STATUTORY INSTRUMENTS

1977 No. 277 (S. 37)

LOCAL GOVERNMENT, SCOTLAND

The Local Authorities (Property etc.) (Scotland) Amendment Order 1977

Made - - -	*21st February* 1977
Laid before Parliament	*3rd March* 1977
Coming into Operation	*1st April* 1977

In exercise of the powers conferred on me by sections 222(1) and (4) and 233(2) of the Local Government (Scotland) Act 1973(**a**) and of all other powers enabling me in that behalf, I hereby make the following order:

Title and commencement

1. This order may be cited as the Local Authorities (Property etc.) (Scotland) Amendment Order 1977 and shall come into operation on 1st April 1977.

Interpretation

2.—(1) In this order "the principal order" means the Local Authorities (Property etc.) (Scotland) Order 1975(**b**).

(2) The Interpretation Act 1889(**c**) shall apply for the interpretation of this order as it applies for the interpretation of an Act of Parliament.

Amendments to the principal order

3. At the end of Article 4(*a*)(iii) of the principal order there shall be added the words "provided that the question is referred to the said commission before 1st April 1977. Any question not so referred shall be determined by an arbiter to be agreed upon by the authorities concerned or, failing such agreement, by an arbiter to be appointed by the Secretary of State."

4. At the end of Article 4(*b*) of the principal order there shall be added the words "on receipt of notice thereof before 1st April 1977. Where no such notice has been given any dispute shall be determined by an arbiter to be agreed upon by the authorities concerned or, failing such agreement, by an arbiter to be appointed by the Secretary of State."

5. At the end of Article 8(3) of the principal Order there shall be added the words "on receipt of notice thereof before 1st April 1977. Where no such notice has been given the question shall be determined by an arbiter to be agreed upon by the authorities concerned or, failing such agreement, by an arbiter to be appointed by the Secretary of State."

(a) 1973 c. 65. (b) S.I. 1975/659 (1975 I, p. 2360). (c) 1889 c. 63.

6. Article 14 of the principal order shall be revoked.

Bruce Millan,
One of Her Majesty's Principal Secretaries of State.

New St. Andrew's House,
Edinburgh.
21st February 1977.

EXPLANATORY NOTE

(This Note is not part of the Order.)

The Local Government Property Commission for Scotland set up under section 224 of the Local Government (Scotland) Act 1973 after 1st April 1977 is no longer to have the duty of making determinations in respect of disputes arising as to functions and use of property in terms of the Local Authorities (Property etc.) (Scotland) Order 1975. Disputes which have not been referred to the commission before 1st April 1977 are to be settled by arbitration.

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