

SCHEDULES.

FIRST SCHEDULE

Section 1.

PART I

COUNTIES.

Aberdeen
Angus
Argyll
Ayr
Banff
Berwick
Bute
Caithness
Clackmannan
Dumfries
Dunbarton
East Lothian
Fife
Inverness
Kincardine
Kinross
Kirkcudbright
Lanark
Midlothian
Moray
Nairn
Orkney
Peebles
Perth
Renfrew
Ross and Cromarty
Roxburgh
Selkirk
Stirling
Sutherland
West Lothian
Wigtown
Zetland.

Status: This is the original version (as it was originally enacted).

PART II

COUNTIES OF CITIES.

Aberdeen
Dundee
Edinburgh
Glasgow.

PART III

LARGE BURGHS.

Airdrie
Arbroath
Ayr
Clydebank
Coatbridge
Dumbarton
Dumfries
Dunfermline
Falkirk
Greenock
Hamilton
Inverness
Kilmarnock
Kirkcaldy
Motherwell and Wishaw
Paisley
Perth
Port Glasgow
Rutherglen
Stirling.

PART IV

SMALL BURGHS.

Aberchirder
Aberfeldy
Aberlour
Abernethy
Alloa
Alva
Alyth
Annan
Ardrossan
Armadale

Auchterarder
Auchtermuchty
Ballater
Banchory
Banff
Barrhead
Bathgate
Biggar
Blairgowrie and Rattray
Bo'ness
Bonnyrigg and Lasswade
Brechin
Bridge of Allan
Buckhaven and Methil
Buckie
Burghead
Burntisland
Callander
Campbeltown
Carnoustie
Castle Douglas
Cockenzie and Port Seton
Coldstream
Coupar Angus
Cove and Kilcreggan
Cowdenbeath
Crail
Crieff
Cromarty
Cullen
Culross
Cumnock and Holmhead
Cupar
Dalbeattie
Dalkeith
Darvel
Denny and Dunipace
Dingwall
Dollar
Dornoch
Doune
Dufftown
Dunbar
Dunblane
Dunoon

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Duns
East Linton
Elgin
Elie and Earlsferry
Ellon
Eyemouth
Falkland
Findochty
Forfar
Forres
Fortrose
Fort William
Fraserburgh
Galashiels
Galston
Gatehouse
Girvan
Gourock
Grangemouth
Grantown-on-Spey
Haddington
Hawick
Helensburgh
Huntly
Innerleithen
Inveraray
Inverbervie
Invergordon
Inverkeithing
Inverurie
Irvine
Jedburgh
Johnstone
Keith
Kelso
Kilrenny, Anstruther Easter and Anstruther Wester
Kilsyth
Kilwinning
Kinghorn
Kingussie
Kinross
Kintore
Kirkcudbright
Kirkintilloch
Kirkwall

Kirriemuir
Ladybank
Lanark
Langholm
Largs
Lauder
Laurencekirk
Lerwick
Leslie
Leven
Linlithgow
Loanhead
Lochgelly
Lochgilphead
Lochmaben
Lockerbie
Lossiemouth and Branderburgh
Macduff
Markinch
Maybole
Melrose
Millport
Milngavie
Moffat
Monifieth
Montrose
Musselburgh
Nairn
Newburgh
New Galloway
Newmilns and Greenholm
Newport
Newton-Stewart
North Berwick
Oban
Oldmeldrum
Peebles
Penicuik
Peterhead
Pitlochry
Pittenweem
Portknockie
Portsoy
Prestonpans
Prestwick

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Queensferry
 Rosehearty
 Rothes
 Rothesay
 St. Andrews
 St. Monance
 Saltcoats
 Sanquhar
 Selkirk
 Stewarton
 Stonehaven
 Stornoway
 Stranraer
 Stromness
 Tain
 Tayport
 Thurso
 Tillicoultry
 Tobermory
 Tranent
 Troon
 Turriff
 Whitburn
 Whithorn
 Wick
 Wigtown.

SECOND SCHEDULE

Sections 10, 25 and 45.

PART I

PROVISIONS RELATING TO THE STAGES OF THE ELECTION OF COUNTY COUNCILLORS FOR THE LANDWARD AREA OF A COUNTY OR OF TOWN COUNCILLORS PRECEDING THE POLL.

Notice of Election.

- 1 (1) On, or within seven days before, the day appointed for that purpose by Part II of this Schedule, a notice of election shall be published as hereinafter provided.
- (2) The notice of election shall—
 - (a) in the case of an election of county councillors, be prepared and signed by the county clerk and published by him by causing the notice or a copy thereof to be conspicuously displayed at or near the entrance to the county buildings or the premises where the meetings of the county council are ordinarily held, and also either by causing copies of the notice to be posted up throughout

the landward area of the county or by inserting a copy of the notice at least once in one or more newspapers circulating in the county; and

- (b) in the case of an election of town councillors, be prepared and signed by the town clerk and published by him by causing the notice or a copy thereof to be conspicuously displayed at or near the entrance to the town hall or the premises where the meetings of the town council are ordinarily held, and also either by causing copies of the notice to be posted up throughout the burgh or by inserting a copy of the notice at least once in one or more newspapers circulating in the burgh.

- (3) The notice of election shall be in the appropriate form contained in Part V of this Schedule or in a form substantially to the like effect.

Nomination of Candidates.

- 2 (1) It shall not be competent to elect to the office of county councillor or of town councillor any person unless a nomination paper in respect of him is delivered in the case of an election of a county councillor to the returning officer at the place specified in the notice of election, or in the case of an election of town councillors to the town clerk at his office, not later than the time appointed for that purpose by Part II of this Schedule.

- (2) The nomination paper shall be in the appropriate form contained in Part V of this Schedule, or in a form substantially to the like effect.

- (3) The nomination paper in the case of an election of a county councillor shall state—
 - (a) if the name of the candidate appears in the register of local government electors for any electoral division within the county or for any burgh within the county, the name and address and register number of the candidate as appearing in such of the said registers as is specified in the nomination paper;
 - (b) if the name of the candidate does not appear in any of the said registers, the full name of the candidate and his place of residence within the county (including any such burgh as aforesaid) and such information with respect to his place of residence during the twelve months before the date of the nomination as will show whether he has during the whole of the said twelve months resided within the county (including any such burgh as aforesaid);
 - (c) whether, to the best of the knowledge, information and belief of the proposers, the candidate is of full age and a British subject and not subject to any legal incapacity, and whether any of the disqualifications set forth in section fifty-two of this Act applies in his case;

and shall be subscribed by two proposers being local government electors for the electoral division to which the nomination applies.

- (4) The nomination paper in the case of an election of town councillors for a burgh or in the case of a burgh divided into wards for a ward shall state—
 - (a) if the name of the candidate appears in the register of local government electors for the burgh, the name and address and register number of the candidate as appearing in the said register;
 - (b) if the name of the candidate does not appear in the said register, the full name of the candidate and his place of residence within the burgh and such information with respect to his place of residence during the twelve months before the date of his nomination as will show whether he has during the whole of the said twelve months resided within the burgh;

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- (c) whether, to the best of the knowledge, information and belief of the proposers, the candidate is of full age and a British subject and not subject to any legal incapacity, and whether any of the disqualifications set forth in section fifty-two of this Act applies in his case;

and shall be subscribed by two proposers being two local government electors for the burgh or, in the case of a burgh divided into wards, for the ward to which the nomination applies, and shall also be subscribed by five other local government electors for the burgh or ward, as the case may be, as assenting to the nomination.

- (5) The nomination paper shall contain a statement subscribed by the candidate or by a solicitor duly authorised by him, consenting to be nominated as a candidate and that, if elected, he accepts office as a councillor and will faithfully perform the duties of the office, and a statement whether he is of full age and a British subject and not subject to any legal incapacity, and whether any of the disqualifications set forth in section fifty-two of this Act applies in his case.
- (6) It shall not be competent to nominate as a candidate at an election of town councillors a person who at the time of nomination holds the office of town councillor of the burgh unless he falls to retire at the date of the election or has delivered to the town clerk a notice of resignation to take effect at or before the date of the election.
- (7) No person shall at an election of a county councillor sign more than one nomination paper in respect of the same electoral division, and if he does so his signature shall be operative only in the case of the paper which is first delivered.
- (8) No person shall at an election of town councillors sign more than one nomination paper in respect of the same candidate, nor shall he sign more nomination papers than there are vacancies to be filled in the burgh or, if the burgh is divided into wards, in the ward, and if he signs nomination papers otherwise than is permitted under this sub-paragraph, his signature shall be inoperative in all but those papers, up to the permitted number, which are first delivered.
- (9) Neither the returning officer nor any depute returning officer shall sign any nomination paper as proposer, assenter, candidate or solicitor for a candidate and if he does so, his signature shall be inoperative.
- (10) The returning officer in the case of an election of a county councillor, and the town clerk in the case of an election of a town councillor, shall receive a nomination paper and deal with it as valid, if—
- (a) the name and address of the person nominated by the nomination paper appear in the register of local government electors for any part of the county or burgh, as the case may be, or, if the name and address of the person nominated do not so appear, the place of his residence is within the county or burgh, as the case may be, and it is declared in or appears from the nomination paper that he has during the whole of the twelve months preceding the date of nomination resided within the county or burgh, as the case may be; and
 - (b) it appears from the declarations in the nomination paper that the person nominated is of full age and a British subject and not subject to any legal incapacity and that none of the disqualifications set forth in section fifty-two of this Act applies in his case; and
 - (c) the names and addresses of the proposers and (in the case of an election of a town councillor) the assenters in the nomination paper appear in the register of local government electors for the electoral division or burgh, or in the case

of a burgh divided into wards for the ward, to which the nomination paper relates; and

- (d) the nomination paper is in or substantially in the form and contains the particulars required by this Schedule; and
- (e) the nomination is not invalid by reason of any of the provisions of sub-paragraphs (6), (7), (8) and (9) hereof,

but if the nomination paper does not comply with the foregoing provisions, the returning officer or town clerk, as the case may be, shall reject it and it shall be null and void. For the purpose of this sub-paragraph, a county shall include every burgh within the county.

Withdrawal of Nominations.

- 3 (1) A nomination may be withdrawn by notice of withdrawal delivered to the returning officer or the town clerk, as the case may be, at the place appointed for the delivery of nomination papers not later than the time appointed for that purpose by Part II of this Schedule:

Provided that a nomination may not be withdrawn if its effect would be to reduce the total number of persons nominated for the election below the number necessary to supply the vacancies to be filled up in the electoral division, burgh or ward, as the case may be, at that election, and notices of withdrawal shall take effect in the order in which they are delivered.

- (2) A notice of withdrawal shall be in the appropriate form contained in Part V of this Schedule or in a form substantially to the like effect and shall be signed by the person nominated or by a solicitor duly authorised by him and shall be attested by two witnesses.
- (3) If a candidate dies after his nomination and before the latest time for delivery of nomination papers, his nomination shall be deemed to have been withdrawn, and the election shall proceed as if he had not been nominated.

Nomination in more than one Electoral Division of a County or Ward of a Burgh.

- 4 A candidate who is validly nominated for more than one electoral division of a county or for more than one ward of a burgh shall, by notice signed, attested and delivered as aforesaid, withdraw from his candidature in all those electoral divisions or wards, as the case may be, except one, and if he does not so withdraw before the expiration of the time appointed by Part II of this Schedule for the delivery of notices of withdrawal, the returning officer shall on the expiration of the said time declare for which of those electoral divisions or wards, as the case may be, for which the candidate remains validly nominated the candidate shall stand for election, and the candidate shall be deemed to have duly withdrawn his candidature in those other electoral divisions or wards.

Method of Election and Publication of Result of Uncontested Election.

- 5 (1) In the case of an election of a county councillor—
- (a) if two or more persons remain validly nominated for an electoral division, the county councillor for that division shall be elected in accordance with the provisions of Part III of this Schedule from among those persons;

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- (b) if one person only remains validly nominated for the electoral division, the returning officer shall, not later than the day appointed for that purpose by Part II of this Schedule, cause public notice to be given that there will be no poll in that division and that on the day appointed for declaring the result of the election that person shall be declared to be elected a county councillor.
- (2) In the case of the election of town councillors—
- (a) if the number of persons remaining validly nominated exceeds the number of vacancies in the burgh or in the ward, the town councillors for the Burgh or for the ward, as the case may be, shall be elected in accordance with the provisions of Part III of this Schedule from among those persons;
- (b) if the number of persons remaining validly nominated does not exceed the number of vacancies in the burgh or in any ward, the town clerk shall, not later than the day appointed for that purpose by Part II of this Schedule, cause public notice to be given that there will be no poll in the burgh or ward, as the case may be, and that on the day appointed for declaring the result of the election those persons shall be declared to be elected town councillors.
- (3) The public notice to be given under this paragraph shall be in the appropriate form contained in Part V of this Schedule or in a form substantially to the like effect, and shall, except where in the circumstances it is not appropriate, be combined with the public notice of poll to be given under paragraph 2 of Part III of this Schedule and shall be published in like manner as the said notice of poll.
- (4) If a person whose name has been included in a notice given under sub-paragraph (1) (b) or sub-paragraph (2) (b) of this paragraph dies before the declaration of election, the provisions of this Act shall apply in the case of an election of a county councillor as if no person had remained validly nominated, and in the case of an election of town councillors as if the number of persons validly nominated were less than the number of vacancies.

PART II

TIMES FOR THE PROCEEDINGS AT AN ELECTION OF COUNTY COUNCILLORS OR OF TOWN COUNCILLORS.

Proceeding.	Time in case of election of county councillors.	Time in case of election of town councillors.
Notice of Election.	The fourth Tuesday preceding the day of election.	The fifteenth day of October in each year.
Delivery of nomination.	4 o'clock afternoon on the third Tuesday preceding the day of election.	4 o'clock afternoon on the Friday preceding the last Tuesday of October.
Delivery of notice of withdrawal of nomination.	4 o'clock afternoon on the second Tuesday preceding the day of election.	4 o'clock afternoon on the Monday preceding the last Tuesday of October.
Notice in case of uncontested election and notice of poll in contested election.	The Friday preceding the day of election.	The Friday preceding the day of election.

PART III

PROVISIONS RELATING TO CONTESTED ELECTIONS.

THE POLL.

General Conduct of Poll.

- 1 At every contested election of a county councillor or of town councillors the votes shall be taken by ballot, and the poll shall be conducted in accordance with the provisions of this Schedule.

Notice of Poll.

- 2 (1) In the case of a contested election of a county councillor the returning officer, and in the case of a contested election of town councillors the town clerk, shall, on or before the day appointed for that purpose by Part II of this Schedule, give public notice of the poll, which notice shall be in the appropriate form contained in Part V of this Schedule, or in a form substantially to the like effect. The said notice shall, except where in the circumstances it is not appropriate, be combined with the notice in the case of an uncontested election under paragraph 5 of Part I of this Schedule.
- (2) For the purposes of this Part of this Schedule, the first valid nomination paper delivered at the place appointed for the delivery of nomination papers in respect of a candidate shall be deemed to be the nomination paper of that candidate.
- (3) A notice of poll required to be published under this paragraph shall be published at the "places at which and in the manner in which the notice of the election is required to be published under Part I of this Schedule.

Hours of Poll.

- 3 The poll shall commence at eight o'clock in the morning and be kept open till eight o'clock in the afternoon of the same day and no longer:

Provided that if the county council or the town council, as the case may be, are satisfied that it is necessary in order to afford all electors such reasonable facilities for voting as are practicable in the circumstances, they may, by resolution passed not less than one month before the last day appointed by Part II of this Schedule for the issue of the notice of election, extend the hours for the keeping open of the poll, so however that the poll shall not commence earlier than seven o'clock in the morning and shall not be kept open later than nine o'clock in the afternoon.

Use of schools and public rooms.

- 4 (1) The returning officer may use free of charge for the purpose of taking the poll or of counting the votes—
- (a) a room in a grant-aided school; and
 - (b) a room the expense of maintaining which is payable by any county, town or district council:

Provided that nothing in this paragraph shall authorise the use of a room used as part of a private dwelling-house.

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- (2) The returning officer shall make good any damage done to, and defray any expense incurred by the authority or person having control over, any such room as aforesaid by reason of its being used for the purpose of taking the poll or of counting the votes.
- (3) The use of a room in an unoccupied house for the purpose of taking the poll or of counting the votes shall not render a person liable to be rated for occupiers rates or to pay any such rates for that house.
- 5 An election shall not be held in any premises exclusively appropriated to public religious worship.

Death of candidate after time for delivery of notice of withdrawal of nominations.

- 6 If at or after the latest time for delivery of nomination papers and before the commencement of the poll a candidate who remains validly nominated dies, the returning officer shall, upon being satisfied of the fact of death, countermand the poll.

Provision of polling stations, ballot boxes, &c.

- 7 In the case of an election of a county councillor or of town councillors the returning officer shall—
- (a) provide a sufficient number of polling stations for the electors and allot the electors to the polling stations in such manner as he thinks most convenient, so however that it shall not be necessary that a polling station for an electoral division or a ward of a burgh or a polling district be within the division, ward or district, as the case may be;
 - (b) appoint a presiding officer to preside at each polling station, and such other officers (including polling clerks) as may be necessary for taking the poll and counting the votes;
 - (c) furnish each polling station with such number of compartments as may be necessary in which the electors can mark their votes screened from observation;
 - (d) furnish each presiding officer with such number of ballot boxes and ballot papers as in the opinion of the returning officer may be necessary;
 - (e) provide each polling station with materials to enable electors to mark the ballot papers, with instruments for stamping thereon the official mark, with copies of the register of electors for the electoral division, burgh or ward, as the case may be, or such part thereof as contains the names of the electors allotted to vote at the polling station, and with copies of forms of declarations and other documents required for the purposes of the poll;
 - (f) do such other acts and things as may be necessary for effectually conducting the election in manner provided by this Schedule.
- 8 One or more polling stations may be provided in the same building or in the same room.
- 9 A notice, in the form contained in Part V of this Schedule or in a form substantially to the like effect giving directions for the guidance of electors in voting, shall be exhibited outside every polling station, and in every compartment in the polling station.

Status: This is the original version (as it was originally enacted).

Ballot Boxes, Ballot Papers, Official Mark.

- 10 Every ballot box shall be so constructed that the ballot papers can be put therein but cannot be withdrawn therefrom without the box being unlocked.
- 11 Every ballot paper shall be in the form contained in Part V of this Schedule or in a form substantially to the like effect and—
- (a) shall contain the full names and addresses or places of residence of the candidates as shown on their respective nomination papers and arranged alphabetically in the order of their surnames and (if there are two or more candidates with the same surname) of their other names;
 - (b) shall be capable of being folded up;
 - (c) shall have a number printed on the back; and
 - (d) shall have attached a counterfoil with the same number printed on the face.
- 12 The official mark shall be kept secret and an interval of not less than four years shall intervene between the use of the same official mark at elections for the same county or burgh, as the case may be.

Appointment of Polling Agents.

- 13 (1) Each candidate may appoint one agent (in this Schedule referred to as a "polling agent") to attend at each polling station for the purpose of detecting personation.
- (2) Notice in writing of the appointment stating the names and addresses of the persons appointed shall be given by the candidate to the returning officer three days at least before the opening of the poll.
- (3) If a polling agent dies or becomes incapable of acting, the candidate may appoint another polling agent in his place and shall forthwith give to the returning officer notice in writing of the name and address of the polling agent so appointed.
- (4) A polling agent in respect of whom such notice as aforesaid has been given may during the hours of the poll attend at the polling station to which he has been appointed.

Admission to Polling Station.

- 14 (1) No person shall be admitted to vote at any polling station except at the one allotted to him:
- Provided that where an elector for any electoral area is employed by the returning officer for any purpose in connection with an election for that area and the circumstances of the employment are, in the opinion of the returning officer, such as to prevent the elector from voting at the polling station at which he would otherwise be entitled to vote, the returning officer may authorise the elector by a written authorisation to vote at any other polling station in the area, and that polling station shall be deemed to be the polling station allotted to that elector.
- (2) The presiding officer shall regulate the number of electors to be admitted to the polling station at the same time, and shall exclude all other persons except the candidates, the polling agents, the officers appointed under this Schedule, the police officers on duty and any person accompanying a blind elector for the purpose of assisting him to vote.

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- (3) Nothing in this paragraph shall affect the provisions of the Police Disabilities Removal Act, 1887, as applied to elections of county councillors and of town councillors by the Police Disabilities Removal Act, 1893.

Ballot Boxes to be Sealed.

- 15 Immediately before the commencement of the poll, the presiding officer shall show the ballot box empty to such persons, if any, as may be present in the polling station so that they may see that it is empty, and shall then lock it and place his seal upon it in such manner as to prevent it being opened without breaking the seal, and shall place it in his view for the receipt of ballot papers, and keep it so locked and sealed.

Questions to be put to Electors.

- 16 (1) The presiding officer may, and if required by a candidate or his polling agent shall, put to any person applying for a ballot paper at the time of his application but not afterwards the following questions or either of them, that is to say:—

In the case of an election of a county councillor—

- (a) Are you the person registered in the register of local government electors now in force for this electoral division as follows (*read the whole entry from the register*)?
- (b) Have you already voted at the present election of a county councillor for this electoral division or for any other electoral division of the county?

In the case of an election of town councillors—

- (a) Are you the person registered in the register of local government electors now in force for this burgh (or ward) as follows (*read the whole entry from the register*)?
- (b) Have you already voted at the present election (*adding, in the case of an election for several wards, in this or any other ward*)?

- (2) A ballot paper shall not be delivered to any person required to answer the above questions or either of them unless he has answered the question or questions satisfactorily.
- (3) Save as by this paragraph authorised, no inquiry shall be permitted as to the right of any person to vote.

Challenge of Elector by Polling Agent.

- 17 (1) If at the time a person applies for a ballot paper or after he has applied for a ballot paper and before he has left the polling station a polling agent declares to the presiding officer that he has reasonable cause to believe that the applicant has committed an offence of personation under this Act, it shall be lawful for the presiding officer to order a police officer to arrest the applicant, and the order of the presiding officer shall be sufficient authority for the police officer to take the applicant into custody without a warrant.
- (2) A person against whom a declaration is made under this paragraph by a polling agent shall not by reason thereof be prevented from voting, but the presiding officer shall cause the words " protested against for personation " to be placed against his name in the marked copy of the register of electors. .

Marking of Ballot Papers.

- 18 A ballot paper shall be delivered to an elector who applies therefor, and immediately before delivery—
- (a) the ballot paper shall be marked with the official mark either embossed or perforated;
 - (b) the number, name and address of the elector as stated in the copy of the register shall be called out;
 - (c) the number of the elector shall be marked on the counterfoil; and
 - (d) a mark shall be placed in the register against the number of the elector to denote that he has received a ballot paper, but without showing the particular ballot paper which he has received.
- 19 The elector on receiving the ballot paper shall forthwith proceed into one of the compartments in the polling station and there secretly mark his paper and fold it up so as to conceal his vote, and shall then show to the presiding officer the back of the paper so as to disclose the official mark and put the ballot paper so folded up into the ballot box in the presence of the presiding officer. The elector shall vote without undue delay, and shall leave the polling station as soon as he has put his ballot paper into the ballot box.
- 20 (1) The presiding officer, on the application—
- (a) of an elector who is incapacitated by blindness or other physical cause from voting in manner directed by this Schedule; or
 - (b) if the poll is taken on a Saturday, of an elector who declares that he is a Jew and objects on religious grounds to vote in manner directed by this Schedule; or
 - (c) of an elector who makes a declaration that he is unable to read (in this Schedule referred to as " the declaration of inability to read ");
- shall in the presence of the polling agents cause the vote of the elector to be marked on a ballot paper in manner directed by the elector and the ballot paper to be placed in the ballot box.
- (2) The name and number on the register of electors of every elector whose vote is marked in pursuance of this paragraph and the reason why it is so marked shall be entered on a list (in this Schedule called " the list of votes marked by the presiding officer ").
- 21 (1) Where an elector who is accompanied by another person makes application to the presiding officer to be allowed on the ground of blindness to vote with the assistance of the person accompanying him (in this Schedule referred to as " the companion "), the presiding officer shall require the elector to declare orally whether he is so incapacitated by his blindness as to be unable to vote without assistance.
- (2) If the presiding officer is satisfied that the elector is so incapacitated and is also satisfied by a written declaration made by the companion (in this Schedule referred to as " the declaration made by the companion of a blind elector ") that the companion is a qualified person within the meaning of this paragraph and has not previously assisted more than one blind person to vote at the election then being held, the presiding officer shall grant the application, and thereupon anything which is by this Schedule required to be done to or by the said elector in connection with the giving of his vote may be done to, or with the assistance of, the companion, as the case may be.

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- (3) For the purposes of this paragraph, a person shall be qualified to assist a blind elector to vote if that person is either—
- (a) a person who is entitled to vote at the election then being held; or
 - (b) the father, mother, brother, sister, husband, wife, son or daughter of the blind elector and has attained the age of twenty-one years.
- (4) The name and number on the register of electors of every elector whose vote is given in accordance with this paragraph and the name and" address of the companion shall be entered on a list (in this Schedule called "the list of blind electors assisted by companions ").
- 22 (1) The declaration of inability to read and the declaration made by the companion of a blind elector—
- (a) shall be in the appropriate form contained in Part V of this Schedule or in a form substantially to the like effect; and
 - (b) shall be made before the presiding officer at the time when the elector applies for a ballot paper or applies to vote with the assistance of the companion, as the case may be, and shall forthwith be handed to the presiding officer who shall attest and retain it.
- (2) No fee, stamp or other payment shall be charged in respect of the declaration.

Tendered Ballot Papers.

- 23 If a person representing himself to be a particular elector named on the register applies for a ballot paper after another person has voted as such elector, the applicant shall, upon satisfactorily answering the questions set out in paragraph 16 of this Part Of this Schedule, be entitled to mark a ballot paper in the same manner as any other elector, but the ballot paper (in this Schedule called " a tendered ballot paper ") shall be of a colour differing from the other ballot papers and instead of being put into the ballot box shall be given to the presiding officer and endorsed by him with the name of the elector and his number on the register of electors and set aside in a separate packet and shall not be counted by the returning officer; and the name of the elector and his number on the register shall be entered on a list (in this Schedule called " the tendered votes list ").

Spoilt Ballot Papers.

- 24 An elector who has inadvertently dealt with his ballot paper in such manner that it cannot be conveniently used as a ballot paper may, on delivering it to the presiding officer and proving the fact of the inadvertence to the satisfaction of the presiding officer, obtain another ballot paper in the place of the ballot paper so delivered up (in this Schedule called " a spoilt ballot paper "), and the spoilt ballot paper shall be immediately cancelled.

Powers of Presiding Officer in adjourning Poll.

- 25 Where the proceedings at the taking of the poll are interrupted or obstructed by any riot or open violence, the presiding officer at the polling station where the riot or open violence has occurred may adjourn the poll at that polling station until the following day or some other convenient time, and if necessary may repeat such adjournment until such interruption or obstruction has ceased, and where the poll has been so adjourned by a presiding officer, the presiding officer shall forthwith

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give notice of such adjournment to the returning officer who shall not finally declare the result of the election until the poll so interrupted or obstructed is closed and the various packets are delivered to the returning officer as provided in the immediately following paragraph.

Packets of Ballot Papers, &c, to be sealed.

- 26 As soon as practicable after the close of the poll, the presiding officer shall in the presence of the polling agents make up into separate packets sealed with his own seal and the seals of such polling agents as desire to affix their seals—
- (a) each ballot box in use at his polling station sealed so as to prevent the introduction of additional ballot papers and unopened, but with the key attached;
 - (b) the unused and spoilt ballot papers placed together;
 - (c) the tendered ballot papers;
 - (d) the marked copies of the register of electors and the counterfoils of the used ballot papers;
 - (e) the tendered votes list, the list of blind electors assisted by companions, the list of votes marked by the presiding officer, a statement of the number of electors whose votes are so marked by the presiding officer under the heads "physical incapacity," "Jews," and "unable to read," the declarations made by the companions of blind electors and the declarations of inability to read; and shall deliver the packets to the returning officer to be taken charge of by him.
- 27 The packets shall be accompanied by a statement (in this Schedule referred to as "the ballot paper account ") made by the presiding officer showing the number of ballot papers entrusted to him and accounting for them under the heads of—
- (a) ballot papers in the ballot box;
 - (b) unused and spoilt ballot papers;
 - (c) tendered ballot papers. Counting of Votes

Appointment of Counting Agents.

- 28 (1) Each candidate may appoint agents (in this Schedule referred to as "counting agents ") to attend at the counting of the votes.
- (2) Notice in writing of every appointment, stating the name and address of the person appointed, shall be given by the candidate to the returning officer three days at least before the opening of the poll, and the returning officer may refuse to admit to the place where the votes are counted any counting agent whose name and address have not been so given, notwithstanding that his appointment may be otherwise valid, and any notice required to be given to a counting agent by the returning officer may be delivered at or sent by post to the address stated in the notice.
- (3) If a counting agent dies or becomes incapable of acting, the candidate may appoint another counting agent in his place and shall forthwith give to the returning officer notice in writing of the name and address of the counting agent so appointed.
- 29 The returning officer shall make arrangements for counting the votes in the presence of the counting agents as soon as practicable after the close of the poll and shall give to the agents notice in writing of the time and place at which he will begin to count the votes.

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The Count.

30 Except with the consent of the returning officer, no person other than the returning officer, the persons appointed to assist him and the candidates and their counting agents may be present at the counting of the votes:

Provided that a candidate may be present only if he has made the declaration of secrecy required to be made by agents.

31 Before the returning officer proceeds to count the votes, he shall in the presence of the counting agents open each ballot box and, taking out the ballot papers therein, shall count and record the number thereof, checking the number against the ballot paper account, and then mix together the whole of the papers contained in the ballot boxes.

32 The returning officer, while counting and recording the number of ballot papers and counting the votes, shall keep the ballot papers with their faces upwards and take all proper precautions for preventing any person from seeing the numbers printed on the back of the papers.

33 The returning officer shall so far as practicable proceed continuously with counting the votes, allowing only time for refreshment; but he may if he thinks fit and without the consent of any candidate or other person decide not to proceed with the counting of the votes until nine o'clock on the succeeding morning. During the period until he proceeds with the counting the returning officer shall take proper precautions for the safe custody and security of the ballot papers and other documents.

Void Ballot Papers.

34 Any ballot paper—

- (a) which does not bear the official mark; or
- (b) on which votes are given for more candidates than the elector is entitled to vote for; or
- (c) on which anything is written or marked by which the elector can be identified except the printed number on the back; or
- (d) which is unmarked or void for uncertainty;

shall not be counted.

35 (1) The returning officer shall endorse the word "rejected" on any ballot paper which under the last preceding paragraph is not to be counted, and shall add to the endorsement the words "rejection objected to" if an objection is made by any candidate or counting agent to his decision.

(2) The returning officer shall draw up a statement showing the number of ballot papers rejected and not counted by him under the several heads of—

- (a) want of official mark;
- (b) voting for more candidates than entitled to;
- (c) writing or mark by which elector could be identified;
- (d) unmarked or void for uncertainty;

and shall on request allow any candidate or counting agent to copy the statement.

36 The decision of the returning officer as to any question arising in respect of any ballot paper shall be final but shall be subject to review on an election petition questioning the election.

Equality of Votes.

- 37 Where an equality of votes is found to exist and the addition of a vote would entitle any of the candidates to be declared elected, the returning officer shall determine by lot which of the candidates, whose votes are equal shall be elected.

Declaration of Result.

- 38 (1) Subject to the provisions of paragraph 25 of this Part of this Schedule, the returning officer shall—
- (a) in the case of an election of a county councillor within the county buildings or other public hall or place in the county, forthwith declare to be elected the candidate to whom the majority of votes have been given at the poll or the candidate elected without a poll in terms of paragraph 5 of Part I of this Schedule, and cause a written or printed statement thereof signed by him to be immediately thereafter conspicuously displayed at or near the entrance to the county buildings or the premises where the meetings of the county council are ordinarily held; and
 - (b) in the case of an election of town councillors, within the town hall or other public hall or place in the burgh not later than eight o'clock afternoon of the day after the election declare to be elected the candidates to whom the majority of votes have been given at the poll and also the candidates elected without a poll in terms of paragraph 5 of Part I of this Schedule, and cause a written or printed statement thereof signed by him to be immediately thereafter conspicuously displayed at or near the entrance to the town hall or the premises where the meetings of the town council are ordinarily held.
- (2) The returning officer shall forthwith return the names of the persons elected in the case of an election of a county councillor to the county clerk, and in the case of an election of town councillors to the town clerk, and in either case the returning officer shall forthwith give or cause to be given notice in writing to the persons elected of their election.

Disposal of Ballot Papers, &c, after Poll.

- 39 Upon the completion of the counting the returning officer shall seal up in separate packets the counted and rejected ballot papers. He shall not open the sealed packet of tendered ballot papers or the sealed packet containing the marked copy of the register of electors and counterfoils, but if required by a candidate or a counting agent shall proceed in the presence of the counting agents to verify the ballot paper account given by each presiding officer by comparing it with the number of ballot papers recorded by him under paragraph 31 of this Part of this Schedule and the unused and spoilt ballot papers in his possession and the tendered votes list, and shall re-seal each sealed packet after examination. The returning officer shall draw up a statement as to the result of any verification required and shall on request allow any counting agent to copy the statement.
- 40 The returning officer shall forward for retention as hereinafter provided to the county clerk in the case of an election of a county councillor, or to the town clerk in the case of an election of town councillors, or where the county clerk or the town clerk is the returning officer he shall retain among the records of the county or burgh, as the case may be, all the packets of ballot papers in his possession together with the said statements, the ballot paper accounts, tendered votes lists, lists of blind electors assisted by companions, lists of votes marked by the presiding

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officer, statements relating thereto, declarations made by the companions of blind electors, declarations of inability to read, packets of counterfoils and marked copies of registers sent by each presiding officer, endorsing on each packet a description of its contents and the date of the election to which they relate, and the name of the electoral division, burgh or ward for which the election was held.

- 41 (1) The sheriff (excluding a sheriff substitute) having jurisdiction in the county or burgh, as the case may be, on being satisfied by evidence on oath—
- (a) that the inspection or production of any rejected ballot papers; or
 - (b) that the opening of the sealed packet; of counterfoils or the inspection of counted ballot papers;

is required for the purpose of instituting or maintaining a prosecution for an offence in relation to ballot papers or for the purpose of a petition questioning an election, may make an order for the inspection or production of any such ballot papers or the opening of the sealed packet of counterfoils.

- (2) An order made under this paragraph may be made subject to such conditions as to persons, time, place and mode of inspection or production of ballot papers or of opening the sealed packet of counterfoils as the sheriff may think expedient, and may direct the county clerk or the town clerk, as the case may be, having custody of the ballot papers and the sealed packet of counterfoils to retain them intact for such period as may be specified in the order.
- (3) Any power given to a sheriff by this paragraph may be exercised otherwise than in open court.
- (4) In making and carrying into effect an order under this paragraph, care shall be taken that the way in which any particular elector has voted shall not be disclosed until it has been proved that he voted and his vote has been declared by a competent court to be invalid.
- (5) An appeal shall lie to the Court of Session from any order of a sheriff made under this paragraph.

42 Except by order of a sheriff or of the Court of Session made under the last preceding paragraph, no person shall be allowed to inspect any ballot papers in the custody of the county clerk or the town clerk, as the case may be, or to open the sealed packet of counterfoils.

43 Where an order is made for the production by the county clerk or town clerk of any document in his possession relating to any specified election, the production by that clerk or his agent of the document ordered in such manner as may be directed by the order shall be conclusive evidence that the document so produced relates to the specified election; and any endorsement appearing on any packet of ballot papers produced by that clerk or his agent shall be prima facie evidence of those papers being what they are stated to be by the endorsement. The production from proper custody of a ballot paper purporting to have been used at any election and of a counterfoil marked with the same printed number and having a number marked thereon in writing shall be prima facie evidence that the person who voted by that ballot paper was the person who at the time of that election had affixed to his name in the register of electors at that election the same number as the number written on that counterfoil.

44 The county clerk or the town clerk, as the case may be, shall retain for six months among the records of the county or burgh all documents relating to an election forwarded to him by the returning officer in pursuance of this Schedule, and then

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unless otherwise directed by an order made under paragraph 41 of this Part of this Schedule shall cause them to be destroyed.

45 All the documents forwarded or retained under paragraph 40 of this Part of this Schedule other than ballot papers and counterfoils shall during a period of six months from the day of election be open to public inspection at such time and in such manner as may be determined by the county council or town council with the consent of the Secretary of State, and the county clerk or town clerk shall supply copies of or extracts from the said documents to any person demanding the same on payment of such fees and subject to such conditions as may be determined by the county council or town council with the consent of the Secretary of State.

46 Subject to the provisions of this Part of this Schedule, the county clerk or the town clerk shall, in respect of the custody and destruction of ballot papers and other documents coming into his possession in pursuance of this Part of this Schedule, be subject to the directions of the county council or the town council, as the case may be.

General Provisions as to Contested Elections.

47 The returning officer may if he thinks fit preside at a polling station, and the provisions of this Part of this Schedule relating to a presiding officer shall apply to a returning officer so presiding with the necessary modifications as to things to be done by the returning officer to the presiding officer or by the presiding officer to the returning officer.

48 No returning officer or officer appointed under this Schedule or any partner or clerk of any such officer shall act as a polling or counting agent.

49 No person shall be appointed to act as an officer under this Part of this Schedule for the purposes of an election who has been employed by or on behalf of a candidate in or about the election.

50 A presiding officer may by the officers appointed to assist him do any act which he is required or authorised by this Part of this Schedule to do at a polling station except ordering the arrest, exclusion or removal of any person from the polling station.

51 A candidate may himself do any act or thing which an agent of his, if appointed, would have been authorised or required to do or may assist his agent in doing any such act or thing, but before acting under this paragraph the candidate shall make the declaration of secrecy required to be made by agents. Where a candidate has no agent for the purposes of any of the paragraphs of this Schedule, any notice under any such paragraph shall be given to the candidate.

52 Where in this Part of this Schedule any act or thing is required or authorised to be done in the presence of the agents of the candidates, the non-attendance of any agents or agent at the time and place appointed for the purpose shall not, if the act or thing is otherwise duly done, invalidate the act or thing done.

Requirement of Secrecy.

53 (1) Every returning officer and every officer, polling agent or counting, agent authorised to attend at a polling station or at the counting of the votes shall before the opening of the poll, or in the case of an officer or agent appointed after the opening of the poll before acting as such officer or agent, make a declaration of secrecy in the form contained in Part V of this Schedule or in a form substantially to the like effect.

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- (2) In the case of a returning officer, the declaration shall be made in the presence of a justice of the peace, and in the case of any other officer or of an agent, the declaration shall be made in the presence either of a justice of the peace or of the returning officer.
- (3) Save as aforesaid, no such returning officer, officer or agent shall be required as such to make any declaration or to take any oath on the occasion of an election.
- (4) Every returning officer and every candidate, officer, polling agent or counting agent in attendance at a polling station or at the counting of the votes shall maintain and aid in maintaining secrecy of the voting.
- (5) No person, being a returning officer or a candidate or officer appointed under this Part of this Schedule or polling agent or counting agent, shall—
- (a) except for some purpose authorised by law, communicate before the poll is closed to any person any information as to—
 - (i) the name or number on the register of any elector who has or has not applied for a ballot paper or voted at a polling station; or
 - (ii) the official mark; or
 - (b) ascertain or attempt to ascertain at the counting of the votes, the number on the back of any ballot paper; or
 - (c) communicate any information obtained at the counting of the votes as to the candidate for whom any vote is given on any particular ballot paper.
- (6) No person, whether or not such an officer, candidate, polling agent or counting agent as aforesaid, shall—
- (a) interfere with or attempt to interfere with an elector when recording his vote; or
 - (b) otherwise obtain or attempt to obtain in a polling station information as to the candidate for whom an elector in that place is about to vote or has voted; or
 - (c) communicate at any time to any person any information obtained in a polling station as to the candidate for whom an elector in that station is about to vote or has voted or as to the number on the back of the ballot paper given to an elector at that station; or
 - (d) directly or indirectly induce an elector to display his ballot paper after he, has marked it so as to make known to any person the name of the candidate for or against whom he has so marked his vote.
- (7) No person having undertaken to assist a blind elector to vote shall communicate at any time to any person any information as to the candidate for whom that elector intends to vote or has voted or as to the number on the back of the ballot paper given for the use of that elector:
- 54 Any justice of the peace, any returning officer and any presiding officer may take any declaration authorised by this Part of this Schedule to be made before him.

Keeping of Order in Polling Station.

- 55 (1) It shall be the duty of the presiding officer to keep order at his polling station.
- (2) If any person misconducts himself in a polling station or fails to obey the lawful orders of the presiding officer, he may immediately by order of the presiding officer be removed from the polling station by a police officer in or near that station or by any other person authorised in writing by the returning officer to remove him; and

the person so removed shall not without the permission of the presiding officer again enter the polling station during the day.

- (3) Any person so removed may, if charged with the commission in the polling station of an offence, be taken into custody by a police officer for an offence without a warrant.
- (4) The powers conferred by this paragraph shall not be exercised so as to prevent an elector who is otherwise entitled to vote at a polling station from having an opportunity of voting at that station.

Supplemental Provisions.

- 56 In computing any period of time for the purposes of sub-paragraph (2) of paragraph 13 or sub-paragraph (2) of paragraph 28 of this Part of this Schedule, a Sunday, Christmas Day, New Year's Day, Good Friday, bank holiday or day appointed for public thanksgiving or mourning shall be disregarded.

PART IV

APPLICATION OF SCHEDULE TO DISTRICT COUNCIL ELECTION.

- 1 The provisions of this Schedule (including the forms in Part V thereof) as applied to the election of county councillors shall apply to the election of district councillors subject to the provisions of this Part of this Schedule and to such other modifications and adaptations as the circumstances shall require.
- 2 The election shall take place in the same stations, with the same returning and presiding officers and clerks as the election of county councillors.
- 3 If there should be a contested election for district councillors but no contested election for a county councillor in any electoral division, the district council election shall be conducted in the same manner as if there were a contested election for a county councillor in such electoral division.
- 4 The returning officer shall make and publish such other arrangements as he shall think fit for the purpose of enabling nomination papers and copies of the register of electors to be obtained and for nomination papers and notices of withdrawal to be received and dealt with at some place within, or adjoining the district, and for that purpose may by writing under his hand delegate such of his powers as he shall think necessary to the clerk of the district council or other fit person, and such person shall for that purpose be deemed to be a depute of the returning officer.
- 5 It shall not be necessary to publish any of the notices under this Schedule elsewhere than in the district, but the returning officer may, if he thinks it expedient, publish them in any manner in which he publishes notices for the election of county councillors, and any of the said notices may relate both to the election of district councillors and to the election of county councillors.
- 6 The returning officer shall forthwith make a return to the clerk of the district council of the persons elected as district councillors and of the persons elected as members of the county council for the electoral divisions within the district, and give or cause to be given notice in writing to the persons elected of their election.

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PART V

FORMS FOR USE AT THE ELECTION OF COUNTY COUNCILLORS OR OF TOWN COUNCILLORS.
FORM A FORM OF NOTICE OF ELECTION.

Form of Notice of Election applicable to the election of county councillors for the landward area of a county.

County of

County Council Election, 19

In terms of the Local Government (Scotland) Act, 1947, notice is hereby given—

1. That the election of a county councillor for each electoral division in the landward area of the county will in the event of there being a poll take place on Tuesday, the day of November next, between the hours of o'clock forenoon and o'clock afternoon at the places aftermentioned.

(a) Electoral division of (*here specify name of electoral division*).

 Polling place (*here specify polling place or places within which polling stations are situated*).

(b) Electoral division of (*here specify name of electoral division*).

 Polling place (*here specify polling place or places within which polling stations are situated*).

(*and so on through the whole number of electoral divisions*).

2. That the county council have appointed to be the returning officer for the purposes of the election.

3. That no person can be elected to the office of county councillor in respect of whom a nomination paper is not delivered to the returning officer before four o'clock in the afternoon of Tuesday the day of October current, that all withdrawals of persons nominated must be intimated to the returning officer before four o'clock in the afternoon of Tuesday the day of October current, and that all intimations must be delivered at (*here specify address of place where nomination papers are to be delivered*).

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Polling Places

(Here specify the polling place or places within which polling stations are situated)

to elect town councillors in the place of
(Here mention names of councillors retiring, and cause of retirement, whether by rotation or otherwise).

2. That no person can be elected to the office of town councillor in respect of whom a nomination paper is not delivered to me before four o'clock afternoon of Friday the day of October current, that all withdrawals of persons nominated must be intimated to me before four o'clock afternoon of Monday the day of October current, and that all intimations must be delivered at my office situated at *(here specify address of office)*.

3. That every person proposed for election as a town councillor must be nominated by a separate nomination paper in the appropriate form contained in Part V of the Second Schedule to the said Act or in a form substantially to the like effect, and every such nomination paper must be subscribed by two proposers being local government electors for the burgh and also five other local government electors for the burgh as assenting to the nomination, and shall contain a statement subscribed by the candidate or by a solicitor duly authorised by him consenting to be nominated as a candidate and that, if elected, he accepts office as a town councillor and will faithfully perform the duties of the office.

4. That no person shall sign more than one nomination paper in respect of the same candidate nor shall he sign more nomination papers than there are vacancies to be filled, and if he signs nomination papers otherwise than is herein permitted his signature shall be inoperative in all but those papers up to the permitted number which are first delivered.

5. That in the event of the number of persons remaining validly nominated not exceeding the number of vacancies there will be no poll and that on the day appointed for declaring the election the persons so nominated shall be declared to be elected town councillors.

6. That forms of nomination and withdrawal may be had at my office above mentioned on or after 15th October current.

7. That one copy of the register of local government electors for the burgh may be had free of charge by a candidate or his agent at my office aforesaid on or after the said date. Additional copies of the register may be had subject to payment of a charge fixed by Order in Council.

A.B.,

Town Clerk.

(Date.)

III Form of Notice of Election applicable to the election of town councillors in a burgh divided into wards.

Burgh of
Municipal election, 19 .

In terms of the Local Government (Scotland) Act, 1947, notice is hereby given—

1. That the annual election of town councillors to supply the vacant places in the town council of the burgh will in the event

of there being a poll take place on Tuesday the _____ day
of November next between the hours of _____ o'clock
forenoon and _____ o'clock afternoon at the places
aftermentioned.

First ward.

Polling place (*here specify polling place or places within which
polling stations are situated*).

To elect _____ town councillor[s] in place of
(*here mention name[s] of councillor[s] retiring, and cause of
retirement, whether by rotation or otherwise*).

Second ward.

(*As above, and so on through the whole number of wards.*)

2. That no person can be elected to the office of town councillor in respect of whom a nomination paper is not delivered to me before four o'clock afternoon of Friday the _____ day of October current, that all withdrawals of persons nominated must be intimated to me before four o'clock afternoon of Monday the _____ day of October current, and that all intimations must be delivered at my office situated at (*here specify address of office*).

3. That every person proposed for election as a town councillor must be nominated by a separate nomination paper in the appropriate form contained in Part V of the Second Schedule to the said Act or in a form substantially to the like effect, and every such nomination paper must be subscribed by two proposers being local government electors for the ward to which the nomination applies and also by five other local government electors for the said ward as assenting to the nomination, and shall contain a statement subscribed by the candidate or by a solicitor duly authorised by him consenting to be nominated as a candidate and that, if elected, he accepts office as a town councillor and will faithfully perform the duties of the office.

4. That no person shall sign more than one nomination paper in respect of the same candidate nor shall he sign more nomination papers than there are vacancies to be filled in the ward, and if he signs nomination papers otherwise than is herein permitted his signature shall be inoperative in all but those papers up to the permitted number which are first delivered.

5. That a candidate who is validly nominated for more than one ward shall by notice signed, attested and delivered withdraw from his candidature in all those wards except one, and if he does not so withdraw before the expiration of the time appointed by Part II of the Second Schedule to the said Act for the delivery of notices of withdrawal the returning officer shall on the expiration of the said time declare for which of those wards for which the candidate remains validly nominated the candidate shall stand for election, and the candidate shall be deemed to have withdrawn his candidature in those other wards.

6. That in the event of the number of persons remaining validly nominated in any of the wards not exceeding the number of vacancies there will be no poll in such ward, and that on the day appointed for declaring the election the persons so nominated shall be declared to be elected town councillors.

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7. That forms of nomination and withdrawal may be had at my office abovementioned on or after 15th October current.

8. That one copy of the register of local government electors for the ward may be had free of charge by a candidate or his agent at my office aforesaid on or after the said date. Additional copies of the register may be had subject to payment of a charge fixed by Order in Council.

A.B.,
Town Clerk.
(Date.)

FORM BFORM OF NOMINATION PAPER.

IForm of Nomination Paper applicable to the election of county councillors for the landward area of a county.

Front of Nomination Paper.

County of .
County Council Election, 19 .

We, A.B. (*here insert name and address and register number as in the register of local government electors for the electoral division for which the candidate is being nominated*) and C.D. (*here insert name and address and register number as in the said register*), hereby propose and nominate—

E.F. (*if the candidate's name appears in the register of local government electors for any electoral division within the county or for a burgh within the county, here insert name and address and register number of the candidate as in the register in which his name appears, specifying the area to which that register relates*),

(*if the candidate's name does not appear in any of the said registers, here insert his full name and place of residence and if the circumstances warrant it add " who has resided at (insert address or addresses) within the county of (specify county or any burgh within the county) during the whole of the twelve months preceding this date "*)

for election as a county councillor for the electoral division of (*specify electoral division*) at the next ensuing election of county councillors in the county of (*specify county*).

We hereby declare to the best of our knowledge, information and belief that—

- (a) the said E.F. is of full age and a British subject and not subject to any legal incapacity; and
- (b) the said E.F. is not disqualified for being nominated as a candidate for election as a county councillor by reason of any of the disqualifications set forth in section 52 of the Local Government (Scotland) Act, 1947, a copy of which section is printed on the back hereof:

Given under our hand this (*insert date*).

A.B.

C.D.

I, the nominee for election, consent to being nominated as a candidate and, if elected, accept office as a county councillor for the said electoral division. I declare that, if elected, I shall faithfully perform the duties of the office.

I am of full age and a British subject and not subject to any legal incapacity. (*If the candidate is not qualified as a registered local government elector, and if the circumstances warrant it, add "I have resided within the county of (including any burgh within the county) during the whole of the twelve months preceding the date abovementioned."*)

I declare that I am not disqualified for being nominated as a candidate for election as a county councillor by reason of any of the disqualifications set forth in section 52 of the Local Government (Scotland) Act, 1947, a copy of which section is printed on the back hereof.

E.F.

To the Returning Office,

County of

Note:—Where this form is subscribed by a solicitor on behalf of the candidate it should be subscribed as follows—"For and on behalf of E.F., X.Y., Solicitor, (*here insert address*) duly authorised by the said E.F. to sign this form."

Back of Nomination Paper.

(*Here print copy of section 52 of the Local Government (Scotland) Act, 1947.*)

Note.—If any person signs any nomination paper as candidate, proposer or solicitor on behalf of a candidate knowing any of the statements contained therein to be false, he shall be liable under the Local Government (Scotland) Act, 1947, on conviction on indictment or on summary conviction, to imprisonment for a term not exceeding six months or to a fine not exceeding fifty pounds or to both such imprisonment and fine.

Form of Nomination Paper applicable to the election of town councillors in a burgh not divided into wards.

Front of Nomination Paper.

Burgh of

Municipal Election, 19

We, A.B. (*here insert name and address and register number as in the register of local government electors for the burgh of*) and C.D. (*here insert name and address and register number as in the said register*), hereby propose and nominate—

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E.F. (*if the candidate's name appears in the said register, here insert name and address and register number as in the said register*),

(*if the candidate's name does not appear in the said register, here insert his full name and place of residence, and if the circumstances warrant it add "who has resided at (insert address or addresses) within the burgh of (specify burgh) during the whole of the twelve months preceding this date"*)

for election as a town councillor at the next ensuing municipal election in the said burgh of (*specify burgh*).

We hereby declare to the best of our knowledge, information and belief that—

- (a) the said E.F. is of full age and a British subject and not subject to any legal incapacity; and
- (b) the said E.F. is not disqualified for being nominated as a candidate for election as a town councillor by reason of any of the disqualifications set forth in section 52 of the Local Government (Scotland) Act, 1947, a copy of which section is printed on the back hereof.

Given under our hand this (*insert date*).

A.B.

C.D.

We, the undersigned, being registered local government electors for the burgh of (*specify burgh*), do hereby assent to the nomination of the said E.F. as a town councillor as above mentioned.

G.H., of	}	(<i>insert address and register number as in the register for the said burgh.</i>)
I.J., of		
K.L., of		
M.N., of		
O.P., of		

I, the nominee for election, consent to be nominated as a candidate and, if elected, accept office as a town councillor for the said burgh. I declare that, if elected, I shall faithfully perform the duties of the office.

I am of full age and a British subject and not subject to any legal incapacity. (*If the candidate is not qualified as a registered local government elector, and if the circumstances warrant it, add "I have resided within the burgh of during the whole of the twelve months preceding the date above mentioned"*.)

I declare that I am not disqualified for being nominated as a candidate for election as a town councillor by reason of any of the disqualifications set forth in section 52 of the Local Government (Scotland) Act, 1947, a copy of which section is printed on the back hereof.

E.F.

To the Town Clerk of .

Note.—Where this form is subscribed by a solicitor on behalf of the candidate it should be subscribed as follows—“ For and on behalf of E.F., X.Y., Solicitor, (*here insert address*) duly authorised “ by the said E.F. to sign this form.”

Back of Nomination Paper.

(*Here print copy of section 52 of the Local Government (Scotland) Act, 1947.*)

Note.—If any person signs any nomination paper as candidate, proposer or solicitor on behalf of a candidate knowing any of the statements contained therein to be false, he shall be liable under the Local Government (Scotland) Act, 1947, on conviction on indictment or on summary conviction, to imprisonment for a term not exceeding six months or to a fine not exceeding fifty pounds or to both such imprisonment and fine.

III Form of Nomination Paper applicable to the election of town councillors in a burgh divided into wards.

Front of Nomination Paper.

Burgh of .

Municipal Election, 19 .

We, A.B. (*here insert name and address and register number as in the register of local government electors for the ward for which the candidate is being nominated*) and C.D. (*here insert name and address and register number as in the said register*), hereby propose and nominate—

E.F. (*if the candidate's name appears in the register for any ward in the burgh, here insert name and address and register number as in the register in which his name appears, specifying the ward to which the register relates*),

(*if the candidate's name does not appear in the register for any part of the burgh, here insert his full name and place of residence and, if the circumstances warrant it, add “ who has resided at (insert address or addresses) within the burgh of (specify burgh) during the whole of the twelve months preceding this date ”*)

for election as a town councillor for the ward (*specify ward*) at the next ensuing municipal election in the burgh of (*specify burgh*).

We hereby declare to the best of our knowledge, information and belief that—

(a) the said E.F. is of full age and a British subject and not subject to any legal incapacity; and

(b) the said E.F. is not disqualified for being nominated as a candidate for election as a town councillor by reason of

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any of the disqualifications set forth in section 52 of the Local Government (Scotland) Act, 1947, a copy of which section is printed on the back hereof.

Given under our hand this *(insert date)*.

A.B.

C.D.

We, the undersigned, being registered local government electors for the ward *(specify ward)* in the burgh of *(specify burgh)*, do hereby assent to the nomination of the said E.F. as a town councillor as above mentioned.

G.H.,	of	} <i>(insert address and register number as in the register for the said ward.)</i>
I.J.,	of	
K.L.,	of	
M.N.,	of	
O.P.,	of	

I, the nominee for election, consent to being nominated as a candidate and, if elected, accept office as a town councillor for the said ward. I declare that, if elected, I shall faithfully perform the duties of the office.

I am of full age and a British subject and not subject to any legal incapacity. *(If the candidate is not qualified as a registered local government elector, and if the circumstances warrant it, add "I have resided within the burgh of during the whole of the twelve months preceding the date before mentioned".)*

I declare that I am not disqualified for being nominated as a candidate for election as a town councillor by reason of any of the disqualifications set forth in section 52 of the Local Government (Scotland) Act, 1947, a copy of which section is printed on the back hereof.

E.F.

To the Town Clerk of

Note.—Where this form is subscribed by a solicitor on behalf of the candidate it should be subscribed as follows—"For and on behalf of E.F., X.Y., Solicitor, *(here insert address)* duly authorised by the said E.F. to sign this form."

Back of Nomination Paper.

(Here print copy of section 52 of the Local Government (Scotland) Act, 1947.)

Note.—If any person signs any nomination paper as candidate, proposer or solicitor on behalf of a candidate knowing any of the statements contained therein to be false, he shall be liable under the Local Government (Scotland) Act, 1947, on conviction on indictment or on summary conviction, to imprisonment for a term not exceeding six months or to a fine not exceeding fifty pounds or to both such imprisonment and fine.

FORM CFORM OF NOTICE OF WITHDRAWAL.

Status: This is the original version (as it was originally enacted).

[County of
County Council Election, 19 .]
[Burgh of
Municipal Election, 19 .]

I, E.F. (*here insert name and address as in nomination paper*) hereby withdraw my nomination as a candidate for election as a [county councillor for the electoral division of (*specify electoral division*)] [town councillor for the burgh] [town councillor for ward (*specify ward*)] at the next ensuing election of [county councillors in the county of (*specify county*)] [town councillors in the burgh of (*specify burgh*)]:

Dated this (*insert date*).....

Name
Address
Designation

Witness. E.F.

Name
Address
Designation

Witness.

[To the Returning Officer,
County of .]
[To the Town Clerk of .]

Note.—Where this form is subscribed by a solicitor on behalf of the candidate it should be subscribed as follows— “ For and on behalf of E.F., X.Y., Solicitor, (*here insert address*) duly authorised “ by the said E.F. to sign this form.”

FORM D FORM OF NOTICE IN CASE OF UNCONTESTED ELECTION.

Form of Notice of Uncontested Election applicable to the election of county councillors for the landward area of a county.

Note.—This form shall, except where in the circumstances it is not appropriate, be combined with the notice of poll (Form E.).

County of
County Council Election, 19 .

In terms of the Local Government (Scotland) Act, 1947, I hereby give notice that the following person[s] remain[s] validly nominated for the electoral division[s] as hereinafter mentioned, and as not more than one person so remains validly nominated for [each of] the said division[s], there will be no poll in that [or those] electoral division[s], and that on the day appointed for declaring the result

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of the election the said person[s] shall be declared to be elected county councillor[s].

Electoral Division[s].	Name[s] of person[s] elected.	Address[es] or place[s] of residence.	Names of proposers.	Addresses of proposers.

A.B.,
Returning Officer.
(Date).

II Form of Notice of Uncontested Election applicable to the election of town councillors in a burgh not divided into wards.

Burgh of
Municipal Election, 19 .

In terms of the Local Government (Scotland) Act, 1947, I hereby give notice that the following persons remain validly nominated for the burgh, and as the number of persons so remaining validly nominated does not exceed the number of vacancies to be supplied therein, there will be no poll, and that on the day appointed for declaring the result of the election the said persons shall be declared to be elected town councillors of the burgh.

Names of persons elected.	Addresses or places of residence.	Names of proposers.	Addresses of proposers.

A.B.,
Town Clerk,
(Date.)

III Form of Notice of Uncontested Election applicable to the election of town councillors in a burgh divided into wards.

Status: This is the original version (as it was originally enacted).

Note.—This form shall, except where in the circumstances it is not appropriate, be combined with the notice of poll (Form E.).

Burgh of .
Municipal Election, 19 .

In terms of the Local Government (Scotland) Act, 1947, I hereby give notice that the following person[s] remain[s] validly nominated for the ward[s] as hereinafter mentioned, and as the number of persons so remaining validly nominated for [each of] the said ward[s] does not exceed the number of vacancies to be supplied therein, there will be no poll therein, and that on the day appointed for declaring the election the said person[s] shall be declared to be elected town councillor[s] of the burgh.

Ward[s]	Name[s] of person[s] elected.	Address[es] or place[s] of residence.	Names of proposers.	Addresses of proposers.

A.B.,
Town Clerk.
(Date.)

FORM E FORM OF NOTICE OF POLL.

Form of Notice of Poll applicable to the election of county councillors for the landward area of a county.

Note.—This form shall, except where in the circumstances it is not appropriate, be combined with the notice in the case of uncontested election (Form D.).

County of .
County Council Election, 19 .

In terms of the Local Government (Scotland) Act, 1947, I hereby give notice that the following persons remain validly nominated for election as county councillors as hereinafter mentioned in this county at the election which shall be held on Tuesday the day of November next between the hours of o'clock forenoon and o'clock afternoon at the places mentioned in the

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Notice of Election dated _____, one councillor falling to be elected for each electoral division.

Electoral Division[s].	Names of candidates.	Addresses or places of residence of candidates.	Names of proposers.	Addresses of proposers.

The persons entitled to vote at this election are the persons registered under the Representation of the People Acts as local government electors for the [respective] electoral division[s] aforesaid.

Where a person is registered as an elector in respect of more than one electoral division, he may vote in any one of the said electoral divisions, but shall not thereafter vote at this election in any other electoral division.

A.B.,

Returning Officer.

(Date.)

II Form of Notice of Poll applicable to the election of town councillors in a burgh not divided into wards.

Burgh of _____
Municipal Election, 19 ____.

In terms of the Local Government (Scotland) Act, 1947, I hereby give notice that the following persons remain validly nominated for election as town councillors in this burgh as hereinafter mentioned at the municipal election which shall be held on Tuesday the _____ day of November next between the hours of _____ o'clock forenoon and _____ o'clock afternoon at the places mentioned in the Notice of Election dated _____

Names of candidates.	Addresses or places of residence of candidates.	Names of proposers.	Addresses of proposers.

To elect _____ town councillors (*specify number*).

The persons entitled to vote at this election are the persons registered under the Representation of the People Acts as local government electors for the burgh.

A.B.,
Town Clerk.
(Date.)

Form of Notice of Poll applicable to the election of town councillors in a burgh divided into wards.

Note.—This form shall, except where in the circumstances it is not appropriate, be combined with the notice in the case of uncontested election (Form D.).

Burgh of .

In terms of the Local Government (Scotland) Act, 1947, I hereby give notice that the following persons remain validly nominated for election as town councillors in this burgh as hereinafter mentioned at the municipal election which shall be held on Tuesday the day of November next between the hours of o'clock forenoon and o'clock afternoon at the places mentioned in the Notice of Election, dated , (alter if not appropriate) one councillor falling to be elected for each ward.

Ward[s].	Names of candidates.	Addresses or places of residence of candidates.	Names of proposers.	Addresses of proposers.
I.				
II.				
III.				

The persons entitled to vote at this election are the persons registered under the Representation of the People Acts as local government electors for the [respective] ward[s] aforesaid.

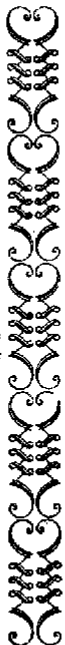
Where a person is registered as an elector in respect of more than one ward, he may vote in any one of the said wards but shall not thereafter vote at this election in any other ward.

A.B.,
Town Clerk.
(Date.)

FORM OF BALLOT PAPER.

Status: This is the original version (as it was originally enacted).

Form of Front of Ballot Paper.

<p>Counterfoil No.</p> <p>1</p>		<p>BROWN</p> <p>(John Brown, of 52, George Street, Hamilton.)</p>		
		<p>2</p>	<p>GRANT</p> <p>(William David Grant, of Weston, Lanarkshire.)</p>	
		<p>3</p>	<p>MORRISON</p> <p>(Hon. John Morrison, of Melville, Lanarkshire.)</p>	
		<p>4</p>	<p>SMITH</p> <p>(Mary Smith, of 72, High Street, Rutherglen.)</p>	

NOTE:
The counterfoil is to have a number to correspond with that on the back of the Ballot Paper.

Form of Back of Ballot Paper.

No. _____

Election for the [_____] electoral division of the
county of [_____] [burgh of _____]
[_____] ward of the burgh of [_____].

Note:

The number on the ballot paper is to correspond with that on the counterfoil.

Directions as to printing Ballot Paper.

Nothing is to be printed on the ballot paper except in accordance with this Schedule.

The surname of each candidate, and if there are two or more candidates of the same surname also the other names of such candidates, shall be printed in large characters as shown in the form, and the names and addresses or places of residence and the number on the back of the paper shall be printed in small characters.

FORM G
FORM OF DIRECTIONS FOR THE GUIDANCE OF THE ELECTOR IN VOTING,
WHICH SHALL BE PRINTED IN CONSPICUOUS CHARACTERS, AND EXHIBITED
OUTSIDE EVERY POLLING STATION AND IN EVERY COMPARTMENT OF EVERY
POLLING STATION.

Status: This is the original version (as it was originally enacted).

The elector may vote for candidate[s].

The elector will go into one of the compartments, and, with the pencil provided in the compartment, place a cross on the righthand side of the ballot paper, opposite the name of each candidate for whom he votes, thus x.

The elector will then fold up the ballot paper so as to show the official mark on the back, and leaving the compartment will, without showing the front of the paper to any person, show the official mark on the back to the presiding officer, and then in the presence of the presiding officer put the paper into the ballot box and forthwith quit the polling station.

If the elector inadvertently spoils a ballot paper he can return it to the officer who will, if satisfied of such inadvertence, give him another paper.

If the elector votes for more than candidate[s] or places any mark on the paper by which he may be afterwards identified his ballot paper will be void and will not be counted.

If the elector fraudulently takes a ballot paper out of the polling station or puts into the ballot box any other paper than the ballot paper given him by the officer, he will be liable on conviction on indictment or on summary conviction to imprisonment for a term not exceeding six months or to a fine not exceeding fifty pounds or to both such imprisonment and fine.

FORM HFORM OF DECLARATION OF SECRECY BY RETURNING OFFICER AND EVERY OFFICER, POLLING AGENT OR COUNTING AGENT AUTHORISED TO ATTEND AT A POLLING STATION OR AT THE COUNTING OF VOTES.

I solemnly promise and declare that I shall at this election maintain, and aid in maintaining the secrecy of the voting and shall not do anything forbidden by sub-paragraphs (5) and (6) of paragraph 53 of Part III of the Second Schedule to the Local Government (Scotland) Act, 1947, which have been read by me.

FORM IFORM OF DECLARATION OF INABILITY TO READ.

I, A.B., of , being numbered on the register of local government electors for the [electoral division of the county of] [burgh of] [ward of the burgh of], do hereby declare that I am unable to read.

A.B., his mark
day of 19 .

I, the undersigned, being the presiding officer for the polling station for the [electoral division of the county of] [burgh of] [ward of the burgh of], do hereby certify that the above declaration having been first read to the abovenamed A.B. was signed by him in my presence with his mark.

Sgd. C.D.,
day of 19 .

FORM JFORM OF DECLARATION TO BE MADE BY THE COMPANION OF A BLIND ELECTOR.

Status: This is the original version (as it was originally enacted).

I, A.B., of _____, having been requested to assist C.D., who is numbered _____ on the register of local government electors for the [_____] electoral division of the county of [_____] [burgh of _____] [_____] ward of the burgh of [_____], to record his vote at the election now being held for the said [electoral division] [burgh] [ward], do hereby declare that [I am entitled to vote at the said election] [I am the * _____ of the said elector and have attained the age of twenty-one years] and that I have not previously assisted any blind person [except E.F., of _____] to vote at the said election.

* State the relationship of the companion to the elector.

Signed, A.B.,
day of _____ 19 ____ .

I, the undersigned, being the presiding officer for the polling station for the [_____] electoral division of the county of [_____] [burgh of _____] [_____] ward of the burgh of [_____], do hereby certify that the above declaration having been first read to the abovenamed declarant was signed by the declarant in my presence.

Signed, G.H.,
day of _____ 19 ____ ,
at _____ minutes past _____ o'clock in the _____ noon.

Note.—If the person making the above declaration knowingly and wilfully makes therein a statement false in a material particular, he will on conviction be liable under the False Oaths (Scotland) Act, 1933, to imprisonment with or without hard labour for a term not exceeding two years or to a fine or to both such imprisonment and fine.

THIRD SCHEDULE

Sections 64, 71.

MEETINGS AND PROCEEDINGS OF LOCAL AUTHORITIES.

PART I

County Councils.

- 1 (1) A county council shall in every year hold such meetings of the council as are required for the purpose of complying with this Act or any other enactment or any statutory order and such other meetings as are considered necessary for the transaction of the general business of the council.
- (2) A meeting of the council shall be held in the year of the election on Tuesday fourteen days after the day of election, or on such other day within three weeks after the day of election as the council have, prior to the election by standing order or otherwise, determined, and in other years on such day in the month of November or December as the council determine. The said meeting held in the year of election may for the purposes of this Act and of any other enactment be referred to as the first meeting of the county council after the election of county councillors.
- (3) Meetings of the county council shall be held in the case of the first meeting after the election at twelve noon or at such other hour as the council have, prior to the election by standing order or otherwise determined, and in the case of other meetings at such

hour and on such dates as the council may by standing order or otherwise fix, or if no hour is so fixed at twelve noon.

- (4) Meetings of a county council shall be held at such place either within or without the county as the council may direct.

Convening meetings.

2 Subject to any administrative scheme under this Act or to any standing orders made by a county council, the following provisions shall have effect with respect to convening meetings of the council and of committees and sub-committees thereof:

- (1) Notice of the time and place of a meeting of a county council shall be given by or on behalf of the county clerk not less than seven days before the meeting by being left at or sent by post to the usual place of residence or the place of business of every member of the council, and shall specify the business proposed to be transacted at the meeting:

Provided that want of notice to any member of the council shall not affect the validity of a meeting.

- (2) The county clerk shall call a meeting of the county council at any time on being required so to do by the convener of the county or on receiving a requisition in writing for that purpose specifying the business proposed to be transacted at the meeting signed by one-fourth of the whole number of members of the council, which meeting shall be held within fourteen days of receipt of the requisition.
- (3) Except in the case of business which has to be transacted at a meeting of the council required to be held by this Act or any other enactment or any statutory order, no business shall be transacted at a meeting of the council other than that specified in the notice of the meeting.
- (4) The provisions of all the sub-paragraphs of this paragraph shall apply to committees and sub-committees of the council in like manner as they apply to the council, with the substitution of references to the committee or sub-committee, as the case may be, and to the chairman of the committee or subcommittee for references to the council and to the convener respectively, and the chairman of the committee or sub-committee, as the case may be, shall for the purpose of ascertaining whether a valid requisition for a meeting has been made determine whether any matter mentioned in the requisition is a matter in respect of which the county councillors representing a large burgh exercise a deliberative vote.

Emergency meeting.

3 Where it appears to the convener of the county that an item of business demands special urgency, a meeting of the council shall if he so requires be called by the county clerk to be held at a time which does not permit of notice being given in accordance with sub-paragraph (i) of the last preceding paragraph, or the standing orders, but any resolution passed at such a meeting shall not be valid and binding on the council unless a majority of the whole members of the council are present at the meeting or the resolution is confirmed by a subsequent meeting called after due notice as aforesaid.

Status: This is the original version (as it was originally enacted).

Chairman of meeting.

- 4 (1) At a meeting of a county council, the convener of the county if present shall preside.
- (2) If the convener of the county is absent from a meeting of the council, the vice-convener of the county shall if present preside, but if the convener and the vice-convener are both absent from a meeting of the council, such county councillor as the members of the council present at the meeting shall choose shall preside.

Quorum.

- 5 Subject to the provisions of Part IV of this Schedule, no business shall be transacted at a meeting of a county council unless at least one-fourth of the whole number of members of the council or such other proportion as the council with consent of the Secretary of State may determine are present thereat.

PART II

Town Councils.

Meetings.

- 1 (1) The town council of a burgh shall in every year hold such meetings of the council as are required for the purpose of complying with any provision of this Act or any other enactment or any statutory order and such other meetings as are considered necessary for the transaction of the general business of the council.
- (2) A meeting of the council shall be held on the first Friday after the first Tuesday in November.
- (3) Meetings of the town council shall be held in the case of the meeting appointed to be held on the first Friday after the first Tuesday of November at twelve noon or at such other hour as the council may by standing order or otherwise fix, and in the case of other meetings at such hour and on such dates as the council may by standing order or otherwise fix or, if no hour is so fixed, at twelve noon.
- (4) Meetings of a town council shall be held at such place as the council may direct.

Convening meetings.

- 2 Subject to any administrative scheme under this Act and to any standing orders made by a town council, the following provisions shall have effect with respect to convening meetings of the council and of committees and sub-committees thereof:

- (1) Notice of the time and place of a meeting of a town council shall be given by or on behalf of the town clerk not less than twenty-four hours before the meeting by being left at or sent by post to the usual place of residence or the place of business of every member of the council, and shall specify the business proposed to be transacted at the meeting:

Provided that want of notice to any member of the council shall not affect the validity of a meeting.

Status: This is the original version (as it was originally enacted).

- (2) The town clerk shall call a meeting of the town council at any time on being required so to do by the provost or on receiving a requisition in writing for that purpose specifying the business proposed to be transacted at the meeting signed by one-fourth of the whole number of members of the council, which meeting shall be held within four days of receipt of the requisition.
- (3) Except in the case of business which has to be transacted at any meeting of the council required to be held by this Act or any other enactment or any statutory order, no business shall be transacted at a meeting of the council other than that specified in the notice of the meeting.
- (4) The provisions of all the sub-paragraphs of this paragraph shall apply to committees and sub-committees of the council in like manner as they apply to the council, with the substitution of references to the committee or sub-committee, as the case may be, and to the chairman of the committee or subcommittee for references to the council and to the provost respectively.
- (5) Any reference in this paragraph to the provost shall include a reference to the acting chief magistrate.

Emergency meeting.

- 3 Where it appears to the provost that an item of business demands special urgency, a meeting of the council shall if he so requires be called by the town clerk to be held at a time less than twenty-four hours from the issue of the notice, or less than the period fixed by standing orders, but any resolution passed at such a meeting shall not be valid and binding on the council unless a majority of the whole members of the Council are present at the meeting or the resolution is confirmed by a subsequent meeting called after due notice as aforesaid.

Chairman of meeting.

- 4 (1) At a meeting of a town council, the provost if present shall preside.
- (2) If the provost is absent, the senior bailie present at the meeting and failing any bailie such councillor as the members of the council present shall choose shall preside.

Quorum.

- 5 Subject to the provisions of Part IV of this Schedule, no business shall be transacted at a meeting of a town council unless at least one-fourth of the whole number of members of the council or such other proportion as the council with consent of the Secretary of State may determine are present thereat.

PART III

District Councils.

Meetings.

- 1 (1) A district council shall in every year hold such meetings of the council as are required for the purpose of complying with any provision of this Act or any other enactment

Status: This is the original version (as it was originally enacted).

or any statutory order and such other meetings as are considered necessary for the transaction of the general business of the council.

- (2) A meeting of the council shall be held on such day within ten days after the day of election of elected district councillors as the council prior to the election have determined, which meeting may for the purposes of this Act and of any other enactment be referred to as the first meeting of the district council after the election of district councillors.
- (3) The meetings of the council shall be held at such hour and at such place as the council may by standing order or otherwise determine.

Convening meetings.

2 Subject to any standing orders made by a district council, the following provisions, shall have effect with respect to convening meetings of the council and of committees and sub-committees thereof:—

- (1) Notice of the time and place of a meeting of a district council shall be given by or on behalf of the clerk of the council not less than three days before the meeting by being left at or sent by post to the usual place of residence or the place of business of every member of the council, and shall specify the business proposed to be transacted at the meeting:

Provided that want of notice to any member of the council shall not affect the validity of a meeting. If there is no clerk of the council the chairman shall call any meeting except the first meeting of the council after the election of district councillors, which meeting shall be called by the county clerk.

- (2) The clerk of the district council shall call a meeting of the council at any time on being required so to do by the chairman of the council or on receiving a requisition in writing for that purpose specifying the business proposed to be transacted at the meeting signed by one-fourth of the whole number of members of the council or by three members, whichever is the greater number, which meeting shall be held within ten days of the receipt of the requisition.
- (3) Except in the case of business which has to be transacted at any meeting of the council required to be held by this Act or any other enactment or any statutory order or except with leave of the meeting, no business shall be transacted at a meeting of the council other than that specified in the notice of the meeting.
- (4) The provisions of all the sub-paragraphs of this paragraph shall apply to committees and sub-committees of the council in like manner as they apply to the council, with the substitution of references to the committee or sub-committee, as the case may be, and to the chairman of the committee or sub-committee for references to the council and to the chairman of the council respectively.

Emergency meeting.

3 Where it appears to the chairman of the council that an item of business demands special urgency, a meeting of the council shall if he so requires be called by the clerk of the council to be held at a time less than three days from the issue of the notice or less than the period fixed by standing orders, but any resolution passed at such a meeting shall not be valid and binding on the council unless a majority

of the whole members of the council are present at the meeting or the resolution is confirmed by a subsequent meeting called after due notice as aforesaid.

Chairman of meeting.

- 4 (1) At a meeting of a district council the chairman of the council if present shall preside.
- (2) If the chairman of the council is absent from a meeting of the council, the vice-chairman of the council shall, if present, preside, but if the chairman and vice-chairman are both absent from the meeting, such district councillor as the members of the council present shall choose shall preside.

Quorum.

- 5 Subject to the provisions of Part IV of this Schedule, no business shall be transacted at a meeting of the council unless one fourth of the whole number of members of the council or three members, whichever is the greater number, are present thereat.

PART IV

Provisions relating to local authorities generally.

Notice of meetings required by statute, &c.

- 1 Notice of any meeting of the authority or of any committee thereof appointed to be held by this Act or any other enactment or any statutory order or by standing order of the authority shall, without instructions, be given by the clerk of the authority or in the case of a committee by the clerk of the committee.

Transaction of business where members disabled by section 73 of Act.

- 2 No item of business shall be transacted at a meeting of a local authority or of any committee or sub-committee thereof if, in consequence of the provisions of section seventy-three of this Act, less than a quorum of the authority or committee or sub-committee, as the case may be, are entitled to vote on that item.

Adjournment of meeting.

- 3 A local authority or a committee or sub-committee may adjourn a meeting of the authority, committee or sub-committee, as the case may be, to any other day, hour and place.

Decision on questions.

- 4 (1) Subject to the provisions of this Act or any other enactment or any statutory order that may be applicable and to any provisions of standing orders relating to the suspension of such orders, all acts of, and all questions coming and arising before, a local authority or any committee or sub-committee of a focal authority shall be done and decided by a majority of the members of the authority or committee or sub-committee, as the case may be, present and voting at a meeting of the authority or committee or sub-committee, as the case may be:

Status: This is the original version (as it was originally enacted).

Provided that any decision to transact at an ordinary meeting of a local authority or of any committee or sub-committee thereof business of which notice has not been given shall not, if standing orders made by the local authority so provide, be arrived at except by such majority greater than a bare majority as may be specified.

- (2) Save as otherwise provided in this Act, in the case of an equality of votes, the person presiding at the meeting shall give a casting vote.

Names of members present to be recorded.

- 5 The names of members present at a meeting of a local authority shall be recorded.

Minutes.

- 6 (1) Minutes of the proceedings of a meeting of a local authority shall be drawn up by or on behalf of the clerk of the authority and shall be signed at the meeting by the person presiding thereat or shall be submitted to the next ensuing meeting of the authority for approval as a record of the meeting and signed by the person presiding at that next ensuing meeting, and, without prejudice to any of the other provisions of this Act, any minute purporting to be so signed shall be received in evidence without further proof.
- (2) Subject to any administrative scheme under this Act or any standing orders of or other directions by a local authority, the provisions of the preceding sub-paragraph shall apply with respect to any committee or sub-committee of the authority in like manner as they apply with respect to the authority.
- (3) Until the contrary is proved, a meeting of a local authority or of a committee or sub-committee thereof in respect of the proceedings whereof a minute has been made and signed in manner above provided, shall be deemed to have been duly convened and held, and all the members present at the meeting shall be deemed to have been duly qualified, and where the proceedings are proceedings of a committee or sub-committee, the committee or sub-committee, as the case may be, shall be deemed to have been duly constituted and to have had power to deal with the matters referred to in the minutes.

Standing orders.

- 7 (1) Subject to the provisions of this Act and of any administrative scheme thereunder, a local authority may make standing orders for the regulation of their proceedings and business and may vary or revoke such orders.
- (2) Any such standing orders may, without prejudice to any other matters that may be dealt with therein, provide for the closure of debate, for voting by ballot with respect to any matter, and for the suspension by resolution of the local authority for the remainder of a meeting of any member disregarding the authority of the chairman of the meeting or obstructing the meeting or conducting himself offensively at the meeting. Any member of a local authority so suspended shall forthwith leave the meeting and shall not without the consent of the meeting again enter the meeting, and if any member so suspended refuses when so required by the person presiding to leave the meeting, he may immediately by order of the person presiding be removed from the meeting by a police officer or by any other person authorised by the person presiding to remove him.

- (3) Any such standing orders shall, unless otherwise provided therein, apply with respect to any committee or sub-committee of the authority in like manner as they apply with respect to the authority.

Vacancies, &c. not to invalidate proceedings.

- 8 (1) The proceedings of a local authority or a committee or subcommittee thereof shall not be invalidated by any vacancy among their number or by any defect in the election or qualification of any member thereof, or by any member voting on or taking part in the consideration or discussion of any question when he is not entitled to do so.
- (2) If the proceedings at a meeting of a local authority or of a committee or subcommittee thereof are notwithstanding anything in this Schedule open to challenge on the ground that the meeting has not been duly convened, such proceedings shall be validated by confirmation of the minutes of the meeting at a subsequent meeting duly convened of the authority, committee or sub-committee, as the case may be.

Application of this Part of Schedule to magistrates of burgh.

- 9 The provisions of paragraphs 1, 2, 3, 4, 5, 6 and 8 of this Part of this Schedule and any standing orders made by a town council under paragraph 7 shall apply with respect to the magistrates of the burgh in like manner as they apply with respect to the town council, save as otherwise directed by the magistrates and subject to any necessary modifications.

Quorum in cases of vacancies.

- 10 Where there are at the same time vacancies in the case of more than one-third of the members of a local authority, then until the number of members in office is increased to not less than two thirds of the whole number of members of the local authority, the quorum of the authority shall be determined by a reference to the number of members of the authority remaining instead of by reference to the whole number of members of the authority, so however that the quorum shall never in the case of a county council or a town council be less than one-eighth of the whole number of members of the council or three members, whichever is the greater number.

FOURTH SCHEDULE

Section 173.

ENACTMENTS CONTAINING PROVISIONS AS TO THE ACQUISITION BY AGREEMENT OF, AND CERTAIN OTHER DEALINGS IN, LAND BY LOCAL AUTHORITIES, NOT AFFECTED BY THE PROVISIONS OF PART VIII OF THIS ACT.

- 1 The Burial Grounds Acts
- 2 The Electricity (Supply) Acts, 1882 to 1936
- 3 The Military Lands Acts, 1892 to 1903
- 4 The Light Railways Acts, 1896 and 1912
- 5 The Cremation Act, 1902

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- 6 The Housing (Scotland) Acts, 1925 to 1946
- 7 The Restriction of Ribbon Development Act, 1935
- 8 The Town and Country Planning (Scotland) Act, 1945
- 9 The Water (Scotland) Act, 1946
- 10 The Education (Scotland) Act, 1946
- 11 Any local Act

FIFTH SCHEDULE

Sections 191 and 224.

EXPENDITURE OF A TOWN COUNCIL TO BE DEFRAIDED OUT OF THE BURGH RATE SO FAR AS PAYABLE BY OCCUPIERS OF LANDS AND HERITAGES ONLY.

- 1 Expenditure of a town council (not being expenditure included in a requisition made by the county council upon the town council under Part XI of this Act, except any portion thereof to which the proviso to subsection (5) of section two hundred and fourteen of this Act applies) incurred for and in connection with the following:—
 - (1) Police and police court (including any expenditure under section three hundred and fifteen (so far as unrepealed) of the Burgh Police (Scotland) Act, 1892, and on the provision of halls and other buildings for public meetings and assemblies under section seventy-four of this Act which the town council direct shall be defrayed as expenditure on police, but excluding any expenditure under the Children and Young Persons (Scotland) Act, 1937).
 - (2) Lighting, including lighting of streets, courts and common stairs
 - (3) Cleansing, including public conveniences
 - (4) Dean of Guild Court
 - (5) Surveys and plans under the Burgh Police Acts
 - (6) Markets
 - (7) Slaughter houses
 - (8) Public clocks
 - (9) Public baths, including open air bathing facilities
 - (10) Public wash-houses and drying grounds
 - (11) Inspection of weights and measures, including provision of public weighing machines
 - (12) Issue and supervision of licences under the Burgh Police Acts
 - (13) Public libraries
 - (14) Supervision of food and drugs
 - (15) The Dogs Act, 1871
 - (16) The Pedlars Act, 1871

- (17) The Explosives Acts, 1875 and 1923
- (18) The Military Lands Acts, 1892 to 1903
- (19) The Fatal Accidents Inquiry (Scotland) Act, 1895
- (20) Section six of the Sea Fisheries Regulation (Scotland) Act, 1895
- (21) The Light Railways Acts, 1896 and 1912
- (22) Section two of the Telegraph Act, 1899
- (23) Licensing court under the Licensing (Scotland) Act, 1903
- (24) The Advertisement Regulations Acts, 1907 and 1925
- (25) The Protection of Animals (Scotland) Act, 1912
- (26) The Temperance (Scotland) Act, 1913
- (27) Application or representation under section seventy-eight of the Railways Act, 1921
- (28) The Theatrical Employers Registration Act, 1925
- 2 Expenditure which in terms of any enactment relating to any public utility undertaking (other than a water undertaking) falls to be defrayed out of rates.
- 3 Expenditure to be defrayed out of the sum raised by rate in lieu of petty customs.

SIXTH SCHEDULE

Section 262.

ENACTMENTS FOR THE PURPOSES OF WHICH MONEY MAY BE BORROWED BY
LOCAL AUTHORITIES REPAYABLE WITHIN PERIODS OTHER THAN THIRTY YEARS.

Enactments.	Maximum period for repayment of loan.
1. The Burial Grounds Acts.	Twenty years.
2. The Lunacy (Scotland) Acts, 1857 to 1913.	Such period not exceeding sixty years as may be sanctioned by the General Board of Control.
3. The Burghs Gas Supply (Scotland) Act, 1876.	Such period not exceeding forty years as may be sanctioned by the Secretary of State.
4. The Electricity (Supply) Acts, 1882 to 1936.	Such period not exceeding sixty years as may be sanctioned by the Electricity Commissioners.
5. The Public Libraries Acts.	Such period not exceeding fifty years as may be sanctioned by the Secretary of State.
6. The Small Holdings Act, 1892.	Such period not exceeding fifty years as may be sanctioned by the Secretary of State.
7. The Military Lands Acts, 1892 to 1903.	Such period not exceeding fifty years as may be sanctioned by a Secretary of State.

Status: This is the original version (as it was originally enacted).

Enactments.	Maximum period for repayment of loan.
8. The Allotments (Scotland) Acts, 1892 to 1922.	Such period not exceeding eighty years as may be sanctioned by the Secretary of State.
9. Part IV of the Local Government (Scotland) Act, 1894, so far as relating to the purchase of land or the erection of buildings.	Such period not exceeding forty years as may be sanctioned by the Secretary of State.
10. The Light Railways Acts, 1896 and 1912.	Such period not exceeding sixty years as may be sanctioned by the Secretary of State.
11. Section 139 of the Public Health (Scotland) Act, 1897.	Such longer period than thirty years not exceeding sixty years as may be sanctioned by the Secretary of State.
12. The Cremation Act, 1902.	Twenty years.
13. The Mental Deficiency and Lunacy (Scotland) Act, 1913.	Such period not exceeding sixty years as may be fixed by the General Board of Control.
14. The Housing (Scotland) Acts, 1925 to 1946.	Such period not exceeding eighty years as may be sanctioned by the Secretary of State.
15. The Roads and Streets in Police Burghs (Scotland) Act, 1925.	The period provided in section two of that Act.
16. The Housing (Rural Workers) (Scotland) Acts, 1926 to 1942.	Such period not exceeding eighty years as may be sanctioned by the Secretary of State.
17. Section 119 (3) of the Road Traffic Act, 1930.	Such period as the Secretary of State may fix.
18. The Harbours, Piers and Ferries (Scotland) Act, 1937.	Such period as the Secretary of State may fix.
19. The Children and Young Persons (Scotland) Act, 1937.	Such period not exceeding fifty years as may be sanctioned by the Secretary of State.
20. The Physical Training and Recreation Act, 1937.	Such period as the Secretary of State may fix.
21. The Air Raids Precautions Act, 1937.	Such period as the Secretary of State may fix.
22. The Fire Brigades Act, 1938.	Such period as the Secretary of State may fix.
23. The Civil Defence Act, 1939.	Such period as, in the case of a county council or town council as electricity undertakers, the Electricity Commissioners, and in any other case, the Secretary of State, may fix.
24. The Town and Country Planning (Scotland) Act, 1945.	Such period as the Secretary of State may sanction.
25. The Water (Scotland) Act, 1946.	Such period not exceeding sixty years as may be sanctioned by the Secretary of State.
26. The Education (Scotland) Act, 1946.	Such period not exceeding fifty years as may be sanctioned by the Secretary of State.

Enactments.	Maximum period for repayment of loan.
27. The National Health Service (Scotland) Act, 1947.	Thirty years or such other period as the Secretary of State may fix.
28. The Fire Services Act, 1947.	Such period not exceeding sixty years as the Secretary of State may fix.
29. The Town and Country Planning (Scotland) Act, 1947.	Such period as the Secretary of State may fix.

SEVENTH SCHEDULE

Section 267.

(1) FORM OF MORTGAGE BY LOCAL AUTHORITY.

Number.....

£.....

We (*insert designation of local authority*) (hereinafter referred to as "the Council"), by virtue of the Local Government (Scotland) Act, 1947, and of all other powers in that behalf, in consideration of the sum of

(*amount in words*) pounds instantly advanced and paid to us by A. B. of C. (hereinafter referred to as "the mortgagee") do hereby bind and oblige the Council

Status: This is the original version (as it was originally enacted).

out of the funds, rates and revenues of the Council⁽¹⁾ to pay [at the term of] [on the day of] nineteen hundred and to the mortgagee or his executors or assignees the said sum of (amount in words) and also to pay the interest thereon at the rate of per centum per annum from the date hereof half-yearly [at the terms of Whitsunday and Martinmas] [on the day of and the day of] in each year till the said sum is paid; and for the further security of the mortgagee we do hereby assign to the mortgagee and his executors and assignees such proportion of the said funds, rates and revenues for the time being of the Council⁽¹⁾ as shall be equivalent to the said sum now paid to us and the interest thereon as aforesaid; *(where interest is payable by coupons or interest warrants delivered with the mortgage, add and for and in respect of the said interest we shall pay the several sums contained in the interest warrants bearing the number and date hereof and delivered herewith and that at the several times mentioned in such warrants upon delivery of the same respectively, and such delivery shall be a sufficient receipt and discharge to us for the contents of such warrants); (Add also if desired—*Declaring that neither the mortgagee nor his foresaids shall be entitled to grant nor shall we be bound to recognise or register any partial transfer of these presents or of the sums of money principal or interest herein contained); and we consent to the registration hereof for preservation and execution.

⁽²⁾ Sealed with the common seal of the Council and subscribed on behalf of the Council by one member of the Council, and the Clerk on the day of nineteen hundred and

.....Councillor.

(SEAL)

.....Clerk.

Entered in the Register of Mortgages of date.....

.....

.....Registrar⁽³⁾.

Notes:

- ⁽¹⁾ In the case of a burgh having a common good, there should be added here “ (other than the common good of the burgh and the revenues thereof).”
- ⁽²⁾ In the case of a mortgage by a district council not having a common seal, the mortgage must be subscribed by two members of the council and the clerk and attested by two witnesses, and a testing clause in usual form inserted.
- ⁽³⁾ If the treasurer is not the registrar, there shall be added at the end of the mortgage a receipt by the treasurer for the principal sum paid by the mortgagee.

(2) FORM OF TRANSFER OF MORTGAGE.

Status: This is the original version (as it was originally enacted).

(To be endorsed on Mortgage.)

I, A. B., within designed, in consideration of the sum of
(*amount in words*) pounds paid to me
by D. E. of F., do hereby transfer to the said D. E. and his
executors and assignees the within mortgage and all interest thereon
and all my right, title and interest in and to the money thereby
secured in and to the funds, rates and revenues thereby assigned.

In witness whereof these presents (*insert testing clause in usual
form*).

(3) FORM OF MINUTE OF RENEWAL OF MORTGAGE.

(To be endorsed on Mortgage.)

It has been agreed upon between the Council and the
mortgagee within named and designed that the repayment of
the principal sum contained in the within mortgage shall be
postponed and that the said principal sum shall be repayable
[at the term of] [on the day of]
nineteen hundred and and that interest thereon at the rate
of per centum per annum shall be payable half yearly
[at the terms of Whitsunday and Martinmas] [on the
day of and the day of] in each year
until the said principal sum is repaid, (*where interest is payable by
means of coupons or interest warrants delivered with the minute of
renewal, add which interest shall be paid on presentation of the
respective interest warrants in number issued herewith*).

Dated the day of nineteen hundred
and

Signed for and on behalf of the Council.

.....Clerk.

.....Mortgagee.

(4) FORM OF DISCHARGE OF MORTGAGE.

(To be endorsed on Mortgage.)

Received from the Council within named the sum of
(*amount in words*) pounds sterling being the principal
sum due under the within mortgage, with all interest due thereon.

Dated the day of nineteen hundred
and

.....Mortgagee.

Status: This is the original version (as it was originally enacted).

EIGHTH SCHEDULE

Section 275.

RULES REGULATING THE ADMINISTRATION OF A LOANS FUND ESTABLISHED BY A COUNTY COUNCIL OR TOWN COUNCIL UNDER THIS ACT.

General.

Interpretation.

- 1 In these rules, unless the context otherwise requires—
- " advance ", in relation to the loans fund and a borrowing account of a council, means the transfer of money by way of loan from the loans fund to the appropriate borrowing account in exercise of a statutory borrowing power;
 - " appointed day " means the day (being the commencement of a financial year) fixed by the council as the day from which a loans fund shall be established by the council;
 - " borrowing account ", in relation to a council, means an account of the council relating to a purpose for which the council have a statutory borrowing power;
 - " council " means a county council or a town council having a loans fund;
 - " loans fund " means a loans fund established under this Act;
 - " year " means the financial year of the council.

Method of exercise of statutory borrowing power.

- 2 Any statutory borrowing power vested in the council on or after the appointed day shall be exercised by the council in manner following and not otherwise, that is to say:—
- (a) by borrowing in accordance with the provisions of this Act and carrying to the loans fund such sums as are necessary to enable that fund to make to the appropriate borrowing account of the council or to the other local authority the advances which are required for the purpose for which the statutory borrowing power is available; and
 - (b) by making from the loans fund such advances to the appropriate borrowing account of the council or to the other local authority, as the case may be.

Accounts of Loans Fund.

Accounts of loans fund.

- 3 The council shall keep the accounts relating to the loans fund separate from the other accounts of the council.

Loans fund to be kept in two parts, assets and liabilities and revenue and expenditure.

- 4 The loans fund shall be kept in two Parts:—
- Part I containing a record of all assets and liabilities of the fund classified as follows:—
 - (a) Assets—

- (1) Sums advanced to the various borrowing accounts of the council.
 - (2) Any loans to other local authorities which the council may be authorised to make.
 - (3) Investments.
 - (4) Deferred charges.
 - (5) Any other assets.
- (b) Liabilities—
- (1) Mortgages created by the council.
 - (2) Stock issued by the council.
 - (3) Any other liabilities.

Part II containing a record of the revenue and expenditure of the fund classified as follows:—

- (a) Revenue—
- (1) Interest from the various borrowing accounts of the council—
 - (i) in respect of advances on account of capital;
 - (ii) in respect of advances for ordinary expenditure.
 - (2) Interest on loans to other local authorities made by the council.
 - (3) Income from investments.
 - (4) Other income including unclaimed interest and dividends.
- (b) Expenditure—
- (1) Interest and dividends on mortgages, stock and other loans to the council.
 - (2) Loans fund expenses including stamp duties.

Provisions relating to Capital.

Transfer to loans fund of assets and liabilities on appointed day.

- 5 All money in the hands of the council on the appointed day in respect of any sinking or other fund established for the redemption of loans to the council, all other capital money in the hands of the council on the said day and available for the repayment of loans and any unapplied balance of money borrowed by the council (including any investments representing such money or balance) shall be paid into and form part of the capital money of the loans fund, and all liabilities of the council in respect of borrowed money outstanding on the appointed day shall be transferred to and form part of the liabilities of the fund.

Payments of capital money to loans fund.

- 6 The following sums shall be paid into the loans fund as capital money when received or, in the case of sums specified in paragraphs (c) and (e) hereof, when due, that is to say—
- (a) all money borrowed by the council in the exercise of their statutory borrowing powers, including money forming part of any capital fund (within the meaning of section eight of the Local Authorities Loans Act, 1945) belonging to or held by the council transferred by authority of the council to the loans fund for the purpose of being used under the provisions of this Act in exercise of a statutory borrowing power;

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- (b) all money of a capital nature received by the council whether from the sale of capital assets or otherwise, except such as is properly applicable to another capital purpose;
- (c) the appropriate periodical sums required to be set aside by the council out of the various borrowing accounts for the repayment of advances made from the loans fund to these borrowing accounts;
- (d) the appropriate periodical sums and other sums paid by other local authorities in repayment of advances to those authorities;
- (e) any other money which is directed in pursuance of these rules to be carried to the loans fund and treated as capital money in the loans fund.

Capital payments from loans fund.

- 7 (1) Capital money in the loans fund may be applied—
- (a) in the exercise of any statutory borrowing power of the council duly authorised by the council, by advancing the required amount to the appropriate borrowing account of the council or in making loans to other local authorities;
 - (b) in the redemption of securities created by the council, in the purchase of stock for extinction or in the repayment of any money borrowed by the council;
 - (c) in defraying the expenses incurred by the council in the creation and issue of stock so far as the same are not defrayed under rule 13 hereof; and
 - (d) in defraying any other charges which are directed in pursuance of these rules to be defrayed out of capital money in the loans fund.
- (2) Any capital money in the loans fund, not so applied or not about to be so applied within a reasonable period, shall be invested in trustee securities, and the sums realised by the sale of such securities shall on receipt be paid into the loans fund as capital money.
- (3) Capital money in the loans fund shall not be applied otherwise than in accordance with the provisions of the preceding paragraphs of this rule.

Conditions regulating advances.

- 8 (1) Advances from the loans fund to a borrowing account shall so far as practicable be made on the fifteenth day of May in each year, so however that if the advance is made on some other date interest shall be charged in accordance with the provisions of paragraph (4) (a) of rule 18 hereof.
- (2) The council shall at the time an advance is made determine—
- (a) the period within which the advance is to be repaid to the loans funds, so however that the period shall not exceed that prescribed by the enactment or statutory order regulating the statutory borrowing power; and
 - (b) the amount of each of the periodical payments required to repay the advance within the period so determined, and the date on which the first of the said payments is to be made. The payments shall be either equal yearly or half-yearly instalments of principal or, where the advance is to be repaid on the annuity system, equal yearly or half-yearly instalments of principal and interest combined, the amount of principal included in each instalment being separately stated.

- (3) The periodical payments shall so far as practicable be so adjusted as to be expressed in complete pounds.
- (4) The appropriate sums required for the repayment of advances to the loans fund shall be set aside, in the case of yearly repayments on the fifteenth day of May, and in the case of half-yearly payments on the fifteenth day of May and the eleventh day of November in each year.
- (5) The amount advanced from the loans fund in exercise of a statutory borrowing power of the council to the appropriate borrowing account of the council shall be diminished each year by the amount of capital paid into the loans fund during the year in respect of that borrowing power.
- (6) Whenever capital money (other than money borrowed by the council) is paid into the loans fund, the periodical payments in respect of the advances affected, or if there is no such advance affected, the periodical payments in respect of an advance for a like purpose, or if there is no such advance, the periodical payments in respect of such other advance as the council may determine, shall be adjusted.
- (7) This rule shall apply with the necessary modifications in the case of loans by the council to another local authority.

Borrowing powers exercised before appointed day.

- 9 (1) Any money borrowed by the council before the appointed day in exercise of a statutory borrowing power less—
- (a) the amount by which the loan has been reduced by repayment or extinction before the appointed day, and
 - (b) the amount on the appointed day of any sinking or other fund provided in connection with the redemption thereof, any investments forming part thereof being taken at the market selling value on that day, and
 - (c) the amount of any unexpended balance of the money borrowed transferred to the loans fund,
- shall be deemed to have been provided by means of an advance from the loans fund to the appropriate borrowing account.
- (2) The net amounts of the advances so calculated, together with particulars of the appropriate instalments to be repaid during the remainder of the period prescribed by the enactments relating to the statutory borrowing power, shall be entered in the register of advances hereinafter mentioned.
 - (3) Where before the appointed day provision is being made for the repayment of any sum borrowed by the council by means of an accumulating sinking fund within the meaning of section two hundred and sixty-five of this Act or by instalments on the annuity system, the council may if they think fit determine that the instalments to be transferred to the loans fund during the remainder of the period prescribed by the statutory borrowing power shall be equal yearly or half-yearly instalments of principal.

Register of advances.

- 10 The council shall, in addition to any other registers required to be kept under this Act or under regulations made under this Act, keep a register of the advances

Status: This is the original version (as it was originally enacted).

made out of the loans fund to the borrowing accounts of the council, setting out all arrangements in regard to repayment, and all periodical payments in respect of such advances shall be duly entered in the register.

Redemption of debt.

- 11 The council shall so administer the capital money of the loans fund as to ensure that, at the date when the holders of any security created by the council become entitled to claim redemption or repayment thereof, sufficient money is available for the purpose.

Deferred charges and liquidation thereof.

- 12 (1) The expenses incurred in the creation and issue of stock by the council which are under rule 7 hereof defrayed out of the capital money in the loans fund, together with any discount liability which has been assumed by the council in respect of the redemption of stock at a value exceeding the price at which the stock was issued, shall be treated for the purposes of these rules as " deferred charges."
- (2) There shall be defrayed in each year out of the revenue money of the loans fund, and debited so far as it relates to discount to the interest account hereinafter mentioned, and so far as it relates to expenses to the loans fund expenses account hereinafter mentioned, such proportion of the deferred charges incurred in respect of each issue of stock as the council may determine, not being less than the proportion of the said charges which one year bears to the number of complete years which will elapse before that stock first becomes redeemable by the council.

Premiums received on issues of stock.

- 13 The expenses incurred by the council in the creation and issue of stock shall be a first charge on any sums received as premiums in respect of that issue, and such proportion of the remainder, if any, of the sums so received as corresponds with the proportion which one year bears to the number of complete years which will elapse before that stock first becomes redeemable by the council shall be appropriated in each year to the revenue, purposes of the loans fund and credited to the interest account.

Valuation of assets and liabilities.

- 14 (1) All investments transferred to the loans fund on the appointed day under rule 5 hereof shall be entered in the accounts of the loans fund at their market selling value on that day.
- (2) Save as aforesaid, any investment of money of the loans fund shall be entered in the accounts of the loans fund at its cost price exclusive of the expenses of investment.
- (3) Any stock issued by the council before the appointed day the liabilities in respect of which are transferred to the loans fund shall be entered in the accounts of the loans fund at the value at which the stock is to be redeemed.

Profits and losses.

- 15 There shall be ascertained at the close of each year the net profit or loss which has arisen during the year on—

- (a) the realisation of investments,
- (b) the repayment of loans, and
- (c) the purchase of stock or other securities of the council below or above the value at which they stand in the books of the loans fund,

and the net profit or loss so ascertained (so far as the same is not transferred or met under the immediately succeeding rule) shall be transferred to the credit or debit of the loans fund expenses account at the close of the year:

Provided that the Secretary of State may on the application of the council sanction part of the net profit or loss not being so transferred but being applied or liquidated in accordance with a scheme made by the council and approved by the Secretary of State.

Loans fund reserve account.

- 16 (1) There shall be transferred to the credit of an account called the loans fund reserve account the net profit ascertained under the immediately preceding rule in any year or such part of the net profit as the council consider proper, having regard to the purposes of the account.
- (2) The council may, and if required by the Secretary of State shall, transfer to the credit of the loans fund reserve account from the loans fund expenses account such sum as the council or the Secretary of State, as the case may be, may consider to be reasonable in respect of the depreciation in the valuation of the investments of the loans fund.
- (3) A valuation of the investments of the loans fund shall be made as at the close of each year and a statement appended to the balance sheet showing the amount of any depreciation as at the said date in the total selling value of those investments as against the total value at which they are entered in the accounts of the loans fund and the total amount, if any, which has been transferred to the loans fund reserve account under the immediately preceding paragraph of this rule and is at the time available to meet the said depreciation.
- (4) Any money at the credit of the loans fund reserve account may be applied in the manner following but not otherwise:—
- (a) in or towards meeting any net loss ascertained under the immediately preceding rule in any year; or
 - (b) in reduction of the periodical repayment instalments by the borrowing accounts to the loans fund over such period of years as the council may determine, so however that the council shall allocate the total annual amount to be applied towards such reduction among the borrowing accounts in the manner provided for in rule 19 hereof:

Provided that no sum shall be applied under paragraph (b) hereof unless the council are satisfied that there will remain in the account an ample reserve in respect of depreciation in the valuation of the investments of the loans fund.

Status: This is the original version (as it was originally enacted).

Provisions relating to Revenue.

Revenue and expenditure.

- 17 The council shall from time to time pay to the loans fund such sums as are required from time to time to enable the fund to meet the interest payable on sums borrowed by the council and any other sums directed to be debited to the interest account and the expenses of the loans fund and any other sums directed to be debited to the loans fund expenses account, which sums shall be provided by the several borrowing accounts of the council in accordance with the provisions of rules 18 and 19 hereof.

Interest account.

- 18 (1) There shall be charged to the interest account and credited to each account of the council which has from time to time during the year any revenue balance in the loans fund interest at a rate to be determined by the council.
- (2) There shall be charged to the interest account and credited to each account of the council from which a capital sum (otherwise than by way of reduction of an advance) has during the year been carried to the loans fund interest at a rate to be determined by the council, such rate being equal as nearly as may be to the rate of interest which would be payable on money borrowed during the year of account under a statutory borrowing power.
- (3) There shall be charged to each borrowing account of the council which has from time to time during the year received temporary advances of money from the loans fund for current and other expenses, and credited to the interest account interest at a rate to be determined by the council.
- (4) Subject to the provisions of this paragraph and of the immediately succeeding paragraph of this rule, the amount of the interest payable during the year by the council on sums borrowed by the council (including interest credited to accounts of the council under paragraphs (1) and (2) of this rule) after deducting the interest received during the year on investments and on loans to other local authorities and the interest charged to borrowing accounts in respect of temporary advances under paragraph (3) of this rule, and allowing for any sums directed by or in accordance with these rules to be debited or credited to the interest account (in this rule referred to as " the net amount "), shall be apportioned at the close of the year between the several borrowing accounts of the council in the manner following, that is to say:—
- (a) there shall first be charged or allowed to each borrowing account, in respect of any advance or repayment of an advance which has been made or received during the year the appropriate amount in respect of interest for the period between the date of the advance or repayment and the close of the year, calculated at the average rate payable by the council on money borrowed on account of the loans fund;
- (b) the net amount (adjusted to give effect to paragraph (a) hereof) shall be apportioned among the borrowing accounts in the proportion which the advances to each borrowing account outstanding at the commencement of the year bear to the total of the outstanding advances to all the borrowing accounts at such commencement:

Provided that—

- (i) the council may, in the case of local bonds under the Housing (Scotland) Acts, 1925 to 1946, or in any other case where special circumstances

exist, make such special charge on account of interest as the council think equitable; and

- (ii) wherever the charge in respect of interest affects the amount of any Exchequer grant, such charge shall be subject to the approval of the Minister concerned.

- (5) The council in their discretion may, in lieu of the provisions of the immediately preceding paragraph of this rule but subject always to the proviso thereto, apportion the net amount for any year among the accounts of the council in proportion to the average amount of advances to each borrowing account during the year, so however that if this method of apportionment is adopted, the amount of advances to each borrowing account shall be adjusted by monthly transfers between the loans fund and the several borrowing accounts, and the monthly amounts so ascertained for each account shall form the basis for calculating the average amount of advances to each borrowing account during the year.

Loans fund expenses account.

19 There shall be ascertained at the close of each year all revenue expenditure (exclusive of interest) in connection with the loans fund during the year, including without prejudice to the said generality—

- (a) any expenses in connection with borrowing money (other than expenses of the creation and issue of stock),
- (b) any annual contribution to meet deferred charges, -so far as they relate to expenses of the creation and issue of stock,
- (c) any loss in connection with investments debited to the loans fund expenses account under rule 15 hereof, and any sums transferred to the credit of the loans fund reserve account from the loans fund expenses account under rule 16 hereof, and
- (d) any other expenses incurred in connection with the management or investment of the loans fund, including such proportion of the remuneration of officers and general administration expenses of the council as may reasonably be allocated to the fund;

and from the total expenditure so ascertained there shall be deducted—

- (a) any items of expenditure during the year which are specifically and properly chargeable to borrowing accounts of the council,
- (b) any profit in connection with investments credited to the loans fund expenses account during the year under rule 15 hereof, and
- (c) any fees or other revenue receipts of the loans fund;

and the balance remaining shall be apportioned among the borrowing accounts in the proportion which the advances to each borrowing account outstanding on the last day of the year bear to the total of all such advances at that date :

Provided that the council may in their discretion apportion the said balance among the borrowing accounts of the authority in proportion to the average amount of advances to each borrowing account during the year, so however that, if this method of apportionment is adopted, the amount of advances to each borrowing account shall be adjusted by monthly transfers between the loans fund and the several accounts, and the monthly amounts so ascertained for each account shall form the basis of calculating the average amount of advances to each borrowing account during the year.

Status: This is the original version (as it was originally enacted).

Balance Sheet, Certification of Accounts and Report by Auditor.

Balance sheet, certification of accounts and report by auditor.

- 20 A separate balance sheet of the loans fund of the council shall be prepared as at the close of each year, and the accounts relating to the loans fund as well as the balance sheet shall be certified as to the correctness thereof by the treasurer of the council, and the auditor of the accounts of the council shall at least once in every year make a report to the council setting forth—
- (a) the enactments (including this Act) and statutory orders under which sums have been borrowed by the council and advances made to the borrowing accounts of the council, and whether the council have duly paid into the loans fund the interest due by the borrowing accounts and the appropriate periodical sums required to be set aside for the repayment of advances made from the loans fund to the borrowing accounts; and
 - (b) whether the provisions of these rules have otherwise been duly complied with.

Miscellaneous.

Default by council.

- 21 In the event of it appearing at any time from a report by the auditor of the accounts of the council or otherwise that the council have failed duly to make payment of interest or of the appropriate periodical sums required to be set aside for the repayment of advances made from the loans fund as aforesaid, or that the provisions of these rules have otherwise not been duly complied with, it shall be competent for the Secretary of State to apply by petition to the Court of Session to have the council ordained to make such payment and to comply in such other manner with the provisions of these rules as may be necessary in the circumstances, and the Court are hereby authorised to do therein as shall appear to be just.

Investigation of loans fund.

- 22 Without prejudice to the provisions of the preceding rule, the Secretary of State may from time to time as he thinks fit cause an investigation to be made into the administration of the loans fund of the council, and the expenses of such investigation shall be defrayed by the council.

Loans fund regulations.

- 23 Notwithstanding anything in this Schedule, the Secretary of State may from time to time by regulations make such modifications in or additions to any of these rules as appear to him necessary or desirable and such regulations may apply generally or in the case of any particular council or class of council.

NINTH SCHEDULE

Section 315.

ENACTMENTS UNDER WHICH THE FUNCTIONS OF A COUNTY COUNCIL ARE SO FAR AS RELATING TO A LARGE BURGH TRANSFERRED TO THE TOWN COUNCIL OF THE BURGH.

- 1 The Explosives Acts, 1875 and 1923.
- 2 The Destructive Insects and Pests Acts, 1877 to 1927.
- 3 The Diseases of Animals Acts, 1894 to 1937.
- 4 The Blind Persons Act, 1920.
- 5 The Rats and Mice (Destruction) Act, 1919.
- 6 The Fertilisers and Feeding Stuffs Act, 1926.
- 7 The Wireless Telegraphy (Blind Persons' Facilities) Act, 1926.

TENTH SCHEDULE

Section 317.

PROVISIONS WITH RESPECT TO THE CONSTRUCTION OF ACTS AND DOCUMENTS AND OTHER MATTERS IN CASE OF TRANSFER OF FUNCTIONS.

- 1 All books, records and other documents relating exclusively to any function transferred by or by virtue of this Act shall be delivered to the transferee authority, who shall also have access at all reasonable times to any books, records or other documents relating in part to any function so transferred.
- 2 Any reference in any enactment or statutory order to the authority being the transferor authority under this Schedule shall, so far as necessary for the purposes of the transfer of functions by or by virtue of this Act, be construed as a reference to the authority being the transferee authority under this Schedule.
- 3 All contracts, deeds, agreements, regulations, byelaws, notices and other instruments and documents affecting any functions transferred by or by virtue of this Act, so far as relating to such transfer, shall be of full force and effect in favour of or against the transferee authority and may be enforced as fully and effectually as if instead of the authority named in the instrument or document the transferee authority had been a party thereto.
- 4 Where anything has been commenced by or under the authority of the transferor authority before the date on which the transfer takes effect and such thing is in relation to a function transferred by or by virtue of this Act, such thing, so far as relating to the transfer, may be carried on and completed by or under the authority of the transferee authority.
- 5 Where at the date on which the transfer takes effect any legal or other proceeding is pending to which a transferor authority are a party and such proceeding has reference to a function transferred by or by virtue of this Act, the transferee authority shall, so far as relating to the transfer, be substituted in such proceeding for the transferor authority, and such proceeding shall not lapse or abate by reason of the substitution.
- 6 Any cause of action by or against any transferor authority which exists at the date on which the transfer takes effect in relation to any function transferred by or by virtue of this Act shall not be prejudicially affected by the transfer, but may, so far

as relating to the transfer, be prosecuted or enforced by or against the transferee authority as successors of the transferor authority.

ELEVENTH SCHEDULE

Section 318.

PROVISIONS AS TO THE DETERMINATION AND PAYMENT OF COMPENSATION TO OFFICERS IN CASE OF TRANSFER OF FUNCTIONS.

Procedure for claiming compensation.

- 1 (1) For the purpose of enabling a claim for compensation to be assessed, the claimant shall deliver to the local authority with the claim a statement containing such particulars as may be prescribed.
- (2) The said statement shall be accompanied by a statutory declaration that it is a true statement to the best of the knowledge, information and belief of the claimant.
- (3) The local authority shall forthwith take the claim into consideration and assess the just amount of compensation, if any, and shall forthwith inform the claimant of their decision.
- (4) A claimant, if so required by any member of the local authority by notice sent by the clerk of the authority, shall attend at a meeting of the authority or of any committee appointed by the authority for the purpose, and answer on oath all questions asked by any member of the authority or committee touching the matters set forth in his claim and in the said statement, and shall further produce all books, papers and documents in his possession or under his control relating to the claim. The oath shall be administered in the case of a county council by the convener or vice-convener, in the case of a town council by the provost or acting chief magistrate, and in the case of a district council by the chairman of the council, or in any case by any justice of the peace present at the meeting.
- (5) If a local authority fail to inform any claimant of their decision on his claim within six months after it has been delivered to them, the Secretary of State may, on application made to him by the claimant, direct the authority to do so within such time not being less than one month as may be specified in the direction.
- (6) A claim for compensation against a local authority shall not be maintainable, unless it is delivered to the authority within two years of the date on which it is alleged to have arisen.

General considerations to be applied.

- 2 For the purpose of determining whether compensation is payable to an officer and, if so, the amount of such compensation, regard shall be had to—
 - (a) the conditions upon which his appointment was made;
 - (b) the nature of his office;
 - (c) all the other circumstances of the case.

Status: This is the original version (as it was originally enacted).

Power to award compensation by way of a lump sum.

- 3 Compensation shall be awarded by way of an annual sum unless the local authority and the claimant otherwise agree, in which case the compensation may be awarded by way of a lump sum representing the capital value of an annual sum.

Assessment of compensation for determination of whole-time office.

- 4 (1) The annual sum payable as compensation in respect of the determination of a whole-time office shall not exceed the aggregate of the following sums:—
- (i) for every year of the officer's service, one-sixtieth of an amount equal to the annual pecuniary loss which he has sustained by reason of the determination of the office;
 - (ii) in the case of service for twenty years or upwards, a sum equal to ten-sixtieths of the said amount;

in the case of service for fifteen years and less than twenty years, a sum equal to seven-sixtieths of the said amount;

in the case of service for ten years and less than fifteen years, a sum equal to five-sixtieths of the said amount;

in the case of service for five years and less than ten years, a sum equal to three-sixtieths of the said amount;

in the case of service for less than five years, a sum equal to one-sixtieth of the said amount; and
 - (iii) in the case of an officer who was appointed as a specially qualified person or who before his appointment had been employed (otherwise than in an office within the meaning of this Schedule) as a depute, assistant or clerk by a permanent officer for the purpose of the discharge of the latter's official duties, such additional sum, if any, not exceeding ten-sixtieths of the said amount as the local authority, in their discretion and in consideration of his special qualifications or of his previous employment, as the case may be, may think fit to award:

Provided that the compensation shall not in any event exceed two-thirds of the said amount.

- (2) In assessing the amount of any pecuniary loss sustained by an officer by reason of the determination of his office, regard shall be had as respects any emoluments either—
- (a) to the amount of those emoluments received by him in respect of that office immediately before the material date; or
 - (b) to the average amount of those emoluments received by him in respect of that office during the period of five years next before the material date, or such shorter period as may be reasonable in the circumstances.
- (3) In assessing the amount of any pecuniary loss sustained by an officer by reason of the determination of his office, regard shall also be had to—
- (a) any increase of the emoluments enjoyed by the officer at the material date which he has obtained in consequence of the transfer of functions; and
 - (b) the emoluments of any office or other public appointment which he would have obtained on or after that date if he had accepted an offer made to him.

Status: This is the original version (as it was originally enacted).

Assessment of compensation for determination of part-time office.

- 5 In the case of a claim for compensation in respect of the determination of a part-time office, the compensation, if any, which would have been payable if the office had been a whole-time office shall be reduced by one-quarter or by such other amount as may in the circumstances be reasonable:

Provided that no reduction shall be made in the case of an officer who immediately before the material date held two or more offices and who devoted the whole of his time to the duties of such offices.

Assessment of compensation for diminution of emoluments.

- 6 In the case of an officer who suffers any diminution of the emoluments of an office, the compensation shall not exceed a sum bearing the same proportion to the amount of compensation which could have been awarded if his office had been determined as the amount by which the emoluments of the office are diminished bears to the amount of those emoluments before diminution.

Rules for computing period of service.

- 7 (1) In computing the period of service of an officer for the purposes of assessing any compensation payable to him, account shall, subject to the provisions of the subparagraphs of this paragraph, be taken of all the service in any capacity of the officer under any local authority, whether he was appointed annually or otherwise.
- (2) Where the material date has occurred at any time other than the expiration of a complete year of an officer's service, the portion then expired of that year shall be treated as a complete year if it exceeds six months and, if it does not, shall be ignored.
- (3) Where the claim is in respect of the loss of a whole-time office or of two or more offices which in the aggregate involve the whole-time service of the officer, any previous period of part-time service shall be treated as though it were whole-time service for a proportionately reduced period.
- (4) Where the claim is in respect of the loss of one or some only of several offices held by the officer, account shall not be taken of service in an office which the officer continues to hold unless throughout the period of his service in that office he devoted the whole of his time to the duties of the several offices held by him.
- (5) Where the claim is in respect of the loss of an office held by an officer who while holding that office was also employed in an office the employment in which is ordinarily regarded as full-time employment, no account shall be taken of service in the last-mentioned office.
- (6) If an officer was temporarily absent from his office during any war whilst serving in His Majesty's forces or the forces of any Allied or Associated Powers or on any other form of war service within the meaning of the Local Government Staffs (War Service) Act, 1939, such period of temporary absence shall be reckoned as service under that authority:

Provided that in the case of an officer who after the eleventh day of November nineteen hundred and eighteen voluntarily extended his term of service in the forces, no period of absence during any such extension shall be reckoned.

Right of appeal.

- 8 An appeal may be submitted to the Secretary of State—
- (a) by a claimant who is aggrieved by the failure of a local authority to inform him of their decision upon his claim within the time required by any direction of the Secretary of State or by the refusal of the authority to grant any compensation or by the amount of compensation assessed, within three months after the failure or after the date on which he receives notice of the decision of the authority, as the case may be, and
 - (b) if not less than one-third of the members of a local authority subscribe to a protest against the amount of compensation granted by the authority as being excessive, by any subscriber to the protest, within three months after the decision of the authority,
- and the Secretary of State shall consider the case and determine whether any compensation and if so what amount ought to be granted to the claimant, and his determination shall be final.

Date on which compensation commences.

- 9 The sum payable as compensation shall be or commence to be payable at the date fixed by the local authority on granting compensation or, in the case of appeal, by the Secretary of State, and shall be recoverable as a debt due from the authority.

Suspension of compensation.

- 10 (1) If a person receiving compensation in pursuance of the provisions of this Act—
- (a) obtains any office or other public appointment, or
 - (b) receives by virtue of anything done in consequence of the transfer of functions any increase of the emoluments which were enjoyed by him at the date as at which the compensation was assessed,
- he shall not, so long as he holds that office or other public appointment or receives those increased emoluments, be entitled to receive any greater sum by way of compensation in respect of the office for which compensation is awarded than would make up the amount, if any, by which the emoluments which he is receiving fall short of the emoluments of the office in respect of which compensation was awarded:
- Provided that where a person held two or more offices at the date as at which the compensation was assessed or has been awarded compensation in respect of two or more offices, the Secretary of State may, on the application of that person or of any authority by whom the compensation is payable, modify the operation of the foregoing sub-paragraph in relation to that person so far as is in the opinion of the Secretary of State necessary in order equitably to meet the circumstances of the case.
- (2) Where an officer to whom compensation has been awarded in pursuance of the provisions of this Act subsequently becomes entitled to a superannuation allowance in respect of any office or other public appointment which he has accepted after the material date, and in calculating the amount of such allowance account is taken of any period of service in respect of which compensation is payable, then if the compensation does not exceed such part of the superannuation allowance as is attributable solely to that service, the compensation shall cease to be payable, and if it exceeds such part of the superannuation allowance as aforesaid, it shall be reduced by an amount equal to that part of the allowance.

Forms.

- 11 The Secretary of State may prescribe the form of any notice, statement, award or other document to be used in connection with a claim for compensation, and the forms so prescribed or forms substantially to the like effect shall be used in all cases to which the forms are applicable.

Interpretation.

- 12 For the purposes of this Schedule—
- " Public appointment " means any employment the emoluments of which are payable out of public funds;
 - " Service " means whole-time or part-time service in any office after the officer has attained the age of eighteen years;
 - " Material date " means the date on which the determination of office or diminution of emoluments, as the case may be, takes effect.

TWELFTH SCHEDULE

Section 338.

MAXIMUM RATES OF ALLOWANCES IN RESPECT OF TRAVELLING AND OTHER PERSONAL EXPENSES NECESSARILY INCURRED AND TIME NECESSARILY LOST FROM ORDINARY EMPLOYMENT BY MEMBERS OF A COUNTY COUNCIL OR OF ANY COMMITTEE OR SUB-COMMITTEE THEREOF IN ATTENDING MEETINGS.

PART I

Travelling Expenses.

A sum representing the amount of third-class railway fare or first-class steamer fare between the place of meeting and the ordinary place of residence of the member of the council, committee or sub-committee. In so far as there is no railway service but a public service by some other means of transport is available, the amount of the fare by such other means of transport, and in so far as there is no railway or other public means of transport, the cost of a hired conveyance if such cost is approved by the council.

PART II

Other Personal Expenses.

- (a) When attendance at the meeting has entailed absence from the ordinary place of residence of the member of not less than four hours, the sum of three shillings and fourpence.
- (b) Where such attendance has entailed an absence from the ordinary place of residence of the member of not less than eight hours, the sum of six shillings and eightpence.
- (c) Where such attendance has entailed one or more nights of absence from the ordinary place of residence of the member, the sum of one pound for each night necessarily spent away from home. Each such payment of one pound shall cover a period of twenty-four hours, and paragraph (a) or (b), as the case may be, shall apply in the case of any further period of absence of less than twenty-four hours.

Status: This is the original version (as it was originally enacted).

PART III

Time Necessarily Lost from Ordinary Employment.

The sum of seven shillings and sixpence for each half-day, and the sum of fifteen shillings for each full day, necessarily so lost

THIRTEENTH SCHEDULE

Section 378.

ENACTMENTS CEASING TO HAVE EFFECT.

Session and Chapter.	Short Title.	Extent to which enactment shall cease to have effect.
20 & 21 Vict. c. 70.	The Boundaries of Burghs Extension (Scotland) Act, 1857.	The Act so far as relating to the extension of the boundaries of burghs.
20 & 21 Vict. c. 71.	The Lunacy (Scotland) Act, 1857.	Section fifty-seven (which provides for the county making over asylum to the district board having deduction from amount of - assessment.
25 & 26 Vict. c. 54.	The Lunacy (Scotland) Act, 1862.	Section ten (which provides for counties or parishes providing asylum accommodation to be relieved from assessments).
38 & 39 Vict. c. 17.	The Explosives Act, 1875.	In section seventy-two (which relates to the provision of magazines by local authorities) the words " in the case of a " council of the Treasury and ".
39 & 40 Vict. c. 49.	The Burghs Gas Supply (Scotland) Act, 1876.	In section five (which relates to the approval of a resolution to adopt the Act) the words from "and in the event of" to the end of the section.
52 & 53 Vict. c. 56.	The Local Government (Scotland) Act, 1889.	In section fourteen (which relates to the transfer of administration of certain Acts in burghs under 7,000) the words from " Provided also that if " to the end of the section

Status: This is the original version (as it was originally enacted).

Session and Chapter.	Short Title.	Extent to which enactment shall cease to have effect.
		<p>Section fifteen (which relates to the transfer to county councils of powers of certain Government Departments and other authorities).</p> <p>In section thirty (which relates to election of councillors in a county), in subsection (7), the words from " and shall at the " same time " to the end of the subsection.</p> <p>In section fifty-one (which relates to alteration of boundaries of areas) paragraph (b), and paragraph (c) so far as it relates to the alteration of the boundaries of any burgh.</p> <p>In section fifty-five (which confers power on the county council to enforce the provisions of the Rivers Pollution Prevention Act, 1876) in subsection (3), the words " by provisional order " made on the application of the " council of any of the counties "and burghs concerned."</p> <p>Section sixty-one (which relates to proceeding for determining questions as to transfer of powers).</p> <p>Section sixty-three (which relates to power to modify regulations as to rating).</p> <p>Section sixty-four, so far as it relates to inspection of estimates and making copies thereof or extracts therefrom.</p> <p>In section sixty-seven (which relates to borrowing by a county council) in subsection (4), the words " but not to an amount " greater</p>

Status: This is the original version (as it was originally enacted).

Session and Chapter.	Short Title.	Extent to which enactment shall cease to have effect.
54 & 55 Vict. c. 34.	The Local Authorities Loans (Scotland) Act, 1891.	Extent to which enactment shall cease to have effect. than one-half of such " part of such rates." In section seventy-five (which relates to payments out of the county fund) subsection (4).
54 & 55 Vict. c. 52.	The Public Health (Scotland) Amendment Act, 1891.	The whole Act (which provides facilities for the raising of money by local authorities) so far as applying to district councils. Section six (which relates to the power to abolish certain special water districts).
55 & 56 Vict. c. 55.	The Burgh Police (Scotland) Act, 1892.	Section eleven (which relates to revision of boundaries of burghs) so far as applying to large burghs. Section twelve (which enables municipal boundaries to be extended to police boundaries and police boundaries to municipal or parliamentary boundaries). Sections forty-five and forty-six (which provide for conferring special powers by provisional orders). Section two hundred and twenty-six (which relates to the preparation of estimates before execution of works). In section three hundred and six (which relates to the procedure and restrictions in cases of special orders) the words from " Provided always ", where those words first occur, to the end of the section. Section three hundred and eighteen (which relates to bye-laws to be confirmed) so far as it requires byelaws to be confirmed by the sheriff.

Status: This is the original version (as it was originally enacted).

Session and Chapter.	Short Title.	Extent to which enactment shall cease to have effect.
56 & 57 Vict. c. 8.	The Local Authorities Loans (Scotland) Act, 1891, Amendment Act. 1893.	<p>In section three hundred and forty (which relates to town councils levying the burgh general assessment) the words from " and the rate of assessment" to "circulating therein."</p> <p>Section three hundred and sixty-three (which relates to separate districts in burghs bearing their share of expenses).</p> <p>In section three hundred and seventy-three (which relates to exemptions and savings) subsection (3) so far as it applies to large burghs.</p> <p>In section three hundred and seventy-three, in subsection (3), as respects small burghs, the words "or its not" to the end of the subsection.</p> <p>In section three hundred and seventy-four (which relates to the power of town councils to borrow money) the words from " or until the expiration " to the end of the section.</p>
60 & 61 Vict. c. 38.	The Public Health (Scotland) Act, 1897.	<p>The whole Act so far as applying to district councils.</p> <p>Section one hundred and thirteen, (which relates to estimates for work).</p>
63 & 64 Vict. c. 49.	The Town Councils (Scotland) Act, 1900.	<p>In section ten (which relates to number of magistrates and councillors) the words from " In burghs " to the end of the section.</p> <p>In section fifty-three (which relates to notice to councillors of their election) the words from " and require them" to the end of the section.</p>

Status: This is the original version (as it was originally enacted).

Session and Chapter.	Short Title.	Extent to which enactment shall cease to have effect.
3 Edw. 7. c. 33	The Burgh Police (Scotland) Act, 1903.	Section forty-two (which provides for town councils in certain burghs having powers of dean of guild court). In section one hundred and four, in subsection (2), paragraph (v) (which relates to period of advertisement for borrowing:).
8 Edw. 7. c. 62	The Local Government (Scotland) Act, 1908.	In section three (which relates to the power to provide county buildings and dwellings) subsection (6).
6 & 7 Geo. 5. c. 12.	The Local Government (Emergency Provisions) Act, 1916.	In section twenty-two (which relates to the application of the Act to Scotland) subsection (2).
6 & 7 Geo. 5. c. 69.	The Public Authorities and Bodies (Loans) Act, 1916.	The whole Act (which provides for borrowing by certain authorities by means of the issue of bearer bonds and other securities to bearer).
14 & 15 Geo. 5. c. 36.	The Local Authorities Loans (Scotland) Act, 1924.	The whole Act (which amends the Local Authorities Loans (Scotland) Acts, 1891 and 1893) so far as applying to district councils.
19 & 20 Geo. 5. c. 25.	The Local Government (Scotland) Act, 1929.	In section two (which relates to transfers of functions to county councils) subsection (2).

FOURTEENTH SCHEDULE

Section 381.

ENACTMENTS REPEALED.

Session and Chapter.	Short Title.	Extent of Repeal.
6 Geo. 4. c. 22	The Jurors (Scotland) Act, 1825.	In section two, the words " all " magistrates of royal burghs."
8 & 9 Vict. c. 83.	The Poor Law (Scotland) Act, 1845.	In section nine, the words from " and also by a

Status: This is the original version (as it was originally enacted).

Session and Chapter.	Short Title.	Extent of Repeal.
17 & 18 Vict. c. 80.	The Registration of Births, Deaths and Marriages (Scotland) Act, 1854.	<p>summons " to the end of the section.</p> <p>Sections ten to thirteen, so far as unrepealed.</p> <p>Sections sixteen and seventeen.</p> <p>In section thirty, the words from the beginning of the section to " provided always that ".</p> <p>Section thirty-three.</p> <p>Section forty-six.</p> <p>Section fifty-three.</p> <p>In section sixty-two, the words from " and for the more " to the end of the section, so far as unrepealed.</p> <p>Section eighty-seven.</p> <p>In section fifty, the words from " and it shall be lawful " to "sheriff may direct."</p>
17 & 18 Vict. c. 91.	The Lands Valuation (Scotland) Act, 1854.	<p>In section fifty-one, the words " out of the assessment to " be levied as hereinbefore " directed " and the word "which" where that word second occurs.</p> <p>In section three, the words from " and every such assessor shall " be removable " to the end of the section.</p> <p>In section eighteen, the words after the words "the just "amount thereof" to the end of the section.</p> <p>Section thirty-one.</p> <p>Section thirty-six, so far as unrepealed.</p>
18 & 19 Vict. c. 68.	The Burial Grounds (Scotland) Act, 1855.	<p>In section fourteen, the words from "and the proportion " to "in manner after-mentioned ".</p>

Status: This is the original version (as it was originally enacted).

Session and Chapter.	Short Title.	Extent of Repeal.
20 & 21 Vict. c. 42.	The Burial Grounds (Scotland) Act, 1857.	In section, twenty-six, the words from "to be levied " to the end of the section. In section twenty-seven, the words from ".and to .charge " to the end of the section. Sections twenty-nine and thirty.
20 & 21 Vict. c. 70.	The Boundaries of Burghs Extension (Scotland) Act, 1857.	The whole Act, so far as unrepealed.
20 & 21 Vict. c. 71.	The Lunacy (Scotland) Act, 1857.	The whole Act.
		In section fifty-two, the words from " and all the powers " to the end of the section. In section fifty-three, the words from " and it shall be lawful " to the end of the section. Section fifty-seven. In section sixty-one, the words from "on the security" to " any part thereof ", the words from " in such district " to , " within the same", and the words from " and every such security " to the end of the section. Sections sixty-two to sixty-seven. In section sixty-eight, the words from " and it shall be the duty " to " respectively ". Section seventy-two. Section seventy-four. Schedule (K).
20 & 21 Vict. c. 72.	The Police (Scotland) Act, 1857.	Sections two and three. In section four, the words from the beginning of the section to " Secretary of State," the words " on not less than ten or more " than

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Session and Chapter.	Short Title.	Extent of Repeal.
20 & 21 Vict. c. 73.	The Smoke Nuisance (Scotland) Act, 1857.	<p>twenty days' notice," the words " according to the "rules," and the words "as " aforesaid."</p> <p>In section twenty-eight, the word " such," the words " as may be " allowed by the rules to be " established under this Act." and the words " out of the " police assessments to be made " and levied by them in terms " of this Act."</p> <p>Sections twenty-nine to thirty-three.</p> <p>Sections forty to forty-three.</p> <p>Section fifty.</p> <p>In section fifty-four, the words from " provided always that " in " to the end of the section.</p>
21 & 22 Vict. c. 90.	The Medical Act, 1858.	<p>In section twelve, the words from "to be levied " to the end of the section. .</p> <p>In section thirty-six, the words "or as a medical officer of " health ".</p>
22 & 23 Vict. c. 66.	The Sale of Gas Act, 1859.	Section seven.
23 & 24 Vict. c. 79.	The Sheriff Court Houses (Scotland) Act, 1860.	<p>Section twelve.</p> <p>In section fifteen, the words from ."as herein provided " to the end of the section.</p> <p>Sections nineteen to twenty-one.</p> <p>Sections twenty-three to twenty-five.</p> <p>In section twenty-six, the words " on .bonds or mortgage", and the words from " any sum not " exceeding" to the end of the section.</p> <p>Sections twenty-seven and twenty-eight.</p>

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Session and Chapter.	Short Title.	Extent of Repeal.
23 & 24 Vict. c. 85.	The Registration of Births, Deaths and Marriages (Scotland) Act, 1860.	In section eight, the words from "and the cost" to "first " recited Act ", and the word " aforesaid."
24 & 25 Vict. c. 18.	The Poor Law (Scotland) No. 1 Act, 1861.	The whole Act.
24 & 25 Vict. c. 69.	The Tramways (Scotland) Act, 1861.	In section eight, the words " on "the credit ; of such tolls and revenues ", the words from "and to grant" to " notwithstanding", and the words from "Provided that" to the end of the section.
25 & 26 Vict. c. 54.	The Lunacy (Scotland) Act, 1862.	Section ten. Sections twelve and thirteen.
26 & 27 Vict. c. 108.	The Vaccination (Scotland) Act, 1863.	In section six, the words from " including any share " to the end of the section. In section sixteen, the, words from " and the sums " to the end of the section. Section twenty-eight
29 & 30 Vict. c. 51.	The Lunacy (Scotland) Act, 1866.	In section twenty-seven, the words from " on the security " to the end of the section.
31 & 32. Vict. c. 82.	The County General Assessment (Scotland) Act, 1868.	The whole Act, so far as unrepealed.
33 & 34 Vict. c. 37.	The Magistrates (Scotland) Act, 1870.	The whole Act, so far as unrepealed.
33 & 34 Vict. c. 42.	The Burgh Customs (Scotland) Act, 1870.	In section two, the words from " but not exceeding " to " boundaries of such burgh ", and the words from " and such rate " to " leviable within such burgh."
33 & 34 Vict. c. 78.	The Tramways Act, 1870.	In section twenty, the words " and take up at interest on the "credit of such local . rate ", and the words from " and for " the purpose of securing " to " and the local authority ". In section forty-three, the words " out Of the "tike rate "

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Session and Chapter.	Short Title.	Extent of Repeal.
34 & 35 Vict. c. 56.	The Dogs Act, 1871.	<p>and " on " the security of the same ".</p> <p>In section forty-four, the words from " may pay " to "for such purposes</p> <p>In section five, the words " and "local rate," and the words " and the rate mentioned in the " third column."</p> <p>In the Schedule, the entries in the third column so far as relating to the town council or the police commissioners.</p>
34 & 35 Vict. c. 96.	The Pedlars Act, 1871.	<p>In section twenty, in proviso 6, the words " in aid of the county general assessment" and the words "in aid of the police funds."</p> <p>In section twenty-one, the words " police assessment levied for " support of the police of the ", and the words " in aid of such " assessment."</p>
35 & 36 Vict. c. 33.	The Ballot Act, 1872.	<p>In section fourteen, the words " municipal or ".</p> <p>Sections twenty to twenty-two.</p> <p>In section twenty-four, the words "and municipal" wherever those words occur, and the words " or at a municipal election ".</p> <p>In section twenty-nine, paragraph (b) in the definition of the expression " Municipal " Corporation Acts ", and paragraph (b) in the definition of the expression " municipal election ".</p> <p>In the First Schedule, in Part II, paragraphs 64 and 65.</p> <p>In the Second Schedule, the note regarding the form</p>

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Session and Chapter.	Short Title.	Extent of Repeal.
35 & 36 Vict. c. 91.	The Borough Funds Act, 1872.	of nomination paper in a municipal election. The whole Act, so far as unrepealed.
38 & 39 Vict. c. 17.	The Explosives Act, 1875.	In section seventy, the words from "In a borough " to "borough " rate ", the words from ." In " any place " to " county rate ", and the words from "and the " local rate " to the end of the section. In section seventy-two, the words from "acquire any land" to "to them and", the words from "Such sums shall be "applied " to " out of the local "rate", the words "on the " security of the local rate " and the words from " Any such " loan" to "to include any " right over land ", except so far as relates to harbour authorities. In section one hundred and nine, subsection (11), except so far as relates to harbour authorities. In section one hundred and eleven, paragraphs (a) and (c), and the words from " the rates or " assessments " to - the end of the section, except so far as relates to harbour authorities. In section one hundred and twelve, the words from " provided that" to the end of the section.
39 & 40 Vict. c. 49.	The Burghs Gas Supply (Scotland) Act, 1876.	In section five, the words from " and in the event of " to the end of the section. In section six, the words from the beginning of the section to " powers of this Act ". Section eight. Sections ten to thirteen.

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Session and Chapter.	Short Title.	Extent of Repeal.
39 & 40 Vict. c. 75.	The Rivers Pollution Prevention Act, 1876.	<p>Sections fifteen to seventeen.</p> <p>In section eighteen, the words from " and may purchase " to " for these purposes ".</p> <p>Section nineteen.</p> <p>In section twenty-seven, the words " on mortgage ", and the words from " and to grant" to the end of the section.</p> <p>Sections twenty-eight to thirtyone.</p> <p>In section thirty-two, in paragraph 1, the words " or mortgagee ", and the words " or " interest on a mortgage", paragraph 2, in paragraph 3, the words " or mortgagees" and the words " or interest on "mortgages,"-and paragraph 4.</p> <p>In section thirty-three, the words " whether ", " principal ", and " or interest ".</p> <p>Sections thirty-four and thirty-five.</p> <p>In section thirty-eight, the words " under the provisions and ".</p> <p>Sections thirty-nine and forty.</p> <p>In section forty-one, the words " required by this Act ".</p> <p>Schedules (C), (D) and (E).</p> <p>In section eight, the paragraph commencing " Any expenses " incurred ".</p> <p>In section fourteen, the words from the beginning of the section to " such order and ".</p> <p>Section fifteen.</p> <p>In section twenty-one, subsections (3), (8) and (g).</p>

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Session and Chapter.	Short Title.	Extent of Repeal.
40 & 41 Vict. c. 53.	The Prisons (Scotland) Act, 1877.	Sections twenty-four and twenty-five. In section fifty-five, the words from " as one loan " to the end of the section. Section fifty-six. Section sixty. Section sixty-three.
40 & 41 Vict. c. 68.	The Destructive Insects Act, 1877.	In section four, the words from " the expenses incurred " to " local rate ".
41 & 42 Vict. c. 8.	The Public Parks (Scotland), Act, 1878.	In section five, the words from the beginning of the section to " Provided that," and the words " in terms of this section ". Section seven. Section thirteen. In section fourteen, the words from " on the security ", where first occurring, to the end of the section. Section fifteen. Sections sixteen to twenty. Sections twenty-two to twenty-four. In section twenty-seven, the words from " The Lands Clauses ", where those words first occur, to " 1860 " and the words from " sell " to " inner house thereof."
41 & 42 Vict. c. 49.	The Weights and Measures Act, 1878.	Section fifty so far as relating to a local rate. Section fifty-one. Fourth Schedule so far as relating to a local rate.
41 & 42 Vict. c. 51.	The Roads and Bridges (Scotland) Act, 1878.	Section thirty-four. In section forty-nine, the words from " and to the clerk" to " district respectively", and the words

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Session and Chapter.	Short Title.	Extent of Repeal.
		<p>from " and each " district committee " to the end of the section.</p> <p>Section fifty.</p> <p>Section fifty-two.</p> <p>Sections fifty-four and fifty-five.</p> <p>In section fifty-eight, the words from "at a meeting" to "of " the meeting ", the words from " and many require " to "of the same ", and the words from " and the expense " to " fifty " years ".</p> <p>Section seventy-four.</p> <p>In section seventy-five, the words from " on the security" to " respective boundaries", the word " such " occurring between the words " off " and " debts ", and the words from " and such " moneys may be borrowed " to the end of the section.</p> <p>Sections seventy-six to seventy-nine.</p> <p>Section eighty-two.</p> <p>Section eighty-six.</p> <p>In section eighty-seven, the words " in aid of the assessment " authorised to be imposed by " this Act", and the words " under the provisions of this Act".</p> <p>In section eighty-eight, in subsection (3), the words from " and after hearing " to the end of the subsection, and subsection (6).</p> <p>In section ninety, in subsection (2), the words from " and after " hearing" to the end of the subsection, and subsection (5).</p>

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Session and Chapter.	Short Title.	Extent of Repeal.
44 & 45 Vict. c. 6.	The Local Taxation Returns (Scotland) Act, 1881.	In section ninety-three, the words from " on the security " to the end of the section. Sections one hundred and five and one hundred and six. Section one hundred and ten. Sections one hundred and seventeen and one hundred and eighteen. Schedule (B) No. 1. Schedule (B) No. 2.
45 & 46 Vict. c. 56.	The Electric Lighting Act, 1882.	The whole Act.
46 & 47 Vict. c. 52.	The Bankruptcy Act, 1883.	Section seven. In section eight, the words from " on such security " to " stock " as aforesaid ", excepting so far as the section relates to gas commissioners.
47 & 48 Vict. c. 42.	The Sheriff Court Houses (Scotland) Amendment Act, 1884.	In section thirty-two, in subsection (1), paragraph (d), and in paragraph (e), the words " school board ". In section thirty-four, the words "councillor" and "school "board".
48 & 49 Vict. c. 10.	The Election (Hours of Poll) Act, 1885.	In section six, the words from " and in the case ", where those words first occur, to " police " assessment levied therein " .
49 & 50 Vict. c. 51.	The Poor Law Loans and Relief (Scotland) Act, 1886.	The whole Act, except so far as relates to parliamentary elections.
50 & 51 Vict. c. 39.	The Lunacy Districts (Scotland) Act, 1887.	Sections one to three. The Schedule. Section three. In section five, the words from " and all assessments " to the end of the section.

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Session and Chapter.	Short Title.	Extent of Repeal.
50 & 51 Vict. c. 42.	The Public Libraries Consolidation (Scotland) Act, 1887.	<p>In section two, the words from " library rate " to " execution " .</p> <p>In section six, the words " on " the security of the library " rate to be afterwards levied " .</p> <p>Sections seven to nine.</p> <p>In section ten, the word " appropriate " , the words from " any " lands " to " herein provided " , and the words from " upon the " land " to " purchased " .</p> <p>Sections eleven to thirteen.</p> <p>In section fourteen, the words from "at interest" to " purposes thereof " , and the words from " and on repayment " to the end of the section.</p> <p>Sections fifteen and sixteen.</p> <p>In section thirty, the words from " shall provide " to " levied by " them and " .</p>
52 & 53 Vict. c. 50.	The Local Government (Scotland) Act, 1889.	<p>Sections three to six.</p> <p>Sections eight to ten, so far as unrepealed.</p> <p>In section fourteen, the words from " Provided also that if " to the end of the section.</p> <p>Section fifteen.</p> <p>In section sixteen, in subsection (2), paragraphs (b) and (d).</p> <p>Sections twenty-five to twenty-seven, so far as unrepealed.</p> <p>Part V, so far as unrepealed.</p> <p>In section thirty-seven, subsections (3) to (6).</p> <p>Section thirty-eight.</p> <p>In section thirty-nine, the words from the beginning of</p>

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Session and Chapter.	Short Title.	Extent of Repeal.
		<p>the section to " (that is to say) ", and subsections (2) to (6).</p> <p>In section forty-one, the words from the beginning of the section to the end of paragraph (e), in paragraph (f), the words " without prejudice to the provisions of sections twenty-five " and twenty-six of this Act ", and paragraph (g).</p> <p>Sections forty-three and forty-four.</p> <p>Sections forty-nine to fifty-two, so far as unrepealed.</p> <p>Section fifty-four.</p> <p>In section fifty-five, subsection (3).</p> <p>Sections fifty-six and fifty-seven</p> <p>Sections fifty-nine to sixty-five.</p> <p>In section sixty-seven, in subsection (1), the words from " on " the security " to " provisions " of this Act; and ", and subsections (2) to (6).</p> <p>Section sixty-eight, so far as unrepealed.</p> <p>Sections seventy-one and seventy-two.</p> <p>In section seventy-three, subsections (1) to (5), and sub-section (7).</p> <p>Sections seventy-four to seventy-six.</p> <p>Section eighty-one.</p> <p>Sections eighty-three and eighty-four.</p> <p>Sections eighty-nine to ninety-six.</p>

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Session and Chapter.	Short Title.	Extent of Repeal.
		<p>Sections ninety-eight to one hundred and one.</p> <p>Section one hundred and four.</p> <p>In section one hundred and five, the words from "The expression " parish " to "ninety-one, " and any Acts amending the " same ", and the definitions of the expressions "Summary " Jurisdiction Acts ", " rate-payer ", " owner ", " costs ", " rate " and pension ".</p> <p>Sections, one hundred and nineteen to one hundred and twenty-one.</p> <p>The Schedule.</p>
52 & 53 Vict. c. 72.	The Infectious Diseases (Notification) Act, 1889.	<p>Section nine.</p> <p>In section eleven, the words from the beginning of the section to " or parochial office ".</p>
53 & 54 Vict. c. 11.	The Municipal Elections (Scotland) Act, 1890.	The whole Act.
53 & 54 Vict. c. 13.	The Electric Lighting (Scotland) Act, 1890.	In the Schedule, the entries in the fourth, fifth, sixth and seventh columns, excepting the entries in those columns relating to gas commissioners.
53 & 54 Vict. c. 55.	The Elections (Scotland) (Corrupt and Illegal Practices) Act 1890.	<p>Sections forty-four and forty-five.</p> <p>In section fifty-two, subsection (2).</p>
53 & 54 Vict. c. 71.	The Bankruptcy Act, 1890.	In section nine, the words from " It is hereby declared " to the end of the section.
54 & 55 Vict. c. 32.	The Roads and Streets in Police Burghs (Scotland) Act, 1891.	In section six, the words from " out of the rate " to the end of the section.
54 & 55 Vict. c. 34.	The Local Authorities Loans (Scotland) Act, 1891.	The whole Act.

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Session and Chapter.	Short Title.	Extent of Repeal.
54 & 55 Vict. c. 52.	The Public Health (Scotland) Amendment Act, 1891.	Section six.
55 & 56 Vict. c. 12.	The Roads and Bridges (Scotland) Amendment Act, 1892.	Section three.
55 & 56 Vict. c. 31.	The Small Holdings Act, 1892.	In section three, subsection (1). In section sixteen, in subsection (1), the words from " Provided " that " to the end of the subsection. In section eighteen, subsection (2). In section nineteen, the words from " in accordance with " in subsection (1) to the end of the section. In section twenty-one, subsection (8).
55 & 56 Vict. c. 43.	The Military Lands Act, 1892.	Section four. Section seven, so far as relating to a local authority. In section twenty-five, subsection (2), and in subsection (3), the words from " may borrow in " like manner " to " 1889 ", the words "in like manner as they ", where those words second occur, and the words " under section " fourteen " to the end of the subsection.
55 & 56 Vict. c. 54.	The Allotments (Scotland) Act, 1892.	In section three, subsection (1) Section eleven.
55 & 56 Vict. c. 55.	The Burgh Police (Scotland) Act, 1892.	In section four, subsections (1), (14), (15), (16), (18) and (26), and in subsection (30), the words from " (1) The duty " to " of land (3) ". Sections seven to thirteen. Sections sixteen to nineteen. In section twenty, the words from the beginning of the

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Session and Chapter.	Short Title.	Extent of Repeal.
		<p>section to " management is transferred ".</p> <p>Sections twenty-one to twenty-three.</p> <p>Sections twenty-five and twenty-six.</p> <p>In section twenty-seven, subsection (1).</p> <p>In section forty-two, the words from " but without prejudice " to the end of the section.</p> <p>Section forty-three.</p> <p>Section forty-five, so far as unrepealed.</p> <p>Sections forty-six to forty-nine.</p> <p>In section fifty-five, subsections (1), (3) and (4), subsection (5), so far as unrepealed, and in subsection (6), the words " by " the sheriff wherever those words occur.</p> <p>Sections fifty-seven to fifty-nine.</p> <p>Sections seventy-three to seventy-seven.</p> <p>In section ninety-seven, the words " out of the burgh general " assessment".</p> <p>In section one hundred and three, the words " out of the burgh " general assessment".</p> <p>In section one hundred and forty-nine, the words from " out of " the " to the end of the section.</p> <p>In section one hundred and fifty, the words " out of the burgh " general assessment".</p> <p>In section one hundred and fifty-one, the words " levied under " this Act" where first</p>

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Session and Chapter.	Short Title.	Extent of Repeal.
		<p>occurring, and the words " out of " the assessments levied under " this Act ".</p> <p>In section one hundred and fifty-four, the words from " and " they may re-sell" to "for " such purposes", and the words from " and the expense", where those words first occur, to "to be levied", where those words first occur, and the words from " and the expense ", where those words second occur, to the end of the section.</p> <p>In section one hundred and fifty-eight, the words from " and " shall form " to the end of the section.</p> <p>In section two hundred and one, the words from the beginning of the section, to "as herein" after provided ".</p> <p>Sections two hundred and two to two hundred and six.</p> <p>In section two hundred and thirteen, the words, " out of the " burgh general assessment ".</p> <p>Section two hundred and twenty-six.</p> <p>In section two hundred and thirty-six, the words from " and " on the security " to " general " sewer rates " where first occurring, and the words from " and " to assign " to the end of the section.</p> <p>In section two hundred and fifty, the words " or police assessment books ".</p> <p>In section two hundred and seventy-eight, the words from " on the security of where those words first occur, to " one " or more thereof", and the words from " And</p>

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Session and Chapter.	Short Title.	Extent of Repeal.
		<p>where in " to " money on the security of the " burgh general assessment " .</p> <p>In section two hundred and eighty-one, the words "to be " confirmed in the manner " herein provided " .</p> <p>In section three hundred and six, the words from " Provided " always " , where those words first occur, to the end of the section.</p> <p>In section three hundred and eight, the words from " levied " under " to " 1878, " .</p> <p>In section three hundred and fourteen, the words from " and " sell the lands " to the end of the section.</p> <p>In section three hundred and fifteen, the words " a public " hall " to " court-hall and " , the words from " or may " acquire" to " and fitting " up " , the words from " upon " the security " to " improvement assessment " , and the words " as hereinafter provided " with regard to the borrowing " of money " .</p> <p>In section three hundred and sixteen, the words from " The " Commissioners may from " time to time repeal " to the end of the section.</p> <p>Sections three hundred and seventeen to three hundred and twenty-four.</p> <p>Sections three hundred and thirty-six to three hundred and thirty-eight.</p> <p>Section three hundred and thirty-nine, so far as relating to provisions of the Act repealed by this Act.</p>

Status: This is the original version (as it was originally enacted).

Session and Chapter.	Short Title.	Extent of Repeal.
		<p>Section three hundred and forty, so far as unrepealed.</p> <p>In section three hundred and forty-one, the words " Out of " the burgh general assessment", where those words first occur, the words from " or, " if the Commissioners" to " being established to their " satisfaction ", and the words from " out of the burgh ", where those words second occur, to " assessment as aforesaid ".</p> <p>Sections three hundred and forty-two to three hundred and forty-five.</p> <p>Sections three hundred and forty-eight to three hundred and sixty.</p> <p>Section three hundred and sixty-three.</p> <p>In section three hundred and sixty-nine, the words from " in " the same way ", where they first occur, to the end of the section.</p> <p>Sections three hundred and seventy and three hundred and seventy-one.</p> <p>Section three hundred and seventy-three.</p> <p>In section three hundred and seventy-four, the words " and " take up", the words from " or for repayment " to " the " lenders thereof", and the words from " Provided always " that in " to the end of the section.</p> <p>Section three hundred and seventy-five.</p> <p>Sections three hundred and seventy-seven to three hundred -and seventy-nine.</p>

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Session and Chapter.	Short Title.	Extent of Repeal.
		<p>In section four hundred and fifty-five, in paragraph (4), the words " out of the burgh general " assessment " .</p> <p>Sections four hundred and sixty to four hundred and sixty-two.</p> <p>Section five hundred and eighteen.</p> <p>Schedule VIII.</p>
56 & 57 Vict. c. 8.	The Local Authorities Loans (Scotland) Act, 1891, Amendment Act, 1893.	The whole Act.
56 & 57 Vict. c. 25.	The Burgh Police (Scotland) Act, 1893.	The whole Act.
56 & 57 Vict. c. 32.	The Barbed Wire Act, 1893.	Section five.
57 & 58 Vict. c. 20.	The Public Libraries (Scotland) Act, 1894.	In section three, in subsection (1), the words from " either (a) " to the end of the subsection.
57 & 58 Vict. c. 24.	The Wild Birds Protection Act, 1894.	Section six.
57 & 58 Vict. c. 57.	The Diseases of Animals Act, 1894.	<p>In section thirty-three, subsections (2) and (4).</p> <p>In section forty, subsection (1).</p> <p>In section forty-two, in subsection (1), the words " at interest on " the credit of the local rate ", and the words from " and may " secure" to the end of the subsection, and subsections (2) to (5).</p> <p>In section sixty, in subsection (1), the words " and the local " rate", the word " respectively ", in paragraph (a), the words from " and a rate " to " within the burgh ", in paragraph (b), the words from " and " a rate " to the end of that paragraph, and subsection (7).</p> <p>Section sixty-two.</p>

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Session and Chapter.	Short Title.	Extent of Repeal.
57 & 58 Vict. c. 58.	The Local Government (Scotland) Act, 1894.	<p>In section sixty-four, in sub-section (4), in paragraph (b), the words from " in aid of " to " rates of the county," and in paragraph (d), the words " in " aid of the police funds ",</p> <p>Sections eight to ten.</p> <p>Sections thirteen to twenty, so far as unrepealed.</p> <p>Section twenty-three.</p> <p>In section twenty-four, in subsection (1), paragraphs (a) and (d), and in subsection (2), the word " let," the words " or " exchange," wherever those words occur, and the words " the power of letting for more " than a year and " .</p> <p>Sections twenty-seven and twenty-eight.</p> <p>In section twenty-nine, the words from " and the expense" to " special parish rate " .</p> <p>In section thirty, subsections (1) to (5), and (7) to (9).</p> <p>Section thirty-one.</p> <p>Sections thirty-three to thirty-five.</p> <p>Sections thirty-seven to forty-one, so far as unrepealed.</p> <p>In section forty-two, subsection (3).</p> <p>Sections forty-three and forty-four.</p> <p>Section forty-six.</p> <p>In section forty-eight, subsection (2).</p> <p>Sections forty-nine to fifty-three.</p> <p>In section fifty-four, the words from " the expression ' municipal register ' " to "</p>

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Session and Chapter.	Short Title.	Extent of Repeal.
58 & 59 Vict. c. 1.	The Local Government (Scotland) Act, 1894, Amendment Act, 1895.	<p>assistant " secretary ", the words from " the expression ' burghal parish ' " to " not comprised " within the boundaries of a " burgh ", and the words from " the expression ' ecclesiastical ' " to the end of the section.</p> <p>Schedule II.</p> <p>Schedule III.</p> <p>Schedule IV.</p> <p>The whole Act.</p>
58 & 59 Vict. c. 36.	The Fatal Accidents Inquiry (Scotland) Act, 1895.	<p>In section four, in subsection (9), the words "as a charge upon " the general purposes rate," and the words from "as a " charge upon the burgh " to " police assessment."</p>
59 & 60 Vict. c. 48.	The Light Railways Act, 1896.	<p>In section sixteen, in subsection (1) , the words from " in the case "of a county " to the end of the subsection, in subsection (2) , the words " in manner "authorised by the order", and subsection (4).</p> <p>Section seventeen.</p> <p>In section twenty-six, in subsection (5), the words from " imposed along with ", where those words first occur, to " parish, as the case may be ", the words from " imposed along " with", where those words second occur, to " assessment, " as the ease may be ", and the words " in the manner authorised by the order ".</p> <p>Third Schedule.</p>
60 & 61 Vict. c. 31.	The Cleansing of Persons Act, 1897.	<p>In section one, the words from " and any expenses " to the end of the subsection.</p>

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Session and Chapter.	Short Title.	Extent of Repeal.
60 & 61 Vict. c. 34.	The Municipal Elections (Scotland) Act, 1897.	The whole Act.
68 & 61 Vict. c. 38.	The Public Health (Scotland) Act, 1897.	Section four. In section six, the words from " and require answers " to the end of the section. Section seven. In section eight, the words " to " act as a commissioner or " commissioners", and the words from " and the Board " to the end of the section. Sections nine and ten. Sections thirteen and fourteen. In section fifteen, the words from the beginning of the section to "such salaries fixed; and", the word " said ", where that word second occurs between the words "the "and "medical", the words from " The medical " officer may " to " sanction of " the Board ", and the words from " The medical officer and " to the end of the section. In section thirty-four, the words from " on the security " to the end of the section. Section thirty-eight. In section thirty-nine, the words from " out of the assessments " to " 1878, for ". In section ninety-three, the words from " as hereinafter" to " printed ". Section one hundred and thirteen. In section one hundred and twenty-two, subsections (1), (2) and (3), in subsection (4), the words from " out of the

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Session and Chapter.	Short Title.	Extent of Repeal.
		<p>assessments " to " 1878 ", and subsection (5).</p> <p>Section one hundred and thirty-one.</p> <p>Sections one hundred and thirty-three to one hundred and thirty-six, so far as unrepealed.</p> <p>Section one hundred and thirty-eight.</p> <p>In section one hundred and thirty-nine, the words from " and on " the security " to " case may " be ", where those words first occur, and the words from " and to assign " to the end of the section.</p> <p>In section one hundred and forty-one, the words " and on the " security of the public health " general assessments ", and the words from " and to assign " to the end of the section.</p> <p>Section one hundred and forty-two.</p> <p>Section one hundred and forty-three.</p> <p>In section one hundred and forty-four, the words from " and " may by agreement " to " with-"out their district" and the words from " They may also with " to the end of the section.</p> <p>Section one hundred and forty-seven.</p> <p>Section one hundred and fifty-two.</p> <p>Sections one hundred and fifty-nine and one hundred and sixty.</p> <p>Section one hundred and sixty-seven.</p>

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Session and Chapter.	Short Title.	Extent of Repeal.
62 & 63 Vict. c. 38.	The Telegraph Act, 1899.	<p>Sections one hundred and eighty-three to one hundred and eighty-eight.</p> <p>In section one hundred and ninety, the words from "or of "the Local" to " 1891, as " amended ".</p> <p>In section one hundred and ninety-one, the words " and standing " joint committees " .</p> <p>Second Schedule.</p> <p>In section two, in subsection (1), the words from " defray the " expenses " to " and may ", the words from " in accordance " with " to " borough rate ", and in subsection (2), the words from " and the town council or " commissioners thereof " to the end of the subsection.</p>
62 & 63 Vict. c. 44.	The Small Dwellings Acquisition Act, 1899.	<p>In section nine, subsection (3).</p> <p>In section twelve, in subsection (1), in paragraph (a), the words from " Provided that " to the end of the paragraph, subsection (2), and in subsection (4), the words from " in like " manner " to the end of the subsection.</p>
63 & 64 Vict. c. 28.	The Inebriates Amendment (Scotland) Act, 1900.	<p>In section one, in subsection (1), the words from " in the same " manner " to the end of the subsection, in subsection (2), the words " on the security of " the said assessment", and the words from " in the same " manner " to the end of the subsection.</p>
63 & 64 Vict. c. 49.	The Town Councils (Scotland) Act, 1900.	<p>In section four, subsections (1), (2), (4), (5), (7), (10) to (12) and (14) to (19).</p> <p>Sections five and six.</p>

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Session and Chapter.	Short Title.	Extent of Repeal.
1 Edw. 7. c. 24	The Burgh Sewerage Drainage and Water Supply (Scotland) Act, 1901.	<p>In section eight, the words from " and except in " to the end of the section.</p> <p>Sections nine to twenty-three, so far as unrepealed.</p> <p>Sections thirty-three to forty-six.</p> <p>Sections forty-eight to ninety-three.</p> <p>Sections ninety-six, so far as unrepealed, to one hundred and seven.</p> <p>Sections one hundred and nine to one hundred and seventeen.</p> <p>Schedules II to VI.</p> <p>Sections one and two, so far as unrepealed.</p> <p>Section three.</p> <p>Section four, so far as unrepealed.</p> <p>In section five, the words from " Provided that all " to the end of the section.</p>
2 Edw. 7. c. 35	The Electric Lighting (Scotland) Act, 1902.	<p>In section one, the words from " Provided that " to the end of the section.</p>
3 Edw. 7. c. 9	The County Councils (Bills in Parliament) Act, 1903.	<p>The whole Act.</p>
3 Edw. 7. c. 25	The Licensing (Scotland) Act, 1903.	<p>In section eight, in subsection (4), the words from " and, save " as " to the end of the subsection, and in subsection (6) the words from " For the " purpose " to " referred to " therein ".</p>
3 Edw. 7. c. 33.	The Burgh Police (Scotland) Act, 1903.	<p>In section three, the words " The " Burgh Police (Scotland) Act, "1893".</p> <p>Section twenty-two.</p> <p>Section thirty-six.</p>

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Session and Chapter.	Short Title.	Extent of Repeal.
		In section thirty-eight, paragraphs (1) and (2). Section forty-two. In section forty-four, the words from " The town council may " defray" to the end of the section. Sections forty-six to forty-nine. Section fifty-five. Section fifty-six, so far as relating to burgh prosecutors, burgh surveyors, treasurers and collectors. In section sixty, the words from " and the town council" to the end of the section. In section sixty-two, the words from " The said compensation " to the end of the section. Sections ninety-four to ninety-six. In section one hundred and three, paragraph (10). In section one hundred and four, in subsection (2), paragraph (a), in paragraph (g), the words from " and any expenditure " to the end of the paragraph, and paragraphs (r), (c), (v) and (w). In the Schedule, in Column No. II the words "Sec. II" and the words from " After " to "by special order ".
3 Edw. 7. c. 34	The Town Councils (Scotland) Act, 1903.	The whole Act, so far as unrepealed.
6 Edw. 7. c. 14	The Alkali &c. Works Regulation Act, 1906.	Section twenty-four.
7 Edw. 7. c. 27.	The Advertisements Regulation Act, 1907.	In section three, subsection (6).

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Session and Chapter.	Short Title.	Extent of Repeal.
7 Edw. 7. c. 40.	The Notification of Births Act, 1907.	In section six, subsection (4). In section one, subsection (6).
7 Edw. 7. c. 41	The Whale Fisheries (Scotland) Act, 1907.	Section seven.
7 Edw. 7. c. 48	The Qualification of Women (County and Town Councils) (Scotland) Act, 1907.	The whole Act, so far as unrepealed.
8 Edw. 7. c. 13	The Polling Districts (County Councils) Act, 1908.	The whole Act.
8 Edw. 7. c. 48	The Post Office Act, 1908.	In section forty-nine, in subsection (8), in paragraph (d), the words from " in the same " manner " to the end of the paragraph, and paragraph (g).
8 Edw. 7. c. 62	The Local Government (Scotland) Act, 1908.	In section one, the words " and " the Local Government (Scotland) Act, 1894, Amendment " Act, 1895." In section three, in subsection (1), the words from " and subject "to" to "such committee; " and ", and the words from "but " subject always " to the end of the subsection, and subsections (2) to (7). In section four, the words from "subject to the" to "the- principal Act ".. Section six. Section nine. In section ten, the words from the beginning of the section to " made thereunder", subsection (2), and in subsection (3), the words from " and " county or " to " general improvement rate ". In section eleven, in subsection (4), the words " out of the road " rate ". Section fourteen.

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Session and Chapter.	Short Title.	Extent of Repeal.
9 Edw. 7. c. 30	The Cinematograph Act, 1909.	Sections sixteen and seventeen. In section nineteen, the words " including the provisions " relating to assessment and " borrowing ". In section twenty, subsection (1), and in subsection (2), the words " and the fifteenth day of " April ", and the words from " and section fifty " to the end of the subsection. Section twenty-three. In section twenty-eight, in subsection (2), the words from " section one hundred " to the end of the subsection. In section six, the words from " and the expenses " to the end of the section. In section eight, in subsection (3), the words from " and the " expression ' borough fund ' " to the end of the subsection.
9 Edw. 7. c. 34	The Electric Lighting Act, 1909.	Section twenty-one.
9 Edw. 7. c. 44	The Housing, Town Planning, &c, Act, 1909.	First Schedule as applied by any enactment.
1 & 2 Geo. 5. c. 52.	The Rag Flock Act, 1911.	In section one, in subsection (6), paragraph (c), and in subsection (8), paragraph (c).
1 & 2 Geo. 5. c. 53.	The House Letting and Rating (Scotland) Act, 1911.	In section seven, in subsection (7), the words from " and in case of "doubt" to the end of the subsection.
1 & 2 Geo. 5. c. 55.	The National Insurance Act, 1911.	In section sixty-four, in subsection (2), the words from " and any expenses " to the end of the subsection. In section eighty, in subsection (4), the words from " Provided "that"

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Session and Chapter.	Short Title.	Extent of Repeal.
2 & 3 Geo. 5. c. 3.	The Shops Act, 1912.	<p>to "Act of 1889", and subsections (12) and (13).</p> <p>In section thirteen, in subsection (3), the words from " in the "case of the council of a " borough " to " special county " purposes ".</p> <p>In section sixteen, the words from " and the costs " to the end of the section.</p> <p>In section twenty, the words from "and the expenses" to "any " such expenses ".</p>
2 & 3 Geo. 5. c. 19.	The Light Railways Act, 1912.	In section five, subsection (5).
3 & 4 Geo. 5. c. 17.	The Fabrics (Misdescription) Act, 1913.	<p>In section five, in subsection (3), the words from " in the case of " the council of a borough " to " special county purposes ".</p> <p>In section seven, subsection (3), and the words from " Provided "that" to the end of the section.</p>
3 & 4 Geo. 5. c. 20.	The Bankruptcy (Scotland) Act, 1913.	<p>In section one hundred and eighty-three, subsection (2).</p> <p>In section one hundred and eighty-four, subsection (a).</p>
3 & 4 Geo. 5. c. 26.	The Highlands and Islands (Medical Service) Grant Act, 1913.	In section three, in subsection (3), the words "on the security of " any rate for any purpose ".
3 & 4 Geo. 5. c. 32.	The Ancient Monuments Consolidation and Amendment Act, 1913.	<p>In section twenty-one, in subsection (2), the words from " in " the case of any other county "council" to "as a borough " rate ", and the words from " in the case of a county "council" to the end of the subsection.'</p> <p>In section twenty-three, in sub-section (2), the words from " and the expenses " to " general " improvement assessment",</p>

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Session and Chapter.	Short Title.	Extent of Repeal.
3 & 4 Geo. 5. c. 33.	The Temperance (Scotland) Act, 1913.	In section five, in subsection (4), the words from " and any " expenses " to the end of the subsection.
3 & 4 Geo. 5. c. 37.	The National Insurance Act, 1913.	In section forty-one, in subsection (1), the words from " in "terms of" to "the principal "Act", and subsection (2).
3 & 4 Geo. 5. c. 38.	The Mental Deficiency and Lunacy (Scotland) Act, 1913.	<p>In section twenty-seven, in subsection (2), the words from " and such payments " to the end of the subsection.</p> <p>In section thirty, subsection (2).</p> <p>In section sixty-eight, in subsection (4), the word " let ", and the words from " and shall " apply " to the end of the subsection, and in subsection (7), the words " and section sixty-"two", the words "with the " consent of the Board ", and the words from " on the " security " to the end of the subsection.</p>
4 & 5 Geo. 5. c. 31.	The Housing Act, 1914	In section one, in subsection (2), the words from " Any expenses " to " 1890 ", the words " the like", and the words " as they have for the " purposes of that Part of that " Act-".
4 & 5 Geo. 5. c. 39.	The County, Town and Parish Councils (Qualification) (Scotland) Act, 1914.	The whole Act.
4 & 5 Geo. 5. c. 46.	The Milk and Dairies (Scotland) Act, 1914.	<p>Section ten, so far as unrepealed.</p> <p>Section twenty-three.</p> <p>Section twenty-six.</p> <p>Section thirty.</p>
4 & 5 Geo. 5. c. 53.	The Special Constables (Scotland) Act, 1914.	In section two, the words " and " the county police rate ", and the words " and the

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Session and Chapter.	Short Title.	Extent of Repeal.
4 & 5 Geo. 5. c. 74.	The Local Government (Adjustments) (Scotland) Act, 1914.	burgh " general assessment respectively ". The whole Act.
5 & 6 Geo. 5. c. 64.	The Notification of Births (Extension) Act, 1915.	In section two, in subsection (2), the words from the beginning of the subsection to " principal " Act ".
5 & 6 Geo. 5. c. 91.	The Midwives (Scotland) Act, 1915.	Section twenty-five.
6 & 7 Geo. 5. c. 12.	The Local Government (Emergency Provisions) Act, 1916.	In section thirteen, subsection (1). In section twenty-two, in subsection (1), the words from " and references to the Local " to the end of the subsection, and subsection (2).
6 & 7 Geo. 5. c. 43.	The War Charities Act, 1916.	In section two, subsection (7). In section eleven, in paragraph (e), the words from " and " shall" to the end of the paragraph.
6 & 7 Geo. 5. c. 69.	The Public Authorities and Bodies (Loans) Act, 1916.	The whole Act.
7 & 8 Geo. 5. c. 64.	The Representation of the People Act, 1918.	In section forty-three, in subsection (8), the words from "Provided that" to the end of the subsection, and in subsection (11), the words from " Provided that " to the end of the subsection. In the Sixth Schedule, in paragraph 8, the words from " The " Local Government " to " word " hereinafter," and the words from " The Town Councils " to " member of Parliament ".
8 & 9 Geo. 5. c. 48.	The Education (Scotland) Act, 1918.	Sections three and thirty-two. Third Schedule.

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Session and Chapter.	Short Title.	Extent of Repeal.
9 & 10 Geo. 5. c. 46.	The Police Act, 1919	In section thirteen, subsection (2).
9 & 10 Geo. 5. c. 60.	The Housing, Town Planning, &c. (Scotland) Act, 1919.	Section forty-seven.
9 & 10 Geo. 5. c. 72.	The Rats and Mice (Destruction) Act, 1919.	In section five, subsection (3). In section nine, in paragraph (b), of subsection (1), the words from " (ii) the expenses" to the end of the paragraph.
9 & 10 Geo. 5. c. 85.	The Mental Deficiency and Lunacy (Amendment) Act, 1919.	The whole Act, so far as unrepealed.
9 & 10 Geo. 5. c. 99.	The Housing (Additional Powers) Act, 1919.	Section eight.
10 & 11 Geo. 5. c. 41.	The Census Act, 1920.	In section seven, the words from " in the case of a county " council" to the end of the section. In section nine, in subsection (2), the words from " and any " expenses " to the end of the section.
10 & 11 Geo. 5. c. 45.	The Public Libraries (Scotland) Act, 1920.	In section one, in subsection (1), the words from " section eight " to " threepence, and ", and the words " as part of the accounts " of the rating authority, or ".
10 & 11 Geo. 5. c. 80.	The Air Navigation Act, 1920.	In section nineteen, in paragraph (a) of subsection (1), the words from " and the expenses ", where those words first occur, to " general purposes rate ", the words from " notwithstanding " to " 1889 ", and the words from " and the expenses ", where those words second occur, to "of that assessment", and in paragraph (b), the words from " on the security of the "general" to "Act, 1889", and

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Session and Chapter.	Short Title.	Extent of Repeal.
11 & 12 Geo. 5. c. 31.	The Police Pensions Act, 1921.	the words from " on the " security of the public " to the end of the paragraph. In section twenty-two, subsection (5).
11 & 12 Geo. 5. c. 55.	The Railways Act, 1921.	In section seventy-eight, subsection (6), so far as relating to local authorities. In section eighty-three, paragraph (c).
11 & 12 Geo. 5. c. 64.	The Poor Law Emergency Provisions (Scotland) Act, 1921.	In section two, in subsection (1), the words from the commencement of the subsection to " in " that section ", and the words from " on the security " to " in " the parish ", and subsections (2) and (3). In section three, in subsection (4), proviso (ii.)
12 & 13 Geo. 5. c. 35.	The Celluloid and Cinematograph Film Act, 1922.	In section four, subsection (2). In section ten, in subsection (1), the words from " and the " expenses " to the end of the subsection.
12 & 13 Geo. 5. c. 46.	The Electricity (Supply) Act, 1922.	In section two, the words " or " by a local authority ". In section five, in subsection (1), the words from " (a) in cases " to " Minister of Health, or ", and in subsection (2) paragraphs (a) and (c), and the words from " Section twenty-one " to the end of the subsection. Section twenty-nine. In section thirty, in paragraph (c) of subsection (2), the words from " to the Local Government "Act" to "1875", the word "respectively", and the words from " to the Local Government " (Scotland) " to

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Session and Chapter.	Short Title.	Extent of Repeal.
12 & 13 Geo. 5. c. 52.	The Allotments (Scotland) Act, 1922.	the end of the paragraph, and paragraph (d). Section eighteen.
12 & 13 Geo. 5. c. 54.	The Milk and Dairies (Amendment) Act, 1922.	In section fourteen, in paragraph (f), the words from " and any " expense " to the end of the paragraph, and in paragraph (h), the words from " Any expenses incurred " to " of that " assessment."
13 & 14 Geo. 5. c. 13.	The Rent Restrictions (Notices of Increase) Act, 1923.	In section three, subsection (6).
13 & 14 Geo. 5. c. 24.	The Housing, &c. Act, 1923.	In section two, in subsection (6), the words from " under Part III " of the principal Act " to the end of the subsection.
13 & 14 Geo. 5. c. 32.	The Rent and Mortgage Interest Restrictions Act, 1923.	In section eighteen, subsection (4).
13 & 14 Geo. 5. c. 41.	The Town Councils (Scotland) Act, 1923.	The whole Act.
14 & 15 Geo. 5. c. 36.	The Local Authorities Loans (Scotland) Act, 1924.	The whole Act.
15 & 16 Geo. 5. c. 15.	The Housing (Scotland) Act, 1925.	Section sixty-six, so far as unrepealed. In section sixty-eight, subsections (2) (as substituted by the Housing (Scotland) Act, 1930), and (3). In section sixty-nine, subsection (2). In section seventy, in subsection (1), the words from " and that " to the end of the subsection. Section ninety-three. Section ninety-five. In section ninety-six, in subsection (1), the words

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Session and Chapter.	Short Title.	Extent of Repeal.
15 & 16 Geo. 5. c. 50.	The Theatrical Employers Registration Act, 1925.	<p>from " and the expenses " to the end of the subsection, and subsection (2).</p> <p>Section ninety-nine.</p> <p>Section one hundred and one.</p> <p>In section twelve, in subsection (2), the words from "in the case " of the council of a county " borough " to the end of the subsection.</p> <p>In section fourteen, subsection (2).</p>
15 & 16 Geo. 5. c. 82.	The Roads and Streets in Police Burghs (Scotland) Act, 1925.	In section two, the words from "on the security" to "Act " 1878 ".
15 & 16 Geo. 5. c. 89.	The Education (Scotland) Act, 1925.	The whole Act.
16 Geo. 5. c. 5	The Allotments (Scotland) Act, 1926.	The whole Act.
16 & 17 Geo. 5. c. 45.	The Fertilisers and Feeding Stuffs Act, 1926.	<p>In section seventeen, subsection (3)</p> <p>In section twenty-eight, in paragraph (b), the words from " and " the expenses " to the end of the paragraph, and paragraph (c).</p>
16 & 17 Geo. 5. c. 47.	The Rating (Scotland) Act, 1926.	<p>Section one.</p> <p>Sections three and four.</p> <p>Section seven.</p> <p>Section nine.</p> <p>In section eleven, the words from " and section three " to the end of the section.</p> <p>In section twelve, subsection (8).</p> <p>In section fourteen, subsection (4).</p> <p>Sections fifteen to seventeen.</p> <p>Sections nineteen to twenty-four.</p> <p>Section twenty-five, so far as unrepealed.</p>

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Session and Chapter.	Short Title.	Extent of Repeal.
		Sections twenty-seven and twenty-eight. In section twenty-nine, in subsection (1), the definitions of " agricultural lands and heritages," " agricultural rates " grant ", " compensation ", " education rate " lunacy "rate", "parish council "parish rates", and "rating " authority ", and subsections (3) to (5). Second Schedule.
16 & 17 Geo. 5. c. 56.	The Housing (Rural Workers) Act, 1926.	In section eight, in paragraph (g), the words from " and any expenses " to "of that Act," and the words from "in like " manner ".where those words second occur, to the end of the paragraph.
17 & 18 Geo. 5. c. 17.	The Midwives and Maternity Homes (Scotland) Act, 1927.	In section eight, the words from the beginning of the section to " such joint committee, and".
18 & 19 Geo. 5. c. 29.	The Slaughter of Animals (Scotland) Act, 1928.	In section seven, in paragraph (c), the words from " shall be " defrayed " to " Provided "that" and the words "such " expenses " .
18 & 19 Geo. 5. c. 31.	The Food and Drugs (Adulteration) Act, 1928.	Section twenty-six, and in section thirty-five, paragraph (A).
19 & 20 Geo. 5. c. 25.	The Local Government (Scotland) Act, 1929.	In section two, subsection (2). In section three, subsection (2). In section five, subsections (5) and (7). In section six, subsections (1), (2) and (4). Sections seven to nine. In section ten, subsections (4), (5), (7) and (8).

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Session and Chapter.	Short Title.	Extent of Repeal.
		<p>In section eleven, subsections (1) to (3), (7), (9) and (10).</p> <p>Section twelve, so far as unrepealed.</p> <p>Sections thirteen to seventeen.</p> <p>In section eighteen, subsection (1) to (5).</p> <p>Section nineteen.</p> <p>Sections twenty-one to twenty-three.</p> <p>Section twenty-five.</p> <p>In section twenty-six, subsections (1) to (7).</p> <p>Section thirty-three.</p> <p>Sections thirty-five to forty.</p> <p>Sections forty-two and forty-three.</p> <p>Third Schedule.</p> <p>Fourth Schedule.</p>
19 & 20 Geo. 5. c. 33.	The Bridges Act, 1929.	In section eight, subsection (1), and in subsection (2), the words from " as a highway authority", where those words first occur, to the end of the subsection.
20 & 21 Geo. 5. c. 40.	The Housing (Scotland) Act, 1930.	In section thirty-nine, in subsection (3), the words from " in "accordance with " to the "end of the subsection.
20 & 21 Geo. 5. c. 43.	The Road Traffic Act, 1930.	In section one hundred and nineteen, subsection (2), and in subsection (3), the words from " and any sum " to the end of the subsection.
21 & 22 Geo. 5. c. 17.	The Local Authorities (Publicity) Act, 1931.	In section one, in subsection (1), the words from " Provided "that" to the end of the subsection, and in subsection (3), the words from " and in "Scotland " to the end of the subsection.

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Session and Chapter.	Short Title.	Extent of Repeal.
22 & 23 Geo. 5. c. 28.	The Public Health (Cleansing of Shellfish) Act, 1932.	In section three, in paragraph (b), the words from " (3) Any expenses " to " 1897," and the words "in accordance with" to the end of the paragraph.
22 & 23 Geo. 5. c. 49.	The Town and Country Planning (Scotland) Act, 1932.	<p>In section thirty-seven, in subsection (1), the words from " and " the costs incurred " to the end of the subsection, and subsection (2).</p> <p>In section forty-eight, in subsection (1), the words from the beginning of the subsection to " Provided that ", and in subsection (2), the words from " in " accordance with " to the end of the subsection.</p> <p>In section forty-nine, the words " Any expenses incurred under " this Act by ", the word " by", where that word second occurs, and the words from " shall be "defrayed" to "and such " council ".</p>
24 & 25 Geo. 5. c. 28.	The Gas Undertakings Act, 1934.	In section thirty-four, the words " (given with the concurrence of " the Board of Trade) ", and the words " under the provisions " and ".
24 & 25 Geo. 5. c. 52.	The Poor Law (Scotland) Act, 1934.	In section seven, in subsection (5), the words from " and the " provisions " to the end of the subsection.
25 & 26 Geo. 5. c. 36.	The Public Health (Water and Sewerage) (Scotland) Act, 1935.	The whole Act.
25 & 26 Geo. 5. c. 41.	The Housing (Scotland) Act, 1935.	<p>In section seventy-six, subsection (3).</p> <p>In section seventy - nine, subsections (2) and (3).</p>
25 & 26 Geo. 5. c. 47.	The Restriction of Ribbon Development Act, 1935.	In section twenty-five, in subsection (12), the words

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Session and Chapter.	Short Title.	Extent of Repeal.
26 Geo. 5. & 1 Edw. 8. c. 32.	The National Health Insurance Act, 1936.	from and the provisions" to the end of the subsection. Section one hundred and ninety-four.
26 Geo. 5. & 1 Edw. 8. c. 42.	The Education (Scotland) Act, 1936.	The whole Act.
26 Geo. 5. & 1 Edw. 8. c. 48.	The Health Resorts and Watering Places Act, 1936.	In section One, in subsection (1), the words from " and (b) expend" to "value of the "borough or district", and in subsection (2), paragraph (b).
26 Geo. 5. & 1 Edw. 8. c. 52.	The Private Legislation Procedure (Scotland) Act, 1936.	In section eleven, subsections (1) to (5).
1 Edw. 8. & 1 Geo. 6. c. 5.	The Trunk Roads Act, 1936.	In section twelve, subsection (15).
1 Edw. 8. & 1 Geo. 6. c. 28.	The Harbours, Piers and Ferries (Scotland) Act, 1937.	In section twenty-one, in subsection (1), the words from " and " the provisions " to the end of the subsection.
1 Edw. 8. & 1 Geo. 6. c. 37.	The Children and Young Persons (Scotland) Act, 1937.	In section thirty-five, in subsection (1), the words from " and " shall not " to the end of the subsection, and subsection (2). In section one hundred and one, in subsection (3), the words from " Provided that " to the end of the subsection.
1 Edw. 8. & 1 Geo. 6. c. 46.	The Physical Training and Recreation Act, 1937.	In section one hundred and two, subsection (2). In section ten, in subsection (5), the words, from " or any offices" to "their business", and the words " or offices ", wherever they occur, in subsection (7), the words from " and the provisions " to the end of the subsection, and subsection (8).
1 & 2 Geo. 6. c. 6.	The Air Raid Precautions Act, 1937.	In section thirteen, in subsection (10), the words from " and the provisions " to

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Session and Chapter.	Short Title.	Extent of Repeal.
1 & 2 Geo. 6. c. 72.	The Fire Brigades Act, 1938.	the end of the subsection, and subsection (11). In section twenty-eight, in subsection (16), the words from the beginning of the subsection to "Provided that", and in subsection (17), the words from " and the provisions " to the end of the subsection.
2 & 3 Geo. 6. c. 13.	The Cancer Act, 1939	In section seven, paragraphs (d) and (e).
2 & 3 Geo. 6. c. 28.	The Local Government Amendment (Scotland) Act, 1939.	The whole Act.
2 & 3 Geo. 6. c. 31.	The Civil Defence Act, 1939.	In section ninety-one, subsection (32), and in subsection (33), the words from " and the pro-" visions " to the end of the subsection.
6 & 7 Geo. 6. c. 44.	The Rent of Furnished Houses Control (Scotland) Act, 1943.	In section four, subsection (3).
8 & 9 Geo. 6. c. 33.	The Town and Country Planning (Scotland) Act, 1945.	In section sixty, subsection (1), in subsection (2), the words from " in accordance with" to the end of the subsection, and subsection (3).
8 & 9 Geo. 6. c. 37.	The Education (Scotland) Act, 1945.	Sections forty-four and eighty-seven, and Fourth Schedule so far as it amends sections three, twelve, fourteen and seventeen of the Local Government (Scotland) Act, 1929.
9 & 10 Geo. 6. c. 62.	The Water (Scotland) Act, 1946.	In section thirty-nine, the words from " subject to " to " Act " 1929 ", and the proviso. Sections forty and forty-one. In section forty-two, in subsection (1), in paragraph (d), the words from " so however " to "determine."

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Session and Chapter.	Short Title.	Extent of Repeal.
9 & 10 Geo. 6. c. 71.	The-Police (Scotland) Act, 1946.	In section forty-five, the words from the beginning to "the " commencement of this Act ", so far as these words relate to a local authority providing a supply of water under a public general Act, and the words from " or where the authority " to the end of the section.
9 & 10 Geo. 6. c. 72.	The Education (Scotland) Act, 1946.	In section eleven, in subsection (4), the words from " and section " to the end of the subsection. In section eighty-two, subsection (3)
10 & 11 Geo. 6. c. 27.	The National Health Service (Scotland) Act, 1947.	In section eighty-seven, the words from "and shall" to the end of the section. In section fifty-three, subsection (6), and in subsection (7), the words from " subject to" to "Act, 1929" and proviso (ii); the Fifth Schedule except paragraph 6; and the Eleventh Schedule, so far as relating to subsection (4) of section fourteen of the Local Government (Scotland) Act, 1929.