



CHAPTER lxiv.

An Act to confer upon the corporation of the borough of Swansea further powers with respect to their electricity undertaking to make better provision for the health local government and finance of the borough and for other purposes. A.D. 1922.
[20th July 1922.]

WHEREAS the borough of Swansea (in this Act referred to as "the borough") is a municipal borough subject to the Acts relating to municipal corporations and is a county borough within the meaning of the Local Government Act 1888 and the mayor aldermen and burgesses of the borough (in this Act referred to as "the Corporation") acting by the council are the urban sanitary authority for the borough :

And whereas it is expedient that further powers should be conferred upon the Corporation with respect to their electricity undertaking and that further and better provision should be made with reference to streets buildings and sanitary matters and for the local government health and improvement of the borough and that the powers of the Corporation in relation thereto should be enlarged and extended :

And whereas it is expedient that the other powers contained in this Act should be conferred upon the Corporation :

And whereas the objects of this Act cannot be attained without the authority of Parliament :

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And whereas in relation to the promotion of the Bill for this Act the requirements of the Borough Funds Acts 1872 and 1903 have been observed :

May it therefore please Your Majesty that it may be enacted and be it 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 (that is to say) :—

PART I.

PRELIMINARY.

Short title. 1. This Act may be cited as the Swansea Corporation Act 1922.

Division of Act into Parts. 2. This Act is divided into Parts as follows :—
Part I.—Preliminary.
Part II.—Electricity.
Part III.—Streets and Buildings.
Part IV.—Sanitary Provisions.
Part V.—Sale of Fuel.
Part VI.—Finance.
Part VII.—Miscellaneous.

Interpretation. 3. In this Act unless the subject or context otherwise requires the several words and expressions to which by the Public Health Acts meanings are assigned shall have in relation to the relative subject-matter the same respective meanings And the expressions—

- “The borough” means the borough of Swansea;
- “The Corporation” means the mayor aldermen and burgesses of the borough;
- “The council” means the council of the borough;
- “The trustees” means the Swansea Harbour Trustees;
- “The Public Health Acts” means the Public Health Act 1875 and the Acts amending and extending the same;
- “The town clerk” “the medical officer” “the surveyor” and “the sanitary inspector” mean respectively the town clerk the medical officer of health the surveyor and the sanitary inspector

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of the borough and respectively include any person duly appointed by the Corporation to discharge temporarily the duties of any such officers;

“The borough fund” and “the borough rate” mean respectively the borough fund and the borough rate of the borough;

“The Act of 1889” means the Swansea Corporation Act 1889;

“The Act of 1902” means the Swansea Corporation Act 1902;

“The Act of 1912” means the Swansea Corporation Act 1912;

“Daily penalty” means a penalty for every day on which any offence is continued after conviction; and

“Statutory borrowing power” means any power whether or not coupled with a duty of borrowing or continuing on loan or re-borrowing money or of redeeming or paying off or creating or continuing payment of or in respect of any annuity rentcharge rent or other security representing or granted in lieu of consideration money for the time being existing under any Act of Parliament public or local passed or to be passed or under any Provisional Order confirmed by Act of Parliament passed or to be passed or under any order or sanction of any Government department made or given or to be made or given by authority of any Act of Parliament passed or to be passed.

PART II.

ELECTRICITY.

4.—(1) The maximum electrical power with which any consumer shall be entitled to be supplied by the Corporation shall not include any supply of energy taken on extraordinary occasions or as a standby supply unless such consumer shall pay to the Corporation such minimum annual sum as will give them a reasonable return on the capital expenditure and will cover other standing charges incurred by the Corporation in order to meet the possible maximum demand for those premises the sum so to be

As to maximum power which may be demanded.

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A.D. 1922. — paid to be determined in default of agreement by arbitration in the manner provided by section 28 (Arbitration) of the Electric Lighting Act 1882.

(2) The provisions of this section shall not operate to deprive any consumer of electricity supplied by the Corporation under the terms of any agreement existing at the passing of this Act of any right to which he would be entitled but for the said provisions.

Further powers as to entry upon premises.

5.—(1) Any person who shall hinder an officer appointed by the Corporation from entering any premises in pursuance of section 24 of the Electric Lighting Act 1882 or from exercising the powers contained in that section shall be liable to a penalty not exceeding forty shillings and to a daily penalty not exceeding twenty shillings.

(2) Where any premises which the Corporation are entitled to enter in pursuance of the said section 24 are unoccupied the Corporation may after giving not less than forty-eight hours' notice to the owner thereof or if he is unknown to them and if he cannot be ascertained by them after diligent inquiry by affixing such notice upon a conspicuous part of the premises forcibly enter the same doing no unnecessary damage.

Byelaws as to apparatus and fittings.

6. The Corporation may make byelaws for the purpose of preventing fire in any building or premises supplied with electricity by the Corporation with respect to the nature material workmanship and mode of arrangement of the wires apparatus and fittings in any such building or premises and required or used for the purpose of such supply and the provisions of section 6 of the Electric Lighting Act 1882 shall apply to any byelaws made under this section.

This section and any byelaws made thereunder shall not apply to any building or premises (other than a dwelling-house) belonging to or used by the trustees or any railway company.

As to supply of electricity by agreement.

7. If any consumer of electricity supplied by the Corporation under the terms of any agreement uses the electricity supplied to him by the Corporation in any manner contrary to the terms of such agreement the Corporation may if they think fit discontinue to supply electricity to such consumer until they are satisfied that

any electricity so supplied will be consumed in accordance with the terms of such agreement : A.D. 1922.

Provided that before discontinuing any such supply the Corporation shall give to the consumer taking the same seven days' notice in writing of their intention so to do and shall in such notice specify the respect in which the electricity is used contrary to the terms of such agreement :

Provided also that this section shall not apply to any agreement for the supply of electricity made between the Corporation and the trustees or any railway company.

8. The provisions of section 15 of the Electric Lighting Act 1909 shall extend and apply to the supply of electricity by the Corporation for power purposes to any premises having a separate supply of power whether such separate supply be by electricity gas steam or other source of power. Extending section 15 of Electric Lighting Act 1909.

9. Any expenses reasonably incurred by the Corporation in reconnecting any electric line or other work through which electricity may be supplied which may have been lawfully cut off or disconnected by reason of any default of the consumer may be recovered by the Corporation in like manner as expenses lawfully incurred by them in such cutting off or disconnecting. Recovery of charge for reconnection.

PART III.

STREETS AND BUILDINGS.

10.—(1) Before placing or erecting any close hoarding at or within a distance of fifteen yards (measured along the street) from the corner of any street the person proposing to place or erect such hoarding shall give twenty-one days' notice of his intention so to do to the Corporation and such notice shall be accompanied by plans and particulars of the hoarding proposed to be so placed or erected. As to hoardings at street corners.

(2) If the placing or erection of any such close hoarding would constitute a danger to the traffic in the streets of the borough upon adjoining or near to which the same is proposed to be placed or erected or is from a traffic (whether vehicular or pedestrian) point of view objectionable the Corporation may within twenty-one

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days after receipt of the notice as by this section required to be given prohibit such placing or erection or may allow the same subject to such conditions or modifications of the said plans and particulars as they may think fit. No such hoarding the placing or erection of which shall have been so prohibited or allowed subject to conditions shall (save in accordance with an order of a petty sessional court as in this section hereinafter provided) be placed or erected without first obtaining the approval of the Corporation or complying with such conditions as the case may be.

(3) Any person who places or erects any hoarding in contravention of the provisions of this section shall be liable to a penalty not exceeding five pounds and the Corporation may remove the hoarding so placed or erected and may recover the expense incurred by them in so doing from such person.

(4)—(A) Any person deeming himself aggrieved by any prohibition or by the withholding of any approval of or by the Corporation under this section may within fourteen days from the date of such prohibition or refusal of approval appeal to a petty sessional court and such court may and is hereby empowered to make such order in the premises and on such terms and conditions as to the court shall seem just.

(B) The costs of any such appeal shall be paid in such manner and by such parties to the appeal as the petty sessional court may direct.

(5) Nothing in this section shall apply to any open fence.

Height of
fences and
hedges at
street
corners.

11.—(1) For the purpose of facilitating traffic by removing obstructions to view the Corporation may give notice to the owner of any land situate at the corner of or at or near any bend in any street prescribing the height of fences boundary walls hedges trees and shrubs at such corner or within such distance from the corner or bend as may be prescribed in the notice and thereupon the following provisions shall have effect:—

(A) Unless such notice is withdrawn by the Corporation no person shall erect a fence or wall or permit a hedge tree or shrub to grow at a greater height than that prescribed contrary to the requirements of the notice;

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(B) If required by the Corporation the owner of such land shall reduce the height of any fence wall hedge tree or shrub which exceeds that prescribed by the notice to a height not exceeding that so prescribed.

(2) Any person who contravenes the provisions of paragraph (A) of subsection (1) of this section shall be liable to a penalty not exceeding five pounds and to a daily penalty not exceeding forty shillings and the Corporation may reduce the height of such fence wall hedge tree or shrub to the height prescribed by them and the expense incurred by the Corporation shall be repaid to them by the owner of the land.

(3) If any person for a period of one month after the service of a notice upon him by the Corporation of a requirement under paragraph (B) of subsection (1) of this section fails to comply therewith the Corporation may themselves carry out the requisition of their notice.

(4) The Corporation shall make compensation to the owner or other persons interested in any land for any loss or damage which he or they may sustain in consequence of the giving of any notice under this section but such compensation shall not include the expenses incurred by the Corporation and to be repaid to them under subsection (2) of this section and no compensation shall be paid a second time in consequence of the growth of any hedge tree or shrub above the height prescribed in the notice.

(5) Any person aggrieved by any notice given by the Corporation under this section may appeal to a court of summary jurisdiction within one month after the service of such notice provided he gives written notice of such appeal and of the grounds thereof to the town clerk and the court shall have power to make such order as the court may think fit and to award costs. Notice of the right to appeal shall be endorsed on every notice given by the Corporation under this section.

12. For the purpose of facilitating traffic by removing obstructions to view the Corporation may enter into agreements with the owner of any land situate at or near the corner of or at or near any bend in any street for the erection of open railings or similar fences on the boundary of such land and for removing existing fences boundary

Provision of
open fences
at street
corners.

A.D. 1922. — walls or hedges and may make such contributions as they think fit towards the cost of such works.

Meaning
of corner
of street.

13. For the purposes of the foregoing sections of this Part of this Act the corner of any street shall be deemed to be the point at which the frontage or boundary line of that street (if necessary continued in a straight line) intersects the frontage or boundary line of any other street (if necessary similarly continued):

Provided that if the intersection of two streets be curved the corner shall be deemed to be the point of the angle formed by the intersection of the frontage or boundary lines continued in a straight line before they form the curve.

As to pro-
jections
over streets.

14.—(1) Every notice board sign bracket or other projection which shall overhang any street shall be securely fixed and maintained by the owner thereof.

(2) Any person acting in contravention of this section shall be liable in respect of each offence to a penalty not exceeding two pounds and to a daily penalty not exceeding twenty shillings.

Position of
new build-
ings with
reference to
streets.

15.—(1) In any case in which a person is about to erect any new building on land abutting on a road lane or way (being a highway) such person shall if so required by the Corporation erect such new building in such manner that no external wall or other part of such building or (if there be a forecourt or other space between such external wall and the road lane or way) any part of the external fence or boundary of such forecourt or other space shall be in any direction at a distance less than twenty feet from the centre of such road lane or way. Provided that nothing in this section shall prohibit the erection of a new building or the extension of an existing building on the site of any building existing at the date of or within seven years prior to the passing of this Act.

(2) In any case in which the Corporation shall so require as aforesaid the land lying between the external wall of any such building or the external fence or boundary of any such forecourt or other space as the case may be and the road lane or way shall be thrown into and added to the said road lane or way and become part thereof and the land so added and the length of the road lane or

way to which it is so added shall thereupon be made up and thereafter maintained and repaired by and at the expense of the Corporation.

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(3) Any person who shall offend against the provisions of this section shall be liable to a penalty not exceeding five pounds and to a daily penalty not exceeding forty shillings.

(4) In this section "road lane or way" shall not include any street which is about to become in consequence of building operations a new street within the meaning of section 40 (Further provision as to new streets) of the Act of 1912 nor which has been so built on as to become a street in the ordinary significance of that term nor a street originally laid out in accordance with byelaws relating to new streets in force in relation thereto at the time of such laying out.

(5) Nothing in this section shall derogate from any rights or powers of the Corporation under section 38 (Corporation may define future line of streets) of the Act of 1912 as amended by section 21 (As to purchase of land unbuilt on where line of streets defined) of the Swansea Corporation Act 1920 under the said section 40 of the Act of 1912 or under any building byelaws from time to time in force in the borough.

(6) Nothing in this section shall operate so as to require any street to be laid out of greater width than is required by the byelaws with respect to the level width and construction of new streets from time to time in force in the borough.

16.—(1) Every new building which exceeds two storeys in height and in which the upper surface of the floor of any upper storey is above twenty feet from the street level and which is used or intended to be used as flats or as a tavern hotel restaurant hospital boarding house common lodging-house or school or as a shop in which building sleeping accommodation is or is intended to be provided for the use of persons employed in or about such shop shall be provided on each of the storeys the upper surface of the floor whereof is above twenty feet from the street level with such means of escape in case of fire for the persons dwelling sleeping or employed therein or resorting thereto as may be reasonably required by the Corporation under the circumstances of the case

Means of
escape from
buildings in
case of fire.

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A.D. 1922. — and no such building shall be occupied until the Corporation shall have issued a certificate that the provisions of this section have been complied with in relation thereto.

(2) From and after the first day of January one thousand nine hundred and twenty-three the Corporation in the case of every existing building exceeding two storeys in height and used or intended to be used as a tavern hotel restaurant hospital boarding house common lodging-house or school and in which building sleeping accommodation is or is intended to be provided if in their opinion such building is not provided with proper and sufficient means of escape from each storey the upper surface of the floor whereof is above twenty feet from the street level in case of fire for the persons dwelling or sleeping therein may at any time serve on the owner of such building a notice requiring him within a reasonable time to be specified in such notice to provide such means of escape as in the circumstances of the case can reasonably be required and the owner shall thereupon take the necessary steps to provide the means of escape so required.

(3) Where the means of escape in case of fire provided in connexion with any such building as aforesaid shall become inadequate in consequence of any alteration in the circumstances or conditions affecting such building the owner of the building shall upon the requirement of the Corporation make such alterations in the said means of escape as may be reasonably necessary and shall if so required by the Corporation provide further or other means of escape.

(4)—(A) Any person aggrieved by any requirement of the Corporation under subsection (2) or subsection (3) of this section may appeal to a court of summary jurisdiction within fourteen days after the receipt of the requirement provided he give forty-eight hours' notice of such appeal and of the grounds thereof to the town clerk and the court shall have power to make such order as the court may think fit and to award costs.

(B) Notice of the right to appeal shall be endorsed on every requirement of the Corporation under either of the said subsections.

(5) The owner shall notwithstanding any agreement with the occupier have power to take such steps as are necessary for complying with any requirement of the Corporation under this section. A.D. 1922.

(6) If the owner alleges that the occupier or other person interested in the building ought to bear or contribute to the expenses of complying with any requirement of the Corporation under this section he may apply to the county court and thereupon the county court after hearing the occupier or such other person may make such order as appears to the court just and equitable under all the circumstances of the case.

(7) The means of escape in case of fire provided in connexion with any such building as aforesaid shall not be altered without the consent in writing of the Corporation and shall at all times be maintained and kept by the occupier of the building in good and efficient condition and free from obstruction.

(8) Nothing in this section contained shall be deemed to interfere with the operations of sections 14 (Provision of means of escape in case of fire) and 15 (Byelaws for means of escape from fire) of the Factory and Workshop Act 1901 or of any Act amending the same.

(9) Any person who shall offend against the provisions of this section shall be liable to a penalty not exceeding five pounds and to a daily penalty not exceeding forty shillings.

(10) Section 53 (Means of escape from buildings in case of fire) of the Act of 1912 is hereby repealed.

17.—(1) Where an unoccupied building is ruinous or so far dilapidated as thereby to have become and to be unfit for use or occupation or is from neglect or otherwise in a structural condition prejudicial to the property in or the inhabitants of the neighbourhood a court of summary jurisdiction on complaint by the Corporation may order the owner at his option either to take down or to repair such building (in this section referred to as a "neglected structure") or any part thereof or otherwise to put the same or any part thereof into a state of repair and good condition to the satisfaction of the Corporation within a reasonable time to be fixed by the order and may also make an order for the costs incurred up to the time of the hearing. Dilapidated and neglected buildings.

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(2) If the order is not obeyed the Corporation may with all convenient speed enter upon the neglected structure and execute the order.

(3) Where the order directs the taking down of a neglected structure or any part thereof the Corporation in executing the order may remove the materials to a convenient place and (unless the expenses of the Corporation under this section in relation to such structure are paid to them within fourteen days after such removal) sell the same if and as they in their discretion think fit.

(4) All expenses incurred by the Corporation under this section in relation to a neglected structure may be deducted by the Corporation out of the proceeds of the sale and the surplus (if any) shall be paid by the Corporation on demand to the owner of the structure and if such neglected structure or some part thereof is not taken down and such materials are not sold by the Corporation or if the proceeds of the sale are insufficient to defray the said expenses the Corporation may recover such expenses or such insufficiency from the owner of the structure together with all costs in respect thereof in a summary manner but without prejudice to his right to recover the same from any lessee or other person liable to the expenses of repairs.

Erection of temporary stands.

18.—(1) Every person intending to erect within the borough any stand or structure for affording sitting or standing accommodation for a number of persons shall within fourteen days prior to the commencement of the erection thereof submit to the Corporation a plan and section thereof and shall comply with such regulations as the Corporation may prescribe for securing the stability of such stand or structure and for securing the safety of persons to be accommodated thereon.

(2) Any person acting in contravention of this section or offending against any such regulations shall be liable to a penalty not exceeding five pounds and to a daily penalty not exceeding twenty shillings.

Saving for railway companies and harbour trustees.

19. The provisions of this Part of this Act shall not extend or apply to any building (not being a dwelling-house) belonging to and used and occupied by a railway company as a part of or in connexion with their railway or canal under any statutory provision or by the trustees as a part of or in connexion with their undertaking under any statutory provision.

PART IV.

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SANITARY PROVISIONS.

20. Every person who wilfully or negligently turns or permits to enter into any sewer of the Corporation or any drain communicating therewith any petroleum or other substances to which the Petroleum Acts apply from any workshop motor garage or other like premises shall be liable to a penalty not exceeding ten pounds and to a daily penalty not exceeding five pounds.

Prohibition of petrol in sewers.

21. Section 22 (Sanitary conveniences for manufactories &c.) of the Public Health Acts Amendment Act 1890 shall be extended so as to confer upon the medical officer and the sanitary inspector respectively the same power as is conferred upon the surveyor by subsection (2) of that section.

Sanitary conveniences for manufactories.

22. The provisions of section 91 of the Public Health Act 1875 shall subject to the provisions of section 334 of that Act extend to and be applicable in respect of the emission from any chimney of any grit or gritty particles as if such grit or gritty particles were smoke arising from furnaces but nothing in this section shall apply to any locomotive engine now or hereafter belonging to or used by the trustees or any railway company or to any mechanically propelled road vehicle.

Nuisance by emission of grit.

23. All steam or waste gas ejected from any fixed engine or the boiler or condensers thereof and all condensing water above a temperature of one hundred and ten degrees Fahrenheit so ejected and all spent and ejected steam arising or produced in any trade business or manufacture shall be so discharged as not to be an annoyance to the public but nothing in this section shall apply to steam ejected from any locomotive boiler or engine now or hereafter belonging to the trustees or any railway company or from any steam road wagon or traction engine Any person who shall offend against this section shall be liable to a penalty not exceeding twenty pounds and to a daily penalty not exceeding forty shillings.

Ejection of steam and waste gas.

24.—(1) Every person who uses a stationary or fixed internal combustion engine shall provide and use an effective silencer on the exhaust of such engine and shall at all times at his own expense keep such silencer

Silencers for internal combustion engines.

A.D. 1922. — in proper repair The Corporation shall have access to and be at liberty to take off remove test inspect and replace any such silencer at all reasonable times such taking off removing testing inspecting and replacing to be done at the expense of the Corporation if the silencer be found in proper order but otherwise at the expense of the person aforesaid:

(2) Any person neglecting to carry out the provisions of this section shall be liable to a penalty not exceeding ten pounds and to a daily penalty not exceeding forty shillings.

Owners to repair and clean culverts.

25: The owner of any culvert other than a culvert under a highway made before or after the passing of this Act over or carrying any watercourse shall from time to time repair maintain and cleanse the same and if any such owner fails to comply with the requirements of a notice given to him by the Corporation to repair maintain or cleanse his culvert within a time specified in the notice the Corporation may execute any necessary works of repair or maintenance of or may cleanse such culvert and the expenses thereby incurred as certified by the surveyor shall be repaid to them by the owner This section shall not apply to any culvert constructed and maintained or to be constructed and maintained by the trustees or any railway company under any statutory provision.

PART V.

SALE OF FUEL.

Definition of fuel.

26: In this Part of this Act the expression "fuel" means coke patent fuel ovoids briquettès or other manufactured fuel.

Weight ticket on delivery of fuel over two hundred-weights.

27:—(1) Where any fuel sold or represented to be sold as a load by weight and exceeding two hundred-weights in quantity is delivered by means of any vehicle to a purchaser the seller of such fuel shall deliver or cause to be delivered or to be sent by post or otherwise to the purchaser or to his servant before such load is discharged a ticket or note as nearly as may be according to the form in the Third Schedule to the Weights and Measures Act 1889 or according to a form to the like effect.

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(2) If default is made in complying with the requirements of this section with respect to the delivery or sending of a ticket or note or if the quantity of fuel delivered or in course of delivery is less than the quantity expressed in the ticket or note the seller thereof shall be liable to a penalty not exceeding five pounds.

(3) If any person attending on any such vehicle having received any such ticket or note for delivery to the purchaser refuses or neglects to deliver it as required by this section or on being requested so to do to exhibit it to any inspector of weights and measures or other officer appointed for the purpose by the Corporation he shall be liable to a penalty not exceeding five pounds.

28.—(1) The seller or person in charge of any vehicle from which fuel is being sold by weight in quantities exceeding fourteen pounds shall carry on such vehicle a weighing instrument or measure stamped by an inspector of weights and measures.

Weighing instrument to be carried on vehicle.

(2) Any person who shall fail to comply with the provisions of this section shall be liable to a penalty not exceeding five pounds.

(3) Section 108 (Control of coal dealers) of the Act of 1889 is hereby repealed.

29.—(1) Every person who shall sell offer or expose for sale or cause to be sold offered or exposed for sale fuel in a quantity exceeding fourteen pounds but not exceeding two hundredweights shall sell the same or offer or expose the same for sale in sacks with a metal label affixed to the top of every such sack indicating the correct legal weight or measure of fuel therein.

Sale of fuel under two hundredweights.

(2) Every person who shall sell offer or expose for sale or cause to be sold offered or exposed for sale from any vehicle fuel in quantities not exceeding two hundredweights shall have the name and address of the seller of such fuel conspicuously painted upon such vehicle.

(3) Any person who shall fail to comply with the provisions of either of the two preceding subsections of this section shall be liable on the first occasion to a penalty not exceeding forty shillings and on the second

A.D. 1922. or any subsequent occasion to a penalty not exceeding five pounds.

(4) If the seller or any person in charge of any vehicle from which fuel is being sold or offered or exposed for sale in quantities not exceeding two hundredweights wilfully makes any false statement as to the weight of the fuel in any sack or wilfully increases such weight by damping such fuel or wilfully does any other act by which the purchaser of the fuel shall be defrauded he shall be liable for every such offence on the first occasion to a penalty not exceeding five pounds and on the second or any subsequent occasion to a penalty not exceeding ten pounds.

(5) Public notice of the provisions of this section shall be given forthwith after the passing of this Act by advertisement in two newspapers published or circulating in the borough and by a notice fixed outside the town hall and by the distribution of handbills amongst persons affected or likely to be affected so far as such persons can reasonably be ascertained. The production of copies of the newspapers containing the advertisement shall be sufficient evidence that the provisions of this subsection have been complied with.

Weighing or re-weighing of fuel and vehicles.

30.—(1) Any purchaser of fuel in a quantity exceeding two hundredweights and any inspector of weights and measures or other officer appointed by the Corporation may subject as hereinafter provided require that any fuel sold as mentioned in the section of this Act of which the marginal note is "Weight ticket on delivery of fuel over two hundredweights" or any vehicle used for the carriage of such fuel be weighed or re-weighed by any instrument stamped by an inspector of weights and measures.

(2) Any purchaser of fuel in a quantity exceeding fourteen pounds but not exceeding two hundredweights and any inspector of weights and measures or other officer appointed by the Corporation may subject as hereinafter provided require that any fuel sold offered or exposed for sale as mentioned in the section of this Act of which the marginal note is "Sale of fuel under two hundredweights" be weighed or re-weighed or measured or re-measured by any instrument or measure stamped by an inspector of weights and measures.

(3) Provided that—

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(A) No seller of fuel or person in charge of a vehicle in which fuel is carried shall be required under this section to carry fuel beyond such distance not exceeding half a mile as may be prescribed in that behalf by the Corporation;

(B) Where any such fuel or vehicle has at the instance of the purchaser been weighed or re-weighed or measured or re-measured in pursuance of this section and found to be of the weight or measure stated in that behalf by the seller of the fuel or the person in charge of the vehicle the purchaser shall be liable to the payment of all reasonable costs actually incurred of and incidental to the weighing or re-weighing or measuring or re-measuring.

(4) If any person obstructs any weighing or re-weighing or measuring or re-measuring authorised by this section he shall be liable for every such offence to a penalty not exceeding five pounds.

(5) Any inspector of weights and measures may with the consent of the Corporation prosecute before a court of summary jurisdiction or justices any proceedings under this section or under any of the preceding sections of this Part of this Act.

PART VI.

FINANCE.

31.—(1) The Corporation may from time to time independently of any other borrowing power borrow at interest for the purposes mentioned in the first column of the following table the respective sums mentioned in the second column thereof and in order to secure the repayment thereof and the payment of interest thereon they may mortgage or charge the borough fund and borough rate and they shall pay off all moneys so borrowed

Power to
borrow.

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| Purpose. | Amount. | Period for Repayment. |
|---|--------------------|---|
| (A) For paying the costs charges and expenses of this Act. | The sum requisite. | Five years from the passing of this Act. |
| (B) For the re-arrangement of Singleton Abbey for Swansea University College. | 10,000 <i>l.</i> | Twenty years from the date or dates of borrowing. |
| (C) For the purposes of loans to Swansea University College. | 50,000 <i>l.</i> | Forty years from the date or dates of borrowing. |

(2) The Corporation may also borrow with the sanction of the Minister of Transport such further moneys as may be necessary for the purpose of providing a fund for working capital for the tramways undertaking of the Corporation and with the sanction of the Electricity Commissioners such further moneys as may be necessary for the purpose of providing a fund for working capital for the electricity undertaking of the Corporation.

(3) The Corporation may also borrow with the sanction of the Minister of Health such further moneys as may be necessary :—

- (A) For the purpose of providing funds for working capital for the water and markets and slaughter-houses undertakings of the Corporation respectively;
- (B) For the purpose of providing a working balance for the payment of current expenses that may be incurred by the Corporation in the exercise or performance of the powers and duties the cost of which is from time to time charged upon the borough fund; and
- (C) For any other of the purposes of this Act.

(4) In order to secure the repayment of the moneys borrowed under subsections (2) and (3) of this section and the payment of the interest thereon the Corporation may mortgage or charge such fund rate or revenue as

the sanctioning authority may prescribe and any moneys so borrowed shall be repaid within such periods not exceeding sixty years as may be prescribed by that authority. A.D. 1922.

(5) The provisions of this section shall not limit the powers conferred upon the Corporation by section 105 (Power to use one form of mortgage for all purposes) of the Act of 1912.

32. The provisions contained in the sections of the Act of 1902 the numbers and marginal notes of which are set forth in this section shall so far as applicable and subject as regards mortgages granted under the provisions of section 105 of the Act of 1912 to the provisions of that section extend and apply to and in relation to the like matters as if they were with any necessary modifications re-enacted in this Act (namely):—

Incorporation of financial provisions of Act of 1902.

- Section 112 Mode of raising money;
- Section 113 Provisions of Public Health Act as to mortgages to apply;
- Section 115 Mode of payment off of money borrowed;
- Section 116 Sinking funds;
- Section 117 Protection of lenders from inquiry;
- Section 118 Corporation not to regard trusts;
- Section 119 Appointment of receiver;
- Section 123 Application of money borrowed;
- Section 124 Expenses of execution of Act; and
- Section 125 Audit of accounts:

Provided that the periods for repayment referred to in the section of this Act whereof the marginal note is "Power to borrow" shall respectively be deemed to be "the prescribed period" for the purposes of such application of the said sections. Provided also that the said sections shall be read and have effect as if the Minister of Health were referred to therein in lieu of the Local Government Board.

33. The Corporation may from time to time lend to the Council of the Swansea University College any sum or sums not exceeding in the aggregate fifty thousand pounds upon condition that the sums from time to time to be provided for instalments of principal or of principal and interest or for interest and for contributions to any sinking fund for the repayment of money so lent shall be from time to time paid to the Corporation by the

Loans to Swansea University College.

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A.D. 1922. — said council as and when such sums become due and payable and upon such other terms and conditions as may be agreed between the Corporation and the said council.

Subscriptions to Swansea University College.

34. The Corporation may if they think fit at any time subscribe out of the borough fund to the funds of the Swansea University College provided that the total amount expended by the Corporation under this section in any one year shall not exceed one thousand pounds.

Contributions to associations.

35. The Corporation may pay out of the borough fund or other appropriate fund or revenue of the Corporation reasonable subscriptions (whether annual or otherwise) to the funds of any association of municipal corporations or of local authorities or their officers formed for the purpose of consultation as to their common interests and the discussion of matters relating to local government and any reasonable expenses of the attendance of any members or officers of the Corporation (not exceeding in any case four) at conferences or meetings of such associations or any of them and the cost of purchasing reports and contributing towards the expenses of the proceedings of any such conference or meetings.

Use of moneys forming part of sinking and other funds.

36. The Corporation may use for the purpose of any statutory borrowing power possessed by them any moneys forming part of any sinking fund loans fund redemption fund reserve fund or insurance fund of the Corporation (in this section respectively referred to as "the lending fund") and not for the time being required subject to the following conditions:—

(A) The moneys so used shall be repaid to the lending fund by equal yearly or half-yearly instalments of principal or of principal and interest combined within the period and out of the fund rate or revenue within and out of which a loan raised under the statutory borrowing power would be repayable:

(B) Interest shall be paid to the lending fund on any moneys so used and for the time being not repaid to the fund. Such interest shall be calculated at a rate per centum per annum to be determined by the Corporation and to be equal as nearly as may be to the rate of interest

A.D. 1922.

which would be payable on a loan raised on mortgage under the statutory borrowing power and shall be paid out of the fund rate or revenue which would be applicable to the payment of interest on a loan raised under the statutory borrowing power :

- (c) The statutory borrowing power for the purpose of which the moneys are so used shall be deemed to be exercised by such use as fully in all respects as if a loan of the same amount had been raised in exercise of the power.

37.—(1) The Corporation may (if they think fit) apply money received by them on account of the revenue of any of the undertakings hereinafter mentioned in the construction extension and improvement of the works and conveniences for the purposes of such undertaking and in the provision of funds for working capital :

Application
of revenues
of certain
under-
takings.

Provided that money shall only be so applied after the working and establishment expenses of the undertaking and the interest and sinking fund payments in respect thereof have been provided for.

(2) The undertakings hereinbefore referred to are the water electricity tramways and markets and slaughter-houses undertakings of the Corporation.

PART VII.

MISCELLANEOUS.

38. The Corporation may from time to time let for terms not exceeding twelve months to any club company body or persons any portion of any park or place of public resort or recreation set apart by them under the provisions of section 76 (Powers as to parks and pleasure gardens) of the Public Health Acts Amendment Act 1907 and may upon such portions so set apart erect construct maintain and let all proper and convenient houses pavilions dressing-rooms and other buildings works and conveniences :

Power to let
recreation
grounds.

Provided that nothing in this section shall empower the Corporation so to let at one and the same time more than fifty per centum of the total area of the parks or

A.D. 1922. — places of public resort or recreation from time to time belonging to them or under their control :

Provided also that the powers given by this section shall not be exercised in such a way as to contravene any covenant or condition subject to which any park or place of public resort or recreation or any portion thereof so set apart as aforesaid is held by the Corporation.

Possession of market stalls when rent unpaid.

39. If any tenant stallholder or occupier shall not after any market rent has become due and payable to the Corporation in respect of any stall standing or other convenience or place in any market market house market place or fair belonging to the Corporation and after demand has subsequently been made therefor pay the same within three days of the demand the Corporation may enter upon and take possession of such stall standing or other convenience or place and relet the same without prejudice to any other remedy for the recovery of such toll rent stallage or charge.

Service of summons on members of council.

40. Notwithstanding anything contained in the Second Schedule of the Municipal Corporations Act 1882 the summons to members of the council may be delivered at the usual place of abode of every member of the council by post by prepaid letter at the ordinary rate of postage.

Remuneration of coroner.

41.—(1) Notwithstanding anything in the Municipal Corporations Act 1882 the remuneration for the coroner for the borough may if the Corporation so resolve be by way of salary and not of fees and in the event of the Corporation so resolving the coroner shall receive out of the borough funds such salary as may be from time to time determined by the Corporation and so long as he is paid by salary he shall not be entitled to any fees or other allowance or payment in respect of the performance of his duties as coroner.

(2) This section shall not apply to the person holding at the passing of this Act the office of coroner for the borough save with his written consent.

Incorporation of provisions of Acts of 1902 and 1912.

42. The provisions contained in the sections of the Act of 1902 and of the Act of 1912 the numbers and marginal notes of which are set forth in this section shall so far as applicable and except where otherwise

provided extend and apply to and in relation to the like matters as if they were with any necessary modifications re-enacted in this Act (namely) :— A.D. 1922.

ACT OF 1902.

- Section 134 Inquiries by Local Government Board;
- Section 135 Authentication and service of notices;
- Section 136 As to appeal;
- Section 137 Compensation how to be determined;
- Section 138 Recovery of penalties; and
- Section 139 Informations by whom to be laid.

ACT OF 1912.

- Section 122 Confirmation of byelaws;
- Section 123 Consent of Corporation to be in writing;
- Section 125 Recovery of demands;
- Section 127 Application of section 265 of Public Health Act 1875;
- Section 128 Saving for indictments &c.; and
- Section 129 Powers of Act cumulative:

Provided that the said sections shall be read and have effect as if the Minister of Health were referred to therein in lieu of the Local Government Board.

43. Where the payment of more than one sum by any person is due under any Act or Order from time to time in force within the borough any summons or warrant issued for the purposes of any such Act or Order in respect of that person may contain in the body thereof or in a schedule thereto all the sums payable by him. Several sums in one summons.

44.—(1) The following sections of the Swansea Local Board of Health Waterworks Act 1860 are hereby repealed namely :— Repeal.

- Section XXXIV. Power for justices to make inquiry as to danger of reservoir;
- Section XXXV. Order of justices for immediate repair;
- Section XXXVI. Order of justices after summons on local board to repair reservoir;
- Section XXXVII. Order of justices on failure of local board to obey order;
- Section XXXVIII. Form of order;

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- Section XXXIX. Persons acting under order of justices not to be trespassers;
Section XL. Justices may impose penalty on local board for disobeying order;
Section XLI. Order of justices on local board for payment of costs;
Section XLII. Power to local board to appeal against order;
Section XLIII. Local board not to be responsible for consequences of such order;
Section XLVIII. Definition of domestic purposes;
Section LI. Penalty for using water for other than domestic purposes without agreement;
Section LXXIII. Contracts for supply of water &c. not to disqualify members of local board;
Section LXXIV. Liability to rates not to disqualify justices;
Section LXXV. Several names in one warrant;
Section LXXVI. Costs of distress;
Section LXXVII. Recovery of sums under fifty pounds;
Section LXXXI. Books to be evidence; and
Section LXXXII. Authentication of notices.

(2) Section 140 (Penalties to be paid over to treasurer) of the Act of 1902 and so much of any enactment as incorporates that section are hereby repealed.

Crown rights.

45. Nothing in this Act affects prejudicially any estate right power privilege or exemption of the Crown.

Costs of Act.

46. The costs charges and expenses preliminary to and of and incidental to the preparing applying for obtaining and passing of this Act as taxed by the taxing officer of the House of Lords or of the House of Commons shall be paid by the Corporation out of the borough fund and borough rate or out of money to be borrowed under this Act for that purpose.

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