



Municipal Corporations Act 1882

1882 CHAPTER 50 45 and 46 Vict

PART VII

BOROUGH FUND: BOROUGH RATE: COUNTY RATE

County Rate

153 Mode of accounting by borough to county.

- (1) The treasurer of each county shall, not more than twice in every year, send to the council of each borough situate in the county . . . ^{F1} an account shewing separately—
 - (a) ^{F2}
 - (b) If the borough is liable to contribute to the county rate for general county purposes, all sums expended out of the county rate for general county purposes, and all sums received in aid or on account of the county rate, and the proportion chargeable on the borough of the sums so expended after deduction of the sums so received;
and shall make an order on the council for the payment of the sum appearing by this account to be due from the municipal corporation of the borough.
- (2) The council shall thereupon forthwith order the sum so appearing to be due, with all reasonable charges of making and sending the account, to be paid to the treasurer of the county out of the borough fund.
- (3) If the order is not complied with, two justices ^{F3} . . . may, on the complaint of the treasurer of the county, made within one month after the issue of the order, issue and send to the treasurer of the borough a warrant requiring him to pay to the treasurer of the county, besides the sum mentioned in the order, the additional sum mentioned in the warrant, the same being calculated in the proportion of one shilling to every ten on the sum mentioned in the order; and until payment thereof the treasurer of the county shall have, in respect of the warrant, all the powers for the recovery thereof which are given against a guardian or overseer for the recovery of county rates and surcharges.

*Changes to legislation: There are currently no known outstanding effects for the
Municipal Corporations Act 1882, Section 153. (See end of Document for details)*

- (4) If any difference arises concerning the account, it shall be decided by the arbitration of a barrister, named, on the application either of the treasurer of the county or of the treasurer of the borough, by the Secretary of State. The arbitrator may, if he thinks fit, adjourn the hearing from time to time, and may require all such information to be afforded by either party as he thinks fit. He shall by his award in writing determine the amount to be paid by the council to the treasurer of the county, and his award shall be final and conclusive. He shall also assess the costs of the arbitration and determine by whom and out of what fund they shall be paid.

Textual Amendments

- F1** Words repealed by [Courts Act 1971 \(c. 23\)](#), **Sch. 11 Pt. IV**
- F2** Ss. 151, 153(1)(a) repealed by [Courts Act 1971 \(c. 23\)](#), **Sch. 11 Pt. IV**
- F3** Words in s. 153(3) repealed (1.4.2005) by [Courts Act 2003 \(c. 39\)](#), s. 110(1), **Sch. 10**; S.I. 2005/910, art. 3(y)

Changes to legislation:

There are currently no known outstanding effects for the Municipal Corporations Act 1882, Section 153.