
STATUTORY INSTRUMENTS

1996 No. 749

**The Forth and Tay Road Bridge Order
Confirmation Acts (Modification) Order 1996**

Modification of the Order contained in the Schedule to the 1991 Act

4.—(1) The Order contained in the Schedule to the 1991 Act is modified as follows.

(2) In section 2 (interpretation)—

(a) in the definition of “council”, for the word “either”, there shall be substituted the word “any”;

(b) for the definition of “councils”, there shall be substituted the following definition:—

““councils” means the Dundee City Council, the Fife Council and the Angus Council;” and

(c) for the definition of “water authorities”, there shall be substituted the following definition:

—
““water authorities” means the East of Scotland Water Authority and the North of Scotland Water Authority”.

(3) For section 3(3) (constitution) there shall be substituted, as follows:—

“(3) The Joint Board shall consist of twelve members, of whom six shall be members of the Dundee City Council, five shall be members of the Fife Council and one shall be a member of the Angus Council.”.

(4) In sections 5(4), 7, 32, 44(1)(b)(ii), and 45(3), and in paragraph 1(2) of Part I of Schedule 1, for the words “either of the councils” there shall be substituted in each case the words “a council”.

(5) In section 10 (superannuation), for the words “Tayside Regional”, there shall be substituted the words “Dundee City”.

(6) In section 24 (policing, etc., of bridge)—

(a) for the words “Tayside Region” to “Regional Council”, there shall be substituted the words “the Tayside combined police area and the Tayside Joint Police Board(1)”; and

(b) for the words “the said council” wherever they occur, there shall be substituted the words “Tayside Joint Police Board”.

(7) In section 33(2) (advances by councils to Joint Board), for the words—

“(a) Tayside Regional Council	—	fifty eight per centum;
(b) Fife Regional Council	—	forty two per centum”;

there shall be substituted the words—

(1) The Tayside Joint Police Board was constituted by the Tayside Combined Police Area Amalgamation Scheme Order 1995 (S.I.1995/2643). See article 3(1) of that Order for the meaning of the Tayside combined police area.

“(a)	Dundee City Council	—	one-half;
(b)	Fife Council	—	five-twelfths;
(c)	Angus Council	—	one-twelfth”.

(8) In sections 76 (agreements) and 77 (settlement of differences), for the word “either”, there shall be substituted in each case the word “any”.

(9) In Part I of Schedule 1 (election, tenure of office etc)—

(a) in paragraph 1(1)—

(i) for the word “four” in both places where it occurs, there shall be substituted the word “three”; and

(ii) for the proviso to that sub-paragraph, there shall be substituted as follows:—

“Provided—

(a) that not later than 30th April 1996, each council shall appoint a member to hold office in accordance with section 3(3) above from 1st May 1996 until 31st May 1999;

(b) that, notwithstanding paragraph 3 below, any person who on 31st March 1996 holds office as a member of the Joint Board by virtue of being a member of Tayside Regional Council or Fife Regional Council shall continue to hold office as a member of the Joint Board until 30th April 1996; and

(c) that if, in the period from 1st April 1996 to 30th April 1996, any member of a Joint Board dies or resigns or ceases to be qualified to be such a member (other than as a result of the said Regional Councils ceasing to exist in terms of section 1(3)(b) of the Local Government etc. (Scotland) Act 1994) that vacancy may (notwithstanding paragraph 9 below) be filled by the Joint Board itself appointing a person to fill that vacancy.”;

(b) in paragraph 4—

(i) for the words “both councils” in both places where they occur, there shall be substituted the words “more than one council”;

(ii) after the word “second”, there shall be inserted the words “or later”; and

(iii) for the words “the councils, the”, there shall be substituted the words “each of those councils, any”; and

(c) in paragraph 10—

(i) for the word “four”, there shall be substituted the word “three”; and

(ii) for the words “the regional council elections held in terms of section 4 of the Act of 1973”, there shall be substituted the words “an ordinary election of councillors held in terms of section 5 of the Local Government etc. (Scotland) Act 1994”.