
STATUTORY INSTRUMENTS

1979 No. 356 (S. 37)

LOCAL GOVERNMENT, SCOTLAND

**The Burgh Police (Scotland) Act 1892 (Application of Provisions)
(Various District Councils) Order 1979**

Made - - - - - 20th March 1979

Laid before Parliament 3rd April 1979

Coming into Operation 25th April 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) (Various District Councils) Order 1979 and shall come into operation on 25th April 1979.

Interpretation

2. In this order:—

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

“district court” means the district court for each of the areas of the district councils of Lochaber, East Lothian, Midlothian, Bearsden and Milngavie, Dumbarton, Monklands and Strathkelvin;

“the districts” means the areas of the district councils of Lochaber, East Lothian, Midlothian, Bearsden and Milngavie, Dumbarton, Monklands and Strathkelvin.

Application of provisions of the Act

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

(a) section 270 (Hackney carriages to be licensed)

(b) section 271 and Schedule V (Regulations for hackney carriages).

(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 districts to the effect of giving the district court all the jurisdiction and powers in relation to the Act throughout the areas of new application which it had in relation to the former areas of application, and for the purposes of this order—

“the former areas of application” means those parts of the districts to which the provisions being extended by this order applied prior to the date of coming into operation of the order;

“the new areas of application” means those parts of the districts 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 districts 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.

20th March 1979.

SCHEDULE

Article 4

Provision

Modifications

- | | |
|-------------|---|
| Section 270 | For the words “five miles from the principal post office of the burgh” there shall be substituted the words “the areas of the District Councils of Lochaber, East Lothian, Midlothian, Bearsden and Milngavie, Dumbarton, Monklands and Strathkelvin”, and for the words “within the burgh” there shall be substituted the words “within the said areas”. |
| Schedule V | For the words “the prescribed distance” and “such prescribed distance” wherever they occur, except where they secondly occur, at paragraphs (9) and (23), there shall be substituted the words “the areas of the District Councils of Lochaber, East Lothian, Midlothian, Bearsden and Milngavie, Dumbarton, Monklands and Strathkelvin”, and at paragraphs (9) and (23) for the words “not exceeding such prescribed distance” there shall be substituted the words “not being beyond the respective boundaries of the areas of the District Councils of Lochaber, East Lothian, Midlothian, Bearsden and Milngavie, Dumbarton, Monklands and Strathkelvin”. |

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 areas of the district councils of Lochaber, East Lothian, Midlothian, Bearsden and Milngavie, Dumbarton, Monklands and Strathkelvin.

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