

ELIZABETH II



1963 CHAPTER ix

An Act to confirm a Provisional Order under the Private Legislation Procedure (Scotland) Act 1936, relating to Glasgow Corporation.

[10th July 1963.]

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:

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 Glasgow Corporation Order Confirmation Act 1963. Short title.

SCHEDULE

GLASGOW CORPORATION

Provisional Order to enact provisions with respect to premises where poultry is kept, slaughtered and dressed; to amend the Glasgow Corporation Superannuation Scheme 1955; to amend the Glasgow Sewage Acts, 1935 to 1961; to authorise the Corporation to appoint more than one registrar in any registration district of the city; and for other purposes.

Whereas it is expedient that the Corporation of the city of Glasgow (hereinafter referred to as "the Corporation" and "the city" respectively) should have power to licence and control premises in the city in which poultry is kept, slaughtered and dressed:

And whereas the Corporation on 1st September, 1955, in exercise of the powers conferred upon them by section 34 (Superannuation fund &c. for Corporation employees) of the Glasgow Corporation (Water and General) Order 1902 made a scheme for the superannuation of their employees and the said scheme was duly approved by the Secretary of State and is now in force and it is expedient to amend the said scheme in relation to the contributions of certain employees and their rights to superannuation benefits as provided in this Order:

And whereas the Corporation appoint, pursuant to the provisions of the Registration of Births, Deaths and Marriages (Scotland) Acts, 1854 to 1938, the registrars for the several districts into which the city is divided for the purposes of the said Acts and it would facilitate the carrying out of the duties of such registrars and be for the convenience of the public if the Corporation were authorised to appoint more than one registrar for any of the said districts or for any district comprising the city:

And whereas by section 28 (Incorporation of Cambuslang district in Lanarkshire areas for purposes of Sewage Acts) of the Glasgow Corporation Sewage Order 1950 it was provided that, on and after the completion of the sewer work No. 19 authorised by the said Order of 1950, the area described in a schedule to the said Order should be added to and included in the Lanarkshire areas defined in section 2 (Interpretation) of the Glasgow Corporation Sewage Order 1935 and by the Glasgow Corporation Order 1953 it was provided that the construction of the said sewer work No. 19 should not be proceeded with and a new sewer (referred to in the said Order as the "Cambuslang sewer") was authorised in substitution for the said sewer work No. 19 and it is expedient that there should be substituted for the reference to the said sewer work No. 19 a reference to the Cambuslang sewer authorised by the said Order of 1953 and that the said section 28 should have effect accordingly:

And whereas the purposes aforesaid cannot be effected without an Order confirmed by Parliament under the provisions of the Private Legislation Procedure (Scotland) Act 1936:

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

PART I
PRELIMINARY

1.—(1) This Order may be cited as the Glasgow Corporation Order, 1963. Short title and citations.

(2) This Order and the Glasgow Sewage Acts 1935 to 1961 may be cited together as the Glasgow Sewage Acts 1935 to 1963.

(3) This Order and the Glasgow Corporation Acts 1855 to 1962 may be cited together as the Glasgow Corporation Acts 1855 to 1963.

2. The following words and expressions in this Order have, unless there is something in the subject or context repugnant to such construction, the meanings hereby assigned to them (that is to say):— Interpretation.

“city” means the city and royal burgh of Glasgow;

“Corporation” means the Corporation of the city of Glasgow;

“daily penalty” means a further fine for every day on which any offence is continued after conviction therefor;

“magistrates committee” has the same meaning as in the Order of 1960;

“Order of 1960” means the Glasgow Corporation Consolidation (General Powers) Order 1960;

“summary conviction” means conviction by a court of summary jurisdiction.

PART II

KEEPING, SLAUGHTERING ETC. OF POULTRY

3.—(1) Subject to the provisions of this Order a person shall not, as from the coming into operation of this Part of this Order, use or suffer to be used any premises in the city for the purpose of keeping, slaughtering or dressing poultry without a licence from the Corporation authorising him so to do. Licensing of premises used for keeping, slaughtering and dressing of poultry.

(2) The following provisions of the Order of 1960 shall, subject to the substitution of references to the Corporation for the references therein to the magistrates committee and with any other necessary modifications, apply and have effect for the purposes of this Part of this Order as if the said provisions were re-enacted in this Order (that is to say):—

Section 84 (Applications for licences);

Section 86 (Form and conditions of licences);

Section 87 (Licences to be signed);

Section 88 (Duration of licences);

Section 89 (Alteration on premises to be first approved of by magistrates committee);

Section 92 (Power to refuse licences);

PART II
—cont.

Section 93 (Power to magistrates committee to revoke or suspend licences);

Section 94 (Restriction on power of magistrates committee to refuse revoke or suspend licences);

Section 95 (Appeals);

Section 177 (Power to enter premises)

Section 182 (Granting of warrants to enter certain premises);

Section 183 (Penalty for keeping premises for certain purposes or being found thereon);

Section 184 (Penalty for re-letting premises to convicted persons or knowingly suffering same to be used after notice);

Section 193 (Penalty for breach of byelaws);

Section 194 (Breach of conditions of consent);

Section 196 (As to penalties and recovery thereof).

Section 200 (Decisions of sheriff or sheriff-substitute to be final).

(3) The Corporation may charge for the grant or renewal of a licence under this section such fee as they may determine not exceeding twenty shillings or such other maximum fee as may be substituted therefor by byelaws made by the Corporation which they are hereby authorised to make.

(4) Any person who uses or suffers any premises to be used in contravention of the provisions of this section shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding twenty-five pounds and to a daily penalty not exceeding ten pounds.

(5) For the purposes of this Part of this Order "poultry" includes domestic fowls, turkeys, geese, ducks, guinea fowls and pigeons.

Byelaws as to premises used for keeping, slaughtering and dressing of poultry.

4.—(1) The Corporation may make byelaws—

(a) for securing that premises used for keeping, slaughtering or dressing poultry are kept in a sanitary condition and are properly managed and for preventing cruelty therein;

(b) requiring persons licensed under the last preceding section to keep and produce when required records of poultry brought to the premises and of the manner in which such poultry was disposed of.

(2) If a person convicted of contravening any byelaw made under this section holds a licence under the last preceding section the court by which he is convicted may in addition to any fine which it may impose cancel the licence.

(3) The confirming authority for the purposes of section 301 (Procedure etc. for making byelaws) of the Local Government (Scotland) Act 1947 shall, as respects byelaws made under the powers of this Part of this Order be the Secretary of State.

Saving for certain premises.

5. The provisions of section 3 (Licensing of premises used for keeping, slaughtering and dressing of poultry) of this Order and of any

byelaws made under section 4 (Byelaws as to premises used for keeping, slaughtering and dressing of poultry) of this Order shall not apply to—

PART II
—cont.

- (a) the keeping, slaughtering or dressing of poultry kept or reared on any garden or allotment by the occupier thereof other than a garden or allotment occupied solely or mainly for the purpose of carrying on a trade or business by which the occupier seeks a livelihood or profit; or
- (b) the dressing of poultry in hotels, restaurants, cafes, clubs, canteens or other catering establishments so long as the poultry is cooked on the premises or is dressed for or in connection with the preparation and serving of meals for consumption on or off the premises; or
- (c) the keeping, slaughtering or dressing of poultry not intended for sale or for preparation for sale.

6.—(1) (a) The provisions of this Part of this Order shall come into operation on such date as may be fixed by a resolution of the Corporation of which date public notice shall be given by the Corporation by advertisement in one or more local newspapers circulating in the city.

Commencement
of Part II of
Order.

(b) Every such advertisement shall also state the effect of the provisions of this Part of this Order and the date specified therein as the date on which such provisions shall come into operation shall not be less than one month after the date of publication of the advertisement:

Provided that applications for licences under this Part of this Order may be made and determined before the provisions of this Part of this Order come into operation.

(2) A copy of a newspaper containing such advertisement shall be sufficient evidence of the publication of the advertisement.

(3) It shall be lawful for any person who when the provisions of this Part of this Order came into operation—

- (a) was using or suffering to be used any premises for the purpose of keeping slaughtering or dressing poultry in respect of which a licence is required under the provisions of this Part of this Order; and
- (b) had made application in accordance with the provisions of this Part of this Order for such a licence;

to continue to use or suffer to be used the premises as aforesaid until such time as he has been informed of the decision with regard to his application and, if the decision is adverse during such further time as is provided under the provisions of section 3 (Licensing of premises used for keeping, slaughtering and dressing of poultry) of this Order.

PART III MISCELLANEOUS

7. The Glasgow Corporation Superannuation Scheme, 1955 shall be read and have effect as if in place of paragraph (3) of article 4 thereof there were substituted the following paragraph, namely:—

Amendment of
superannuation
scheme.

“(3) (a) Where a contributor, on being transferred to other employment in the Corporation service (otherwise than in consequence of his own act) suffers a reduction in his remuneration or, while continuing in the same employment suffers a reduction

PART III
—cont.

in his remuneration which is not attributable to his own act, such contributor, in any case in which the reduction is in consequence of his incapacity to discharge efficiently the duties of his post, shall be entitled to and in any other case may, with the consent of the Corporation, contribute to the fund the like amount as if his remuneration had not been reduced; or

(b) Where a contributor is, otherwise than owing to ill-health or injury, on leave of absence at a reduced remuneration or for any reason is on leave of absence without remuneration he shall be entitled to contribute to the fund the like amount as if his remuneration had not been reduced or discontinued:

Provided that if any such contributor, by reason of absence from duty, does not contribute to the fund in accordance with the provisions of this paragraph, there shall be deducted in the calculation of his contributing service, the actual period during which he has not contributed, but this deduction shall not be made if within six months of his return to duty he pays to the fund the contributions applicable to the period during which he was absent from duty."

Corporation may appoint more than one registrar for any registration district.

8.—(1) Notwithstanding anything in the Registration of Births, Deaths, and Marriages (Scotland) Act 1854 or any other enactment the Corporation may appoint more than one registrar for any registration district and any of the registrars so appointed may, with respect to that district, carry out the duties prescribed by statute.

(2) For the purposes of this section "registration district" means any of the registration districts into which the city is for the time being divided or, in the event of the city being constituted a single registration district, means that registration district.

Amendment of section 28 of Glasgow Corporation Sewage Order 1950.

9. Section 28 (Incorporation of Cambuslang district in Lanarkshire areas for purposes of Sewage Acts) of the Glasgow Corporation Sewage Order 1950, shall be read and have effect as if in place of the words "the sewer Work No. 19 described in the section of this Order of which the marginal note is 'Power to construct sewers'" occurring in subsection (2) of the said section 28 there were substituted the words "the sewer (Cambuslang sewer) described in section 9 (Power to construct sewer work) of the Glasgow Corporation Order 1953".

Costs of Order.

10. 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 Corporation and shall be allocated among the several undertakings and services of the Corporation in such proportions as the Corporation may deem expedient.

Table of Statutes referred to in this Act

Short title	Session and chapter
Registration of Births, Deaths and Marriages (Scotland) Act 1854	17 & 18 Vict. c. 80.
Private Legislation Procedure (Scotland) Act 1936	26 Geo. 5 & 1 Edw. 8. c. 52.
Local Government (Scotland) Act 1947 ..	10 & 11 Geo. 6. c. 43.

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*Glasgow Corporation Order
Confirmation Act 1963*

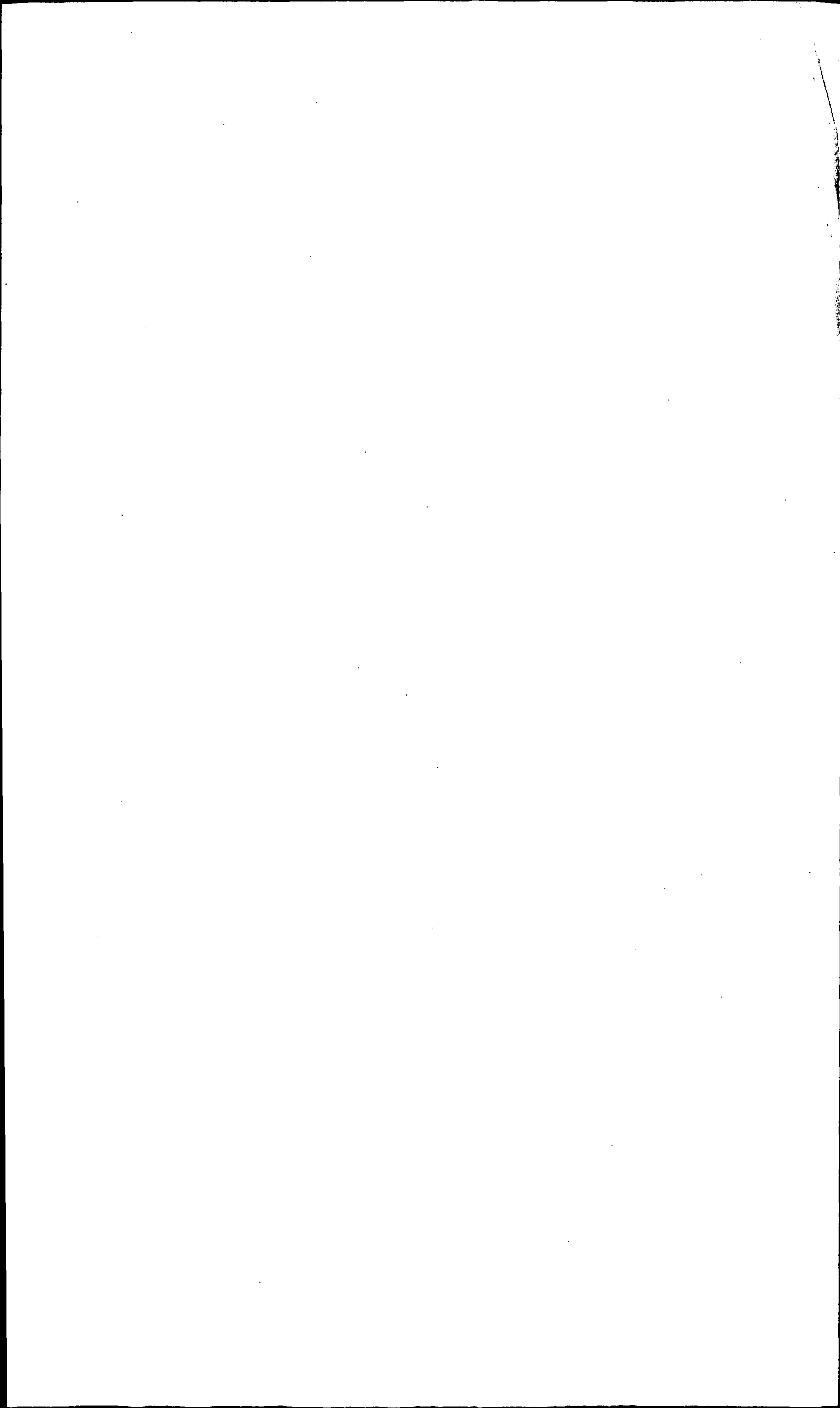
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Glasgow Corporation Order Confirmation Act 1963

CHAPTER ix

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2. Short title.

SCHEDULE

GLASGOW CORPORATION

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PRELIMINARY

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2. Interpretation.

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KEEPING, SLAUGHTERING ETC. OF POULTRY

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