CHAPTER xxix

An Act to make further provision with respect to the misuse of certificates and reports of the Bradford Conditioning House established under the Bradford Corporation (Various Powers) Act 1887 and the admission in evidence of such certificates and reports to amend the said Act of 1887 and for other purposes.

[9th July 1959.]

WHEREAS the city of Bradford (hereinafter referred to as " the city ") is a municipal borough and is also a county borough under the management and local government of the lord mayor aldermen and citizens of the city acting by the council of the city (hereinafter referred to as " the Corporation "):

And whereas under the powers conferred upon them by the Bradford Corporation (Various Powers) Act 1887 (hereinafter referred to as " the Act of 1887 ") the Corporation have established maintain and work a conditioning house in the city for the purpose of ascertaining and certifying the true weight length and condition of articles of trade and commerce commonly used in the city and known as tops noils and yarns and other matters and things of similar character and also the true weight quality and condition of wools or for any other purpose of the like nature in order that persons whether buyers or sellers desirous of having any such articles tested and certified may effect such object by means of such conditioning house:

And whereas under the powers conferred upon them by the Act of 1887 as amended by subsequent Acts the Corporation grant certificates and issue reports with regard to goods and materials submitted for testing at the said conditioning house:

And whereas by section 74 of the Bradford Corporation Act 1913 the Corporation are empowered to refuse to issue further certificates to any person who has published or used a

certificate or copy thereof or extract therefrom for purposes of advertisement or for extolling any goods or material other than the actual goods or material to which the certificate relates and to cancel any such certificate:

And whereas the provisions of the said section 74 have proved insufficient to prevent certificates and reports granted or issued by the Corporation under the powers of the Act of 1887 from being misused in certain cases and it is expedient that further and better provision should be made as in this Act provided for preventing such misuse:

And whereas it is expedient that further and better provisions should be made as by this Act provided as to the admission in evidence in courts of law of such certificates and reports:

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

And whereas the objects aforesaid cannot be obtained without the authority of Parliament:

And whereas in relation to the promotion of the Bill for this Act the requirements of Part XIII of the Local Government Act 1933 have been observed:

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 Bradford Corporation Act 1959.

Interpretation.

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

"the Act of 1887" means the Bradford Corporation (Various Powers) Act 1887;

"the city" means the city of Bradford;

"the conditioning house" means the conditioning house established by the Corporation under Part I (As to conditioning house) of the Act of 1887;

"conditioning house certificate" means a certificate granted by the Corporation under and for the purposes of the said Part I as amended by section 63 of the Bradford Corporation Act 1910;

"conditioning house report" means a report issued under and for the purposes of Part I of the Act of 1887 as amended by subsection (2) of section 5 (Repeal and amendment of enactments) of this Act as to any matter ascertained in the course of operations conducted at the conditioning house;

"the Corporation" means the lord mayor aldermen and citizens of the city acting by the council of the city.

Misuse of conditioning house certificates or reports.

3.—(1) No person shall—

(*a*) publish or use any conditioning house certificate or any conditioning house report or any copy of or extract from any such certificate or report for the purpose of advertising or extolling any goods or material other than the actual goods or material to which such certificate or report relates; or

(*b*) for the purpose of advertising or extolling any goods or material falsely state or imply that a conditioning house certificate or a conditioning house report has been granted or issued in respect of those goods or that material or falsely state or imply with regard to any matter that it is justified by a conditioning house certificate or a conditioning house report.

(2) Any person contravening the provisions of subsection (1) of this section shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding one hundred pounds or in the case of a second or subsequent offence five hundred pounds.

(3) If any person having obtained a conditioning house certificate or a conditioning house report contravenes the provisions of paragraph (*a*) of subsection (1) of this section the Corporation may call in and cancel any certificate or report published or used by such person in contravention of those provisions and may refuse to grant or issue any further certificates or reports to such person.

(4) If any person contravenes the provisions of paragraph (*b*) of subsection (1) of this section the Corporation may refuse to grant or issue conditioning house certificates or conditioning house reports to such person.

Proof of facts stated in conditioning house certificates and reports.

4. Every conditioning house certificate purporting to be duly sealed in accordance with section 63 (As to authentication of certificates issued from conditioning house) of the Bradford Corporation Act 1910 and every conditioning house report purporting to be duly signed in accordance with section 6 (For carrying out the business of the conditioning house) of the Act of 1887 as amended by section 5 (Repeal and amendment of enactments) of this Act shall in any proceedings be prima facie evidence of the facts stated in the certificate or the report (as the case may be).

Repeal and amendment of enactments.

5.—(1) Subsection (4) of section 63 (As to authentication of certificates issued from conditioning house) of the Bradford Corporation Act 1910 and section 74 (Preventing misuse of

conditioning house certificate) of the Bradford Corporation Act 1913 are hereby repealed.

(2) Section 6 (For carrying out the business of the conditioning house) of the Act of 1887 shall have effect as if the following words were added at the end of paragraph 4 of that section (that is to say):—

"and to issue reports under the hand of the manager of any such conditioning house or other officer of the Corporation duly appointed for the purpose as to matters ascertained in the course of operations conducted at the conditioning house".

Costs of Act.

6. All the costs charges and expenses preliminary to and of and incidental to the preparation of and the application for and the obtaining and passing of this Act as taxed by the taxing officer of the House of Lords or of the House of Commons shall be paid by the Corporation out of the general rate fund of the city.

Table of Statutes referred to in this Act

Short title	Session and chapter
Bradford Corporation (Various Powers) Act 1887	50 & 51 Vict. c. cxxxii.
Bradford Corporation Act 1910	10 Edw. 7 & 1 Geo. 5 c. cxvii.
Bradford Corporation Act 1913	3 & 4 Geo. 5 c. xcvi.
Local Government Act 1933	23 & 24 Geo. 5 c. 51.

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