



Local Government (Scotland) Act 1894

1894 CHAPTER 58

PART II

CONSTITUTION AND ELECTION OF PARISH COUNCILS

15 Regulations as to election of parish councillors in burghal parish, &c

With respect to the second and subsequent elections of parish councillors for a burghal parish, or for the burghal part of a parish partly landward and partly burghal, the following provisions shall have effect:—

- (1) The election of such parish councillors shall take place in every third year, beginning with the year one thousand eight hundred and ninety-eight, on the same day and, as nearly as may be, in the same manner, in the same places, and with the same returning and presiding officers and clerks, as the election of town councillors for such burgh, or if there is a contested election for parish councillors, but there is no contested election for town councillors in such burgh or in any ward thereof (if it is divided into wards), as if there were a contested election for town councillors in such burgh, or in a ward or wards thereof.
- (2) The expenditure incurred in the election of such parish councillors, as ascertained and apportioned by agreement between the town council and the parish council or councils concerned, or, failing agreement, by order of the Board, shall be a charge upon the poor rate levied in such parish, and shall be paid to the town council by such parish council or councils.
- (3) From and after such second election the term of office of such parish councillors shall be three years, and in every third year the whole number of such parish councillors shall go out of office, and their places shall be filled by election: Provided that the term of office of parish councillors elected for such burghal part of a parish shall not commence until the first Tuesday of December following their election.
- (4) The enactments regulating the election of town councillors shall, with the necessary variations and subject to the provisions of this Act, extend and apply to the election of such parish councillors.

Status: This is the original version (as it was originally enacted). This item of legislation is currently only available in its original format.

- (5) If in any case the burghal part of a parish is situated in more burghs than one, the provisions of this section shall apply with the necessary variations, and subject to such regulations as may be made by any order of the Board, and such regulations shall have effect as if they were contained in this Act.
- (6) It shall be the duty of the town council of every burgh to make due provision for the election of such parish councillors.
- (7) A town council may refer to the Board any question that may arise as to the performance of the duty of such town council under this section, and the determination of the Board, as signified by order thereon, shall be final. The foregoing provisions shall apply to the second and subsequent elections of parish councillors in parishes or parts of parishes co-extensive with police burghs or parts thereof, with the omission of the words "burghal," and with the substitution of the expression " police burgh " for " burgh, " and " burgh commissioners" for " town council " or " town councillors."