



CHAPTER lxxxii.

An Act to confirm a Provisional Order of the Local Government Board for Ireland under the Local Government (Ireland) (No. 2) Act 1900. A.D. 1905.

[30th June 1905.]

WHEREAS the Local Government Board for Ireland have made the Provisional Order set forth in the schedule hereto under the Local Government (Ireland) (No. 2) Act 1900 :

63 & 64 Vict.
c. 41.

And whereas it is requisite that the said Order should be confirmed by Parliament :

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 Order set out in the schedule hereto is hereby confirmed and all the provisions thereof shall have full validity and force. Order in
schedule
confirmed.

2. This Act may be cited as the Local Government Board (Ireland) Provisional Order Confirmation (No. 1) Act 1905. Short title.



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[Ch. lxxxii.] *Local Government Board (Ireland)* [5 EDW. 7.]
Provisional Order Confirmation (No. 1) Act, 1905.

A.D. 1905.

SCHEDULE.

LOCAL GOVERNMENT BOARD FOR IRELAND.

Provisional Order for partially annulling and varying certain provisions of the Local Government (Procedure of Councils) Order 1899.

63 & 64 Vict.
c. 41.

WHEREAS it is enacted by the Local Government (Ireland) (No. 2) Act 1900 that the Local Government Board for Ireland (in this Order referred to as "the Local Government Board") may if they think fit by Provisional Order confirmed by Parliament annul or vary any provision in the Local Government (Procedure of Councils) Order 1899 (in this Order referred to as "the principal Order");

1 Edw. 7.
c. cxli.

And whereas by the Local Government (Procedure of Councils) Order 1901 (in this Order referred to as "the Order of 1901") confirmed by the Local Government Board (Ireland) Provisional Order Confirmation (No. 3) Act 1901 the principal Order was partially annulled and varied in accordance with the provisions of the Order of 1901;

And whereas it appears to Us expedient to further partially annul and vary the principal Order:

Now therefore We the Local Government Board by virtue of the powers vested in Us for that purpose as aforesaid and of all other powers enabling Us in that behalf do hereby order that the principal Order shall be partially annulled and varied so that the following provisions shall take effect:—

Variation of
Article 8.

1. In subsection (1) of Article 8 of the principal Order as varied by the Order of 1901 the words "at or before such meeting" shall be inserted after the words "repair and shall."

Variation of
Article 22.

2. At the end of Article 22 of the principal Order as varied by the Order of 1901 the following words shall be inserted:—
"and for the repair or improvement of roads by steam-rolling."

Variation of
Article 27.

3. For Article 27 of the principal Order as varied by the Order of 1901 the following provisions shall be substituted:—

(1) Contracts may provide for payments to a contractor—

(a) Where the contract is for a work of maintenance for any work executed under the contract during any period not exceeding six months; and

[Ch. lxxxii.] *Local Government Board (Ireland) [5 EDW. 7.]
Provisional Order Confirmation (No. 1) Act, 1905.*

A.D. 1905.

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[5 EDW. 7.] *Local Government Board (Ireland)* [Ch. lxxxii.]
Provisional Order Confirmation (No. 1) Act, 1905.

(b) In the case of any other contract for payment before the completion of the work of such proportion not being more than eighty-five per cent. of the sums expended by the contractor on the contract as may be specified therein :

A.D. 1905.

(2) Notwithstanding anything in this Order relating to applications and proposals for payment in respect of contracts for public works it shall be lawful for a county council to authorise the advance from time to time to a contractor for any public work upon his application or upon that of the county surveyor (without any proposal from a rural district council or a proposal committee) of any sum not being more than eighty-five per cent. of the cost of the work :

Provided that no such advance shall be made to any contractor unless the application therefor is accompanied by a certificate signed by the county surveyor that the amount applied for by or on behalf of the contractor taken together with any previous payments made to him for the work has been fairly and honestly expended upon it conformably to the contract :

(3) It shall be lawful for a county council to provide for the payment of such advances as aforesaid and for payment of works placed in charge of the county surveyor in pursuance of the provisions of this Order under a scheme of direct labour or otherwise and for any other payments directed or sanctioned by the Local Government Board by authorising from time to time at any quarterly or half-yearly meeting of the council the transfer from the county fund to a subsidiary account with the county treasurer of such sum as they consider sufficient to meet the payments aforesaid until the next quarterly or half-yearly meeting. Payments from the subsidiary account shall be made by the finance committee of the county council in the manner provided by Article 43 of the General Order made by the Local Government Board dated the seventeenth day of December One thousand nine hundred and four and entitled the Public Bodies Order 1904.

4. This Order shall come into operation on the first day of April One thousand nine hundred and six or on such earlier day as the Local Government Board may appoint for any county.

Commence-
ment of Order.

5. In this Order unless the context otherwise requires expressions have the same meaning as in the principal Order.

Interpretation.

6.—(1) The principal Order as varied by the Order of 1901 shall have effect subject to the variations contained in this Order.

Construction
and printing of
principal Order
as varied.

(2) Every copy of the principal Order as varied by the Order of 1901 printed by the King's Printers after the passing of the Act confirming this

[5 EDW. 7.] *Local Government Board (Ireland)* [Ch. lxxxii.]
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required by this Order.

Short title. 7. This Order may be cited as the Local Government (Procedure of
Councils) Order 1905.

Given under our seal of office this Sixth day of April One thousand
nine hundred and five.

(L.S.)

H. A. ROBINSON.

Printed by EYRE and SPOTTISWOODE,
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ROWLAND BAILEY, Esq., M.V.O., f.S.O., the King's Printer of Acts of Parliament.

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