

# Scotland

13 & 14 GEO.5.

## War Memorials (Local Authorities' Powers) Act 1923

### Chapter 18

An Act to enable local authorities under certain circumstances to maintain, repair and protect war memorials vested in them. (1) (18<sup>th</sup> July 1923)

- 1 *Expenditure in maintenance, &c., of war memorials*  
(2) A local authority may incur reasonable expenditure in the maintenance, repair and protection of any war memorial within their district ( 3 whether vested in them or not.)
- 2 *Approval of county council or Minister of Health*  
Any expenditure to be incurred under this Act by a local authority shall –
  - (a) in the case of a parish council or parish meeting, be limited to an amount which will not involve a rate exceeding a penny in the pound for any financial year, and be subject to the approval of the county council;
  - (b) in the case of any other local authority, be limited to an amount from time to time approved by the Minister of Health.
- 3 *Application*  
The provisions of this Act shall not apply to a war memorial provided or maintained by a local authority in the exercise of any other statutory power.
- 4 *Definition*  
In this Act the expression "local authority" means the council of a county, county borough, metropolitan borough or other borough, or of an urban district or parish, and the parish meeting of a rural parish with no parish council.
- 5 *Short title*  
This Act may be cited as the War Memorials (Local Authorities' Powers) Act, 1923.

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## **Local Government Act 1948**

**Chapter 26**

**Clause 133**

**War Memorials 13 & 14 Geo.5**

*133 (Subs (1) makes amendments in s, 1 of 13 & 14 Geo 5 c. 18 see that Act)*

- 1 The matters on which expenditure may be incurred under the ( (1) said section one) shall include the alteration of any memorial to which that section applies so as to make it serve as a memorial in connection with any war subsequent to that in connection with which it was erected and the correction of any error or omission in the inscription on any such memorial.
- 2 The War Memorials (Local Authorities' Powers) Act, 1923, as amended by the foregoing provisions of this section shall extend to Scotland subject to the following modifications –
  - (i) sections two and four shall not apply: and
  - (ii) the expression “local authority” means a county, town, or district council

## **Local Government Act, 1973**

**Clause 170**

- 1 The local authority for the purposes of the War Memorials (Local Authorities' Powers) Act 1923 as extended to Scotland by section 133 (3) of the Local Government Act 1948 shall be a local authority within the meaning of this Act: and the powers conferred on a local authority by section 1 of the said Act of 1923 as so extended with regard to war memorials shall apply to any war memorial outside as well as within their area.
- 2 In consequence of subsection (1) above the said section 133 (3) shall have effect as if –
  - (a) after the word “modifications” there were inserted the following head-  
“(ia) in section 1, for the words “within their district” there shall be substituted the words “whether within or outside their area”;
  - (b) for head (ii) there were substituted the following head-  
“(ii) “local authority” means a regional, islands or district council.”