



Post Office Act 1908

1908 CHAPTER 48 8 Edw 7

EXTENSION OF POSTAL FACILITIES AND ACCOMMODATION

48 Indemnity on account of extending post office accommodations

The Postmaster-General may contract with, or take security from, any person applying to him to establish any post or telegraph office or to extend the accommodations of the postal or telegraphic service to any place, for indemnifying the Postmaster-General against any loss he may sustain thereby, and the indemnity may be either for the whole or any part of the loss sustained, and for such time as the Postmaster-General may think necessary.

49 Power for local authority to contribute towards new post office, or undertake to pay loss on extra postal facilities

- (1) Where the council of any borough or any urban district consider that it would be beneficial to the inhabitants of the borough or district that any new post office should be on a more expensive site, or of a larger size, or of a more ornate building, or otherwise of a more expensive character than the Postmaster-General would otherwise provide, the council may contribute towards the new post office, either by a grant of money, or, with the consent of the Local Government Board, by the appropriation of land belonging to the council, or by the purchase of land for the purpose.
- (2) Where the council of any borough or any urban district consider that it would be beneficial to the inhabitants of the borough or district that any post or telegraph office should be established or any additional facilities (postal or other) provided by the Postmaster-General in or for the purposes of the borough or district, the council may undertake to pay to the Postmaster-General any loss he may sustain by reason of the establishment or maintenance of the office or the provision of the facilities.
- (3) Where the council of any rural district, or the parish council of a parish, or in the case of a parish not having a parish council the parish meeting, consider that it would be for the benefit, in the case of a rural district council, of any contributory place or places within their district, and in the case of a parish council or parish meeting of their parish, that any post or telegraph office should be established or any additional postal

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or other facilities provided by the Postmaster-General whether within or without the area to be benefited, that council or meeting may undertake to pay to the Postmaster-General any loss he may sustain by reason of the establishment or maintenance of the office, or the provision of the facilities :

Provided that a rural district council shall not exercise their powers under this provision as respects any office established or facilities provided outside the contributory place proposed to be charged unless the parish council, or if there is no parish council the parish meeting, of any parish wholly or partly situated in the contributory place consent to the exercise of the powers.

- (4) Any expenses incurred by the council of a borough under this section may be paid out of the borough fund or borough rate, and any expenses incurred by the council of an urban district (not a borough) may be paid out of the rate out of which the general expenses of the council under the Public Health Act, 1875, are defrayed.
- (5) Any expenses incurred by a rural district council in pursuance of an undertaking under this section may be defrayed as special expenses legally incurred in respect of the contributory place or places, and shall be apportioned between those places if more than one, and sections two hundred and twenty-nine, two hundred and thirty, and two hundred and thirty-one of the Public Health Act, 1875, shall apply accordingly.
- (6) Any expenses incurred by a parish council or meeting in pursuance of an undertaking under this section shall be defrayed as expenses of that council or meeting, as the case may be, within the provisions of the Local Government Act, 1894.
- (7) The council of a borough may borrow for the purposes of subsection (1) of this section under section one hundred and six of the Municipal Corporations Act, 1882, and any enactment amending the same, and the council of an urban district (not a borough) may borrow for the purposes of the same subsection in like manner as if those purposes were purposes of the Public Health Act, 1875, and the provisions of that Act with respect to borrowing shall apply accordingly.
- (8) In the application of this section to Scotland the following exceptions and modifications shall have effect:—
 - (a) Subsection (2) shall not apply to Scotland, and the powers under subsection (3) shall be limited to the establishment of offices and the provision of facilities within the place to be benefited :
 - (b) The Local Government Board for Scotland shall be substituted for the Local Government Board :
 - (c) The local Authority under the Public Health (Scotland) Act, 1897, being a town council or burgh commissioners, or board of police, shall be substituted for the council of a borough or other urban authority, and the district of that authority for a borough or urban district :
 - (d) Any expenses incurred under subsection (1) of this section may be paid as expenses under the Public Health (Scotland) Act, 1897, are paid, and money may be borrowed for the purposes of the said subsection in the same manner and subject to the same conditions as money may be borrowed for the erection of hospitals under that Act and any Acts amending the same :
 - (e) The district committee, or where a county has not been divided into districts under the Local Government (Scotland) Act, 1889, the county council, as constituted under subsection (3) of section seventy-eight of the last-mentioned Act as amended by section nineteen (7) of the Local Government (Scotland) Act, 1894, shall be substituted for the council of a rural district, and the district

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- of that committee or the county shall be substituted for the rural district, and a parish for a contributory place:
- (f) Any expenses incurred by a district committee or county council by reason of an undertaking under subsection (3) of this section shall be defrayed as part of the general expenses of such district committee or county council, as the case may be, under the Public Health (Scotland) Act, 1897, but the assessment for those expenses shall be levied only within the parish or parishes in respect of which the expenses are incurred :
 - (g) Any expenses incurred by a parish council in pursuance of an undertaking under subsection (3) of this section shall be defrayed as expenses incurred for the purposes of Part IV of the Local Government (Scotland) Act, 1894:
- (9) In the application of this section to Ireland the following exceptions and modifications shall have effect:—
- (a) The provisions of subsection (3) as to the powers of parish councils and parish meetings shall not apply to Ireland, and the powers under that subsection of a rural district council shall be limited to the establishment of offices and the provision of facilities within the place to be benefited:
 - (b) The Local Government Board for Ireland shall be substituted for the Local Government Board :
 - (c) The Public Health (Ireland) Act, 1878, shall be substituted for the Public Health Act, 1875, and sections two hundred and thirty-two and two hundred and thirty three of the Public Health (Ireland) Act, 1878, shall be substituted for sections two hundred and twenty-nine, two hundred and thirty, and two hundred and thirty-one of the Public Health Act, 1875 :
- (10) This section shall not apply to the Channel Islands.
- (11) In the application of this section to the Isle of Man the following exceptions and modifications shall have effect:—
- (a) None of the foregoing provisions of this section, with the exception of subsection (1), shall apply to the Isle of Man:
 - (b) The Local Government Board of that Isle shall be substituted for the Local Government Board :
 - (c) A local government district shall be substituted for a borough or urban district, and the commissioners or council of a local government district for the council of a borough or urban district:
 - (d) Any expenses incurred under subsection (1) of this section may be paid as expenses of the commissioners out of the district fund, and any money may be borrowed for the purposes of this section in the same manner and subject to the same conditions as if those purposes were purposes of the Local Government Act, 1886, being an Act of the legislature of the said Isle.