

[61 Vict.] *Tyne Improvement (Constitution and Works)* [Ch. viii.]
Act, 1898.



CHAPTER viii.

An Act for enlarging the constitution of the Tyne Improvement Commission for conferring further powers upon the Tyne Improvement Commissioners and for amending certain of the provisions of the Tyne Improvement Acts 1850 to 1897 and for other purposes.

A.D. 1898.

[23rd May 1898.]

WHEREAS by the Tyne Improvement Acts 1850 to 1897 the Tyne Improvement Commissioners (in this Act called "the Commissioners") were constituted and incorporated and were empowered to execute extensive works for the improvement of the River Tyne and to construct and maintain docks piers and other works and for those purposes to levy dues and borrow money :

And whereas the Tyne Improvement Commission (in this Act called "the Commission") is now composed of twenty-four members as follows (that is to say) Fifteen members appointed by the councils of the city of Newcastle-upon-Tyne and of the four boroughs of Gateshead Tynemouth South Shields and Jarrow one survivor of the four members nominated by the River Tyne Improvement Act 1850 two members appointed by the Board of Trade and six members elected by the principal payers of dues received by the Commissioners under their Acts (in this Act called "Tyne dues") :

And whereas by the Tyne Improvement Commission Act 1875 as amended by subsequent Acts the principal payers of Tyne dues have been divided into three classes (namely) shipowners coalowners and traders for the purpose of the election of the said six members of the Commission and two members are elected by each class :

And whereas it is just and expedient that the number of members of the Commission elected by the three classes of payers of Tyne dues be increased and that provision accordingly be made for the election of additional representatives of each of the said classes :

And whereas the Commissioners under the Tyne Improvement Acts 1850 to 1897 are authorised to borrow sums amounting

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And whereas the expenditure on the works aforesaid has been from year to year largely defrayed out of the revenues of the Commissioners without resort to borrowing and it is proposed to similarly defray a large proportion of the remaining capital expenditure :

And whereas storms have caused a breach in and also other considerable damage to the north pier of the Commissioners which will render necessary the removal of the whole of the north pier on the seaward side of the said breach and the repairing reinstating and improving thereof the cost of which is estimated at three hundred and twenty-five thousand pounds and further considerable damage has been done to about six hundred and fifty feet of the said north pier on the landward side of the said breach which may render necessary a further large unforeseen expenditure in repairing reinstating and improving such pier :

And whereas it is expedient that for the completion of the various works already authorised and for the removing repairing reinstating and improving aforesaid the Commissioners be empowered to borrow the further sums in this Act mentioned :

And whereas it is also expedient to further extend the time for the repayment of the debt of the Commissioners and also the time for the commencement of making appropriations for that purpose :

And whereas it is desirable in other respects to enlarge the powers of the Commissioners and to amend the Tyne Improvement Acts 1850 to 1897 :

And whereas the objects of this Act cannot be attained 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) :—

Short title. 1. This Act may be cited as the Tyne Improvement (Constitution and Works) Act 1898 and the Tyne Improvement Acts 1850 to 1897 together with this Act may be cited as the Tyne Improvement Acts 1850 to 1898.

Interpretation. 2. Expressions and words to which meanings are assigned by any of the Tyne Improvement Acts have in this Act (unless the context otherwise requires) the same respective meanings.

3. There shall be added to the Commissioners nine Commissioners elected by the payers of Tyne dues as by this Act directed who with the Commissioners for the time being in office under the provisions of the Tyne Improvement Acts 1850 to 1897 shall form and be to all intents the body corporate of the Tyne Improvement Commissioners and after the first election as in this Act provided the Tyne Improvement Acts 1850 to 1897 shall be read and have effect as if section 3 of the Tyne Improvement Commission Act 1875 were amended by substituting the word "fifteen" for the word "six" and the word "five" for the word "two" in each instance in which the word "two" appears.

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Nine elected Commissioners to be added to Commission.

4. The first election of the nine additional Commissioners shall take place in the month of September one thousand eight hundred and ninety-eight on a day to be appointed by the clerk to the Commissioners and on the appointed day three persons shall be elected as additional Commissioners by each of the said three classes of payers of Tyne dues.

First election of additional Commissioners.

5. For the purposes of qualification nomination and election of candidates the provisions of the Tyne Improvement Acts 1850 to 1897 shall subject to this Act apply in all respects to the said first election as if the said first election were an election held for the purpose of filling three extraordinary vacancies in the office of the Commissioners representing each of the said three classes of payers of Tyne dues.

Qualification of Commissioners and mode of election.

6. The clerk to the Commissioners shall between the fifteenth day of August and the first day of September one thousand eight hundred and ninety-eight appoint the day for the said first election and shall advertise such appointment in at least two newspapers published in the Tyne district and shall ask for nominations of candidates and all subsequent proceedings incidental to or in connexion with the said election shall be conducted in accordance with the regulations laid down in the First Schedule of the Tyne Improvement Act 1890 with respect to extraordinary vacancies.

Notices and regulations with respect to election.

7. The term of office of the additional Commissioners first elected under this Act shall extend to and include the eighth day of November one thousand nine hundred.

Duration of office of additional Commissioners.

8. In addition to the sums which they are at present authorised to borrow the Commissioners may from time to time borrow on the security of the Tyne consolidated fund any further sum or sums not exceeding four hundred and eighty-eight thousand pounds and may raise such sum or sums in any manner in which they are at present authorised to raise moneys which they now have

Power to borrow additional money.

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power to borrow and the provisions of the Tyne Improvement Acts 1850 to 1897 as amended by this Act shall apply to the moneys by this Act authorised to be borrowed and to the payment off and reborrowing thereof.

Extension
of time for
repayment
of debt.

9. Section 20 of the Tyne Improvement Act 1872 section 19 of the Tyne Improvement Act 1877 section 4 of the Tyne Improvement Act 1886 section 6 of the Tyne Improvement Act 1890 and section 44 of the Tyne Improvement Act 1897 shall be read and have effect as if the period of sixty years referred to in the Tyne Improvement Act 1872 were sixty years from the passing of this Act and it shall not be obligatory upon the Commissioners to make appropriations under section 20 of the Tyne Improvement Act 1872 until after the expiration of ten years from the passing of this Act.

Costs of Act.

10. The costs charges and expenses of the Commissioners preliminary to and of and incidental to the preparing applying for obtaining and passing of this Act shall be paid out of the revenues of the Commissioners.

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