

## SCHEDULES

### SCHEDULE 1

Section 22.

#### PROVISIONS APPLICABLE TO LOANS MENTIONED IN SECTION 22(4)

- 1 An agreement between the Commissioners and the authority shall be sufficient to effect the loan and shall, notwithstanding anything in any enactment, be included among the means by which the authority may raise money ; and—
  - (a) section 197 of the Local Government Act 1933, section 261 of the Local Government (Scotland) Act 1947, section 7 of the Public Health and Local Government (Miscellaneous Provisions) Act (Northern Ireland) 1949 or any other enactment providing for charging moneys borrowed by the authority on its revenues shall apply accordingly to the money raised by the loan ;
  - (b) where no enactment (other than this paragraph) so provides, then, so long as any part of the principal or any interest remains outstanding, the loan shall be a charge on all the revenues of the authority (including any grants or contributions from the Exchequer which are receivable by the authority) and the charge shall, subject to any provision to the contrary made by or under any enactment, rank equally with any other charges on those revenues.
- 2 (1) In section 197(2) of the Local Government Act 1933, the reference to securities created by a local authority shall include a reference to any charge arising by virtue of this Schedule.  
(2) Section 207 of that Act shall apply to such a charge as it applies to a mortgage, but with the following modifications, that is to say—
  - (a) in subsection (2), for the reference to the mortgage deed and the date of a mortgage there shall be substituted respectively references to the agreement giving rise to the charge and the date of the agreement; and
  - (b) subsections (3) and (5) shall be omitted.
- 3 Section 268 of the Local Government (Scotland) Act 1947 shall apply to a charge arising by virtue of this Schedule as it applies to a mortgage, but with the following modifications, that is to say—
  - (a) the time within which particulars are to be entered under subsection (2) of that section shall be fourteen days from the making of the agreement giving rise to the 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;
  - (c) so much of that subsection as relates to the endorsement of any certificate or receipt on the deed of mortgage, and subsections (3) and (7) of the section, shall be omitted.
- 4 (1) Section 241 of the Public Health (Ireland) Act 1878 as applied by section 7 of the Public Health and Local Government (Miscellaneous Provisions) Act (Northern

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

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Ireland) 1949 shall apply to a charge arising by virtue of this Schedule as it applies to a mortgage, but with the following modifications, that is to say—

- (a) the reference to a sanitary authority shall include a reference to the Belfast City and District Water Commissioners ; and
  - (b) for the reference to the mortgage deed and the date of a mortgage there shall be substituted respectively references to the agreement giving rise to the charge and the date of the agreement.
- (2) In the application of this Schedule to Northern Ireland the reference to the Exchequer shall include a reference to the Exchequer of Northern Ireland.
- (3) For the purposes of section 6 of the Government of Ireland Act 1920 so much of this Schedule as relates to matters with respect to which the Parliament of Northern Ireland has power to make laws shall be deemed to be contained in an Act passed before the day appointed for the purposes of that section.