
THE ISLES OF SCILLY ORDER, 1930, DATED MARCH 28,
1930, MADE BY THE MINISTER OF HEALTH UNDER
SECTION 138 (3) OF THE LOCAL GOVERNMENT ACT,
1929 (19 & 20 GEO. 5. C. 17).

1930 No. 216

74,007.

Whereas by Subsection (3) of Section 138 of the Local Government Act, 1929, it is enacted that the Minister of Health may by order direct that that Act shall, subject to such exceptions, adaptations and modifications, if any.

as may be specified in the Order, extend to the Isles of Scilly, but except as so applied the Act shall not apply to the said Isles; and it is further enacted that the Minister may by any such order amend or repeal any provisions contained in the order relating to the Isles of Scilly which was confirmed by the Local Government Board's Provisional Order Confirmation (No. 6) Act, 1890:

53 & 54 Vict.
c. clxxvi.

Now, therefore, the Minister of Health, in the exercise of the powers so conferred upon him, and of all other powers enabling him in that behalf, hereby makes the following Order:—

1.—(1) This Order may be cited as the Isles of Scilly Order, 1930, and shall come into operation on the 1st day of April, 1930.

(2) This Order and the Isles of Scilly Orders, 1890 to 1929,(a) may be cited together as the Isles of Scilly Orders, 1890 to 1930.

2.—(1) The provisions of the Local Government Act, 1929, which are set forth in the first column of the first schedule to this order shall, to the extent specified in the second column of that schedule, apply to the Isles of Scilly.

(2) Such of the provisions of the Local Government Act, 1929, as are referred to in the second schedule to this order shall have effect in the Isles of Scilly subject to the adaptations and modifications set forth in that schedule.

(3) The provisions of the Local Government Act, 1929, as adapted, modified and applied to the Isles of Scilly by this order, so far as they appertain to the powers, duties and liabilities of county councils, shall be read and construed as if the Isles of Scilly were an administrative County and the Council of the Isles of Scilly were the Council of that County.

3.—(1) So much of the Local Government Board's Provisional Order Confirmation (No. 6) Act, 1890, as relates to Articles IV and V and paragraph (1) of Article XXI of the Order relating to the Isles of Scilly thereby confirmed is hereby repealed.

(2) Article XII of the said Order as confirmed as aforesaid, shall be altered by the omission from paragraph (2) thereof of any reference to Section 15 of the Local Government Act, 1888, and that section shall no longer apply and have effect in the Isles of Scilly.

51 & 52 Vict.
c. 41.

FIRST SCHEDULE

Application of provisions of the Local Government Act, 1929

Provision of the Act	Extent of application to the Isles of Scilly
<i>Part I</i>	
Sections 1, 2 and 4	The whole of each section.
Section 6	The whole section, except all words in subsection (3) after "... rate or borrowing money."
Sections 8, 9, 10, 11, 13	The whole of each section.
Section 14	Subsections (1) and (2).
Section 16	The whole section.

(a) 53 & 54 Vict. c. clxxvi; S.R. & O. 1927 No. 59, 1928 No. 592 and 1929 No. 637, pp. 542 and 549 above.

LOCAL GOVERNMENT, ENGLAND

Provision of the Act	Extent of application to the Isles of Scilly
<i>Part II</i> Sections 22, 23, 24, 26 and 28	The whole of each section.
<i>Part IV</i> Sections 51, 52, 61 and 63 Section 53 Sections 55 and 56	The whole of each section. Subsection (2). The whole of each section.
<i>Part VI</i>	The whole part, so far as not already in force in the Isles of Scilly, but subject to the exceptions and modifications contained in the second schedule to this order.
<i>Part VII</i> Section 113 Section 115 Section 119 Sections 121, 122 and 123 Section 124 Section 126	Subsection (1). The whole section. The whole section, except paragraph (b). The whole of each section. Subsections (1) and (3). The whole section.
<i>Part VIII</i> Sections 127 and 128 Section 129 Sections 130, 131 and 132 Section 134 Section 137	The whole of each section. Subsections (1) and (4). The whole of each section. Such of the definitions as may be applicable to the circumstances of the Isles of Scilly. The whole section.
<i>Schedules</i> The 2nd, 3rd, 4th (Parts I, II and IV), 7th, 8th, 9th (Part I), 10th and 12th Schedules	The whole of these Schedules so far as they are applicable to the provisions applied by this Order.

SECOND SCHEDULE

Adaptations and Modifications

Provisions	Adaptation or modification
Section 4 Section 6	For "the commencement of this Act" there shall be substituted "the 1st day of April, 1930." The Section shall be modified by the addition of the following subsection:— “(4) The scheme may also provide for the appointment of an executive sub-committee of the public assistance committee consisting wholly or partly of members of the public assistance committee and for the functions of any such committee:”

Isles of Scilly (Application of Enactments)

Provisions	Adaptation or modification
	<p>“Provided that—</p> <p>(a) A majority of the members of any sub-committee appointed under this subsection shall be members of the Council; and (b) where the scheme provides for the appointment as members of any such sub-committee of persons who are not members of the Council, it shall provide for the inclusion of women as well as men, and regard shall be had to the desirability of including persons who are members of poor law authorities immediately before the 1st day of April, 1930, and other persons of experience in the matters delegated or referred to the sub-committee.”</p>
Section 56	<p>(a) for any reference to a rural district or rural district council there shall be substituted a reference to the Isles of Scilly or the Council of the Isles of Scilly as the case may require.</p> <p>(b) For “the commencement of this Act” where those words occur there shall be substituted the date on which this Order comes into operation.</p>
Part VI	<p>(a) Section 88 shall apply for the purpose of determining the “county apportionment” of the Isles of Scilly, but such county apportionment shall not be taken into account in making the calculation provided for in Rule 1 of Part IV of the Fourth Schedule to the Act.</p> <p>(b) Section 89 shall not apply, but, in lieu thereof, the following provision shall have effect:—“The county apportionment of the Isles of Scilly shall be paid to the Council and shall be called the ‘General Exchequer Grant of the Isles of Scilly.’ ”(a)</p> <p>(c) Sections 90, 91, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 106 and 109 shall not apply.</p> <p>(d) Section 92 shall not apply, but in lieu thereof the following provision shall have effect:—</p> <p style="padding-left: 40px;">“The Minister shall certify the sum included in the amount of the losses on account of rates and grants of the Council which represents losses on account of special and parish rates, and such sum shall be applied by the Council to such purposes and in such manner as may be prescribed.”(a)</p>
Section 122	<p>For the words from “the Council to whom the functions . . .” to the end of the Section there shall be substituted the words “the Council of the Isles of Scilly.”</p>
Section 134	<p>In relation to the Isles of Scilly, the expression “weighted population” shall mean that number which bears to the aggregate of the weighted populations of the other counties and the county boroughs the same proportion which the loss on account of rates and grants of the Isles of Scilly bears to the aggregate loss on account of rates and grants of the whole country.</p>

Given under the Official Seal of the Minister of Health this Twenty-eighth day of March, in the year One thousand nine hundred and thirty.

(L.S.)

R. H. W. Keenlyside,
Assistant Secretary, Ministry of Health.

(a) See now S.I. 1948 No. 2733, p. 575 below.