



CHAPTER lxxxi.

An Act to confer further powers on the mayor aldermen and burgesses of the borough of Ilford in regard to their electricity undertaking lands and other matters to make further and better provision for the improvement health and local government of the borough and for other purposes.

A.D. 1937.

[13th July 1937.]

WHEREAS the borough of Ilford (in this Act referred to as "the borough") is a borough under the government of the mayor aldermen and burgesses of the borough of Ilford (in this Act referred to as "the Corporation"):

And whereas the Corporation are the undertakers for the supply of electricity under the provisions of the Ilford Electric Lighting Order 1898 (which was scheduled to and confirmed by the Electric Lighting Orders Confirmation (No. 3) Act 1898) and are now supplying electricity throughout the borough and it is expedient that further powers should be conferred upon the Corporation with respect to their electricity undertaking:

61 & 62 Vict.
c. xxxix.

And whereas it is expedient that further and better provision should be made for the health good government and improvement of the borough and that the powers of the Corporation in regard thereto should be enlarged as in this Act provided:

And whereas it is expedient that the provisions in regard to the finances of the Corporation which are contained in this Act should be made:

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— And whereas it is expedient that the other provisions contained in this Act be enacted :

And whereas the purposes of this Act cannot be effected without the authority of Parliament :

23 & 24

Geo. 5. c. 51.

And whereas in relation to the promotion of the Bill for this Act the requirements of sections 253 254 and 255 of the Local Government Act 1933 have been observed :

May it therefore please Your Majesty that it may be enacted and be it 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 :—

PART I.

PRELIMINARY.

Short title.

1. This Act may be cited as the Ilford Corporation Act 1937.

Division of
Act into
Parts.

2. This Act is divided into Parts as follows :—

Part I.—Preliminary.

Part II.—Electricity.

Part III.—Streets buildings sewers and drains.

Part IV.—Infectious disease and sanitary provisions.

Part V.—Lands.

Part VI.—Parks.

Part VII.—Financial.

Part VIII.—Miscellaneous.

Incorporation of
Lands
Clauses
Acts.
8 & 9 Vict.
c. 18.

3. The Lands Clauses Acts except sections 127 to 132 of the Lands Clauses Consolidation Act 1845 and except the provisions with respect to the purchase and taking of lands otherwise than by agreement (so far as the same are applicable for the purposes and are not inconsistent with the provisions of this Act) are hereby incorporated with and form part of this Act.

4.—(1) In this Act the several words and expressions to which meanings are assigned by the Acts wholly or partially incorporated herewith or by the Public Health Act 1936 have the same respective meanings unless there be something in the subject or context repugnant to such construction.

(2) In this Act unless the subject or context otherwise requires—

“The borough” means the borough of Ilford;

“The Corporation” means the mayor aldermen and burgesses of the borough of Ilford;

“The council” means the council of the borough;

“The electricity undertaking” means the electricity undertaking of the Corporation for the time being authorised;

“The electricity limits” means the area within which the Corporation are for the time being authorised to supply electricity;

“The town clerk” “the treasurer” “the medical officer” “the surveyor” and “the sanitary inspector” mean respectively the town clerk the treasurer the medical officer of health the surveyor and any sanitary inspector of the borough;

“The Lands Clauses Acts” means the Lands Clauses Acts as modified by the Acquisition of Land (Assessment of Compensation) Act 1919;

“Sunday school” means any school in which children are assembled for instruction on a Sunday or specially for religious instruction whether on a Sunday or not;

“Child” means a person under the age of sixteen years;

“Food” has the meaning assigned to it by section 34 of the Food and Drugs (Adulteration) Act 1928;

“The Minister” means the Minister of Health;

“Daily penalty” means a penalty for each day on which any offence is continued by a person after conviction;

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PART I.

—cont.
Interpreta-
tion.

26 Geo. 5. &
1 Edw. 8.
c. 49.

9 & 10
Geo. 5. c. 57.

18 & 19
Geo. 5. c. 31.

A.D. 1937.

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PART I.
—cont.38 & 39 Vict.
c. 83.

“The general rate fund” and “the general rate” mean respectively the general rate fund and the general rate of the borough;

“Statutory security” means any security in which trustees are for the time being by or under any Act of Parliament passed or to be passed authorised to invest trust money and any mortgage bond debenture debenture stock stock or other security authorised by or under any Act of Parliament passed or to be passed of any county council or municipal corporation or other local authority as defined by section 34 of the Local Loans Act 1875 but does not include annuities rentcharges or securities transferable by delivery or any securities of the Corporation;

“Authorised security” means any mortgage stock bond or other security which the Corporation are for the time being authorised to grant create or issue or upon or by means of which the Corporation are for the time being authorised to raise money;

“Statutory borrowing power” means any power whether or not coupled with a duty of borrowing or continuing on loan or re-borrowing money or of redeeming or paying off or creating or continuing payment of or in respect of any annuity rentcharge rent or other security representing or granted in lieu of consideration money for the time being existing under any Act of Parliament public or local passed or to be passed or under any Provisional Order confirmed by Act of Parliament passed or to be passed or under any order or sanction of any Government department made or given or to be made or given by authority of any Act of Parliament passed or to be passed but does not include the power to borrow by way of temporary loan or overdraft which is conferred by paragraph (a) of subsection (1) of section 215 of the Local Government Act 1933;

“The revenues of the Corporation” means revenues as defined by section 218 of the Local Government Act 1933.

PART II.

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ELECTRICITY.

5. The provisions contained in the schedule to the Electric Lighting (Clauses) Act 1899 (with the exception of sections 83 and 84 of that schedule) as amended by the Electricity (Supply) Acts 1882 to 1936 are incorporated with and form part of this Act and the electricity undertaking and the Corporation with respect thereto shall be subject to those provisions and so much of the Ilford Electric Lighting Order 1898 (which was scheduled to and confirmed by the Electric Lighting Orders Confirmation (No. 3) Act 1898) as is inconsistent with those provisions is hereby repealed without prejudice to anything done or suffered thereunder :

Incorporation of Electric Lighting (Clauses) Act 1899.
62 & 63 Vict. c. 19.
61 & 62 Vict. c. xxxix.

Provided that in its application to the Corporation and the electricity undertaking section 8 of the schedule to the Electric Lighting (Clauses) Act 1899 shall have effect as if the words "ten acres" were inserted therein instead of the words "five acres."

6. The Corporation may be authorised from time to time to purchase compulsorily land within the electricity limits for the purpose of the erection thereon of a station for transforming converting or distributing electricity by means of a compulsory purchase order made by the Corporation and submitted to the Minister of Transport and confirmed by him and subject to the provisions of this section sections 161 162 174 and 175 of the Local Government Act 1933 and the Sixth Schedule to that Act shall with any necessary modifications and with the substitution of the Minister of Transport for the Minister apply in relation to a compulsory purchase order made under this section as they apply to a compulsory purchase order made under Part VII of that Act Provided that anything which under the Local Government Act 1933 has to be prescribed shall for the purposes of this section be prescribed by the Minister of Transport in such manner as he may think fit :

Acquisition of land for sub-stations.

Provided also that the restrictions contained in paragraphs (a) (b) and (c) of section 179 of the Local Government Act 1933 shall apply to any compulsory purchase order made under this section.

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PART II.

—cont.

Further
provisions
as to
wayleaves.
9 & 10
Geo. 5.
c. 100.

7. The Corporation may agree with the owner or occupier of any land across which any electric line has been placed or across which it is intended by the Corporation to place any such line in either case under the provisions of section 22 of the Electricity (Supply) Act 1919 that a term or condition upon which they may place the said line across such land shall be the payment by the Corporation to such owner or occupier of a sum of money in gross and the payment of such sum of money shall if so agreed between the parties secure for the Corporation as against such owner or occupier (as the case may be) and his executors administrators successors and assigns the right to retain and maintain such line across the said land for such period as may be agreed.

As to area of
supply of
electricity.

8. Where the electricity limits are bounded by or abut upon any street wholly or for part of its width outside those limits the Corporation may for the purpose of supplying electricity to the owner or occupier of any premises within the electricity limits exercise with respect to the whole width of the street the like powers of breaking up the street for the purpose of laying maintaining inspecting repairing and renewing electric lines and works as are exerciseable by them in respect of streets within the electricity limits and subject to the like conditions :

Provided that nothing in this section shall entitle or require the Corporation to supply electricity to the owner or occupier of any premises outside the electricity limits.

Supply to
premises
partly
without
electricity
limits.

9. The Corporation may supply electricity to any house or building which is partly within and partly outside the electricity limits in the same manner as if those premises were wholly within such limits :

Provided that the Corporation shall not supply electricity under this section to any such house or building within the limits of any other authorised electricity undertakers without the consent of such undertakers which consent shall not be unreasonably withheld Any question as to whether any such consent is unreasonably withheld shall be determined by the Electricity Commissioners.

10.—(1) Where the charges made by the Corporation for electricity supplied by them for one purpose are less than the charges made by them for electricity supplied for another purpose electricity supplied by the Corporation for the first-mentioned purpose shall not without the consent in writing of the Corporation be used (whether after transformation or conversion or not) for the last-mentioned purpose and if any person to whom any electricity is supplied uses it or suffers it to be used in contravention of the provisions of this section he shall be liable to a penalty not exceeding five pounds and to a daily penalty not exceeding forty shillings.

(2) Where a person is convicted of an offence under this section in respect of the use of electricity for any purpose the court may direct that all or any portion of the electricity which has been supplied to him by the Corporation within one year previous to the date when the proceedings were instituted at a rate of charge lower than the rate of charge appropriate for electricity supplied for the said purpose shall be charged for at the last-mentioned rate.

(3) For the purposes of this section electricity shall not be deemed to be used for lighting purposes by reason only that it is used for the purposes of some electrical apparatus which contains a lamp if the purposes of the apparatus as a whole are not lighting purposes.

11.—(1) The powers conferred on the Corporation by section 24 of the Electric Lighting Act 1882 of entering premises shall be extended as follows:—

(a) The premises which may be entered shall include all premises in the electricity limits in which electric fittings are being or have been installed with a view to taking a supply of electricity from the Corporation;

(b) The purposes for which premises may be entered shall include the following purposes that is to say the inspection of all meters and electric fittings on the premises whether belonging to the Corporation or not the ascertainment of whether or not there is or has been any contravention of any of the Acts or Orders applying to the Corporation or of any regulation

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PART II.
—cont.

Use for one purpose of electricity supplied for another purpose.

Further powers as to entry upon premises.
45 & 46 Vict.
c. 56.

A.D. 1937.

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PART II.
—cont.

or byelaw made thereunder and (where the Corporation are authorised under the provisions of any such Act Order regulation or byelaw to cut off the supply of electricity to the premises) the cutting off of such supply.

The Corporation shall not have any power of entry into any such premises except through an officer duly authorised by the Corporation who shall if so required produce his authority.

(2) Any person who shall refuse to admit any such officer of the Corporation to any premises which they are entitled to enter in pursuance of the said section 24 as amended by this section or shall hinder any such officer from entering any such premises or from exercising the powers conferred by the said section as so amended shall be liable to a penalty not exceeding five pounds and to a daily penalty not exceeding twenty shillings.

(3) For the purposes of this section "electric fittings" includes electric lines meters accumulators fittings works and apparatus for the supply of electricity.

(4) The provisions of this section shall not apply to or in respect of any building or premises (not being a dwelling-house) belonging to and used by any railway company for the purpose of their railway and forming part of any station or goods depot or to or in respect of any building or premises belonging to the Gas Light and Coke Company and used for the purposes of the undertaking of that company In this subsection the expression "railway company" includes the London Passenger Transport Board.

Agreements
for supply of
electricity.

12. Notwithstanding anything in any Act or Order relating to the Corporation or the electricity undertaking the Corporation on the one hand and any authority company body or person (other than authorised distributors) to whom the Corporation are authorised to supply electricity on the other hand may enter into and carry into effect contracts or agreements for or with respect to the supply of electricity by the Corporation to such authority company body or person and at such price and on such terms and conditions as may be

agreed and the Corporation may supply electricity accordingly Provided that the Corporation shall not in making any such contract or agreement show any undue preference to any such authority company body or person.

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PART II.
—cont.

13. A consumer supplied with electricity by the Corporation under the terms of any agreement shall be deemed to be a person to whom the Corporation may be and are required to supply energy within the meaning of section 30 of the schedule to the Electric Lighting (Clauses) Act 1899 and—

Provisions
as to supply
of electricity
by agree-
ment.

- (a) the provisions of that section shall apply to the supply afforded by the Corporation under such agreement;
- (b) any failure on the part of the Corporation to supply energy to such consumer under the agreement shall not render them liable for any damages occasioned to such consumer by reason of such failure unless the same is caused by or in consequence of the wilful neglect or default of the Corporation :

Provided that—

- (i) the provisions of this section shall not operate to deprive any consumer of electricity supplied by the Corporation under the terms of any agreement existing at the passing of this Act of any right to which he would be entitled but for the said provisions; and
- (ii) nothing in this section shall apply in relation to any agreement which expressly excludes the application of this section.

14. If any question shall arise under section 23 of the Electricity (Supply) Act 1922 as to whether a supply of electricity is demanded or received for the purpose of a stand-by supply only or as to whether a supply of electricity or of gas steam or other form of energy is in use or ready for use for the purposes for which a stand-by supply of electricity is required the same shall in default of agreement be determined by arbitration in manner provided by the Electricity Supply Acts 1882 to 1936.

For deter-
mining
stand-by
supplies.
12 & 13
Geo. 5. c. 46.

A.D. 1937.

PART II.
—*cont.*

As to maximum power which may be demanded.

15.—(1) Except in the case of electricity supplied in pursuance of any agreement the maximum electrical power with which any consumer shall be entitled to be supplied by the Corporation shall not include any supply of electricity taken on extraordinary occasions unless such consumer shall pay to the Corporation such minimum annual sum as will give them a reasonable return on the capital expenditure and will cover other standing charges incurred by the Corporation in order to meet the possible maximum demand for the premises of such consumer Any question as to whether the provisions of this section apply and if so the sum to be paid shall be determined in default of agreement by arbitration in the manner provided by the Electricity Supply Acts 1882 to 1936.

(2) Nothing in this section shall apply to the London Passenger Transport Board in relation to any supply of electricity taken by them from the Corporation under the provisions of section 24 of the London Passenger Transport Act 1933 as extended by section 14 of the London Passenger Transport Act 1934 section 10 of the London Passenger Transport Act 1935 section 9 of the London Passenger Transport Act 1936 the section of the London Passenger Transport Act 1937 of which the marginal note is “As to statutory obligations and rights to take a supply of electricity” or any corresponding enactment in any other Act for the time being relating to that board.

23 & 24
Geo. 5. c. 14.
24 & 25
Geo. 5.
c. xcvi.
25 & 26
Geo. 5. c. cx.
26 Geo. 5. &
1 Edw. 8.
c. cxxxii.
1 Edw. 8. &
1 Geo. 6.
c. xc.

Power to
refuse to
supply elec-
tricity in
certain
cases.

16. The Corporation may refuse to supply electricity to any person from whom payment for the supply of electricity or meter rent is for the time being in arrear (not being the subject of a bona fide dispute) whether the payment be due to the Corporation in respect of the premises for which a supply is demanded or in respect of other premises.

As to
recovery
summarily
of sums due
for fittings.

17. If the Corporation commence proceedings for the summary recovery of a sum due for the supply of electricity any other sum due or payable to the Corporation in respect of the sale or hire of any apparatus or fittings supplied by them for or in connection with the consumption or use of electricity or the provision of materials and work in connection therewith or the fixing setting up repairing altering

maintaining or removal thereof may be included in the same summons and may be recovered summarily provided the amount due or payable in respect thereof does not exceed twenty pounds.

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PART II.
—cont.

18.—(1) Notwithstanding anything in section 7 of the Gasworks Clauses Act 1847 the Corporation may with the consent in writing of the owner of any building or any bridge over any street attach thereto such brackets electric lines and attachments (in this section called “attachments”) as may be required for the purposes of the electricity undertaking.

Attachment
of brackets
&c. to
buildings
and bridges.
10 & 11 Vict.
c. 15.

(2) Where in the opinion of the Corporation any consent under subsection (1) of this section is unreasonably withheld they may make complaint to a court of summary jurisdiction who may by order either allow the attachments subject to such terms (if any) as to compensation or rent or otherwise as they may think fit or disallow the attachments.

(3) The provisions of subsection (2) of this section shall not apply in relation to—

(a) any building forming part of an aerodrome;
or

(b) any building which the owner thereof alleges to be a building of architectural or historic interest; or

(c) any building or bridge owned by any highway authority railway company or gas undertakers;

but if in the opinion of the Corporation any consent under subsection (1) of this section is unreasonably withheld in relation to any such building or bridge they may appeal in the case of a building owned by gas undertakers to the Board of Trade and in any other case to the Minister of Transport and the said board or Minister may by order either allow the attachments subject to such terms (if any) as to compensation or rent or otherwise as they or he think fit or disallow the attachments:

Provided that the Minister of Transport shall—

(i) before exercising his powers under this section in relation to any building forming part of an aerodrome consult with the Secretary of State for Air;

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PART II.

—cont.

- (ii) before exercising his powers under this subsection with respect to any building alleged to be of architectural or historic interest consult with the Commissioners of Works.

In this subsection the expression "railway company" includes the London Passenger Transport Board.

(4) Where any attachments have been affixed to a building or bridge under this section and the person who gave the consent or who was the owner when the order allowing the attachments was made ceases to be the owner of the building or bridge the subsequent owner may give to the Corporation notice in writing requiring them to remove the attachments and subject to the provisions of this subsection the Corporation shall within three months after the service of the notice remove the attachments :

Provided that the provisions of subsection (2) and subsection (3) of this section shall apply in relation to any such notice as they apply in relation to a refusal of a consent to the making of attachments.

(5) Where any attachments have been made under this section to any building or bridge the owner of the building or bridge may require the Corporation at their own expense temporarily to remove the attachments where necessary during any reconstruction or repair of the building or bridge.

(6) In this section—

The expression "owner"

(a) in relation to a building occupied under a tenancy for a term of years whereof five years or more remains unexpired means the occupier of the building;

(b) in relation to a building occupied under any other tenancy means the person who is receiving the rack rent or who would receive the rack rent if the building were let at a rack rent;

(c) in relation to a building forming part of an aerodrome means (notwithstanding anything in this subsection)

the person having control of the aerodrome ;

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PART II.

—cont.

The expression “ rack rent ” means in relation to a building a rent which is not less than two-thirds of the full net annual value of the building ;

The expression “ aerodrome ” means an aerodrome licensed pursuant to an order made under the Air Navigation Act 1920 or any Act amending replacing or consolidating the same.

10 & 11
Geo. 5. c. 80.

19. In any case in which the proper and efficient supply of electricity necessitates the substitution of a new cable or other work situate in or upon the private property of a consumer the Corporation after giving forty-eight hours’ notice in writing to the occupier or if there be no occupier then to the owner or lessee of any house building or land in which such cable or work is laid or fixed may enter such house building or land between the hours of nine in the morning and four in the afternoon or with the authority in writing of a justice at any other time for the purpose of effecting such substitution repairing all damage caused by such entry or substitution :

Power of
entry for
substitution
of cables
&c.

Provided that the Corporation shall not without the previous consent of any railway company or the London Passenger Transport Board exercise the powers of this section in respect of any premises which form part of the railway of such company or board.

20. Where a separate transformer is provided at the expense of the Corporation for the purpose of affording a supply of electricity to any consumer the Corporation may subject to the provisions of the agreement under which the transformer was provided use such transformer for the purpose of affording a supply of electricity to other consumers so long as such use does not prejudice or interfere with the supply for which such transformer was originally provided so however that the powers conferred by this section shall not enable the Corporation to extend the transformer so provided beyond the limits of the original site thereof.

As to use
of trans-
formers.

PART II.

—cont.

Removal of
restriction
on breaking
up streets.

21. For the purposes of section 13 of the Electric Lighting Act 1882 and section 12 of the schedule to the Electric Lighting (Clauses) Act 1899 in their application to the Corporation a county council shall be deemed to be a local authority.

Power to
break up
private
streets.

22.—(1) If the owner or occupier of any premises erected or in process of erection within the electricity limits on land abutting on any street laid out as such but not dedicated to public use or if so dedicated not repairable by the inhabitants at large applies to the Corporation for a supply of electricity to those premises then—

- (a) so much of any Act or Order applying to the Corporation as requires the consent of the person by whom the street is repairable to the breaking up by the Corporation of the street shall not have effect in relation to the street;
- (b) the Gasworks Clauses Act 1847 in its application to the Corporation shall have effect in relation to the land comprised in the street as if section 7 thereof had been excepted from incorporation with the Acts or Orders applying to the Corporation; and
- (c) except in the case of such streets as are referred to in subsection (2) of this section the authority who would be responsible for the maintenance and repair of the street if it were repairable by the inhabitants at large shall have the like rights under section 15 of the schedule to the Electric Lighting (Clauses) Act 1899 as are thereby conferred on the person by whom the street is repairable.

(2) Nothing in this section shall authorise the breaking up by the Corporation of any street which is repairable by a railway company or the London Passenger Transport Board unless the consent in writing of such company or board is obtained by the Corporation but such consent shall not be unreasonably withheld.

(3) Any question arising under subsection (2) of this section as to whether or not a consent is

unreasonably withheld shall be determined by the Minister of Transport.

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PART II.

—cont.

Penalty for interference with works.

23. If any person without lawful excuse (the proof whereof shall lie on him) shall wilfully interfere with any electric line or other work or apparatus used for or in connection with the supply of electricity by the Corporation or do or cause to be done anything which is calculated to interfere with or damage any such work or apparatus he shall for every such offence (without prejudice to any other liability or cause of action which may arise out of or by reason of such act) be liable to a penalty not exceeding five pounds.

24.—(1) Any person who unlawfully and maliciously cuts injures or tampers with any electric line or work of the Corporation with the intent to cut off or injuriously affect the supply of electricity by the Corporation shall be guilty of a misdemeanour and be liable on conviction on indictment to imprisonment for any term not exceeding two years but nothing in this section shall exempt the person from any proceeding for any offence which is punishable under any provision of the Electricity (Supply) Acts 1882 to 1936 or of the Electric Lighting (Clauses) Act 1899 or under any other Act or the common law but so that no such person be punished twice for the same offence.

Interference with works with intent to cut off supply of electricity.

(2) The Electric Lighting Act 1882 in its application to the Corporation shall be read and have effect as if section 22 of the said Act was hereby repealed.

25.—(1) The provisions of section 38 of the Gasworks Clauses Act 1871 (incorporated with the Electric Lighting Act 1882) shall apply to any person who wilfully fraudulently or by culpable negligence injures or detaches or suffers to be injured or detached any of the sealing or locking devices attached to any sealed or locked receptacle meter or apparatus inserted by the Corporation in any electric line within a consumer's premises or opens or suffers to be opened any such sealed or locked receptacle meter or apparatus.

Protection of seals &c. belonging to Corporation. 34 & 35 Vict. c. 41.

(2) If any person accidentally injures or detaches or suffers to be injured or detached any such sealing or locking device as aforesaid he shall within forty-eight hours of such injury or detachment give notice in writing

A.D. 1937. thereof to the Corporation and any person who fails to comply with the provisions of this subsection shall be liable to a penalty not exceeding five pounds.

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PART II.
—cont.

Byelaws as
to wires
apparatus
and fittings.

26.—(1) The Corporation may for the purpose of preventing fire in or any injury to any building or premises supplied or proposed to be supplied with electricity by them or injury to any person make byelaws—

(a) with respect to the nature material workmanship and mode of arrangement of the wires apparatus and fittings in any such building or premises and required or used for the purpose of such supply; and

(b) with respect to the charging of accumulators; and may refuse to supply electricity or cut off and discontinue the supply of electricity to any building or premises in which such byelaws are not complied with.

(2) No byelaw made under this section shall apply to or in respect of any building or premises (not being a dwelling-house) belonging to and forming part of the railway or any station or depot adjoining the railway or railway sidings of any railway company or the London Passenger Transport Board or to or in respect of any building or premises to which the Factory and Workshop Act 1901 applies.

1 Edw. 7.
c. 22.

Charges for
special
readings of
electricity
meters.

27. The Corporation may make and recover such charges as they think fit for taking the reading of any electricity meter fixed in a house which is either in whole or in part let furnished at the request of and for the convenience of consumers at times other than those of the periodical readings :

Provided that such charges shall not exceed the sum of two shillings and sixpence for each reading.

Period of
error in
defective
meters.

28.—(1) Where a meter supplied by the Corporation is found on a test to register erroneously to a degree exceeding the degree permissible as respects meters of the class to which the meter belongs it shall in the absence of agreement to the contrary be deemed to have registered erroneously to the degree so found from the penultimate date on which the register of the meter was ascertained before the date on which the

meter was tested or removed for the purpose of the test except in a case where the meter is proved to have begun to register erroneously as aforesaid on some date after such penultimate date.

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PART II.
—cont.

(2) The amount of the allowance to be paid to or the surcharge to be made upon such person by the Corporation shall be paid by or to the Corporation as the case may be and in the case of a surcharge shall be recoverable in the like manner as charges for electricity are recoverable.

(3) The Corporation shall notify the consumer at least forty-eight hours in advance of any test of his meter and shall notify the consumer of the result of the test.

(4) Nothing in this section shall affect the rights of the Corporation under section 38 of the Gasworks Clauses Act 1871 (which relates amongst other things to the injuring of meters).

(5) Nothing in this section shall apply to any meter supplied by the Corporation pursuant to the agreement made between the Corporation and the County of London Electric Supply Company Limited and dated the first day of August one thousand nine hundred and thirty-four.

29. The minimum charges per quarter which are specified in the Fourth Schedule to the Ilford Electric Lighting Order 1898 as for the time being revised by any order of the Minister of Transport shall if so required by the Corporation be paid to them by the occupier of any premises connected to a distributing main of the Corporation in respect of each quarter of any year during the whole or any part of which quarter such premises are so connected whether electricity has actually been consumed on such premises or not during the currency of such quarter.

Minimum
charges for
electricity.

30.—(1) A notice to the Corporation from a consumer for the discontinuance of a supply of electricity shall not be of any effect unless it be in writing signed by or on behalf of the consumer and be left at or sent by post to the office of the Corporation.

Notice to
discontinue
supply of
electricity.

(2) Notice of the effect of this section shall be endorsed on any demand note for electricity.

PART II.

—cont.

Service of
electricity
demand
notes.
15 & 16
Geo. 5. c. 90.

For protec-
tion of Com-
missioner of
Police.

31. The provisions of section 59 of the Rating and Valuation Act 1925 relating to the sending or service of demand notes shall apply to demand notes for any charges made in connection with the electricity undertaking.

32. Before breaking up or otherwise interfering with any street or road in connection with the execution of any works under the powers of this Part of this Act the Corporation shall (except in case of emergency) give seven days' notice in writing to the Commissioner of Police of the Metropolis and make such arrangements with the said commissioner as may be reasonably necessary so as to cause as little interference as may be reasonably practicable with the traffic in the street or road during the construction of such works.

PART III.

STREETS BUILDINGS SEWERS AND DRAINS.

Commence-
ment of this
Part of Act.

33. This Part of this Act shall come into operation on the first day of October one thousand nine hundred and thirty-seven which day is in this Part of this Act referred to as "the commencement of this Act."

Further
powers as to
future line
of streets.
15 & 16
Geo. 5. c. 71.

34.—(1) The Corporation may at any time after prescribing the improvement line of any street in pursuance of the power conferred upon them by section 33 of the Public Health Act 1925 on giving six months' previous notice in writing to the owner require that any building or erection which or any part of which was beyond or in front of any such improvement line at the date when the same was so prescribed shall be pulled down set back or altered so that the same shall not project beyond or in front of such improvement line.

(2) The owner may and if so required by the Corporation shall notwithstanding any contract lease or agreement or any provision therein contained enter upon any land building or erection affected by any requirement of the Corporation under this section and carry out such requirement.

(3) In the event of any building or erection being pulled down set back or altered in accordance with any requirement of the Corporation under this section

the Corporation shall make compensation to the owner lessee and tenant of any such building or erection for any loss or damage sustained by him in consequence of complying with such requirement.

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PART III.

—cont.

(4) The amount of any compensation payable under this section and any other question under this section the determination whereof is not otherwise provided for by this Act shall in default of agreement be determined in accordance with the provisions of the Lands Clauses Acts but in estimating the amount of any such compensation the benefit arising from the widening or improvement of the street and accruing to the property in respect of which such compensation shall be payable shall be fairly estimated and set off against such compensation.

(5) Any person who shall fail to comply with a requirement of the Corporation under this section shall be liable to a penalty not exceeding five pounds and to a daily penalty not exceeding forty shillings.

(6) Nothing in this section contained shall apply to or affect any property occupied or used by a railway company or by the London Passenger Transport Board for the purposes of their railway without the consent of such company or board Provided that any consent required by this subsection shall not be unreasonably withheld and any question whether or not such consent is unreasonably withheld shall be decided by the Minister but the Minister before giving his decision shall consult with the Minister of Transport and shall if the company or board whose consent is sought so desire afford them an opportunity of appearing before and being heard by one or more persons appointed for the purpose by the Minister and the Minister of Transport acting jointly.

35.—(1) Every person who intends to lay out a new street shall in addition to the information required to be supplied to the Corporation by virtue of any enactment or byelaw with respect to streets and buildings from time to time in force within the borough distinctly define and mark on a plan drawn to such scale as the Corporation may require and to be prepared and submitted by such person to the Corporation for their approval the proposed line of frontage of any

Frontage
line in new
streets.

A.D. 1937.
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PART III.
—*cont.*

house or building to be erected in or fronting such street (in this section called "the building line") and the Corporation shall be deemed to have approved any building line unless within one month after the date of submission thereof they shall have signified to the person submitting the same their disapproval thereof.

(2) The Corporation may also prescribe the building line to be observed in those parts of any street (not being a highway maintainable by them or by any highway authority) already formed upon which buildings have not already been erected.

(3) It shall not be lawful to erect or bring forward in any such street any house or building or any part thereof or any addition to any house or building if the building line for such street has been disapproved by the Corporation or before the expiration of the one month aforesaid without their approval nor without the approval of the Corporation beyond or in front of the building line approved or prescribed by the Corporation and any person offending against this enactment shall be liable to a penalty not exceeding twenty pounds and to a daily penalty not exceeding forty shillings.

51 & 52 Vict.
c. 52.

(4) The provisions of section 3 of the Public Health (Buildings in Streets) Act 1888 shall not apply to any house or building erected or proposed to be erected on lands in respect of which a building line as aforesaid shall have been approved or prescribed by the Corporation.

(5) In the event of the Corporation requiring as a condition of their approval of any such plan the setting back of the building line shown on the plan to a greater distance from the centre of a new street than one-half of the width of the street and ten feet in addition or in the case of a street already formed to a greater distance from the centre of the street than the line at which buildings could be erected having regard to the provisions of the byelaws with respect to streets and buildings in force within the borough or of the Public Health (Buildings in Streets) Act 1888 the Corporation shall make compensation to the owner of any land lying between the said distance from the centre of the street and the building line as set

back for any damage sustained by him by reason of his being unable to build upon such land.

A.D. 1937.

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PART III.

—cont.

(6) For the purposes of this section the surveyor shall by certificate under his hand at or before the time of the approval of the building line by the Corporation determine the centre of any street or intended street.

(7) The amount of any compensation payable under this section shall in default of agreement be determined by arbitration in accordance with the provisions of the Lands Clauses Acts.

(8) Nothing in this section shall apply to or affect any land specifically authorised by Parliament to be used by the Metropolitan Water Board as a pumping station or reservoir for water or by the Gas Light and Coke Company for the manufacture or storage of gas except in so far as such board or company may consent thereto :

Provided that any consent required for the purposes of this subsection shall not be unreasonably withheld and any question whether or not such consent is unreasonably withheld shall be determined by the Minister.

36. Any person who shall cover over or wilfully or negligently obstruct or interfere with the convenient access to any fire alarm fire-plug or hydrant or who shall remove or efface any plate or mark indicating the position of such alarm plug or hydrant shall be liable to a penalty not exceeding five pounds.

Fire-plugs.

37.—(1) If the Corporation shall by resolution determine that any stall structure or other erection on any forecourt is by reason of its character injurious to the amenities of the street in which the forecourt is situate they may by notice in writing require the owner of or person responsible for such stall structure or other erection within such period (not being less than seven days) as may be specified in the notice to make such alterations to such stall structure or other erection as may be necessary to prevent it from being injurious to the amenities of such street.

Provision as
to fore-
courts.

(2) Any person neglecting or refusing to comply with the requirement of any such notice shall be

A.D. 1937. liable to a penalty not exceeding forty shillings and
to a daily penalty not exceeding twenty shillings.

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PART III.

—cont.
Fencing of
forecourts.

38.—(1) In any case in which the forecourt of any premises adjoining a street or any steps or projection placed in any such forecourt or any goods placed thereon whether for sale or not is or are a source of danger obstruction or inconvenience to the public the Corporation may require the owner of the premises well and sufficiently to fence such forecourt from the street.

(2) Any person who fails to comply with a requirement of the Corporation under this section shall be liable to a penalty not exceeding forty shillings and to a daily penalty not exceeding twenty shillings.

Planting of
trees in
private
streets.

39. The Corporation when carrying out any private street works may with the consent in writing of a majority in number and rateable value of the owners of houses and land in such street cause trees or shrubs to be planted and grass margins to be laid out in such street and erect guards or fences and otherwise do everything expedient for the protection of such trees shrubs and grass margins and any expense incurred by the Corporation under this section shall be deemed part of the expenses of carrying out the private street works in any such street :

Provided that no such tree shrub grass margin guard or fence shall be placed or laid out in such a situation as to hinder the reasonable use of the highway by any person entitled to the use thereof or so as to be a nuisance or injurious to the owner or occupier of any land or premises adjacent to the said street :

41 & 42 Vict.
c. 76.

Provided also that for the purposes of section 7 of the Telegraph Act 1878 any work done in exercise of the powers conferred by this section shall be deemed to be work done in the execution of an undertaking authorised by an Act of Parliament and the Corporation shall be deemed to be the undertakers.

As to
erection of
retaining
walls.

40.—(1) Before any person shall erect on any land within the borough a retaining wall of greater height than six feet abutting on or adjacent to or within twelve feet of any street he shall submit to the Corporation plans sections and specifications thereof and no such

wall shall be erected except in accordance with such plans sections and specifications as may be approved by the Corporation.

A.D. 1937.

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PART III.
—cont.

(2) Any person who shall erect a retaining wall contrary to the provisions of this section or any owner who after erection shall after reasonable notice in writing from the Corporation requiring him so to do fail to put such wall in proper repair shall without prejudice to any other right or remedy of the Corporation be liable to a penalty not exceeding forty shillings and to a daily penalty not exceeding twenty shillings.

(3) The provisions of this section shall not extend or apply to any land belonging to a railway company or the London Passenger Transport Board so long as such land is used by the railway company or the London Passenger Transport Board primarily for railway purposes nor to any retaining wall erected thereon.

41.—(1) It shall be lawful for the owner or occupier of any property with the consent in writing of the Corporation to construct in any pavement forming part of any street in the borough any means (in this section referred to as "pavement lights") for the admission of light or air through such pavement to any room or premises situate under or adjoining the same.

As to
pavement
lights.

(2) In giving their consent to the construction of any pavement lights the Corporation may attach thereto such terms and conditions as they may think fit.

(3) Any agreements entered into by the Corporation with any person prior to the commencement of this Act which would have been valid under the provisions of this section if made after the commencement thereof are hereby confirmed.

42.—(1) The Corporation may cause to be put up or painted on a conspicuous part of any house building or place at or near to the corner of any street signs indicating the classified road number of such street and the direction or the distance to towns railway stations public buildings and other places of a public character.

Direction
signs.

A.D. 1937.

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PART III.
—cont.

(2) Before putting up or painting a sign on a house building or place the Corporation shall give to the owner of such house building or place notice of their intention to do so.

(3) Any person who shall wilfully and without the consent of the Corporation obliterate deface obscure remove or alter any such sign otherwise than in the course of demolishing or altering the house or building shall be liable to a penalty not exceeding forty shillings and the Corporation may recover the expenses of replacement and making good from such person.

(4) The exercise of the powers conferred by this section shall be subject to the provisions of the Road Traffic Acts 1930 to 1934 with respect to traffic signs and to any regulations made or any general or other directions given by the Minister of Transport in pursuance of the said provisions.

As to urgent
repairs of
private
streets.

43. Where in the opinion of the Corporation repairs the cost of which will not exceed ten pounds are required in the case of any street not being a highway repairable by the inhabitants at large to obviate or remove danger to any passenger or vehicle in the street the Corporation may execute such repairs as they deem necessary and may themselves pay such cost and the execution of such repairs and the payment of such cost shall not prejudice or affect any statutory provisions for the time being in force relating to private street works and private improvement expenses or similar matters or section 60 (As to urgent repairs to private streets) of the Ilford Urban District Council Act 1904.

4 Edw. 7.
c. ccxix.No buildings
allowed
until street
formed.
61 & 62 Vict.
c. cxix.

44.—(1) Section 20 (No buildings allowed until street formed) of the Ilford Improvement Act 1898 shall be extended so as to prohibit the letting or sale as a dwelling-house of any new building abutting on any such street as is therein referred to until such street shall be provided with suitable granite kerbs between the carriageway and footways of such street and (if so required by the Corporation) sewered to the satisfaction of the surveyor.

(2) The execution of any works under the said section 20 as amended by this section shall not relieve

any person of any liability under the Private Street Works Act 1892 or under the local Acts for the time being in force within the borough.

PART III.
—cont.
55 & 56 Vict.
c. 57.

45.—(1) At any time within one month after the deposit of the plans of any new building intended or adapted for use as a house (or where such plans have been approved but the erection of the building has not been commenced before the commencement of this Act at any time before the erection of such building has been commenced) the Corporation may by notice in writing require the provision either before the building is erected or before it is sold let or occupied (as the Corporation shall specify) of sufficient means of communication between the building and a street which is either a highway repairable by the inhabitants at large or has been laid out and constructed in accordance with the byelaws or other provisions for the time being in force with respect to new streets.

Means of
access to
buildings.

(2) If it appears to the Corporation to be necessary that the means of communication to be provided under this section shall be in the form of a street the Corporation may by their notice require a new street to be laid out and if the construction of such means of communication appears to them necessary they may by their notice require such means of communication to be properly made up with hard core and gravel and properly rammed down drained and levelled to the reasonable satisfaction of the Corporation.

(3) The Corporation may if they think fit contribute towards the cost of the provision of means of communication or of the work required under this section.

(4) Where notice of a requirement under this section has been given by the Corporation to any person such person shall not begin to erect or proceed with the erection of any building to which the notice relates nor sell let or occupy such building (as the notice shall specify) until the notice of the Corporation has been complied with or until security has been given to the satisfaction of the Corporation that the notice will be complied with.

A.D. 1937.

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PART III.
—cont.

(5) Any person who shall offend against the provisions of this section shall be liable to a penalty not exceeding twenty pounds and to a daily penalty not exceeding five pounds.

23 & 24
Geo. 5.
c. xlv.

(6) Section 129 (Means of access to buildings) of the Essex County Council Act 1933 shall cease to be in force in the borough :

Provided that nothing in this subsection shall affect any notice given or other thing done under the said section 129 before the commencement of this Act and every such notice or other thing shall so far as it could have been given or done under this section have effect as if it had been given or done under the provisions of this section.

Signs over
streets.

46.—(1) In this section “ sign ” means any banner streamer notice board sign or lettering for the purposes of advertisement or announcement (including the supports thereof) which is suspended or extends for more than two feet over any street or which extends for more than six inches over any street and is more than two feet six inches in height from the top to the bottom thereof.

(2) (a) If it appears to the Corporation that any sign which is placed over any street at the date of the commencement of this Act is a source of danger or objectionable by reason of its size construction or situation or an injury to the amenities of the street over which it is placed they may by notice in writing require the owner of or person responsible for the placing of such sign to remove it or to comply with such conditions as may be specified in the notice within such period not being less than seven days as may be specified in the notice.

(b) For a period of two years from the commencement of this Act the foregoing provisions of this subsection shall not apply to any sign which was in use on the first day of November one thousand nine hundred and thirty-six.

(3) (a) After the date of the commencement of this Act no person shall without the consent of the Corporation place any sign over any street.

(b) The consent of the Corporation under this subsection shall not be withheld except on the ground

that in their opinion the sign would be a source of danger or objectionable by reason of its size construction or situation or an injury to the amenities of the street and such consent may be given subject to such conditions as the Corporation may think fit.

A.D. 1937.

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PART III.
—cont.

(4) Any person who (a) neglects or refuses to comply with the requirement of any such notice as is referred to in subsection (2) of this section or (b) after the commencement of this Act places any sign over any street without the consent of the Corporation or without complying with any conditions attached to any such consent shall be liable to a penalty not exceeding twenty shillings and to a daily penalty not exceeding ten shillings and the Corporation may themselves remove any such sign and any expense incurred by them in so doing may be recovered by them from such person.

(5) The powers of this section shall not be exercised by the Corporation in relation to any sign which is or may be placed or may be proposed to be placed over the Eastern Avenue (A 106) or the Woodford-Ilford road (A 1081) except so far as such sign may be objectionable by reason of its size construction or situation or an injury to the amenities of the street over which it is placed.

47.—(1) (a) No wall fence hoarding or other similar structure (in this section referred to as "a structure") of a greater height than six feet six inches above the level of the ground at the nearest boundary of the street shall be erected or brought forward on any land in any street—

As to hoard-
ings and
similar
structures.

(i) beyond any building line prescribed by the Corporation in respect of the land under the provisions of any Act; or

(ii) if there be no such line beyond any line which is enforceable by the Corporation for buildings under subsection (2) of section 140 of the Housing Act 1936; or

26 Geo. 5. &
1 Edw. 8.
c. 51.

(iii) if there be neither of such lines beyond the line to which any house or building erected or brought forward on the land would have to conform under the provisions of the Public Health (Buildings in Streets) Act 1888.

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PART III.
—cont.

(b) Any person who shall offend against the provisions of this subsection shall be liable to a penalty not exceeding five pounds and to a daily penalty not exceeding forty shillings and the Corporation may take down or remove any structure erected in contravention of those provisions and recover the expenses incurred by them in so doing from the offender.

(2) (a) The Corporation may by notice in writing require the owner or occupier of any land upon which any structure exists at the commencement of this Act which would (if erected after the commencement of this Act) have contravened the provisions of subsection (1) of this section to remove or alter such structure within such time (not being less than six days) as may be specified in the notice in such a manner as to comply with those provisions and the Corporation shall on demand repay to the owner or occupier of such land the reasonable expenses incurred by him in so doing.

(b) Any person who shall neglect or refuse to comply with a notice from the Corporation given in pursuance of this subsection shall be liable to a penalty not exceeding five pounds and to a daily penalty not exceeding forty shillings and the Corporation may at their own expense take down or remove and if required by the owner or occupier shall re-erect so as not to contravene the provisions of subsection (1) of this section any structure erected or maintained in contravention of those provisions.

(3) The provisions of this section shall not be enforceable with regard to any structure existing at the commencement of this Act for a period of five years from such date and shall not apply to any wooden structure fence or hoarding of a moveable or temporary character erected by a builder for his use during the construction alteration or repair of any building unless the same is not taken down or removed immediately after such construction alteration or repair is complete.

(4) A person offending against the provisions of this section shall not in respect of such offence be subjected both to a penalty under this section and to a penalty in respect of an offence against the provisions

of clause 37 of the Ilford Town Planning Scheme 1933 nor shall any such offender be subjected in respect of one and the same period both to a daily penalty under this section and to a further penalty under the said scheme.

A.D. 1937.

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PART III.
—cont.

(5) The provisions of this section shall not apply to any wall erected on land belonging to a railway company or the London Passenger Transport Board so long as such land is used by the railway company or the London Passenger Transport Board primarily for railway purposes.

48.—(1) Before placing or erecting any hoarding wall (not being a wall forming part of the structure of a permanent edifice) or fence at or within a distance of ten yards from the corner of any street the person proposing to place or erect such hoarding wall or fence shall give notice of his intention so to do to the Corporation and such notice shall be accompanied by plans and particulars of the hoarding wall or fence proposed so to be placed or erected.

As to erection of hoardings &c. at street corners.

(2) If the placing or erection of such hoarding wall or fence would constitute a danger to the traffic in the streets upon adjoining or near to which the same is proposed to be placed or erected by obstructing the view of any foot passenger or the driver of any vehicle in a street of vehicular or pedestrian traffic the Corporation may within one month of the receipt of the said notice prohibit such placing or erection or may allow the same subject to such conditions or modifications of the said plans and particulars as they may think fit. If within one month of the receipt of the said notice the Corporation shall not have prohibited such placing or erection or allowed the same subject to a condition or to a modification of such plans or particulars they shall be deemed to have allowed such placing or erection.

(3) Any person who places or erects any hoarding wall or fence in contravention of the provisions of this section shall be liable to a penalty not exceeding five pounds and the Corporation may remove the hoarding wall or fence so placed or erected and may recover the expense incurred by them in so doing from such person.

A.D. 1937.

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PART III.
—cont.

(4) For the purposes of this section the corner of any street shall be deemed to be the point at which the frontage or boundary line of that street (if necessary continued in a straight line) intersects the frontage or boundary line of any other street (if necessary similarly continued).

(5) The provisions of this section shall not apply to any part of a street with respect to which restrictions have been imposed under section 4 of the Roads Improvement Act 1925 or by section 1 or section 2 of the Restriction of Ribbon Development Act 1935.

15 & 16
Geo. 5. c. 68.
25 & 26
Geo. 5. c. 47.Repair of
hoardings
&c.

49.—(1) The Corporation may by notice in writing require—

(a) the owner of any hoarding wall or similar structure used for advertising purposes to maintain the same in good order and condition;

(b) the person using any hoarding wall or similar structure for advertising purposes to maintain any advertising matter thereon in good order and condition.

(2) If such owner or other person shall neglect or refuse to comply with any such notice the Corporation may carry out such alterations or repairs as may be reasonably necessary and recover from such owner or other person any expense incurred by them in so doing.

Cellars not
to be con-
structed
below sub-
soil water
level.

50.—(1) The Corporation may prohibit the construction in or in connection with any house or shop within the borough of any cellar or room the floor level of which shall be lower than the ordinary level of the subsoil water on under or adjacent to the land on which such house or shop shall be erected.

(2) Any person offending against any prohibition of the Corporation under the provisions of this section shall be liable to a penalty not exceeding five pounds and to a daily penalty not exceeding forty shillings.

Food
storage
accommoda-
tion to be
provided.

51.—(1) Every house erected after the commencement of this Act shall be provided with sufficient and properly ventilated pantry or other food storage accommodation and any owner who shall occupy or allow to be occupied any such house not so provided

shall be liable to a penalty not exceeding five pounds and to a daily penalty not exceeding twenty shillings.

(2) Every existing house and every house the erection of which was commenced but not completed before the commencement of this Act shall where reasonably practicable be provided with sufficient and properly ventilated pantry or other food storage accommodation and any owner who shall occupy or allow to be occupied any such house which can reasonably be so provided but which is not so provided after one month's notice from the Corporation requiring the same to be done shall be liable to a penalty not exceeding five pounds and to a daily penalty not exceeding twenty shillings.

52. Where any new building contains two or more flats or separate dwellings or any old building is after the commencement of this Act converted into two or more flats or separate dwellings each such flat or separate dwelling shall for the purposes of the section of this Act of which the marginal note is "Food storage accommodation to be provided" be deemed to be a house within the meaning of that section.

53. It shall be lawful for a court of summary jurisdiction upon complaint by the Corporation in pursuance of a report by the medical officer or the sanitary inspector that any smoke gas or vapour from any chimney flue or pipe of a washhouse or outbuilding forming part of or in proximity to a house in the borough is a nuisance to any of the inhabitants of the borough to make an order requiring the owner of such chimney flue or pipe within such time as shall be specified in such order to cause the same to be raised or such other means for preventing or mitigating such nuisance to be adopted as may seem fitting to such court and as shall not involve an expenditure exceeding twenty pounds and any such owner as aforesaid who shall neglect or refuse to obey such order shall be liable to a penalty not exceeding five pounds and to a daily penalty not exceeding forty shillings.

54.—(1) The contractor or builder engaged in or upon the erection of a new building or the construction or reconstruction of any works shall where practicable and if required by the Corporation provide to the

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PART III.
—cont.

Separate dwellings to be provided with food storage accommodation.

Power to order alteration of chimneys.

Sanitary conveniences for workmen engaged on buildings.

A.D. 1937.

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PART III.
—cont.

reasonable satisfaction of the Corporation and until the completion of any such erection construction or reconstruction maintain such water or other closets and urinals in or in connection with such building or works as may be sufficient for the accommodation of the workmen employed.

(2) Any person who shall offend against this section shall be liable to a penalty not exceeding five pounds and to a daily penalty not exceeding forty shillings.

Powers on
inspection.

55. In exercising any powers of entry upon and inspection of any building or works in course of construction the surveyor and his assistants shall have from the builder of or contractor for such building or works free of expense all reasonable use and assistance of ladders scaffolding and plant in and about such building or works Any person who shall refuse such use and assistance as aforesaid or shall obstruct the surveyor or his assistants in the use of such ladders scaffolding and plant as aforesaid shall be guilty of an offence and shall be liable to a penalty not exceeding forty shillings and to a daily penalty not exceeding twenty shillings.

Restriction
on erection
of tempo-
rary stands
&c.

56.—(1) Every person intending to erect any stand or structure for affording sitting or standing accommodation for not less than twenty persons shall not less than fourteen days prior to the commencement of the erection thereof submit to the Corporation a plan and section thereof and shall comply with such conditions as the Corporation may prescribe for securing the stability of such stand or structure and protection against fire and for securing the safety of persons to be accommodated thereon.

(2) Any person acting in contravention of this section or offending against any such condition shall be liable to a penalty not exceeding five pounds and to a daily penalty not exceeding twenty shillings.

(3) The provisions of this section shall not apply to any stand or structure erected by—

(a) The London Passenger Transport Board for the accommodation of passengers and servants of that board under the provisions of section 104

(Shelters &c.) of the London Passenger Transport Act 1934 or section 89 (Shelters &c.) of the London Passenger Transport Act 1935;

- (b) The London and North Eastern Railway Company for the purposes of their undertaking; or
- (c) A person who is the proprietor of a travelling circus roundabout or amusement fair for the purposes of his business as such.

57.—(1) The powers of the Corporation under section 21 of the Public Health Act 1925 shall extend to authorise them to require the execution and maintenance of such works as may be necessary to convey surface water from premises to which that section applies to some drain sewer or watercourse or the disposal of such surface water in such other manner as the Corporation may require.

A.D. 1937.
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PART III.
—cont.

Water from buildings &c. to be conveyed to sewers.

(2) It shall be the duty of all owners of land or premises to provide lay and keep in repair such gutters drains channels and other works as may be requisite for complying with section 21 of the Public Health Act 1925 as amended by this section and for the purpose of laying and repairing the same the owner of any land or premises may take up so much of any street as may be requisite and such gutters drains channels and other works shall be laid and thereafter kept in good repair and condition and the street shall be reinstated under the direction of the surveyor and all damage occasioned to the street shall be made good by such owner to the satisfaction of the surveyor.

(3) In the event of default on the part of the owner of any land or premises to comply with the provisions of subsection (2) of this section the Corporation may execute any necessary work and recover the cost of so doing from such owner.

(4) Nothing in this section shall extend to authorise the discharge of surface water into any main river (within the meaning of the Land Drainage Act 1930) within the River Roding catchment area or into any watercourse (as defined in the said Act) within any internal drainage district in respect of which the River Roding Catchment Board are the drainage board in such a manner as to obstruct the flow of water in into or out of the said main river or watercourse.

20 & 21
Geo. 5. c. 44.

A.D. 1937.

[Ch. lxxxi.]

*Ilford Corporation
Act, 1937.*

[1 EDW. 8. &
1 GEO. 6.]

PART III.

—cont.

Separate
sewers for
sewage and
surface
water.
38 & 39 Vict.
c. 55.

58. For the purpose of facilitating the disposal of surface water and sewage the powers of the Corporation under section 157 of the Public Health Act 1875 shall extend to the making of byelaws requiring any person constructing a new street within the borough to provide separate sewers for the reception of surface water and of sewage respectively.

Apportion-
ment to
frontagers of
expenses of
sewer con-
structed un-
der public
highway.

59.—(1) Where the Corporation resolve to construct a sewer in a street or part of a street within the borough repairable by the inhabitants at large which has not been previously sewered and the resolution states that the construction of the sewer will in the opinion of the Corporation increase the value of premises fronting adjoining or abutting on such street or part of a street then subject to the provisions of the section of this Act of which the marginal note is “Provisions applicable to the last two preceding sections” the expenses incurred by the Corporation in constructing the sewer so far as they do not exceed the sum authorised by that section shall be apportioned by the Corporation on the premises fronting adjoining or abutting on the street or part of a street according to the frontages of the respective premises as existing at the date when the resolution becomes operative.

(2) Such resolution as aforesaid shall become operative when but not until notice thereof is published in a local newspaper circulating in the borough. Copies of the newspaper containing the notice shall be sufficient evidence of the publication thereof.

(3) Nothing in this section shall authorise the apportionment of any sum on any land in contravention of any agreement between the Corporation and the owner of the land.

Apportion-
ment to
frontagers
of expenses
of construc-
tion of sewer
before land
became a
street.

60.—(1) Where the Corporation have incurred expenses in constructing after the passing of this Act a length of sewer in or under land within the borough and that land has subsequently become a street (whether repairable by the inhabitants at large or not) then subject to the provisions of the next succeeding section of this Act the expenses so incurred so far as they do not exceed the sum authorised by that section shall be apportioned by the Corporation on the premises fronting

adjoining or abutting on the street according to the frontages of the respective premises.

A.D. 1937.

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PART III.
—cont.

(2) Where on the construction of the length of sewer compensation became due to the owner of any land in on or over which the length of sewer was constructed in respect of the damage he sustained by reason of such construction and any sum was set off against such compensation on account of the value of land belonging to such owner having been enhanced by the construction of the length of sewer this section shall not apply to the length of sewer or to such part thereof as was constructed in on or over such land as aforesaid.

(3) Nothing in this section shall authorise the apportionment of any sum on any land in contravention of any agreement between the Corporation and the owner of the land.

61.—(1) The sum apportionable under either of the two last preceding sections of this Act shall not exceed the sum certified by the surveyor to be at the time the average cost per lineal yard of providing a sewer having an internal diameter of nine inches in a private street in the borough multiplied by the extent in lineal yards (as so certified) of the sewer or length of sewer in question.

Provisions applicable to the last two preceding sections.

(2) As soon as the apportionment has been made the Corporation shall serve on the owners of the several premises affected notice in writing of the sums respectively apportioned to them and the notice shall state the right of appeal hereinafter conferred.

(3) Any owner on whose premises any sum has been apportioned shall be entitled within fourteen days of the service upon him of such a notice as aforesaid to appeal to a court of summary jurisdiction against the amount of the sum so apportioned and may on such appeal dispute the correctness of the surveyor's certificate.

If the court finds that the certificate of the surveyor is erroneous the court shall order the revision of the sums apportioned not only to the appellant but also to the owners of the other premises affected.

(4) Whenever a new building (other than a building not requiring a foul water drainage system) is erected on any premises fronting adjoining or abutting on the

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PART III.
—cont.

street or part of the street after the date when the resolution became operative or the street was laid out (as the case may be) the sum apportioned on those premises shall be recoverable to an extent proportional to the frontage on the street or part of the street of the site of and the land occupied with the new building :

Provided that where the drains of such new building are at the time of its erection made to connect with a sewer other than the sewer the expenses of the construction of which are apportioned no sum shall be recoverable in respect of the building unless and until the drains thereof are connected with the last mentioned sewer.

For the purposes of this subsection—

(a) a building shall be deemed to be a new building erected after the date in question unless the erection of the building was completed before that date;

(b) any such re-erection alteration or extension of a building as is mentioned in the Third Schedule to the Restriction of Ribbon Development Act 1935 shall be deemed to be the erection of a new building Provided that references in the said schedule to the date on which the restrictions came into force shall for the purposes of this subsection be construed as references to the date when the resolution became operative or the street was laid out as the case may be.

(5) The sum apportioned on any premises shall notwithstanding that no part thereof is immediately recoverable be treated as a local land charge for the purposes of the Land Charges Act 1925 and where part thereof has become recoverable the balance shall be so treated.

15 & 16
Geo. 5. c. 22.

(6) No interest shall be chargeable on any apportioned sum or any part thereof until it becomes recoverable.

(7) Where such a resolution as is mentioned in the section of this Act of which the marginal note is "Apportionment to frontagers of expenses of sewer constructed under public highway" has been passed but the construction of the sewer to which it relates

has not been completed within two years from the date when the resolution became operative all liabilities of frontagers consequent thereon shall cease to have effect.

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(8) If any person from whom an apportioned sum or any part thereof becomes recoverable proves that by reason of the length of frontage of the land occupied with the building in respect of which the sum so recoverable is payable the amount recoverable is disproportionate to the benefit accruing to the premises the Corporation or on appeal a court of summary jurisdiction may remit such part of that sum as they may think just but in such case if another new building is subsequently erected on the land occupied with the first-mentioned building the sum remitted or such part thereof as is proportional to the frontage of the site of and land occupied with that other building shall become recoverable.

(9) Where under this section any sum becomes recoverable in respect of any premises that sum together with interest from the date of service of a demand therefor may be recovered summarily as a civil debt by the Corporation from the person who is the owner of the premises at the date when a demand for payment is served and as from that date that sum and interest accrued due thereon shall until recovered be a charge on the premises and on all estates and interests therein and the following provisions of the Public Health Act 1936 shall apply as if they were re-enacted in this Act and in terms made applicable thereto (that is to say):—

Subsections (2) to (4) of section 291;

Subsection (2) of section 293;

Section 329 :

Provided that in any summary proceedings for the recovery of any such sum it shall not be open to the defendant to raise any question which could have been raised on an appeal under subsection (3) of this section.

62. If on a complaint by the Corporation to a court of summary jurisdiction it is proved to the satisfaction of the court—

As to
evasion by
owners of
sewerage
expenses.

- (i) that the owner of any land has conveyed sold leased or otherwise disposed of a portion of the land; and

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—cont.

(ii) that by reason of such disposition the residue of the land or any part thereof has ceased to be or has not become land fronting adjoining or abutting on a street within the meaning of the section of this Act of which the marginal note is “Apportionment to frontagers of expenses of sewer constructed under public highway” or as the case may be of the section of this Act of which the marginal note is “Apportionment to frontagers of expenses of construction of sewer before land became a street”; and

(iii) that the disposal of such portion of the land was effected with the intention and for the purpose of evading the payment of expenses under either of the sections in question;

then the court shall order that such expenses shall be apportioned on the land which immediately before the date of such conveyance sale lease or disposal included the land so conveyed sold leased or disposed of and thereafter such expenses may be recovered from the owner of any part of that land on which a new building within the meaning of the last preceding section of this Act is erected and shall be a charge on any such part of that land and on all estates and interests therein to the same extent and in the same manner as any sum apportioned under either of the said sections of this Act whereof the marginal notes are “Apportionment to frontagers of expenses of sewer constructed under public highway” and “Apportionment to frontagers of expenses of construction of sewer before land became a street” may be recovered and is charged on the premises under the last preceding section of this Act.

Saving for
railway
companies.

63. Nothing in this Part of this Act except the sections of which the marginal notes are—

“Further powers as to future line of streets”;

“Provision as to forecourts”;

“Fencing of forecourts”;

“Planting of trees in private streets”;

“As to pavement lights”;

“Direction signs”;

- “ Means of access to buildings ” ;
“ Signs over streets ” ;
“ As to hoardings and similar structures ” ;
“ As to erection of hoardings &c. at street corners ” ;
“ Repair of hoardings &c. ” ;
“ Power to order alteration of chimneys ” ;
“ Sanitary conveniences for workmen engaged on buildings ” ;
“ Restriction on erection of temporary stands &c. ” ;
“ Water from buildings &c. to be conveyed to sewers ” ;
“ Separate sewers for sewage and surface water ” ;
“ Apportionment to frontagers of expenses of sewer constructed under public highway ” ;
“ Apportionment to frontagers of expenses of construction of sewer before land became a street ” ;
and
“ Provisions applicable to the last two preceding sections ” ;

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—cont.

shall extend or apply to any building (not being a house or building used as offices other than a building so used which forms part of a railway station) railway or work constructed by or belonging to or which may hereafter be constructed by or belong to any railway company in the exercise of their statutory powers or to any lands held or acquired or which may hereafter be held or acquired by such company with the authority of Parliament so long as any such building railway work or land is used or held by the company primarily for railway purposes.

In this section the expression “ railway company ” includes the London Passenger Transport Board.

PART IV.

INFECTIOUS DISEASE AND SANITARY PROVISIONS.

64.—(1) As from the commencement of this section any parent or other person having the care or charge of a child attending at a school in the borough who is aware of or has reason to suspect the occurrence of

Parents &c.
to notify
certain
diseases.

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PART IV.
—cont.

a disease to which this section applies in any person residing with him or is himself suffering from such a disease and who fails forthwith to notify such occurrence to the head teacher principal or superintendent of the school shall be liable to a penalty not exceeding twenty shillings.

In any proceeding under this subsection a certificate purporting to be under the hand of the head teacher principal or superintendent of the school at which the child named in the certificate is in attendance stating that he has or has not received any notification as required under this section shall be evidence of the facts stated in such certificate unless the defendant shall require that the person by whom the certificate has been signed shall be called as a witness.

(2) The diseases to which this section applies are notifiable diseases as defined in section 343 of the Public Health Act 1936 and any other disease which the Minister by regulation made under section 143 of the Public Health Act 1936 declares to be a notifiable disease for the purpose of this section.

(3) For the purposes of this section the expression "school" shall include a Sunday school.

(4) The head teacher principal or superintendent of any school shall whenever so required produce for the inspection of the medical officer any notification or record of notifications under this section.

Power to
close schools
and exclude
children
from enter-
tainments.

65.—(1) If the Corporation or any committee of the council acting on the advice of the medical officer with the view of preventing the spread of a disease to which this section applies require the closing of any Sunday school or day school or any department thereof or the exclusion of certain children therefrom for a specified time or the exclusion of children from places of public entertainment or assembly for a specified time such requirement shall be at once complied with.

(2) Any person responsible for the conduct or management of any Sunday school or day school or any department thereof or place of public entertainment or assembly wilfully failing to comply with any such requirement shall for every such failure be liable to a penalty not exceeding five pounds.

(3) The diseases to which this section applies are notifiable diseases as defined in section 343 of the Public Health Act 1936 and any other disease which the Minister by regulation made under section 143 of the Public Health Act 1936 declares to be a notifiable disease for the purpose of this section.

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—cont.

66.—(1) As from the commencement of this section no person of or exceeding the age of sixteen years who has the custody charge or care of a child—

Restrictions
on attend-
ance at
schools and
places of
assembly.

(a) who is or has been attending any school or any part thereof which for the time being is closed by order of the Corporation or of the education committee of the council with the view of preventing the spread of a disease to which this section applies; or

(b) who is suffering from a disease to which this section applies; or

(c) who with the view of preventing the spread of a disease to which this section applies has been prohibited from attending school by the medical officer or school medical officer;

shall permit such child to attend any Sunday school or day school or place of public entertainment or assembly without having procured from the medical officer or school medical officer or the medical practitioner attending the child a certificate (which if granted shall be granted free of charge upon application) that in his opinion such child may attend such Sunday school or day school or place of public entertainment or assembly without undue risk of communicating disease to others.

(2) Any person who offends against the provisions of this section shall be liable to a penalty not exceeding forty shillings.

(3) The diseases to which this section applies are notifiable diseases as defined in section 343 of the Public Health Act 1936 and any other disease which the Minister by regulation made under section 143 of the Public Health Act 1936 declares to be a notifiable disease for the purpose of this section.

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Application
to day
schools.

67. In the two last preceding sections the expression "day school" means a school (not being a school provided by a local education authority) at which some or all of the children are not boarders but the provisions of those sections shall not apply to the attendance at a day school of children who are boarders at that school.

Byelaws as
to private
schools.

68. The Corporation may make byelaws—

- (a) for securing the adequate heating lighting and ventilation of and the provision of adequate appliances for the prevention of fire and the provision of adequate means of escape in case of fire at premises used as schools not maintained by the Corporation; and
- (b) for securing the provision of adequate washing and closet accommodation for children attending such premises for the purposes of education and adequate facilities for drying the clothes of such children.

Information
to be fur-
nished in
case of
notifiable
disease.

69.—(1) The occupier of any building which is used for human habitation and in which there is or has been any person suffering from a notifiable disease shall on the application of the medical officer at any time during the illness of such person or within six weeks from the existence of such illness furnish such information within his knowledge as the medical officer may reasonably require for the purpose of enabling measures to be taken to prevent the spread of the disease.

(2) Any occupier refusing to furnish such information or knowingly furnishing false information shall be liable to a penalty not exceeding forty shillings.

Entry into
premises
in case of
disease.

70.—(1) If the medical officer has reasonable cause to believe that in any premises there is a person who is suffering or who has recently suffered from a notifiable disease he may on obtaining a warrant from a justice of the peace which such justice is hereby authorised to grant enter such premises and examine any person found therein with a view to ascertaining whether he is suffering or has recently suffered from such disease:

to stop his employment and the court shall have power to make such an order if after consideration of all the circumstances it thinks fit to do so and may direct that such compensation as it deems equitable shall be paid by the Corporation to such person.

(3) If any such person fail to comply with any such order he shall be liable to a penalty not exceeding forty shillings and to a daily penalty not exceeding ten shillings.

(4) This section shall not apply to any employment or occupation to which the Public Health (Prevention of Tuberculosis) Regulations 1925 apply.

80.—(1) As from the commencement of this section no premises shall be used for the preparation or manufacture of sausages or potted pressed pickled or preserved meat fish or other food intended for sale unless the premises are registered under this section for that purpose by the Corporation.

(2) If any person uses any premises in contravention of this section he shall be guilty of an offence and liable to a penalty not exceeding forty shillings and to a daily penalty not exceeding twenty shillings.

(3) Every application for the registration of premises under this section shall be made by the owner or occupier of the premises or by the person intending to occupy them.

(4) If the Corporation are satisfied that any premises are unsuitable for the purpose for which they have been registered under this section or for which application for registration has been made under this section the Corporation may serve upon—

(a) the occupier for the time being of the premises or the person on whose application the premises were registered; or

(b) the person applying for such registration;

(as the case may be) a notice requiring him to appear before them on such day not being earlier than seven days after the date of the notice as may be specified therein to show cause why the Corporation should not for reasons specified in the notice cancel the registration of the premises for the said purpose or refuse the application and if that person fail to show cause to the

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—cont.

Registration
of premises
used for pre-
paration of
potted and
preserved
foods.

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—cont.

satisfaction of the Corporation why they should not do so the Corporation may cancel the registration of the premises for that purpose or refuse the application.

Any such notice shall state the effect of the two next succeeding subsections.

(5) If the Corporation cancel the registration or refuse the application they shall if required by such occupier or person as aforesaid deliver to him within seven days of the receipt of such requirement a statement in writing of the ground or grounds upon which such cancellation or refusal is based.

(6) Any person appealing under the section of this Act of which the marginal note is "As to appeals" against any decision of the Corporation under this section shall do so within fourteen days after the date of such decision.

(7) The medical officer the sanitary inspector or any other officer of the Corporation appointed for the purpose shall have power at all reasonable times to enter any premises in the borough to which he has reasonable cause to believe that the provisions of this section apply for the purpose of ascertaining—

(a) whether there is occurring therein any contravention of the said provisions; or

(b) in the case of premises which have been registered by the Corporation under this section for any of the purposes specified in subsection (1) thereof or in respect of which application for such registration for any of those purposes has been made to them whether the premises are suitable for that purpose or any of the purposes specified in subsection (1) of this section.

(8) For the purpose of this section the preparation of meat or fish by any process of cooking shall be deemed to be the preservation thereof.

(9) This section shall not apply in relation to any premises used as a club hotel or restaurant.

Byelaws as
to food.

81.—(1) The Corporation may make byelaws for promoting and securing sanitary and cleanly conditions in the transport or exposure for sale in the open air of any article intended to be sold for food.

(2) At least one month before applying to the Minister for confirmation of any byelaws made under this section applicable to the transport of food by a railway company or the London Passenger Transport Board the Corporation shall give notice to the company or board of their intention to make such application and such notice shall be accompanied by a copy of the proposed byelaws and such company or board shall be entitled to make representations to the Minister with regard thereto.

(3) The medical officer and the sanitary inspector and any other officer duly authorised by the Corporation in that behalf shall be entitled at all reasonable times to enter into and inspect any premises on which he suspects that there is any contravention of a byelaw made under this section and any person refusing such entry or inspection or obstructing any such officer as aforesaid in the execution of his duty shall be liable to a penalty not exceeding forty shillings :

Provided that in exercising the powers conferred on them by this subsection at any railway premises owned or used by a railway company or the London Passenger Transport Board the Corporation shall comply with such reasonable requirements of such company or board as are necessary to prevent obstruction to or interference with the working of the traffic of the railway thereat and such railway company or board shall not be liable for any accident or injury happening to any officer servant or agent of the Corporation upon any lines of rails belonging to such company or board or upon any land immediately adjoining any such lines of rails.

82.—(1) Every registered medical practitioner attending on a person in the borough who is or is suspected to be suffering from food poisoning shall forthwith on becoming aware that such person is or is suspected to be so suffering send to the medical officer a notification of the case stating the name of such person and the place at which such person is.

Medical
practitioners
to notify
cases of food
poisoning.

(2) The Corporation shall pay to every registered medical practitioner for each notification duly sent by him in accordance with this section a fee of two shillings and sixpence if the case occurs in his private practice

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Byelaws as
to stables.

and of one shilling if the case occurs in his practice of medical officer of any public body or institution.

83. The Corporation may make byelaws for securing the proper ventilation and lighting of any existing stable used for the accommodation of horses (whether the same is used as such at the commencement of this Act or not) and for the prevention of insanitary conditions (a) in or about or arising out of any such stable or (b) in or about or arising out of or with regard to the situation in reference to other buildings of any stable erected after the commencement of this section.

Byelaws as
to lodging-
houses.

84. Section 6 of the Housing Act 1936 shall operate so as to empower the Corporation to make byelaws relating to houses which are let in lodgings or occupied by members of more than one family so as to require a separate approach to each room or tenement separately occupied without passing through any other room or tenement.

Byelaws as
to tipping
refuse.

85.—(1) Section 81 of the Public Health Act 1936 shall extend to empower the Corporation to make byelaws for regulating the tipping of dust spoil and refuse and for prohibiting the use of any refuse tip so as to be a nuisance to the occupiers of any premises in the neighbourhood thereof.

(2) The Corporation may by any byelaws made by them in pursuance of this section impose on offenders against the same such penalties as they think fit not exceeding the sum of fifty pounds for each offence and in the case of a continuing offence a further penalty not exceeding ten pounds for each day on which the offence is continued after conviction thereof.

(3) Without prejudice to any other remedy available the Corporation if satisfied of the existence of any conditions constituting a breach of any byelaw made in pursuance of this section may proceed in the same way as they are by the Public Health Act 1936 authorised to proceed with respect to a statutory nuisance of the existence of which they are satisfied and sections 93 to 98 inclusive of that Act shall apply accordingly.

(4) Provided that a person offending against any byelaws made in pursuance of this section shall not in

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—cont.

or registration of any person or premises the application for the licence or registration may be made and determined before the provision comes into operation.

(2) A copy of a newspaper containing such advertisement shall be sufficient evidence of the publication of the advertisement.

(3) This section shall apply to the sections of this Part of this Act of which the marginal notes are—

“Parents &c. to notify certain diseases”;

“Restrictions on attendance at schools and places of assembly”;

“Power to refuse registration of or remove ice-cream manufacturers from register”;

“Registration of hawkers of meat fish fruit and vegetables and premises”;

“As to sale of food from barrows &c.”;

“Registration of premises used for preparation of potted and preserved foods.”

(4) As respects any of the said provisions which requires the licensing or registration of persons carrying on any business or of premises used for any purpose it shall be lawful for any person who when such provision comes into operation—

(a) was carrying on any such business or using any premises for any such purpose; and

(b) had made application in accordance with the provisions of this Act for such licence or registration as is required by this Act;

to continue to carry on such business and to use such premises for such purpose until such time as he has been informed of the decision with regard to his application and if the decision is adverse during such further time as is provided under subsection (6) of the section of this Act of which the marginal note is “As to appeals.”

Commence
ment of
other pro-
visions of
this Part of
Act.

87. The provisions of the sections of this Part of this Act which are not mentioned in subsection (3) of the last preceding section shall come into operation on the first day of October one thousand nine hundred and thirty-seven.

respect of such offence be subjected both to a penalty under the byelaws and to a penalty under section 94 of the Public Health Act 1936 as applied by subsection (3) of this section nor shall any such offender be subjected in respect of one and the same period both to a further penalty under the byelaws for the continuance of his offence after conviction and to a penalty under section 95 of the Public Health Act 1936 (as so applied) for failing to comply with an order or contravening an order.

(5) No byelaw under this section shall extend to regulate or control the tipping of spoil and refuse by a railway or canal company or the London Passenger Transport Board for the purpose of constructing widening or maintaining any railway canal dock or wharf works.

(6) No byelaw made by the Corporation under this section shall extend to regulate the tipping of spoil or refuse by the Gas Light and Coke Company upon any lands authorised to be used for the manufacture of gas or to prohibit the use of any such lands for the said purpose.

(7) At least one month before applying to the Minister for confirmation of any byelaws made under this section the Corporation shall give notice to the county council of the administrative county of Essex of their intention to make such application and such notice shall be accompanied by a copy of the proposed byelaws.

86.—(1) The provisions of this Part of this Act to which this section applies shall come into operation on but not until such date (not being earlier than the first day of October one thousand nine hundred and thirty-seven) as may be fixed by a resolution of the council of which date public notice shall be given by the Corporation by advertisement in one or more local newspapers circulating in the borough Every such advertisement shall state the effect of the provisions to which it relates and the date specified therein as the date upon which such provisions shall come into operation shall not be less than one month after the date of publication of the advertisement Provided that if the provision is one which requires the licensing

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—cont.

Commence-
ment of
certain
provisions
of this Part
of Act.

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PART V.

LANDS.

88.—(1) The Corporation notwithstanding that the same may not be immediately required may by agreement purchase or acquire or take on lease and hold any lands which in their opinion it is desirable that the Corporation should acquire for or in connection with the purposes of any of their undertakings powers or duties or for the benefit improvement or development of the borough.

Further powers for acquisition of lands.

(2) When any lands purchased or acquired or taken on lease by the Corporation under this section shall be appropriated to any undertaking or to any of their powers or duties a transfer of the outstanding loan in respect thereof shall be effected to the proper account in the books of the Corporation and pending such appropriation all expenses incurred by the Corporation under this section shall be payable out of the general rate fund and general rate.

(3) Section 6 (Further powers to local authorities to acquire lands) of the Essex County Council Act 1933 shall cease to apply to the Corporation.

89.—(1) Notwithstanding anything in the Lands Clauses Acts to the contrary the Corporation may retain and hold and use for such time as they may think fit or may sell lease exchange or otherwise dispose of in such manner and for such consideration and on such terms and conditions as they may think fit and either in consideration of the execution of works or of the payment of a gross sum or of an annual rent or of any payment in any other form any lands or any interest therein acquired by them under this Act or any general or local Act for the time being in force in the borough (other than the Housing Act 1936 or any Act repealed by that Act) and may sell exchange or dispose of any rents reserved on the sale lease exchange or disposition of such lands or interest therein and may make do and execute any deed act or thing proper for effectuating any such sale lease exchange or other disposition and on any exchange may give or take any money for equality of exchange :

Retention and disposal of lands.

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PART V.
—cont.

Provided that the Corporation shall not without the consent of the Minister sell lease exchange or otherwise dispose of any such lands or any interest therein at a price or rent or for a consideration of a value less than the current market value of such lands or interests but a purchaser or lessee shall not be concerned to inquire whether the consent of the Minister is necessary or has been obtained :

Provided also that nothing in this section shall be taken to dispense with the consent of any Government department to any sale lease appropriation or other disposition of any lands of the Corporation (other than lands acquired under any local Act applying to the Corporation) in any case in which such consent would have been required if this Act had not been passed.

(2) Nothing in this section shall release the Corporation or any person purchasing or acquiring any lands from them under this section from any rents covenants restrictions reservations terms or conditions made payable by or contained in any conveyance lease or other deed or instrument by which any such lands were or may hereafter be conveyed or leased to or otherwise acquired by the Corporation or any person from or through whom the Corporation may have derived or may hereafter derive title to the same but all such rents covenants restrictions reservations terms and conditions shall remain and be of as full force and effect and may be recovered exercised enjoyed and enforced in the like manner and to the same extent as if this Act had not been passed.

Reservation
of ease-
ments &c.

90. The Corporation on selling any lands may reserve to themselves all or any part of the rights or easements belonging thereto and may make the sale subject to such reservation accordingly and may also make any such sale subject to such other reservations special conditions restrictions and provisions with respect to the exercise of noxious trades or the discharge or deposit of manure sewage or other impure matter and otherwise as they may think fit.

Powers with
reference to
leases of
lands.

91.—(1) The Corporation may accept a surrender of any lease or letting granted by them of lands acquired under the powers of this Act or any local Act for the time being in force within the borough and in their

Provided that the medical officer shall not under the powers of this section—

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PART IV.
—cont.

(a) enter any premises except between the hours of seven in the morning and ten in the evening; or

(b) examine a person who is already under the treatment of a registered medical practitioner except with the consent of the latter.

(2) Any person who obstructs the medical officer in the exercise of his power under this section shall in addition to any other punishment to which he may be subject be liable to a penalty not exceeding five pounds.

71. The Corporation may provide and supply (with or without charge therefor) to any registered medical practitioner antidotes and remedies against any notifiable disease.

Supply of
antidotes
against any
notifiable
disease.

72.—(1) If the medical officer certifies in writing that any person in the borough—

Removal of
infirm and
diseased
persons in
certain
cases.

(a) is aged or infirm or physically incapacitated and resides in premises which are insanitary owing to any neglect on the part of the occupier thereof or under insanitary conditions; or

(b) is suffering from any grave chronic disease;

and that such person is unable to devote to himself or to receive from persons with whom he resides proper care and attention and that thorough inquiry and consideration have shown the necessity in the interests of the health of such person and for preventing injury to the health of or serious nuisance to other persons that he should be removed from the premises in which he is residing the medical officer may make application to a court of summary jurisdiction and such court upon oral proof of the allegations in such certificate and subject to examination of such person by a registered medical practitioner to be nominated by them (if they think fit) may make an order for the removal of such person to a suitable hospital infirmary or other institution or other suitable place provided within the borough or within a convenient distance of the borough and for the detention and maintenance of such person therein for

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PART IV.
—cont.

such period (not exceeding three months) as may be determined by such order or such further period or periods (each not exceeding three months) as may be determined by any further order or orders made under and in accordance with the provisions of this section.

(2) The medical officer shall give to any person proposed to be removed under the provisions of this section or to some person being in charge of such person three clear days' notice of his intention to make such application and of the time and place when and where such application will be made.

(3) The cost of the removal of any person to a hospital infirmary or other institution or place as aforesaid and of his detention and maintenance therein in pursuance of an order made under this section shall be borne by the Corporation and during any period for which a person is so detained the Corporation may and if so required by the court shall make towards the maintenance of any dependants of that person such contributions as the Corporation think fit or as may be directed by the court as the case may be :

19 & 20
Geo. 5. c. 17.

Provided that where the institution to which the said person is to be removed is a public assistance institution the authority to whom the institution belongs may in the exercise of their powers under any scheme made under Part I of the Local Government Act 1929 assume such obligations with regard to the maintenance of the said person and his dependants as may be agreed between that authority and the Corporation.

(4) An order under this section may be addressed to such officer of the Corporation as the court making the same may think expedient and any person who wilfully disobeys or obstructs the execution of such order shall be liable to a penalty not exceeding ten pounds.

(5) At any time after but not before the expiration of six clear weeks from the making of the order an application may be made to a court of summary jurisdiction acting for the same place as the court which made the order by or on behalf of the person in respect of whom the order was made for the rescission of the order and such court may make a rescission order accordingly if having regard to the circumstances of the case they

are of opinion that it is right and proper that such rescission order should be made.

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—cont.

Such person or other the person making the application shall give to the medical officer not less than three clear days' notice of his intention to make the application and of the time and place when and where the application will be made.

(6) The powers of this section shall not be put into operation by the medical officer unless he is authorised by a resolution of the Council so to do either generally or in any particular case in which those powers are proposed to be exercised and no order shall be made under the provisions of this section for the removal of any person to any hospital or other institution without the consent in writing of the authority or body having the control thereof.

73. As from the commencement of this section the Corporation if they are satisfied that the public health is or is likely to be endangered by any act or default of any person who is registered with the Corporation or who seeks to be registered with the Corporation as a manufacturer or vendor of or merchant or dealer in ice-cream or other similar commodity under section 158 (Registration of vendors of ice-cream and premises used by them) of the Essex County Council Act 1933 in relation to the quality storage or distribution of the ice-cream or other commodity may serve upon him a notice to appear before them not less than seven days after the date of the notice to show cause why the Corporation should not for reasons to be specified in the notice refuse to register him or remove him from the register as the case may be either absolutely or in respect of any specified premises and if he fail to show cause to their satisfaction accordingly they may refuse to register him or remove him from the register as the case may be.

Power to refuse registration of or remove ice-cream manufacturers from register.

74.—(1) Section 72 of the Public Health Act 1925 (except paragraphs (d) and (e) of subsection (2) of that section) shall apply so far as applicable to a yard in which food is prepared for sale or in which any food other than food contained in receptacles so closed as to exclude all risk of contamination is sold or is stored or kept with a view to future sale and to which yard

Extension of powers of section 72 of Public Health Act 1925.

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PART IV.
—cont.
7 Edw. 7.
c. 32.

the Factory and Workshop Act 1901 as amended by any subsequent enactment or any regulation made under the Public Health (Regulations as to Food) Act 1907 does not apply.

(2) The said section shall in its application to the borough be read and have effect as if the following provisions were added after subsection (2) thereof (that is to say):—

“The occupier of any room to which this section applies and which is used for the preparation of food for sale or (except in the case of food contained in receptacles so closed as to exclude all risk of contamination) for the sale of food shall cause to be provided in connection with the room—

- (a) a satisfactory water supply; and
- (b) suitable washing sinks with a sufficient supply of hot water together with an adequate supply of soap and towels for the use for toilet purposes of persons employed therein.”

As to
inspection
of premises
used for
storage of
food.

75.—(1) On any inspection of any room or yard carried out by the medical officer sanitary inspector or any other officer of the Corporation under the provisions of subsection (5) of section 72 of the Public Health Act 1925 such officer shall have power to take samples of any materials commodities or articles of food found therein making reasonable payment therefor and if he intends to submit any sample to analysis or bacteriological examination he shall forthwith notify to the occupier of such room or yard or his agent his intention to have the same analysed by the public analyst or examined by a bacteriologist appointed by the Corporation or employed by them for the purpose and shall divide the sample into three parts to be then and there separated and each part to be marked and sealed or fastened up in such manner as its nature will permit and shall if required to do so deliver one of the parts to such occupier or agent The officer shall afterwards retain one of the said parts for future comparison and submit the third part if he deems it right to have the sample analysed or examined to the public analyst or such bacteriologist.

(2) The expression "public analyst" in this section means the analyst appointed in pursuance of section 15 of the Food and Drugs (Adulteration) Act 1928.

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PART IV.
—cont.

(3) If any such officer as aforesaid has reasonable ground for suspecting that any material commodity or article of food of which he takes a sample under the powers of this section is likely to cause the occurrence of food poisoning he may by notice in writing delivered to the occupier of the room or yard in which such material commodity or article is found or his agent require that such material commodity or article or any part thereof shall not during such time not exceeding forty-eight hours as may be appointed by such notice or during any longer time which may with the consent of such occupier or his agent be appointed by a further notice delivered as aforesaid be removed except to such place as may be specified in the notice.

76. Sections 116 to 118 of the Public Health Act 1875 as amended by section 28 of the Public Health Acts Amendment Act 1890 shall extend to authorise the medical officer or the sanitary inspector to inspect examine and search any cart or other vehicle or any basket sack bag or parcel whether open or closed in which he has reason to suspect that there is any animal or any of the articles referred to in the said sections intended for sale for food or in the course of delivery after sale for food and the provisions of such sections shall apply accordingly :

Further powers in relation to unsound food.
53 & 54 Vict.
c. 59.

Provided that nothing in this section shall authorise the inspection examination or search of any cart or other vehicle belonging to a railway company and used by them for the purposes of their traffic or of any basket sack bag or parcel in the possession of such company as carriers thereof.

77.—(1) As from the commencement of this section the following provisions shall have effect in the borough (that is to say):—

Registration of hawkers of meat fish fruit and vegetables and pre-mises.

(a) Any person other than a person keeping open shop for the sale of meat or meat food product or fish or fruit or vegetables who shall by himself or by any person employed by him sell or offer or expose for sale any meat or meat

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PART IV.
—cont.

food product or fish or fruit or vegetables from any cart or other vehicle or from any basket or barrow; and

- (b) Any premises used or proposed to be used as storage accommodation for any meat or meat food product or fish or fruit or vegetables intended for sale from a cart or other vehicle or from a basket or barrow;

shall be registered with the Corporation in the case of any such person by himself and in the case of any such premises by the owner or occupier or intending owner or occupier thereof.

(2) (a) No person other than a person keeping open shop for the sale of meat or meat food product or fish or fruit or vegetables shall by himself or by any person employed by him sell or offer or expose for sale any meat or meat food product or fish or fruit or vegetables from any cart or other vehicle or from any basket or barrow unless he is so registered as aforesaid.

(b) No premises shall be used as storage accommodation for any meat or meat food product or fish or fruit or vegetables intended for sale from a cart or other vehicle or from a basket or barrow unless such premises are so registered as aforesaid.

(3) Any person who offends against the provisions of this section shall be liable to a penalty not exceeding forty shillings and to a daily penalty not exceeding twenty shillings.

(4) (a) The Corporation may refuse to register any such person or premises as is or are referred to in subsection (1) of this section or (after giving one month's notice in writing to the person registered or in whose name any such premises are registered) may revoke the registration of any such person or premises if they are satisfied (as regards any such person) that the public health is or is likely to be endangered by any act or default of such person in relation to the quality storage or distribution of the meat or meat food product or fish or fruit or vegetables as the case may be or (as regards any such premises) that such premises are not suitable to be used for the purposes aforesaid:

Provided that before refusing or revoking such registration the Corporation shall serve upon the person applying for registration or upon the person registered or in whose name such premises are registered a notice to appear before them not less than seven days after the date of the notice to show cause why the Corporation should not for reasons to be specified in the notice refuse to register or revoke the registration of the person or premises Any such notice shall state the effect of paragraphs (b) and (c) of this subsection.

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PART IV.
—cont.

(b) If the Corporation refuse to register or revoke the registration of any such person or premises they shall if required by the person applying for such registration or the person registered or in whose name the premises are registered deliver to him within seven days of the receipt of such requirement a statement in writing of the ground or grounds upon which such refusal or revocation is based.

(c) Any person appealing to a court of summary jurisdiction (under the section of this Act of which the marginal note is "As to appeals") against any such refusal or revocation shall do so within fourteen days of the notice of such refusal or revocation.

(5) The medical officer the sanitary inspector or any other officer of the Corporation appointed for the purpose shall have power at all reasonable times to enter and inspect any premises in the borough in respect of which an application has been received for registration under the provisions of this section and also any premises which he shall have reason to believe are being used as storage accommodation for meat or meat food product or fish or fruit or vegetables intended for sale from a cart or other vehicle or from a basket or barrow.

(6) The Corporation shall keep a register of the persons and premises registered under the provisions of this section.

(7) In and for the purposes of this section—

"meat" means the flesh of cattle swine sheep or goats including bacon and ham and edible offal and fat which is sold or intended for sale for human consumption;

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PART IV.
—cont.

“meat food product” means any article of food intended for sale for human consumption and derived or prepared in whole or in part from meat.

As to sale of
food from
barrows &c.

78.—(1) As from the commencement of this section every dealer in any article intended for food vending his wares from any cart barrow vehicle or stall or from a basket pail container or similar receptacle used without a cart barrow vehicle or stall shall have his name and address legibly painted inscribed or displayed on such cart barrow vehicle pail basket container or receptacle or clearly exhibited on such stall and any person who shall fail to comply with this section shall be liable to a penalty not exceeding forty shillings :

5 & 6 Geo. 5.
c. 66.

Provided that no person shall be liable to a penalty under the provisions of this subsection if the offence is one to which the provisions of section 6 of the Milk and Dairies (Consolidation) Act 1915 or subsection (3) of section 159 (For regulating manufacture and sale of ice-cream &c.) of the Essex County Council Act 1933 or any regulations made under the Public Health (Regulations as to Food) Act 1907 apply.

(2) In this section the expression “stall” includes any structure or erection from which food is offered for sale in a street or other open space.

Power to
prohibit
persons in
advanced
state of
tuberculosis
from selling
&c. food.

79.—(1) If the medical officer shall certify that any person is suffering from tuberculosis of the respiratory tract and is in an infectious state and that he is employed within the borough in the cooking preparation or handling of food intended for consumption by persons other than himself or members of his household and that his continuance in such employment would in the judgment of the medical officer be detrimental to the public health the Corporation may request such person to stop his employment and on such request being made the Corporation may if they think fit make compensation to him in respect of any loss which he may sustain by reason of such stoppage.

(2) If any such person shall fail to comply with such request the Corporation may apply to a court of summary jurisdiction for an order requiring him

discretion grant either to the lessee or tenant under the surrendered lease or letting or to any other person a new lease or letting of all or any of the lands leased or let by the surrendered lease or letting and may grant reversionary leases of all or any of the lands as aforesaid.

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PART V.
—cont.

(2) The Corporation may enter into and carry into effect any agreement for or with respect to the surrender or grant of any such lease or letting and may in any such lease letting or agreement give to the lessee or tenant or intended lessee or tenant an option or right to purchase the fee simple in reversion or other the reversionary interest of the Corporation of or in all or any of the lands leased or let or agreed to be leased or let at such time and on such terms and conditions as may be determined by the Corporation in their discretion.

92.—(1) The Corporation may (with the consent of the Minister) lay out and develop any lands at any time belonging to the Corporation and not required for the purposes for which they were acquired and may erect and maintain houses shops offices warehouses and other buildings and construct sewer drain pave flag channel and kerb streets roads and ways on any of such lands.

Power to
develop
lands.

(2) The Corporation may use or dispose of the building or other materials of any houses and premises on any lands acquired or appropriated by them which they may deem it necessary or desirable to pull down.

93.—(1) The Corporation may purchase or take on lease houses for persons employed by them for the purposes of their several undertakings and offices and other buildings for those purposes and may erect fit up maintain and let any such houses and buildings upon any lands for the time being belonging to the Corporation and (subject to the terms of the lease) upon any lands for the time being leased to the Corporation for those purposes.

Houses for
persons in
employment
of Corpora-
tion.

(2) Nothing contained in this section shall empower the Corporation to create or permit a nuisance.

94.—(1) The Corporation may (so far as they consider necessary) apply subject to the approval of the Minister any capital moneys received by them on the

Proceeds of
sale of sur-
plus lands.

A.D. 1937. re-sale or exchange of or by leasing any lands acquired under the authority of this Act in the purchase of other lands but as to capital moneys so received and not so applied the Corporation shall apply the same in or towards the extinguishment of any loan raised by them under the powers of this Act or any other Act and such application shall be in addition to and not in substitution for any other mode of extinguishment of such loan except to such extent and upon such terms as may be approved by the Minister.

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PART V.
—cont.

(2) Any capital moneys received by the Corporation on the re-sale or exchange of or by leasing any lands acquired under any Act other than this Act shall be applied in the same manner as capital moneys received under that Act are applicable or in such other manner as may be approved by the Minister.

Power to
reinstate
owners of
property.

95. The Corporation may enter into and carry into effect agreements and arrangements with the owners of or other persons interested in any lands or buildings which may be acquired by the Corporation under the provisions of any general or local enactment from time to time in force in the borough with respect to the reinstatement of any such owners or other persons and with respect to the exchange of lands for that purpose and the Corporation may pay or receive money for equality of exchange.

PART VI.

PARKS.

Letting of
parks &c.

96.—(1) When any portion of any park or place of public resort or recreation has been set apart by the Corporation for the purpose of cricket football archery and other games and for the drill of volunteers yeomanry or cadets or any military or police force or for the purpose of the delivery of speeches or other matters or the holding of meetings under section 47 of the Ilford Improvement Act 1898 the Corporation may charge reasonable sums for the use thereof for that purpose.

(2) The Corporation may from time to time let for terms not exceeding a year to any club company body or person any portion of any park or place of public

resort or recreation set apart by them for any purpose under section 47 of the Ilford Improvement Act 1898 Provided that the area of any one park or place of public resort or recreation let by the Corporation under the provisions of this subsection shall not at any time exceed one-half of the total area of that park or place of public resort or recreation and the total area let by the Corporation under the provisions of this subsection shall not at any time exceed one-fifth of the total area of all the parks or places of public resort or recreation for the time being belonging to the Corporation or under their control.

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PART VI.
—cont.

97.—(1) The Corporation may procure officers appointed by them for securing the observance of this Part of this Act and of the provisions of all other Acts relating to parks and pleasure grounds and of the byelaws and regulations made thereunder to be sworn in as constables for that purpose but any such officer shall not act as a constable unless in uniform or provided with a warrant.

Officers may
be sworn in
as constables.

(2) Nothing in this section shall be deemed to render applicable to any such officer the provisions of the Police Pensions Act 1921 or any other enactments relating to pensions gratuities and allowances in respect of police service.

11 & 12
Geo. 5. c. 31.

98.—(1) The provisions of section 68 of the Public Health Act 1925 as amended by section 16 of the Restriction of Ribbon Development Act 1935 shall extend to enable the Corporation from time to time to utilise as lands which may lawfully be appropriated as a parking place or as parking places for vehicles such part or parts of their parks or pleasure grounds not exceeding in the case of any park or pleasure ground one acre as the Minister may sanction and the provisions of the said section relating to the utilisation for parking places of land not forming part of a street shall *mutatis mutandis* apply and have effect for the purposes of this subsection.

Power to
set apart
parts of
parks and
pleasure
grounds as
parking
places for
vehicles.

(2) The provisions of section 90 of the Road Traffic Act 1930 except subsections (1) (7) and (9) thereof shall apply to any parking place provided under this section.

20 & 21
Geo. 5. c. 43.

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PART VI.

—cont.

Saving for
trusts
affecting
lands or
buildings
held by Cor-
poration.

99. No power conferred upon the Corporation by this Part of this Act shall be exercised in such a manner as to be at variance with any trust subject to which any lands or buildings are held managed or controlled by the Corporation without an order of the High Court or of the Charity Commissioners or the Board of Education or (where the trust instrument reserves to the donor or any other person the power to vary the trust) without the consent of such donor or other person.

PART VII.

FINANCIAL.

Power to
borrow.

100.—(1) The Corporation shall have power in addition and without prejudice to their powers of borrowing under the Local Government Act 1933 from time to time to borrow without the consent of any sanctioning authority the sum or sums requisite for the payment of the costs charges and expenses of this Act and they shall pay off all moneys so borrowed within such period as the Corporation may determine not exceeding five years from the passing of this Act.

(2) The provisions of Part IX of the Local Government Act 1933 so far as they are not inconsistent with this Part of this Act shall extend and apply to money borrowed under this section as if it were borrowed under Part IX of that Act and the period fixed for the repayment of any money borrowed under this section shall as respects that money be the fixed period for the purpose of the said Part IX.

Application
of Local
Government
Act 1933 to
existing
sinking
funds.

101. Sections 213 and 214 of the Local Government Act 1933 shall apply with respect to any sinking fund formed by the Corporation for the repayment of any money borrowed (otherwise than by the issue of stock) before the passing of this Act under any statutory borrowing power as if it had been borrowed by way of mortgage and the Corporation shall make such adjustments of any existing sinking funds as may be proper.

Power to
borrow by
issue of
bonds.

102.—(1) In addition to any other form of borrowing the Corporation may exercise any statutory borrowing power by the issue of bonds to be called "Ilford Corporation bonds" (and in this Act referred

to as "bonds") in accordance with the provisions of this Act.

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PART VII.
—cont.

(2) Where the Corporation raise money by the issue of bonds sections 209 210 211 212 213 and 214 of the Local Government Act 1933 shall apply as if the money had been raised by borrowing by mortgage under that Act and bonds were mortgages within the meaning of that Act.

(3) The provisions set out in the First Schedule to this Act shall have effect with regard to bonds.

(4) Bonds shall be deemed to be loan capital or funded debt within the meaning of section 8 of the Finance Act 1899 as amended by section 10 of the Finance Act 1907.

62 & 63 Vict.
c. 9.

7 Edw. 7.
c. 13.

54 & 55 Vict.
c. 39.

(5) The provisions of section 115 of the Stamp Act 1891 (which relates to the composition for stamp duty) shall with the necessary adaptations apply in the case of bonds as if those bonds were stock or funded debt within the meaning of that section.

103.—(1) The Corporation may give notice to any person being registered as a holder of any authorised security of the Corporation (other than stock) that they intend to send interest or dividends to him by post if he does not object and if such person does not within fourteen days from the receipt of such notice give notice to the Corporation of such objection the Corporation may from time to time send orders for the payment of interest or dividend warrants by post to the address of such person appearing in the register Provided that if such person give notice to the Corporation that he desires such orders or warrants to be sent to another person at a given address the Corporation may from time to time send the same by post to such other person at such address.

Dividend
warrants
by post.

(2) Where more persons than one are registered as joint holders of any authorised security any one of them may for the purpose of this section be regarded as the holder of the security unless notice in writing to the contrary has been given to the Corporation by any other of them.

(3) The posting by the Corporation of an order for the payment of interest or a dividend warrant in pursuance of this section shall as respects the

A.D. 1937. liability of the Corporation be equivalent to the delivery of the order or warrant to the registered holder of the authorised security.

PART VII.
—cont.

45 & 46 Vict.
c. 61.

(4) Every order or warrant so sent by post shall be deemed to be a cheque and the Corporation shall in relation thereto be deemed a banker within the Bills of Exchange Act 1882.

Receipts in
case of
minors.

104. If any money is payable to a stockholder being a minor the receipt of his guardian shall be a sufficient discharge to the Corporation.

Closing of
registers.

105.—(1) The Corporation may close any transfer books or the registers of transfers of authorised securities (other than stock) during the whole of the period of thirty days or any shorter period next before the date on which interest on the authorised securities to which such transfer book or register relates is payable.

(2) The persons who on the date on which the transfer book or register is closed are entered therein as holders of any security of the class to which such transfer book or register relates shall be entitled to the interest next payable thereon.

Use of
moneys
forming
part of
sinking and
other funds.

106. Notwithstanding anything contained in this or any previous enactment the Corporation may use for the purpose of any statutory borrowing power exercisable by them any moneys forming part of but not for the time being required for the purposes of any fund accumulated for the redemption of debt or as a reserve renewals repairs depreciation capital reserve contingency insurance or other similar fund (in this section referred to as “the lending fund”) subject to the following conditions:—

(1) The moneys so used shall be repaid out of the general rate fund within the period and by the method within and by which a loan raised under the statutory borrowing power would be repayable:

Provided that the Corporation shall repay to the lending fund the moneys so used or the balance thereof for the time being outstanding as the case may be as and when the same shall be required for the purposes of the lending fund and may if they so resolve repay the same

at any time within the period aforesaid and in either case the repayment shall be made out of the general rate fund or out of moneys which would have been applicable to the repayment of a loan if raised under the statutory borrowing power :

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PART VII.
—cont.

- (2) in the accounts of the general rate fund an amount equal to interest calculated at such rate per centum per annum as may be determined by the Corporation to be equal as nearly as may be to the rate of interest which would be payable on a loan raised on mortgage under the statutory borrowing power on any moneys so used and for the time being not repaid shall be credited to the lending fund and debited to the undertaking or purpose with reference to which the moneys are so used :
- (3) The statutory borrowing power shall be deemed to be exercised by such use as fully in all respects as if a loan of the same amount had been raised in exercise of the power and the provisions of any enactment as to reborrowing of sums raised under the statutory borrowing power shall apply accordingly.

107.—(1) Notwithstanding anything contained in any other Act or Order on and after the thirty-first day of March one thousand nine hundred and thirty-eight the Corporation may (if they think fit) establish a fund to be called “the consolidated loans fund” to which shall be paid—

Consoli-
dated loans
fund.

- (a) all moneys borrowed by the Corporation by the issue of authorised securities together with any moneys borrowed without security in connection with the exercise of any statutory borrowing power ;
- (b) all moneys of a capital nature received by the Corporation whether from the sale of capital assets or otherwise except such as are applied by the Corporation with due authority to another capital purpose ; and
- (c) the appropriate sums provided in each year out of other funds of the Corporation to comply

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PART VII.
—cont.

with the terms and conditions as to repayment attaching to their several borrowing powers or otherwise provided for the repayment of debt :

And there shall also be carried to the credit of the consolidated loans fund the unapplied balances of all moneys so borrowed or received and of all sums provided by the Corporation as aforesaid before the date on which the consolidated loans fund is established.

(2) The moneys of the consolidated loans fund shall be used or applied by the Corporation—

(a) in the redemption of authorised securities the purchase of bonds or stock for extinction or the repayment of any moneys borrowed by the Corporation; and

(b) in the exercise of any statutory borrowing power by transfer of the required amount to the appropriate fund and account of the Corporation :

And the moneys of the consolidated loans fund not used or applied in these ways or about to be so used or applied within a reasonable period shall be invested in statutory securities and the sums realised by the sale of such securities shall be repaid on receipt to the consolidated loans fund and the moneys of the consolidated loans fund shall not except with the consent of the Minister be used or applied otherwise than as provided in this subsection.

(3) There shall also be transferred to the consolidated loans fund such sums as are necessary to meet interest charges and the financing and other revenue expenses connected with the management of that fund and separate account shall be kept of these sums and their application.

(4) The Corporation may pay into the consolidated loans fund any moneys forming part of any reserve renewals depreciation capital reserve contingency insurance or other similar fund (hereinafter referred to as "the lending fund") and not for the time being required and such moneys shall be deemed to be moneys borrowed by the Corporation within the meaning of

subsection (1) of this section and shall be used accordingly subject to the following conditions:—

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PART VII.
—cont.

(a) The moneys so used shall be repaid to the lending fund as and when required for meeting the obligations for which the said fund was established; and

(b) Interest shall be paid to the lending fund on any moneys so used and for the time being not repaid at such rate per centum per annum as may be determined by the Corporation to be equal as nearly as may be to the average rate of interest payable by the Corporation on their current borrowings.

(5) Save as in this section expressly provided all the obligations of the Corporation to the holders of authorised securities shall continue in force.

(6) Nothing in this section shall apply to moneys borrowed from the Public Works Loan Commissioners.

(7) The powers conferred by this section shall not be put into operation by the Corporation except in accordance with a scheme to be approved by the Minister and such scheme may make provision for any matters incidental to the establishment and administration of the consolidated loans fund.

(8) Any scheme approved by the Minister under this section may be altered amended or revoked by a scheme made in like manner as the original scheme.

108.—(1) The Corporation may at any time hereafter and from time to time make a scheme for prescribing one or more uniform periods within which all or any loans contracted by them under statutory borrowing powers shall be discharged and such scheme may extend or vary the periods within which such loans shall be discharged and may apply to any such loans all or any of the provisions of this Act and the Local Government Act 1933 in regard to the borrowing and repayment of money with or without modification and may make provisions in regard to all matters incidental to the objects aforesaid.

Scheme for
equated
periods.

(2) No scheme made by the Corporation under this section shall have any force or effect until confirmed by the Minister who may by order confirm the same

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PART VII.
—cont.

with or without modifications and when so confirmed the scheme shall notwithstanding any enactment order or sanction to the contrary have full force and effect and such scheme shall be deemed to be within the powers of this Act.

(3) Nothing in any scheme made under this section shall prejudice or affect the security rights and remedies of any mortgagee under any mortgage existing at the time of the confirmation of the scheme or of the holder of any stock existing at that time except with the consent of such mortgagee or holder.

(4) The loans referred to collectively in any scheme under general headings in accordance with a classification approved by the Minister may be consolidated and dealt with in the accounts of the Corporation as if the aggregate amount of the several loans relative to each heading were one loan raised under one statutory borrowing power and if approved by the Minister separate consolidations may be made of all or any of the loans included under such general headings.

(5) Any scheme confirmed under this Act may be altered extended amended or annulled by any other scheme prepared and confirmed in like manner as the original scheme.

Capital
reserve fund.

109.—(1) The Corporation may establish a fund to be called “the capital reserve fund” for the purpose of defraying any expenditure to which capital is properly applicable (other than expenditure in connection with the electricity undertaking or any undertaking in respect of which the Corporation have for the time being provided a reserve fund under the provisions of the section of this Act of which the marginal note is “Application of revenue of undertakings”) to an amount not exceeding five thousand pounds in any one transaction and such fund shall be formed by appropriating in the accounts of the Corporation such sums out of the general rate fund as the Corporation from time to time deem expedient:

Provided that—

(a) except as provided by subsection (2) (b) of this section any sum or sums so appropriated to the capital reserve fund from the general rate fund shall not exceed in any year the

equivalent of a rate of twopence in the pound calculated according to the rules made pursuant to sections 9 and 58 of the Rating and Valuation Act 1925;

(b) appropriations to and payments into the capital reserve fund shall cease to be made whenever the said fund amounts to the sum of fifty thousand pounds.

(2) (a) Pending the application of the capital reserve fund to the purposes authorised in the foregoing subsection the moneys in the fund shall (unless applied in any other manner authorised by this Act) be invested in statutory securities.

(b) Any income arising from the investment or use of the moneys in the capital reserve fund in the manner provided by the foregoing paragraph of this subsection and any income arising from the application of the fund to the purposes authorised shall be carried to and form part of the general rate fund and (subject to the limitation imposed by proviso (b) to subsection (1) of this section) an amount equivalent to such income shall be credited to the capital reserve fund.

110.—(1) The Corporation may if they think fit in any year apply from the general rate fund or from the proceeds of the general rate to a fund to be called “the renewal and repairs fund” any sum not exceeding the equivalent of a rate of one penny in the pound calculated according to the rules made pursuant to sections 9 and 58 of the Rating and Valuation Act 1925.

Renewal
and repairs
fund.

(2) The maximum amount standing to the credit of the renewal and repairs fund shall not at any time exceed twenty thousand pounds.

(3) The renewal and repairs fund shall be applicable only to meet expenses requisite for the provision maintenance and renewal of horses carts mechanically propelled vehicles stables depots boilers equipment and apparatus in connection therewith and the maintenance and repair of paths and apparatus in public walks and pleasure grounds and of buildings which are not comprised in the undertakings of the Corporation from which revenue is derived and shall be so applied from time to time for the purpose of equalising so far as

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PART VII.
—cont.

may be the annual charge to revenue in respect of such expenses :

Provided that nothing in this section shall apply to buildings in respect of which the Corporation are required by the Housing Act 1936 to keep a housing repairs account.

(4) (a) Pending the application of the renewal and repairs fund to the purposes authorised in the last foregoing subsection the moneys in the fund shall (unless applied in any other manner authorised by this Act) be invested in statutory securities.

(b) Any income arising from the investment or use of the moneys in the renewal and repairs fund in the manner provided by the foregoing paragraph of this subsection and any income arising from the application of the fund to the purposes authorised shall be carried to and form part of the general rate fund and (subject to the limitation imposed by subsection (2) of this section) an amount equivalent to such income shall be carried to the renewal and repairs fund.

Insurance
fund.

111.—(1) The Corporation may if they think fit establish a fund to be called “the insurance fund” with a view to providing a sum of money which shall be available for making good all losses damages costs and expenses to which the Corporation may be subjected in consequence of the happening of any event against which in the absence of that fund the Corporation would ordinarily insure.

(2) The establishment of an insurance fund under this section shall not prevent the Corporation from insuring in one or more insurance offices against the whole or any part of all or any of the several risks for which the insurance fund is intended to provide.

(3) In each year after the establishment of the insurance fund the Corporation shall carry to the credit of that fund such a sum as they may think fit but when the said fund shall amount to such sum as may from time to time be prescribed by the Corporation the Corporation shall discontinue such yearly credits but if the said fund is at any time reduced below the sum so prescribed the Corporation may recommence and continue the said yearly credits until the said fund be restored to the sum so prescribed.

(4) The amounts carried to the credit of the insurance fund as aforesaid shall be debited in the accounts of the Corporation against the particular undertaking department or service of the Corporation which if the risks against which it is intended to provide were insured against in an insurance office would be properly chargeable with the payment of the premiums of such insurance.

(5) Except so far as the insurance fund and the proceeds of sale of securities in which that fund is invested may be necessary to meet losses damages costs and expenses in consequence of the happening of any event against which the fund is intended to provide insurance or are used in the manner authorised by the sections of this Act of which the marginal notes are "Use of moneys forming part of sinking and other funds" and "Consolidated loans fund" respectively all moneys for the time being standing to the credit of the insurance fund shall be invested in statutory securities.

(6) For the purposes of this section the Corporation may if they deem it expedient include in the risks to be covered by the insurance fund risks of accident to any person employed in any school college educational institute or hostel maintained by the Corporation notwithstanding that such school college institute or hostel has not been provided by the Corporation as the local education authority.

(7) The insurance fund may be applied to meet any losses damages costs or expenses sustained by the Corporation in consequence of the happening of any event against which it is intended to provide insurance in the order of the dates on which such losses damages costs or expenses become ascertained and if at any time and from time to time the insurance fund shall be insufficient to make good any such losses damages costs or expenses the Corporation may with the sanction of the Minister borrow at interest such sums of money as will be necessary to make up the deficiency. The amounts of the annual charges in respect of interest on and repayment of principal of any sums so borrowed and the amounts of any such deficiencies as aforesaid not made up by borrowing shall be paid out of the general rate fund and charged in the accounts of the

A.D. 1937.

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PART VII.
—cont.

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PART VII.
—cont.

Corporation under the separate headings or divisions in respect of such undertakings departments or services of the Corporation and in such proportions as the Minister may direct having regard to the risks through which such deficiencies arise.

Receipts
and ex-
penses.

112.—(1) Notwithstanding anything contained in any other Act or Order all moneys received by the Corporation whether on capital or revenue account including (but without prejudice to the generality of this provision)—

(a) all money received on account of the revenue of any of the undertakings of the Corporation; and

(b) interest and other annual proceeds received on the investments forming part of any fund accumulated for the redemption of debt or as a reserve renewals repairs depreciation capital reserve contingency insurance consolidated loans fund or other similar fund (including any interest payable to any such fund or any other fund in pursuance of the sections of this Act of which the marginal notes are “Use of moneys forming part of sinking and other funds” and “Consolidated loans fund”);

shall be carried to and form part of the general rate fund and all payments and expenses made and incurred by the Corporation in respect of any of the said undertakings or in carrying into execution the powers and provisions of this or any other Act (including interest on moneys borrowed by the Corporation and all sums required by law to be paid or transferred or which the Corporation may determine to pay or transfer to any such fund as is referred to in paragraph (b) of this subsection) shall be paid or transferred out of the general rate fund:

Provided that in the accounts of the Corporation an amount equivalent to the interest and other annual proceeds as aforesaid shall (subject in the case of any of the said funds to any prescribed limit on the amount thereof) be credited to the fund on the investments of which the same is received.

(2) Nothing in this section shall authorise the Corporation to apply capital money to any purpose other than a purpose to which capital money is properly applicable.

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PART VII.
—cont.

113.—(1) The Corporation shall keep their accounts so as to distinguish capital from revenue and as to revenue so as to show under a separate heading or division in respect of each of the undertakings of the Corporation as from time to time existing from which revenue is derived (each of which is in this section separately referred to as “the undertaking”) on the one side all receipts in respect of the undertaking (including the income from any such fund as is referred to in paragraph (b) of subsection (1) of the last preceding section of this Act authorised in connection with the undertaking) and on the other side all payments and expenses in respect of the undertaking such payments and expenses being divided so as also to show in each case the amounts representing—

Accounts
of under-
takings.

- (a) the working and establishment expenses and cost of maintenance of the undertaking;
- (b) the interest on moneys borrowed by the Corporation for the purposes of or connected with the undertaking;
- (c) the requisite appropriations instalments or sinking fund payments in respect of moneys borrowed for the purposes of the undertaking;
- (d) all other expenses (if any) of the undertaking properly chargeable to revenue;
- (e) the amount (if any) paid to any reserve fund which the Corporation are from time to time authorised to maintain and
- (f) any money expended on any of the purposes mentioned in the section of this Act of which the marginal note is “Application of revenue of undertakings” other than the purpose mentioned in paragraph (e) of this subsection.

(2) The Corporation shall show in their accounts relating to any undertaking all items (including receipts and payments in respect of loans applicable thereto) which ought to be entered therein in order to show the financial position of the undertaking.

A.D. 1937.

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PART VII.
—cont.

(3) In all cases in which the Corporation keep separate accounts for separate purposes they shall so far as reasonably practicable apportion between those accounts or carry to any of them any receipts credits payments and liabilities which from time to time ought to be so apportioned or carried.

Application
of revenue
of under-
takings.

114.—(1) If in respect of any year the moneys received by the Corporation on account of the revenue of any of the undertakings of the Corporation (including the interest and other annual proceeds received by the Corporation in that year on the investments representing or forming part of any such fund as is referred to in paragraph (b) of subsection (1) of the section of this Act of which the marginal note is "Receipts and expenses" provided in connection with the undertaking) shall exceed the moneys expended or applied by the Corporation in respect of that undertaking for the several purposes mentioned in paragraphs (a) (b) (c) and (d) of subsection (1) of the last preceding section the Corporation may in respect of that year (if they think fit but subject to the provisions hereinafter contained) apply out of the general rate fund a sum not exceeding the amount of such excess to any of the following purposes:—

- (a) In reduction of capital moneys borrowed for the purposes of the undertaking;
- (b) In the renewal and (subject in the case of the electricity undertaking to the consent of the Electricity Commissioners as respects expenditure chargeable to capital account) the construction extension or improvement of any works and conveniences for the purposes of the undertaking;
- (c) In providing a reserve fund in respect of any of the undertakings of the Corporation by setting aside such an amount as they may from time to time think reasonable and (unless the amounts so set aside are used in any other manner authorised by this Act) investing the same in statutory securities until the fund so formed amounts in the case of the electricity undertaking to a sum equal

to one-tenth of the aggregate capital expenditure of the Corporation on that undertaking and in the case of other undertakings to the maximum reserve fund from time to time prescribed by the Corporation.

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PART VII.
—cont.

(2) Any reserve fund which has been provided in respect of any undertaking of the Corporation and which is in existence on the first day of April one thousand nine hundred and thirty-seven shall be carried to and form part of any reserve fund provided under this section in respect of such undertaking.

(3) Any reserve fund provided under this section may be applied—

(a) in making good to the general rate fund any deficiency at any time happening in the income of the Corporation from the undertaking in connection with which it is formed;
or

(b) in meeting any extraordinary claim or demand at any time arising against the Corporation in respect of that undertaking; or

(c) (subject in the case of the electricity undertaking to the consent of the Electricity Commissioners as respects expenditure chargeable to capital account) in or towards the payment of the cost of renewing improving or extending any works forming part of the undertaking or otherwise for the benefit thereof;

and so that if that fund be at any time reduced it may thereafter be again restored to the prescribed maximum and so from time to time as often as such reduction happens.

(4) Resort may be had to a reserve fund provided under this section although such fund may not at any time have reached or may have been reduced below the prescribed maximum.

115.—(1) In lieu of the provisions of subsection (1) of section 7 of the schedule to the Electric Lighting (Clauses) Act 1899 and of the amendments to that subsection set out in the Fifth Schedule to the Electricity (Supply) Act 1926 the following provisions (in addition

Provisions
as to surplus
electricity
revenue.
16 & 17
Geo. 5. c. 51.

A.D. 1937. to the provisions of the section of this Act of which the
— marginal note is “Application of revenue of under-
PART VII. takings”) shall apply with respect to the electricity
—cont. undertaking namely :—

If in respect of any year the moneys received by the Corporation on account of the revenue of the undertaking (including the interest and annual proceeds received by the Corporation in that year on the investments representing or forming part of any such fund as is referred to in paragraph (b) of subsection (1) of the section of this Act whereof the marginal note is “Receipts and expenses” provided in connection with the undertaking) shall exceed the aggregate of the moneys paid or expended in respect of the undertaking for the several purposes mentioned in paragraphs (a) to (f) of subsection (1) of the section of this Act whereof the marginal note is “Accounts of undertakings” then—

(a) if the reserve fund in respect of the electricity undertaking does not amount to more than one-twentieth of the aggregate capital expended for the time being upon the undertaking the charges for electricity supplied by the Corporation shall be reduced by such amount or respective amounts as will as nearly as reasonably practicable be equivalent in the aggregate to the said excess;

(b) if the said reserve fund amounts to more than one-twentieth of the said aggregate capital the Corporation shall fix such amount as they may think fit (not being less in any case in which the said excess is more than a sum equal to one and a half per centum of the outstanding debt of the undertaking than the difference between that sum and the said excess) and the charges for electricity supplied by the Corporation shall be reduced by such amount or respective amounts as will as nearly as reasonably practicable be equivalent in the aggregate to the amount so fixed.

(2) The Corporation shall in every year so long as any reserve fund provided in respect of the electricity undertaking is less than the prescribed maximum transfer to that reserve fund out of the general rate fund an amount equal to the interest and other annual proceeds received by the Corporation in respect of all investments forming part of the said reserve fund and carried to the general rate fund.

A.D. 1937.

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PART VII.
—cont.

116.—(1) The four last preceding sections of this Act shall be deemed to have come into operation on the first day of April one thousand nine hundred and thirty-seven.

Date of
operation
of certain
sections and
repeal.

(2) As from the said date the following enactments shall be repealed (that is to say):—

Ilford Improvement Act 1898—

Section 45 (Application of moneys received from admissions to public recreation grounds &c.);

Ilford Urban District Council Act 1904—

Section 90 (Expenses of execution of Act).

117. The Corporation may at any time by resolution determine with respect to any hereditament for the time being belonging to them the rent of which is payable or is collected at intervals of less than a quarter of a year to do any of the things which owners may do by agreement with the rating authority under subsection (2) of section 11 of the Rating and Valuation Act 1925 with the like conditions and consequences (other than the condition as to agreement in writing with the rating authority) as are applicable to owners under that section.

As to opera-
tion of
section 11 of
Rating and
Valuation
Act 1925.

118. If a justice is satisfied on complaint by any officer of the Corporation duly authorised that any person is quitting or about to quit any premises in the borough and has failed to pay on demand any general rate or any electricity charge which may be due from him and intends to evade payment of the same by departing from the borough the justice may in addition to issuing a summons for non-payment of the same issue a warrant under his hand authorising the said officer to seize forthwith and detain the goods and chattels

Recovery of
rate &c.
from persons
removing.

A.D. 1937. of such person until the complaint is determined upon the return of the summons.

PART VII.

—cont.

Subscrip-
tions to
charitable
institutions.

119.—(1) The Corporation (subject as hereinafter provided) may subscribe to any charity philanthropic association or society or other associations institutions or societies rendering national or public service such sum or sums as they may from time to time think fit and may charge the amount of any such subscription to or apportion the same among all or any of their funds and revenues.

(2) The total amount which the Corporation may expend under the provisions of this section shall not in any year exceed the amount which would be produced by the levying of a general rate of one halfpenny in the pound calculated according to the rules made pursuant to sections 9 and 58 of the Rating and Valuation Act 1925.

As to pay-
ments due
to deceased
employees.

120.—(1) On the death of an employee to whom a sum not exceeding one hundred pounds is due on account of salary wages superannuation allowance grant or repayment of contributions to any superannuation or other fund with or without interest if probate of the will of the employee or letters of administration of his estate is or are not produced within such time (not being less than one month after his death) as the Corporation may think reasonable then at the expiration of that time the Corporation may pay the sum to the person or persons entitled in distribution to the residuary estate of the employee in accordance with the provisions of paragraphs (i) to (v) inclusive of section 46 (1) of the Administration of Estates Act 1925 and section 9 of the Legitimacy Act 1926 and in default of any such person to the Solicitor for the Affairs of His Majesty's Treasury Provided that—

15 & 16
Geo. 5. c. 23.
16 & 17
Geo. 5. c. 60.

(a) the Corporation may if they think fit pay to any person who has paid the funeral expenses of the deceased employee such amount (not exceeding the total amount of such expenses) as the Corporation shall deem it reasonable to allow;

(b) if the Corporation receive notice of any claim of a creditor of the deceased employee before the expiration of one month from the death

of the employee they shall retain the whole amount due to the deceased employee in their hands or a sufficient sum thereof to satisfy the claim (whichever amount shall be the less) until the claim has been satisfied disproved or withdrawn.

A.D. 1937.
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PART VII.
—cont.

(2) The Corporation before paying or distributing any moneys under this section to or among any person or persons other than the legal personal representative of the deceased employee shall require—

- (a) where the total estate of the deceased employee including the amount of such moneys does not after deduction of debts and funeral expenses exceed one hundred pounds a declaration to that effect by the person or one of the persons to or among whom the Corporation propose to pay or distribute such moneys; and
- (b) where the total estate of the deceased employee including the amount of such moneys but after deduction of debts and funeral expenses exceeds one hundred pounds the production of a certificate from the Commissioners of Inland Revenue of the payment of the estate duty and of a duly stamped receipt for the legacy or succession duty payable in respect of such moneys or of a certificate stating that no legacy or succession duty is payable.

PART VIII.

MISCELLANEOUS.

121.—(1) Within one month before any date on which if he ceased to hold his office or employment an officer or servant would become entitled to a superannuation allowance under paragraph (b) or paragraph (c) of subsection (1) of section 6 of the Local Government and other Officers' Superannuation Act 1922 (in this section referred to as "the Act of 1922") he may give notice in writing to the treasurer requiring that the provisions of subsection (2) or subsection (3) of this section shall apply to him and to any wife to whom he is married on the date on which he becomes entitled

Annuities
for widows.

12 & 13
Geo. 5. c. 59.

A.D. 1937.
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PART VIII.
—cont.

to a superannuation allowance or (if he dies before ceasing to hold office or employment but would had he so ceased immediately prior to his death have been entitled to a superannuation allowance) to any wife to whom he is married at the date of his death and where any such notice is given then unless the Corporation (being of opinion that the state of health of such person regard being had to his age is not reasonably satisfactory) notify him within one month after the receipt by the treasurer of the notice that they do not intend to comply with the requirement subsection (2) or subsection (3) of this section as the case may be shall apply and the other provisions of this section shall have effect :

Provided that a notice under this subsection may be given in respect either of the whole or of a specified part of an allowance and where it is given in respect of a specified part only of an allowance references in this section to the superannuation allowance shall be construed as references to such specified part of the superannuation allowance.

(2) In any case to which this subsection applies—

(a) the amount of the superannuation allowance payable to the officer or servant during the joint lives of himself and such wife as aforesaid shall in any case covered by the Second Schedule to this Act be such proportion of the superannuation allowance which would have been payable under the Act of 1922 if he had not given a notice under this section as is specified in that schedule as appropriate in relation to the ages of such officer or servant and his wife at the date of his retirement and in any other case such proportion of the said superannuation allowance as is certified by an actuary to be just;

(b) if he predeceases her and—

(i) was in receipt of or entitled to a superannuation allowance; or

(ii) dies before ceasing to hold office or employment but would had he so ceased immediately prior to his death have been entitled to a superannuation allowance;

she shall be entitled after his death to receive for life an annuity equal to one-third of the amount of the superannuation allowance which was or would have been payable under paragraph (a) of this subsection during their joint lives;

- (c) if she predeceases him then as from the date of her death or his retirement whichever occurs last the superannuation allowance payable to him shall be an amount equal to two-thirds of the amount which was or would have been payable under paragraph (a) of this subsection during their joint lives.

(3) In any case to which this subsection applies—

- (a) the amount of the superannuation allowance payable to the officer or servant shall in any case covered by the Third Schedule to this Act be such proportion of the superannuation allowance which would have been payable under the Act of 1922 if he had not given a notice under this section as is specified in that schedule as appropriate in relation to the ages of such officer or servant and his wife at the date of his retirement and in any other case such proportion of the said superannuation allowance as is certified by the actuary to be just;

(b) if he predeceases her and—

(i) was in receipt of or entitled to a superannuation allowance; or

(ii) dies before ceasing to hold office or employment but would had he so ceased immediately prior to his death have been entitled to a superannuation allowance she shall be entitled after his death to receive for life an annuity equal to one-third of the amount of the superannuation allowance which was or would have been payable to him under the Act of 1922 if he had not given a notice under this section.

(4) The Minister may on application made by the Corporation by order alter as respects officers and

A.D. 1937.

PART VIII.

—cont.

A.D. 1937.

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PART VIII.
—cont.

servants giving notice under subsection (1) of this section after the date of the order any of the percentages specified in the Second or Third Schedules to this Act so far as may be necessary to secure that the benefits provided by this section for officers or servants and their wives shall be actuarially equivalent to the benefits to which the officers or servants would have been entitled if they had not given such notice as aforesaid.

(5) The first payment of any superannuation allowance to a person under this section shall be accompanied by a statement showing the amount of any annuity which may become payable under this section.

(6) An annuity under this section shall be payable out of the superannuation fund of the Corporation Provided that if the superannuation allowance of the officer or servant was by reason of the proviso to subsection (1) of section 16 of the Act of 1922 not payable wholly out of the superannuation fund such proportion only of the annuity shall be paid out of the superannuation fund as corresponds to the portion of the said superannuation allowance which was so payable and the balance shall be paid out of the general rate fund.

(7) In any case in which an annuity becomes payable under this section—

(i) the Corporation shall not be required to make any payment to the legal personal representative of the deceased officer or servant under the provisions of section 12 of the Act of 1922;

(ii) on the cesser of the annuity by reason of the death of the recipient the Corporation shall pay to her legal personal representative such sum if any as shall be equal to the amount by which the aggregate amount of the contributions of the officer or servant under the Act of 1922 together with compound interest thereon calculated to the date of his death or the date of his retirement whichever first occurred at the rate of three per centum per annum with half-yearly rests exceeds the aggregate of the amounts which he received

by way of superannuation allowance under the Act of 1922 whether as originally enacted or as amended by this Act and she received by way of annuity under this section.

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PART VIII.
—cont.

(8) An annuity under this section shall not be capable of assignment or transfer.

122. In the event of the salary or wages of an officer or servant being either—

Reduction
or suspen-
sion of
salary or
wages.

- (a) reduced on account of his mental or physical infirmity; or
- (b) suspended by reason of illness; or
- (c) reduced in consequence of a reduction of the duties which he has to perform and not on the ground of misconduct;

he may if he so desires with the consent of the Corporation and (in the case of an officer or servant to whom the provisions of section 80 of the London Passenger Transport Act 1933 apply) with the consent of the London Passenger Transport Board continue to contribute to the superannuation fund of the Corporation in all respects as if such reduction or suspension had not taken effect and in the event of his so continuing to contribute the amount of his salary or wages for the period in respect of which he so continues to contribute shall for the purposes of the Local Government and other Officers' Superannuation Act 1922 be deemed to be the amount of the salary or wages which he would have received in respect of that period if such reduction or suspension had not taken place.

123. Notwithstanding anything contained in the Local Government and other Officers' Superannuation Act 1922 the Corporation shall not be required to make any payment by way of superannuation allowance under that Act to or for the benefit of any person unless satisfactory proof is given to the Corporation in such manner and at such times as they may from time to time require of the continued existence of such persons.

As to proof
of continued
existence of
persons
entitled to
allowances
&c.

124. It shall be lawful for the Corporation—

- (a) to provide suitable lecture rooms and to cause lectures to be given on such subjects

Provision
of lectures
&c.

A.D. 1937.

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PART VIII.
—cont.

as the Corporation think fit and to let such rooms and to make reasonable charges for admission to such lectures; and

- (b) to provide suitable rooms for art exhibitions and to permit art exhibitions in such rooms and to let such rooms and to make reasonable charges for admission to such exhibitions :

Provided that the sum to be expended by the Corporation in any one year on the provision of lectures shall not exceed the sum of one hundred pounds in addition to any moneys received by the Corporation under the provisions of this section.

Silencers for
internal
combustion
engines.

125.—(1) Every person who uses a stationary internal combustion engine shall provide and use an effective silencer on the exhaust of such engine and shall at all times keep such silencer in proper repair.

(2) The Corporation shall have access to and be at liberty to take off remove test inspect and replace any such silencer at all reasonable times such taking off removing testing inspecting and replacing to be done at the expense of the Corporation if the silencer be found in proper order but otherwise at the expense of the person aforesaid :

Provided that nothing contained in this subsection shall apply to any stationary internal combustion engine belonging to any railway company or the London Passenger Transport Board and used by them for the purposes of their railway undertaking or belonging to the Gas Light and Coke Company and used by them for the purposes of their undertaking.

(3) Any person who shall use a stationary engine or permit the same to be used contrary to the provisions of this section after having received reasonable notice in writing from the Corporation to the effect that he is or has been so using such engine or permitting the same to be so used shall be liable to a penalty not exceeding ten pounds and to a daily penalty not exceeding forty shillings.

126.—(1) As from the first day of October one thousand nine hundred and thirty-seven a noise nuisance shall be liable to be dealt with as a statutory nuisance under the Public Health Act 1936 :

Provided that no complaint shall be made to a justice under section 99 of the said Act unless it is signed by not less than three householders or occupiers of premises within hearing of the noise nuisance complained of.

(2) For the purpose of this section a noise nuisance shall be deemed to exist where any person makes or continues or causes to be made or continued any excessive or unreasonable or unnecessary noise and where such noise (a) is injurious or dangerous to health and (b) is capable of being prevented or mitigated having due regard to all the circumstances of the case :

Provided that if the noise is occasioned in the course of any trade business or occupation it shall be a good defence that the best practicable means within the meaning of the said Act of preventing or mitigating it have been adopted.

(3) Nothing contained in this section shall apply to a railway company or their servants exercising statutory powers or to the London Passenger Transport Board or their servants exercising statutory powers in connection with their railways.

(4) Nothing in this section shall affect the power of the Corporation to make byelaws under section 249 of the Local Government Act 1933.

127. Every person who shall on Sunday in any street or public place call or shout or ring any bell or use any noisy instrument for the purpose of selling or advertising any article or commodity shall for every such offence be liable to a penalty not exceeding forty shillings.

128.—(1) The Corporation may from time to time make byelaws—

(a) for regulating the hours during which pleasure fairs may be open to the public;

(b) for securing safe and adequate means of ingress and egress to the ground upon which any pleasure fair is held;

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PART VIII.

—cont.

Noise
nuisance.

Penalty
for street
crying on
Sunday.

Byelaws as
to pleasure
fairs.

A.D. 1937.

—
PART VIII.
—cont.

(c) for the prevention and suppression of nuisances and for preserving sanitary conditions cleanliness order and public safety at any pleasure fair.

(2) In this section the expression “pleasure fair” means any entertainment which is run for profit and which consists of or includes any or all of the following whether or not in combination with any other forms of entertainment that is to say any travelling circus exhibition of human beings or performing animals merry-go-round roundabout switchback railway coconut shy hoop-la shooting gallery or swings or anything similar to any of the foregoing :

Provided that the said expression does not include any fair held by statute charter Royal licence letters patent or ancient custom.

Restriction
on right to
prosecute.

129. Section 298 of the Public Health Act 1936 shall apply to offences created by or under this Act as if they were offences created by or under that Act except that the said section shall not apply to those created by or under Part II (Electricity) or by or under the sections of this Act of which the marginal notes are—

“ Silencers for internal combustion engines ” ;

“ Penalty for street crying on Sunday ” ;

“ Byelaws as to pleasure fairs.”

As to
appeals.

130.—(1) Any person aggrieved by any requirement refusal or other decision of the Corporation or of any officer thereof under Part III (Streets buildings sewers and drains) or Part IV (Infectious disease and sanitary provisions) of this Act may except where otherwise expressly provided or when some other right of appeal is conferred by this Act appeal to a court of summary jurisdiction.

(2) The procedure upon any such appeal shall be by way of complaint for an order and the Summary Jurisdiction Acts shall apply to the proceedings.

(3) The time within which any such appeal may be brought shall except where otherwise expressly provided be twenty-one days from the date on which notice of the requirement refusal or decision was published or served upon the person desiring to appeal and for

the purposes of this subsection the making of the complaint shall be deemed to be the bringing of the appeal.

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PART VIII.

—cont.

(4) In any case in which such an appeal lies the document notifying the requirement refusal or decision in the matter shall state the right of appeal to a court of summary jurisdiction and the time within which such an appeal may be brought unless these have already been stated in the notice to the person concerned informing him of his right to a hearing before the Corporation with regard to the same matter.

(5) Where a person aggrieved by any order determination or other decision of a court of summary jurisdiction under this Act is not by any other enactment authorised to appeal to a court of quarter sessions he may appeal to such a court.

(6) Where any requirement refusal order determination or other decision against which a right of appeal is conferred by this Act involves the execution of any work or the taking of any action or makes it unlawful for any person to carry on any business which he was lawfully carrying on up to the time of such requirement refusal order determination or other decision or to use any premises for any purpose for which they were lawfully used up to such time—

(a) no proceedings in respect of any failure to execute the work or take the action shall be taken;

(b) the Corporation shall not execute such work or take such action; and

(c) any such person may carry on such business and use such premises for such purpose;

until the time for appealing has expired or when an appeal is lodged until the appeal has been disposed of or withdrawn or fails for non-prosecution thereof.

(7) Where upon an appeal under this Act a court varies or reverses any requirement refusal or other decision of the Corporation effect shall be given to the order of the court and in particular any necessary consent certificate or other document shall be granted or issued and any necessary entry in any register shall be made.

A.D. 1937.

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PART VIII.

—cont.

Byelaws.

131. As respects byelaws made under this Act the confirming authority for the purposes of section 250 of the Local Government Act 1933 shall be—

- (a) in the case of byelaws under Part II (Electricity) of this Act the Electricity Commissioners Provided that the Electricity Commissioners may give directions that the notice referred to in subsection (3) of the said section shall be also given in one or more newspapers circulating outside the area to which the byelaws apply;
- (b) in the case of byelaws made under the section of this Act of which the marginal note is "Byelaws as to pleasure fairs" the Secretary of State;
- (c) in all other cases the Minister.

Compensa-
tion how to
be deter-
mined.

132. When any compensation costs damages or expenses is or are by this Act directed to be paid and the method for determining the amount thereof is not otherwise provided for such amount shall in case of dispute be ascertained in the manner provided by subsection (2) of section 278 of the Public Health Act 1936.

In executing
works for
owner Cor-
poration
liable for
negligence
only.

133. Whenever the Corporation the surveyor or the sanitary inspector under any enactment or byelaw for the time being in force within the borough execute re-execute or alter any work or do any act or thing in default or at the request of the owner occupier or other person required to do such work act or thing the Corporation shall not as between themselves and such owner occupier or other person in the absence of any negligence on the part of the Corporation or the surveyor or the sanitary inspector or of any contractor or other person employed by them or him be liable to pay any damages penalties costs charges or expenses for or in respect of or consequent upon the executing re-executing or altering of such work or the doing of such act or thing and any such damages penalties costs charges or expenses payable by the Corporation in the absence of negligence as aforesaid shall be deemed to be part of the expenses payable by such owner occupier or other person and shall be recoverable accordingly.

134. Where under the provisions of this Act or any local Act in force in the borough the Corporation shall construct or do any works for the common benefit of two or more buildings belonging to different owners the expenses which under those Acts or any of them are recoverable by the Corporation from the owners shall be paid by the owners of such buildings in such proportions as shall be determined by the surveyor.

A.D. 1937.
—
PART VIII.
—cont.
Apportionment of expenses in case of joint owners.

135. Where any damages expenses or charges are directed or authorised to be paid or recovered in addition to any penalty for any offence in this Act mentioned the amount of such damages expenses or charges in case of dispute respecting the same may be settled and determined by the court before whom any offender is convicted.

Damages and charges to be settled by court.

136. Where under this Act any question or dispute is to be referred to an arbitrator or to arbitration other than questions or disputes to which the provisions of the Lands Clauses Acts apply then unless other provision is made the reference shall be to a single arbitrator to be agreed upon between the parties to the question or dispute or in default of such agreement appointed on the application of either party by the President of the Institution of Civil Engineers and subject as aforesaid the provisions of the Arbitration Acts 1889 to 1934 shall apply to any such arbitration.

Application of Arbitration Acts 1889 to 1934.

137. Where under this Act or under any general or local Act for the time being in force in the borough the Corporation give their consent to the execution of any work or the doing of any act or thing subject to any terms or conditions which they are authorised to impose any breach of any such terms or conditions shall be deemed as regards liability to a penalty and other consequences equivalent to the execution of the work or the doing of the act or thing without the required consent.

As to breach of conditions of consent of Corporation.

138. Section 265 of the Public Health Act 1875 shall extend and apply to the purposes of any local enactment as if the same were re-enacted therein.

Application of section 265 of Public Health Act 1875.

139. The Minister may hold such inquiries as he considers necessary in regard to the exercise of any powers conferred upon him or the giving of consents

Inquiries by Minister.

A.D. 1937. under this Act and section 290 of the Local Government Act 1933 shall apply accordingly.

PART VIII.

—*cont.*

Inquiries by
Minister of
Transport.

140.—(1) The Minister of Transport may hold such inquiries as he may consider necessary in regard to the exercise of any powers conferred upon him or the giving of consents under this Act.

(2) Section 290 of the Local Government Act 1933 shall apply to any inquiry which the Minister of Transport causes to be held under this section or any other provisions of this Act.

Application
of provi-
sions of
Public
Health Act
1936.

141.—(1) The sections of the Public Health Act 1936 hereinafter mentioned shall have effect as if they were re-enacted in this Act and in terms made applicable thereto (that is to say):—

Section 275 (Power of local authority to execute certain work on behalf of owners or occupiers);

Section 283 (Notices to be in writing; forms of notices &c.);

Section 284 (Authentication of documents);

Section 285 (Service of notices &c.);

Section 286 (Proof of resolutions &c.);

Section 293 (Recovery of expenses &c.);

Section 296 (Summary proceedings for offences);

Section 297 (Continuing offences and penalties);

Section 299 (Inclusion of several sums in one complaint &c.);

Section 304 (Judges and justices not to be disqualified by liability to rates);

Section 328 (Powers of Act to be cumulative).

(2) The sections of the Public Health Act 1936 hereinafter mentioned shall have effect as if they were re-enacted in this Act and in terms made applicable to Part III (Streets buildings sewers and drains) and Part IV (Infectious disease and sanitary provisions) of this Act (that is to say):—

Section 277 (Power of councils to require information as to ownership of premises);

Section 287 (Power to enter premises);

- Section 288 (Penalty for obstructing execution of Act); A.D. 1937.
Section 289 (Power to require occupier to permit works to be executed by owner); PART VIII.
Section 291 (Certain expenses recoverable from owners to be a charge on the premises: power to order payment by instalments); —cont.
Section 292 (Power to make a charge in respect of establishment expenses);
Section 295 (Power of local authority to grant charging orders);
Section 329 (Saving for certain provisions of the Land Charges Act 1925).

142. The following provisions of the *Ilford Improvement Act 1904* shall with any necessary alterations or modifications and subject to the provisions of this Act extend and apply for the purposes of this Act as if the same were re-enacted in this Act (that is to say):— Application of provisions of *Ilford Improvement Act 1904*.

Section 108 (Saving for indictments);

Section 110 (Saving rights of Crown).

143.—(1) The following enactments are hereby repealed:— Repeal.

Ilford Improvement Act 1898—

Section 4 (Power to Council to work tramways);

Section 5 (Power to combine with other authorities);

Section 6 (Provisions as to motive power);

Section 7 (Special provisions as to use of electric power);

Section 8 (Saving for railway companies);

Section 9 (For protection of Postmaster-General);

Section 10 (Byelaws);

Section 77 (Mode of raising money);

Section 78 (Certain regulations of Public Health Act as to borrowing not to apply);

A.D. 1937.

PART VIII.

—cont.

- Section 79 (Provisions of Public Health Act as to mortgages to apply);
- Section 81 (Mode of payment off of money borrowed);
- Section 82 (Sinking fund);
- Section 83 (Power to re-borrow);
- Section 84 (Protection of lender from inquiry);
- Section 85 (Application of money borrowed);
- Section 86 (Annual return to Local Government Board).

62 & 63 Vict.
c. ii.

Ilford Urban District Council (Rates) Act 1899—

- Section 4 (As to collection of local rates);
- Section 5 (Form of rate demand note);
- Section 7 (Certain regulations of Public Health Act as to borrowing not to apply);
- Section 8 (Mode of raising money);
- Section 9 (Provisions of Public Health Act as to mortgages to apply);
- Section 11 (Mode of payment off of money borrowed);
- Section 12 (Sinking fund);
- Section 13 (Protection of lender from inquiry);
- Section 14 (Council not to regard trusts);
- Section 15 (Appointment of a receiver);
- Section 16 (Power to re-borrow);
- Section 17 (Annual return to Local Government Board);
- Section 18 (Application of money borrowed).

Ilford Urban District Council Act 1904—

- Section 82 (Provision as to mortgages);
- Section 84 (Mode of payment off of money borrowed);
- Section 85 (Sinking fund);
- Section 86 (Sinking fund may be adjusted in certain events);
- Section 87 (Return to Local Government Board as to repayment of debt);
- Section 88 (Power to re-borrow);

- Section 89 (Protection of lenders from inquiry); A.D. 1937.
Section 92 (Scheme for fixing equated periods
for repayment of loans); PART VIII.
Section 93 (Mode of raising money); —cont.
Section 94 (Power to appoint assistants to over-
seers).

(2) The following enactments shall be repealed as from the first day of October one thousand nine hundred and thirty-seven (that is to say):—

Ilford Improvement Act 1898—

- Section 62 (Wake not to be held over body of person dying of infectious disease).

Ilford Urban District Council Act 1904—

- Section 26 (Penalty on guardians permitting infected child to attend school).

144. All the costs charges and expenses preliminary to and of and incidental to the preparing applying for obtaining and passing of this Act as taxed by the taxing officer of the House of Lords or of the House of Commons shall be paid by the Corporation in the first instance out of the general rate fund and general rate but ultimately out of moneys to be borrowed under the authority of this Act for that purpose. Costs of Act.

A.D. 1937.
—

The SCHEDULES referred to in the
foregoing Act.

FIRST SCHEDULE.

PROVISIONS AS TO CORPORATION BONDS.

1. Bonds shall be issued in such amounts in denominations of five pounds and multiples of five pounds and for such periods not being less than five years as the Corporation may determine.

2.—(a) Bonds may be issued at such price and at such rates of interest as the Corporation may from time to time determine and interest shall be payable on bonds on such dates as the Corporation may determine.

(b) The nominal amount of bonds issued shall not exceed in the aggregate according to the price of issue such amounts as will together produce the actual amount of money for the time being authorised to be borrowed by the Corporation.

(c) Where a bond has been issued at a price lower than par so much of the issue as represents the difference between the price of the bond as issued and its nominal value shall be treated as a loan authorised by a statutory borrowing power and repayable out of the revenues of the Corporation on or before the date for repayment specified in the certificate issued in respect of the bond.

3. Bonds shall be repayable at par (unless the same shall have been previously cancelled by purchase in the open market or by agreement with the bondholder) at the office of the treasurer on the dates specified in the certificates issued in respect of the bonds and no interest shall be payable on any bond in respect of any period after the date upon which the bond is repayable.

4.—(1) The treasurer shall keep a register of all persons who are holders for the time being of bonds.

(2) The register shall contain the following particulars :—

(a) The name address and description of each holder a statement of the denomination of the bonds held by him the price at which and the periods for which they are issued and the numbers and dates of the certificates issued to him as hereinafter provided.

(b) The date of registration of each holder and the date on which he ceased to be so registered.

A.D. 1937.
—
1ST SCH.
—cont.

(3) The register shall be prima facie evidence of any matter entered therein in accordance with the provisions of this Act and of the title of the persons entered therein as holders of bonds.

5.—(1) The Corporation shall issue to each holder of a bond a certificate in respect thereof duly numbered and dated and specifying the denomination of the bond and the period for which it is issued.

(2) If a certificate is worn out or damaged the Corporation on the production thereof may cancel it and issue a new certificate in lieu thereof.

(3) If a certificate is lost or destroyed the Corporation on proof thereof to their satisfaction and if they so require on receiving an indemnity against any claims in respect thereof may give a new certificate in lieu of the certificate lost or destroyed.

(4) An entry of the issue of a substituted certificate shall be made in the register.

(5) A certificate shall be in the following form or in a form substantially to the like effect :—

No.....

BOROUGH OF ILFORD.

ILFORD CORPORATION BONDS.

—per centum Ilford Corporation Bond repayable at par
.....19..... at the town hall Ilford.

This is to certify that.....
of..... is the
registered holder of a Corporation bond for.....
pounds (£.....) issued by the mayor aldermen
and burgesses of the borough of Ilford under the Ilford
Corporation Act 1937 at.....

The corporate seal of the mayor aldermen and burgesses
of the borough of Ilford was hereunto affixed in the presence
of.....

Date.....

6. The certificate shall be prima facie evidence of the title of the person therein named his executors administrators or assigns to the bond therein specified but the want of a certificate if accounted for to the satisfaction of the Corporation shall not prevent the holder of the bond from disposing of and transferring the bond.

A.D. 1937.

1st Sch.
—cont.

7.—(1) The transfer of a bond shall be by deed in the following form or in a form substantially to the like effect :—

FORM OF DEED OF TRANSFER.

ILFORD CORPORATION BONDS.

I
in consideration of the sum of.....
paid by
(hereinafter called "the transferee") do hereby assign
and transfer to the transferee.....
To hold unto the transferee his executors administrators
and assigns subject to the several conditions on which I held
the same immediately before the execution hereof and I the
transferee do hereby agree to accept and take the said
bonds subject to the conditions aforesaid.

As witness our hands and seals this.....day
of.....in the year of our Lord one thousand
nine hundred and.....

(2) A bond may be transferred in whole or in part so however
that any part transferred shall not be for an amount other than
an amount for which a bond may be issued by the Corporation.

(3) The deed of transfer shall be delivered to and retained
by the Corporation and the Corporation shall enter a note thereof
in a book to be called "the Register of Transfers of Ilford
Corporation Bonds" (hereinafter referred to as "the register")
and shall endorse on the deed of transfer a notice of that entry.

(4) The Corporation shall upon receipt of the deed of transfer
duly executed and properly stamped together with the certificate
issued in respect of the bond enter the name of the transferee in
the register and shall issue a new certificate or certificates to the
transferee or to the transferor and transferee as the case may
require.

(5) Until the deed of transfer and the certificate have been
delivered to the Corporation as aforesaid the Corporation shall
not be affected by the transfer and the transferee shall not be
entitled to receive any payment of interest on the bond.

(6) The Corporation before registering a transfer of a bond
may if they think fit require evidence by statutory declaration
or otherwise of the title of any person claiming to make the
transfer.

8.—(1) Any person becoming entitled to a bond by reason
of the death or bankruptcy of a holder or by any lawful means

other than a transfer may by the production of such evidence of title as the Corporation may require either be registered as holder of the bond or instead of being himself registered may make such transfer of the bond as the holder could have made and the Corporation shall issue a certificate accordingly.

A.D. 1937.

—
1st Sch.
—cont.

(2) Until such evidence as aforesaid has been furnished to the Corporation the Corporation shall not be affected by the transmission of the bond and no person claiming by virtue thereof shall be entitled to receive any payment of interest thereon.

(3) Where two or more persons are registered as holders of a bond they shall be deemed to be joint holders with right of survivorship between them.

9. The Corporation shall not be required to pay any executors or administrators any interest on bonds held by their testator or intestate until the probate of the will or the letters of administration has or have been left with the Corporation for registration.

10. The Corporation before paying any interest on any bonds may if they think fit require evidence by statutory declaration or otherwise of the title of any person claiming a right to receive the interest.

A.D. 1937.

SECOND SCHEDULE.

Percentage of the full superannuation allowance payable under the Local Government and other Officers' Superannuation Act 1922 to an officer or servant which may be paid during the joint lives of such officer or servant and his wife in order that (1) his wife shall be entitled to receive during the remainder of her life after his death an annuity equal to one-third of the amount of the superannuation allowance payable during their joint lives and (2) the officer or servant shall be entitled to receive during the remainder of his life after the death of his wife an annuity equal to two-thirds of the amount of the superannuation allowance payable during their joint lives.

Age last birthday of wife at date of retirement of officer or servant.	Age last birthday of officer or servant at date of his retirement.							
	60	61	62	63	64	65	66	67
50	87	—	—	—	—	—	—	—
51	87 $\frac{1}{2}$	86 $\frac{1}{2}$	—	—	—	—	—	—
52	88 $\frac{1}{4}$	87 $\frac{1}{4}$	86	—	—	—	—	—
53	89	88	86 $\frac{3}{4}$	85 $\frac{1}{2}$	—	—	—	—
54	89 $\frac{3}{4}$	88 $\frac{3}{4}$	87 $\frac{1}{2}$	86 $\frac{1}{4}$	85	—	—	—
55	90 $\frac{1}{2}$	89 $\frac{1}{2}$	88 $\frac{1}{4}$	87	85 $\frac{3}{4}$	84 $\frac{1}{2}$	—	—
56	91 $\frac{1}{4}$	90 $\frac{1}{4}$	89	87 $\frac{3}{4}$	86 $\frac{1}{2}$	85 $\frac{1}{4}$	84	—
57	92	91	89 $\frac{3}{4}$	88 $\frac{1}{2}$	87 $\frac{1}{4}$	86	84 $\frac{3}{4}$	83 $\frac{1}{2}$
58	93	92	90 $\frac{3}{4}$	89 $\frac{1}{2}$	88 $\frac{1}{4}$	87	85 $\frac{3}{4}$	84 $\frac{1}{4}$
59	94	92 $\frac{3}{4}$	91 $\frac{3}{4}$	90 $\frac{1}{2}$	89 $\frac{1}{4}$	88	86 $\frac{3}{4}$	85 $\frac{1}{4}$
60	95	93 $\frac{3}{4}$	92 $\frac{3}{4}$	91 $\frac{1}{2}$	90 $\frac{1}{4}$	89	87 $\frac{3}{4}$	86 $\frac{1}{4}$
61	96	94 $\frac{3}{4}$	93 $\frac{3}{4}$	92 $\frac{1}{2}$	91 $\frac{1}{4}$	90	88 $\frac{3}{4}$	87 $\frac{1}{4}$
62	97	95 $\frac{3}{4}$	94 $\frac{3}{4}$	93 $\frac{1}{2}$	92 $\frac{1}{4}$	91	89 $\frac{3}{4}$	88 $\frac{1}{4}$
63	98	96 $\frac{3}{4}$	95 $\frac{3}{4}$	94 $\frac{1}{2}$	93 $\frac{1}{4}$	92	90 $\frac{3}{4}$	89 $\frac{1}{2}$
64	99 $\frac{1}{4}$	98	97	95 $\frac{3}{4}$	94 $\frac{1}{2}$	93 $\frac{1}{4}$	92	90 $\frac{3}{4}$
65	—	99	98	97	95 $\frac{3}{4}$	94 $\frac{1}{2}$	93 $\frac{1}{4}$	91 $\frac{3}{4}$
66	—	—	99 $\frac{1}{4}$	98 $\frac{1}{4}$	97	95 $\frac{3}{4}$	94 $\frac{1}{4}$	93
67	—	—	—	99 $\frac{1}{2}$	98 $\frac{1}{4}$	97	95 $\frac{3}{4}$	94 $\frac{1}{4}$

THIRD SCHEDULE.

A.D. 1937.

Percentage of the full superannuation allowance payable under the Local Government and other Officers' Superannuation Act 1922 which may be paid to an officer or servant during his lifetime in order that his wife shall be entitled to receive during the remainder of her life after his death an annuity equal to one-third of the amount of such full superannuation allowance.

Age last birthday of wife at date of retirement of officer or servant.	Age last birthday of officer or servant at date of his retirement.							
	60	61	62	63	64	65	66	67
50	81 $\frac{3}{4}$	—	—	—	—	—	—	—
51	82 $\frac{1}{2}$	81	—	—	—	—	—	—
52	83	81 $\frac{3}{4}$	80 $\frac{1}{4}$	—	—	—	—	—
53	83 $\frac{3}{4}$	82 $\frac{1}{2}$	81	79 $\frac{1}{2}$	—	—	—	—
54	84 $\frac{1}{2}$	83 $\frac{1}{4}$	81 $\frac{3}{4}$	80 $\frac{1}{2}$	78 $\frac{3}{4}$	—	—	—
55	85 $\frac{1}{4}$	84	82 $\frac{3}{4}$	81 $\frac{1}{4}$	79 $\frac{3}{4}$	78	—	—
56	86	84 $\frac{3}{4}$	83 $\frac{1}{2}$	82 $\frac{1}{4}$	80 $\frac{3}{4}$	79	77 $\frac{1}{4}$	—
57	86 $\frac{3}{4}$	85 $\frac{1}{2}$	84 $\frac{1}{4}$	83	81 $\frac{1}{2}$	80	78 $\frac{1}{4}$	76 $\frac{1}{2}$
58	87 $\frac{1}{2}$	86 $\frac{1}{4}$	85	83 $\frac{3}{4}$	82 $\frac{1}{2}$	81	79 $\frac{1}{4}$	77 $\frac{1}{2}$
59	88	87	85 $\frac{3}{4}$	84 $\frac{1}{2}$	83 $\frac{1}{4}$	81 $\frac{3}{4}$	80 $\frac{1}{4}$	78 $\frac{1}{2}$
60	88 $\frac{3}{4}$	87 $\frac{3}{4}$	86 $\frac{1}{2}$	85 $\frac{1}{2}$	84 $\frac{1}{4}$	82 $\frac{3}{4}$	81 $\frac{1}{4}$	79 $\frac{3}{4}$
61	89 $\frac{1}{2}$	88 $\frac{1}{2}$	87 $\frac{1}{2}$	86 $\frac{1}{4}$	85	83 $\frac{3}{4}$	82 $\frac{1}{4}$	80 $\frac{3}{4}$
62	90 $\frac{1}{4}$	89 $\frac{1}{4}$	88 $\frac{1}{4}$	87 $\frac{1}{4}$	85 $\frac{3}{4}$	84 $\frac{1}{2}$	83 $\frac{1}{4}$	81 $\frac{3}{4}$
63	90 $\frac{3}{4}$	90	89	88	86 $\frac{3}{4}$	85 $\frac{1}{2}$	84 $\frac{1}{4}$	83
64	91 $\frac{1}{4}$	90 $\frac{1}{2}$	89 $\frac{3}{4}$	88 $\frac{3}{4}$	87 $\frac{3}{4}$	86 $\frac{1}{2}$	85 $\frac{1}{4}$	84
65	91 $\frac{3}{4}$	91	90 $\frac{1}{4}$	89 $\frac{1}{2}$	88 $\frac{1}{2}$	87 $\frac{1}{2}$	86 $\frac{1}{4}$	85
66	92 $\frac{1}{4}$	91 $\frac{1}{2}$	91	90 $\frac{1}{4}$	89 $\frac{1}{4}$	88 $\frac{1}{4}$	87 $\frac{1}{4}$	86
67	92 $\frac{1}{2}$	92	91 $\frac{1}{2}$	90 $\frac{3}{4}$	90	89	88	87

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