STATUTORY INSTRUMENTS

1975 No. 618 (S. 77)

LOCAL GOVERNMENT, SCOTLAND

The City of Glasgow District Council (Modification of Local Act Provisions) Order 1975

Made - - -	*10th April* 1975
Laid before Parliament	*23rd April* 1975
Coming into Operation	*16th May* 1975

In exercise of the powers conferred on me by section 215 of the Local Government (Scotland) Act 1973(a) and of all other powers enabling me in that behalf, I hereby make the following Order—

Citation

1. This Order may be cited as the City of Glasgow District Council (Modification of Local Act Provisions) Order 1975 and shall come into operation on 16th May 1975.

Interpretation

2.—(1) In this Order—

"Council" means the City of Glasgow District Council;

"District" means the City of Glasgow District;

"the 1937 Order" means the Glasgow Streets Sewers and Buildings Consolidation Order 1937(b);

"the 1965 Order" means the Glasgow Corporation (No. 2) Order 1965(c).

(2) The Interpretation Act 1889(d) shall apply for the interpretation of this Order as it applies for the interpretation of an Act of Parliament.

Modification of Local Act Provisions

3. Section 99 of the 1937 Order shall have effect subject to the following modifications—

(*a*) for the words "The procurator fiscal shall on a report by the master of works" there shall be substituted the words "Where it appears to the Council";

(*b*) the words from "apply" to "dean of guild" where these words second occur shall be deleted;

(*c*) for the words from "(i)" to "proper" there shall be substituted the words "they shall notify the proprietor of the building to that effect or if such proprietor is unknown may cause notice to that effect to be given in one or more newspapers published in the District or in the Edinburgh Gazette or in such other manner as they think proper";

(a) 1973 c. 65.
(b) Confirmed by 1937 c. xliii.
(c) Confirmed by 1965 c. xlvi.
(d) 1889 c. 63.

(*d*) the words from "(ii)" to "remit" shall be deleted;

(*e*) for the words from "such person" to "reporting" there shall be substituted the words "the authority deciding, after giving the proprietor if he can be found an opportunity of being heard";

(*f*) for the words "the dean of guild", where they third occur, and "him" there shall be substituted respectively the words "they" and "them";

(*g*) for the words "to be taken down by the master of works" there shall be substituted the words "may themselves arrange for the building to be taken down".

4. Section 100 of the 1937 Order shall have effect subject to the following modifications—

(*a*) for the words "master of works" and "the master of works or the procurator fiscal" there shall be substituted respectively the words "Council" and "they";

(*b*) for the words from "application" to "in pursuance of" there shall be substituted the words "they shall also proceed in accordance with".

5. Section 5 of the 1965 Order shall have effect subject to the following modifications—

(*a*) in subsection (1) for the words "master of works" and the word "Corporation" in each place where it occurs there shall be substituted the word "Council";

(*b*) in subsection (3) for the word "Corporation" there shall be substituted the word "Council".

Transitional Provisions

6. Anything done prior to 16th May 1975 by the dean of guild, master of works or procurator fiscal in accordance with the provisions of section 99 of the 1937 Order shall be regarded as having been done by the Council in accordance with those provisions as modified by this Order.

William Ross,
One of Her Majesty's Principal Secretaries of State.

St. Andrew's House,
Edinburgh.
10th April 1975.

EXPLANATORY NOTE

(*This Note is not part of the Order.*)

This Order modifies the provisions of Sections 99 and 100 of the Glasgow Streets Sewers and Buildings Consolidation Order 1937 and section 5 of the Glasgow Corporation (No. 2) Order 1965 to the extent necessary to enable these provisions to be operated by the City of Glasgow District Council.

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