



Public Works Loans Act 1882 (repealed)

1882 CHAPTER 62 45 and 46 Vict

PART IV U.K.

Amendment of Acts

7 **Amendment of 24 & 25 Vict. c. 45 as to provision for loans in provisional order respecting harbours. U.K.**

F1

- (1) Where a provisional order under the ^{M1}General Pier and Harbour Act 1861, authorises any public body to raise a loan for the construction of any works as defined by that Act in any place, the same or any other order may authorise any rating authority as herein-after defined in that place, under the circumstances and subject to the conditions specified in the order, to charge, if they think it expedient for the inhabitants at large of such place, any fund or rate under their control for the purpose of aiding the public body in raising the said loan, or any part thereof, from the Public Works Loan Commissioners, and to give such aid by guaranteeing the principal and interest of the loan or by borrowing the sum required and advancing it to the public body, or partly in one way and partly in the other, or otherwise in manner provided by the order.
- (2) The order shall provide that the resolution of the rating authority to give the guarantee shall be a special resolution, that is to say, a resolution passed at one meeting of such authority and published in manner directed by the order, so as to give notice to all persons interested, and confirmed at a second meeting of the rating authority held not less than fourteen days after the first of such public notices has been given, and not less than three months after the meeting at which the resolution was passed.
- (3) The order shall provide for the time within which and the mode in which any money borrowed by the rating authority is to be repaid, and for the effectual recovery out of the said fund or rate of any sum payable under the guarantee, and of the principal and interest of any money borrowed by the said authority, and for the reimbursement of the fund or rate out of the income of the said works, or otherwise by the said public body, and shall contain such incidental provisions as seem necessary or proper for carrying this section into effect.

Status: Point in time view as at 01/02/1991.

Changes to legislation: There are currently no known outstanding effects for the Public Works Loans Act 1882 (repealed), Part IV. (See end of Document for details)

- (4) The promoters of an order proposing to confer power under this section on any rating authority shall, a reasonable time before they apply to [^{F2}the Secretary of State] to settle the order, submit to [^{F3}the Secretary of State], or as regards Scotland to the Secretary of State for the Home Department, a statement of such proposal, and if [^{F3}the Secretary of State], or Secretary of State for the Home Department, declare that in their opinion, having regard to the financial condition of the rating authority, or to the necessity for such rating authority to provide a water supply or drainage for the inhabitants of the said place, or otherwise to fulfil the original duties of such authority, it is inexpedient to burden such rating authority with any such charge as is mentioned in such proposal, [^{F2}the Secretary of State] in settling the order shall omit any provision conferring power on the rating authority under this section.

In this section,—

The expression “public body” means any rating authority, also any commissioners, or trustees, or other body or person who manage or undertake the works without any view to the payment of any dividend or profits out of the revenue from such works:

The expression “rating authority” means—

- (1) As regards England, any authority being an urban sanitary authority under the ^{M2}Public Health Act 1875, and the Acts amending the same; and
- (2) As regards Scotland, the town council or commissioners of police of, or other local authority having power to levy assessments in, any royal or parliamentary burgh, or in any populous place the boundaries whereof have been fixed and ascertained under the ^{M3}General Police and Improvement (Scotland) Act 1862, or under the Act therein recited or under any local Act; and
- (3) ^{F4}

Textual Amendments

- F1** Recital omitted under authority of [Statute Law Revision Act 1898 \(c. 22\)](#)
- F2** Words substituted by virtue of [Ministry of Transport Act 1919 \(c. 50\)](#), **s. 2**, S.R. & O. 1919/1440 (Rev. XV, p 211: 1919 I, p 211), 1941/654 (Rev. XV, p. 228: 1941 I, p. 1221) art. 2, 1946/375 (Rev. XV, p. 229: 1946 Pt. I, p. 1009), art. 2 and [S.I. 1970/1681](#), **art. 2(1)**
- F3** Words substituted by virtue of [Ministry of Health Act 1919 \(c. 21\)](#), **s. 3(1)(a)**, [S.I. 1951/753](#) (1951 I, p. 1354), arts. 2(1), 8(1), 1951/1900 (1951 I, p. 1347), art. 1, 1970/1681, arts. 2(1), 6(3)
- F4** Words repealed by [Public Works Etc. Loans Act \(Northern Ireland\) 1953 \(c. 13\)](#), **Sch.**

Modifications etc. (not altering text)

- C1** [S. 7](#) amended by [Public Works Loans Act 1887 \(c. 37\)](#), **s. 4**
- C2** Functions of Secretary of State for the Home Department now exercisable by Secretary of State: [Secretary for Scotland Act 1885 \(c. 61\)](#), **s. 5** and [Secretaries of State Act 1926 \(c. 18\)](#), **s. 1(1)**

Marginal Citations

- M1** 1861 c. 45.
- M2** 1875 c. 55.
- M3** 1862 c. 101.

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Textual Amendments

F5 S. 8 repealed by [Public Works Loans Act 1964 \(c. 9\)](#), **Sch. 3**

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Textual Amendments

F6 S. 9 repealed by [Statute Law Revision Act 1898 \(c. 22\)](#)

10 ^{F7} **U.K.**

Textual Amendments

F7 S. 10 repealed by [Statute Law Revision Act 1898 \(c. 22\)](#) and [Public Works Etc., Loans Act \(Northern Ireland\) 1953 \(c. 13\)](#), **Sch.**

11 ^{F8} **U.K.**

Textual Amendments

F8 S. 11 repealed by [Statute Law Revision Act 1950 \(c. 6\)](#)

Status:

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Changes to legislation:

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