CHAPTER 41.

An Act to amend the law relating to the election of town councillors in Scotland, and to make provision with regard to the powers of returning officers at elections of parish councillors in Glasgow. [2nd August 1923.]

BE it enacted by the King'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:—

Amendment of ss. 43 and 45 of 63 & 64 Vict. c. 49.

1. Sections forty-three and forty-five of the Town Councils (Scotland) Act, 1900 (which respectively relate to the nomination of candidates for the office of town councillor, and to the withdrawal of nominations), shall have effect as if the Friday and the Monday immediately preceding the last Tuesday of October were respectively substituted for the Tuesday and the Thursday immediately preceding the first Tuesday of November.

Amendment of s. 49 of 63 & 64 Vict. c. 49.

2. Section forty-nine of the Town Councils (Scotland) Act, 1900, which relates to the taking of polls in contested elections, shall have effect as if the following proviso were added at the end thereof:—

> Provided always that, where the council are satisfied that it is necessary in order to afford to all electors such reasonable facilities for voting as are practicable in the circumstances, they may, by resolution passed not later than one month before the issue in any year of the notice referred to in section forty-two, extend the hours prescribed by the last-mentioned Act for the keeping open of the poll, so however that the poll shall not commence earlier than seven o'clock in the forenoon and shall not be kept open later than nine o'clock in the afternoon.

Returning officer at an election of

3. The returning officer at an election of councillors for a burgh divided into wards, may, without prejudice to any other power, by writing under his hand,

town councillors to have power to appoint deputies.

appoint one or more fit persons to be his deputy or deputies for all or any of the purposes relating to such election and may, by himself or by such deputy, exercise any powers and do any things which the returning officer is required to exercise or do in relation to such election.

Counting of votes between the close of the poll and nine o'clock in the morning. 35 & 36 Vict. c. 33.

4. Notwithstanding anything in Rule 35 of Part I. of the First Schedule to the Ballot Act, 1872, the returning officer at an election of councillors for a burgh may, if he shall think fit, and without the consent of any candidate or other person, proceed with the counting of the votes during the hours between the close of the poll and nine o'clock on the succeeding morning.

Polling places and districts. 63 & 64 Vict. c. 49.

5. Notwithstanding anything in section twenty-two of the Town Councils (Scotland) Act, 1900, it shall not be necessary that a polling place appointed for any polling district under the said section be situated within such polling district.

Amendment of s. 52 of 63 & 64 Vict. c. 49.

6. Section fifty-two of the Town Councils (Scotland) Act, 1900 (which relates to the declaration of the election of town councillors), shall have effect as if the words "eight of the clock," were substituted for the words "four of the clock."

Returning officers at parish council elections in Glasgow. 59 & 60 Vict. c. cxcix.

7. The returning officer at an election of parish councillors under section twelve of the Glasgow Corporation (General Powers) Act, 1896, shall have the like powers as are conferred by sections two and three of this Act on the returning officers at the elections therein referred to.

Extent, commencement and short title.

8.—(1) This Act shall extend to Scotland only and shall come into operation on the expiry of one month after the passing thereof.

(2) This Act may be cited as the Town Councils (Scotland) Act, 1923, and the Town Councils (Scotland) Acts, 1900 and 1903, and this Act may be cited as the Town Councils (Scotland) Acts, 1900 to 1923.