



CHAPTER xliv.

An Act to confirm a Provisional Order of the Minister of Health relating to Guildford. A.D. 1922.

[20th July 1922.]

WHEREAS the Minister of Health has made the Provisional Order set forth in the schedule hereto under the provisions of the Local Government Act 1888 :

51 & 52 Vict.
c. 41.

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

Be it therefore enacted by the King's most Excellent Majesty by and with the advice and consent of the Lords Spiritual and Temporal and Commons in this present Parliament assembled and by the authority of the same as follows :—

1. The Order as amended and set out in the schedule hereto shall be and the same is hereby confirmed and all the provisions thereof shall have full validity and force.

Order in
schedule
confirmed.

2. This Act may be cited as the Ministry of Health Provisional Order Confirmation (Guildford Extension) Act 1922.

Short title.

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SCHEDULE.

BOROUGH OF GUILDFORD.

Guildford
Order.

Provisional Order made in pursuance of the Local
Government Act 1888 for the extension of a Borough.

WHEREAS by virtue of Section 54 of the Local Government Act 1888 the Minister of Health is empowered to make a Provisional Order for altering the boundary of any Borough;

And whereas the existing Borough of Guildford in the County of Surrey is a Borough within the meaning of the Local Government Act 1888 and the inhabitants are a body corporate by the name of the Mayor Aldermen and Burgesses of the Borough of Guildford and act by the Council of the said Borough;

And whereas the said Borough is co-extensive with the Parish of Guildford and is an Urban District under the jurisdiction of the Mayor Aldermen and Burgesses acting by the Council;

And whereas the said Borough has a separate court of quarter sessions recorder commission of the peace police force and coroner;

And whereas in pursuance of the Education Act 1921 the Council of the said Borough are the local education authority for the purposes of elementary education;

And whereas the unrepealed provisions of the Local Act specified in Part I. of the Schedule to this Order and of the Confirmation Acts specified in Part II. of the said Schedule so far as the last-mentioned Acts relate to the Orders specified in that Schedule are in force in the said Borough;

And whereas the provisions of—

- (a) The Infectious Disease (Prevention) Act 1890;
- (b) The Public Health Acts Amendment Act 1890;
- (c) The Baths and Washhouses Acts 1846 to 1899;
- (d) The Private Street Works Act 1892; and
- (e) The Museums and Gymnasiums Act 1891 (in so far as it relates to museums)

are in force in the said Borough;

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And whereas the Council of the said Borough are the authority for the execution of the Burial Acts 1852 to 1906 within the said Borough; A.D. 1922.
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And whereas the Parish of Artington in the Administrative County of Surrey immediately adjoins the said Borough and is a contributory place in the Rural District of Guildford and is subject to the jurisdiction of the Rural District Council of Guildford:

Now therefore the Minister of Health in pursuance of the powers given to him by Sections 54 and 59 of the Local Government Act 1888 and of all other powers enabling him in that behalf hereby orders that on and after the date of the Act of Parliament confirming this Order the following provisions shall take effect:—

PART I.

INTERPRETATION AND COMMENCEMENT.

1. In this Order unless the context otherwise requires:— Definitions.

“The Minister” means the Minister of Health;

“The commencement of this Order” means the First day of October One thousand nine hundred and twenty-two;

“The existing Borough” means the Borough of Guildford as it exists immediately prior to the commencement of this Order;

“The Borough” means the existing Borough as extended by this Order;

“The Corporation” means as the context requires the Mayor Aldermen and Burgesses of the existing Borough or of the Borough acting by the Council;

“The County” and “the County Council” mean respectively the Administrative County of Surrey and the County Council of that County;

“The Borough maps” means the duplicate maps marked “Map of the Borough of Guildford as extended by “the Guildford (Extension) Order 1922” and sealed with the official seal of the Minister;

“The Guardians” means the Guardians of the Guildford Poor Law Union;

“The Parish Council” means the Parish Council of Artington;

“The Rural District” and “the Rural Council” mean respectively the Rural District of Guildford and the Rural District Council thereof;

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“The added area” means that part of the existing Parish of Artington and of the Rural District which is coloured yellow on the Borough maps and is added to the existing Borough by this Order;

“The excluded part of Artington” means the remaining part of the existing Parish of Artington;

“The Parish of Artington” and “the Parish of Guildford” respectively mean each of those parishes as altered by this Order;

“The Act of 1888” and “the Act of 1894” mean respectively the Local Government Act 1888 and the Local Government Act 1894;

“The Act of 1907” and “the Act of 1918” mean respectively the Public Health Acts Amendment Act 1907 and the Representation of the People Act 1918;

“The Burial Acts” means the Burial Acts 1852 to 1906;

“The Municipal Corporations Acts” means the Municipal Corporations Act 1882 and the Acts amending and extending the same and “the Public Health Acts” means the Public Health Act 1875 and the Acts amending and extending the same;

“Existing” in relation to any parish or other area altered by this Order means existing immediately before the commencement of this Order;

“Officer” includes a servant.

Commence-
 ment of
 Order.

2. This Order shall except so far as is otherwise herein expressly provided and so far as there may be anything in the subject-matter or context inconsistent therewith come into operation on the First day of October One thousand nine hundred and twenty-two:

Provided that for the purposes of all proceedings preliminary or relating to any election for any area affected by this Order to be held on a day later than the Thirtieth day of September One thousand nine hundred and twenty-two this Order shall operate from the date of the Act of Parliament confirming this Order.

PART II.

ALTERATIONS OF BOUNDARY.

Extension of
 Borough.

3.—(1) The boundary of the existing Borough the area whereof is coloured pink on the Borough maps shall be altered so as to include in addition to that area so much of the Rural District as comprises the added area.

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(2) The boundary of the Borough shall be that shown by the red line on the Borough maps and the whole of the area within that boundary shall for the purposes of the Municipal Corporations Acts and for all other purposes be the Borough.

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4. The added area shall be separated from the existing Parish of Artington and shall be added to the existing Parish of Guildford.

Alteration of
Parish.

5.—(1) One of the Borough maps shall be deposited in the office of the Minister and the other map shall be deposited by the town clerk of the existing Borough at his office within fourteen days after the date of this Order.

Deposit of
maps.

(2) Copies of the Borough map deposited with the town clerk certified by him to be true shall be sent within one month after the date of the Act of Parliament confirming this Order to the Clerk of the County Council to the Clerk to the Rural Council to the Clerk to the Guardians to the Board of Inland Revenue to the Commissioners of Customs and Excise to the Registrar-General to the Board of Trade to the Minister of Transport to the Minister of Agriculture and Fisheries and to the Electricity Commissioners.

(3) Copies of or extracts from the Borough map deposited with the town clerk certified by him to be true shall be received in all courts of justice and elsewhere as *prima facie* evidence of the contents of the map so far as it relates to the boundaries of the Borough and the map shall at all reasonable times be open to inspection by any person liable to any rate leviable within the Borough and any such person shall be entitled to a copy of or extract from the map certified by the town clerk to be true on payment of a reasonable fee to be determined by the Corporation.

Copies of
map to be
evidence.

(4) All fees so received shall be carried to the credit of the borough fund.

PART III.

PROVISIONS CONSEQUENT ON EXTENSION OF BOROUGH.

6. Subject to the provisions of the Municipal Corporations Acts with respect to the alteration of wards the following provisions shall have effect:—

Alteration of
wards.

(1) For the purposes of the election of Councillors the added area shall be included in the No. 2 or St. Nicolas Ward of the existing Borough:

(2) The Councillors representing the No. 2 or existing St. Nicolas Ward who are in office at the commencement of this Order shall be deemed from and after

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such commencement to represent that ward as extended by this Order and shall retire from office on the day on which they would have retired if this Order had not been made.

County and
Borough
Councils
(Qualifica-
tion) Act
1914.

County
Electoral
Divisions.

7. For the purposes of the application to the Borough of the provisions of the County and Borough Councils (Qualification) Act 1914 the added area shall be deemed to have always formed part of the Borough.

8.—(1) The added area shall be separated from the Worplesdon Electoral Division for elections of county councillors and shall be included in the Guildford (No. 1) Electoral Division for such elections.

(2) The persons who immediately before the commencement of this Order are the County Councillors representing the existing Worplesdon and Guildford (No. 1) Electoral Divisions shall be deemed to have been elected to represent those divisions as altered by this Order and shall retire on the day on which they would have retired if this Order had not been made.

Powers and
duties of
justices &c.
extended.

9.—(1) The powers and duties of the quarter sessions recorder clerk of the peace coroner and justices of the peace for the existing Borough and of the clerk to those justices and of the police constables and other peace officers of the existing Borough shall extend to and apply throughout the Borough :

Provided that every person committing an offence in any part of the added area prior to the commencement of this Order shall be tried and dealt with as if this Order had not been made :

Provided also that every proceeding which prior to the commencement of this Order has been begun by or before any justice or coroner in relation to any matter arising in or concerning any part of the added area may be continued or completed in like manner and with the like incidents and consequences as nearly as may be as if this Order had not been made.

(2) The added area shall cease to form part of the Guildford Petty Sessional Division.

Officers of
Corporation
and Borough
auditors
continued.

10.—(1) The town clerk and all other officers of the Corporation of the existing Borough who hold office at the commencement of this Order shall continue to be the town clerk and officers of the Corporation of the Borough and shall hold their offices by the same tenure as at that date.

(2) The auditors of the existing Borough who are in office immediately before the commencement of this Order shall continue in office until the next ordinary day of election of Borough auditors.

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11. Subject to the provisions of this Order all property vested in the Corporation at the commencement of this Order for the benefit of the existing Borough shall by virtue of this Order be held by the Corporation for the benefit of the Borough and the Corporation shall hold enjoy and exercise for the benefit of the Borough all the powers which at the date aforesaid are exerciseable by or vested in the Corporation for the benefit of the existing Borough and all liabilities which on the date aforesaid attach to the Corporation in respect of the existing Borough shall from and after that date attach to them in respect of the Borough.

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 Corporation
 property &

12.—(1) So much of any sums borrowed by the Corporation as will at the commencement of this Order be owing and charged upon any fund of or rate levied within the existing Borough shall be charged upon the corresponding fund of or rate to be levied within the Borough.

Mortgage
 debts of
 Corporation.

(2) All borrowed moneys to which this Article applies shall together with the interest to accrue due thereon be repaid by the Corporation within the respective periods for which the loans in respect of which the said sums are owing were originally sanctioned or within which the same are otherwise required to be repaid or are made repayable.

13. Subject to the provisions of this Order the unrepealed provisions of the Local Act and of the Confirmation Acts specified in the Schedule to this Order so far as the last-mentioned Acts respectively relate to the Provisional Orders specified in that Schedule and of any other Local Act (including any Local Act passed or to be passed during the present Session of Parliament) or of any other Provisional Order duly confirmed by Parliament and affecting the existing Borough or the Corporation as the same respectively are in force within the existing Borough at the commencement of this Order shall extend and apply to the Borough and any reference therein to the existing Borough and the Corporation shall be deemed to refer to the Borough and Corporation thereof.

Local Act
 and Orders.

14.—(1) The provisions of the Infectious Disease (Prevention) Act 1890 the Public Health Acts Amendment Act 1890 the Baths and Washhouses Acts 1846 to 1899 the Private Street Works Act 1892 and the Museums and Gymnasiums Act 1891 (in so far as it relates to museums) shall be in force in and apply to the Borough as if the same had been adopted for the Borough.

Adoptive
 Acts.

(2) The provisions of any Adoptive Act other than the Burial Acts and the Acts mentioned in subdivision (1) of this Article shall cease to be in force in and apply to any part of the added area.

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(3) Any order under the Infectious Disease (Notification) Act 1889 or under any Adoptive Act mentioned in subdivision (1) of this Article which is in force at the commencement of this Order throughout the existing Borough shall extend and apply to the added area and any such Order in force on the day aforesaid in the added area shall save as hereinbefore provided cease to be in force in that area.

Powers
under Act
of 1907.

15. Subject to any order which the Minister or the Secretary of State may make after the commencement of this Order—

(1) The provisions of any order made before the commencement of this Order and declaring to be in force throughout the existing Borough any Parts or Sections of the Act of 1907 shall have effect as if any reference in that order to the existing Borough extended and applied to the Borough and as if the said Parts or Sections were accordingly declared to be in force in the Borough :

(2) Any other order under the Act of 1907 which is in force at the commencement of this Order throughout the existing Borough shall extend and apply to the added area :

(3) The provisions of any order made before the commencement of this Order and declaring to be in force in any portion of the added area any Parts or Sections of the Act of 1907 shall cease to apply to any such portion and the Parts or Sections declared by any such order to be in force shall save as hereinbefore provided cease to be in force in any such portion.

Orders under
Section 33 of
Act of 1894.

16. The powers duties and liabilities of a parish council transferred to or conferred upon the Corporation by the orders of the Local Government Board under Section 33 of the Act of 1894 dated the Twentieth day of March One thousand eight hundred and ninety-five the Thirteenth day of April One thousand eight hundred and ninety-six and the Twenty-eighth day of January One thousand nine hundred and fourteen in relation to the appointment of Overseers and Assistant Overseers and the revocation of the appointment of Assistant Overseers and other matters in the said orders specified shall be deemed to have been transferred to or conferred on the Corporation in respect of the Borough and of the Parish of Guildford and the said orders shall have effect accordingly.

Orders under
Shop Hours
Act 1904 or
Shops Acts
1912 to 1920.

17. Any order made under the Shop Hours Act 1904 or under the Shops Act 1912 or any subsequent Act providing for the closing of shops and in force immediately before the

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commencement of this Order in the existing Borough shall subject to the provisions of those Acts extend to the added area and any such order which immediately before the commencement of this Order may be in force in the added area shall cease to extend to that area.

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18. All the powers rights duties capacities liabilities and obligations of an Urban District Council and all the powers in relation to the chargeability of expenses with which the Rural Council are invested in pursuance of any order issued by the Local Government Board or the Minister under the Public Health Acts in respect of the existing Parish of Artington shall be deemed to vest in and attach to the Rural Council in respect of the Parish of Artington.

Urban
 powers &c.
 in excluded
 part of
 Artington.

19. Subject to the provisions of this Order—

Byelaws &c.

- (1) All byelaws and every scale of charges made by the Corporation which immediately before the commencement of this Order are in force throughout the existing Borough shall extend and apply to the Borough until such byelaws or scale of charges may be altered or repealed :
- (2) All byelaws made by the Rural Council (or their predecessors) and in force immediately before the commencement of this Order in the added area shall on such commencement cease to be in force in that area except as regards any work which has been begun before that date or as regards any work which has not been so begun but for which plans have been approved before that date by the Rural Council or have been sent to their surveyor or clerk one month at least before that date and have not been disapproved by the Council :
- (3) As regards any work within the exception in subdivision (2) of this Article the byelaws in force immediately before the commencement of this Order shall continue to apply until the completion of the work in like manner and with the like effect as if those byelaws had been made by the Corporation and as if the Corporation and the Borough were referred to therein instead of the Rural Council and the Rural District :
- (4) All byelaws made by the County Council and in force immediately before the commencement of this Order in the added area shall in so far as byelaws to the like effect could be made by the Corporation cease to be in force in that area :

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(5) Any proceedings which if this Order had not been made might have been taken by the County Council or the Rural Council for any offence committed before the commencement of this Order against any bye-laws which by virtue of this Article cease to be in force may be taken by the Corporation as if those byelaws had remained in force and the Corporation had been substituted therein for the County Council or the Rural Council as the case may require :

(6) In this Article the expression "bye-laws" includes any regulation and the expression "scale of charges" includes any list of tolls or table of fees or payments.

Transfer of
public ele-
mentary
schools.

20. For the purposes and subject to the provisions of the Education Act 1921—

(1) Any public elementary school provided by the County Council as local education authority and situate in the added area and the furniture fittings books and apparatus (belonging to the County Council) of any such school in the added area shall by virtue of this Order be transferred to and vest in the Corporation as the local education authority for all the estate and interest therein of the County Council as the local education authority :

(2) All contracts debts and liabilities which at the commencement of this Order are existing or are owing by or attach to the County Council in respect exclusively of any public elementary school in the added area or of the furniture fittings books or apparatus or with respect to the officers and teachers of any public elementary school in the added area shall by virtue of this Order enure to and be carried into effect by and be discharged and satisfied by the Corporation as the local education authority :

(3) Section 68 of the Act of 1894 shall apply with respect to any adjustment required for the purposes of this Article :

(4) Subject to any adjustment which may hereafter be made the liability for repayment of so much of any loan raised exclusively in respect of any public elementary school or of the furniture fittings or apparatus transferred to and vested in the Corporation by virtue of this Order as will be owing at the commencement of this Order and the liability for the payment of interest on that part of the said loan shall by virtue of this Order be transferred and attach to the Corporation as the local

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education authority and so much of any such loan as will be owing at such commencement shall be charged on the borough fund and borough rate of the Borough and shall be repaid by the Corporation within the period for which that part of the loan was originally sanctioned or within which the said part of the loan is otherwise required to be repaid or is made repayable :

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- (5) In this Article "public elementary school" includes the site and schoolhouse and also any land acquired and held by the County Council as the local education authority for purposes of elementary education.

21.—(1) Any byelaws under the Education Act 1921 or any enactment repealed by that Act which may be in force in the existing Borough immediately before the commencement of this Order shall apply to the Borough until revoked or altered by the Corporation in substitution for any such byelaws which may be in force in the added area.

Education
byelaws and
managers.

(2) Every manager of any public elementary school in the added area who was appointed by the Parish Council shall vacate office at the commencement of this Order.

22. Subject to the provisions of this Order—

- (1) The Rural Council shall cease to exercise any powers or discharge any duties within the added area :

Cesser of
jurisdiction
of Rural
Council and
property &c.

- (2) Any property and liabilities which immediately before the commencement of this Order are vested in or attach to the Rural Council—

(a) In relation exclusively to the added area or any part thereof; or

(b) In relation to the added area or any part thereof conjointly with any other area;

shall in the first case by virtue of this Order be transferred to and vest in the Corporation as the Urban Authority for the execution of the Public Health Acts and shall in the second case be a matter for adjustment under Section 62 of the Act of 1888.

23.—(1) The Burial Acts shall be in force within and apply to the Borough.

Burial Acts.

(2) The Corporation shall be the Burial Board for the Borough and shall have within the Borough to the exclusion of any other burial authority all the powers duties and liabilities of a Burial Board under the Burial Acts :

Provided that no approval sanction or authorisation of the vestry of the Parish of Guildford shall be required in respect of any act of the Corporation as the Burial Board.

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PART IV.

*Guildford
Order.*

Guardians of
the Poor.

SUPPLEMENTARY PROVISIONS.

24.—(1) For the purposes of the election of Guardians the added area shall form part of the No. 2 or St. Nicolas Ward of the Parish of Guildford.

(2) The persons who immediately before the commencement of this Order are the Guardians for the existing No. 2 or St. Nicolas Ward of the Parish of Guildford shall be deemed to have been elected as and shall be the Guardians for that Ward as altered by this Order and shall retire from office on the date on which they would have retired if this Order had not been made.

Rural Dis-
trict Coun-
cillor for
Artington.

25. The person who immediately before the commencement of this Order is the Rural District Councillor and Guardian for the existing Parish of Artington shall be deemed to have been elected as and shall be the Rural District Councillor and Guardian for the Parish of Artington and shall retire from office on the date on which he would have retired if this Order had not been made.

Parish
Council and
Overseers.

26.—(1) The Parish Council of the existing Parish of Artington shall be deemed to have been elected as and shall be the Parish Council of that parish as altered by this Order.

(2) The Overseers of the existing Parish of Artington or Guildford shall be deemed to have been appointed as and shall be the Overseers of the Parish of Artington or Guildford as the case may be.

Powers
property and
liabilities
of Parish
Council.

27. Subject to the provisions of this Order—

(1) Any powers and duties transferred by or under the Act of 1894 to the Parish Council (except powers and duties under any of the Adoptive Acts as defined in that Act) shall so far as regards the added area be vested in and imposed on the persons and authorities in or on whom they would be vested or imposed if the added area had been included in a parish in the Borough on the appointed day within the meaning of the Act of 1894 :

(2) Any property or liabilities held or incurred by the Parish Council in relation exclusively to the added area or any part thereof for the purposes or by virtue of the powers and duties transferred by subdivision (1) of this Article shall by virtue of this Order be transferred to and vest in or attach to the persons and authorities aforesaid :

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(3) Any property or liabilities held or incurred by the Parish Council in relation exclusively to the added area or any part thereof for the purposes of any of the Adoptive Acts as defined in the Act of 1894 or otherwise than for the purposes or by virtue of the powers and duties above mentioned shall by virtue of this Order be transferred to and vest in or attach to the Corporation :

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(4) Any property or liabilities held or incurred by the Parish Council in relation to the added area or any part thereof conjointly with any other area shall be a matter for adjustment under Section 62 of the Act of 1888.

28.—(1) As soon as practicable after the commencement of this Order the County Council as regards any cash balance in their hands at the commencement of this Order raised to meet expenditure on elementary education and the Rural Council as regards any cash balance in their hands at the commencement of this Order shall estimate the proportion thereof derived from contributions paid by the added area and subject to a deduction on account of undischarged liabilities in respect of that area accruing up to the commencement of this Order shall transfer such amount to the Corporation.

Apportion-
ment of
balances
and sums
received
under
precepts.

(2) This Article shall apply to any sum received after the commencement of this Order by the County Council or the Rural Council under a precept issued before that date in respect of any area comprising the added area as if such sum were a cash balance in the hands of the Council at the commencement of this Order.

(3) The apportionment under this Article of any balance or sum received under a precept shall be subject to review on an adjustment under this Order.

29. For the purposes of the application of Section 62 of the Act of 1888 to any adjustment which may become necessary in consequence of this Order that section shall have effect—

Adaptation
of provisions
as to adjust-
ments.

(a) As if in subsections (5) (6) and (7) thereof the expression "Council" included any authority affected by this Order or by anything done in pursuance of this Order; and

(b) As if in the case of any such authority not otherwise empowered to borrow under any Act or on any security or in any manner mentioned in the said subsection (6) that subsection empowered the authority to borrow under any Act relating to and conferring on the authority a power to borrow on the security of all or

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any of the funds rates and revenues of the authority and in the manner provided by the said Act but without the consent of any other authority and subject to the requirement that all money so borrowed shall be repaid within such period as the Minister may sanction.

Parochial
 adjustments.

30. For the purposes of the application of Section 62 of the Act of 1888 to any adjustment which may become necessary in consequence of the provisions of this Order which relate to the alteration of the area of any existing parish that section shall have effect—

(1) As if the Overseers of the Parish of Guildford and the Overseers of the Parish of Artington were within the meaning of the said section as applied by this Order authorities affected by this Order;

(2) As if the poor rate or any other rate leviable in pursuance of the said section as applied by this Order were substituted for any fund mentioned in the section; and

(3) As if for subsections (6) and (7) of the said section there were substituted the subsections hereunder appended that is to say :—

“ (6) If it is necessary for the purpose of giving effect to any agreement or award for an adjustment that a separate rate shall be levied in part of a parish only the agreement or award may authorise the making of such a separate rate as if it were a poor rate and as if the part of the parish on which it is to be levied were a whole parish.”

“ (7) Any capital sum paid for the purposes of any adjustment or in pursuance of any order or award of an arbitrator shall be applied by such person in such manner and for such purpose as the Minister of Health may authorise or direct.”

Balances in
 accounts of
 Guardians
 Rural Council and
 Overseers.

31.—(1) Any balance standing at the commencement of this Order in the books of the Guardians or of the Rural Council to the credit or debit of the existing Parish of Artington shall be a matter for adjustment under Section 62 of the Act of 1888.

(2) Any balance at the commencement of this Order in the hands of or due to the Overseers of the existing Parish of Artington shall be a matter for adjustment under Section 62 of the Act of 1888.

Provisions as
 to register
 of electors.

32.—(1) In the preparation of the autumn register for the year One thousand nine hundred and twenty-two in pursuance of the Act of 1918 so far as it relates to any area affected by

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this Order it shall be competent to the Registration Officer of the Parliamentary County of Surrey to frame the register in separate parts for each area which will constitute a registration unit after this Order has come into operation instead of in separate parts for each area constituting a registration unit before the commencement of this Order.

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(2) If the register of local government electors for any electoral area affected by this Order is not so framed as to show the persons entitled to vote at an election or parish meeting to be held for an electoral division parish or ward or other voting area the Town Clerk in the case of any voting area within the Borough and the Registration Officer of the Parliamentary County in the case of any voting area outside the Borough shall make such alteration or re-arrangement of the register as may be necessary for the purposes of such election or parish meeting.

(3) It shall be the duty of the Overseers to render such assistance as may be required by the Town Clerk of the Borough or Registration Officer of the Parliamentary County for the purpose of such alteration or re-arrangement.

(4) Where in the opinion of the Secretary of State the circumstances so require the Secretary of State may make such order as appears to him to be necessary to give effect to the provisions of this Order and may vary so far as is requisite the provisions in force with regard to the lists and registers of electors.

33. Until new valuation lists come into force—

Valuation
lists.

(1) The valuation list of the existing Parish of Guildford and the portion of the valuation list of the existing Parish of Artington which relates to hereditaments in the added area shall together form the valuation list of the Parish of Guildford :

(2) The remaining portion of the valuation list of the existing Parish of Artington shall be the valuation list of the Parish of Artington.

34.—(1) Subject to any future revision the basis of the county rate of the County shall be altered as follows—

County rate
basis.

(a) From the amounts respectively appearing therein as the net annual values of the agricultural land and of other hereditaments in the existing Parish of Artington there shall be deducted such sums in each case as will represent the net annual values of the agricultural land and of other hereditaments in the added area :

(b) The net annual values of the agricultural land and of other hereditaments in the added area shall be added to the amounts appearing in the basis as the net annual

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values of the agricultural land and of other hereditaments in the existing Parish of Guildford :

(c) The amounts appearing in the basis as the net annual value and the assessable value of the property in the existing Parishes of Guildford and Artington respectively shall be altered so as to correspond with the alterations made as above directed in the net annual values of the agricultural land and of other hereditaments in those existing parishes.

(2) For the purposes of this Article the net annual value of the agricultural land in the added area shall be the amount which bears the same relation to the net annual value of agricultural land in the existing Parish of Artington as the total rateable value of the agricultural land in the added area bears to the total rateable value of the agricultural land in the existing Parish of Artington.

(3) For the purpose of ascertaining the net annual value of other hereditaments (not being agricultural land) in the added area the preceding provision of this Article shall apply with the substitution for "agricultural land" of "hereditaments other than agricultural land."

(4) In this Article "net annual value" and "assessable value" mean the net annual value and assessable value according to the basis of the county rate which is being altered in pursuance of this Article and "total rateable value" means the total rateable value according to the valuation list of the existing parish last in force before the basis is so altered.

(5) For the purpose of the preparation of any order for county contributions to be issued by the County Council after the commencement of this Order this Article shall operate from the date of the Act of Parliament confirming this Order.

Jurors Book.

35. For the purpose of the duties of Overseers in connection with the preparation of the Jurors Book the parishes affected by this Order shall be deemed to continue unaltered until the electors lists for the Spring Register of One thousand nine hundred and twenty-three fall to be prepared.

Settlement
 of the Poor.

36.—(1) Every person who at any time before the commencement of this Order has acquired or who immediately before such commencement is in the course of acquiring a settlement in the existing Parish of Guildford or in the existing Parish of Artington by reason of residence birth or other qualification in—

(i) the existing Parish of Guildford; or

(ii) the added area; or

(iii) the excluded part of Artington

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shall be deemed to have acquired or to be in the course of acquiring thereby in the first and second cases a settlement in the Parish of Guildford and in the third case a settlement in the Parish of Artington as if in each case the existing parish or specified part of the existing parish had always been the parish or a part of the parish in which by virtue of this provision the person shall be deemed to have acquired or to be in the course of acquiring a settlement.

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(2) For the purposes of this Article consecutive periods of residence in the added area and in the excluded part of Artington shall be aggregated and reckoned as continuous residence in that part of the existing parish in which the person was residing immediately before the commencement of this Order.

37. Any person holding immediately before the commencement of this Order the office of Assistant Overseer or Collector of Poor Rates for the existing Parish of Guildford or the existing Parish of Artington shall act for that parish as altered by this Order and shall continue to hold office upon the same terms and subject to the same regulations liabilities and provisions as now apply to him in respect of that office.

Assistant
Overseers
and Col-
lectors.

38.—(1) Any clerk to justices county coroner and every officer in office immediately before the commencement of this Order who by virtue of this Order or of anything done in pursuance or in consequence thereof suffers any direct pecuniary loss by abolition of office or diminution or loss of fees or salary (and for whose compensation no other provision is made by any enactment for the time being in force) shall be entitled to compensation for that loss from the Corporation.

Compensa-
tion to exist-
ing officers.

(2) Any officer whose services are dispensed with or whose salary is reduced within five years from the commencement of this Order because his services are not required or because his duties are diminished in consequence of this Order and not on the ground of misconduct shall be deemed to have suffered a direct pecuniary loss in consequence of this Order.

39.—(1) In determining the compensation payable to any person who becomes entitled to compensation in pursuance of this Order regard shall be had to the conditions and circumstances mentioned in subsection (1) of Section 120 of the Act of 1888 and the compensation shall not exceed the limit therein mentioned.

Determina-
tion of com-
pensation.

(2) Any compensation payable under this Order to any person whose office or employment relates wholly or partly to sanitary purposes as defined by the Public Health Act 1875 shall be paid out of the district fund and general district rate

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of the Borough and in every other case shall be paid out of the borough fund and borough rate of the Borough and the provisions of Section 120 of the Act of 1888 shall apply subject to the following and any necessary modifications :—

(a) Any reference in that section to the County Council shall be construed as a reference to the Corporation; and

(b) References in that section to “ the passing of this Act ” shall be construed as references to the commencement of this Order; and

(c) The expression in subsection (1) of that section “ the Acts and Rules relating to Her Majesty’s Civil Service ” shall mean the Acts and Rules relating to Her Majesty’s Civil Service which were in operation at the date of the passing of the Act of 1888.

(3) The compensation payable under this Order to an officer who immediately before the commencement of this Order held two or more offices under any local authority or authorities (as defined in Section 34 of the Local Loans Act 1875) and who devoted the whole of his time to the duties of such offices shall not be reduced by reason of the fact that he has devoted only part of his time to each of such offices.

(4) If any officer was temporarily absent from his employment during the war whilst serving in His Majesty’s Forces or the Forces of the Allied or Associated Powers either compulsorily or with the sanction or permission of the local authority such period of temporary absence shall be reckoned as service under the local authority in whose employment he was immediately before and after such temporary absence and the amount of his salary wages and emoluments during such temporary absence shall be deemed to be the amount which he would have received from the local authority during that period if he had remained in their actual service but this provision shall not apply to any person who after the Armistice voluntarily extended his term of service in the Forces.

(5) The Corporation may in their discretion and in consideration of the fact that any officer was appointed to his office as a specially qualified person or of the fact that he had prior to his appointment served as a deputy assistant or clerk to any officer not holding a temporary appointment add any number of years not exceeding ten to the number of years which such officer would otherwise be entitled to reckon for the purpose of computing the compensation to which he would be entitled under the Acts and Rules relating to Her Majesty’s Civil Service as applied by this Order.

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40. No officer shall be entitled to receive compensation under this Order for pecuniary loss and a superannuation or retiring allowance in respect of the same period of service and the same pecuniary loss.

Guildford
Order.
 Compensation and
 superannua-
 tion.

41. All rates made by the Overseers of the existing Parish of Artington and not collected at the commencement of this Order in respect of hereditaments in the added area shall be collected and recovered by the Overseers of the Parish of Artington or other proper officer of that parish.

Arrears of
 rates &c.

42. Any councillor or guardian who is to continue in office after the commencement of this Order shall not during his present term of office be deemed to lose his qualification for being a councillor or guardian by reason of the alterations of area made by this Order.

Saving for
 qualification
 of councillors
 &c.

43. No alteration effected by this Order shall cause to abate prejudicially affect or prevent the continuance of any action cause of action or proceeding which at the commencement of this Order is pending or existing by or against the Rural Council or any contract deed bond agreement or other instrument (subsisting at the commencement of this Order) entered into or made by that Council or their predecessors :

Savings for
 actions con-
 tracts &c.

Provided that—

- (i) Any action cause of action or proceeding which at the commencement of this Order is pending or existing by or against the Rural Council in relation exclusively to the added area or any part thereof may be continued prosecuted and enforced by or against the Corporation of the Borough; and
- (ii) All contracts deeds bonds agreements and other instruments (subsisting at the commencement of this Order) entered into or made by the Rural Council (or their predecessors) in relation exclusively to the added area or any part thereof may be continued and enforced as fully and effectually as if instead of that Council (or their predecessors) the Corporation had been a party thereto.

44. Notwithstanding the alterations of area effected by this Order all contribution orders and precepts made or issued before the commencement of this Order shall be as valid in law as if this Order had not been made.

Saving for
 contribution
 orders and
 precepts.

45. Nothing in this Order shall be construed as restricting the powers of the Minister under the Acts relating to the Relief of the Poor or the powers of the Minister or of the County Council under the Act of 1888 or the Act of 1894.

Saving for
 powers of
 Minister &c.

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Parliamen-
tary polling
districts.

Ecclesiasti-
cal divisions
and charities.

46. Nothing in this Order shall affect the powers of the County Council under Section 31 of the Act of 1918 or any order or scheme made by the County Council for the division of the Parliamentary County of Surrey into polling districts and the appointment of polling places for parliamentary elections.

47. Nothing in this Order shall affect the ecclesiastical divisions of any parish or shall prejudice vary or affect any right interest or jurisdiction in or over any charitable endowment.

References
to the Edu-
cation Act
1921.

48. Any reference in this Order to the provisions of the Education Act 1921 shall as respects any provision of that Act which may not be in operation at the commencement of this Order be construed as a reference to the corresponding provision of the Education Acts 1870 to 1919 until such corresponding provision is repealed by the Education Act 1921.

Short title.

49. This Order may be cited as the Guildford (Extension) Order 1922.

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PART I.—LOCAL ACT.

Session and Chapter.	Short Title.
49 & 50 Vict. c. cvii.	The Guildford Corporation Act 1886.

PART II.—CONFIRMATION ACTS.

Session and Chapter.	Short Title.	Order thereby confirmed.
28 & 29 Vict. c. cviii.	The Local Government Supple- mental Act 1865 (No. 5).	The Order dated 15th day of April 1865.
39 & 40 Vict. c. cci.	The Local Government Board's Provisional Orders Confirma- tion (Bath &c.) Act 1876.	The Order dated 16th day of June 1876.
4 Edw. VII. c. clxi.	The Local Government Board's Provisional Orders Confirma- tion (No. 11) Act 1904.	The Guildford (Extension) Order 1904.

Given under the Official Seal of the Minister of Health
 this Twenty-seventh day of February One thousand nine
 hundred and twenty-two.

(L.S.)

F. L. TURNER
 Assistant Secretary Ministry of Health.

Printed by EYRE and SPOTTISWOODE, LTD.,

FOR

WILLIAM RICHARD CODLING, Esq., C.V.O., C.B.E., the King's Printer of
 Acts of Parliament.

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