# CHAPTER lxxx.

An Act to confirm certain Provisional Orders of the Minister of Health relating to Blackburn Guisborough Joint Hospital District Harrogate Liverpool Newcastle-upon-Tyne Newport (Isle of Wight) and Swansea. [7th August 1925.]

A.D. 1925.

WHEREAS the Minister of Health has made the Provisional Orders set forth in the schedule hereto under the provisions of the Public Health Act 1875: 38 & 39 Vict. c. 55.

And whereas it is requisite that the said Orders should be confirmed by Parliament:

Be it therefore 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:—

Orders in schedule confirmed.

**1.** The Orders set out in the schedule hereto shall be and the same are hereby confirmed and all the provisions thereof shall have full validity and force.

Short title.

**2.** This Act may be cited as the Ministry of Health Provisional Orders Confirmation (No. 4) Act 1925.

[*Price* 1*s. Net.*]

A.D. 1925.

# SCHEDULE.

## BOROUGH OF BLACKBURN.

*Blackburn Order.*

*Provisional Order for amending certain Local Acts.*

WHEREAS the Borough of Blackburn (hereinafter referred to as "the Borough") is an Urban District of which the Mayor Aldermen and Burgesses acting by the Council (hereinafter referred to as "the Corporation") are the local authority for the purposes of the Public Health Act 1875 and there are in force in the Borough the unrepealed provisions of the Blackburn Improvement Acts 1854 1879 and 1882 the Blackburn Water Act 1885 the Blackburn Corporation Acts 1892 and 1922 and the Blackburn Order 1897 as confirmed by the Local Government Board's Provisional Orders Confirmation (No. 18) Act 1897 (which Acts and Order are hereinafter together referred to as "the Local Acts");

And whereas under powers conferred upon them by the Local Acts the Corporation have granted or issued three separate and distinct classes of perpetual or irredeemable annuities or stock and in respect of each of such classes have established a separate and distinct sinking fund or loans fund;

And whereas by the Local Acts provision is made with regard to the investment of funds forming part of the said funds;

And whereas the Corporation have made application to the Minister of Health for the issue of a Provisional Order to amend the Local Acts in the manner hereinafter set forth:

Now therefore the Minister of Health in pursuance of the powers given to him by Section 303 of the Public Health Act 1875 and of any other powers in that behalf hereby orders that from and after the date of the Act of Parliament confirming this Order the Local Acts shall be amended as follows that is to say:—

Interpretation.

1. In this Order—

"the sinking funds" means the following sinking funds or loans funds established by the Corporation viz. "the Water Annuities Sinking Fund" "the four per cent Stock Sinking Fund" and such part of "the 'Consolidated Loans Fund (No. 1)" as is provided for the redemption of stock or the repayment of borrowed moneys; and

"statutory borrowing power" has the same meaning as it has in the Stock Regulations 1891 to 1921 made under the provisions of Section 52 of the Public Health Acts Amendment Act 1890.

Use of sinking funds in exercise of statutory borrowing power.

2.—(1) Notwithstanding anything in the Local Acts and subject as hereinafter provided the Corporation may exercise either wholly or partially any statutory borrowing power possessed by them by using for the purpose any moneys forming part of any of the sinking funds and not required for the payment of dividends.

(2) Any moneys so used shall be repaid to the sinking fund from which they were taken by equal yearly or half-yearly instalments of principal within the period and out of the fund rate or revenue within and out of which a loan raised under the statutory borrowing power would be repayable.

(3) Interest on any moneys so used (and for the time being not repaid) shall be paid to the fund rate or revenue out of which the sinking fund from which such moneys were taken is provided and shall be calculated at a rate per centum per annum to be determined by the Corporation and to be equal (as nearly as may be) to the rate of interest which would be payable on a loan raised on mortgage under the statutory borrowing power and shall be paid out of the fund rate or revenue which would be applicable to the payment of interest on a loan raised under the statutory borrowing power.

(4) For the purposes of the application of paragraphs (*a*) and (*b*) of sub-division (3) of Article V. of the Blackburn Order 1897 to any of the sinking funds any moneys taken from one of those funds in pursuance of this Article and not repaid shall be deemed to be moneys required to be invested or moneys invested respectively.

(5) The statutory borrowing power for the purpose of which the moneys are so used shall be deemed to be exercised by such use as fully in all respects as if a loan of the same amount had been raised on mortgage in the exercise of the power and the particulars of the exercise of the power by such use shall be entered accordingly in the mortgage register kept by the Corporation.

Short title.

3. This Order may be cited as the Blackburn Order 1925.

Given under the Official Seal of the Minister of Health this Seventh day of April One thousand nine hundred and twenty-five.

L.S.) H. W. S. FRANCIS
Assistant Secretary Ministry of Health.

A.D. 1925.

# GUISBOROUGH JOINT HOSPITAL DISTRICT.

*Guisborough Order.*

*Provisional Order for forming a United District under Section 279 of the Public Health Act* 1875.

WHEREAS the authorities named in column 2 of the First Schedule to this Order being the local authorities within the meaning of the Public Health Act 1875 for the districts named in column 1 of that Schedule have made application to the Minister of Health for the issue of a Provisional Order forming those Districts into a United District for the purpose of the provision maintenance and management of hospitals for the reception of cases of infectious diseases other than smallpox:

Now therefore the Minister of Health in pursuance of the powers given to him by Section 279 of the Public Health Act 1875 and of all other powers enabling him in that behalf hereby orders as follows viz.:—

## PART I.

### INTERPRETATION AND COMMENCEMENT.

Definitions.

1. In this Order unless the context otherwise requires—

"Constituent Authority" means an authority named in column 2 of the First Schedule to this Order;

"Constituent District" means a district named in column 1 of that Schedule;

"The appointed day" means the date of the Act of Parliament confirming this Order;

"The Joint Board" means the governing body of the United District formed by this Order;

"The Minister" means the Minister of Health.

Commencement of Order.

2. This Order shall come into operation on the appointed day.

## PART II.

### FORMATION OF THE UNITED DISTRICT AND CONSTITUTION OF THE JOINT BOARD.

Formation of United District.

3. The Constituent Districts shall be formed into a United District to be called the Guisborough Joint Hospital District for the purposes of the provision maintenance and management for the use of the inhabitants of the Constituent Districts of hospitals for the reception of cases of infectious diseases other than smallpox.

Constitution of governing body.

4. The Joint Board shall consist of two members ex-officio and six elective members and shall be called the Guisborough Joint Hospital Board.

*Guisborough Order.*

5. The ex-officio members shall be the persons described in column 3 of the First Schedule to this Order and the elective members shall be elected by the Constituent Authorities.

Ex-officio and elective members.

6. The number of members of the Joint Board to be elected by each Constituent Authority shall be the number set opposite the name of the Constituent Authority in column 4 of the First Schedule to this Order and that number of members of the Joint Board shall be chosen by the Constituent Authority from among their own members.

Number and qualification of elective members.

7. The first election of members of the Joint Board shall take place at a meeting of each Constituent Authority to be held within six weeks after the appointed day or within such further time as the Minister may allow and three days' previous notice in writing of the meeting shall be given or sent to each member of the Constituent Authority by the clerk to that Authority.

Date of first election.

8. The clerk to each Constituent Authority shall notify in writing to the Minister within seven days after the first election has taken place the name address and occupation of each of the persons elected by the Constituent Authority as a member of the Joint Board.

Notification to Minister of members first elected.

9. The first meeting of the Joint Board shall be held at such time and at such place as may be fixed by the Minister.

First meeting of the Joint Board.

10. The Joint Board shall from time to time appoint one of their number to be chairman for one year at all meetings at which he is present.

Chairman.

## PART III.

### POWERS AND DUTIES OF THE JOINT BOARD.

11. The Joint Board shall have exercise perform and be subject to all the powers rights duties capacities liabilities and obligations of an urban district council under the enactments in the Public Health Acts mentioned in the Second Schedule to this Order and those enactments shall extend to the Joint Board with such modifications as may be necessary to make them applicable to the Joint Board and to the United District formed by this Order :

Application of the enactments in the Second Schedule.

Provided that Section 258 of the Public Health Act 1875 as applied by this Article shall be modified by the substitution of "Constituent Authority" for "local authority" and "the Joint Board" for "such authority."

12.—(1) Regulations of the Minister under Section 130 or Section 134 of the Public Health Act 1875 as extended by any other enactment may provide for the execution thereof by the Joint Board in relation to the whole or any part of the United District formed by this Order and if the Joint Board shall be charged with the carrying out of regulations under the Section

Regulations of the Minister under ss. 130 and 134 of the Public Health Act 1875.

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*Guisborough Order.*

last-mentioned the Epidemic and other Diseases Prevention Act 1883 shall apply to the Joint Board as that Act applies to a local authority in England.

(2) Save as provided in regulations of the Minister under any enactment mentioned in this Article nothing in this Order shall affect any powers or duties exerciseable by or imposed upon any Constituent Authority by regulations of the Minister under any such enactment.

Appointment and remuneration of officers,

13.—(1) The Joint Board shall appoint a treasurer and a clerk and the Joint Board may appoint one or more medical officers who shall be registered medical practitioners and such other officers and servants as they think requisite.

(2) The Joint Board may pay their treasurer clerk medical officers and other officers and servants such reasonable remuneration as they deem expedient and every such treasurer clerk medical officer and other officer and servant shall be removable by the Joint Board at their pleasure.

Mode of admission into hospitals.

14.—(1) Persons shall be admitted into a hospital provided by the Joint Board in one of the following modes and not otherwise except with the consent of the Constituent Authorities viz. :—

(*a*) By an order of the Joint Board or of a Constituent Authority;

(*b*) By an order of a medical officer of health of a Constituent Authority;

(*c*) By an order of a medical officer appointed by the Joint Board; or

(*d*) By an order of a justice made under the provisions of Section 124 of the Public Health Act 1875 with the consent required by that Section.

(2) The board of guardians of any poor law union wholly or in part comprised within the district of the Joint Board may by agreement with the Joint Board provide for the reception into a hospital provided by the Joint Board of persons in receipt of relief from such board of guardians and any such person may be admitted into the hospital in the manner and on the terms prescribed by the agreement.

Expenses of Joint Board.

15.—(1) All the expenses incurred by the Joint Board shall be defrayed out of a common fund to which shall be paid the sums recovered by the Joint Board from or repaid to the Joint Board by or for patients.

(2) To the common fund so far as the same is not provided by the payments aforesaid each Constituent Authority shall

contribute in the proportion which the number of inhabitants in their District bears to the total number of inhabitants of the Constituent Districts and for the purposes of this Article the number of inhabitants shall in each case be the number according to the returns of the last census prior to the issue of precepts by the Joint Board for contributions from the Constituent Authorities.

Calculation and payment of cost of maintenance of patients.

16.—(1) The cost of maintenance of patients shall be ascertained in accordance with the rules hereinafter set forth namely :—

(*a*) Within twenty-one days after the Thirty-first day of March and the Thirtieth day of September in each year the Joint Board shall ascertain the proportionate part of the total cost of the maintenance of the several patients who have been in the hospital during the previous half-year which will represent the average daily cost in respect of each patient;

(*b*) The cost of maintenance of patients shall include all the expenses incurred in and about the maintenance and care of the patients in the hospital and in and about their medical treatment and in and about their clothing and conveyance to and from the hospital and if any patient dies in the hospital the cost of the funeral and burial and shall also include during any day in which a patient has been in the hospital the remuneration and rations of temporary nurses but shall not include the cost of the repairs to the hospital or to the fittings and furniture thereof or the salaries remuneration or rations of the officers or servants other than temporary nurses.

(2) The clerk to the Joint Board shall within twenty-eight days after the Thirty-first day of March and the Thirtieth day of September in each year transmit to the clerk to each Constituent Authority an account showing in respect of each patient received during the previous half-year into the hospital from the district of that authority after deducting any sum recovered by the Joint Board from or repaid to the Joint Board by or for that patient—

(*a*) the name and address of the patient;

(*b*) the number of days in the half-year during which the patient has remained in the hospital; and

(*c*) the amount calculated according to the rules in subdivision (1) of this Article set forth and claimed as being due from the Constituent Authority.

(3) The amount shown by the said account to be due shall be paid by the Constituent Authority from whose district the patient has been received into the hospital and shall be included

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in any precept which the Joint Board issue to the Constituent Authority under Section 284 of the Public Health Act 1875 stating the sums to be contributed by the Constituent Authority towards the common fund of the United District and in case of default shall be recovered in like manner as the sums to be contributed towards the said common fund.

Notice of provisions as to recovery of cost of maintenance.

17. A copy of Section 132 of the Public Health Act 1875 and of Section 60 of the Public Health Acts Amendment Act 1907 shall be exhibited in a conspicuous place at the principal entrance of any hospital provided by the Joint Board.

Inspection of accounts.

18. The accounts of the Joint Board shall at all reasonable times be open to inspection and transcription free of charge by any member of a Constituent Authority or by any officer of a Constituent Authority authorised by that Authority for that purpose.

Abstract of accounts and auditor's report.

19. A copy of the abstract of the accounts of the Joint Board and of any report made by the auditor to the Joint Board shall be sent by the Joint Board to each Constituent Authority as soon as may be after the completion of the audit.

## PART IV.

### SUPPLEMENTAL.

Disqualification for membership of the Joint Board and absence from meetings.

20. Such of the provisions of Section 46 of the Local Government Act 1894 as relate to the disqualification for being elected or being a member of the council of a district other than a borough and to absence from meetings of any such council shall with the necessary modifications extend to disqualification for being elected or being a member of the Joint Board and to absence from meetings of the Joint Board.

Tenure of office of members.

21.—(1) An elective member of the Joint Board shall continue in office until the expiration of the period for which he was elected a member of the Joint Board or until he dies or resigns or ceases to be a member of the Constituent Authority by whom he was elected or otherwise becomes disqualified or until he becomes ex-officio a member of the Joint Board.

(2) Any elective member of the Joint Board who ceases to hold office by reason of the expiration of his period of office or by reason of his resignation or disqualification or by ceasing to be a member of the Constituent Authority by whom he was elected shall be re-eligible as a member of the Joint Board if at the time of re-election he is qualified to be so re-elected.

Supply of vacancies.

22.—(1) Any vacancy occurring amongst the elective members of the Joint Board by death resignation disqualification or otherwise shall be filled by the Constituent Authority in whose

representation the vacancy happens at a meeting to be held within six weeks after the occurrence of the vacancy or within such further period as the Minister may allow.

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(2) The clerk to the Constituent Authority shall forthwith notify in writing to the clerk to the Joint Board the name address and occupation of any person elected in pursuance of this Article to fill a vacancy.

Meetings.

23.—(1) Subject to the provisions of this Order meetings of the Joint Board shall be held at such times and places as the Joint Board may appoint and at all meetings of the Joint Board four members shall constitute a quorum.

(2) An extraordinary meeting shall be summoned by the clerk to the Joint Board when a requisition for that purpose is addressed to him by the chairman or any three members of the Joint Board.

(3) The requisition shall be in writing and no business other than that specified in the requisition shall be transacted at an extraordinary meeting of the Joint Board.

(4) Notices of all meetings of the Joint Board shall be delivered or sent by post so as to reach the last known place of abode or business of each member of the Joint Board three clear days before the day of meeting or at such earlier time as the Joint Board may direct.

Committees

24.—(1) The Joint Board may appoint committees consisting of members of the Joint Board for the exercise of any powers which in the opinion of the Joint Board can be properly exercised by committees but the acts of every such committee shall unless otherwise directed by the Joint Board be submitted to the Joint Board for approval :

Provided that a committee so appointed shall not be authorised to borrow money or to issue any precept for contributions or to enter into any contract.

(2) The provisions of Part Four of the First Schedule to the Local Government Act 1894 so far as those provisions are applicable shall extend to any committee appointed in pursuance of this Article by the Joint Board.

Power of the Minister to adapt this Order on alteration of a Constituent District &c.

25. If at any time any new district is formed including the whole or any part of a Constituent District or the boundaries of a Constituent District are otherwise altered or a Constituent District is created or included in a municipal borough or any alteration is made in the law affecting the United District or the Joint Board or a Constituent District or Constituent Authority in matters touching their relation to the United District or the Joint Board the Minister may by order to be published as the

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Minister may direct provide for the adaptation of this Order to the altered circumstances.

Settlement of differences.

26. Subject to the provisions of this Order any difference arising hereunder shall be referred to arbitration in the manner provided by the Public Health Act 1875 the provisions of which shall apply with the necessary modifications to any arbitration under this Article as if the Joint Board or a Constituent Authority (as the case may be) were a party within the meaning of those provisions.

Saving for powers of Constituent Authorities.

27. Until a hospital provided by the Joint Board is ready for the reception of patients nothing in this Order shall affect any power vested in any Constituent Authority with regard to the provision of hospitals for the use of the inhabitants of their district.

Short title.

28. This Order may be cited as the Guisborough Joint Hospital Order 1925.

## THE FIRST SCHEDULE.

CONSTITUENT DISTRICTS CONSTITUENT AUTHORITIES AND NUMBER OF ELECTIVE MEMBERS.

| 1. Name of District. | 2. Name of Authority. | 3. Ex-officio Members. | | 4. Elective Members. |
|---|---|---|---|---|
| | | Number. | Description. | Number. |
| The Urban District of Guisborough. | The Urban District Council of Guisborough. | 1 | The Chairman of the Urban District Council or in the event of his being unwilling to act or being an ex-officio member elsewhere described in this Schedule then the Vice-Chairman of the Urban District Council. | 3 |
| The Rural District of Guisborough. | The Rural District Council of Guisborough. | 1 | The Chairman of the Rural District Council or in the event of his being unwilling to act or being an ex-officio member elsewhere described in this Schedule then the Vice-Chairman of the Rural District Council. | 3 |

## THE SECOND SCHEDULE.

ENACTMENTS APPLIED TO THE JOINT BOARD.

| Session and Chapter. | Short Title. | Enactments Applied. | Subject-matter. |
|---|---|---|---|
| 38 & 39 Vict. c. 55. | The Public Health Act 1875. | Sections 122 123 and 131. | Infectious diseases and hospitals. |
| | | Section 132(as amended by Section 60 of the Public Health Acts Amendment Act 1907). | Recovery of cost of maintenance in hospital. |
| | | Sections 173 and 174 except subsection (3) of Section 174. | Contracts. |
| | | Sections 175 to 177 - | Purchase and letting of lands. |
| | | Sections 179 to 181 - | Arbitration. |
| | | Sections 192 to 197 - | Officers and offices. |
| | | Section 205 - - | Attendance of inspectors at meetings. |
| | | Sections 245 and 247 (as amended by the District Auditors Act 1879 Section 58 of the Local Government Act 1894 and the Finance Act 1921). | Audit of accounts. |
| | | Section 249 - - | Taxation of bills of costs. |
| | | Section 250 - - | Accounts of officers. |
| | | Sections 251 253 254 258 to 262 and 265 to 267. | Legal proceedings notices &c. |
| | | Section 269(as amended by the Summary Jurisdiction Act 1884). | Appeal to quarter sessions. |
| | | Section 298 - - | Costs of Provisional Orders. |
| | | Section 306(as amended by Section 48 of the Public Health Acts Amendment Act 1890). | Penalty on obstructing execution of the Act &c. |
| | | Section 307 - - | Penalty on damaging works &c. |
| | | Section 308 - - | Compensation in case of damage by local authority. |
| | | Section 309 - - | Compensation to officers. |

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| Session and Chapter. | Short Title. | Enactments Applied. | Subject-matter. |
|---|---|---|---|
| 47 & 48 Vict. c. 74. | The Public Health (Officers) Act 1884. | The whole Act - - | Restriction on recovery of penalties. |
| 48 & 49 Vict. c. 53. | The Public Health (Members and Officers) Act 1885. | Sections 1 and 2 - | Amendment of Section 193 of the Public Health Act 1875. |

Given under the Official Seal of the Minister of Health this **Ninth** day of **April** One thousand nine hundred and twenty-five.

(L.S.)

F. L. TURNER
Assistant Secretary Ministry of Health.

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## BOROUGH OF HARROGATE.

*Harrogate Order.*

*Provisional Order for altering the Harrogate Improvement Act* 1841 *the Harrogate Corporation Act* 1893 *and two Confirming Acts.*

WHEREAS the Borough of Harrogate (hereinafter referred to as "the Borough") is an Urban District of which the Mayor Aldermen and Burgesses acting by the Council (hereinafter referred to as "the Corporation") are the Local Authority for the purposes of the Public Health Act 1875;

And whereas there are in force in the Borough the unrepealed provisions of the Harrogate Improvement Act 1841 as altered by a Provisional Order dated the Ninth day of June One thousand eight hundred and sixty-eight (hereinafter referred to as "the Order of 1868") which was confirmed by the Local Government Act 1868 (No. 6) the Harrogate Corporation Act 1893 (hereinafter referred to as "the Act of 1893") and the Harrogate Order 1906 which was confirmed by the Local Government Board's Provisional Orders Confirmation (No. 4) Act 1906 (all of which said Acts and Orders are hereinafter referred to as "the Local Acts and Orders");

And whereas the Corporation have made application to the Minister of Health for the issue of a Provisional Order to alter or amend the Local Acts and Orders in the manner hereinafter set forth:

A.D. 1925.

*Harrogate Order.*

Now therefore the Minister of Health in pursuance of the powers given to him by Sections 297 and 303 of the Public Health Act 1875 and by any other Statutes in that behalf hereby orders that from and after the date of the Act of Parliament confirming this Order the Local Acts and Orders shall be amended as follows :—

**Provision of bathing pool.**

1. The Corporation may—

(1) Subject to the rights and interests of any tenant appropriate and use such part of the land described in the Schedule to this Order as may be approved by the Minister of Health for the provision of a bathing pool in connection with their baths and mineral water undertaking as if the said bathing pool had been included in that undertaking under the Act of 1841 and the Order of 1868;

(2) Erect manage and maintain on the said land such buildings and other works and provide such apparatus machinery and articles as may be required for the purposes of the said bathing pool; and

(3) Make such charges as they think fit for the use of the said bathing pool or any building apparatus or article provided in connection therewith.

**Borrowing powers of Act of 1893 made applicable.**

2. The purposes of this Order shall be deemed to be purposes of the Act of 1893 for which the Corporation with the sanction of the Minister of Health may borrow money under Section 71 of that Act.

**Short title.**

3. This Order may be cited as the Harrogate Order 1925.

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## The SCHEDULE above referred to.

All those lands with the buildings thereon known as The Ripon Road Farm situate in the Borough and the Township of Killinghall and containing an area of 308 acres or thereabouts.

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Given under the Official Seal of the Minister of Health this Eighth day of April One thousand nine hundred and twenty-five.

(L.S.) H. W. S. FRANCIS
Assistant Secretary Ministry of Health.

A.D. 1925.

# CITY OF LIVERPOOL.

*Liverpool Order.*

## *Provisional Order for amending the Liverpool Corporation Act* 1921.

WHEREAS the City of Liverpool (hereinafter referred to as "the City") is an urban sanitary district of which the Lord Mayor Aldermen and Citizens acting by the Council (hereinafter referred to as "the Corporation") are the local authority for the purposes of the Public Health Act 1875 and the unrepealed provisions of the Liverpool Corporation Act 1921 (hereinafter referred to as "the Local Act") are in force in the City;

And whereas by the Local Act the Select Vestry of the Parish of Liverpool was dissolved and that parish and the other civil parishes comprised within the City were included within the West Derby Union and were amalgamated to form the new Parish of Liverpool co-extensive with the City;

And whereas certain land and premises (known and hereinafter referred to as "the Highfield Hospital") which were prior to the commencement of the Local Act vested in the Select Vestry aforesaid and leased by the Select Vestry to the Corporation were by virtue of the Local Act transferred to and vested in the Guardians of the Poor of the West Derby Union (hereinafter referred to as "the Guardians") and subsequently by an agreement dated the twenty-ninth day of February one thousand nine hundred and twenty-four under the Common Seals of the Corporation and the Guardians the Guardians contracted to sell the Highfield Hospital to the Corporation for the consideration therein mentioned;

And whereas by Section 37 of the Local Act provision was made for the transfer to the Corporation of certain parochial officers and for the application of the provisions of the Poor Law Officers' Superannuation Act 1896 to the officers so transferred;

And whereas the clause of the recited agreement which is set out in the Schedule hereto makes provision for the application of Section 37 of the Local Act to the officers transferred to the Corporation under that agreement;

And whereas the Corporation have applied to the Minister of Health for the issue of a Provisional Order to amend the Local Act in manner hereinafter set forth:

Now therefore the Minister of Health in pursuance of the powers given to him by Section 303 of the Public Health Act

1875 and of all other powers enabling him in that behalf hereby orders that from and after the date of the Act of Parliament confirming this Order the Local Act shall be amended in the manner following:— A.D. 1925. *Liverpool Order.*

1. Section 37 of the Local Act shall apply to the officers and servants transferred to the Corporation in pursuance of the recited Agreement and the Clauses of the said Agreement set out in the Schedule hereto are hereby confirmed and effect may be given thereto accordingly. Confirmation of the provisions of the recited Agreement.

2. This Order may be cited as the Liverpool Order 1925. Short title.

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## SCHEDULE.

*Extract from Agreement dated 29th February* 1924.

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7. As part of the consideration for the sale hereby agreed the Purchasers have agreed with the Vendors as follows:—

(*a*) That the provisions with regard to superannuation and compensation affecting the transferred Parochial Officers under the Liverpool Corporation Act 1921 as contained in Section 37 thereof shall apply to those on the staff of the Hospital (who are at present regarded as servants of the Vendors) and who shall be regarded as if they were existing Parish Officers within the meaning of that section and service of such officers during the operation of the Lease dated the seventh day of May One thousand nine hundred and twenty-one shall rank as service within the meaning of Section 36 (5) of that Act.

(*b*) That those officers on the staff of the Hospital who are regarded as the servants of the Vendors shall upon a date to be named be transferred to the Liverpool Corporation in like manner and with the same rights and privileges and claim to compensation as they would have possessed had they been transferred officers under the provisions of Section 36 of the Liverpool Corporation Act 1921 and the period of service taken into consideration shall be the service up to and including the thirty-first March One thousand nine hundred and twenty-four.

A.D. 1925.

*Liverpool Order.*

(*c*) That the Purchasers will add ten years to the actual years of service of Dr. Hastings with the Vendors and/or the Purchasers for the purpose of assessing his compensation in accordance with the provisions of Section 37 of the Liverpool Corporation Act 1921.

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Given under the Official Seal of the Minister of Health this Seventh day of April One thousand nine hundred and twenty-five.

(L.S.) H. W. S. FRANCIS
Assistant Secretary Ministry of Health.

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## CITY OF NEWCASTLE-UPON-TYNE.

*Newcastle-upon-Tyne Order.*

### *Provisional Order for amending the Newcastle-upon-Tyne Corporation Act* 1904.

WHEREAS the City of Newcastle-upon-Tyne (hereinafter referred to as "the City") is an Urban District of which the Lord Mayor Aldermen and Citizens acting by the Council (hereinafter referred to as "the Corporation") are the local authority for the purposes of the Public Health Act 1875;

And whereas there are in force in the City the unrepealed provisions of certain Local Acts and Provisional Orders duly confirmed by Parliament including the Newcastle-upon-Tyne Corporation Act 1904 (hereinafter referred to as "the Act of 1904");

And whereas by Section 94 of the Act of 1904 the Corporation were authorised to borrow the sum of three hundred and thirteen thousand pounds for and in relation to the new quay and the works appliances and conveniences in connection therewith by that Act authorised to be made and maintained;

And whereas the Corporation have made application to the Minister of Health for the issue of a Provisional Order partially to alter or amend the Act of 1904 in the manner hereinafter set forth:

Now therefore the Minister of Health in pursuance of the powers given to him by Section 303 of the Public Health

Act 1875 and of all other powers enabling him in that behalf hereby orders that from and after the date of the Act of Parliament confirming this Order the Act of 1904 shall be altered in manner following that is to say :—

A.D. 1925.

*Newcastle-upon-Tyne Order.*

1. Section 94 of the Act of 1904 shall be altered and have effect as if the words "three hundred and fifty-four thousand pounds" were therein substituted for the words "three hundred and thirteen thousand pounds."

Increase of borrowing powers for new quay works under Newcastle-upon-Tyne Corporation Act 1904.

2. This Order may be cited as the Newcastle-upon-Tyne Order 1925.

Short title.

Given under the Official Seal of the Minister of Health this Fourteenth day of April One thousand nine hundred and twenty-five.

(L.S.) F. L. TURNER
Assistant Secretary Ministry of Health.

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## BOROUGH OF NEWPORT (ISLE OF WIGHT).

*Provisional Order for altering the Newport (Isle of Wight) Borough Act* 1876.

*Newport (Isle of Wight) Order.*

WHEREAS the Borough of Newport (Isle of Wight) (hereinafter referred to as "the Borough") is an Urban District of which the Mayor Aldermen and Burgesses acting by the Council (hereinafter referred to as "the Corporation") are the Local Authority for the purposes of the Public Health Act 1875;

And whereas under divers Charters and a local Act intituled the Newport (Isle of Wight) Borough Act 1876 (hereinafter referred to as "the local Act") the Corporation hold a cattle market and other markets (hereinafter referred to as "the Borough Markets") within the Borough;

And whereas the cattle market is at present held in St. James' Square in the Borough and doubts have arisen whether it is competent to the Corporation to exercise the powers vested in them in regard to such market in the event of the market being removed to another site;

And whereas the Corporation have made application to the Minister of Health for the issue of a Provisional Order to amend the local Act in the manner hereinafter set forth :

A.D. 1925.

*Newport (Isle of Wight) Order.*

Now therefore the Minister of Health in pursuance of the powers given to him by Section 303 of the Public Health Act 1875 and by any other Statutes in that behalf hereby orders that from and after the date of the Act of Parliament confirming this Order the local Act shall be amended so that the following provisions shall have effect that is to say :—

Removal of cattle market.

1. The Corporation may remove the cattle market to a site to be provided by them under the powers of the Public Health Act 1875 as applied by this Order.

Application of provisions of Public Health Act 1875 to Borough Markets.

2. Subject to the provisions of this Order the Borough Markets (including all market houses market places weighing houses weighing places and other conveniences for holding the Borough Markets) shall be deemed to be markets held established or provided under the Public Health Act 1875 and the provisions of that Act with respect to markets and the enactments incorporated therewith and thereby rendered applicable to markets to be established or regulated in pursuance of the said Act (including the provisions and enactments relating to byelaws with respect to any market belonging to an urban authority) shall extend and apply to the Borough Markets and shall have effect as if in relation to the Borough Markets the Corporation were empowered and had always been empowered to do the things or any of the things mentioned in Section 166 of that Act.

Tolls and stallages.

3.—(1) The tolls and stallages which the Corporation are now empowered to demand and take under the local Act in respect of the Borough Markets shall remain in force and may be demanded and taken in respect of any market to which this Order applies until a fresh scale of tolls and stallages is issued by the Corporation in pursuance of their powers under the Public Health Act 1875 and on the issue of such fresh scale the Second Schedule to the local Act (except the part commencing "and there shall also be paid") shall cease to have effect.

(2) For the purpose of enabling the Corporation to change the said tolls and stallages the provisions and enactments applied by this Order shall apply and have effect as if the said tolls and stallages were subject to change in pursuance of the said provisions and enactments.

Repeal.

4. The words "and the regulations" to "persons" in Section 15 and the Third Schedule of the local Act shall be repealed on the day on which byelaws made by the Corporation for the purposes mentioned in Section 42 of the Markets and Fairs Clauses Act 1847 come into operation and subsection (v) of Section 16 (Power to make byelaws) of the local Act

*Newport (Isle of Wight) Order.*

is hereby repealed so far as that subsection relates to tolls or dues leviable in respect of the Borough Markets.

Short title.

5. This Order may be cited as the Newport (Isle of Wight) Order 1925.

Given under the Official Seal of the Minister of Health this Fourth day of April One thousand nine hundred and twenty-five.

(L.S.) F. L. TURNER
Assistant Secretary Ministry of Health.

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## BOROUGH OF SWANSEA.

*Swansea Order.*

### *Provisional Order for amending certain Local Acts.*

WHEREAS the Borough of Swansea (hereinafter referred to as "the Borough") is an urban sanitary district of which the Mayor Aldermen and Burgesses acting by the Council (hereinafter referred to as "the Corporation") are the local authority for the purposes of the Public Health Act 1875;

And whereas there are in force in the Borough the unrepealed provisions of—

(*a*) certain local Acts conferring powers upon the Corporation including the Swansea Corporation Acts 1889 1902 1912 and 1922 (which are hereinafter referred to collectively as "the Corporation Acts" and each of which is hereinafter referred to as the Corporation Act of the year in which it was passed); and

(*b*) certain Acts conferring powers upon the Swansea Improvements and Tramways Company (hereinafter referred to as "the Tramways Company") including the Swansea Improvement and Tramways Acts 1874 and 1878 and the Swansea Tramways Act 1882 (which are hereinafter referred to collectively as "the Tramways Acts" and each of which is hereinafter referred to as the Tramways Act of the year in which it was passed);

And whereas under the provisions of the Corporation Acts and of the Tramways Acts the Corporation have constructed and have leased to the Tramways Company certain lines of tramways and the Tramways Company have constructed certain other lines of tramways and the said Company at present work the whole of such lines as one system but the lease above referred to subject as therein provided will expire on the Thirty-first day of December One thousand nine hundred and forty-two on which date also the Corporation are empowered to acquire

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compulsorily the lines constructed by and the undertaking of the Tramways Company;

And whereas under the Tramways Acts the Tramways Company are empowered to make maintain alter and remove crossings passing places sidings and other works as therein mentioned and the Corporation are desirous that any such works should so far as possible be carried out in such manner and in such order and at such dates as the Corporation may fix having regard to any works of street improvement which they themselves may propose to carry out;

And whereas the Tramways Company are willing to comply with the wishes of the Corporation provided that the raising of moneys necessary for such works is facilitated by the Corporation in manner hereinafter appearing;

And whereas by Section 57 of the Tramways Act of 1874 it is provided that the Corporation and the Tramways Company may enter into and carry into effect agreements for (inter alia) the execution of any of the powers of that Act and the order time and manner in which works are to be executed and by Section 33 of the Tramways Act of 1882 it is further provided that similar agreements may be made with respect to the maintaining renewing and repairing the tramways as therein defined;

And whereas under Section 80 of the Corporation Act of 1912 the Corporation have certain powers in respect to the provision of dustbins by owners or occupiers of houses and other buildings;

And whereas the Corporation have made application to the Minister of Health for the issue of a Provisional Order to amend the Corporation Acts in manner hereinafter set forth:

Now therefore the Minister of Health in pursuance of the powers given to him by Section 303 of the Public Health Act 1875 and of all other powers enabling him in that behalf hereby orders that from and after the date of the Act of Parliament confirming this Order the Corporation Acts shall be amended in the manner following (that is to say):—

Loans to Tramways Company.

1.—(1) The Corporation may from time to time lend to the Tramways Company such sum or sums as may be required by the Company for the purpose of enabling the Company at the request of and by agreement with the Corporation to undertake works for the doubling and improvement of tramway tracks at present belonging to the Tramways Company within the Borough.

(2) Any sum or sums advanced by the Corporation in pursuance of sub-division (1) hereof shall be provided out of—

(*a*) the tramway revenue of the Corporation; or

(*b*) moneys referred to in Section 36 of the Corporation Act of 1922; or

(*c*) moneys which the Corporation may borrow for the purpose with the sanction of the Minister of Transport.

(3) The sums from time to time required to be provided for instalments of principal and interest or instalments of principal and interest combined and contributions to any sinking fund for the repayment of money so lent shall from time to time be paid to the Corporation by the Tramways Company as and when such sums become due and payable Provided that the whole of any sum or sums so lent together with interest thereon shall be repaid before the Thirty-first day of December One thousand nine hundred and forty-two.

(4) Such other terms and conditions may be imposed with respect to any sum or sums lent to the Tramways Company under this Article as may be agreed between the Corporation and the Tramways Company.

Regulation ashbins.

2. The Corporation Act of 1912 shall have effect as if the following provisions were therein substituted for Section 80 of that Act:—

"80.—(1) The Corporation may prescribe the size and materials of ashbins for use within the borough and any ashbin required by the Corporation to be provided by the owner or occupier of any premises shall be of the size and materials so prescribed."

"(2) In any case in which an ashbin already provided by the owner or occupier of any premises is not of the size and materials prescribed as aforesaid and in any case in which an ashpit or other receptacle for refuse not being an ashbin of the size or material prescribed as aforesaid is in use in connection with any premises the Corporation may either—

(*a*) themselves at the cost of the owner or occupier of the premises in connection with which such ashbin was provided or an ashpit or other receptacle not being a prescribed ashbin is in use provide or supply, or

(*b*) require such owner or occupier to substitute for such ashbin ashpit or other receptacle,

an ashbin of such size and materials as aforesaid."

"(3) The Corporation shall give to the owner of any existing ashbin or other receptacle (not being an ashpit) which shall be replaced under the provisions of this Section and which but for the prescription of the Corporation would have been a sufficient and suitable receptacle for refuse credit for the value of such existing ashbin or other receptacle."

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"(4) Except as hereinafter provided the owners or occupiers of all premises in connection with which an ashbin of the size and materials prescribed by the Corporation has been provided shall pay to the Corporation on each first day of April after such provision such sum not exceeding five shillings as the Corporation may from time to time by resolution determine for or towards the maintenance repair and renewal by them of such ashbin Such payment shall be in satisfaction of the obligation of such owners or occupiers in regard to such maintenance repair and renewal."

"(5) Any ashbin which may be substituted by the Corporation for an ashpit which is in use on the First day of July One thousand nine hundred and twenty-five and but for the prescription of the Corporation would have been a sufficient and suitable receptacle for refuse shall be maintained by the Corporation for a period of five years from the First day of July One thousand nine hundred and twenty-five free of expense to the owner and occupier of the premises in connection with which such ashpit was used."

Power to borrow.

3.—(1) The Corporation may with the sanction of the Minister of Transport borrow such sum or sums of money as may from time to time be necessary for the purposes of Article 1 of this Order.

(2) The provisions of Part VI. (Finance) of the Corporation Act of 1922 shall so far as they are applicable and subject to the necessary modifications apply in all respects to any moneys borrowed under the authority of this Order as if they were borrowed under the authority of the said Act.

Short title.

4. This Order may be cited as the Swansea Order 1925.

Given under the Official Seal of the Minister of Health this Twenty-second day of April One thousand nine hundred and twenty-five.

(L.S.) H. W. S. FRANCIS
Assistant Secretary Ministry of Health.

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