CHAP. 11.

An Act to make further provision in reference to Loans obtained under the Poor Law Acts. [24th April 1871.] A.D. 1871.

WHEREAS under the Poor Law Amendment Act, 1834, and the subsequent Acts amending and extending the same, boards of guardians and boards of management respectively have been and are empowered to borrow money for the purposes of the unions, parishes, and districts for which they act, to be repaid by annual instalments within a certain period, which by the Poor Law Amendment Act, 1868, and the Union Loans Act, 1869, has been settled at thirty years:

And whereas several boards of guardians and boards of management had contracted loans prior to the passing of the said Act of one thousand eight hundred and sixty-nine, and it is desirable that they should be empowered to avail themselves of the provisions therein contained in this respect, and that all boards of guardians and boards of management should have the additional power in relation to loans heretofore or hereafter to be contracted, herein set forth:

Be it therefore 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:

Boards of guardians and management who have borrowed money before 31 & 32 Vict. c. 122. empowered to extend time for repayment of loans.

1. Where any board of guardians or board of management shall, under the order of the Poor Law Board, have contracted any loan before the passing of the Union Loans Act, 1869, to be repaid by annual instalments not exceeding twenty, and the same shall not have been wholly repaid at the passing of this Act, such board of guardians or board of management, as the case may be, may, with the consent of the person or persons legally entitled to receive the repayment of such loan, and with the approval of the Poor Law Board, extend the time for the repayment of the outstanding balance of the said loan for such a period as would have elapsed if the loan

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had been originally granted for a period not exceeding thirty years, and make such extension either by an indorsement on the security executed by them or by a separate deed; and the charge originally created as thus extended shall continue to be a valid charge on the fund charged with the repayment at the time of the passing of this Act, and all exemptions and privileges to which the original charge was entitled shall apply to this extension:

Proviso.

Provided that where several loans shall have been obtained from the same person or persons, and they are redeemed at the same time, the balances may be consolidated; and if a new loan be obtained the whole may be repaid within thirty years of the time at which the latest loan was contracted.

Boards of guardians and managers empowered to borrow money at lower rate of interest to redeem security at a higher rate.

2. If any guardians or managers having borrowed or hereafter borrowing money under the authority of the Acts referred to shall be able at any time to obtain a loan at a lower rate of interest than that secured by the charge previously made by them, they may apply to the Poor Law Board for an order to enable them to redeem the balance of the loan, and to borrow so much money as may be necessary for that purpose; and if the said Board shall issue their order in that behalf the said guardians or managers may borrow the requisite amount to redeem such balance, and charge the fund to which the original loan was charged with the repayment of this additional loan in so many instalments as shall be outstanding at the time when the loan is redeemed, but not more:

Proviso.

Provided that in the event of any loan outstanding at the time of the passing of this Act, no such redemption shall take place without the consent of the person or persons to whom the loan shall be owing.

Half-yearly payments may be made of annual instalments.

3. Loans may be repaid by half-yearly instalments, and where they may have been contracted to be repaid by annual instalments, they may, with the consent of the lenders, be repaid by half-yearly instalments of the principal and interest.

Short title.

4. This Act may be cited as the Poor Law Loans Act, 1871.

Construction of terms.

5. The words herein contained shall be construed as in the said Poor Law Amendment Act, 1834, and the Acts amending and extending the same.

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