

ELIZABETH II



1976 CHAPTER X

An Act to confirm a Provisional Order under the Private Legislation Procedure (Scotland) Act 1936, relating to Edinburgh Merchant Company. [22nd July 1976]

WHEREAS the Provisional Order set forth in the schedule hereunto annexed has been made by the Secretary of State under the provisions of the Private Legislation Procedure (Scotland) Act 1936, and it is requisite that the said 1936 c. 52. Order should be confirmed by Parliament:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

1. The Provisional Order contained in the schedule hereunto annexed is hereby confirmed. Confirmation of Order in schedule.
2. This Act may be cited as the Edinburgh Merchant Company Order Confirmation Act 1976. Short title.

SCHEDULE

EDINBURGH MERCHANT COMPANY

Provisional Order to amend the qualifications for election to membership of The Company of Merchants of the City of Edinburgh; and for other purposes.

1960 c. xix.

Whereas The Company of Merchants of the City of Edinburgh (hereinafter referred to as "the Company") was incorporated by royal charter in the year 1681 and, following divers enactments relating to the Company, was reincorporated by the Edinburgh Merchant Company Order 1960 (hereinafter referred to as "the Order of 1960") under the name of The Company of Merchants of the City of Edinburgh:

And whereas section 5 of the Order of 1960 specifies the classes of persons eligible for election as members of the Company and provides (inter alia) that a person shall not be elected as a member of the Company (other than an honorary member) unless he is a burghess and guild brother of the city of Edinburgh:

1973 c. 65.

And whereas by virtue of the Local Government (Scotland) Act 1973 there is no longer any local government area having the status of a burgh and the former county of the city of Edinburgh now forms part of the City of Edinburgh District:

And whereas by the said Act the power of local authorities to admit persons as burghesses was repealed and in consequence there remains no statutory provision whereby a person may be a burghess of the city of Edinburgh:

And whereas since the coming into operation of the said Act of 1973, a person can no longer fulfil the requirement for election as a member of the Company of being a burghess and guild brother of the city of Edinburgh and it is nevertheless expedient that persons of the classes specified in section 5 of the Order of 1960 who are guild brethren of the city of Edinburgh and who are otherwise qualified for admission to the Company under the provisions of that Order should be so eligible:

And whereas it is expedient that the other provisions of this Order should be enacted:

1936 c. 52.

And whereas the purposes aforesaid cannot be effected without an Order confirmed by Parliament under the Private Legislation Procedure (Scotland) Act 1936:

Now therefore in pursuance of the powers contained in the said Act the Secretary of State orders as follows:—

Short and
collective titles.

1.—(1) This Order may be cited as the Edinburgh Merchant Company Order 1976.

(2) This Order and the Order of 1960 may be cited together as the Edinburgh Merchant Company Orders 1960 and 1976.

2. In this Order the following words and expressions have the Interpretation. meanings hereby assigned to them, that is to say:—

“ Company ” means The Company of Merchants of the City of Edinburgh;

“ Order of 1960 ” means the Edinburgh Merchant Company 1960 c. xix. Order 1960.

3. For the purposes of any election of members of the Company Amendment of held after the coming into operation of the Local Government qualifications (Scotland) Act 1973, section 5 of the Order of 1960 shall be read and for membership have effect and be deemed always to have had effect as if the words of Company. “ burgess and ” were omitted therefrom. 1973 c. 65.

4. The costs, charges and expenses of and incidental to the preparing, Costs of Order. obtaining and confirming of this Order or otherwise in relation thereto shall be paid out of such funds as may be determined by the Merchant Company Joint Committee.

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c. x *Edinburgh Merchant Company Order Confirmation
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