ELIZABETH II



1980 CHAPTER xl

An Act to confirm a Provisional Order under the Private Legislation Procedure (Scotland) Act 1936, relating to Inverclyde District Council. [29th October 1980]

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: 1936 c. 52.

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 Inverclyde District Council Order Confirmation Act 1980. Short title.

SCHEDULE

INVERCLYDE DISTRICT COUNCIL

Provisional Order to amend certain provisions of the Greenock Corporation Order 1952*; to amend certain penalties for offences prescribed by that Order; and for other purposes.*

Whereas—

(1) The Inverclyde District Council (hereinafter referred to as " the Council ") are vested with all the functions of a district council by virtue of section 2 of the Local Government (Scotland) Act 1973 for the area of Inverclyde as the said area is described in column 3 of Part III of Schedule 1 to that Act:

1973 c. 65.

(2) By virtue of the said Act of 1973, the Council are the statutory successors to the Corporation of Greenock incorporated under the Greenock Corporation Act 1909 and to the magistrates of the burgh of Greenock for the purposes of the Greenock Corporation Order 1952:

1909 c. cxxix.

1952 c. i (1 & 2 Eliz. 2).

(3) By the Greenock Corporation Order Confirmation Act 1952 (Application of Provisions) Order 1979 the provisions contained in Part IV (Cabs) of the said Order of 1952 were extended so as to apply throughout the said area of Inverclyde:

S.I. 1979/93.

(4) It is expedient that certain amendments should be made to the provisions of the said Part IV (Cabs) with respect to cabs' and drivers' licences:

(5) It is expedient that certain penalties for offences prescribed in the said Order of 1952 should be increased to take account of the change in the value of money since 1952 when the said penalties were fixed:

(6) It is expedient that the other provisions of this Order should be enacted:

(7) The purposes aforesaid cannot be effected without an Order confirmed by Parliament under the Private Legislation Procedure (Scotland) Act 1936:

1936 c. 52.

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

Short title.

1. This Order may be cited as the Inverclyde District Council Order 1980.

2. For the purposes of this Order— Interpretation.

" the Council " means the Inverclyde District Council;

" the district " means the Inverclyde district;

" the Order of 1952 " means the Greenock Corporation Order 1952. 1952 c. i (1 & 2 Eliz. 2).

3. The provisions of Part IV (Cabs) of the Order of 1952 referred to in column (1) of Schedule 1 to this Order shall have effect subject to the modifications set out in column (2) of that schedule. Modification of Order of 1952.

4. The penalties provided for in the sections of the Order of 1952 referred to in column (1) of Schedule 2 to this Order (being in respect of offences broadly described in column (2) of that schedule) shall have effect as if the maximum amount specified in column (3) of that schedule were the amount specified in column (4) thereof. Increase in maximum penalties in Order of 1952.

5. 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 Council in such manner as they may determine. Costs of Order.

SCHEDULES

Section 3.

SCHEDULE 1

MODIFICATION OF ORDER OF 1952

Provisions (1)	Modifications (2)
Section 30 (Provisions as to licences)	In subsection (3) for the words " for one year or until the twenty-eighth day of May next ensuing or for such shorter period " there shall be substituted the words " for such period ".
Section 31 (Charges for licences)	For the section there shall be substituted the following words:— " The Council may charge such reasonable application fees as they may fix from time to time in respect of applications for the grant or renewal of licences under the provisions of this Part of this Order.".

SCHEDULE 2

Section 4.

INCREASE OF PENALTIES FIXED BY ORDER OF 1952

Section of Order of 1952 (1)	Description of offence (2)	Old maximum penalty (3)	New maximum penalty (4)
Part IV (Cabs) Section 17 (1) and (2)	Plying for hire without licence	£5	£50
Section 20 (2)	Driver acting without licence	£5	£50
Section 21 (2)	Failure to notify change of address	£2	£50
Section 22	Demanding more than authorised fare	£2	£200
Section 24	Demanding more than sum agreed for though less than authorised fare	£2	£50
Section 25	Refusal to pay fare	£2	£50
Section 27	Contravention of cab byelaws	£5	£50
Part VI (Public Health) Section 47 (2)	Failure by owners to cleanse etc. common stairs etc.	£2	£50
Part IX (Miscellaneous) Section 66	Breach of byelaws	£2 and in addition 50 pence for each day on which the offence continues after conviction	£50
Section 68	Contravention of provision where no penalty is otherwise stated	£2	£50

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CHAPTER xl

ARRANGEMENT OF SECTIONS

Section

1. Confirmation of Order in schedule.
2. Short title.

SCHEDULE

INVERCLYDE DISTRICT COUNCIL

1. Short title.
2. Interpretation.
3. Modification of Order of 1952.
4. Increase in maximum penalties in Order of 1952.
5. Costs of Order.

SCHEDULES:

Schedule 1—Modification of Order of 1952.

Schedule 2—Increase of penalties fixed by Order of 1952.