

1979 No. 1195 (S.106)

LOCAL GOVERNMENT, SCOTLAND

**The Burgh Police (Scotland) Act 1892 (Application of Provisions)
(Cumbernauld and Kilsyth District Council) Order 1979**

Made - - - - 19th September 1979
Laid before Parliament 4th October 1979
Coming into Operation 26th October 1979

In exercise of the powers conferred upon me by sections 229(3) and 233(3) 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 Burgh Police (Scotland) Act 1892 (Application of Provisions) (Cumbernauld and Kilsyth District Council) Order 1979 and shall come into operation on 26th October 1979.

Interpretation

2. In this order:—

“the Act” means the Burgh Police (Scotland) Act 1892(b)

“the district” means the area of Cumbernauld and Kilsyth District Council

“the district council” means Cumbernauld and Kilsyth District Council

“the district court” means the District Court for the area of Cumbernauld and Kilsyth District Council.

Application of provisions of the Act

3.—(1) Subject to the modifications set out in the Schedule to this order the provisions of sections 270 and 271 of the Act and Schedule V of the Act as altered by the Magistrates of the former Burgh of Cumbernauld 7 August and approved in accordance with the said section 271 25 October both in 1973 are hereby extended to apply throughout the whole of the district.

(2) The provisions of sections 454, 465, 484, 491, 499, 500, 503, 511 and 512 of the Act insofar as they are applicable to the licensing of and regulations for hackney carriages shall extend throughout the district.

New St. Andrew's House
Edinburgh.
19th September 1979

George Younger,
One of Her Majesty's Principal
Secretaries of State

<i>Provision</i>	<i>Modification</i>
<p>Section 270</p> <p>Schedule V of the Burgh Police (Scotland) Act 1892 altered and approved as referred to in Article 3 hereof</p> <p>Regulation 1</p>	<p>For the words "five miles from the principal post office of the burgh" there shall be substituted the words "the area of the District Council of Cumbernauld and Kilsyth" and for the words "within the burgh" there shall be substituted the words "within the said area".</p> <p>The definition of "burgh" at Regulation 1 shall be deleted and for the word "burgh" wherever it occurs there shall be substituted "the district".</p> <p>At the end the following new definitions shall be added—</p> <p>"District" means the area of Cumbernauld and Kilsyth District Council</p> <p>"District Council" means Cumbernauld and Kilsyth District Council.</p>
<p>Regulation 2(e)</p> <p>Regulations 2, 3, 14, 18, 22, 25, 30</p>	<p>After the words "one of" there shall be inserted the words "the members of".</p> <p>For the words "the magistrates" wherever they occur there shall be substituted the words "the District Council".</p>

EXPLANATORY NOTE

(This Note is not part of the Order.)

This Order extends those provisions of the Burgh Police (Scotland) Act 1892 which relate to the licensing and control of hackney carriages throughout the area of the District Council of Cumbernauld and Kilsyth. It also modifies certain of those provisions as they already applied prior to the date of coming into operation of the Order.