EXPLANATORY NOTE

(This Note is not part of the Regulations, but is intended to indicate their general purport.)

Regulation 2 includes River Purification Boards established under section 2 of the Rivers (Prevention of Pollution) (Scotland) Act, 1951, among the bodies, members of which are entitled by Part VI of the Local Government Act, 1948, to allowances in respect of the performance of their duties.

Regulation 3 deletes the Joint Advisory Committee on Adult Education in South East Scotland (following on the reconstitution and combination of the Edinburgh University Extra-Mural Committee and the Joint Advisory Committee on Adult Education in South East Scotland under the name of the former), as a body for service on which local authority members are entitled to similar allowances from their local authorities.

1953 No. 1057 (S. 86)

The Local Government (Dissolution of Small Burgh : Polling Procedure) (Scotland) Regulations, 1953

Made - - - - 4*th July*, 1953
Coming into Operation 13*th July*, 1953

In exercise of the powers conferred upon me by subsection (3) of section 134 of the Local Government (Scotland) Act, 1947(**a**), (hereinafter referred to as " the Act of 1947 ") and of all other powers enabling me in that behalf, I hereby make the following regulations :—

1. These regulations may be cited as the Local Government (Dissolution of Small Burgh: Polling Procedure) (Scotland) Regulations 1953, and shall come into operation on the 13th day of July, 1953.

2.—(1) In these regulations, unless the context otherwise requires, the following expressions have the meanings hereby assigned to them:—

" poll " means a poll of the local government electors for a burgh under subsection (3) of section 134 of the Act of 1947 ;

" public notice " means a notice given by advertisement, placard, handbill or such other means as appears to the town clerk best calculated to give information to the local government electors.

(2) Subsection (1) of section 366 of the Act of 1947 shall apply in calculating for the purposes of Regulation 5 of these regulations the twenty-first day before the day fixed for the poll.

(3) The Interpretation Act, 1889(**b**), shall apply to the interpretation of these regulations as it applies to the interpretation of an Act of Parliament.

3.—(1) The town council shall determine the day, not being less than five weeks after the last publication of the notice under paragraph (*b*) of subsection (3) of section 134 of the Act of 1947, on which a poll is to be held and the town clerk shall give public notice thereof in the form set out in the Schedule to these regulations, or a form to the like effect, not less than four weeks before the day fixed for the poll.

(2) The said public notice may be combined with the said notice under paragraph (*b*) of subsection (3) of section 134 of the Act of 1947.

4. The poll shall commence at eight o'clock in the morning and shall be kept open until eight o'clock in the afternoon of the same day and no longer.

(**a**) 10 & 11 Geo. 6. c. 43. (**b**) 52 & 53 Vict. c. 63.

5.—(1) It shall be the duty of the town clerk to conduct the poll and, subject to the provisions of these regulations, the provisions of the Representation of the People Act, 1949(a), and of any regulations made under that Act, including provisions relating to voting by post and by proxy, shall apply to the poll as they would apply to the election of town councillors of the burgh, with the substitution for references to the returning officer of references to the town clerk and for references in the said regulations to the last day for the delivery of nomination papers of references to the twenty-first day before the day fixed for the poll, and with any other necessary modifications.

(2) In their application to a poll rules forty-seven and forty-nine in the Third Schedule to the Representation of the People Act, 1949, shall have effect with the substitution for references to a period of six months of references to a period of twelve months.

6. The persons entitled to vote at the poll by post or by proxy shall be the local government electors who would be entitled so to vote if the poll were in connection with an election of town councillors of the burgh.

7. The ballot paper to be used at the poll shall be in the form set out in the Schedule to these regulations or a form to the like effect.

Dated this 4th day of July, nineteen hundred and fifty-three.

James Stuart,
One of Her Majesty's Principal Secretaries of State.

St. Andrew's House,
Edinburgh.

SCHEDULE

Regulation 3 FORM OF PUBLIC NOTICE OF POLL

Local Government (Scotland) Act, 1947

Proposed dissolution of burgh of

Poll of electors

Notice is hereby given that—

1. On the day of 19 , the Town Council of the Burgh of resolved as follows :—

2. On , the day of , 19 , a poll of the local government electors for the said Burgh on the question whether the resolution be approved will be taken at the following place(s)—

3. The persons entitled to vote as electors at the poll are the persons registered under the Representation of the People Acts as local government electors for the Burgh (other than those persons whose names are marked with a "Y" in the register) (*a*).

4. Persons who would be entitled to vote by post or by proxy at an election of town councillors of the Burgh will be entitled to vote by post or by proxy at the poll.

5. The hours of poll will be from 8 a.m. to 8 p.m.

Address

Date

Town Clerk.

(*a*) *Substitute "(including those persons whose names are marked with a "Y" in the register)" if polling day falls within the period during which such persons may vote.*

(a) 12, 13 & 14 Geo. 6, c. 68.

Regulation 7 FORM OF BALLOT PAPER

Front of Ballot Paper—

Counterfoil
No.

Note :
The counterfoil is to have a number to correspond with that on the back of the Ballot Paper.

§
§§ FOR dissolution of burgh
§§
§§ AGAINST dissolution of burgh
§

Back of Ballot Paper—

No.

Poll on question of proposed dissolution of the Burgh of

Note :—The number on the ballot paper is to correspond with that on the counterfoil.

1953 No. 1058 (S. 87)

The Local Government (Formation of New Burgh : Polling Procedure) (Scotland) Regulations, 1953

Made - - - - 4*th July,* 1953
Coming into Operation 13*th July,* 1953

In exercise of the powers conferred upon me by subsection (15) of section 133 of the Local Government (Scotland) Act, 1947(a) (hereinafter referred to as "the Act of 1947") and of all other powers enabling me in that behalf, I hereby make the following regulations:—

1.—(1) These regulations may be cited as the Local Government (Formation of New Burgh: Polling Procedure) (Scotland) Regulations, 1953, and shall come into operation on the 13th day of July, 1953.

(2) The Local Government (Formation of New Burgh: Polling Procedure) (Scotland) Regulations, 1952(b), are hereby revoked.

2.—(1) In these regulations, unless the context otherwise requires, the following expressions have the meanings hereby assigned to them:—

"poll" means a poll of the local government electors for an area under subsection (15) of section 133 of the Act of 1947;

"sheriff" has the same meaning as in section 133 of the Act of 1947;

"area" means an area whose boundaries have been fixed by a preliminary deliverance of the sheriff under subsection (7) of section 133 of the Act of 1947;

"public notice" means a notice given by advertisement, placard, handbill or such other means as the sheriff thinks best calculated to give information to the local government electors.

(2) In calculating for the purposes of Regulation 5 of these regulations the eleventh day after the poll has been demanded, subsection (1) of section 366 of the Act of 1947 shall apply.

(a) 10 & 11 Geo. 6. c. 43. (b) S.I. 1952/825; 1952 II, p. 1556.