

*This Statutory Instrument has been made in consequence of defects in S.I. 1995/1881 and is being issued free of charge to all known recipients of that Statutory Instrument.*

---

STATUTORY INSTRUMENTS

---

**1995 No. 2213 (S.158)**

**LOCAL GOVERNMENT, SCOTLAND**

**The Argyll, the Isles, Loch Lomond, Stirling and  
Trossachs Tourist Board Scheme Amendment Order 1995**

|                               |         |                         |
|-------------------------------|---------|-------------------------|
| <i>Made</i>                   | - - - - | <i>23rd August 1995</i> |
| <i>Laid before Parliament</i> |         | <i>25th August 1995</i> |
| <i>Coming into force</i>      | - -     | <i>31st August 1995</i> |

The Secretary of State, in exercise of the powers conferred on him by sections 172(1) and 173(1) and (2)(e) of the Local Government etc. (Scotland) Act 1994<sup>(1)</sup> and of all other powers enabling him in that behalf and after consulting the Scottish Tourist Board, The Argyll and Bute Council, The Clackmannanshire Council<sup>(2)</sup>, The Dumbarton and Clydebank Council, The Falkirk Council and The Stirling Council in accordance with section 173(4)(a) of that Act, hereby makes the following Order:

**Citation, commencement and interpretation**

1.—(1) This Order may be cited as the Argyll, the Isles, Loch Lomond, Stirling and Trossachs Tourist Board Scheme Amendment Order 1995 and shall come into force on 31st August 1995.

(2) In this Order—

“the principal order” means the Argyll, the Isles, Loch Lomond, Stirling and Trossachs Tourist Board Scheme Order 1995<sup>(3)</sup>; and

“the scheme” means the Argyll, the Isles, Loch Lomond, Stirling and Trossachs Tourist Board Scheme 1995<sup>(4)</sup>.

---

(1) 1994 c. 39.

(2) On 3rd May 1995 by resolution under section 23 of the Local Government (Scotland) Act 1973 (c. 65), The Clackmannan Council changed the name of the local government area of “Clackmannan” to “Clackmannanshire” and therefore the name of the council became The Clackmannanshire Council. Section 23(1) and (4) of the Local Government (Scotland) Act 1973 was substituted in part and repealed in part by the Local Government (Miscellaneous Provisions) (Scotland) Act 1981 (c. 23) Schedule 2, paragraph 30 and applied by the Local Government (Application of Enactments) (Scotland) Order 1995 (S.I. 1995/789) to new local authorities within the meaning of that Order.

(3) S.I. 1995/1881.

(4) S.I. 1995/1881.

### **Amendment of the principal Order**

2. In article 3(1) of the principal Order (the Scheme) for “Clackmannan” there shall be substituted “Clackmannanshire”.

### **Amendment of the scheme**

3. In paragraph 3(1) of the scheme for “Clackmannan” there shall be substituted “Clackmannanshire”.

4. In paragraph 4 of the scheme (membership of the Board)—

(a) for sub-paragraph (3)(b) there shall be substituted—

- “(b) (i) persons, not exceeding 5 in number, to be nominated by the council for the local government area of Argyll and Bute to be persons representative of that council on the Board;
- (ii) persons, not exceeding 5 in number, to be nominated by the council for the local government area of Clackmannanshire to be persons representative of that council on the Board;
- (iii) persons, not exceeding 5 in number, to be nominated by the council for the local government area of Dumbarton and Clydebank to be persons representative of that council on the Board;
- (iv) persons, not exceeding 5 in number, to be nominated by the council for the local government area of Falkirk to be persons representative of that Council on the Board; and
- (v) persons, not exceeding 5 in number, to be nominated by the council for the local government area of Stirling to be persons representative of that council on the Board;”;

(b) after sub-paragraph (3) there shall be inserted—

“(4) Each member of the Board shall have one vote.”.

5. In paragraph 5 of the scheme (membership of controlling body), after sub-paragraph (2) there shall be inserted—

“(3) Each member of the controlling body shall have one vote.

(4) The appointment of a member of the controlling body of the Board by the Secretary of State under sub-paragraph (1) shall terminate 28 days after the date of the first general meeting of the Board.”.

6. In paragraph 6 of the scheme (proceedings of the Board), after sub-paragraph (3) there shall be inserted—

“(4) The decision of the Board or of the controlling body of the Board on any matter shall be decided by a majority of members present and voting thereon.

(5) In the case of an equality of votes the member presiding at the meeting of the Board or as the case may be of the controlling body of the Board shall have a second or casting vote except where the matter which is the subject of the vote is one to which sub-paragraph (6) applies, in which case the decision shall be by lot.

(6) This sub-paragraph applies—

- (a) to the appointment of a person to be a member of the Board;
- (b) to the appointment of a member to be a member of the controlling body of the Board; and
- (c) to the appointment of a member to any particular office or committee.”.

St Andrew's House,  
Edinburgh  
23rd August 1995

*George Kynoch*  
Parliamentary Under Secretary of State, Scottish  
Office

**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

---

## EXPLANATORY NOTE

*(This note is not part of the Order)*

This Order amends the Argyll, the Isles, Loch Lomond, Stirling and Trossachs Tourist Board Scheme Order 1995 ([S.I. 1995/1881](#)) (“the principal Order”) and the Argyll, the Isles, Loch Lomond, Stirling and Trossachs Tourist Board Scheme (“the scheme”) set out in the schedule to the principal Order.

This Order substitutes for references in the principal Order and the scheme to the local government area of Clackmannan references to the local government area of Clackmannanshire to reflect the change of name of that area on 3rd May 1995 by resolution of The Clackmannan Council (in consequence now The Clackmannanshire Council) under section 23 of the Local Government (Scotland) Act 1973 (articles 2 and 3).

Paragraph 4(3)(b) of the scheme provides that there may be appointed to membership of the Board the council for any local government area lying within the area of the Board. This Order substitutes therefor in relation to each such council provision for the appointment of persons, not exceeding 5 in number, to be nominated by such council to be persons representative of the council on the Board (article 4(a)).

The Order also provides that—

- (a) each member of the Board and of the controlling body shall have one vote articles 4(b) and 5);
- (b) the appointment of the first members of the controlling body of the Board by the Secretary of State shall terminate 28 days after the date of the first general meeting of the Board (article 5);
- (c) decisions of the Board and of the controlling body of the Board shall be by majority (article 6); and
- (d) in the case of equality of votes the member presiding shall have a second or casting vote (except where the matter relates to the appointment of a member of the Board or of the controlling body of the Board or a member to any office or committee which is to be resolved by lot) (article 6).