13.—(1) In this Act, unless the context otherwise requires, the following expressions have the meanings hereby respectively assigned to them, that is to say :— Interpretation.

" milk " means cows' milk;

" milk marketing scheme " means a scheme under the Agricultural Marketing Act, 1931, for regulating the marketing of milk;

" milk product " means cream, butter, cheese, milk powder or condensed milk;

" the Minister," " the board," " registered producer " and " the Gazette " have the same meanings respectively as in the Agricultural Marketing Act, 1931;

" prescribed " means prescribed by regulations made, with the approval of the Treasury, by the Minister of Agriculture and Fisheries and the Secretary of State for Scotland, acting in conjunction.

(2) For the purposes of this Act a farm shall be deemed to include the farm house and all buildings occupied together with the farm, but not to include any premises which are for the time being approved as manufacturing premises by the board administering a milk marketing scheme.

14.—(1) This Act may be cited as the Milk Act, 1934. Short title and commencement.

(2) This Act shall come into operation on the fifteenth day of August, nineteen hundred and thirty-four.

CHAPTER 52.

An Act to make permanent certain temporary enactments relating to the relief of the poor in Scotland; and to make further provision with regard to such relief. [31st July 1934.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present

Parliament assembled, and by the authority of the same, as follows :—

Certain temporary enactments anent poor relief made permanent. 11 & 12 Geo. 5. c. 64. 13 & 14 Geo. 5. c. 6. 14 & 15 Geo. 5. c. 9. 15 & 16 Geo. 5. c. 35. 17 & 18 Geo. 5. c. 3.

1.—(1) The Poor Law Emergency Provisions (Scotland) Act, 1921, as amended by section three of the Local Authorities (Emergency Provisions) Act, 1923, by section one of the Poor Law Emergency Provisions Continuance (Scotland) Act, 1924, by section one of the Poor Law Emergency Provisions Continuance (Scotland) Act, 1925, and by this Act shall, with the exception of subsection (4) of section two of the said Act of 1921, become a permanent Act and accordingly so much of any Act in force at the commencement of this Act as limits the duration of the said Act of 1921 shall cease to have effect.

(2) Sections one and five of the Poor Law Emergency Provisions (Scotland) Act, 1927, as amended by this Act, shall become permanent enactments and accordingly so much of any Act in force at the commencement of this Act as limits the duration of the said sections shall cease to have effect.

Amendments of 11 & 12 Geo. 5. c. 64 and 17 & 18 Geo. 5. c. 3.

2.—(1) Section one of the Poor Law Emergency Provisions (Scotland) Act, 1921, as made permanent by this Act (which section relates to poor relief to destitute able-bodied persons out of employment) shall be read and have effect as if in subsection (1) thereof for the words from " so however " to the end of the subsection there were substituted the words " who are unable to obtain employment " and as if there were omitted from subsection (2) thereof the words " except those relating " to the recovery of expenses from the parish of " settlement."

(2) Section one of the Poor Law Emergency Provisions (Scotland) Act, 1927, as made permanent by this Act (which section relates to relief to dependants of persons involved in a trade dispute), shall be read and have effect as if in subsection (3) thereof the words " except those relating to the recovery of expenses from " the parish of settlement and to applications to the " sheriff by persons refused relief " were omitted.

(3) Section three of the Poor Law Emergency Provisions (Scotland) Act, 1927 (which relates to the giving of relief on loan), shall cease to have effect.

Local authority to relieve all poor persons in their area and to recover expenses from area of settlement, &c. 61 & 62 Vict. c. 21.

3.—(1) Section seventy-two of the principal Act and section three of the Poor Law (Scotland) Act, 1898 (which sections relate to the removal of poor persons to their areas of settlement), shall cease to have effect, and, subject as hereinafter provided, it shall be the duty of a local authority to afford relief to all poor persons in their area whether such persons have a settlement therein or elsewhere, and accordingly a poor person shall, notwithstanding that his settlement shall have been ascertained to be in an area other than the area in which he is at the time, have the like right to relief in all respects from the local authority of the last-mentioned area as if his settlement were in that area.

(2) Nothing in section seventy-one of the principal Act shall entitle a local authority to recover in respect of expenditure on the relief of a poor person from the local authority of the area to which such poor person shall ultimately be found to belong any amount in excess of the amount which it would have cost the last-mentioned authority to relieve him had it been the duty of that authority to afford him relief. Any dispute as to the amount recoverable under the said section as amended by this subsection, shall, on the application of either authority, be determined by the Department, whose decision shall be final.

(3) Where the settlement of a poor person in receipt of relief from a local authority (hereinafter referred to as the " relieving authority ") has been ascertained to be in the area of another local authority, the relieving authority may, with the sanction of the Department, make an order for the removal of such person to the area in which he has his settlement:

Provided that—

(i) no such order shall be made in the case of a person who, by reason of sickness or infirmity, is incapable of being removed, or who has resided within the area of the relieving authority for a period of not less than one year immediately preceding his application for relief; and

(ii) the sanction of the Department to any such order shall not be given unless the Department are of opinion that, having regard to the whole circumstances of the case, the removal is reasonable and proper.

(4) An order for the removal of a poor person made in pursuance of this section shall be intimated by the relieving authority to the local authority of the area ascertained to be the area of the poor person's settlement and, if within fourteen days after such intimation, the last-mentioned local authority shall not remove such poor person, it shall be lawful for the relieving authority to cause him to be removed to the area of his settlement at the expense of the local authority of that area.

(5) Nothing in this section shall affect the operation of any enactment relating to the removal of poor persons born in England, Northern Ireland, or the Isle of Man.

Statement of grounds of refusal of relief, &c., to be furnished on application.

4.—(1) Where any person who is dissatisfied with a decision refusing to afford him relief, or refusing to afford him relief otherwise than by admission to a poorhouse, makes application to the local authority within seven days after intimation to him of such decision, for a written statement of the grounds thereof, the local authority shall forthwith furnish him with such statement.

(2) Whenever any such decision as aforesaid is intimated to an applicant for relief, the intimation shall be accompanied by a statement informing him of the provisions of the foregoing subsection and of his right to, and the manner in which he may, appeal against such decision.

Interim relief directed by sheriff to be outdoor relief.

5. Interim relief or support directed by the sheriff in pursuance of section seventy-three of the principal Act to be afforded or continued to any person shall, except where such person otherwise desires, be afforded by way of outdoor relief, and, except as aforesaid, an offer to admit such person to a poorhouse shall not be deemed to be compliance with the sheriff's direction:

Provided that this section shall not apply as respects any person to whom the affording of outdoor relief is prohibited by the provisions of section fifty-three of, and Part II of the Eighth Schedule to, the Unemployment Act, 1934.

24 & 25 Geo. 5. c. 29.

Department may award interim relief on complaint of inadequate relief.

6.—(1) It shall be lawful for the Department at any time after a complaint as to the inadequacy of the relief granted to any person is lodged with them under section seventy-four of the principal Act to award to him such interim relief as to the Department shall seem just, and the local authority shall comply with any such award.

(2) An award of interim relief to any person under this section shall cease to have effect on the final determination of any action brought by or on behalf of such person relative to the relief granted to him by the local authority, and shall be recalled by the Department if, upon inquiry, they are satisfied that the grounds of the complaint are not well founded or that such grounds have been removed, or if the Department have declared that there is a just cause of action and the person to whom the interim relief has been awarded has, in the opinion of the Department, unreasonably delayed to raise such action.

(3) Section seventy-four of the principal Act, in so far as it relates to interim aliment, shall cease to have effect, and accordingly the words in that section from "and it shall be lawful" to the end of the section shall be repealed.

Training of and performance of work by poor persons.

7.—(1) Subject to any regulations which may be made by the Department, a local authority may make provision for the instruction and training of persons to or in respect of whom poor relief is being afforded and who are of the age of eighteen years or upwards, with a view to rendering such persons fit for entry into or return to regular employment, and to that end may themselves provide and maintain courses of instruction and training for such persons or may contribute towards the cost of the provision and maintenance of such courses by another local authority or by any other body, but it shall not be lawful for a local authority to make attendance at any such course a condition of the receipt of relief.

(2) Subject to any regulations which may be made by the Department, any able-bodied person applying for or in receipt of outdoor relief may, as a condition of receiving or continuing to receive such relief, be required by the local authority to perform work suited to the person's age, sex, strength and aptitude if the authority consider it expedient so to require in the particular case:

Provided that no person shall be required to perform any work otherwise than at a work centre provided under this section or at or in connection with any institution maintained by the authority for the purposes of the principal Act, and on a certificate by a medical officer of the authority that he is physically fit to perform

the work, which certificate may, in the case of a person who has a regular medical attendant, be given only after consultation with such medical attendant wherever there is a reasonable opportunity of consulting with him.

(3) A local authority shall have power to provide and maintain work centres for such persons as may be required by the authority to perform work in accordance with the provisions of the last foregoing subsection.

(4) Any power conferred by this section to provide courses of instruction and training and work centres shall be construed as including power to acquire land, to construct buildings, to provide and maintain plant and equipment and to do such other things as may be necessary for the purposes of this section.

(5) A local authority shall have power to borrow for the purpose of meeting any expenditure of a capital nature incurred by them under this section, and the provisions of section twenty-three of the Local Government (Scotland) Act, 1929, shall apply to the power hereby conferred.

19 & 20 Geo. 5. c. 25.

(6) Expenditure incurred by a local authority under this section shall be defrayed in like manner as expenditure for the relief of the poor.

Classification of indoor poor.

8. A local authority shall, if required by the Department, provide or make arrangements for the provision of suitable and separate accommodation for each or any of such classes of indoor poor as may be prescribed by regulations made by the Department.

Regulations as to work in poorhouses.

9.—(1) Regulations may be made by the Department providing for the performance by inmates of poorhouses of work suited to their age, sex, strength and aptitude:

Provided that the regulations shall secure that no inmate shall be required to perform any work otherwise than in or about, or in connection with, the poorhouse of which he is an inmate, and on a certificate by a medical officer of the local authority that he is physically fit to perform it.

(2) All rules and regulations made by local authorities under section sixty-four of the principal Act for the management of poorhouses or the discipline and treatment of the inmates thereof shall, in so far as they

are inconsistent with regulations made under this section, cease to have effect.

Boarding-out of children.

10. A local authority may make arrangements for the lodging, boarding, or maintenance otherwise than in a poorhouse of children under the age of sixteen years who are orphans, or who have been deserted by, or are separated from, their parents, so however that any arrangements so made shall be subject to such regulations as the Department may make with respect thereto.

Outdoor relief to members of friendly societies, &c.

11.—(1) In affording outdoor relief to any person a local authority shall disregard—

(*a*) the first five shillings of his sick pay from a friendly society or trade union;

(*b*) the first seven shillings and sixpence of his benefit under the National Health Insurance Acts, 1924 to 1932;

(*c*) the whole of any maternity benefit under the last-mentioned Acts, exclusive of any increase of such benefit by way of additional benefit and of any second maternity benefit within the meaning of those Acts; and

(*d*) the first one pound of any wounds or disability pension of which he, or any other person whose resources the authority take into account in relieving him, is in receipt.

(2) Where a person to whom a local authority have afforded outdoor relief shows to the satisfaction of the Department that the authority, in affording such relief, have failed in any respect to comply with the provisions of the foregoing subsection, then, notwithstanding anything in section seventy-five of the principal Act, he shall be entitled to recover from the authority such sum as the Department may certify to be the difference in amount between the relief afforded to him and the relief which he would have received had the authority duly complied with the provisions of the said subsection.

(3) Subsection (1) of section one hundred and five of the National Health Insurance Act, 1924, is hereby repealed, and the Transitional Payments (Determination of Need) Act, 1932, so far as it applies to the granting of

14 & 15 Geo. 5. c. 38.
22 & 23 Geo. 5. c. 54.

outdoor relief under the enactments relating to the poor law, shall have effect as if rule (*a*) in subsection (1) of section one were omitted.

(4) This section, so far as it relates to wounds or disability pensions and to the Transitional Payments (Determination of Need) Act, 1932, shall come into operation on such date as the Secretary of State may appoint.

Power of Department to make regulations with respect to certain matters relating to relief.

12. The Department shall make regulations with respect to:

(*a*) the duties of inspectors of poor and other officers of a local authority in relation to applications for relief, the investigation of the circumstances of applicants for relief, the affording of relief to poor persons and the visiting of persons who are in receipt of outdoor relief; and

(*b*) the records to be kept by local authorities with regard to the administration of the relief of the poor.

Regulations to be laid before Parliament.

13. All regulations made by the Department under this Act shall be laid before both Houses of Parliament as soon as may be after they are made, and if an address is presented to His Majesty by either House of Parliament within the subsequent twenty-one days on which that House has sat next after any such regulations are laid before it, praying that the regulations may be annulled, the regulations shall be annulled and shall thenceforth be void but without prejudice to the validity of anything previously done thereunder or to the making of new regulations.

Residence in approved school under 22 & 23 Geo. 5. c. 47 to be excluded for purposes of ascertaining settlement.

14. The time during which a person is detained in an approved school under the Children and Young Persons (Scotland) Act, 1932, shall be excluded in the computation of time for all purposes relating to the settlement of that person.

Adopted child to be treated for purposes of poor relief as lawful child of adopter. 20 & 21 Geo. 5. c. 37.

15. An adopted child within the meaning of the Adoption of Children (Scotland) Act, 1930, shall be treated for all purposes relating to poor relief as being the lawful child of the person or persons by whom he is adopted, and as not being the child of any other person.

16. The amendments specified in the second column of the Schedule to this Act, being minor and consequential amendments of the principal Act, shall be made in the sections of that Act specified in the first column of that Schedule. Minor and consequential amendments.

17.—(1) In this Act unless the context otherwise requires the following expressions have the meanings hereby respectively assigned to them, that is to say:— Interpretation.

"Local authority" means the local authority charged with the administration of the principal Act and includes a combination of such authorities;

"The Department" means the Department of Health for Scotland;

"The principal Act" means the Poor Law (Scotland) Act, 1845; 8 & 9 Vict. c. 83.

"Wounds or disability pension" means any retired pay or pension to which section sixteen of the Finance Act, 1919, applies. 9 & 10 Geo. 5. c. 32.

(2) Any reference in this Act, or in the enactments made permanent by this Act, to any other enactment shall, unless the context otherwise requires, be construed as a reference to that enactment as amended by any subsequent enactment, including this Act.

18.—(1) This Act may be cited as the Poor Law (Scotland) Act, 1934. Short title, construction, extent and commencement.

(2) This Act shall be read and construed as one with the principal Act.

(3) This Act shall apply to Scotland only, and, save as otherwise expressly provided, shall come into operation on the first day of September, nineteen hundred and thirty-four.

Section 16.

SCHEDULE.

MINOR AND CONSEQUENTIAL AMENDMENTS.

Sections of Poor Law (Scotland) Act, 1845, to be amended.	Amendment.
Section 55	The words from " inquire into " to " division of a parish, and " and the proviso to the section shall be omitted.
Section 70	The words " in accordance with any regulations " made by the Department of Health for " Scotland under the Poor Law (Scotland) Act, 1934 " shall be inserted after the words " such applications, shall", and the word " interim ", and the words from " until the parish or combination " to " determined or ", shall be omitted.

CHAPTER 53.

An Act to consolidate certain enactments relating to County Courts. [31st July 1934.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows :—

PART I.

CONSTITUTION AND ADMINISTRATION.

County Courts and Districts.

County courts to be held for districts.

1.—(1) For the purposes of this Act, England (excluding the City of London) shall be divided into districts, and a court shall be held under this Act for each of the said districts at one or more places therein, and throughout the whole of each district the court so held for the district shall have such jurisdiction and