

[1 EDW. 8. &
1 GEO. 6.]

Barnsley Corporation [Ch. xxxviii.]
Act, 1937.



CHAPTER xxxviii.

An Act to make further provision with respect to the finance of the county borough of Barnsley and for other purposes. A.D. 1937.
[10th June 1937.]

WHEREAS the borough of Barnsley (hereinafter referred to as "the borough") is a county borough under the government of the mayor aldermen and burgesses of the borough (hereinafter referred to as "the Corporation"):

And whereas it is expedient that the provisions with respect to the finances of the Corporation which are contained in this Act should be made:

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

And whereas the purposes of this Act cannot be effected without the authority of Parliament:

And whereas in relation to the promotion of the Bill for this Act the requirements of the Local Government Act 1933 have been observed: 23 & 24
Geo. 5. c. 51.

May it therefore please Your Majesty that it may be enacted and 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 (that is to say):—

1. This Act may be cited as the Barnsley Corporation Act 1937. Short title.

A.D. 1937.

Interpreta-
tion.

2. In this Act—

“The borough” means the county borough of Barnsley;

“The Corporation” means the mayor aldermen and burgesses of the borough;

“The general rate fund” and “the general rate” mean respectively the general rate fund and the general rate of the borough;

“Statutory security” means any security in which trustees are for the time being by or under any Act of Parliament passed or to be passed authorised to invest trust money and any mortgage bond debenture debenture stock stock or other security authorised by or under any Act of Parliament passed or to be passed of any county council or municipal corporation or other local authority as defined by section 34 of the Local Loans Act 1875 but does not include annuities rentcharges or securities transferable by delivery or any securities of the Corporation;

“Statutory borrowing power” means any power whether or not coupled with a duty of borrowing or continuing on loan or re-borrowing money or of redeeming or paying off or creating or continuing payment of or in respect of any annuity rentcharge rent or other security representing or granted in lieu of consideration money for the time being existing under any Act of Parliament public or local passed or to be passed or under any Provisional Order confirmed by Act of Parliament passed or to be passed or under any order or sanction of any Government department made or given or to be made or given by authority of any Act of Parliament passed or to be passed but shall not include the power to borrow for temporary purposes which is conferred by section 215 (1) (a) of the Local Government Act 1933;

“The Order of 1890” means the Barnsley Electric Lighting Order 1890 (confirmed by the Electric

38 & 39 Vict.
c. 83.

53 & 54 Vict.
c. clxxxix.

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Lighting Orders Confirmation (No. 4) Act A.D. 1937.
1890);

“ The Act of 1923 ” means the Barnsley Corpora- 13 & 14
tion Act 1923; Geo. 5.

“ The Minister ” means the Minister of Health. c. lxxxix.

3.—(1) The Corporation shall have power in addi- Power to
tion and without prejudice to their powers of borrowing borrow.
under the Local Government Act 1933 from time to time
to borrow without the consent of any sanctioning
authority such sums as they may require for and in
connection with the payment of the costs charges and
expenses of obtaining this Act The Corporation shall
pay off all moneys so borrowed within five years from
the passing of this Act.

(2) The provisions of Part IX of the Local Govern-
ment Act 1933 so far as they are not inconsistent with
this Part of this Act shall extend and apply to money
borrowed under this section as if it were borrowed under
Part IX of that Act and the period fixed for the repay-
ment of any money borrowed under this section shall
as respects that money be the fixed period for the
purposes of the said Part IX.

4.—(1) Notwithstanding anything contained in any Receipts
other Act or Order all moneys received by the Corpora- and
tion whether on capital or revenue account including expenses.
(but without prejudice to the generality of this pro-
vision)—

(a) all money received on account of the revenue
of any undertaking of the Corporation as from
time to time existing from which revenue
is derived; and

(b) interest and other annual proceeds received on
the investments forming part of any fund
accumulated for the redemption of debt or as a
reserve renewals repairs insurance consolidated
loans capital reserve or other similar fund
(including any interest payable to any such
fund in pursuance of the sections of this Act
of which the marginal notes are “ Consolidated
loans fund ” and “ Use of moneys forming part
of sinking and other funds ” respectively);

A.D. 1937. — shall be carried to and form part of the general rate fund and all payments and expenses made and incurred by the Corporation in respect of any such undertaking or in carrying into execution the powers and provisions of this or any other Act whether public or local (including interest on moneys borrowed by the Corporation and all sums required by law to be paid or transferred or which the Corporation may determine to pay or transfer to any such fund as is referred to in paragraph (b) of this subsection) shall be paid or transferred out of the general rate fund :

Provided that an amount equivalent to the interest or other annual proceeds as aforesaid shall (subject in the case of any of the said funds to any prescribed limit on the amount thereof) be credited in the accounts of the fund on the investments of which the same is received.

(2) Nothing in this section shall authorise the Corporation to apply capital money to any purpose other than purposes to which capital money is properly applicable.

Accounts.

5.—(1) The Corporation shall notwithstanding the provisions of any Act or Order to the contrary keep their accounts so as to distinguish capital from revenue and shall keep separate accounts in respect of each of the undertakings of the Corporation as from time to time existing from which revenue is derived (each of which is in this section separately referred to as “the undertaking”) and as to revenue shall show under a separate heading or division on the one side all income in respect of the undertaking (including the interest and other annual proceeds received by the Corporation on the investments representing or forming part of any such fund provided in connection with the undertaking as is referred to in paragraph (b) of subsection (1) of the section of this Act of which the marginal note is “Receipts and expenses”) and on the other side all expenditure in respect of the undertaking such expenditure being divided so as also to show the amounts representing—

(a) the working and establishment expenses and cost of maintenance of the undertaking;

(b) the interest on moneys borrowed by the Corporation for the purpose of or connected with

the undertaking or used for those purposes in pursuance of the sections of this Act of which the marginal notes are "Consolidated loans fund" and "Use of moneys forming part of sinking and other funds" respectively; A.D. 1937.,
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- (c) the requisite appropriations instalments or sinking fund payments in respect of moneys borrowed or used as aforesaid;
- (d) all other expenses (if any) of the undertaking properly chargeable to revenue;
- (e) the amount (if any) credited to a reserve fund provided in respect of the undertaking;
- (f) any money expended or applied for any of the purposes mentioned in the section of this Act of which the marginal note is "Application of revenues of undertakings."

(2) The Corporation shall show in their accounts relating to each undertaking all items (including receipts and payments in respect of loans applicable thereto) which ought to be entered therein in order to show the financial position of the undertaking.

(3) The Corporation shall so far as reasonably practicable apportion between the accounts of separate undertakings or carry to any of them any receipts credits payments and liabilities which from time to time ought to be so apportioned or carried.

6. If in respect of any year the moneys received by the Corporation on account of the revenue of any undertaking of the Corporation as from time to time existing from which revenue is derived (including the interest and other annual proceeds received by the Corporation in that year on the investments representing or forming part of any such fund as is referred to in paragraph (b) of subsection (1) of the section of this Act of which the marginal note is "Receipts and expenses" provided in connection with the undertaking) shall exceed the moneys expended or applied by the Corporation in respect of that undertaking for the several purposes mentioned in paragraphs (a) (b) (c) (d) and (e) of subsection (1) of the section of this Act of which the marginal note is "Accounts" the Corporation may in respect of that year (if they think fit but subject to the provisions hereinafter contained) apply out of the general

Application
of revenues
of under-
takings.

A.D. 1937. rate fund a sum not exceeding the amount of such excess
— to any of the following purposes :—

- (a) In the reduction of capital moneys borrowed for the purposes of the undertaking;
- (b) In the renewal and (subject in the case of the electricity undertaking of the Corporation to the consent of the Electricity Commissioners as respects expenditure chargeable to capital account) the construction extension or improvement of any works and conveniences for the purposes of the undertaking.

Surplus
electricity
revenue.

62 & 63 Vict.
c. 19.

7.—(1) In lieu of the provisions of section 52 (Application of revenue) of the Order of 1890 and subsection (1) of section 7 of the schedule to the Electric Lighting (Clauses) Act 1899 as affected by subsequent enactments the following provisions shall apply with respect to the electricity undertaking of the Corporation (namely) :—

- (1) In addition to the purposes referred to in the section of this Act of which the marginal note is “ Application of revenues of undertakings ” to which a sum not exceeding the excess of moneys received on account of the revenue of the said undertaking may be applied the Corporation may with the consent of the Electricity Commissioners apply the same or any part thereof in providing a fund for working capital but the aggregate amount of such fund shall not at any time exceed a sum equivalent to one-half of the gross annual revenue of the said undertaking for the time being:
- (2) If in respect of any year the moneys received by the Corporation on account of the revenue of the said undertaking (including the interest and annual proceeds received by the Corporation in that year on the investments representing or forming part of any such fund as is referred to in paragraph (b) of subsection (1) of the section of this Act of which the marginal note is “ Receipts and expenses ” provided in connection with the undertaking) shall exceed the aggregate of—

(i) the moneys paid or expended by the Corporation in respect of the said undertaking

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for the several purposes mentioned in paragraphs (a) (b) (c) (d) (e) and (f) of subsection (1) of the section of this Act of which the marginal note is "Accounts"; and

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(ii) any moneys applied to a fund for providing working capital then—

(a) if the reserve fund in respect of the said undertaking does not amount to more than one-twentieth of the aggregate capital expended for the time being upon the undertaking the charges for electricity supplied by the Corporation shall be reduced by such amount or respective amounts as will as nearly as reasonably practicable be equivalent in the aggregate to the said excess;

(b) if the said reserve fund amounts to more than one-twentieth of the said aggregate capital the Corporation shall fix such amount as they may think fit (not being less in any case in which the said excess is more than a sum equal to one and a half per centum of the outstanding debt of the said undertaking than the differences between that sum and the said excess) and the charges for electricity supplied by the Corporation shall be reduced by such amount or respective amounts as will as nearly as reasonably practicable be equivalent in the aggregate to the amount so fixed.

(2) The Corporation shall in every year so long as any reserve fund provided in respect of the said undertaking is less than the prescribed maximum transfer to that reserve fund out of the general rate fund an amount equal to the interest and other annual proceeds received by the Corporation in respect of all investments forming part of the said reserve fund and carried to the general rate fund.

8. In their application to the water undertaking of the Corporation the sections of this Act of which the marginal notes are "Receipts and expenses" "Accounts" As to water revenue.

A.D. 1937. — “Application of revenues of undertakings” and “Reserve funds” respectively shall be subject to the following provisions :—

(i) If in respect of any year the moneys received by the Corporation on account of the revenue of the said undertaking (including the interest and other annual proceeds received by the Corporation in that year on the investments representing or forming part of any such fund as is referred to in paragraph (b) of subsection (1) of the section of this Act of which the marginal note is “Receipts and expenses” provided in connection with the said undertaking) shall exceed the aggregate of—

(a) the moneys paid or expended by the Corporation in respect of the said undertaking for the several purposes mentioned in paragraphs (a) (b) (c) (d) (e) and (f) of subsection (1) of the section of this Act of which the marginal note is “Accounts”;

(b) the amount of any deficiency or deficiencies in the revenue of the Corporation in respect of the said undertaking in any of the previous five years being years subsequent to the thirty-first day of March nineteen hundred and thirty-six;

then a sum equivalent to the amount of such excess shall be credited to the revenue account of the said undertaking for the next succeeding year and the charges which would otherwise be made by the Corporation for the supply of water shall be reduced by such amount or respective amounts as will as nearly as reasonably practicable be equivalent in the aggregate to the amount of such excess :

(ii) If in respect of any year the aggregate of the moneys paid or expended by the Corporation in respect of the said undertaking for the several purposes mentioned in paragraphs (a) (b) (c) (d) (e) and (f) of subsection (1) of the section of this Act of which the marginal note is “Accounts” shall exceed the moneys received by the Corporation on account of the revenue of the said

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undertaking (including the interest and other annual proceeds received by the Corporation in that year on the investments representing or forming part of any such fund as is referred to in paragraph (b) of subsection (1) of the section of this Act of which the marginal note is "Receipts and expenses" provided in connection with the said undertaking) such excess shall be taken into account and provided for by the Corporation in the fixation of the amount of the general rate to be levied by the Corporation for the next succeeding year.

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9.—(1) The Corporation may (if they think fit) provide a reserve fund in respect of any of the undertakings of the Corporation as from time to time existing from which revenue is derived by setting aside in any year in which the moneys received by the Corporation on account of the revenue of that undertaking (including the interest and other annual proceeds received by the Corporation in that year on the investments representing or forming part of any such fund as is referred to in paragraph (b) of subsection (1) of the section of this Act of which the marginal note is "Receipts and expenses" provided in connection with that undertaking) exceed the moneys expended by the Corporation in connection with that undertaking in respect of the expenses mentioned in paragraphs (a) (b) (c) and (d) of subsection (1) of the section of this Act of which the marginal note is "Accounts" such an amount not exceeding a sum equal to that excess as they may from time to time think reasonable and (unless the amounts so set aside are used under the provisions of the sections of this Act of which the marginal notes are "Use of moneys forming part of sinking and other funds" and "Consolidated loans fund" respectively) investing the same in statutory securities until the fund so provided amounts—

Reserve
funds.

- (a) in the case of the electricity undertaking of the Corporation to a sum equal to one-tenth of the aggregate capital expenditure of the Corporation on that undertaking;
- (b) in the case of the water undertaking of the Corporation to a sum equal to one-tenth of the aggregate capital expenditure of the Corporation on that undertaking; and

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(c) in the case of any other undertaking of the Corporation to the maximum reserve fund for the time being prescribed by the Corporation.

(2) Any reserve fund which has been provided in respect of any undertaking of the Corporation and which was in existence on the first day of April nineteen hundred and thirty seven shall be carried to and form part of any reserve fund provided under this section in respect of such undertaking.

(3) Any reserve fund provided under this section may be applied—

(a) in making good to the general rate fund any deficiency at any time happening in the income of the Corporation from the undertaking in connection with which it is formed; or

(b) in meeting any extraordinary claim or demand at any time arising against the Corporation in respect of that undertaking; or

(c) (subject in the case of the ~~electricity~~ ~~undertaking~~ ~~of the Corporation~~ to the consent of the Electricity Commissioners as respects expenditure chargeable to capital account) in or towards the payment of the cost of renewing improving or extending any works forming part of the said undertaking or otherwise for the benefit thereof;

and so that if that fund be at any time reduced it may thereafter be again restored to the prescribed maximum and so from time to time as often as such reduction happens.

(4) Resort may be had to a reserve fund provided under this section although such fund may not at the time have reached or may have been reduced below the prescribed maximum.

Date of
operation
of certain
sections
and repeal.

10.—(1) The sections of this Act of which the marginal notes are "Receipts and expenses" "Accounts" "Application of revenues of undertakings" "Surplus electricity revenue" "As to water revenue" and "Reserve funds" respectively shall be deemed to have come into operation on the first day of April nineteen hundred and thirty-seven.

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(2) As from the said date the following enactments are repealed :— A.D. 1937.

The Order of 1890—

Section 52 (Application of revenue);

Section 53 (Application of capital moneys).

The Act of 1923—

Section 92 (Application of revenue of water undertaking);

Section 93 (Application of revenues of certain undertakings).

11. Sections 213 and 214 of the Local Government Act 1933 shall apply with respect to any sinking fund formed by the Corporation for the repayment of any money borrowed (otherwise than by the issue of stock) before the passing of this Act under any statutory borrowing power as if it had been borrowed by way of mortgage and the Corporation shall make such adjustments of any existing sinking funds as may be proper. Application of Act of 1933 to existing sinking funds.

12.—(1) Notwithstanding anything contained in any other Act or Order on and after the thirty-first day of March nineteen hundred and thirty-eight the Corporation may (if they think fit) establish a fund to be called “ the consolidated loans fund ” to which shall be paid— Consolidated loans fund.

(a) All moneys borrowed by the Corporation whether by issue of bonds stock or other security together with any moneys borrowed without security in connection with the exercise of any statutory borrowing power;

(b) All moneys of a capital nature received by the Corporation whether from the sale of capital assets or otherwise except such as are applied by the Corporation with due authority to another capital purpose; and

(c) The appropriate sums provided in each year out of other funds of the Corporation to comply with the terms and conditions as to repayment attaching to their several borrowing powers or otherwise provided for the repayment of debt:

And there shall also be carried to the credit of the consolidated loans fund the unapplied balances of all moneys

A.D. 1937. — so borrowed or received and of all sums provided by the Corporation as aforesaid before the date on which the consolidated loans fund is established.

(2) The moneys of the consolidated loans fund shall be used or applied by the Corporation—

(a) In the redemption of stock or any other securities issued by the Corporation the purchase of bonds or stock for extinction or the repayment of any moneys borrowed by the Corporation; and

(b) In the exercise of any statutory borrowing power by transfer of the required amount to the appropriate fund and account of the Corporation :

And the moneys of the consolidated loans fund not used or applied in these ways or about to be so used or applied within a reasonable period shall be invested in statutory securities and the sums realised by the sale of such securities shall be repaid on receipt to the consolidated loans fund and the moneys of the consolidated loans fund shall not except with the consent of the Minister be used or applied otherwise than as provided in this subsection.

(3) There shall also be transferred to the consolidated loans fund such sums as are necessary to meet the interest charges and the financing and other revenue expenses connected with the management of that fund and separate accounts shall be kept of these sums and their application.

(4) The Corporation may pay into the consolidated loans fund any moneys forming part of any reserve renewals and repairs insurance capital reserve or other similar fund (hereinafter referred to as "the lending fund") and not for the time being required and such moneys shall be deemed to be moneys borrowed by the Corporation within the meaning of subsection (1) of this section and shall be used accordingly subject to the following conditions :—

(a) The moneys so used shall be repaid to the lending fund as and when required for meeting the obligations for which the said fund was established; and

(b) There shall be paid out of the consolidated loans fund to the general rate fund an amount equal

to the interest on any moneys so used and for the time being not repaid at such rate per centum per annum as may be determined by the Corporation to be equal as nearly as may be to the average rate of interest payable by the Corporation on their current borrowings and in the accounts of the general rate fund an amount equal to the interest as aforesaid (subject in the case of any of the said funds to any prescribed limit on the amount thereof) shall be credited to the lending fund.

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(5) Save as in this section expressly provided all the obligations of the Corporation to the holders of bonds stock or other securities of the Corporation shall continue in force.

(6) Nothing in this section shall apply to moneys borrowed from the Public Works Loan Commissioners.

(7) (a) The powers conferred by this section shall not be put into operation by the Corporation except in accordance with a scheme to be approved by the Minister and such scheme may make provision for any matters incidental to the establishment and administration of the consolidated loans fund.

(b) Any scheme approved under this section may be altered amended or revoked by a scheme approved in like manner and subject to the like provisions as the original scheme.

13. Notwithstanding anything contained in this Act or in any previous enactment the Corporation may use for the purpose of any statutory borrowing power exercisable by them any moneys forming part but not for the time being required for the purposes of any fund accumulated for the redemption of debt or as a reserve renewals and repairs insurance consolidated loans capital reserve or other similar fund (in this section referred to as "the lending fund") subject to the following conditions:—

Use of moneys forming part of sinking and other funds.

(a) The moneys so used shall be repaid out of the general rate or the general rate fund to the lending fund within the period and by the methods within and by which a loan raised under the statutory borrowing power would be repayable:

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Provided that the Corporation shall repay to the lending fund the moneys so used or the balance thereof for the time being outstanding (as the case may be) as and when the same shall be required for the purposes of the lending fund and may if they so resolve repay the same at any time within the period aforesaid and in either case the repayment shall be made out of the general rate or the general rate fund or out of moneys which would have been applicable to the repayment of a loan if raised under the statutory borrowing power;

- (b) In the accounts of the general rate fund an amount equal to interest calculated at such rate per centum per annum as may be determined by the Corporation 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 on any money so used and for the time being not repaid shall be credited to the lending fund and debited to the undertaking or purpose with reference to which the moneys are so used;
- (c) The statutory borrowing power 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 in exercise of the power and the provisions of any enactment as to re-borrowing of sums raised under the statutory borrowing power shall apply accordingly.

Insurance
fund.

14.—(1) The Corporation may (if they think fit) establish a fund to be called "the insurance fund" with a view to providing a sum of money which shall be available for making good all losses damages costs and expenses to which the Corporation may be subjected in consequence of the whole or any part of all or any of the following risks (that is to say):—

- (a) Risk of fire in respect of buildings works premises and the contents thereof and other property whether belonging or on loan to or under the care custody or control of the Corporation;
- (b) Risk of accident and claims by third parties in respect of any vehicles whether belonging to or

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hired by or under the control of the Corporation and whether drawn or propelled by man or horse or mechanical or other means or power; A.D. 1937.
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- (c) Risk of explosion in respect of boilers;
- (d) Risks under the common law the Employers' Liability Act 1880 the Workmen's Compensation Act 1925 or any Act or Acts for the time being amending or extending those Acts or otherwise in respect of accidents to the officers servants or workmen of the Corporation or to third parties; 43 & 44 Vict. c. 42.
15 & 16 Geo. 5. c. 84.
- (e) Risks of injuries to school children through accident caused by the negligence of a teacher attendant or other person or defect in any school premises provided or maintained by the Corporation;
- (f) Risks of mechanical or electrical breakdown at or in connection with any of the works of the Corporation;
- (g) Risks of loss due to infidelity of officers or servants of the Corporation;
- (h) Any other risks against which in the absence of such an insurance fund the Corporation would ordinarily insure.

(2) The establishment of an insurance fund under this section shall not prevent the Corporation from insuring in one or more insurance offices of good repute against the whole or any part of all or any of the several risks for which the insurance fund is intended to provide.

(3) In each year after the establishment of the insurance fund the Corporation shall pay into that fund either—

- (a) such a sum as shall in their opinion be not less than the aggregate amount of the premiums which would be payable if the Corporation fully insured in some insurance office of good repute against the several risks for which the insurance fund is intended to provide; or
- (b) if the Corporation partly insure in some insurance office of good repute against the whole or any part of all or any of the several risks

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for which the insurance fund is intended to provide such sum as will together with the premiums paid for the last-mentioned insurance be not less than the aggregate amount aforesaid.

(4) When the insurance fund shall amount to one hundred thousand pounds the Corporation may if they think fit discontinue the yearly payments to the fund but if the fund is at any time reduced below one hundred thousand pounds the Corporation shall recommence and continue the yearly payments to that fund in accordance with subsection (3) of this section until the fund be restored to the sum of one hundred thousand pounds.

(5) The Corporation shall provide the yearly payments aforesaid by contributions from the general rate fund and shall show the same in their accounts under the separate heading or division in respect of the particular undertaking or department of the Corporation which if the risks were insured against in an insurance office would be properly chargeable with the payment of the premium of such insurance.

(6) (a) Except so far as the insurance fund and the proceeds of sale of securities in which that fund is invested may be necessary to meet losses damages costs and expenses in consequence of risks for which the fund is intended to provide all moneys for the time being standing to the credit of the fund shall (unless applied in any manner authorised by this Act) be invested in statutory securities.

(b) In addition to the sum required to be paid into the insurance fund by subsection (3) of this section the Corporation shall in every year so long as the fund is less than one hundred thousand pounds pay into that fund out of the general rate fund an amount equal to the interest and other annual proceeds received by the Corporation in respect of or on investments forming part of the insurance fund and carried to the general rate fund.

(c) If and so long as the insurance fund amounts to one hundred thousand pounds the interest and other annual proceeds received by the Corporation in respect of or on investments forming part of the insurance fund and carried to the general rate fund shall be apportioned in the accounts of the Corporation between the several

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undertakings departments or services liable to contribute to the insurance fund in such shares or proportions as may be equitable. A.D. 1937.

(7) For the purposes of this section the Corporation may if they deem it expedient include in the risks provided for under paragraph (d) of subsection (1) of this section risks of accident to any teacher employed in any public elementary school maintained by the Corporation notwithstanding that such school has not been provided by the Corporation as the local education authority.

(8) The insurance fund shall be applied to meet any losses damages costs or expenses sustained by the Corporation in consequence of risks for which it is intended to provide in the order of the dates on which such losses damages costs or expenses become ascertained and if at any time and from time to time the insurance fund shall be insufficient to make good any such losses damages costs or expenses the Corporation may with the sanction of the Minister borrow at interest such sums of money as will be necessary to make up the deficiency. The amounts of the annual charges in respect of interest on and repayment of principal of any sums so borrowed and the amounts of any such deficiencies as aforesaid not made up by borrowing shall be paid out of the general rate fund and charged in the accounts of the Corporation under the separate headings or divisions in respect of such undertakings departments or services of the Corporation and in such proportions as the Minister may direct having regard to the risks through which such deficiencies arise.

15.—(1) The Corporation may establish a fund to be called "the capital reserve fund" for the purpose of defraying any expenditure to which capital is properly applicable (other than expenditure in connection with any undertakings of the Corporation as from time to time existing from which revenue is derived) to an amount not exceeding five thousand pounds in any one transaction and such fund shall be formed by appropriating in the accounts of the Corporation such sums out of the general rate fund as the Corporation may from time to time deem expedient. Provided that—

Capital
reserve
fund.

(a) except as provided by subsection (2) (b) of this section any sum or sums so appropriated to the

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capital reserve fund from the general rate fund shall not exceed in any year the equivalent of a rate of twopence in the pound calculated according to the rules made pursuant to sections 9 and 58 of the Rating and Valuation Act 1925;

(b) appropriations to and payments into the capital reserve fund shall cease to be made whenever the said fund amounts to the sum of twenty-five thousand pounds.

(2) (a) Pending the application of the capital reserve fund to the purposes authorised in the foregoing subsection the moneys in the fund shall (unless applied in any other manner authorised by this Act) be invested in statutory securities.

(b) Any income arising from the investment or use of the moneys in the capital reserve fund in the manner provided by the foregoing paragraph of this subsection and any income arising from the application of the fund to the purposes authorised shall be carried to and form part of the general rate fund and (subject to the limitation imposed by proviso (b) to subsection (1) of this section) an amount equivalent to such income shall be credited to the capital reserve fund.

Renewal
and repairs
fund.

16.—(1) The Corporation may if they think fit in any year apply from the general rate fund or from the proceeds of the general rate to a fund to be called the "renewal and repairs fund" any sum not exceeding the equivalent of a rate of one penny in the pound calculated according to the rules made pursuant to sections 9 and 58 of the Rating and Valuation Act 1925.

(2) The maximum amount standing to the credit of the renewal and repairs fund shall not at any time exceed ten thousand pounds.

(3) The renewal and repairs fund shall be applicable only to meet expenses requisite for—

(a) the maintenance and renewal of horses carts mechanically propelled vehicles stables depots boilers equipment and apparatus in connection therewith; and

(b) the maintenance and repair of buildings;

which are not comprised in the undertakings of the Corporation as from time to time existing from which

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revenue is derived and shall be so applied from time to time for the purpose of equalising so far as may be the annual charge to revenue in respect of such expenses : A.D. 1937.

Provided that nothing in this section shall apply to buildings in respect of which the Corporation are required by the Housing Acts to keep a housing repairs account.

(4) (a) Pending the application of the renewal and repairs fund to the purposes authorised in the foregoing subsection the moneys in the fund shall (unless applied in any other manner authorised by this Act) be invested in statutory securities.

(b) Any income arising from the investment or use of the moneys in the renewal and repairs fund in the manner provided by the foregoing paragraph of this subsection and any income arising from the application of the fund to the purposes authorised shall be carried to and form part of the general rate fund and (subject to the limitation imposed by subsection (2) of this section) an amount equivalent to such income shall be credited to the renewal and repairs fund.

17. If a justice is satisfied on complaint by any rate collector or other authorised officer of the Corporation that any person is quitting or about to quit any premises and has failed to pay on demand any general rate water rate or charge or electricity charge which may be due from him in respect of such premises and intends to evade payment of the same by departing from the premises the justice may in addition to issuing a summons for non-payment of the same issue a warrant under his hand authorising the said rate collector or other authorised officer to seize forthwith and detain the goods and chattels of such person until the complaint is determined upon the return of the summons. Recovery of rate from persons removing.

18. Nothing in this Act affects prejudicially any estate right power privilege or exemption of the Crown. Crown rights.

19. All powers rights and remedies given to the Corporation by this Act shall (except where otherwise expressly provided) be deemed to be in addition to and not in derogation of any other powers rights or remedies conferred on them or on any committee appointed by them by Act of Parliament charter law or custom and the Corporation or such committee as the case may be Powers of Act cumulative.

A.D. 1937. — may exercise such other powers and be entitled to such other rights and remedies as if this Act had not been passed.

Costs of
Act.

20. All the costs charges and expenses preliminary to and of and incidental to the preparing applying for 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 and general rate or out of moneys to be borrowed under the authority of this Act for that purpose.

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