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STATUTORY INSTRUMENTS

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**1995 No. 1773**

**The Derbyshire (City of Derby)(Structural Change) Order 1995**

**PART III**

**TRANSITIONAL PROVISION**

**Retirement of councillors and casual vacancies**

**10.**—(1) The councillors holding office for any ward in the city immediately before the relevant date shall retire on that date and the newly elected councillors for any such ward shall come into office on that date.

(2) The electoral divisions of Derbyshire comprised in Derby shall cease to be electoral divisions on the reorganisation date; and any person holding office, immediately before that date, as a councillor for such a division shall retire on that date<sup>(1)</sup>.

(3) Section 89 of the 1972 Act (filling of casual vacancies in case of councillors) shall have effect—

- (a) in the case of a casual vacancy occurring in the office of councillor of the Derby Council during the period beginning with the date on which this article comes into force and ending with the relevant date, as if the reference in subsection (3) of that section to the day on which the councillor whose office is vacant would regularly have retired were a reference to the relevant date; and
- (b) in the case of a casual vacancy occurring in the office of councillor for any electoral division referred to in paragraph (2) above, as if that reference in that subsection were a reference to the reorganisation date.

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(1) The electoral divisions of the county of Derbyshire are those described in the Schedule to the County of Derbyshire (Electoral Arrangements) Order 1980 (S.I. 1980/1985).