



CHAPTER xciv.

An Act to confirm a Provisional Order of the Minister of Health relating to the Counties of Carnarvon and Denbigh. [4th August 1922.] A.D. 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 (No. 4) Act 1922. Short title.

SCHEDULE.

A.D. 1922. COUNTIES OF CARNARVON AND DENBIGH.

*Carnarvon
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*Provisional Order made in pursuance of the
Local Government Act 1888 for an alteration of the
Boundary of Counties.*

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

And whereas the Parish of Llysfaen forms part of the County of Carnarvon but is detached from the remainder of that County and (save in so far as the Parish abuts on the sea) is wholly surrounded by the County of Denbigh;

And whereas the said Parish forms part of the Conway Rural District and of the Conway Poor Law Union and immediately adjoins the Colwyn Bay and Colwyn Urban District which Urban District comprises the Parishes of Eirias and of Llandrillo-yn-Rhos in the Conway Poor Law Union;

And whereas the Maps which have been prepared in triplicate for the purposes of this Order are marked "Map referred to in the Counties of Carnarvon and Denbigh (Llysfaen) Order 1922" and are sealed with the official seal of the Minister of Health;

And whereas the area of four-and-a-half acres or thereabouts which is coloured blue on the said Maps is shown on the Ordnance Maps as forming part of the Administrative County of Carnarvon and of the Parish of Llysfaen but according to the description dated the Twenty-fifth day of July One thousand eight hundred and fourteen of the boundary of the Parish of Llanelian-yn-Rhos as set out determined and fixed by Commissioners appointed by the inclosure Act passed in the fifty-second year of the reign of His Majesty King George the Third Chapter cxxv. is part of the Parish of Llanelian-yn-Rhos;

And whereas the rateable hereditaments in the area aforesaid have been for many years included in the poor rate of the Parish of Llanelian-yn-Rhos:

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:—

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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 April One thousand nine hundred and twenty-three;
- “County” means an Administrative County;
- “The Counties” means the Administrative Counties of Carnarvon and Denbigh and “the County Councils” means the Councils of those Administrative Counties;
- “The Maps” means the triplicate maps marked “Map referred to in the Counties of Carnarvon and Denbigh (Llysfaen) Order 1922” and sealed with the official seal of the Minister;
- “The Ddol-ddu area” means the area which is coloured blue on the Maps;
- “The Parish” means the Parish of Llysfaen the area whereof is coloured pink on the Maps;
- “The Parish Council” means the Parish Council of the Parish of Llysfaen;
- “The Rural District” and “the Rural District Council” mean respectively the Rural District of Conway and the Rural District Council thereof;
- “The Urban District” and “the Urban District Council” mean respectively the Urban District of Colwyn Bay and Colwyn as extended by this Order and the Council of that Urban District;
- “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 1918” means the Representation of the People Act 1918;
- “The Public Health Acts” means the Public Health Act 1875 and the Acts amending and extending the same;
- “The Carnarvonshire Scheme of 1893” and “the Denbighshire Scheme of 1894” mean respectively the Schemes of the Sixteenth day of May One thousand eight

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hundred and ninety-three and the Seventh day of August One thousand eight hundred and ninety-four as altered by subsequent Schemes regulating the Carnarvonshire and Denbighshire Intermediate and Technical Education Funds;

“ Existing ” in relation to any 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 April One thousand nine hundred and twenty-three :

Provided that for the purposes of all proceedings preliminary or relating to any election under the Act of 1894 to be held in the month of March or April One thousand nine hundred and twenty-three this Order shall operate from the date of the Act of Parliament confirming this Order.

PART II.

ALTERATIONS OF BOUNDARY.

Alteration
of County
boundary.

3. The boundary of the Counties of Carnarvon and Denbigh shall be altered so that the Parish of Llysfaen shall cease to form part of the County of Carnarvon and shall be transferred to the County of Denbigh.

Extension of
the Urban
District.

4. The Parish of Llysfaen shall cease to form part of the Rural District and shall be transferred to and form part of the Urban District.

The Ddol-
ddu area.

5. The Ddol-ddu area is hereby declared to be and to have been part of the County of Denbigh of the Parish of Llanelian-yn-Rhos and of the Rural District of Glan Conway.

Deposit of
maps.

6.—(1) One of the maps shall be deposited in the office of the Minister and each of the other maps shall be deposited by the Clerks of the County Councils of Denbigh and Carnarvon respectively at his office within fourteen days after the date of this Order.

(2) Copies of the map deposited with the Clerk of the County Council of Denbigh certified by him to be true shall be sent by him within one month after the date of the Act of Parliament confirming this Order to the Clerk to the Urban District Council to the Clerk to the Rural District Council to the Clerk of the Conway Guardians to the Board of Inland Revenue to the Com-

missioners of Customs and Excise to the Registrar-General to the Postmaster-General to the Board of Trade to the Minister of Transport to the Minister of Agriculture and Fisheries and to the Electricity Commissioners.

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(3) Copies of or extracts from the map deposited with the Clerk of either of the County Councils certified by that Clerk to be true shall be received in all courts of justice and elsewhere as *primâ facie* evidence of the contents of the map so far as it relates to the boundary of any area to which this Order relates and the map shall at all reasonable times be open to inspection by any person liable to any rate leviable within either of the Parishes of Llysfaen and Llanellian-yn-Rhos and any such person shall be entitled to a copy of or extract from the map certified by the Clerk to be true on payment of a reasonable fee to be determined by the County Council.

Copies of
map to be
evidence.

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

PART III.

PROVISIONS CONSEQUENT ON ALTERATION OF COUNTY BOUNDARY.

7.—(1) The existing Llysfaen Electoral Division of the County of Carnarvon shall be abolished and the total number of County Councillors for that County shall be reduced from fifty-six to fifty-five.

Electoral
Divisions
of the
Counties.

(2) The Parish shall form a new electoral division of the County of Denbigh called the Colwyn Bay (Llysfaen) Electoral Division and the total number of County Councillors for that County shall be increased from sixty-six to sixty-seven.

(3) The person who immediately before the commencement of this Order is the County Councillor representing the existing Llysfaen Electoral Division of the County of Carnarvon shall at such commencement cease to hold office as a Councillor for the County of Carnarvon but shall represent the Colwyn Bay (Llysfaen) Electoral Division of the County of Denbigh constituted by this Order as if he had been elected for that Division and shall retire from office on the day on which he would have retired if this Order had not been made.

8. Any person who immediately before the commencement of this Order is an Alderman of either of the Counties shall continue in office until the day on which he would have retired from office if this Order had not been made.

County
Aldermen.

9.—(1) For the purposes of any commission of assize oyer and terminer or gaol delivery the service of jurors the making of jury lists sheriff lieutenant coroner and territorial army the Parish shall form part of the County of Denbigh.

Assizes ses-
sions jurors
coroner &c.

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(2) The powers and duties of the quarter sessions justices sheriff and clerk of the peace of the County of Denbigh and of the police constables and other peace officers of that county shall extend to the Parish.

(3) The Parish shall be included in and form part of the district of the coroner for the County of Denbigh and the Colwyn Bay Petty Sessional Division of that County.

(4) Every person committing an offence in any part of the Parish prior to the commencement of this Order shall be tried and dealt with as if this Order had not been made and every proceeding which prior to the commencement of this Order has been begun by or before any court or justice or coroner in relation to any matter arising in or concerning any part of the Parish 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.

Transfer of
lists of
prisoners
writs &c.

10. Lists of prisoners writs process and particulars and all records and documents relating to or to be executed in connexion with any action or proceeding pending or existing at the commencement of this Order and appertaining to the Parish shall be delivered transferred and signed in like manner as upon a new sheriff coming into office and as if the Sheriff of the County of Denbigh were as respects the Parish the new sheriff in succession to the Sheriff of the County of Carnarvon.

Jurors' Book
for 1923.

11. The Clerk of the County Council of Carnarvon shall strike out from the Jurors' Book for the year One thousand nine hundred and twenty-three the name and other particulars of any juror who resides within the Parish and shall not later than fourteen days after the commencement of this Order transmit a list of such names and other particulars to the Clerk of the County Council of Denbigh who shall thereupon insert such names and particulars in the Jurors' Book for that year of the County of Denbigh.

County
police.

12.—(1) At the commencement of this Order such number of the members of the police force of the County of Carnarvon as shall have been determined by agreement subject to the approval of the Secretary of State between the Standing Joint Committees of the Counties or in default of agreement by the Secretary of State shall be transferred to and become part of the police force of the County of Denbigh :

Provided that no member of the Carnarvonshire police force shall be transferred under this Article without his consent.

(2) Every member of the Carnarvonshire police force so transferred shall hold office in the Denbighshire police force upon the same tenure and upon the same terms and conditions

as the other serving members of the Denbighshire police force and any period of service which he was entitled to reckon before such transfer for purposes of pay promotion or pension in the Carnarvonshire police force shall be reckoned for the same purpose in the Denbighshire police force :

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Provided that where the scale of ordinary pensions applicable to a member of the police force who is so transferred is by virtue of section 29 (1) (a) of the Police Pensions Act 1921 a scale other than that prescribed in Part I of the First Schedule to that Act such scale shall continue to apply to him as if he had not been so transferred.

(3) The provisions of subsection (2) of Section 8 of the Police Pensions Act 1921 shall extend and apply to and in relation to any member of the police force transferred under this Article as if that member had removed with the written sanction of the Chief Constable of Carnarvonshire and notwithstanding that at the date of the transfer such member may not have completed one year's approved service in such police force.

13.—(1) In any case where the alteration of boundary made by this Order affects the distribution between the Counties of the moneys payable out of the Local Taxation Account or by the Postmaster-General in pursuance of the Act of 1888 of the Local Taxation (Customs and Excise) Act 1890 and of the Roads Act 1920 (as amended by any subsequent Act and as affected by any Order in Council) or any financial relations or questions between those Counties or any adjustment which has been made in regard to the said distribution or financial relations or questions equitable adjustments may be made.

Adjustment
of financial
relations
between
counties.

(2) Any adjustment authorised by subdivision (1) of this Article may be made by agreement between the County Councils and if such adjustment has not been made before the Thirty-first day of December One thousand nine hundred and twenty-three then on the application of either of the County Councils the Minister may if he thinks fit make or appoint an arbitrator to make the adjustment.

(3) In any case in which an agreement for equitable adjustments as aforesaid has not been made the provisions of the Act of 1888 relating to adjustments between Administrative Counties and County Boroughs shall apply with the necessary modifications and the Minister or an arbitrator appointed by him as the case may be shall be substituted in those provisions for the Commissioners appointed under the Act of 1888 and notwithstanding anything in the provisions of this Order or of the Act of 1888 any such adjustment and the determination of any matter incidental or in relation thereto or consequent thereon shall when made by the Minister be deemed to be

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made by him otherwise than as an arbitrator and any arbitrator appointed by him shall be deemed to be an arbitrator within the meaning of Section 62 of the Act of 1888 and the provisions of the Act of 1888 shall apply accordingly :

Provided that—

- (a) in lieu of subsection (6) of Section 61 of the Act of 1888 subsections (1) and (5) of Section 87 of the Act of 1888 shall apply to any inquiries which may be directed by the Minister under this Article and to the costs of those inquiries; and
- (b) subsection (6) of Section 32 of the Act of 1888 shall apply to any agreement or award made under this Article.

Adjustment
for purposes
of Licensing
(Consolida-
tion) Act
1910.

14.—(1) An equitable adjustment shall be made between the Counties respecting the interest of the Parish in any compensation fund constituted under Section 21 of the Licensing (Consolidation) Act 1910 or under any enactment repealed by that Act.

(2) Such adjustment shall be made by agreement between the Compensation Authorities (as defined by the Licensing (Consolidation) Act 1910) for the Counties within twelve months from the commencement of this Order or such extended period as may be allowed by the Secretary of State or in default of agreement by an arbitrator appointed by the Secretary of State.

(3) For the purpose of such adjustment an arbitrator appointed by the Secretary of State shall be deemed to be an arbitrator within the meaning of Section 62 of the Act of 1888 and the provisions of that Act shall apply accordingly.

Insurance
Committees.

15.—(1) The Minister may by order at any time after the passing of the Act of Parliament confirming this Order make such provisions as appear to him to be necessary for transferring to the Insurance Committee for the County of Denbigh such of the property rights and liabilities of the Insurance Committee for the County of Carnarvon as relate to persons resident in the Parish.

(2) An order made under this Article may authorise the Insurance Committee for the County of Carnarvon to continue to act as Insurance Committee for the Parish until such date not being later than the Thirtieth day of June One thousand nine hundred and twenty-three as may be specified in the order and may for that purpose postpone the operation of this Order so far as relates to the rights and duties of the respective Insurance Committees for the Counties until the date so specified and may provide for such financial adjustments and may contain such other consequential and supplementary provisions as may appear to the Minister necessary or expedient.

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(3) An order under this Article shall have effect as if enacted in the National Insurance Act 1911 and may be revoked revised or amended by an order made in like manner as the original order.

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(4) Subject to any order under this Article the persons who immediately before the commencement of this Order are members of the respective Insurance Committees for the Counties shall be deemed to have been appointed or elected as and shall be the members of the respective Insurance Committees for the Counties as altered by this Order.

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

Transfer of
public ele-
mentary
schools.

(1) All public elementary schools provided by the County Council of Carnarvon as local education authority and situate in the Parish and the furniture fittings books and apparatus belonging to that County Council of any public elementary school in the Parish shall by virtue of this Order be transferred to and vest in the County Council of Denbigh as the local education authority for all the estate and interest therein of the Carnarvon 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 of Carnarvon in respect exclusively of any public elementary school in the Parish or of the furniture fittings books or apparatus or with respect to the officers and teachers of any public elementary school in the Parish shall by virtue of this Order enure to and be carried into effect by and be discharged and satisfied by the County Council of Denbigh 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 County Council of Denbigh 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 County Council of Denbigh as the local education authority and so much of any such loan as will be owing on the said date shall be charged

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on the fund or rate out of which the expenses of the County Council of Denbigh under the Education Act 1921 are payable and shall be repaid by the County Council of Denbigh 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 :

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

Schemes for
intermediate
and tech-
nical educa-
tion.

17.—(1) In the Carnarvonshire Scheme of 1893 and the Denbighshire Scheme of 1894 references to either of the Counties or to the area comprised therein shall as from the commencement of this Order (without prejudice to any such determination as in this Article mentioned) be construed as references to that County as altered by this Order or to the area comprised therein.

(2) The Parish shall cease to be comprised in the Conway-with-Llandudno District for the purposes of the Carnarvonshire Scheme of 1893 and shall be comprised in the Abergele District for the purposes of the Denbighshire Scheme of 1894.

(3) The percentage set down opposite the name of the Conway-with-Llandudno District in the third column of the Third Schedule to the Carnarvonshire Scheme of 1893 shall be reduced to such extent (if any) as the Board of Education on the application of the County Council of Carnarvon as County Governing Body may by order direct and the other percentages set down in that column shall thereupon be proportionately increased.

(4) The provisions of this Article and any order made thereunder so far as they modify or affect the provisions of the Carnarvonshire Scheme of 1893 or the Denbighshire Scheme of 1894 shall be alterable by future schemes as if they were contained in those schemes.

(5) So much (if any) of the endowments mentioned in the Carnarvonshire Scheme of 1893 representing the Bangor and Bottwnog Grammar School Foundations as the Board of Education may determine under Section 12 of the Welsh Intermediate Education Act 1889 to be applicable for the benefit of the County of Denbigh shall be part of the General Fund under the Denbighshire Scheme of 1894.

(6) No pupil who is at the commencement of this Order in a school regulated by the Carnarvonshire Scheme of 1893 or the

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Denbighshire Scheme of 1894 shall be liable to any payment to which he might not have been liable if this Order had not been made and any holder of a scholarship exhibition or other benefit awarded before the commencement of this Order under either of those Schemes shall be entitled to hold the same as if this Order had not been made.

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(7) Subsections (1) (2) and (3) of Section 68 of the Act of 1894 shall apply with respect to any adjustment required for the purposes of this Article as if the County Councils as County Governing Bodies were Authorities within the meaning of that Section and any sum required to be paid by any Authority for the purposes of such adjustment may be paid by the Authority out of the General Fund under the Carnarvonshire Scheme of 1893 or the Denbighshire Scheme of 1894 as the case may be.

18.—Subject to the provisions of this Order—

Byelaws &c.
of the County
Councils.

(1) Any byelaws or regulations made by the County Council of Carnarvon or by the Standing Joint Committee of that County and in force immediately before the commencement of this Order in any part of the Parish shall on that date cease to be in force in the Parish:

(2) Any byelaws or regulations made by the County Council of Denbigh or by the Standing Joint Committee of that County and in force immediately before the commencement of this Order throughout the existing Urban District of Colwyn Bay and Colwyn shall extend and apply to the Parish.

19. Every manager of any public elementary school in the Parish who was appointed by the County Council of Carnarvon or by the Parish Council shall vacate office at the commencement of this Order.

Education
managers.

20.—(1) Subject to any future revision the value of the property in the Parish shall be omitted from the basis of the county rate of the County of Carnarvon and shall be included in the basis of the county rate of the County of Denbigh.

County rate
basis.

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

21. For the purposes of the application to the County of Denbigh of the provisions of the County and Borough Councils (Qualification) Act 1914 the Parish shall be deemed to have always formed part of that County.

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

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PART IV.

PROVISIONS CONSEQUENT UPON EXTENSION OF THE URBAN
DISTRICT.

Number
of Urban
District
Councillors.

22. The total number of Urban District Councillors for the Urban District shall be increased from twenty-four to twenty-eight.

Division of
the Urban
District into
wards.

23.—(1) The Urban District shall for the purposes of the election of Urban District Councillors be divided into the seven wards specified in column 1 of the First Schedule to this Order and each ward shall bear the name appearing in that column and shall be coterminous with the Electoral Division of the County of Denbigh mentioned in column 2 of that Schedule opposite the name of the ward in column 1.

(2) Four Urban District Councillors shall be elected for each ward of the Urban District constituted by this Order.

Election
of Urban
District
Councillors.

24.—(1) An election of four Urban District Councillors for each ward into which the Urban District is divided by this Order shall be held in the year One thousand nine hundred and twenty-three on such date and the dates for the several proceedings preliminary to the said election shall be such that the election shall be completed before the First day of April One thousand nine hundred and twenty-three.

(2) The election of Urban District Councillors in pursuance of this Article shall be conducted in accordance with the Urban District Councillors Election Order 1898 as amended by the Local Elections (Alteration of Rules) Order 1919 and for the purpose of the election the Returning Officer shall be the Clerk to the Urban District Council or such other person as may be appointed by the Urban District Council in accordance with paragraph (2) of Rule 1 of the Urban District Councillors Election Order 1898.

(3) The persons elected as Urban District Councillors in pursuance of this Article shall come into office on the First day of April One thousand nine hundred and twenty-three.

(4) For the purpose of the application to the Urban District of subsection (2) of Section 23 of the Act of 1894 the Urban District shall be deemed to have been extended on the First day of March One thousand nine hundred and twenty-two.

Retirement
of Urban
District
Councillors.

25.—(1) The persons who at the commencement of this Order are the Urban District Councillors representing the four wards of the existing Urban District shall retire from office at the commencement of this Order.

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(2) Of the four Urban District Councillors for each ward of the Urban District constituted by this Order one Councillor shall retire from office on the Fifteenth day of April One thousand nine hundred and twenty-four and in each third year thereafter one Councillor shall retire on the Fifteenth day of April One thousand nine hundred and twenty-five and in each third year thereafter and the two remaining Councillors shall retire on the Fifteenth day of April One thousand nine hundred and twenty-six and in each third year thereafter.

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(3) The Urban District Councillors elected at the first election for each ward of the Urban District constituted by this Order shall retire from office in the following rotation namely :—

On the Fifteenth day of April One thousand nine hundred and twenty-four the Urban District Councillor elected by the lowest number of votes ;

On the Fifteenth day of April One thousand nine hundred and twenty-six the two Urban District Councillors elected by the highest number of votes ;

On the Fifteenth day of April One thousand nine hundred and twenty-five the remaining Urban District Councillor :

Provided that if there should be no poll at the first election or if for any reason it is doubtful which of the four Councillors for a ward ought to retire on the dates specified the question shall be determined by lot conducted at the first or second meeting of the Urban District Council held after the Fifteenth day of April One thousand nine hundred and twenty-three under the direction of the presiding Chairman.

26.—(1) The number of Guardians of the Poor assigned to the Parish shall remain unaltered but the number of Councillors of the Rural District shall be reduced by two.

Guardians
and Rural
District
Councillors.

(2) The persons who immediately before the commencement of this Order are holding the office of Rural District Councillor for the Parish shall at such commencement cease to hold that office but shall thenceforth be deemed to have been elected as Guardians for the Parish and shall remain in office until the day upon which they would have retired from office if this Order had not been made.

(3) If on the First day of March One thousand nine hundred and twenty-three any casual vacancy shall exist in the office of Rural District Councillor for the Parish the election to fill the vacancy shall be held as if the vacancy had arisen in the office of Guardian for the Parish but any person elected to fill the casual vacancy shall retire from office on the day on which the Rural District Councillor in whose place he is elected would have retired if this Order had not been made.

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Property &c.
of Urban
District
Council.

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

Mortgage
debts of
Urban
District
Council.

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

(2) All borrowed moneys to which this Article applies shall together with the interest to accrue due thereon be repaid by the Urban District Council 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.

Local Acts
and Orders
relating to
the existing
Urban
District.

29.—(1) Subject to the provisions of this Order the un-repealed provisions of the Local Acts and of the Confirmation Acts specified in the Second 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 Urban District or the Urban District Council as the same respectively are in force within the existing Urban District at the commencement of this Order shall extend and apply to the Urban District and any reference therein to the existing Urban District shall be deemed to refer to the Urban District.

(2) Section 5 of the Colwyn Bay and Colwyn Urban District Gas Act 1901 providing for the purchase by the Rural District Council of such portion of the gasworks and plant of the Urban District Council as is contained within the Rural District shall be repealed.

(3) Section 62 of the Colwyn Bay and Colwyn Urban District Council Act 1902 which provides for the discharge of the sewage and drainage coming from the Parish into the sewers and works of the Urban District Council shall cease to have effect but nothing in this Article shall affect the liability of

the Rural District Council to pay such portion of the sum referred to in subsection (2) of Section 62 of the said Act of 1902 in respect of the year ending the Thirtieth day of April One thousand nine hundred and twenty-three as may accrue up to the commencement of this Order.

A.D. 1922.
 — —
*Carnarvon
 and
 Denbigh
 Order.*

(4) The area for the supply of electricity by the Urban District Council shall include the whole of the Urban District.

30.—(1) The number of members of the Conway and Colwyn Bay Joint Water Supply Board (in this Article called "the Joint Water Board") to be elected by the Rural District Council shall be reduced from four to three and the number of members of that Board to be elected by the Urban District Council shall be increased from five to six.

The Conway
 and Colwyn
 Bay Joint
 Water Sup-
 ply Orders
 1891 to 1898.

(2) The vacancy which first occurs after the commencement of this Order among those members of the Joint Water Board who were elected by the Rural District Council shall not be filled by that Council but shall be filled by the Urban District Council as if it were a vacancy in the representatives of the Urban District Council upon the Joint Water Board:

Provided that if more than one such vacancy should occur simultaneously one only of the vacancies shall be filled by the Urban District Council.

(3) Schedule A to the Conway and Colwyn Bay Joint Water Supply Order 1898 shall be amended by the substitution of the Urban District for the existing Urban District and the reference in Schedule B to that Order to Llysfalen as a contributory place in the Rural District shall be omitted from that Schedule and such other amendments shall be made in the Conway and Colwyn Bay Joint Water Supply Orders 1891 to 1898 as may be necessary to give effect to the provisions of this Article.

31.—(1) The Parish shall cease to form part of the Conway and Penmaenmawr Joint Hospital District and references in the Conway and Penmaenmawr Joint Hospital Order 1910 to the Rural District of Conway and the Rural District Council of Conway shall be construed as references to the Rural District as altered by this Order and to the Council thereof.

The Conway
 and Pen-
 maenmawr
 Joint Hos-
 pital Order
 1910.

(2) The number of members of the Conway and Penmaenmawr Joint Hospital Board to be elected by the Rural District Council upon the occurrence after the commencement of this Order of a vacancy among the members of the Joint Board elected as aforesaid shall be reduced from six to five and the vacancy shall not be filled.

32.—(1) The provisions of the Public Libraries Acts 1892 to 1919 the Infectious Disease (Prevention) Act 1890 the Public Health Acts Amendment Act 1890 and the Private

Adoptive
 Acts.

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Provisional Order Confirmation (No. 4) Act, 1922.

A.D. 1922. Street Works Act 1892 shall be in force in and apply to the
Carnarvon Urban District as if the same had been adopted for the Urban
and District.
Denbigh
Order.

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

(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 Urban District shall extend and apply to the Parish and any such order in force on the day aforesaid in the Parish shall save as hereinbefore provided cease to be in force in the Parish.

Orders under
Section 33 of
Act of 1894.

33.—(1) The powers duties and liabilities transferred to or conferred upon the Urban District Council by the orders of the Local Government Board under Section 33 of the Act of 1894 dated the Fifth day of March One thousand eight hundred and ninety-six and the Twenty-third day of August One thousand eight hundred and ninety-seven in relation to the appointment of Overseers and Assistant Overseers 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 Urban District Council in respect of the Urban District and of the Parish and the said orders shall have effect accordingly.

(2) The powers duties and liabilities of a parish council under Section 14 of the Act of 1894 conferred upon the Urban District Council by the order of the Local Government Board dated the Fourth day of July One thousand eight hundred and ninety-six shall be deemed to have been conferred on the Urban District Council in respect of the Parishes of Eirias and Llandrillo-yn-Rhos.

(3) An order may be made by the Minister under Section 33 of the Act of 1894 with respect to any charity held wholly or partly for the benefit of the inhabitants of the Parish.

Appoint-
ment of
Overseers.

34. The Urban District Council at their first meeting after the commencement of this Order shall appoint overseers for each parish within the Urban District and the overseers so appointed shall come into office upon their appointment by the Council.

Byelaws &c.
in force in
the Urban
District.

35. Subject to the provisions of this Order—

(1) The byelaws made by the Urban District Council with respect to new streets and buildings and slaughter-houses which were confirmed on the Twenty-first day of June One thousand eight hundred and

eighty-eight in so far as such byelaws may be in force in the existing Urban District immediately before the commencement of this Order shall for a period of one year from the date of the Act of Parliament confirming this Order extend and apply to the Urban District unless previously repealed or altered but on the expiration of the period aforesaid shall cease to be in force within any part of the Urban District :

- (2) Save as hereinbefore provided all byelaws and every scale of charges made by the Urban District Council which immediately before the commencement of this Order may be in force throughout the existing Urban District shall extend and apply to the Urban District until such byelaws or scale of charges may be altered or repealed :
- (3) All byelaws made by the Rural District Council (or their predecessors) and in force immediately before the commencement of this Order in any part of the Parish shall at such commencement cease to be in force in the Parish 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 District Council or have been sent to their surveyor or clerk one month at least before that date and have not been disapproved by that Council :
- (4) As regards any work within the exception in subdivision (3) 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 Urban District Council and as if that Council and the Urban District were referred to therein instead of the Rural District Council and the Rural District :
- (5) Any proceedings which if this Order had not been made might have been taken by the Rural District Council for any offence committed before the commencement of this Order against any byelaws of the Rural District Council (or their predecessors) which by virtue of this Article cease to be in force may be taken by the Urban District Council as if those byelaws had remained in force and the Urban District Council had been substituted therein for the Rural District Council (or their predecessors) :
- (6) In this Article "byelaws" includes any regulation and "scale of charges" includes any list of tolls or table of fees or payments.

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Powers
property &c.
of the Rural
District
Council.

36.—(1) The Rural District Council shall cease to exercise any powers or discharge any duties within the Parish.

(2) Subject to any necessary adjustment all property or liabilities which immediately before the commencement of this Order are vested in or attach to the Rural District Council in relation exclusively to the Parish or any part thereof shall by virtue of this Order be transferred to and vest in the Urban District Council.

(3) Any property or liabilities vested in or attaching to the Rural District Council in relation to the Parish or any part thereof conjointly with any other area shall be a matter for adjustment under Section 62 of the Act of 1888.

Dissolution
of the Parish
Council.

Powers
property and
liabilities
of Parish
Council.

37. The Parish Council shall cease to exist.

38. 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 be vested in and imposed on the persons and authorities in or on whom they would be vested or imposed if the Parish had been included in the existing Urban District on the appointed day within the meaning of the Act of 1894 :

(2) Any property or liabilities held or incurred by the Parish Council 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 :

(3) Any property or liabilities held or incurred by the Parish Council 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 Urban District Council.

PART V.

SUPPLEMENTARY PROVISIONS.

Liquidation
of current
debts and
liabilities.

39. The Urban District Council the Rural District Council and the Parish Council shall liquidate as far as practicable before the commencement of this Order all current debts and liabilities incurred by them.

40.—(1) As soon as practicable after the commencement of this Order— A.D. 1922.

(a) The County Council of Carnarvon shall as regards any cash balance in their hands at the commencement of this Order estimate the proportion thereof derived from contributions paid by the Parish and subject to a deduction on account of undischarged liabilities in respect of the Parish accruing up to the commencement of this Order shall transfer such amount to the County Council of Denbigh;

*Carnarvon
and
Denbigh
Order.*

Apportionment of balances and sums received under precepts.

(b) The Rural District Council as regards any cash balance in their hands at the commencement of this Order shall estimate any proportion thereof derived from contributions paid by the Parish and subject to a deduction on account of undischarged liabilities in respect of the Parish accruing up to the commencement of this Order shall transfer such amount to the Urban District Council.

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

41. 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 adjustment.

(1) 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

(2) 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 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.

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Provisional Order Confirmation (No. 4) Act, 1922.

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and
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Duplicate
entries in
electors lists.

42.—(1) The Registration Officer of the Parliamentary County of Carnarvon shall on publication of the electors list for any registration unit comprising the Parish supply the Registration Officer of the Parliamentary County of Denbigh with a sufficient number of copies of that list.

(2) It shall be the duty of the Registration Officer of the Parliamentary County of Denbigh to issue such notices and otherwise to take such steps as are required by Rule 23 in the First Schedule to the Act of 1918 in order to secure that no person is registered as a local government elector in respect of more than one qualification in the same electoral division of the County of Denbigh for the purpose of county council elections in the same ward of the Urban District for the purpose of urban district council elections or in the Parish for the purpose of guardians elections.

(3) Where the Registration Officer of the Parliamentary County of Denbigh considers (whether on account of an expression of choice by a person affected by a duplicate entry or otherwise) that any correction required for the purpose aforesaid should be made in the electors list of any registration unit comprising the Parish he shall forthwith notify the Registration Officer of the Parliamentary County of Carnarvon and that officer shall make such correction accordingly.

(4) This Article shall apply to the preparation of the spring register for the year One thousand nine hundred and twenty-three and of later registers.

Provisions as
to register of
electors.

43.—(1) For the purposes of the register of local government electors for any electoral area wholly within the County of Denbigh prepared for the year One thousand nine hundred and twenty-three and of all matters connected with incidental to or consequent upon those purposes the Parish shall be deemed to have formed part of the County of Denbigh as from the first day of the qualifying period for the spring register.

(2) In the preparation of the spring register for the year One thousand nine hundred and twenty-three so far as it relates to any area affected by this Order it shall be competent to the Registration Officer to frame the register in separate parts for each area which will constitute a registration unit after the commencement of this Order instead of in separate parts for each area constituting a registration unit before the commencement of this Order.

(3) If the register of local government electors for any local government electoral area affected by this Order is not so framed as to show the persons entitled to vote at an election

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or parish meeting to be held for an electoral division parish or ward or other voting area— A.D. 1922.

(a) The Registration Officer of the Parliamentary County of Denbigh in the case of an election for any voting area within the County of Denbigh;

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and
Denbigh
Order.*

(b) The Registration Officer of the Parliamentary County of Carnarvon in the case of an election for any voting area within the County of Carnarvon;

shall make such alteration or re-arrangement of the register as may be necessary for the purposes of such election or parish meeting.

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

(5) 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.

44.—(1) Any officer of either of the County Councils or of the Standing Joint Committee of either of the Counties who by virtue of this Order or of anything done in pursuance or in consequence thereof suffers any such direct pecuniary loss as is mentioned in Section 120 of the Act of 1888 (and for whose compensation no other provision is made by any enactment for the time being in force) shall be entitled to compensation from the County Council of Denbigh for that loss. Compensation to existing county officers.

(2) In determining the compensation payable to any officer 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.

(3) For the purposes of this Order 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 County Council of Denbigh; and

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

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(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.

(4) 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 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.

(5) 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.

(6) The County Council 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.

(7) Any officer whose services are dispensed with or whose salary is reduced within three 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.

(8) The non-acceptance by any officer (not being a servant) of any office shall not be a bar to the right to compensation under this Order.

(9) Any teacher in any public elementary school maintained by a County Council and any other person whose remuneration is paid by a County Council shall be deemed to be an officer of

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that Council and "local authority" means a local authority as defined in Section 34 of the Local Loans Act 1875 and includes a standing joint committee of a county.

A.D. 1922.

—
*Carnarvon
 and
 Denbigh
 Order.*

45.—(1) Every officer in office immediately before the commencement of this Order (not being an officer to whom the preceding Article of this Order extends) 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 have compensation paid to him for that pecuniary loss.

Compensation to existing officers not being county officers.

(2) A joint committee of the County Councils shall determine the local authority to whom application shall be made for compensation and out of what fund the compensation (if any) shall be paid by that authority and the provisions of the preceding Article of this Order shall apply with the substitution of that authority for the county council and with such other modifications as may be required.

46. No person 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.

Compensation and superannuation.

47. Any order under the Wild Birds Protection Acts 1880 to 1908 which is in force at the commencement of this Order in the existing Urban District shall extend to the Parish and any other order under the said Acts which at that date is in force in the Parish shall cease to apply thereto.

Orders under the Wild Birds Protection Acts.

48. 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 commencement of this Order in any area affected by this Order shall subject to the provisions of such Acts remain in force and apply to the area to which it applied before the commencement of this Order.

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

49. All rates made by the Overseers of the Parish which are not collected at the commencement of this Order may be collected and recovered as if this Order had not been made.

Arrears of rates.

50. Any balance at the commencement of this Order in the hands of the Overseers of the Parish which may have been derived from any rate made for the purposes of the Public Health Acts or of the Lighting and Watching Act 1833 together with the arrears of any such rate collected after the commence-

Balance of special sanitary or lighting rate in hands of Overseers.

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Saving for
qualification
of aldermen
councillors
&c.

ment of this Order shall subject to the discharge of any unsatisfied precept of the Rural District Council or of the Parish Council for any purpose covered by the rate be paid to the Urban District Council.

51. Any alderman 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 by reason of any alteration of area made by this Order.

Assistant
Overseer or
Collector for
the Parish.

52. Any person holding immediately before the commencement of this Order the office of Assistant Overseer or Collector of Poor Rates for the Parish 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.

Savings for
actions con-
tracts &c.

53. 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 either of the County Councils or the Rural District Council or any contract deed bond agreement or other instrument (subsisting at the commencement of this Order) entered into or made by such Council or their predecessors ;

Provided that—

(a) Any action cause of action or proceeding which at the commencement of this Order is pending or existing by or against the Rural District Council in relation exclusively to the Parish or any part thereof may be continued prosecuted and enforced by or against the Urban District Council; and

(b) All contracts deeds bonds agreements and other instruments (subsisting at the commencement of this Order) entered into or made by the Rural District Council (or their predecessors) in relation exclusively to the Parish or any part thereof may be continued and enforced as fully and effectually as if instead of that Council (or their predecessors) the Urban District Council had been a party thereto.

Saving for
contribution
orders and
precepts.

54. 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.

Audit of
accounts of
Parish
Council.

55. The accounts of the Parish Council and of their officers shall be made up to the commencement of this Order and shall be audited by the District Auditor in like manner and subject

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to the like incidents and consequences as if this Order had not been made : A.D. 1922.

Provided that any sum certified by the District Auditor to be due from any person shall be paid to the Urban District Council and shall if necessary be a matter for adjustment under Section 62 of the Act of 1888.

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and
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Order.*

56. 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 Secretary of State the Minister or the County Councils under the Act of 1888 or the Act of 1894. Saving for powers of Minister &c.

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

58. Nothing in this Order shall affect the ecclesiastical divisions of any parish or shall (save as in this Order provided as respects the Carnarvonshire Scheme of 1893 and the Denbighshire Scheme of 1894) prejudice vary or affect any right interest or jurisdiction in or over any charitable endowment. Ecclesiastical divisions and charities.

59. 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. References to the Education Act 1921.

60. This Order may be cited as the Counties of Carnarvon and Denbigh (Llysfaen) Order 1922. Short title.

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FIRST SCHEDULE.

WARDS OF THE URBAN DISTRICT FOR THE ELECTION OF
 URBAN DISTRICT COUNCILLORS.

Column 1. Name of Ward.	Column 2. Electoral Division of the County of Denbigh.
Rhos - - - - -	Colwyn Bay Rhos.
West - - - - -	Colwyn Bay West.
North - - - - -	Colwyn Bay North.
East - - - - -	Colwyn Bay East.
South - - - - -	Colwyn Bay South.
Eirias - - - - -	Colwyn Bay (Eirias).
Llysfaen - - - - -	Colwyn Bay (Llysfaen).

SECOND SCHEDULE.

PART I.—LOCAL ACTS.

Session and Chapter.	Short Title.
60 & 61 Vict. c. cclix. -	The Colwyn Bay and Colwyn Urban District Council Act 1897.
1 Edw. 7. c. lxxix. -	The Colwyn Bay and Colwyn Urban District Gas Act 1901.
2 Edw. 7. c. clxxv. -	The Colwyn Bay and Colwyn Urban District Council Act 1902.

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PART II.—CONFIRMATION ACTS.

A.D. 1922.

Session and Chapter.	Short Title.	Order thereby confirmed.
59 & 60 Vict. c. lxxxiii.	The Electric Lighting Orders Confirmation (No. 2) Act 1896.	The Colwyn Bay and Colwyn Electric Lighting Order 1896.
1 & 2 Geo. 5. c. cxlvi.	The Local Government Board's Provisional Orders Confirmation (No. 8) Act 1911.	The Colwyn Bay and Colwyn Order 1911.

*Carnarvon
and
Denbigh
Order.*

Given under the Official Seal of the Minister of Health
this Twentieth day of April One thousand nine hundred
and twenty-two.

(L.S.)

F. L. TURNER
Assistant Secretary Ministry of Health.

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