—
 - (i) in sub-paragraphs (1), (2), (4), (5), (6), (7), (8), (9) and (10), for “district or islands council”, wherever it occurs, substitute “ local authority ”; and
 - (ii) in sub-paragraphs (6) and (9), for “council”, where it secondly occurs in each of those paragraphs, substitute “ authority ”;
- (g) in paragraph 14—
 - (i) in sub-paragraph (1), for “islands or district council” substitute “ local authority ”; and
 - (ii) in sub-paragraphs (2), (3), (4), (5), (6) and (7), for “district or islands council”, wherever it occurs, substitute “ local authority ”;
- (h) in paragraph 15—
 - (i) in sub-paragraphs (1), (2), (3) and (5), for “district or islands council”, wherever it occurs, substitute “ local authority ”;
 - (ii) in sub-paragraph (2)(b), for “council” substitute “ authority ”; and
 - (iii) in sub-paragraph (3), for “council”, where it secondly occurs, substitute “ local authority ”;
- (i) in paragraph 16(1), (2), (3) and (4), for “district or islands council”, wherever it occurs, substitute “ local authority ”;
- (j) in paragraph 17—
 - (i) in sub-paragraphs (1), (2) and (4), for “district or islands council”, wherever it occurs, substitute “ local authority ”; and
 - (ii) in sub-paragraph (4), for “council”, where it secondly occurs, substitute “ authority ”;
- (k) in paragraph 18—
 - (i) in sub-paragraphs (1) and (2), for “district or islands council” substitute “ local authority ”;
 - (ii) in sub-paragraph (1), for “council”, where it secondly occurs, substitute “ authority ”; and
 - (iii) in sub-paragraph (2), for “council”, where it secondly and thirdly occurs, substitute “ authority ”;
- (l) in each of paragraphs 19(8) and 20(1), (3) and (5), for “district or islands council”, wherever it occurs, substitute “ local authority ”;
- (m) in paragraph 22—
 - (i) for “district or islands council” substitute “ local authority ”; and
 - (ii) for “its” substitute “ their ”;
- (n) in paragraph 23—
 - (i) in sub-paragraphs (1), (2) and (3), for “district or islands council”, wherever it occurs, substitute “ local authority ”;
 - (ii) in sub-paragraph (2), for “council”, where it secondly occurs, substitute “ authority ”; and
 - (iii) in sub-paragraph (4)(c), for “council” substitute “ local authority ”;

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- (o) in paragraph 24—
 - (i) in sub-paragraphs (1), (2)(a), (3), (6), (7) and (9), for “district or islands council”, wherever it occurs, substitute “ local authority ”;
 - (ii) in sub-paragraph (6), for “council”, where it secondly, thirdly and fourthly occurs, substitute “ authority ”; and
 - (iii) in sub-paragraph (9)(b), for “council” substitute “ authority ”; and
- (p) in paragraph 25(1) and (3), for “district or islands council”, wherever it occurs, substitute “ local authority ”.

Commencement Information

- II** Sch. 13 para. 129 wholly in force at 1.4.1996; Sch. 13. para. 129 not in force at Royal Assent see s. 184(2); Sch. 13. para. 129(1)(20)(b) in force at 4.1.1995 by S.I. 1994/2850, art. 3(c)(xi); Sch. 13 para. 129 in force at 1.4.1996 insofar as not already in force by S.I. 1996/323, art. 4(1)(c)

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Changes and effects yet to be applied to :

- Sch. 13 para. 129(16) repealed by [2005 asp 10 sch. 4 para. 11](#)