CHAPTER 21.

An Act to provide for the better administration of the Fund under the control of the Trustees to aid the Sea and Coast Fisheries of Ireland; and for other purposes in relation thereto. [3rd July 1884.]

WHEREAS certain moneys, which are in this Act referred to as the Sea and Coast Fisheries Fund, being the residue of a larger sum collected by public subscription for the relief of distress in Ireland in the year one thousand eight hundred and twenty-two, are now vested in trustees known as the Trustees to aid Sea and Coast Fisheries of Ireland, and are held by such trustees upon trust to apply the same for promoting and encouraging the Coast Fisheries in Ireland:

And whereas it is expedient for the more efficient and economic administration of the said fund that it should be transferred to the Commissioners of Public Works in Ireland, and the said Commissioners have, with the consent of the Commissioners of Her Majesty's Treasury, agreed to such transfer, and it is expedient that the said transfer should be carried into effect:

37 & 38 Vict. c. 86.

And whereas under the Irish Reproductive Loan Fund Act, 1874, the Irish Reproductive Loan Fund is held by the Commissioners of Public Works in Ireland upon trust, to dispose of the same by way of loan for the purposes of the said Act, and is appropriated among the counties enumerated in the schedule to the said Act in the proportions specified in that schedule:

And whereas certain of the said counties in the said schedule abut upon the sea, and others do not:

And whereas the purposes of the said Irish Reproductive Loan Fund Act, 1874, include, in the case of the counties so abutting on the sea, certain purposes, in the said Act referred to as fishery purposes, and such fishery purposes, or some of them, are similar to those provided for by the trust of the said Sea and Coast Fisheries Fund:

And whereas the counties so abutting on the sea as aforesaid for which provision has been made by the said Reproductive Loan Fund Act, 1874, are herein-after referred to as the endowed counties:

And whereas it is expedient that the Commissioners of Public Works in Ireland should have power to administer the said Sea and Coast Fisheries Fund, when transferred to them, by way of loan for such fishery purposes as are referred to in the Irish Reproductive Loan Fund Act, 1874, in all or any of the counties of Ireland which abut upon the sea (in this Act referred to as "the maritime counties"), but that the said Commissioners should nevertheless in so administering the said fund have regard to the benefits conferred on the endowed counties by the Irish Reproductive Loan Fund, and should, so far as is consistent with justice, to the extent of such benefits give a preference to the maritime counties which are not so endowed:

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:

Short title.

1. This Act may be cited as the Sea and Coast Fisheries Fund (Ireland) Act, 1884.

Transfer of property to the Commissioners of Public Works in Ireland.

2. All property of every description, including all interests and rights in, to, and out of property, and including obligations and things in action, which may form part of the Sea and Coast Fisheries Fund, or may be vested in or under the control of the Trustees to aid Sea and Coast Fisheries of Ireland, or any of them as such trustees, or in or under the control of any other person whatsoever, as part or on account of the said fund, shall from and after the passing of this Act pass to and vest in the Commissioners of Public Works in Ireland (in this Act referred to as the Commissioners), subject to all debts and liabilities affecting the same, and immediately after the passing of this Act the said trustees shall transfer to the Commissioners all books, securities, papers, documents, and other property of every description held or possessed by them.

The Commissioners may enforce in their own name, or in the name of their secretary for the time being, or any such other person as they may direct, any remedies for the recovery of any portion of the said fund which if this Act had not passed might have been enforced by the said trustees, or any of them, or any person on their behalf, and any sums of money due to the trustees at the time of the passing of this Act shall be considered as due to the Commissioners, and may be sued for and recovered by the Commissioners in the same manner as if such moneys had been lent by them and not by the trustees.

All moneys, stocks, and securities standing in the books of the Bank of Ireland in the name of the said trustees or any of them or any other person on account of the said fund shall be entered in or transferred to the name of the Commissioners, and the Governor and Company of the Bank of Ireland are hereby authorised and required to make such entry or transfer.

Application of funds by Commissioners.

3. The Commissioners shall hold the Sea and Coast Fisheries Fund hereby transferred to them upon trust to dispose thereof for the benefit of the maritime counties, care being taken, so far as is practicable, to do equal justice between the said counties; and for the purpose of so doing justice it shall be the duty of the Commissioners in applying the Sea and Coast Fisheries Fund to give a preference to the maritime counties which are not endowed over the endowed counties to the extent of such endowment; and further it shall be the duty of the Commissioners in applying the said Sea and Coast Fisheries Fund to the endowed counties to give a preference as between such counties to those counties which have a less endowment over those which have a greater endowment to the extent of the difference between such endowments.

Certain provisions of 37 & 38 Vict. c. 86. and 45 Vict. c. 16. incorporated.

4. There shall be incorporated with this Act:

(1.) The following provisions of the Irish Reproductive Loan Fund Act, 1874; that is to say,

(*a.*) So much of section five as relates to the interest to be charged in respect of loans, and to the persons to whom and the security upon which loans for fishery purposes are to be made, and to the mode of testifying the recommendation of the Inspectors of Irish Fisheries relating to any such loan; and

(*b.*) Section six, relating to the recovery of loans, including any costs and charges incurred in respect of such loans; and

(*c.*) Section seven, relating to the investment of moneys in the hands of the Commissioners and not employed by them in loans; and

(*d.*) Section eight, relating to a certificate stating the amount due to the Commissioners from any person in respect of a loan made to him, together with interest thereon; and

(*e.*) Section nine, relating to the recovery of a loan and of all moneys due to the Commissioners in respect thereof in case the Commissioners are satisfied that the borrower is not carrying into effect the undertaking for which the loan was made; and

(*f.*) Section ten, relating to the making, rescinding, annulling, and adding to rules by the Lord Lieutenant in Council, and to the validity of such rules, and to the judicial notice thereof, and the duty of the Commissioners, and of the inspectors of fisheries to conform thereto; and

(*g.*) Section twelve, relating to the rendering of accounts, and to the submission of such accounts, or a summary thereof, to Parliament; and

(2.) The following provisions of the Irish Reproductive Loan Fund Amendment Act, 1882; that is to say,

(*a.*) Section three, relating to the supply of boats or fishing gear in lieu of money to persons obtaining loans; and

(*b.*) Section four, relating to the recovery of moneys due to the Commissioners on account of loans; and

(*c.*) Section five, relating to a certificate stating the amount due to the Commissioners from any person in respect of a loan, together with interest thereon, and any costs and charges in respect of such loan or the recovery thereof;

so far as the said sections are applicable to and not inconsistent with any of the provisions of this Act; and, for the purposes of such incorporation, the said sections shall be construed as if all references therein to the said Acts, or either of them, were references to this Act, and the loans therein referred to were loans under this Act.

Compensation for loss of employment.

5. The Commissioners may pay out of the fund hereby transferred to them a sum of five hundred pounds to the secretary of the trustees as compensation for the determination of his employment as such secretary.