



CHAPTER xxxiii.

An Act to empower the Taf Fechan Water Supply Board to acquire lands to extend the time for the construction of waterworks by the Board and for other purposes. [30th June 1926.] A.D. 1926.

WHEREAS by the Taf Fechan Water Supply Act 1921 the Taf Fechan Water Supply Board (in this Act referred to as "the Board") were constituted and incorporated and were authorised to supply water in bulk to the constituent authorities of the Board and others :

And whereas by the same Act there was transferred to the Board that part of the water undertaking of the mayor aldermen and burgesses of the borough of Merthyr Tydfil which is therein referred to as "the Taf Fechan water supply undertaking" and which included certain works the construction of which was authorised by the Merthyr Tydfil Corporation Water Act 1911 together with the rights and powers of the said mayor aldermen and burgesses to construct and complete such of the said works as were not then completed :

And whereas by the Taf Fechan Water Supply Act 1924 the Board were authorised to construct the further waterworks referred to in that Act and the powers of the Board in relation to the making and maintenance of such of the works authorised by the said Act of 1911 as were rendered unnecessary by such construction were repealed :

And whereas it will not be possible for the Board to complete the construction of the waterworks authorised

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A.D. 1926. — by the said Acts of 1911 and 1924 within the periods limited by those Acts respectively and it is expedient to extend the time within which the Board may complete those works :

And whereas it is expedient to empower the Board to acquire certain lands in the neighbourhood of their waterworks for the protection of those works and for securing the waters therein from risk of pollution and for other purposes of the water undertaking of the Board :

And whereas it is expedient to make further provision with regard to the finances of the Board :

And whereas it is expedient that the other provisions contained in this Act be enacted :

And whereas the purposes of this Act cannot be effected without the authority of Parliament :

And whereas plans of the lands required or which may be taken for the purposes or under the powers of this Act and also a book of reference containing the names of the owners and lessees or reputed owners and lessees and of the occupiers of those lands were duly deposited with the clerk of the peace for the county of Brecknock which plans and book of reference are in this Act respectively referred to as the deposited plans and book of reference :

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 :—

PRELIMINARY.

Short and collective titles.

1.—(1) This Act may be cited as the *Taf Fechan Water Supply Act 1926.*

(2) This Act and the *Taf Fechan Water Supply Acts 1921 and 1924* may be cited together as the *Taf Fechan Water Supply Acts 1921 to 1926.*

Incorporation of Acts.

2. The *Lands Clauses Acts* (so far as the same are applicable for the purposes and are not inconsistent with

the provisions of this Act) are hereby incorporated with this Act with the following exception and modification—

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- (a) Section 127 of the Lands Clauses Consolidation Act 1845 (relating to the sale of superfluous lands) is not incorporated with this Act;
- (b) The bond required by section 85 of the Lands Clauses Consolidation Act 1845 shall be under the common seal of the Board and shall be sufficient without the addition of the sureties mentioned in that section.

3.—(1) In this Act the several words and expressions to which meanings are assigned by the Acts wholly or partially incorporated herewith or by the Public Health Acts have the same respective meanings unless there be something in the subject or context repugnant to such construction. Provided that for the purposes of this Act “the promoters of the undertaking” in the provisions of the Lands Clauses Acts as incorporated with this Act means the Board.

Interpretation.

(2) In this Act unless the subject or context otherwise requires—

- “The Board” means the Taf Fechan Water Supply Board;
- “The clerk” means the clerk to the Board;
- “The Lands Clauses Acts” means the Lands Clauses Acts as amended by the Acquisition of Land (Assessment of Compensation) Act 1919;
- “The Act of 1911” “the Act of 1921” and “the Act of 1924” mean respectively the Merthyr Tydfil Corporation Water Act 1911 the Taf Fechan Water Supply Act 1921 and the Taf Fechan Water Supply Act 1924;
- “Constituent authority” “constituent area” “statutory security” “statutory borrowing power” and “the revenues of the Board” have the meanings assigned to them respectively by section 4 (Interpretation) of the Act of 1921.

LANDS AND WATERWORKS.

4. Subject to the provisions of this Act the Board may for the purpose of protecting their waters and waterworks against pollution or injury and for other the

Acquisition of lands.

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A.D. 1926. — purposes of their water undertaking enter upon take and use all or any of the lands delineated upon the deposited plans and described in the deposited book of reference.

Limiting quantity of common lands to be taken. 5. The quantity of the common or commonable lands in the parish of Llanfrynach known as Llanfrynach Common which may be taken by the Board under the powers of this Act shall not exceed twenty-three acres.

Period for compulsory purchase of lands. 6. The powers of the Board for the compulsory purchase of lands under the provisions of this Act shall cease after the expiration of three years from the passing of this Act.

Extension of time for construction of works. 7. The period limited by section 7 (Period for completion of works) of the Act of 1911 as extended by section 22 (Extension of time for completion of works authorised by Act of 1911) of the Merthyr Tydfil Corporation Act 1920 for the completion of the works authorised by the Act of 1911 and the period limited by section 19 (Period for completion of works) of the Act of 1924 for the completion of the works authorised by that Act are hereby respectively extended until the first day of May nineteen hundred and twenty-seven. Provided that the Minister of Health may by order on the application of the Board extend the said periods until the eighteenth day of August nineteen hundred and twenty-seven.

Further powers in relation to water mains. 8.—(1) The Board shall have and may exercise both within and beyond the constituent areas of the constituent authorities the powers which a local authority would have under section 54 (Power of carrying mains) of the Public Health Act 1875 with respect to the carrying of water mains within and without their district and such powers may be exercised by the Board for the purpose of affording a supply of water to any constituent authority or to any local authority company body or person with whom the Board may enter into an agreement for the supply of water in bulk under the provisions of section 30 (Contracts for supply of water in bulk) of the Act of 1921.

(2) The powers conferred upon the Board by this section shall not be exercised by the Board beyond the constituent areas of the constituent authorities without the consent of the local authority of the area in which it is proposed to exercise those powers.

(3) In the construction of the provisions of the Public Health Act 1875 for and in connection with the purposes of this section the engineer for the time being of the Board shall be deemed to be "the surveyor." A.D. 1926.

(4) The provisions of section 28 (For protection of Cardiff Corporation) of the Act of 1911 shall with any necessary modifications and so far as applicable extend and apply to the carrying of water mains by the Board under the powers conferred upon them by this section as if water mains carried under the authority of this section were works authorised by the Act of 1911.

(5) The provisions of section 31 (For protection of Great Western Taff Vale and Rhymney Railway Companies) of the Act of 1921 shall with any necessary modifications and so far as applicable extend and apply to the carrying of water mains by the Board under the powers conferred upon them by this section as if the Great Western Railway Company and the London Midland and Scottish Railway Company or those two companies as the case may require were therein referred to in lieu of the railway companies mentioned in the said section.

(6) The provisions of section 37 (For protection of certain authorities) of the Act of 1924 shall with any necessary modifications and so far as applicable extend and apply to the carrying of water mains by the Board under the powers conferred upon them by this section as if water mains carried under the authority of this section were works authorised by the Act of 1924.

(7) Nothing in this section shall enable the Board to enter upon break up or interfere with the carriageway of the new road referred to in section 95 (Roadway of new road from Ystrad Mynach to Pengam not to be interfered with except with consent of council) of the Gelligaer Urban District Council Act 1920 otherwise than in accordance with the provisions of that section.

9.—(1) If in the opinion of the Board it shall be expedient in order to preserve the purity of the water which they are by the Acts relating to the Board authorised to take to prohibit the washing of sheep (with or without the use of chemicals) in any of the waters of the River Taf Fechan or its tributaries within the drainage Sheep washing.

A.D. 1926. — areas of any of the reservoirs of the Board the Board shall have power to prohibit such washing of sheep. Provided that before the Board carry this provision into effect in respect of any place where it has been the practice to wash sheep they shall give notice to the owners of and persons customarily using any such washing place by advertisement in a newspaper circulating in the district in which such washing place is situate and shall also provide and maintain in the nearest convenient and available situation on their own lands another suitable washing place and also a suitable folding place in the vicinity thereof.

(2) Any person aggrieved by any prohibition issued by the Board under this section may within three months after the publication of the said advertisement appeal to a court of summary jurisdiction provided that he gives not less than fourteen days' notice in writing of the appeal and of the grounds thereof to the Board.

(3) In the event of any such appeal the court shall have power to cancel the prohibition or to allow the same unconditionally or subject to such conditions as to the area within which the same shall take effect or as to the provision and maintenance of another suitable washing place or otherwise as they may think fit and to award costs which costs shall be recoverable summarily as a civil debt.

(4) Any person offending against any prohibition issued by the Board under the provisions of this section shall be liable to a penalty not exceeding twenty pounds.

FINANCE.

Power to borrow.

10.—(1) The Board may from time to time independently of any other borrowing power borrow at interest for and in connection with the purposes set forth in the first column of the following table the respective sums requisite and they shall pay off all moneys so borrowed within the respective periods (which for the purposes of this Act and of any enactment incorporated therewith or applied thereby shall respectively be "the

prescribed period”) mentioned in the second column of the said table (namely) :— A.D. 1926.

1 Purpose.	2 Period for repayment.
(a) The purchase of lands which the Board are by this Act authorised to acquire.	Sixty years from the date or dates of borrowing.
(b) The payment of the costs charges and expenses of this Act.	Five years from the passing of this Act.

(2) (a) The Board may also with the consent of the Ministry of Health borrow such further money as may be necessary for any of the purposes of this Act.

(b) Any money borrowed under this subsection shall be repaid within such period (in this Act referred to as “the prescribed period”) as may be prescribed by the Ministry of Health.

(3) (a) The Board may also from time to time independently of any other borrowing power borrow at interest any sum or sums necessary for the payment of any expenses properly incurred in connection with the borrowing (otherwise than by stock or debentures) or re-borrowing of any sums which the Board are authorised to borrow under any statutory borrowing power Provided that the total of any sum or sums borrowed by the Board under the provisions of this subsection on any occasion shall not exceed an amount equal to one per centum upon the total amount of so much of that borrowing power as is exercised by borrowing on mortgage and that no sum or sums shall be so borrowed in respect of any security the principal of which is redeemable at the option of either party within a period of less than five years after the date or dates of borrowing.

(b) Any money borrowed under this subsection shall be repaid within a period of five years from the date or dates of borrowing.

(4) In order to secure the repayment of the money borrowed or re-borrowed under this Act and the payment of the interest thereon the Board may mortgage or charge the revenues of the Board.

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Amend-
ment of
section 35
of Act of
1921.

11. Paragraph (b) of subsection (1) of section 35 (Power to borrow) of the Act of 1921 (which paragraph relates to the borrowing by the Board of the sum required for the payment of sums payable by the Board under the provisions of the Act of 1921 to the mayor aldermen and burgesses of the borough of Merthyr Tydfil and the Aberdare Urban District Council) shall be read and have effect as if the words “ and for defraying the costs and “ expenses of and incidental to the transfer to the Board “ of the Taf Fechan water supply undertaking and of the “ main and apparatus referred to in section 17 of this Act “ and for the payment of all stamp duty payable in “ accordance with section 24 of this Act ” were inserted therein after the words “ for supply to Aberdare Council.”

Further
provisions
as to pay-
ment of
interest
during con-
struction of
works.

12.—(1) Paragraph (d) of subsection (1) of section 35 (Power to borrow) of the Act of 1921 shall be read and have effect—

(i) as if the words “ during the period ending on the “ thirty-first day of March nineteen hundred and “ twenty-eight ” were therein inserted in lieu of the words “ during a period of five years after the appointed day ”

(ii) as if the words “ and (b) ” were inserted therein after the words “ the purposes (a).”

(2) Paragraph (b) of subsection (1) of section 39 (Power to borrow) of the Act of 1924 shall be read and have effect as if the words “ during the period ending on “ the thirty-first day of March nineteen hundred and “ twenty-eight ” were therein inserted instead of the words “ during a period of five years from the passing of this Act.”

As to date
of first
payment
to sinking
fund.

13. Notwithstanding anything contained in the Act of 1921 or the Act of 1924 or the Local Loans Act 1875 or in the Public Health Acts Amendment Act 1890 or in the regulations made thereunder it shall not be obligatory on the Board to make the first payment to the sinking fund or the stock redemption fund or to pay the first instalment of principal for the repayment of money borrowed—

(i) for the purposes (a) or the purpose (b) mentioned in section 35 (Power to borrow) of the Act of 1921 until the expiration of one year or (when

the money is repaid by half-yearly instalments or by half-yearly payments to the sinking fund) six months after the date upon which the Taf Fechan reservoir is completed and filled with water; A.D. 1926.

- (ii) for the purposes (a) mentioned in section 39 (Power to borrow) of the Act of 1924 until the expiration of one year or (when the money is repaid by half-yearly instalments or by half-yearly payments to the sinking fund) six months after the date upon which the Taf Fechan reservoir is completed and filled with water.

14. Section 40 (Sinking fund) of the Act of 1921 in its application to that Act and to the Act of 1924 and to this Act is hereby amended as follows (that is to say):— As to sinking fund.

- (1) Paragraph (b) of subsection (1) of that section shall be omitted and the following paragraph substituted therefor:—

“(b) By payment to the fund throughout the prescribed period of—

(i) Such equal annual sums as would with accumulations at a rate not exceeding three-and-a-half per centum per annum or such higher rate as the Minister may from time to time approve be sufficient to pay off within the prescribed period the moneys for the repayment of which such sinking fund is formed; and

(ii) Such annual sums as are equivalent to interest on the amount which should from time to time be standing to the credit of the fund at the rate per centum per annum on which the annual payments to the fund under paragraph (i) hereof are based;

A sinking fund so formed is hereinafter called an ‘accumulating sinking fund.’”

- (2) In subsection (2) of the said section 40 the words
“and in the case of an accumulating sinking
“fund the interest on the investments of the

A.D. 1926.

sinking fund" shall be omitted and the words "(subject to the provisions of section 41 of this Act)" shall be inserted after the word "shall";

- (3) Subsections (3) and (5) of the said section 40 shall be omitted and the following subsection inserted in lieu thereof:—

"(3) All interest on the investments of a sinking fund shall be carried by the Board to the credit of the revenues of the Board."

Use of moneys forming part of reserve fund.

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

- (1) The money so used shall be repaid to the lending fund by the Board by equal yearly or half-yearly instalments of principal or of principal and interest combined out of the revenues of the Board and within the period and by the methods within and by which a loan raised under the statutory borrowing power would be repayable:
- (2) Interest shall be paid to the lending fund on any moneys so used and for the time being not repaid to the fund and such interest shall be calculated at a rate per centum per annum to be determined by the Board and to be equal as nearly as may be to the rate of interest which would be payable on a loan raised on mortgage under the statutory borrowing power and shall be paid out of the revenues of the Board:
- (3) 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 and the provisions of any enactment as to the re-borrowing of sums raised under the statutory borrowing power shall apply thereto.

As to interest on and pay-

16. Where sums are set apart as or appropriated to a sinking fund or stock redemption fund for the purpose of paying off moneys borrowed or stock or debentures

issued by the Board in exercise of their powers under the Act of 1921 the Act of 1924 and this Act the interest received in any year from the investment of the sums so set apart or appropriated shall instead of being accumulated in accordance with the provisions of the said Acts or either of them or the Stock Regulations 1891 to 1921 form part of the revenues of the Board for that year and be paid into the general revenue account of the Board but the contributions to be made to the sinking fund (if an accumulating sinking fund) or to the stock redemption fund (if an accumulating stock redemption fund) out of the revenues of the Board shall in that year include a sum by way of interest on the amount which should for the time being be standing to the credit of the fund and on the amount (if any) previously applied from the fund in or towards the discharge of the money for the repayment of which the fund is formed and such interest shall be calculated at the rate per centum per annum on which the annual payments to the fund are based.

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—
ments to
sinking
funds &c.

17.—(1) Notwithstanding anything contained in any other Act the Board may if they think fit as from the thirty-first day of March nineteen hundred and twenty-seven or as from any succeeding thirty-first day of March establish a fund to be called "the consolidated loans fund" to which shall be paid as and when they are received—

Consoli-
dated loans
fund.

- (a) all moneys borrowed by the Board either on the issue of stock or debentures or the creation of mortgages or other security or without security in connection with the exercise of any statutory borrowing power;
- (b) all moneys of a capital nature received by the Board whether from the sale of capital assets or otherwise except such as are applied by the Board with due authority to another capital purpose;
- (c) the appropriate sums provided in each year out of the revenues of the Board to comply with the terms and conditions as to repayment attaching to their several borrowing powers; and
- (d) a sum or sums equal to the aggregate amount of all dividends or interest payable in each year on the stock debentures mortgages or other

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securities issued in exercise of the statutory borrowing powers of the Board and remaining outstanding:

And there shall also be carried to the credit of the consolidated loans fund the unapplied balances of all moneys borrowed or received except of such moneys (if any) as have been borrowed from the Public Works Loan Commissioners and of all sums provided by the Board as aforesaid before the thirty-first day of March as from which date the consolidated loans fund shall be established.

(2) The moneys of the consolidated loans fund shall subject as hereinafter provided be used or applied by the Board—

- (a) in the exercise of any statutory borrowing power by transfer of the required amount to the appropriate fund and account of the Board; or
- (b) in the redemption of stock debentures mortgages or any other securities issued or created by the Board the purchase of stock for extinction or the repayment of any moneys borrowed by the Board; or
- (c) in the payment of dividends and interest on the stock debentures mortgages or other securities issued in the exercise of the statutory borrowing powers of the Board and remaining outstanding; or
- (d) for such other purposes as the Minister of Health may from time to time approve:

And any moneys of the consolidated loans fund not used or applied in these ways may be invested in statutory securities and the sums realised by the sale of such securities shall be repaid on receipt to the consolidated loans fund and the moneys of the consolidated loans fund shall not be used or applied otherwise than as provided in this subsection.

(3) Subject to any priority existing at the passing of this Act all stock debentures of and loans to the Board and the dividends and interest thereon shall be charged indifferently on all the revenues of the Board and shall rank equally one with the other without any priority whatsoever.

(4) Save as in this section expressly provided all the obligations of the Board to the holders of stock debentures or other securities of the Board shall continue in force. A.D. 1926. —

(5) The powers conferred by this section shall not be put into operation by the Board except in accordance with a scheme to be approved by the Minister of Health and such scheme may make provision for any matters incidental to the establishment and administration of the consolidated loans fund.

(6) Any scheme put into operation under this section may be altered extended amended or annulled by any other scheme approved by the Minister of Health in like manner as the original scheme.

18.—(1) The Board may at any time hereafter and from time to time make a scheme for prescribing one or more uniform periods within which all or any loans contracted by them under statutory borrowing powers shall be discharged and such scheme may extend or vary the periods within which such loans shall be discharged and may apply to any such loans all or any of the provisions of this Act in regard to the borrowing and repayment of money with or without modification and may make provision in regard to all matters incidental to the objects aforesaid. Scheme for equated periods.

(2) No scheme made by the Board under this section shall have any force or effect until confirmed by the Minister of Health who may by order confirm the same with or without modifications and when so confirmed the scheme shall notwithstanding any enactment order or sanction to the contrary have full force and effect and such scheme shall be deemed to be within the powers of this Act.

(3) Nothing in any scheme made under this section shall prejudice or affect the security rights and remedies of any mortgagee under any mortgage existing at the time of the confirmation of the scheme or of the holder of any stock existing at that time except with the consent of such mortgagee or holder.

(4) The loans referred to collectively in any scheme under general headings in accordance with a classification approved by the Minister of Health may be consolidated and dealt with in the accounts of the Board as if the

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aggregate amount of the several loans relative to each heading were one loan raised under one statutory borrowing power and if approved by the Minister of Health separate consolidations may be made of all or any of the loans included under such general headings.

(5) The Board may with the sanction of the Minister of Health and on the security of the revenues of the Board borrow such sums as may be necessary for the purpose of giving effect to such scheme and for compensating the holders of securities of the Board for their consent thereto and any moneys so borrowed shall be repaid within such period as the Minister of Health may sanction.

(6) Any scheme confirmed under this section may be altered extended amended or annulled by any other scheme made and confirmed in like manner as the original scheme.

Receipt in
case of
persons not
sui juris.

19. If any moneys are payable to a mortgagee or the holder of any stock debenture or other security of the Board being a minor idiot or lunatic the receipt of the guardian or committee of his estate shall be a sufficient discharge to the Board.

As to
mortgages
of Board.

20.—(1) Where the Board have from time to time any statutory borrowing power they may for the purpose of exercising such power grant mortgages in pursuance of the provisions of this section.

(2) Every mortgage granted under this section shall be by deed truly stating the consideration and the time or the mode of ascertaining the time and the place of repayment and shall be sealed with the common seal of the Board and may be in the form set out in the Second Schedule to the Act of 1924 or to the like effect.

(3) All mortgages granted under this section shall rank equally without any priority or preference by reason of any precedence in the date of any statutory borrowing power or in the date of the mortgages or on any other ground whatsoever and shall also rank equally with all other securities granted by the Board at any time after the date of the first grant of a mortgage under this section.

(4) The repayment of all principal sums and the payment of interest thereon secured by mortgages granted under this section shall be and the same are by virtue of this Act charged indifferently upon all the revenues of the Board.

(5) Nothing in this section contained shall alter or affect the obligations of the Board to provide for the repayment of the sums secured by mortgages granted under this section and all such sums shall be repaid within the periods and by the means within and by which they would have been repayable respectively if this section had not been enacted.

(6) Nothing in this section contained shall alter or affect the obligations of the Board to provide for the payment of interest upon the sums secured by mortgages granted under this section.

(7) There shall be kept by the clerk at the office of the Board a register of the mortgages granted under this section and within fourteen days after the date of any such mortgage an entry shall be made by the clerk in the register of the number and date thereof and of the names and descriptions of the parties thereto as stated in the deed.

Every such register shall be open to inspection by any mortgagee or other person entitled to any mortgage granted under this section during office hours at the said office without fee or reward and if the clerk refuses to allow such inspection he shall be liable to a penalty not exceeding five pounds.

(8) Any mortgagee or other person entitled to any mortgage granted under this section may transfer his estate rights and interest therein to any other person by deed duly stamped truly stating the consideration and such transfer may be in the form set out in the said second schedule to the Act of 1924 or to the like effect and shall relate only to the transfer and shall not contain any recital trust power or proviso whatsoever.

(9) There shall be kept by the clerk at the office of the Board a register of the transfers of mortgages granted under this section and within thirty days after the date of every deed of transfer if executed within the United Kingdom or within thirty days after its

A.D. 1926. — arrival in the United Kingdom if executed elsewhere the same shall be produced to the clerk who shall on payment of a sum not exceeding five shillings cause an entry to be made in such register of its date and of the names and descriptions of the parties thereto as stated in the deed of transfer and until such entry is made the Board shall not be in any manner responsible to the transferee.

(10) On the registration of any transfer the transferee his executors or administrators shall be entitled to the full benefit of the original mortgage and the principal and interest secured thereby and any transferee may in like manner transfer his estate rights and interest in any such mortgage and no person except the last transferee his executors or administrators shall be entitled to release or discharge any such mortgage or any moneys secured thereby.

(11) If the clerk wilfully neglects or refuses to make in the register any entry by this section required to be made he shall be liable to a penalty not exceeding twenty pounds.

(12) Until the deed of transfer has been so produced to the clerk the Board shall not be affected thereby and the transferee of the mortgage shall not be entitled to receive any interest thereon or to repayment thereof.

(13) The Board before allowing any transfer of any mortgage may if the circumstances of the case appear to them to make it expedient require evidence of the title of any person claiming a right to make the transfer and that evidence shall be a statutory declaration of one or more competent persons or of such other nature as the Board may require.

Evidence
of transfer
or trans-
mission of
securities.

21. It shall not be obligatory on the Board to receive or register any transfer assignment certificate of death burial bankruptcy or marriage probate letters of administration or other document evidencing a transmission of any authorised security (other than securities issued under the Local Loans Act 1875) except upon the production to and temporary deposit with the clerk of the security or the certificate thereof for the purpose of the endorsement thereon of a memorandum of such transmission or the issue of a

new security or certificate thereof and in case of the issue of a new security or certificate for the purpose of cancellation of the security or certificate so deposited. A.D. 1926.

22. Where more persons than one are registered as joint holders of any mortgage debenture or other security of the Board any one of them may give an effectual receipt for any interest thereon unless notice to the contrary has been given to the Board or to the clerk by any other of them. Interest on securities held jointly.

23. In lieu of the provisions of subsections (1) and (2) of section 49 (Apportionment of deficiency in net revenue of Board) of the Act of 1921 and section 42 (Further provisions as to apportionment of deficiency in net revenue) of the Act of 1924 the following provisions shall apply and have effect (that is to say):— Further provisions as to apportionment of deficiency in net revenue.

(i) Before the commencement of every financial year or half-year as they may determine the Board shall make or cause to be made an estimate of the probable revenue and expenditure (other than capital expenditure) which will be received and incurred by them during the year or half-year (as the case may be) and if such estimate shows that there will be a deficiency in the net revenue of the Board for the year or half-year (as the case may be) the Board are hereby authorised and required in every case forthwith to apportion the sum required to meet such deficiency whether for satisfying past or future liabilities between the constituent authorities in proportion to the respective maximum quantities of water per day which the Board may be required to supply to the constituent authorities from and after the date upon which the Taf Fechan reservoir is completed and filled with water as specified in section 22 (Supply of water to constituent authorities) of the Act of 1921 or as from time to time revised under subsection (13) of that section:

(ii) The Board shall at least one month before the commencement of each financial year or half-year (as the case may be) issue to each of the constituent authorities a precept for

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a sum equal to the amount apportioned to that authority in pursuance of this section and each of the constituent authorities shall within two months after the commencement of the year or half-year (as the case may be) or by instalments of such amounts and payable within such times as may be specified in the precept issued to them pay to the Board the sum specified in the precept.

Subscrip-
tions to
associa-
tions and
other
expenses.

24. The Board may pay out of their revenues as expenses incurred by them under the Acts of 1921 and 1924 and this Act:—

(a) Reasonable subscriptions whether annually or otherwise to the funds of any association of water boards or water authorities or local authorities which are supplying water or their officers formed for the purpose of consultation as to their common interests and the discussion of matters relating to water supply and any reasonable expenses of the attendance of any members or officers of the Board not exceeding in any case four at conferences or meetings of such association or any of them and the cost of purchasing reports and contributing towards the expenses of the proceedings of any such conferences or meetings:

(b) The reasonable expenses incurred by the Board in connection with the public opening of their new works and in connection with visits by members officers or employees of the Board or of other water undertakers or county or local authorities to the works or premises of other water undertakers or of the Board (as the case may be) Provided that the amount so expended in any one year shall not exceed one hundred pounds except with the consent of the Minister of Health.

MISCELLANEOUS.

25.—(1) The quantity of water taken by the Rhymney Valley Water Board (in this section called "the Rhymney Board") at Point No. 6 described in Part II. of the Third Schedule to the Act of 1921

As to
supply of
water to
Rhymney

shall not in any hour exceed by more than twenty-five per centum one twenty-fourth part of the maximum daily quantity of water for the time being required by the Rhymney Board to be delivered by the Board at the said Point No. 6 under the provisions of Part II. of the said Third Schedule Provided that nothing in this subsection shall prevent the Rhymney Board from taking any quantity of water not exceeding eighty thousand gallons in any hour.

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Valley
Water
Board.

(2) Subsection (1) of this section shall cease to have effect if and when the Rhymney Board have constructed for the purpose of taking the water delivered at the said Point No. 6 a service reservoir of a capacity and on a site which in the opinion of the Board or of an arbitrator to be appointed as hereinafter provided will prevent unreasonable fluctuations in the delivery of water by the Board at the said Point No. 6.

(3) Any question arising under this section between the Board and the Rhymney Board shall be referred to an arbitrator in accordance with paragraph 7 of Part V. of the said Third Schedule.

26.—(1) Paragraph (a) of subsection (1) of section 16 (Consideration for transfer) of the Act of 1921 is hereby repealed and in lieu thereof the following provisions shall apply and have effect as if the same were set out in the said section 16 :—

Amend-
ment of
section 16
of Act of
1921.

(a) Pay to the Merthyr Corporation as from the date upon which the Taf Fechan reservoir is completed and filled with water an annual sum equal to six per centum of the amount by which the actual cost price of the Taf Fechan water supply undertaking to the Merthyr Corporation as shown by the books of the Merthyr Corporation and defined in subsection (3) of this section exceeds the total amount of the loans incurred by the Merthyr Corporation in respect of the said undertaking and outstanding at the appointed day or so much of such first mentioned amount as has not for the time being been redeemed by the Board as hereinafter provided Provided always that the Board shall be at liberty at any time after the thirty-first day of December nineteen

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hundred and twenty-six (on giving two months' previous notice in writing to the Merthyr Corporation of their intention so to do) to redeem the liability to make the whole or any part of such annual payment as aforesaid by the payment to the Merthyr Corporation of a sum (or sums) in cash such sum (or if there be more than one the total of such sums) being equal to (or with the consent of the Merthyr Corporation by the issue to them of such security or securities as that corporation may agree is equivalent to) the said first mentioned amount and upon such payment or issue (as the case may be) the liability to make the annual payment as aforesaid or so much thereof as is properly represented by the payment or issue so made shall cease and determine. The said annual payment shall subject to the foregoing provisions of this section be made by equal quarterly instalments on the first day of January the first day of April the first day of July and the first day of October in each year and the first of such payments shall if necessary be an apportioned amount.

(2) In consideration of the saving to the Board in consequence of the mayor aldermen and burgesses of the borough of Merthyr Tydfil (hereinafter in this section referred to as "the corporation") not having exercised the power to borrow for payment of interest which was conferred on them by section 56 (Power to borrow for payment of interest) of the Merthyr Tydfil Corporation Act 1920 there shall be added to the actual cost price of the Taf Fechan water supply undertaking to the corporation as defined by subsection (3) of section 16 (Consideration for transfer) of the Act of 1921 the sum of six thousand one hundred and eighty-seven pounds ten shillings.

(3) The Board shall pay to the corporation on the thirtieth day of September nineteen hundred and twenty-six the sum of thirty-one thousand one hundred and eighty-seven pounds and ten shillings and upon such payment the Board shall be deemed to have redeemed the liability to make so much of the annual payment required to be paid by the Board to the

corporation under the provisions of the said section 16 of the Act of 1921 as amended by subsections (1) and (2) of this section as is properly represented by the payment of the said sum of thirty-one thousand one hundred and eighty-seven pounds ten shillings. A.D. 1926.
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(4) Subsections (4) and (5) of the said section 16 of the Act of 1921 shall apply to any sum to be paid by the Board to the corporation under subsections (2) and (3) of this section.

27. The following provisions of the Act of 1921 and of the Act of 1924 shall with any necessary modifications extend and apply to and for the purposes of this Act as if the same were re-enacted in this Act (namely) :— Applica-
tion of pro-
visions of
Acts of
1921 and
1924.

The Act of 1921—

- Subsection (1) of section 36 (Mode of raising money);
- Section 38 (Provisions of Public Health Act 1875 as to mortgages to apply);
- Subsection (1) of section 39 (Mode of payment off of money borrowed);
- Section 40 (Sinking fund);
- Section 42 (Protection of lender from necessity of inquiry);
- Section 44 (Appointment of a receiver);
- Section 45 (Power to re-borrow);
- Section 48 (Application of money borrowed);
- Section 51 (Expenses of execution of Act);
- Section 57 (Incorporation of sections 259 and 265 of Public Health Act 1875);
- Section 58 (Inquiries by Ministry of Health);
- Section 61 (Justices not disqualified);
- Section 63 (Recovery of penalties &c.);
- Section 64 (Recovery of demands);
- Section 67 (As to authentication and service of notices &c.).

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The Act of 1924—

- Section 6 (Extinction of private rights of way);
- Section 10 (Compensation in case of recently acquired interest);
- Section 14 (Proceeds of sale of surplus lands);
- Section 40 (Return to Minister of Health as to repayment of debt):

Provided that in such extension and application—

- (a) The said section 58 of the Act of 1921 shall be read and have effect as if the words “not exceeding five guineas a day” were inserted after the words “and a sum” in subsection (2) thereof;
- (b) The said section 10 of the Act of 1924 shall have effect as if the fifteenth day of November nineteen hundred and twenty-five were therein mentioned instead of the twentieth day of November nineteen hundred and twenty-three.

Repeal of
previous
enact-
ments.

28. The following enactments are hereby repealed but without prejudice to anything done or suffered to be done thereunder respectively (that is to say):—

The Act of 1921—

- (a) Subsection (2) of section 39 (Mode of payment off of money borrowed);
- (b) The first proviso to subsection (1) of section 41 (Power to use sinking fund instead of borrowing) and the word “also” in the second proviso to that subsection;
- (c) Subsections (1) and (2) of section 49 (Apportionment of deficiency in net revenue of Board).

The Act of 1924—

- (d) Section 25 (Further powers in relation to water mains);
- (e) Section 42 (Further provisions as to apportionment of deficiency in net revenue);
- (f) So much of section 53 (Application of provisions of Act of 1921) as incorporates subsection (2) of the said section 39 of the Act of 1921;
- (g) The proviso (a) to the said section 53.

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29. All costs charges and expenses of and incidental A.D. 1926.
to the preparing for obtaining and passing of this Act —
or otherwise in relation thereto as taxed by the taxing Costs of
officer of the House of Lords or of the House of Commons Act.
shall be paid by the Board and may be paid out of the
revenues of the Board or out of money to be borrowed
by the Board under the powers of this Act.

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