STATUTORY INSTRUMENTS

1992 No. 1159 (S.106)

RIVER, SCOTLAND

The Tay River Purification Board (Establishment) Variation Order 1992

Made	- - - -	*12th May 1992*
Coming into force	- -	*16th May 1992*

The Secretary of State, in exercise of the powers conferred on him by sections 135(5) and (6), 135A and 233(2) of the Local Government (Scotland) Act 1973((**1**)) and of all other powers enabling him in that behalf, after consultation in accordance with section 135(7) of that Act((**2**)) with all local authorities and river purification boards whose areas are wholly or partly within the area affected by this Order, and having complied with the provisions of Schedule 7 to the Water (Scotland) Act 1980((**3**)), hereby makes the following Order:

Citation and commencement

1. This Order may be cited as the Tay River Purification Board (Establishment) Variation Order 1992 and shall come into force on 16th May 1992.

Variation of the Tay River Purification Board (Establishment) Order 1975

2. The Tay River Purification Board (Establishment) Order 1975((**4**)) shall be varied as follows:—

(a) for article 3(3) there shall be substituted—

"(3) The Board shall consist of 16 members of whom—

(a) 8 shall be appointed by the Secretary of State, after consultation with such bodies as he thinks fit, to represent the interests of persons concerned with the carrying on of agriculture, fisheries or industry in the Board's area or any other interests which, in the opinion of the Secretary of State, should be represented on the Board;

(b) 4 shall be appointed from among their members by regional councils in accordance with the following table:—

(**1**) 1973 c. 65; section 135A was inserted by the Natural Heritage (Scotland) Act 1991 (c. 28), Schedule 10, paragraph 6.
(**2**) Section 135(7) was amended by virtue of the Water (Scotland) Act 1980 (c. 45), Schedule 9, paragraph 3.
(**3**) 1980 c. 45; Schedule 7 is applied to the making of this Order by section 135(7) of the 1973 Act.
(**4**) S.I.1975/235, amended by S.I. 1989/59.

Regional council	No. of members
Fife	1
Tayside	3; and

    (c) 4 shall be appointed from among their members by district councils or groups of district councils in accordance with the following table:—

District council or group of district councils	No. of members
Kincardine and Deeside	1
Argyll and Bute	1
Badenoch and Strathspey	
Perth and Kinross	
Stirling	
City of Dundee	1
North East Fife	1";

(b) for article 3(4)(a) there shall be substituted—

    "(a)   Members of the Board appointed by local authorities as specified in paragraph (3)(b) and (c) above shall be appointed on 16th May 1992 or within one month after that date and thereafter within one month of each ordinary election of councillors and shall serve on the Board for their terms of office as councillors in accordance with the provisions of section 4 of the Act;"; and

(c) article 3(4)(d) shall be revoked.

Termination of current appointments

3. The appointment of all current members of the Tay River Purification Board shall terminate on the coming into force of this Order.

St. Andrew's House,   *Hector Monro*
Edinburgh   Parliamentary Under Secretary of State, Scottish
12th May 1992   Office

EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends the Tay River Purification Board (Establishment) Order 1975 by reducing the total membership of the Board and altering the proportions of members appointed respectively by the Secretary of State and the regional and district councils lying wholly or partly within the Board's area. The total number of members is reduced from 18 to 16, with 8 appointed by the Secretary of State (2 more than at present), 4 by the regional councils and 4 by the district councils (both 2 fewer than at present). Provision is made terminating all current appointments in preparation for this structural change and consequential amendment is made to the 1975 Order regarding the appointment of new local authority members.

The Order also revokes article 3(4)(d) of the 1975 Order providing for substitute local authority members.