



Local Government (Scotland) Act 1894

1894 CHAPTER 58

PART IV

NEW POWERS CONFERRED UPON PARISH COUNCILS IN LANDWARD PARISHES AND LANDWARD PARTS OF PARISHES

23 Landward committees to be constituted in certain parishes

- (1) In this Part of this Act the expression parish council does not include the parish council of a burghal parish.
- (2) For the purpose of exercising and performing the powers and duties conferred and imposed by this Part of this Act, in the case of a parish which—
 - (a) is partly landward and partly burghal; or
 - (b) comprises a police burgh or part of a police burgh,

there shall be a committee of the parish council, in this Act referred to as the landward committee, which shall in every case consist of the whole number of parish councillors for such parish, excepting only the councillors representing the burghal part of the parish, or such police burgh, or part of a police burgh; and, in the case of such parishes, the powers (except the power to raise money by rate or loan) and duties conferred and imposed on a parish council by this Part of this Act, shall be exercised and performed by the landward committee, which for such purpose and for the purpose of the Public Libraries Consolidation (Scotland) Act, 1887, shall be deemed to be the parish council of the parish, and which may sue and be sued as such landward committee. For such purpose, such burghal part and such police burgh or part of a police burgh shall be deemed to be outwith such parish, and shall not be rated by the parish council.

Provided that where, in terms of section nine of this Act, a landward committee would consist of less than five members, the Board may, if they deem it expedient with a view to the proper transaction of business, by order provide for the election, along with, and subject to the same provisions as, the election of parish councillors, of such additional number of members of such landward committee as shall be named in the order. In such case, if the election of the landward committee takes place according to parish wards, at least one member shall be added for each ward. Such landward committee,

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as increased, shall appoint from their own number to the parish council the requisite number of parish councillors, as determined in terms of section nine of this Act, and shall fill any casual vacancy occurring in the number of such parish councillors or in the landward committee.

- (3) A landward committee may exercise and perform their powers and duties under this Part of this Act without reference to and without the approval of the parish council. The provisions of sub-sections two, three, five, and six of section nineteen of this Act shall apply to a landward committee with the substitution of the expression " landward committee " for " parish council " occurring therein.
- (4) Where the population of the landward part of a parish partly landward and partly burghal, exclusive of any police burgh or part of a police burgh comprised therein, does not exceed one hundred, a landward committee, as provided for in sub-section two of this section, shall not be constituted unless and until the Board shall so order on the application of not fewer than five parish electors residing within such landward part.