



### CHAPTER lii

An Act to confirm a Provisional Order under the Private Legislation Procedure (Scotland) Act 1936 relating to Hamilton Burgh. [30th October 1952.]

**W**HEREAS 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 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 Hamilton Burgh Order Confirmation Act 1952. Short title.

## SCHEDULE

## HAMILTON BURGH

*Provisional Order to increase the amount of the expenditure incurred by the provost magistrates and councillors of the burgh of Hamilton for and in connection with public libraries in the said burgh which may be defrayed out of the burgh rate and for other purposes.*

WHEREAS the provost magistrates and councillors of the burgh of Hamilton in the county of Lanark (hereinafter called "the Corporation" and "the burgh" respectively) are the local authority within the burgh and are charged with the administration and management thereof:

And whereas the amount of the expenditure incurred or payable by the Corporation for or in connection with public libraries which may be defrayed out of the burgh rate levied by the Corporation in the burgh is in accordance with the provisions of section 191 of the Local Government (Scotland) Act 1947 limited to the produce of a rate of threepence per pound calculated in the manner provided by the said section 191 of the said Act of 1947:

And whereas the amount of money which may in pursuance of the said Act be expended by the Corporation for or in connection with public libraries is insufficient in general to make adequate provision for public libraries and in particular to provide for the establishment of branch libraries in those parts of the burgh which have been or are being developed for housing purposes and it is expedient that provision may be made as provided in this Order for increasing the limit aforesaid:

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

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

Short and  
collective titles.

1. This Order may be cited as the Hamilton Burgh Order 1952. This Order and the Hamilton Burgh Acts 1878 to 1939 may be cited together as the Hamilton Burgh Acts 1878 to 1952.

Interpretation.

2. In this Order—

"Act of 1947" means the Local Government (Scotland) Act 1947;

"burgh" means the burgh of Hamilton;

"Corporation" means the provost magistrates and councillors of the burgh.

Increase of  
library rate.

3.—(1) Paragraph (b) of subsection (3) of section 191 of the Act of 1947 (relating to the amount of the net expenditure for and in connection with public libraries) shall in its application to the burgh be read and have effect as if for the reference to "threepence" therein there were substituted a reference to "one shilling".

(2) This section shall be deemed to have come into operation on the sixteenth day of May one thousand nine hundred and fifty-two.

4. Notwithstanding anything in paragraph (b) of subsection (3) of section 191 of the Act of 1947 as amended in its application to the burgh by the immediately preceding section of this Order the Corporation may in any years in regard to which the Secretary of State is satisfied that the produce of a rate of one shilling per pound calculated in the manner provided in subsection (3) of section 191 of the Act of 1947 will not be sufficient to meet the net expenditure of the Corporation for and in connection with public libraries incurred or likely to be incurred in those years with the consent of the Secretary of State defray such expenditure for those years as if for the limit of one shilling per pound contained in paragraph (b) of subsection (3) of section 191 of the Act of 1947 as amended by the immediately preceding section of this Order there were substituted such increased limit as may be specified by the Secretary of State.

Limit of expenditure for public libraries may be increased with consent of Secretary of State.

5. The costs charges and expenses preliminary to and of and incidental to the preparing for obtaining and confirming of this Order or otherwise in relation thereto shall be paid by the Corporation out of any funds (not being in the nature of capital) rates or revenues belonging to them or under their control or out of moneys to be borrowed for that purpose.

Costs of Order.

*Table of Statutes referred to in this Act*

Short title	Session and chapter
Private Legislation Procedure (Scotland) Act 1936.	26 Geo. 5. & 1 Edw. 8. c. 52.
Local Government (Scotland) Act 1947 ...	10 & 11 Geo. 6. c. 43.

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