STATUTORY INSTRUMENTS

1980 No. 1218 (S. 91)

LOCAL GOVERNMENT, SCOTLAND

The Burgh Police (Scotland) Act 1892 (Application of Provisions) (Falkirk District Council) Order 1980

Made - - - -	*7th August* 1980
Laid before Parliament	*26th August* 1980
Coming into Operation	*15th September* 1980

In exercise of the powers conferred upon me by sections 229(3) and 233(3) of the Local Government (Scotland) Act 1973(a) and of all other powers enabling me in that behalf, I hereby make the following order:—

Title and commencement

1. This order may be cited as the Burgh Police (Scotland) Act 1892 (Application of Provisions) (Falkirk District Council) Order 1980 and shall come into operation on 1980.

Interpretation

2. In this order:—

"the Act" means the Burgh Police (Scotland) Act 1892(b);

"the district" means the area of Falkirk District Council;

"the district council" means Falkirk District Council.

Application of provisions of the Act

3.—(1) Subject to the modifications set out in the Schedule to this order the provisions of sections 270 and 271 and Schedule V of the Act, as altered by the Magistrates of the Burgh of Grangemouth with the approval of the Sheriff-Substitute of Stirling, Dunbarton and Clackmannan on 16 August 1972 in accordance with section 271 aforesaid, are hereby extended to apply throughout the district.

(2) The provisions of sections 454, 465, 484, 491, 499, 500, 503, 511 and 512 of the Act insofar as they are applicable to the licensing of and regulations for hackney carriages shall extend throughout the district.

Transitional and consequential provisions

4.—(1) Subject to the provisions of this article as from the date of coming into operation of this order the regulations for hackney carriages contained in Schedule V of the Act as they applied within the district prior to that date shall

(a) 1973 c. 65. (b) 1892 c. 55.

cease to have effect and the said regulations altered as referred to at Article 3(1) above shall apply as modified by this order throughout the district unless or until such time as they are further altered by the District Council with the approval of the Sheriff.

(2) In relation to the former burghs of Falkirk, Denny and Dunipace, and Bo'ness the provisions of the said regulations as they applied prior to the date of coming into operation of this order shall continue to have effect for the purpose only of any outstanding offences or proceedings thereunder and in the case of Falkirk the provisions of the byelaws made thereunder shall continue in force as if made under paragraph 23 of Schedule V of the Act altered as aforesaid and modified by this order, until such time as they are superseded by new byelaws.

George Younger,
One of Her Majesty's Principal Secretaries of State

New St Andrew's House,
Edinburgh.
7th August 1980.

SCHEDULE *Article 3(1)*

Provision	*Modification*
Section 270	For the words "five miles from the principal post office of the burgh" there shall be substituted the words "the area of the District Council of Falkirk" and for the words "within the burgh" there shall be substituted the words "within the said area".
Schedule V of the Act altered in terms of section 271 of the Act as referred to at Article 3(1) of this order.	
Regulations 3(*h*), 4, 8 and 10	For the words "the prescribed distance" and "such prescribed distance" there shall be substituted the words "the area of the District Council of Falkirk".
Regulations 2(*a*), 2(*b*), 2(*c*), 2(*d*), 2(*e*), 3(*a*), 3(*c*), 3(*d*), 3(*g*), 3(*i*), 4(*a*), 4(*d*), 7, 10 and 23	For the words "the Magistrates" there shall be substituted the words "Falkirk District Council".

EXPLANATORY NOTE

(This Note is not part of the Order.)

This Order extends those provisions of the Burgh Police (Scotland) Act 1892 which relate to licensing and control of hackney carriages throughout the area of the District Council of Falkirk. It also modifies certain of the said provisions as they already applied prior to the date of coming into operation of the Order.