

## SCHEDULE

Section 2(5).

### ADAPTATIONS AND MODIFICATIONS OF ENACTMENTS

#### *COMMISSIONERS CLAUSES ACT 1847*

*(10 & 11 Vict. c. 16)*

- 1 Sections 75 and 81, as incorporated with section 46 of the Land Drainage Act 1930  
or with any other enactment applicable to a relevant authority within the meaning  
of section 2 of this Act, shall not apply to an automatic charge.
- 2 In section 82, as so incorporated, the reference to a mortgage deed shall be construed  
as including a reference to an agreement to which section 2 of this Act applies.

#### *PUBLIC WORKS LOANS ACT 1875*

*(38 & 39 Vict. c. 89)*

- 3 In the following provisions, that is to say, sections 8, 29 and 30, any reference to  
that Act shall include a reference to section 2 of this Act.
- 4 In section 11 the reference to such security as is required by that Act shall be  
construed as including a reference to any automatic charge.
- 5 Section 12 shall not apply to a loan secured by an automatic charge.
- 6 Section 19 shall, in relation to an automatic charge, have effect as if any reference  
to the date of the mortgage included a reference to the date of the making of the  
relevant agreement and as if any reference to interest mentioned in the mortgage  
included a reference to interest mentioned in the agreement.
- 7 In section 38 the reference to any security previously given to the Loan  
Commissioners, and in sections 46 and 50 any reference to a security made or  
granted under that Act, shall include a reference to an automatic charge in their  
favour.

#### *LOCAL GOVERNMENT ACT 1933*

*(23 & 24 Geo. 5. c. 51)*

- 8 In section 197(2) the reference to securities created by a local authority shall include  
a reference to any automatic charge on the revenues of such an authority.
- 9 In section 207—
- (a) any reference to a mortgage or to a mortgage created under Part IX of that  
Act shall be construed as including a reference to an automatic charge;
  - (b) any reference to a deed of mortgage shall include a reference to an  
agreement to which section 2 of this Act applies;
  - (c) the reference in subsection (2) to the date of a mortgage shall be construed  
as including a reference to the date of any such agreement; and
  - (d) subsections (3) and (5) shall not apply in relation to any automatic charge.

---

*Status: This is the original version (as it was originally enacted).*

---

*LOCAL GOVERNMENT (SCOTLAND) ACT 1947*

*(10 & 11 GEO. 6. c. 43)*

- 10 Section 268 shall apply to an automatic charge as it applies to a mortgage, but with the following modifications, that is to say:—
- (a) in subsection (2), for the words " Before a mortgage is delivered to the mortgagee " there shall be substituted the words " Within fourteen days of the making of the agreement giving rise to the automatic charge ";
  - (b) the reference in paragraph (c) of that subsection to the date of the mortgage shall be construed as a reference to the date of the agreement giving rise to the automatic charge;
  - (c) so much of the said subsection as relates to the endorsement of any certificate or receipt on the deed of mortgage shall be omitted; and
  - (d) subsections (3) and (7) shall be omitted.