# CHAPTER xxxii

An Act to confirm a Provisional Order under the Private Legislation Procedure (Scotland) Act, 1936, relating to Glasgow Corporation.

[1st August, 1962.]

WHEREAS the Provisional Order set forth in the schedule hereunto annexed has been made by the Secretary of State under the provisions of the Private Legislation Procedure (Scotland) Act, 1936, and it is requisite that the said Order should be confirmed by Parliament:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

**1.** The Provisional Order contained in the schedule hereunto annexed is hereby confirmed. Confirmation of Order in schedule.

**2.** This Act may be cited as the Glasgow Corporation Order Confirmation Act, 1962. Short title.

# SCHEDULE

## GLASGOW CORPORATION

*Provisional Order to extend the powers of the Corporation of the city of Glasgow with respect to the investment of their superannuation fund; to amend certain of the provisions of the Glasgow Corporation Consolidation (General Powers) Order, 1960 relating to public health and other matters; to make provision as to the deduction from rates to which the Trustees of the Clyde Navigation are to be entitled in respect of the cleansing and lighting by them of their quays and certain other works; to make further provision as to the powers of the Trustees of the Ure Elder Fund for Indigent Widow Ladies and for other purposes.*

Whereas by the Glasgow Corporation Order, 1958 provision was made and powers were conferred on the Corporation of the city of Glasgow (hereinafter referred to as "the Corporation") with regard to the investment of the fund maintained by them in pursuance of the Glasgow Corporation Superannuation Scheme 1955 but such powers are unduly restrictive and it is expedient to amend the provisions of the said Order of 1958 with respect to the investment of the said fund as provided in this Order:

And whereas by the Glasgow Corporation Consolidation (General Powers) Order, 1960 the Acts and Orders of or relating to the Corporation with respect to a variety of matters, including public health, were consolidated and it is expedient to extend for the purposes of that Order the definition of infectious disease therein contained and to amend certain other provisions of the said Order as provided in this Order:

And whereas by the Glasgow Corporation Acts 1855 to 1961 it is provided that the Trustees of the Clyde Navigation shall cleanse and light their quays, wharves, sheds and streets and shall in respect of the cost thereof be entitled to a deduction from the annual assessment to be levied on them of one shilling and twopence per pound on the gross annual valuation of their quays and of certain other works:

And whereas it is expedient that the provisions contained in this Order with respect to the said deduction should be enacted:

And whereas it is expedient that the provisions contained in this Order with respect to the Ure Elder Fund for Indigent Widow Ladies should be enacted:

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

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

Short title and citations.

1.—(1) This Order may be cited as the Glasgow Corporation Order, 1962.

(2) This Order and the Glasgow Corporation Acts, 1855 to 1961 may be cited together as the Glasgow Corporation Acts, 1855 to 1962.

Interpretation.

2. In this Order—

"Clyde Trustees" means the Trustees of the Clyde Navigation;

"Corporation" means the corporation of the city of Glasgow;

"Order of 1960" means the Glasgow Corporation Consolidation (General Powers) Order, 1960.

Amendment of superannuation scheme.

3. Article 32 (Management of fund, use of moneys and investment of surpluses) of the Glasgow Corporation Superannuation Scheme 1955, as amended by section 5 (Amendment of Superannuation Scheme) of the Glasgow Corporation Order 1958, shall be read and have effect as if, in paragraph (4)(B)(*b*) thereof, for the words "twenty-five per centum" there were substituted the words "fifty per centum".

Definition of infectious diseases etc.

4. Section 3 (Interpretation) of the Order of 1960 shall be read and have effect as if in place of the definition of "infectious disease" therein contained there were substituted the following definition (namely):—

"'infectious disease' means—

(*a*) an infectious disease to which the Infectious Diseases (Notification) Act, 1889, applies including any infectious disease to which that Act may from time to time be applied by the Corporation in pursuance of the provisions of section 7 thereof; and

(*b*) any epidemic, endemic or infectious disease to which any regulations made by the Secretary of State under the provisions of the Public Health (Scotland) Act, 1897, or the Public Health (Scotland) Act, 1945, (as amended by the Food and Drugs (Scotland) Act, 1956) relating to the notification of disease or to notifiable diseases (or under any other enactment amending or extending any of the said Acts) for the time being apply."

Penalty for failure to paint common passages, stairs etc.

5. Section 105 (Painting of common passages and stairs etc.) of the Order of 1960 shall be read and have effect as if, after the words "in the notice" occurring in subsection (1) thereof, there were inserted the following words (namely):—

"and if any such owner fails to comply with the requirements of any such notice he shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding five pounds and to a daily fine not exceeding two pounds".

Amendment of section 164 of Order of 1960.

6. Section 164 (Penalty for wilfully damaging etc. street apparatus) of the Order of 1960 shall be read and have effect as if in place of subsection (3) thereof there were substituted the following subsection (namely):—

"(3) For the purposes of this and the next following section of this Order "street apparatus" means and includes any police box, police telephone-pillar, street-refuge, shelter, direction sign, sign-post, pole, lamp-post, lamp-bracket, lamp or lighting

apparatus, appliance for the regulation or control of traffic, tramway or trolley vehicle standard or other apparatus forming part of the tramway undertaking of the Corporation, air pipe, ventilator or other apparatus forming part of the water undertaking of the Corporation or connected with any sewer, or any receptacle for the temporary deposit and collection of dust, ashes or rubbish or any sand-bin belonging to or set up by the Corporation."

**Deduction from rates in respect of cleansing and lighting of quays, etc. by Clyde Trustees.**

7.—(1) In consideration of the cleansing and lighting by the Clyde Trustees of their quays, wharves, sheds and streets pursuant to the provisions of section 28 (As to cleansing of quays etc. by Clyde Trustees) and section 36 (As to lighting of quays etc. by Clyde Trustees) of the Order of 1960 there shall be deducted from the annual assessment to be levied upon the Clyde Trustees by the Corporation in each year such percentage of the total amount of the burgh rate which would have been payable by them in that year in respect of their said quays, wharves and sheds (if such deduction were not made) as shall be equal to four-fifths of the percentage which the estimated net expenditure of the Corporation on lighting and cleansing the city during that year forms of the total estimated amount to be raised by way of the burgh rate for that year.

(2) Section 48 (As to lighting and cleansing of quays, &c. by Clyde Trustees) of the Glasgow Police Act, 1866, section 7 (Deduction to Clyde Trustees in respect of lighting and cleansing) of the Glasgow Corporation Order, 1919, and section 10 (Deduction to Clyde Trustees in respect of lighting and cleansing of quays etc.) of the Glasgow Corporation Order, 1961, are hereby repealed.

(3) This section shall be deemed to have come into operation on the first day of June nineteen hundred and sixty-one.

**Amendment of Ure Elder Fund Order, 1906.**

8. Whereas the indigent widow ladies connected with Glasgow or Govan to whom relief may be granted in terms of the Ure Elder Fund Order 1906 (in this section referred to as " the Order of 1906 ") and the trust deed therein referred to are by the said trust deed defined as those who have not an income of fifty pounds per annum: And whereas the said amount of fifty pounds, having by the Glasgow Corporation Order 1929 been increased to one hundred pounds, was further increased to two hundred pounds by section 8 (Amendment of Ure Elder Fund Order 1906) of the Glasgow Corporation Order 1956: And whereas it is expedient that the said amount should be further increased as provided in this section:

Be it therefore enacted as follows:—

(1) Notwithstanding anything in the Order of 1906 or the said trust deed or in the said Order of 1956, the trustees incorporated by the Order of 1906 shall have power to grant relief in terms of the Order of 1906 and the said trust deed to indigent widow ladies connected with Glasgow or Govan whose income does not exceed three hundred pounds per annum.

(2) Paragraph (*a*) of subsection (1) of the said section 8 of the said Order of 1956 is hereby repealed.

9. The costs, charges and expenses of and incidental to the preparing for, obtaining and confirming of this Order, or otherwise in relation thereto, shall be paid by the Corporation and shall be allocated among the several undertakings and services of the Corporation in such proportions as the Corporation may deem expedient. Costs of Order.

*Table of Statutes referred to in this Act*

| Short title | Session and chapter |
|---|---|
| Glasgow Police Act, 1866 .. .. .. | 29 & 30 Vict. c. cclxxiii. |
| Infectious Diseases (Notification) Act, 1889 .. | 52 & 53 Vict. c. 72. |
| Public Health (Scotland) Act, 1897 .. .. | 60 & 61 Vict. c. 38. |
| Private Legislation Procedure (Scotland) Act, 1936 .. .. .. .. .. .. | 26 Geo. 5. & 1 Edw. 8. c. 52. |
| Public Health (Scotland) Act, 1945 .. .. | 9 & 10 Geo. 6. c. 15. |
| Food and Drugs (Scotland) Act, 1956 .. | 4 & 5 Eliz. 2. c. 30. |

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## ARRANGEMENT OF SECTIONS


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GLASGOW CORPORATION

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