
STATUTORY INSTRUMENTS

1979 No. 239 (S. 27)

LOCAL GOVERNMENT, SCOTLAND

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

<i>Made - - - -</i>	<i>5th March 1979</i>
<i>Laid before Parliament</i>	<i>15th March 1979</i>
<i>Coming into Operation</i>	<i>6th April 1979</i>

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) (Motherwell District Council) Order 1979 and shall come into operation on 6th April 1979.

Interpretation

2. In this order:—

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

“district” means the area of Motherwell District Council;

“district court” means the district court for the area of Motherwell District Council.

Application of provisions of the Act

3.—(1) The following provisions of the Act shall be extended throughout the district:—

(a) Section 270 (Hackney carriages to be licensed);

(b) Section 271 (Regulations for hackney carriages);

(c) Section 273 (Cabmen’s shelters);

(d) Schedule V as altered by the Magistrates of the Burgh of Motherwell and Wishaw 18th September 1973 and approved the 5th March 1974 all in accordance with the said Section 271.

(2) Section 454 of the Act in its application to Schedule V and sections 465, 484, 491, 499, 500, 503, 511 and 512, all as read with section 3 of the District Courts (Scotland) Act 1975(c), shall be extended throughout the district to the effect of giving the district court all the jurisdiction and powers

(a) 1973 c. 65.

(b) 1892 c. 55.

(c) 1975 c. 20.

in relation to the Act throughout the area of new application which it had in relation to the former area of application.

“The former area of application” means those parts of the district to which the provisions being extended by this order applied prior to the date of coming into operation of the order.

“The new area of application” means those parts of the district to which the provisions being extended by this order did not apply prior to the date of coming into operation of the order but to which the provisions will apply after that date.

4. The provisions of the Act referred to at article 3 above, as extended throughout the district shall have effect subject to the modifications thereof set out in the Schedule hereto, for the purposes of this order.

Bruce Millan,

One of Her Majesty's Principal
Secretaries of State.

New St Andrew's House,
Edinburgh.

5th March 1979.

SCHEDULE

Article 4.

<i>Provision</i>	<i>Modification</i>
Section 270	For the words "five miles from the principal post office of the burgh" there shall be substituted the words "the area of Motherwell District Council" and for the words "within the burgh" there shall be substituted the words "within the said area".
Section 273	For the words "of the burgh" substitute "within the area of Motherwell District Council".
Schedule V of the Burgh Police (Scotland) Act 1892, altered in terms of Section 271 of the Act as referred to in Article 3 of this order.	For the word "burgh" wherever it occurs there shall be substituted "district".
Regulation 1(b)	The definition of "burgh" shall be deleted.
Regulation 1	At the end the following definitions shall be added— "district" means the area of Motherwell District Council; "district council" means Motherwell District Council.
Regulations 1(e), 2, 14, 15, 17, 21, 24, 29	For the word "magistrates" there shall be substituted "district council".
Regulation 2(e)	For the words "one of" there shall be substituted "a member of".

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 Motherwell. It also modifies certain of the said provisions as they already applied prior to the date of coming into operation of the order.