STATUTORY INSTRUMENTS

1969 No. 1019 (S. 83)

LICENSING (LIQUOR)

The Licensing (Scotland) Order 1969

Made - - -	*23rd July* 1969
Laid before Parliament	*5th August* 1969
Coming into Operation	*15th August* 1969

In exercise of the powers conferred on me by section 31 (2A) of the Licensing (Scotland) Act 1959(a) (hereinafter referred to as the "Act of 1959") as inserted in that Act by section 1(4) of the Licensing (Scotland) Act 1969(b), and of all other powers enabling me in that behalf, I hereby make the following order:—

1. This order may be cited as the Licensing (Scotland) Order 1969 and shall come into operation on 15th August 1969.

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

3. It is hereby declared that, according to estimates obtained from the Registrar General of Births, Deaths and Marriages for Scotland (made by reference to the estimates prepared by him relating to 30th June 1968)

(*a*) the population of the Burgh of Cumbernauld is 24,383 and that of the county of Dunbarton (inclusive of all Royal and Parliamentary Burghs less than 4,000 and all other Burghs less than 7,000 but excluding all other burghs) is 53,129, and

(*b*) the population of the Burgh of Bishopbriggs is 19,154 and that of No. 4 (Glasgow) District of the county of Lanark (inclusive of all Royal and Parliamentary Burghs less than 4,000 and all other Burghs less than 7,000 but excluding all other burghs) is 74,980.

4. The entry in the first column of Part II of Schedule 1 to the Act of 1959, as altered by the Licensing (Scotland) Order 1964(d) relating to the County of Lanark and each of the entries adjacent thereto in the adjoining columns are hereby altered so that they shall be read and have effect in the form set out in the Schedule to this order.

5. Any alterations in the constitution of a licensing court or court of appeal consequential on a change of population declared in Article 3 of this order shall take effect, and any new licensing court or court of appeal which falls to be established in consequence of such a change, shall come into existence, on 1st September 1969.

(a) 1959 c. 51. (b) 1969 c. 13. (c) 1889 c. 63. (d) S.I. 1964/152 (1964 I, p. 280).

6.—(1) Where by virtue of this order a member falls to be elected to any licensing court of appeal, the magistrates, or justices of the peace concerned, as the case may be, shall meet and elect a duly qualified person as such member, and any person so elected shall hold office until the date of the next ordinary meeting for elections provided by the Act of 1959.

(2) Where by virtue of this order a new court of appeal falls to be established, the election of the members of such court shall, subject to the provisions of the next following article, be held in the manner provided by the Act of 1959, and the members so elected shall hold office until the date of the next ordinary meeting for elections provided by the Act of 1959.

7. Any meeting of magistrates, or justices of the peace, and any proceedings by way of election or otherwise, necessary for the purpose of giving effect to any alteration in the constitution of a licensing court of appeal or of establishing a new licensing court of appeal by virtue of this order, may be held or taken before the date on which, in accordance with the provisions of article 5 of this order, such alteration takes effect or such new court comes into existence as the case may be, and any such meeting or proceedings shall be held or taken as soon as possible after the commencement of this order in order that such alteration may be given effect to, or such new court may come into existence, on the said date.

8. Anything authorised or required by or under any statute to be done by or to the clerk of a licensing court or court of appeal shall before, on and after the date specified in article 5 of this order be done by or to the clerk of the court having jurisdiction for the time being, and where jurisdiction is transferred shall be deemed to have been duly done by or to the clerk of the court having jurisdiction.

William Ross,

One of Her Majesty's Principal Secretaries of State.

St. Andrew's House,
Edinburgh.
23rd July 1969.

SCHEDULE

Provisions relating to the County of Lanark to be substituted for the particulars relating to that county in Part II of the Schedule to the Licensing (Scotland) Order 1964.

County	Burgh	Present Population of Burgh	Court to consist of			
			Magistrates		Justices	Total Number of Court
			From each Burgh	Total of Magistrates		
Lanark	Bishopbriggs Lanark	19,154 8,441	3 3	6	6	12

EXPLANATORY NOTE

(This Note is not part of the Order.)

This Order declares the population according to an estimate made by the Registrar General for Births, Deaths and Marriages for Scotland as at 30 June 1968, of the new burghs of Bishopbriggs and Cumbernauld and of the No. 4 (Glasgow) District of the County of Lanark and of the County of Dunbarton, and prescribes 1st September 1969 as the date on which licensing courts for these burghs and a licensing appeal court for Cumbernauld shall be established and alterations in the licensing court of appeal from the burgh licensing courts of Bishopbriggs and Lanark shall take effect. The order enables magistrates, and justices of the peace to elect, where necessary, new members for licensing courts of appeal.