



CHAPTER xxxix.

An Act to confirm certain Provisional Orders of the Minister of Health relating to Bingley Birkenhead Bognor Chichester and Weymouth and Melcombe Regis. [20th July 1922.]

A.D. 1922.

WHEREAS the Minister of Health has made the Provisional Orders set forth in the schedule hereto under the provisions of the Public Health Act 1875:

38 & 39 Vict.
c. 55.

And whereas it is requisite that the said Orders should be confirmed by Parliament:

Be it therefore 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:—

1. The Orders set out in the schedule hereto shall be and the same are hereby confirmed and all the provisions thereof shall have full validity and force.

Orders in
schedule
confirmed.

2. This Act may be cited as the Ministry of Health Provisional Orders Confirmation (No. 2) Act 1922.

Short title.

A D. 1922.

SCHEDULE.

URBAN DISTRICT OF BINGLEY.

*Bingley
Order.*

*Provisional Order for partially repealing altering and
amending the Bingley Improvement Act 1847.*

WHEREAS the Urban District Council of Bingley (hereinafter referred to as "the Council") are the local authority within the meaning of the Public Health Act 1875 for the Urban District of Bingley (hereinafter referred to as "the District");

And whereas the unrepealed provisions of the Bingley Improvement Act 1847 (hereinafter referred to as "the Local Act of 1847") as altered by the Bingley Extension and Improvement Act 1867 (hereinafter referred to as "the Local Act of 1867") by a Provisional Order made by the Local Government Board dated the 22nd day of June 1876 (hereinafter referred to as "the Order of 1876") which was confirmed by the Local Government Board's Provisional Orders Confirmation (Bingley &c.) Act 1876 and by another Local Act another Provisional Order duly confirmed by Parliament and an Order made by the Local Government Board which do not affect the subject-matter of this Order are in force in those parts of the District which are referred to in Section 8 of the Local Act of 1847 Section 8 of the Local Act of 1867 and the Schedule to the Order of 1876;

And whereas by Section 3 of the Local Act of 1847 certain of the provisions of the Towns Improvement Clauses Act 1847 are (amongst other provisions) incorporated with the Local Act of 1847;

And whereas the Council have made application to the Minister of Health for the issue of a Provisional Order partially to repeal alter or amend the Local Act of 1847 in the manner hereinafter set forth :

Now therefore the Minister of Health in pursuance of the powers given to him by Section 303 of the Public Health Act 1875 and by any other Statutes in that behalf hereby orders that from and after the date of the Act of Parliament confirming this Order the Local Act of 1847 shall be partially repealed

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altered and amended so that the following provisions shall take effect that is to say:—

*Bingley
Order.*

1. Sections 36 to 41 inclusive 63 and 109 to 112 inclusive of the Towns Improvement Clauses Act 1847 shall cease to be incorporated with the Local Act of 1847.

Repeal of
Local Act
provisions.

2. This Order may be cited as the Bingley Order 1922.

Short title.

Given under the Official Seal of the Minister of Health
this Sixteenth day of February One thousand nine
hundred and twenty-two.

(L.S.)

I. G. GIBBON
Assistant Secretary Ministry of Health.

BOROUGH OF BIRKENHEAD.

*Provisional Order for altering the Birkenhead Corporation
Act 1881 the Birkenhead Corporation (Ferries)
Act 1897 the Birkenhead Corporation Water Act 1907
the Birkenhead Corporation Act 1914 and the Ministry
of Health Provisional Orders Confirmation (No. 7)
Act 1920.*

*Birkenhead
Order.*

WHEREAS the Borough of Birkenhead is an Urban District of which the Mayor Aldermen and Burgesses acting by the Council (hereinafter referred to as "the Corporation") are the Urban Authority for the purposes of the Public Health Act 1875;

And whereas there are in force in the said Borough the unrepealed provisions of the Birkenhead Corporation Act 1881 the Birkenhead Corporation (Ferries) Act 1897 the Birkenhead Corporation Water Act 1907 the Birkenhead Corporation Act 1914 the Birkenhead (Ferries) Order 1920 which was confirmed by the Ministry of Health Provisional Orders Confirmation (No. 7) Act 1920 (each of which Acts is hereinafter referred to as the Act of the year in which the same was passed) and certain other local Acts and Provisional Orders duly confirmed by Parliament which do not affect the subject matter of this Order;

And whereas by Section 79 of the Act of 1907 it was provided that any deficiency in the revenues or receipts of the Corporation on account of their water undertaking should be made good out of the borough fund and borough rate and the next borough rate

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to be made by the Corporation should be increased so far as might be necessary to recoup to the borough rate the amount so made good out of that rate ;

And whereas the deficiency in the revenue or receipts of the Corporation on account of their water undertaking in respect of the year ended on the Thirty-first day of March One thousand nine hundred and twenty-one amounted to the sum of fifty thousand seven hundred and twenty-eight pounds which has not been made good out of the borough fund and borough rate and it is estimated that the deficiency in respect of the year ending on the Thirty-first day of March One thousand nine hundred and twenty-two will amount to the sum of thirty-three thousand two hundred and eleven pounds ;

And whereas the Corporation own maintain and work certain ferries (including the ferries known as Rock Ferry and the New Ferry) across the River Mersey and by virtue of Article II. of the Birkenhead (Ferries) Order 1920 (hereinafter referred to as "the Order of 1920") they may with the approval of the Minister of Transport demand and take ferry tolls and charges for ferryage not exceeding those set forth in the Schedule to that Order ;

And whereas the Corporation have applied to the Minister of Health for the issue of a Provisional Order to alter or amend the Act of 1881 the Act of 1897 the Act of 1907 the Act of 1914 and the Act of 1920 so far as it relates to the Order of 1920 in manner hereinafter set forth :

Now therefore the Minister of Health in pursuance of the powers given to him by Sections 297 and 303 of the Public Health Act 1875 and of all other powers enabling him in that behalf hereby orders that from and after the date of the Act of Parliament confirming this Order the Act of 1881 the Act of 1897 the Act of 1907 the Act of 1914 and the Act of 1920 so far as it relates to the Order of 1920 shall be altered and amended so that the following provisions shall take effect that is to say :—

Borrowing
powers for
defraying
deficiency on
water under-
taking.

1. Notwithstanding the provisions contained in Section 79 of the Act of 1907 or any other provisions—

- (i) The Corporation may borrow by mortgage of the revenue of the water undertaking and of the borough fund and of all or any of the rates tolls and revenues of the Corporation from whatever source derived a sum not exceeding seventy thousand pounds for the purpose of defraying in part the deficiency in the revenues or receipts of the Corporation on account of their water undertaking in respect of the years ended on the Thirty-first day of March in the years One

thousand nine hundred and twenty-one and One thousand nine hundred and twenty-two and the Corporation shall repay any sum so borrowed within a period of seven years from the last-mentioned date by equal annual instalments of principal or by a non-accumulating sinking fund the first of such instalments or of the contributions to such sinking fund to be paid on or before the Thirty-first day of March One thousand nine hundred and twenty-three and subject hereto Section 72 of the Act of 1907 and the enactments applied thereby shall apply to the moneys so borrowed ;

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- (ii) The Corporation shall defray out of the borough fund and borough rate the amount of the said deficiency which is not defrayed out of moneys borrowed as aforesaid as to eight thousand pounds in the financial year ending at the Thirty-first day of March One thousand nine hundred and twenty-three and as to the residue in the following financial year.

2. Notwithstanding anything contained in the Act of 1881 the Act of 1897 and the Order of 1920 the Corporation may in respect of the ferries at Rock Ferry and the New Ferry from time to time demand and take ferry tolls not exceeding those set forth in the Schedule to this Order :

Increase of
tolls for
Rock Ferry
and New
Ferry.

Provided that no such tolls exceeding those at present authorised shall be demanded or taken without the approval of the Minister of Transport.

3. The words " other than or " in the proviso to Article II. of the Order of 1920 shall be omitted.

4. This Order may be cited as the Birkenhead Order 1922. Short title

SCHEDULE.

FERRY TOLLS.

For carrying each person who shall not be a contractor or ticket holder as after mentioned across the River Mersey from Rock Ferry or New Ferry to the landing stage or place appropriated to ferry steamers belonging to the Mersey Docks and Harbour Board or vice versa by the boats of the Corporation (between the hours of five o'clock in the morning and twelve o'clock at night) a sum not exceeding - - - - - 5d.

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	For One Year.	For Six Calendar Months.	For Three Calendar Months.
	£ s. d.	£ s. d.	£ s. d.
For carrying as aforesaid one person who shall contract with the Corporation by payment in advance from such date as the Corporation may fix excepting at and after the hour of 12 o'clock at night and before the hour of 5 o'clock in the morning not exceeding -	4 4 0	2 16 0	1 17 6

Given under the Official Seal of the Minister of Health this
 Twelfth day of April One thousand nine hundred and
 twenty-two.

(L.S.)

H. W. S. FRANCIS
 Assistant Secretary Ministry of Health.

URBAN DISTRICT OF BOGNOR.

Bognor
 Order.

*Provisional Order for altering certain
 Local Acts.*

WHEREAS the Urban District Council of Bognor (hereinafter referred to as "the Council") are the local authority within the meaning of the Public Health Act 1875 for the Urban District of Bognor (hereinafter referred to as "the District");

And whereas by a Provisional Order dated the 10th day of June 1867 and confirmed by the Local Government Supplemental Act 1867 (No. 5) certain sections of a Local Act passed in the 6th year of the reign of His late Majesty King William the Fourth and intituled "An Act for paving lighting watching and otherwise improving the Town of Bognor in the County of Sussex and for amending and enlarging two Acts of Parliament passed in the Third and Sixth years of the reign of His late Majesty King George the Fourth relating to the said Town" were repealed and certain of the powers duties authorities advantages and penalties then vested in or attaching to the Commissioners under the first-mentioned Local Act were transferred to the Bognor Local Board and the said Order provided

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that with the modifications thereby made the unrepealed provisions of the said three Local Acts (which are hereinafter referred to as the Local Acts of 1822 1825 and 1835 respectively) and the Public Health Act 1848 and the Acts incorporated therewith should be incorporated read and construed as one Act applicable to the District;

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Order.*

And whereas the Council are the successors of the Bognor Local Board;

And whereas by virtue of an Order of the Local Government Board dated the 3rd day of June 1909 Parts VI. and X. of the Public Health Acts Amendment Act 1907 (hereinafter referred to as "the Act of 1907") are in force in the District;

And whereas the Council having purchased certain lands and buildings (known and hereinafter referred to as "the Rock Gardens") as a site for street improvements and a recreation ground and the Rock Gardens not now being required for the purposes for which they were so acquired the Council in pursuance of their powers have sold or propose to sell the same;

And whereas the Council have acquired certain other lands hereinafter referred to and described in the Schedule hereto for the purposes of Part III. of the Housing of the Working Classes Act 1890 and these lands are not now required for those purposes;

And whereas the Council have made application to the Minister of Health for the issue of a Provisional Order to alter or amend the Local Acts of 1822 1825 and 1835 modified incorporated read and construed as aforesaid in the manner hereinafter set forth :

Now therefore the Minister of Health in pursuance of the powers given to him by Sections 297 and 303 of the Public Health Act 1875 and of any other powers in that behalf hereby orders that from and after the date of the Act of Parliament confirming this Order the Local Acts of 1822 1825 and 1835 modified incorporated read and construed as aforesaid shall be altered so that the following provisions shall have effect that is to say :—

1.—(1) The Council may appropriate the lands described in the Schedule to this Order (hereinafter referred to as "the lands") for the purposes set out in Article 2 of this Order subject to the conditions mentioned in Section 95 of the Act of 1907.

Appropriation of lands for purposes of public walks and pleasure grounds.

(2) The appropriation of the lands shall be subject to such adjustment of accounts in connection with the annual charges of any loan outstanding in respect of the lands jointly with any other property as the Minister of Health may direct.

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Powers as to
the lands.

2. The Council may—

- (a) Lay out fence and use the lands as a pleasure ground and for that purpose plant maintain replace or remove trees shrubs and flowers thereon or therefrom;
- (b) Extend alter remove enlarge or improve any existing buildings on the lands and erect on the lands and provide and maintain furnish and equip music and other pavilions concert halls ballrooms conservatories winter gardens band stands reading rooms shelters baths lavatories or other buildings and conveniences;
- (c) Let any portion of the lands or any pavilion or other building on the lands to any person for the purpose of entertainments and authorise that person to charge for admission thereto;
- (d) Provide and maintain refreshment rooms on the lands and either manage them themselves or if they think fit let them to any person for any term not exceeding three years;
- (e) Provide on the lands bowling greens tennis courts croquet grounds miniature rifle ranges and spaces for other games and recreations;
- (f) Provide on the lands any apparatus for games and recreations and charge for the use thereof and if they think fit let for any term not exceeding three years the right to any person of providing and charging for the use of any apparatus for games and recreations;
- (g) Provide or contribute towards the expenses of any band of music or any musical dramatic or other entertainment dance or lecture on the lands or in the pavilions or other buildings thereon;
- (h) Provide covered and other seats and chairs on the lands and in the pavilions and buildings thereon and charge for the use of the said chairs or any of them;
- (i) Charge for admission to the lands and any of the buildings thereon and to the entertainments and amusements to be provided therein and for refreshments and for the use of the bowling greens tennis courts croquet grounds miniature rifle ranges and spaces to be provided for other games and recreations and for programmes of any concert or entertainment held on the lands.

Application of
Section 164 of
Public Health
Act 1875.

3. Subject to the provisions of this Order the lands shall be deemed to be a pleasure ground purchased by the Council under the provisions of Section 164 of the Public Health Act 1875.

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4. Any expenses of the Council incurred in the exercise of the powers conferred on them by this Order shall be defrayed out of the district fund and general district rate of the District and all sums received by the Council in the exercise of those powers shall be carried to the credit of the district fund.

*Bognor
Order.*

Application
of revenue
&c.

5. The Council shall apply the proceeds of the sale of the Rock Gardens in the execution and construction of the works authorised by and the exercise of the powers conferred by Article 2 of this Order to such extent as may be approved by the Minister of Health or in or towards paying off moneys borrowed by them and charged upon the district fund and general district rate of the Council or otherwise whether with or without any collateral security and for the time being owing or if there be no moneys so owing in or towards paying off any other moneys for the time being owing by the Council Provided that the moneys so received shall not be applied to the payment of instalments appropriations or annual repayments or to payments into any sinking fund except to such extent and upon such terms as may be approved by the Minister of Health.

Application
of moneys
from sale &c.
of lands.

6. The Council may with the sanction of the Minister of Health and subject to the provisions of this Order borrow upon the security of the district fund and general district rate of the District such sums not exceeding ten thousand pounds as may from time to time be necessary for the purposes of this Order.

Borrowing
powers.

7. For the purpose of raising money in the exercise of the powers of borrowing conferred by this Order the provisions of the Local Loans Act 1875 shall be available to the Council and Sections 236 to 238 of the Public Health Act 1875 shall apply to all moneys borrowed on mortgage under this Order.

Local Loans
Act and cer-
tain provi-
sions of Pub-
lic Health
Act made
applicable.

8. The moneys borrowed under Article 6 of this Order shall be repaid within such period not exceeding sixty years from the date of borrowing as the Council with the sanction of the Minister of Health in each case determines and the period so determined and sanctioned is hereinafter referred to as "the prescribed period" and shall with reference to the repayment of those moneys be the prescribed period for the purposes of this Order and of the Local Loans Act 1875.

Period for
repayment
of borrowed
moneys.

9.—(1) The Council shall repay the moneys borrowed under this Order (other than moneys borrowed under the provisions of the Local Loans Act 1875) by equal annual instalments of principal or by equal annual instalments of principal and interest combined or by means of a sinking fund or partly by one of those methods and partly by another or the others of them.

Mode of
repayment

(2) Subject to the provisions of Article 10 of this Order if the Council determine to repay by means of a sinking fund any

Formation
maintenance
and applica-

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tion of sink-
ing fund.

moneys borrowed under this Order the sinking fund shall be formed and maintained either—

- (a) by payment to the fund throughout the prescribed period of such equal annual sums as will together amount to the moneys for the repayment of which the sinking fund is formed. A sinking fund so formed is hereinafter called a non-accumulating sinking fund; or
- (b) by payment to the fund throughout the prescribed period of such equal annual sums as with accumulations at a rate not exceeding three pounds ten shillings per centum per annum or at such other rate as the Minister of Health may from time to time approve will be sufficient to pay off within the prescribed period the moneys for the repayment of which the sinking fund is formed. A sinking fund so formed is hereinafter called an accumulating sinking fund.

(3) Every sum paid to a sinking fund and in the case of an accumulating sinking fund the interest on the investments of the sinking fund shall unless applied in repayment of the loan in respect of which the sinking fund is formed be immediately invested in securities in which trustees are by law for the time being authorised to invest or in mortgages bonds debentures debenture stock stock or other securities (not being annuity certificates or securities payable to bearer) duly issued by any local authority as defined by Section 34 of the Local Loans Act 1875 but exclusive in every case of the securities of the Council and the Council shall be at liberty from time to time to vary and transpose the investments.

(4) In the case of a non-accumulating sinking fund the interest on the investments of the fund may be applied by the Council towards the equal annual payments to the fund.

(5) The Council may at any time apply the whole or any part of any sinking fund in or towards the discharge of the money for the repayment of which the fund is formed. Provided that in the case of an accumulating sinking fund the Council shall pay into the fund each year and accumulate during the residue of the prescribed period a sum equal to the interest which would have been produced by the sinking fund or the part of the sinking fund so applied if invested at the rate per centum per annum on which the annual payments to the sinking fund are based.

(6)—(a) If and so often as the income of an accumulating sinking fund is not equal to the income which would be derived from the amount invested if the same were invested at the rate per centum per annum on which the equal annual payments to the fund are based any deficiency shall be made good by the Council.

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(b) If and so often as the income of an accumulating sinking fund is in excess of the income which would be derived from the amount invested if the same were invested at the rate per centum per annum on which the equal annual payments to the fund are based any such excess may be applied towards those equal annual payments.

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Order.

(7) Any expenses connected with the formation maintenance investment application or management of or otherwise in relation to any sinking fund under this Order shall be paid by the Council in addition to the payments provided for by this Order.

10.—(1) If it appears to the Council at any time that the amount in the sinking fund with the future payments thereto in accordance with the provisions of this Order together with the accumulations thereon (in the case of an accumulating sinking fund) will probably not be sufficient to repay within the prescribed period the moneys for the repayment of which the sinking fund is formed it shall be the duty of the Council to make such increased payments to the sinking fund as will cause the sinking fund to be sufficient for that purpose. Provided that if it appears to the Minister of Health that any such increase is necessary the Council shall increase the payments to such extent as the Minister may direct.

Increase
reduction or
discontinu-
ance of pay-
ments to
sinking fund.

(2) If the Council desire to accelerate the repayment of any loan they may increase the amounts payable to any sinking fund.

(3) If in the opinion of the Minister of Health the amount in any sinking fund with the future payments thereto in accordance with the provisions of this Order together with the accumulations thereon (in the case of an accumulating sinking fund) will probably be more than sufficient to repay within the prescribed period the moneys for the repayment of which the sinking fund is formed the Council may reduce the payments to be made to the sinking fund either temporarily or permanently to such an extent as the Minister may approve.

(4) If in the opinion of the Minister of Health the amount in any sinking fund at any time together with the accumulations thereon (in the case of an accumulating sinking fund) will probably be sufficient to repay the loan in respect of which it is formed within the prescribed period the Council may with the consent of the Minister discontinue the equal annual payments to the sinking fund until the Minister otherwise directs.

(5) Any surplus of any sinking fund remaining after the discharge of the whole of the moneys for the repayment of which it was formed shall be applied to such purpose or purposes as the Council with the consent of the Minister of Health may determine.

Surplus of
sinking fund.

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Order.*

Power to re-
borrow.

11.—(1) The Council shall have power—

- (a) to borrow for the purpose of paying off any moneys previously borrowed under this Order which are intended to be forthwith repaid; or
- (b) to borrow in order to replace moneys which during the previous twelve months have been temporarily applied from other funds of the Council in repaying moneys previously borrowed under this Order and which at the time of such repayment it was intended to replace by borrowed moneys.

(2) Any moneys borrowed under this Article shall for the purposes of repayment be deemed to form part of the original loan and shall be repaid within that portion of the prescribed period which remains unexpired and the provisions which are for the time being applicable to the original loan shall apply to the moneys borrowed under this Article.

(3) The Council shall not have power to borrow for the purpose of making any payment to a sinking fund or of paying any instalment or making any annual payment which has or may become due in respect of borrowed moneys.

(4) The Council shall not have power to borrow in order to replace any moneys previously borrowed which have been repaid—

- (a) by instalments or annual payments; or
- (b) by means of a sinking fund; or
- (c) out of moneys derived from the sale of land; or
- (d) out of any capital moneys properly applicable to the purpose of the repayment other than moneys borrowed for that purpose.

Application
of borrowed
moneys.

12. All moneys from time to time borrowed under this Order shall be applied by the Council only for the purposes for which the same are respectively authorised to be borrowed excepting that moneys which may have been borrowed in excess of the amount required shall be applied in such manner as the Council with the approval of the Minister of Health determine.

Receiver.

13.—(1) Subject to the provisions of this Article any mortgagee of the Council in respect of a mortgage under this Order may enforce the payment of arrears of interest or of principal or of principal and interest by the appointment of a receiver.

(2) The application for the appointment of a receiver shall be made to the High Court and the Court if it thinks fit may appoint a receiver on such terms as it thinks fit and may at any time discharge the receiver and otherwise exercise full jurisdiction over him :

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Provided that no such application shall be entertained unless the amount of arrears due to the applicant or in the case of a joint application by two or more mortgagees to the applicants collectively be not less than three hundred pounds in the whole.

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*Bognor
Order.*

14.—(1) The town clerk shall within twenty-one days after the Thirty-first day of March in each year if during the twelve months next preceding the said Thirty-first day of March any sum is required to be paid as an instalment or annual payment or to be appropriated or to be paid to a sinking fund in pursuance of the provisions of the Local Acts or of this Order or in respect of any money raised thereunder and at any other time when the Minister of Health may require such a return to be made transmit to the Minister a return in such form as may from time to time be prescribed by the Minister and if required by the Minister verified by statutory declaration of the clerk to the Council showing for the year next preceding the making of the return or for such other period as the Minister may prescribe the amounts which have been paid as instalments or annual payments and the amounts which have been appropriated and the amounts which have been paid to or invested or applied for the purpose of the sinking fund and the description of the securities upon which any investment has been made and the purposes to which any portion of the sinking fund or investment or of the sums accumulated by way of compound interest has been applied during the same period and the total amount (if any) remaining invested at the end of the year and in the event of his failing to make the return the clerk to the Council shall for each offence be liable to a penalty not exceeding twenty pounds to be recovered by action on behalf of the Crown in the High Court and notwithstanding the recovery of that penalty the making of the return shall be enforceable by writ of mandamus to be obtained by the Minister out of the High Court.

Return as to provision for repayment of debt.

(2) If it appears to the Minister of Health by that return or otherwise that the Council have failed to pay any instalment or annual payment required to be paid or to appropriate any sum required to be appropriated or to set apart any sum required for any sinking fund (whether the instalment or annual payment or sum is required by any of the Local Acts or by this Order or by the Minister in virtue thereof to be paid appropriated or set apart) or have applied any portion of any sinking fund to any purpose other than an authorised purpose the Minister may by order direct that the sum in his order mentioned not exceeding double the amount in respect of which default has been made shall be paid or applied as is mentioned in the said order and any such order shall be enforceable by writ of mandamus to be obtained by the Minister out of the High Court.

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—
Bognor
Order.
Inquiries and
expenses.

15.—(1) The Minister of Health may direct any inquiries to be held by inspectors of the Minister of Health which he may deem necessary with reference to the purposes of the Local Acts and this Order and such inspectors shall for the purposes of any inquiry have all such powers as they have for the purposes of inquiries directed by the Minister under the Public Health Act 1875.

(2) Where the Minister causes any such inquiry as aforesaid to be held the costs incurred by the Ministry in relation to that inquiry (including such reasonable sum as the Minister may determine for the services of any inspector or officer of the Ministry engaged in the inquiry) shall be paid by the Council and the Minister may certify the amount of the costs so incurred and any sum so certified and directed by the Minister to be paid by the Council shall be a debt due to the Crown from the Council.

Short title.

16. This Order may be cited as the *Bognor Order 1922.*

The SCHEDULE above referred to.

All that piece or parcel of land in the Urban District of Bognor having a frontage to Crescent Road of 380 feet or thereabouts bounded on the north by Crescent Road aforesaid on the south by other land and buildings belonging to the Council and known as Hothampton Terrace on the east by property belonging to the Merchant Taylors Company and known as the Merchant Taylors Mens Convalescent Home and on the west by Steyne Street and Canada Grove and containing by admeasurement two acres one rood twenty-two perches or thereabouts.

Given under the Official Seal of the Minister of Health this Eighteenth day of April One thousand nine hundred and twenty-two.

(L.S.)

F. L. TURNER
Assistant Secretary Ministry of Health.

CITY OF CHICHESTER.

A.D. 1922.

*Provisional Order for partially repealing altering and
amending the Chichester Corporation Water
Act 1897.*

*Chichester
Order.*

WHEREAS the City of Chichester (hereinafter referred to as "the City") is an Urban District of which the Mayor Aldermen and Citizens acting by the Council (hereinafter referred to as "the Corporation") are the local authority within the meaning of the Public Health Act 1875 and the unrepealed provisions of the Chichester Corporation Water Act 1897 (hereinafter referred to as "the Act of 1897") as amended by the Selsey Water Act 1907 (hereinafter referred to as "the Act of 1907") are in force in the City;

And whereas in pursuance of the Act of 1897 the water undertaking of the Chichester Waterworks Company was transferred to the Corporation and the Corporation are authorised to supply water within the limits defined by Section 7 of that Act as amended by the Act of 1907 (which limits as so amended are hereinafter referred to as "the water limits of the Corporation");

And whereas by Section 43 of the Act of 1897 the Corporation were authorised to borrow certain sums for the purposes therein specified;

And whereas the Corporation have made application to the Minister of Health for the issue of a Provisional Order further to repeal alter or amend the Act of 1897 in the manner hereinafter set forth:

Now therefore the Minister of Health in pursuance of the powers given to him by Section 303 of the Public Health Act 1875 and of all other powers enabling him in that behalf hereby orders that from and after the date of the Act of Parliament confirming this Order the Act of 1897 shall be further repealed altered or amended so that the following provisions shall take effect that is to say:—

1. The Corporation may construct in accordance with plans and sections to be approved by the Minister of Health and maintain one or more service reservoirs in the Parish of Lavant with conduits mains and lines of pipes in connection therewith.

Power to
construct
additional
works.

2. The works authorised by this Order shall for all purposes be deemed part of the water undertaking of the Corporation and the provisions of the Act of 1897 shall so far as the same are applicable and subject to the provisions of this Order extend and apply to such works.

Works to
form part of
undertaking.

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A.D. 1922.

*Chichester
Order.*

Application
of section 54
of Public
Health Act
1875 to water
undertaking.

3. For the purposes of the supply of water by the Corporation under the Act of 1897 and this Order the Corporation shall have the powers of a local authority under Section 54 of the Public Health Act 1875 in respect of the carrying of water mains within or without their district and in exercising the powers of that section any area within the water limits of the Corporation shall be deemed to be included in their district:

Provided that in the exercise of the said powers the Corporation shall be subject to the provisions of Sections 308 327 328 329 and 332 of the Public Health Act 1875.

Additional
borrowing
powers.

4.—(1) The Corporation may with the sanction of the Minister of Health borrow on the securities specified in subsection (2) of Section 43 of the Act of 1897 such sums as may from time to time be necessary for the purposes of their water undertaking.

(2) The provisions of Sections 44 to 54 inclusive and of Section 56 of the Act of 1897 shall apply to any sums so borrowed in the same way as they apply to any sums borrowed for the improvement and extension of the waterworks of the Corporation in pursuance of that Act:

Provided that such provisions shall have effect as if—

- (i) In Section 46 for the words “sixty years from the time herein-before prescribed for commencing to discharge such moneys” there were substituted the words “such period from the date of borrowing as the Corporation with the sanction of the Minister of Health may determine”; and
- (ii) In Section 47 (1) for the words “three per centum per annum” there were substituted the words “three pounds ten shillings per centum per annum or at such other rate as the Minister of Health may from time to time approve.”

Repeal in
part of Sec-
tion 43 of the
Act of 1897.

5. Section 43 of the Act of 1897 shall be repealed so far as it confers upon the Corporation any power to borrow money which has not been exercised.

Short title.

6. This Order may be cited as the Chichester Order 1922.

Given under the Official Seal of the Minister of Health
this Eleventh day of March One thousand nine
hundred and twenty-two.

(L.S.)

F. L. TURNER
Assistant Secretary Ministry of Health.

BOROUGH OF WEYMOUTH AND
MELCOMBE REGIS.

A.D. 1922.

*Provisional Order for altering or amending the
Weymouth and Melcombe Regis Corporation Act 1914.*

*Weymouth
and Melcombe
Regis Order.*

WHEREAS the Borough of Weymouth and Melcombe Regis (hereinafter referred to as "the Borough") is an Urban District of which the Mayor Aldermen and Burgesses acting by the Council (hereinafter referred to as "the Corporation") are the local authority for the purposes of the Public Health Act 1875 and the unrepealed provisions of the Weymouth and Melcombe Regis Corporation Act 1914 (hereinafter referred to as "the Local Act") are in force in the Borough;

And whereas by Section 21 of the Local Act provision was made for the contribution by the Council of the Administrative County of Dorset (hereinafter referred to as "the County Council") of the sum of Thirteen thousand six hundred and twenty-five pounds towards the cost of constructing certain works referred to in the Local Act as Work No. 1;

And whereas by Section 22 of the Local Act the County Council were authorised to borrow the said sum under and subject to the provisions of Section 69 of the Local Government Act 1888;

And whereas the County Council are desirous of making a further contribution of Seven thousand seven hundred and twenty-six pounds towards the cost of construction of the said works and of paying the sum of Six hundred pounds in respect of the fees of their engineer in connection with the said works and the Corporation at the request of the County Council have made application to the Minister of Health for the issue of a Provisional Order to alter or amend the Local Act in manner hereinafter set forth:

Now therefore the Minister of Health in pursuance of the powers given to him by Section 303 of the Public Health Act 1875 and by any other Statutes in that behalf hereby orders that from and after the date of the Act of Parliament confirming this Order the Local Act shall be altered or amended so that the following provisions shall take effect namely:—

1. Section 21 of the Local Act shall have effect as if the words "Twenty-one thousand three hundred and fifty-one pounds" were therein substituted for the words "Thirteen thousand six hundred and twenty-five pounds."

Power to
County
Council to
increase con-
tributions to
cost of works,

[Ch. xxxix.] *Ministry of Health* [12 & 13 GEO. 5.]
Provisional Orders Confirmation (No. 2) Act, 1922.

A.D. 1922.

*Weymouth
and Melcombe
Regis Order.*

Power to
County
Council to
borrow
moneys.

Short title.

2. The additional sum of Seven thousand seven hundred and twenty-six pounds to be contributed by the County Council by virtue of Article 1 of this Order and the sum of Six hundred pounds proposed to be paid as aforesaid shall for the purpose of Section 22 of the Local Act be deemed to be part of the cost incurred by the County Council within the meaning of that Section.

3. This Order may be cited as the Weymouth and Melcombe Regis Order 1922.

Given under the Official Seal of the Minister of Health
this Sixteenth day of February One thousand nine
hundred and twenty-two.

(L.S.)

I. G. GIBBON
Assistant Secretary Ministry of Health.

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