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DRAFT STATUTORY INSTRUMENTS

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**2019 No.**

**PUBLIC BODIES**

**The Public Bodies (Abolition of Public Works Loan Commissioners) Order 2019**

*Made - - - -  
Coming into force in accordance with articles 1(2)  
and 1(3)*

**THE PUBLIC BODIES (ABOLITION OF PUBLIC WORKS LOAN COMMISSIONERS) ORDER 2019**

1. Citation and commencement
2. Interpretation
3. Abolition of the Public Works Loan Commissioners
4. Transfer of functions
5. Transfers of property, rights and liabilities
6. Final report
7. Repeal of reference to the Commissioners in the Public Bodies Act 2011
8. Consequential provisions
9. Supplementary  
Signature

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SCHEDULE 1 — Consequential provisions – primary legislation

1. Harbours and Passing Tolls, &c. Act 1861
2. (1) Section 3 (advances of money to harbour authorities by...
3. Public Works and Fisheries Acts Amendment Act 1863
4. (1) Section 1 (Public Works Loan Commissioners may grant priority...
5. (1) Section 2 (such priority not to give validity to...
6. (1) Section 3 (how priority may be granted) is amended...
7. (1) Section 4 (harbour authorities may borrow money to pay...
8. Public Works Loans Act 1875
9. Omit section 4 (constitution, &c. of Public Works Loan Commissioners)...
10. (1) Section 5 (powers, etc of Commissioners) is amended as...
11. For section 6 (officers and their salaries and expenses) substitute...
12. (1) Section 7 (securities given to and property vested in...
13. (1) Section 8 (execution of conveyances, leases, etc, by secretary...

14. (1) Section 9 (loans for public works) is amended as...
15. (1) Section 11 (term of years for repayment of loan)...
16. (1) Section 12 (security for loans) is amended as follows....
17. (1) Section 18 (charge on property and priority of loan...
18. (1) Section 19 (charges on rate of loan and loan...
19. (1) Section 20 (securities to be taken in name of...
20. (1) Section 21 (taking possession by commissioners of property on...
21. (1) Section 22 (powers of Commissioners when in possession) is...
22. (1) Section 23 (powers in relation to rate where default...
23. (1) Section 24 (liability of Commissioners after taking possession or...
24. (1) Section 25 (sale and mortgage by Commissioners of mortgaged...
25. In section 26 (purchaser not liable to see to the...
26. (1) Section 27 (terms of lease, sale, or mortgage) is...
27. (1) Section 28 (application of money arising on taking possession,...
28. (1) Section 29 (payment of loan before it is due,...
29. (1) Section 30 (discharge of security and reversion of property...
30. (1) Section 31 (bankruptcy of debtor) is amended as follows....
31. In section 32 (form of mortgage) for “secretary of the...
32. In section 33 (recovery of debt on personal security) for...
33. (1) Section 34 (recovery of loan after the expiration of...
34. (1) Section 35 (security for completion of works partly finished...
35. (1) Section 37 (suspension of payment of principal and interest)...
36. (1) Section 38 (change of security) is amended as follows....
37. (1) Section 39 (concurrence by Commissioners in leases, sales, etc,...
38. (1) Section 41 (regulations by Commissioners) is amended as follows....
39. For section 43 (accounts) substitute– Accounts The Treasury shall keep at the Bank of England such...
40. (1) Section 46 (receipt for money payable on account of...
41. (1) Section 48 (notices to and by Commissioners) is amended...
42. (1) Section 50 (application of Act to loans under special...
43. (1) Section 51 (definitions) is amended as follows.
44. Omit Section 55 (reference in Acts to repealed Acts).
45. Omit Section 57 (repeal of Acts).
46. Omit Schedule 2 (form of Declaration).
47. Public Works Loans (Money) Act 1876
48. Public Works Loans Act 1944
49. (1) Section 4 (performance of functions of secretary of Public...
50. Local Authorities Loans Act 1945
51. (1) Section 2 (amendment of Public Works Loans Act 1875)...
52. (1) Section 4 (repayment of loans made by Public Works...
53. In section 7 (power to carry loans to consolidated loans...
54. In section 10 (interpretation) at the end insert ““local loan”...
55. Public Works Loans Act 1946
56. Coast Protection Act 1949
57. In section 20(2) (contributions towards expenses of coast protection) for...
58. Harbours Act 1964
59. (1) Section 13 (maximum amount of loans and grants under...
60. Public Works Loans Act 1965
61. (1) Section 2 (new form of local loan and automatic...
62. In paragraph 7 of the Schedule for “Loan Commissioners” substitute...
63. National Loans Act 1968
64. (1) Section 3 (local loans) is amended as follows.
65. In section 4(1)(a) (limit for local loans) for “Loan Commissioners”...

66. In section 22(1) (interpretation) for ““Loan Commissioners” and “local loans”...
67. House of Commons Disqualification Act 1975
68. In Part 3 of Schedule 1 (other Disqualifying Offices) omit...
69. Housing Act 1985
70. (1) Section 451 (loans by Public Works Loan Commissioners) is...
71. Housing Associations Act 1985
72. (1) Section 68 (loans by Public Works Commissioners) is amended...
73. Housing (Scotland) Act 1987
74. (1) Section 231 (loans by Public Works Loan Commissioners) is...
75. Housing (Scotland) Act 1988
76. In section 67(4) (abolition and capitalisation of certain subsidies and...
77. Local Government and Housing Act 1989
78. (1) Section 157 (commutation of, and interest on, periodic payments...
79. Housing Act 1996
80. (1) Section 23 (loans by Public Works Loans Commissioners) is...
81. Local Government Act 2003
82. (1) Section 38 (loans by public works loans commissioners) is...
83. In Section 39(6) (payments towards local authority indebtedness) for “Public...
84. Local Government in Scotland Act 2003
85. (1) Section 38 (Scottish ministers’ power to pay off loans...

#### SCHEDULE 2 — Consequential provisions – secondary legislation

1. Local Loans (Procedure) Regulations 1968
2. Omit regulation 1 (meetings of the Commissioners).
3. (1) Regulation 2 (application for loans) is amended as follows....
4. (1) Regulation 3 (loans) is amended as follows.
5. (1) Regulation 5 (receipts and discharges) is amended as follows....
6. (1) Regulation 6 (powers of Secretary) is amended as follows....
7. For regulation 7 (powers of other officers) substitute— Powers of assistant...
8. Public Works Loans (Fees) Regulations 1991
9. (1) Regulation 3 (fees payable for advances) is amended as...

Explanatory Note