## CHAPTER 11.

An Act to amend the Public Health (Scotland) Act, 1867. A.D. 1882.

[19th June 1882.]

WHEREAS by the Public Health (Scotland) Act, 1867, provision is made by section seventy-six for the formation of special drainage districts, and also by section eighty-nine for the formation of special water supply districts: 30 & 31 Vict. c. 101.

And whereas it has been found that a change of circumstances sometimes renders it expedient that the boundaries of such special drainage districts and special water supply districts should be altered, but the recited Act contains no provisions whereby such alteration can be effected:

And whereas the Public Health (Scotland) Act, 1867, Amendment Act, 1879, was passed for the purpose of making such provision, but it has been found insufficient for that purpose: 42 & 43 Vict. c. 15.

And whereas it is expedient that such provision should now be made, and that the provisions of the first-mentioned Act should be made applicable to the districts so altered, and that the second-mentioned Act should be repealed:

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.** This Act may be cited for all purposes as the Public Health (Scotland) Act, 1867, Amendment Act, 1882, and the first-mentioned Act and this Act shall be read and construed together. Short title and construction.

**2.** This Act shall commence to have effect on the first day of November one thousand eight hundred and eighty-two, which date is herein-after referred to as the commencement of this Act. Commencement of Act.

**3.** From and after the commencement of this Act the Public Health (Scotland) Act, 1867, Amendment Act, 1879, shall be repealed, and in lieu thereof it is provided as follows: Repeal of 42 & 43 Vict. c. 15.

A.D. 1882.

Special drainage and special water supply districts may be altered, combined, &c.

(1.) Where there shall exist within the district of any local authority to which the provisions of the seventy-sixth and eighty-ninth sections of the Public Health (Scotland) Act, 1867, respectively apply, a special drainage district or a special water supply district, as the case may be, it shall be competent to such local authority, upon requisition, as herein-after provided, to meet and consider the propriety of altering the boundaries of any such special drainage district or special water supply district, and to resolve upon such alteration of boundaries being effected, either (1) by enlarging or limiting the said boundaries; or (2) by combining two or more such special drainage districts or special water supply districts or portions thereof; or (3) by enlarging or limiting the said boundaries and combining two or more such special drainage districts or special water supply districts or portions thereof:

(2.) The local authority shall not be entitled to meet for the purpose of considering the propriety of any such proposed alteration of boundaries, except after receiving a requisition to that effect, made in writing and signed by at least ten of the inhabitants of the district of the local authority; but upon receiving such a requisition it shall be bound to meet for such purpose, and twenty-one clear days notice of the meeting shall be given to the members of the local authority:

(3.) In the event of the local authority resolving upon any such alteration of boundaries as aforesaid its resolution shall be advertised, and shall be subject to appeal and review in like manner as is provided by sections seventy-six and eighty-nine of the first-mentioned Act in regard to advertising and appealing against resolutions as to the formation of special drainage districts and special water supply districts under that Act: Provided that if the sheriff or sheriff substitute, as the case may be, shall disapprove of the resolution of the local authority he may vary the same, but only with the consent of the local authority:

(4.) The whole provisions of the first-mentioned Act applicable to special drainage districts and special water supply districts shall be applicable mutatis mutandis to such districts when altered or combined or altered and combined under this Act:

(5.) The provisions of this Act shall apply to all special drainage districts and special water supply districts, whether formed before or after the commencement of this Act, or altered or

combined or altered and combined under the powers conferred by this Act:

(6.) The repeal of the second-mentioned Act shall not affect anything duly done or any proceeding pending under the said Act, but such proceeding shall be carried on as if this Act had not passed.

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