



CHAPTER xciii.

An Act to confirm a Provisional Order under the Private Legislation Procedure (Scotland) Act 1899 relating to Macduff Harbour. A.D. 1932.

[15th November 1932.]

WHEREAS the Provisional Order set forth in the schedule hereunto annexed has been made by one of His Majesty's Principal Secretaries of State under the provisions of the Private Legislation Procedure (Scotland) Act 1899 as read with the Secretaries of State Act 1926 and it is requisite that the said Order should be confirmed by Parliament :

62 & 63
Vict. c. 47.
16 & 17
Geo. 5. c. 18.

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 :—

1. The Provisional Order contained in the schedule hereunto annexed is hereby confirmed.

Confirmation
of Order in
schedule.

2. This Act may be cited as the Macduff Harbour Order Confirmation Act 1932.

Short title.

A.D. 1932.

SCHEDULE.

MACDUFF HARBOUR.

Provisional Order to authorise the provost magistrates and town council of the burgh of Macduff to levy an assessment on the occupiers of lands and premises in the burgh for the purposes of the Macduff Harbour Acts 1847 to 1912 and for other purposes.

WHEREAS in pursuance of the power conferred on the provost magistrates and town council of the burgh of Macduff (hereinafter referred to as "the Town Council" and "the burgh" respectively) by the Macduff Harbour Order 1898 the Town Council in the year eighteen hundred and ninety-eight purchased the harbour of Macduff in the county of Banff :

And whereas by the Macduff Harbour Order 1898 the Town Council were authorised to borrow money for the purposes of their harbour undertaking and by the Macduff Harbour Order 1901 and the Macduff Harbour Order 1912 it was provided that the money so borrowed might be borrowed on the security of the rates and charges authorised by the Macduff Harbour Acts 1847 to 1912 and the other revenues of their harbour undertaking and also on the security of an assessment to be levied on the owners of all lands and premises within the burgh and that that assessment was not to exceed one shilling and sixpence in the pound on the annual value of the burgh and such assessment has been levied on such owners for many years past :

And whereas in consequence of the reduction in the revenue of their harbour undertaking during the period of the war and the adverse conditions of trade subsequently and still obtaining and the failure of the herring and kindred fishing industries the Town Council have not for several years past been able to meet payments due by them in respect of money borrowed for the purposes of their harbour undertaking :

And whereas certain negotiations have taken place between the Town Council and the Treasury and other Government departments in connection with loans which the Town Council have obtained for the purposes of their harbour undertaking with a view to obtaining a settlement on a satisfactory basis of the financial obligations of the Town Council in respect of their harbour undertaking : A.D. 1932.

And whereas for the purpose of making provision for settling the said financial obligations of the Town Council and making provision for the future carrying on of their harbour undertaking it is expedient that the Town Council should be authorised to levy for the purposes of their harbour undertaking an assessment on the occupiers of all lands and premises in the burgh as in this Order provided :

And whereas the purposes aforesaid cannot be effected without an Order confirmed by Parliament under the provisions of the Private Legislation Procedure (Scotland) Act 1899 :

Now therefore in pursuance of the powers contained in the last-mentioned Act as read with the Secretaries of State Act 1926 the Secretary of State orders as follows :—

1. This Order may be cited as the Macduff Harbour Order 1932 and this Order and the Macduff Harbour Acts 1847 to 1912 may be cited together as the Macduff Harbour Acts 1847 to 1932. Short title and citations.

2. In this Order the following words and expressions have the meanings hereby assigned to them (that is to say) :— Interpretation.

“ The burgh ” means the burgh of Macduff in the county of Banff ;

“ The Town Council ” means the provost magistrates and town council of the burgh ;

“ The Order of 1901 ” means the Macduff Harbour Order 1901 ;

“ The Order of 1912 ” means the Macduff Harbour Order 1912 ;

“ The harbour undertaking ” means the harbour undertaking of the Town Council as defined in the Order of 1912.

[Ch. xciii.] *Macduff Harbour* [22 & 23 GEO. 5.]
Order Confirmation Act, 1932.

A.D. 1932.
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Assessment
on occupiers
in burgh for
harbour
under-
taking.

3.—(1) In addition to the assessment of one shilling and sixpence which the Town Council are authorised to levy for the purposes of the harbour undertaking on the owners of all lands and premises within the burgh in pursuance of section 2 (Amendment of the Macduff Harbour Order 1898 as to assessment leviable as security for borrowed money) of the Order of 1901 and section 22 (Power to borrow money) of the Order of 1912 the Town Council may impose and levy an assessment on the occupiers of all lands and premises within the burgh in manner provided by Part V of the Burgh Police (Scotland) Act 1892 and any Act amending the same as if it were an assessment authorised by that Act.

(2) Such assessment shall not exceed one shilling and sixpence in the pound on the rateable value of all the lands and premises within the burgh and shall be in addition to the assessment levied on the owners of all lands and premises within the burgh in pursuance of the Order of 1901 and the Order of 1912 and any other assessment levied by the Town Council under the Burgh Police (Scotland) Act 1892 and any Act amending the same.

Costs of
Order.

4. All costs charges and expenses of and incident to the preparing for obtaining passing and confirming this Order or otherwise in relation thereto shall be paid by the Town Council and if paid out of borrowed money shall be repaid within five years from the date of the passing of the Act confirming this Order.

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