CHAPTER 38.

An Act to amend the law with respect to the constitution and extension of county boroughs, and to amend the Local Government (Adjustments) Act, 1913. [15th December 1926.]

BE it enacted by the King'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:—

Limitation of power to constitute county boroughs.
51 & 52 Vict. c. 41.

1.—(1) It shall not be lawful for the Minister of Health by Provisional Order to constitute a borough into a county borough, and accordingly paragraph (*d*) of subsection (1) of section fifty-four of the Local Government Act, 1888, and in subsection (3) of the same section the words "or for constituting a borough into a county "borough" shall be repealed.

(2) It shall not be lawful for the council of any borough to promote a Bill for the purpose of constituting the borough into a county borough unless the population of the borough, according to the published returns of the last census, for the time being is seventy-five thousand or upwards.

Provisions as to the extension of county boroughs.

2.—(1) Where under section fifty-four of the Local Government Act, 1888, a representation is made to the Minister of Health by the council of a county borough for any purpose involving the extension of the area of the county borough, the Minister shall not entertain the representation—

(*a*) unless he is satisfied that the council of the county borough have sent to the councils of the counties, boroughs and districts affected notice of the proposed representation, together with a draft of the order which they desire to have made to give effect to their proposals; and

(*b*) unless no notice of objection to procedure by Provisional Order has been sent to him by any such council within four weeks from the receipt

of the notice from the county borough council, or unless every such notice of objection has been withdrawn.

(2) Where in consequence of any such notice of objection or on any other ground the Minister declines to entertain the representation, the application for the Provisional Order shall be deemed and taken to be a petition for leave to bring in a Private Bill, and the notices published and served and the deposits made for the purposes of the proposed Provisional Order shall, so far as they comply with the requirements of the Standing Orders of the House of Lords and of the House of Commons respectively in the case of a Private Bill, be held to have been published and served and made for a Private Bill applying for similar powers:

Provided that the council of a county borough shall forthwith inform all persons who have objected to the Provisional Order and other interested persons of their intention to proceed by way of Private Bill.

Modifications of the Borough Funds Acts.

3.—(1) Where the council of a borough promote a private Bill the sole purposes of which are to constitute the borough a county borough, or to extend the area of the borough being a county borough, and purposes incidental thereto, section one of the Borough Funds Act, 1903, and the First Schedule to that Act (relating to the holding of meetings of electors and the taking of polls) shall not apply in relation to that Bill.

3 Edw. 7. c. 14.

(2) The Borough Funds Acts, 1872 and 1903, as amended by the foregoing subsection, shall extend to a Bill having as its object the extension of the area of a county borough, notwithstanding that that object may be attainable by Provisional Order.

Saving as to union of county boroughs.

4. Nothing in the foregoing provisions of this Act shall apply to the union of two county boroughs or affect the powers of the Minister of Health to effect such a union by Provisional Order.

Amendment of 3 & 4 Geo. 5. c. 19.

5. The Local Government (Adjustments) Act, 1913, in its application to any adjustments consequent on an alteration of boundaries or other change effected after the passing of this Act, shall have effect as if in paragraph (2) of Part II. of the Schedule to that Act for the words " the average annual increase of burden multiplied

by fifteen" there were substituted the following words: "the average annual increase of burden multiplied—

"(*a*) so far as that increase of burden is attributable to the cost of maintenance of roads, by twenty-one; and

"(*b*) in other cases, by fifteen."

Short title and extent.

6.—(1) This Act may be cited as the Local Government (County Boroughs and Adjustments) Act, 1926.

(2) This Act shall extend to England and Wales only.

CHAPTER 39.

An Act to regulate the sale on commission of horticultural produce. [15th December 1926.]

BE it enacted by the King'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:—

Duty of salesman to record and deliver particulars of sales.

1.—(1) Where in the case of any horticultural produce consigned for sale on commission the salesman makes a charge by way of commission or otherwise, he shall enter in a book kept by him for the purpose the names of the owner or consignor of the produce and of every purchaser, and the price paid or agreed to be paid by each purchaser, and shall as soon as practicable after the sale send by post or deliver to the owner or consignor an account containing the following particulars:—

(*a*) the actual price paid or agreed to be paid for the produce, and where there is any variation in price, the number, weight or quantity sold, or agreed to be sold, at each price; and

(*b*) the commission or other charge made by the salesman for selling the produce, together with details of any charges made for services in connection with the sale; and

(*c*) the amounts, if any, paid or payable by the salesman on behalf of the owner or consignor in connection with the sale, with details thereof.