



### CHAPTER lxxxiv.

An Act to confer further powers upon the Mayor Aldermen and Burgesses of the County Borough of Croydon. A.D. 1893.

[29th June 1893.]

**W**HEREAS the borough of Croydon in the county of Surrey (in this Act called "the borough") is a municipal borough under the government of the mayor aldermen and burgesses thereof (in this Act called "the Corporation") and the borough is a county borough within the meaning of the Local Government Act 1888 :

And whereas it is expedient that further powers be conferred upon the Corporation in relation to the following subject matters (that is to say) :—

The poor rate assessment and collection :

The making levying and recovery of rates payable by instalments and the recovery of water rent or charge :

Band of music :

Superannuation and provident fund :

And whereas an absolute majority of the whole number of the council of the borough at a meeting held on the nineteenth day of December one thousand eight hundred and ninety-two after ten clear days notice by public advertisement of such meeting and of the purposes thereof in the "Croydon Times" a local newspaper published or circulating in the borough (such notice being in addition to the ordinary notices required for summoning such meeting) resolved that the expense in relation to promoting the Bill for this Act should be charged upon the borough rate and borough fund :

And whereas such resolution was published twice in the said Croydon Times newspaper and has received the approval of the Local Government Board in respect of matters within the jurisdiction of that Board :

And whereas the propriety of the promotion of the Bill for this Act was confirmed by an absolute majority of the whole number of the council at a further special meeting held in pursuance of a

A.D. 1893. similar notice on the sixteenth day of January one thousand eight hundred and ninety-three being not less than fourteen days after the deposit of the Bill in Parliament :

And whereas the owners and ratepayers of the borough by resolution in the manner provided in Schedule III. of the Public Health Act 1875 consented to the promotion of the Bill for this Act :

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

May it therefore please Your Majesty that it may be enacted and be it enacted by the Queen'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 Croydon Corporation Act 1893.

Division of Act into parts. 2. This Act is divided into parts as follows :—  
 PART I. Preliminary.  
 PART II. Rates.  
 PART III. Band of Music.  
 PART IV. Superannuation &c.  
 PART V. Costs.

Interpretation. 3. In this Act—  
 "The Corporation" means the mayor aldermen and burgesses of the borough acting by the council :  
 "The council" means the council of the borough :  
 "The borough fund" and "the borough rate" and "the district fund" and "the district rate" mean respectively the borough fund and the borough rate and the district fund and general district rate of the borough.

Limits of Act. 4. This Act except where otherwise expressly provided shall be in force within and throughout the borough.

Act to be executed by the council. 5. Subject to the provisions of this Act this Act shall be carried into execution by the council.

PART II.

RATES.

6. Section 3 of the Poor Rate Assessment and Collection Act 1869 shall be in force within the parish of Croydon as if such parish were situate in the metropolis.

Parish to be deemed to be within metropolis for the purposes of section 3 of 32 & 33 Vict. c. 41.

7. The Corporation may levy any rate they are for the time being authorised to make either in one sum or by any number of instalments (not being more than four) of such amounts and to be paid at such times within the financial year as they shall from time to time fix and determine at the time of making the rate but if the rate is made payable by instalments the demand note shall in addition to other requisite particulars state the time appointed for the payment of each instalment and all the powers rights and remedies of the Corporation and their officers for levying and recovering rates shall extend and apply to each instalment as if the same were a separate rate.

A.D. 1893.  
Power to  
levy rates by  
instalments.

8. The provisions of the Act 25 and 26 Vic. cap. 82 shall apply to the recovery by the Corporation of water rent or charge payable to the Corporation for the supply of water as if such water rent or charge were a local rate or tax.

Recovery of  
water charge  
and local  
rate by one  
summons.

### PART III.

#### BAND OF MUSIC.

9. The Corporation may from time to time pay or contribute towards the payment of a band of music to perform in any place of public resort or recreation within the borough as the Corporation may prescribe Provided that the amounts of such payments or contributions shall be paid out of the district fund or district rate and shall not in any one year exceed the sum of two hundred and fifty pounds.

Band of  
music.

### PART IV.

#### SUPERANNUATION, &c.

10.—(1.) It shall be lawful for the Corporation to establish in manner herein-after provided a superannuation and provident fund for the provision of payments or other allowances on death superannuation resignation retirement or discharge to persons in the employment of the Corporation being contributors to such fund.

Superannua-  
tion and  
provident  
fund.

(2.) The Corporation may prepare and approve by resolution a scheme or schemes for the establishment of such fund and may determine in and by any such scheme the following matters and things or any of them (that is to say) :—

What classes of persons shall be entitled to contribute to and participate in the benefit of the fund and to what extent such contribution shall be payable by persons entering or who shall have entered the service of the Corporation after the passing of this Act:

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The division of the persons contributing to and to be benefited by the fund into two or more classes according to the amount of salary or according to such other conditions as the Corporation shall determine power being reserved by the scheme to remove any contributor from the one class to the other provided that no such removal shall place the contributor or his representatives in a worse position than he would have occupied if the removal had not been made :

What (if anything) shall disqualify any person in the employ of the Corporation from becoming a contributor to the fund and participating in the benefits thereof :

Under what circumstances any person having been a contributor to the fund shall cease to continue a contributor and to be entitled to participate in the benefits thereof :

What proportion (if any) of his own contributions to the fund any person having been but voluntarily ceasing to be a contributor thereto shall be entitled to receive :

What proportion (if any) of the additions made by the Corporation to the fund in respect of the contributions of any member shall be payable to the representatives of such member in the event of his dying before he becomes entitled to any benefit under the scheme on superannuation resignation or retirement :

The percentage or proportion not exceeding without the consent of the Secretary of State two pounds ten shillings per cent. of their salaries or wages which shall be payable to the fund by the contributors :

The age at which or other circumstances in which a person shall become entitled to benefit under any scheme so that no person not incapacitated by illness shall be entitled to benefit except under the provisions of section 12 of this Act at a less age than sixty-five :

The rate not exceeding three pounds ten shillings per cent. at which interest whether simple or compound shall be calculated in respect of the moneys contributed to the fund by the contributors and by the Corporation respectively :

The payments to be made to persons entitled to benefit under the scheme Such payments to be either (a) by way of a gross sum such sum not to exceed the total amount of the contributions made to the fund by the contributor and of the equivalent contributions made by the Corporation with the interest thereon or (b) by way of annuity not exceeding the amount of the annuity which may be determined by actuarial calculation to be of equal value to the gross sum aforesaid :

Provided that the Corporation may once in five years cause the state of the fund to be investigated by an actuary appointed by them and if satisfied by the report of such actuary that an addition specified in such report may be made to all annuities payable within a period of five years without risk that a deficiency in the funds may at any future time be thereby caused may direct such addition to be made to all pensions for the period of five years next following Provided also that if the contributions of any contributor and the equivalent contributions of the Corporation have been applied to the payment of premiums upon any policy or contract of endowment or endowment and assurance effected or entered into with any life assurance company such contributor or his representatives shall be entitled to the benefit of such policy subject to the provisions relating to the forfeiture of the rights of contributors in certain cases in this Act or in any scheme under this Act contained :

The future management and direction of the fund and the number of and mode of appointment of the committee for administering and managing the same and the powers to be conferred upon the committee with respect to such administration and management and whether any and if any what persons other than members of the Corporation should form part of or be associated with the said committee for the purposes of the administration and management of the fund :

The securities upon which the moneys received on account of the fund shall from time to time be invested :

And generally all such other matters and things in relation to the fund as the committee to be appointed under this Act shall deem fit and proper to form part of and to be included in such scheme :

Provided always that no such scheme or schemes as aforesaid shall provide that any person in the employ of the Corporation whose salary or emoluments at the date of becoming a contributor would exceed five hundred pounds per annum shall be entitled to become a contributor to the fund or to participate in the benefits thereof.

11. The accounts of the Corporation under this part of this Act shall be audited in the same manner as the accounts of the Corporation as an urban sanitary authority. Audit.

12. Any scheme under this part of this Act shall contain the following provisions:— Forfeiture of rights under scheme in certain cases.

Any contributing member leaving the service of the Corporation in consequence of reduction or alterations in the establishment

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or from his services being discontinued from any cause other than fraud or dishonesty or misconduct which involves pecuniary loss to the Corporation shall be entitled to receive back the whole amount of his own contributions with such interest as shall have accrued thereon under the scheme and shall have no further claim upon the fund :

Any contributing member retiring from the service of the Corporation before superannuation bonâ fide of his own accord and not to escape dismissal for fraud or dishonesty or misconduct which involves pecuniary loss to the Corporation shall be entitled to receive back the whole amount of his own contributions to the fund with interest as aforesaid and shall have no further claim upon the fund :

The representatives of any contributing member who (not having been guilty of fraud or dishonesty or misconduct which involves pecuniary loss to the Corporation) shall die before he becomes entitled to any benefit under the scheme on resignation or retirement shall be entitled to receive back the whole contributions of such member with interest as aforesaid and shall have no further claim upon the fund :

Any contributing member dismissed the service of the Corporation for fraud or dishonesty or misconduct which involves pecuniary loss to the Corporation shall at the discretion of the Corporation forfeit all or any part of his contributions and lose all benefits from the fund except such return (if any) as may at such discretion be made to him out of his own contributions.

Copies of  
scheme to be  
supplied.

**13.** The Corporation shall supply a copy of any scheme in force under this part of this Act at a price not exceeding sixpence to any person in the employ of the Corporation interested in the fund or the representatives of any such officer or servant in case of death and shall supply gratuitously to every officer or servant or other person having an interest in the fund a copy of the last annual balance sheet of the same for the time being.

Corporation  
to contribute  
to fund.

**14.**—(1.) The Corporation shall at the end of each and every half year after the establishment of the superannuation fund contribute thereto a sum equal in amount to the sum which during the same half year has been contributed thereto by the persons in the employ of the Corporation.

(2.) All such sums shall be paid out of the same fund or rate as the salary or wages of the contributing member.

(3.) In the event of the moneys standing to the credit of the fund being at any time inadequate for the payment to contributing members of the sums to which they will be entitled under the

provisions of the scheme the amount of any deficiency shall from time to time be made good by the Corporation. A.D. 1893.

(4.) The Corporation may also out of the borough fund or borough rate or out of the district fund or district rate pay any salaries costs and expenses of the management and administration of the fund and of and incidental to investments.

**15.** It shall be lawful for the Corporation from time to time to enter into and carry into effect any contract with any company carrying on the business of life assurance or provident fund for the undertaking by such company of the liabilities of the Corporation under any scheme or schemes made under this part of this Act or any of them. Contracts with assurance society.

**16.** It shall be lawful for the Corporation from time to time on the recommendation of the committee but subject to the provisions of this Act to alter any portion of any scheme But no contributor nor the representatives of any contributor shall by reason of any such alteration be placed in any worse position than if the alteration had not been made. Alteration of scheme.

## PART V.

### COSTS.

**17.** All the costs charges and expenses preliminary to and of and incidental to the preparing applying for obtaining and passing of this Act or otherwise in relation thereto as taxed and ascertained 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 and such costs shall include the cost incurred by the Corporation in complying with the provisions of the Act of the session of Parliament held in the thirty-fifth and thirty-sixth years of the reign of Her present Majesty chapter ninety-one with respect to the Bill for this Act and all matters relating thereto. Costs of Act.

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