



# Public Works Loans Act 1875

1875 CHAPTER 89 38 and 39 Vict

*Public Works Loan Commissioners*

## <sup>F14</sup> Constitution, &c. of Public Works Loan Commissioners.

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### Textual Amendments

<sup>F1</sup> S. 4 omitted (25.2.2020) by virtue of *The Public Bodies (Abolition of Public Works Loan Commissioners) Order 2020* (S.I. 2020/176), art. 1(2), **Sch. 1 para. 9** (with art. 9)

## 5 Powers, &c. of [<sup>F2</sup>the Treasury].

With respect to [<sup>F3</sup>local loans] the following provisions shall have effect:

- (1) . . . <sup>F4</sup>
- (2) The [<sup>F5</sup>Treasury] may examine any persons willing to be examined on any matters connected with the execution of this Act, and may for that purpose, or otherwise for the purpose of the execution of this Act, administer an oath, and take any affidavits or declaration; and
- (3) The [<sup>F6</sup>Treasury] shall annually cause to be made out up to the end of every financial year a report of their transactions under this Act during the year, and such report shall contain or have annexed thereto the prescribed particulars respecting moneys issued to and loans granted by [<sup>F7</sup>the Treasury]<sup>F8</sup> . . . , and the execution of the duties of the [<sup>F6</sup>Treasury], and such other particulars as the [<sup>F6</sup>Treasury] may from time to time think fit;

Such particulars shall include a statement of any difference that may have arisen between the [<sup>F6</sup>Treasury] and any public department respecting the grant of any loan or the construction of any Act relating to loans by the [<sup>F6</sup>Treasury]:

Such report shall be <sup>F9</sup> . . . laid by the Treasury before both Houses of Parliament . . . <sup>F10</sup>

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<sup>F11</sup>(4) .....

<sup>F12</sup>(5) .....

#### Textual Amendments

- F2** Words in s. 5 heading substituted (25.2.2020) by The Public Bodies (Abolition of Public Works Loan Commissioners) Order 2020 (S.I. 2020/176), art. 1(2), **Sch. 1 para. 10(2)** (with art. 9)
- F3** Words in s. 5 substituted (25.2.2020) by The Public Bodies (Abolition of Public Works Loan Commissioners) Order 2020 (S.I. 2020/176), art. 1(2), **Sch. 1 para. 10(3)** (with art. 9)
- F4** S 5(1) repealed by Crown Proceedings Act 1947 (c. 44), **Sch. 2**
- F5** Word in s. 5(2) substituted (25.2.2020) by The Public Bodies (Abolition of Public Works Loan Commissioners) Order 2020 (S.I. 2020/176), art. 1(2), **Sch. 1 para. 10(4)** (with art. 9)
- F6** Word in s. 5(3) substituted (25.2.2020) by The Public Bodies (Abolition of Public Works Loan Commissioners) Order 2020 (S.I. 2020/176), art. 1(2), **Sch. 1 para. 10(5)(a)** (with art. 9)
- F7** Words in s. 5(3) substituted (25.2.2020) by The Public Bodies (Abolition of Public Works Loan Commissioners) Order 2020 (S.I. 2020/176), art. 1(2), **Sch. 1 para. 10(5)(b)** (with art. 9)
- F8** Words in s. 5(3) omitted (25.2.2020) by virtue of The Public Bodies (Abolition of Public Works Loan Commissioners) Order 2020 (S.I. 2020/176), art. 1(2), **Sch. 1 para. 10(5)(c)** (with art. 9)
- F9** Words in s. 5(3) omitted (25.2.2020) by virtue of The Public Bodies (Abolition of Public Works Loan Commissioners) Order 2020 (S.I. 2020/176), art. 1(2), **Sch. 1 para. 10(5)(d)** (with art. 9)
- F10** Words repealed by National Loans Act 1968 (c. 13), **Sch. 6 Pt. II**
- F11** S. 5(4) omitted (25.2.2020) by virtue of The Public Bodies (Abolition of Public Works Loan Commissioners) Order 2020 (S.I. 2020/176), art. 1(2), **Sch. 1 para. 10(6)** (with art. 9)
- F12** S. 5(5) omitted (25.2.2020) by virtue of The Public Bodies (Abolition of Public Works Loan Commissioners) Order 2020 (S.I. 2020/176), art. 1(2), **Sch. 1 para. 10(6)** (with art. 9)

#### [<sup>F13</sup>6 The Public Works Loans Secretary

- (1) A person may be appointed from time to time by the Treasury to the office of the Public Works Loans Secretary and that person shall be known as the Public Works Loans Secretary.
- (2) A person holds and vacates office as the Public Works Loans Secretary in accordance with the terms made by the Treasury.
- (3) The Public Works Loans Secretary exercises the functions of that office on behalf of the Crown.
- (4) The Treasury may appoint an assistant to the Public Works Loans Secretary as they consider necessary.]

#### Textual Amendments

- F13** S. 6 substituted (25.2.2020) by The Public Bodies (Abolition of Public Works Loan Commissioners) Order 2020 (S.I. 2020/176), art. 1(2), **Sch. 1 para. 11** (with art. 9)

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**7** [<sup>F14</sup>Securities given to and land and property vested in the Public Works Loans Secretary to vest in their successor].

Where under this or any other Act [<sup>F15</sup>or instrument] or any conveyance, obligation, or security, any [<sup>F16</sup>land] or personal property, or any estate or interest therein, or any chose in action, has been or may be vested in, conveyed, made payable, or secured to the [<sup>F17</sup>Public Works Loans Secretary for the time being as the holder of, and in respect of, that office], all such [<sup>F16</sup>land] and personal property, estate and interest, and chose in action whatsoever, upon the death, removal, or resignation of any such [<sup>F18</sup>Public Works Loans Secretary] from time to time, and as often as the same happens and the appointment of a successor takes place, shall (subject to the same trusts and equities, if any, as the same were before respectively subject to) vest in such succeeding [<sup>F18</sup>Public Works Loans Secretary], by force of this Act and without any act or deed whatever to be done by the [<sup>F18</sup>Public Works Loans Secretary] dying, resigning or removed, or by the heirs, executors, or administrators of such [<sup>F18</sup>Public Works Loans Secretary], or by any person or persons claiming under him, them or any of them, and notwithstanding the same may have been expressed to be vested in, conveyed, made payable to or secured to such [<sup>F18</sup>Public Works Loans Secretary], his heirs, executors, administrators, and assigns, or any of them; and shall be proceeded upon in the name of any succeeding [<sup>F18</sup>Public Works Loans Secretary], by any action or suit in law or equity, or in any other manner as the same might have been proceeded upon by or in the name or names of such [<sup>F18</sup>Public Works Loans Secretary] dying, resigning, or removed.

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**Textual Amendments**

- F14** S. 7 heading substituted (25.2.2020) by [The Public Bodies \(Abolition of Public Works Loan Commissioners\) Order 2020 \(S.I. 2020/176\)](#), art. 1(2), **Sch. 1 para. 12(2)** (with art. 9)
- F15** Words in s. 7 inserted (25.2.2020) by [The Public Bodies \(Abolition of Public Works Loan Commissioners\) Order 2020 \(S.I. 2020/176\)](#), art. 1(2), **Sch. 1 para. 12(3)** (with art. 9)
- F16** Word in s. 7 substituted (25.2.2020) by [The Public Bodies \(Abolition of Public Works Loan Commissioners\) Order 2020 \(S.I. 2020/176\)](#), art. 1(2), **Sch. 1 para. 12(4)** (with art. 9)
- F17** Words in s. 7 substituted (25.2.2020) by [The Public Bodies \(Abolition of Public Works Loan Commissioners\) Order 2020 \(S.I. 2020/176\)](#), art. 1(2), **Sch. 1 para. 12(5)** (with art. 9)
- F18** Words in s. 7 substituted (25.2.2020) by [The Public Bodies \(Abolition of Public Works Loan Commissioners\) Order 2020 \(S.I. 2020/176\)](#), art. 1(2), **Sch. 1 para. 12(6)** (with art. 9)
- F19** Words repealed by [Crown Proceedings Act 1947 \(c. 44\)](#), **Sch. 2**

**8** Execution of conveyances, leases, &c., by [<sup>F20</sup>the Public Works Loans Secretary on behalf of the Treasury].

All conveyances, leases, mortgages, releases, arrangements, and things which the [<sup>F21</sup>Treasury] are authorised by this Act to grant, execute, make, or concur in, and all powers, acts, and things which the [<sup>F21</sup>Treasury] are authorised by this Act to exercise, do, or concur in, in relation to any mortgaged property or rate, may be granted, executed, made, concurred in, exercised, and done by [<sup>F22</sup>the Public Works Loans Secretary] for the time being under their direction, and when so granted, executed, made, concurred in, exercised, and done by [<sup>F23</sup>the Public Works Loans Secretary], shall be deemed to have been granted, executed, made, concurred in, exercised, and

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done by him [<sup>F24</sup>under the direction of the Treasury], unless the contrary is shown by some person interested in contesting the validity thereof.

Any property, chose in action, estate, interest, powers, authorities, and privileges vested in or exercisable by [<sup>F25</sup>the Public Works Loans Secretary] in pursuance of this Act shall be dealt with and exercised by him [<sup>F24</sup>under the direction of the Treasury] and not otherwise.

#### Textual Amendments

- F20** Words in s. 8 heading substituted (25.2.2020) by [The Public Bodies \(Abolition of Public Works Loan Commissioners\) Order 2020 \(S.I. 2020/176\)](#), art. 1(2), **Sch. 1 para. 13(2)** (with art. 9)
- F21** Word in s. 8 substituted (25.2.2020) by [The Public Bodies \(Abolition of Public Works Loan Commissioners\) Order 2020 \(S.I. 2020/176\)](#), art. 1(2), **Sch. 1 para. 13(3)** (with art. 9)
- F22** Words in s. 8 substituted (25.2.2020) by [The Public Bodies \(Abolition of Public Works Loan Commissioners\) Order 2020 \(S.I. 2020/176\)](#), art. 1(2), **Sch. 1 para. 13(4)** (with art. 9)
- F23** Words in s. 8 substituted (25.2.2020) by [The Public Bodies \(Abolition of Public Works Loan Commissioners\) Order 2020 \(S.I. 2020/176\)](#), art. 1(2), **Sch. 1 para. 13(5)** (with art. 9)
- F24** Words in s. 8 substituted (25.2.2020) by [The Public Bodies \(Abolition of Public Works Loan Commissioners\) Order 2020 \(S.I. 2020/176\)](#), art. 1(2), **Sch. 1 para. 13(6)** (with art. 9)
- F25** Words in s. 8 substituted (25.2.2020) by [The Public Bodies \(Abolition of Public Works Loan Commissioners\) Order 2020 \(S.I. 2020/176\)](#), art. 1(2), **Sch. 1 para. 13(7)** (with art. 9)

#### Modifications etc. (not altering text)

- C1** S. 8 amended by [Public Works Loans Act 1965 \(c. 63\)](#), **Sch. 1 para. 3**

**Changes to legislation:**

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Heading: Public Works Loan Commissioners.