



CHAPTER xii.

An Act to confirm a Provisional Order of the A.D. 1928.
Minister of Health relating to Ealing.
[10th May 1928.]

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.

And whereas it is requisite that the said Order should be confirmed by Parliament : c. 41.

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

1. The Order set out in the schedule hereto 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 (Ealing Extension) Act 1928. Short title.

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SCHEDULE.

BOROUGH OF EALING.

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

WHEREAS by 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 Ealing in the County of Middlesex 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 Ealing and act by the council of the Borough which now consists of the mayor (who is also a councillor) ten aldermen and twenty-nine other councillors and the Borough for the election of councillors is divided into ten wards;

And whereas the Borough is coextensive with the Parish of Ealing and is an urban district under the jurisdiction of the mayor aldermen and burgesses acting by the Council;

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

And whereas the Parish of Northolt in the County of Middlesex adjoins the Borough and is a contributory place in the Rural District of Uxbridge;

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 as follows:—

PART I.

INTERPRETATION AND COMMENCEMENT.

Definitions.

1. In this Order unless the context otherwise requires—

“Existing” in relation to any area altered by this Order means existing immediately before the First day of October Nineteen hundred and twenty-eight;

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“The Act of 1888” and “the Act of 1894” mean respectively the Local Government Act 1888 and the Local Government Act 1894; A.D. 1928.
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“The added area” means that part of the existing Parish of Northolt and of the Rural District of Uxbridge which is coloured blue on the maps and is added to the existing Borough of Ealing by this Order;

“The appointed day” means the First day of October Nineteen hundred and twenty-eight;

“The Borough” means the existing Borough of Ealing 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 Middlesex and the county council of that county;

“The maps” means the duplicate maps marked “Map of the Borough of Ealing as extended by the Ealing (Extension) Order 1928” and sealed with the official seal of the Minister;

“The Minister” means the Minister of Health;

“The Municipal Corporations Acts” means the Municipal Corporations Act 1882 and the Acts amending and extending the same and the Borough Councillors (Alteration of Number) Act 1925;

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

“The Parish of Ealing” means the existing Parish of Ealing as extended by this Order;

“The Rural District” and “the Rural Council” mean respectively the Rural District of Uxbridge and the Rural District Council of Uxbridge.

2. Save as otherwise expressly provided this Order shall come into operation on the First day of October Nineteen hundred and twenty-eight: Commence-
ment of
Order.

Provided that for the purposes of—

- (a) The increase of the number of wards of the Borough and all proceedings preliminary or relating to any election to be held in September Nineteen hundred and twenty-eight for any area affected by this Order;

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(b) The compilation alteration or re-arrangement of any register of electors made under the Representation of the People Acts 1918 to 1926;

(c) Part IV. of this Order relating to rating and valuation, and

(d) The preparation of any precept or contribution order to be made on or after the appointed day;

this Order shall operate from the date of the Act of Parliament confirming this Order.

PART II.

ALTERATIONS OF BOUNDARY.

Extension of
existing
Borough.

3.—(1) The boundary of the existing Borough the area whereof is coloured pink on the maps shall be altered so as to include in addition to that area the part of the Parish of Northolt and of the Rural District which is coloured blue on the maps.

(2) The boundary of the Borough shall be that shown by the red line on the 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.

Alteration of
existing
parishes and
unions.

4. The added area shall be separated from the existing Parish of Northolt and the Uxbridge Union and shall be added to the existing Parish of Ealing and the Brentford Union.

Alteration of
petty
sessional
divisions.

5. The added area shall be separated from the Uxbridge Petty Sessional Division and shall form part of the Brentford Petty Sessional Division.

Deposit and
copies of
maps.

6.—(1) One of the maps shall be deposited in the office of the Minister and the duplicate map shall be deposited by the town clerk of the existing Borough at his office.

(2) Copies of the map deposited with the town clerk certified by him to be true shall be sent by him within one month after the passing of the Act of Parliament confirming this Order 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 to the Electricity Commissioners to the clerk to the County Council to the clerk to the Rural Council to the clerks to the guardians of the Uxbridge and Brentford Unions and to the clerks to the justices of the petty sessional divisions of Uxbridge and Brentford.

Copies of
map to be
evidence.

7.—(1) Copies of or extracts from the map deposited with the town clerk and certified by him to be true shall be received in all courts of justice and elsewhere as *primâ facie* evidence of

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the contents of that map so far as it relates to the boundary of the Borough. A.D. 1928.

(2) The map deposited with the town clerk 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.

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(3) All fees so received shall be carried to the borough fund.

PART III.

PROVISIONS CONSEQUENT ON EXTENSION OF BOROUGH.

8. The persons who hold office immediately before the appointed day as mayor aldermen and councillors of the existing Borough shall on the appointed day become the mayor aldermen and councillors of the Borough but shall respectively retire from office on the day on which they would have retired from office if this Order had not been made.

Existing mayor aldermen and councillors.

9. Subject to the provisions of the Municipal Corporations Acts—

New ward of Borough and increase of councillors.

- (1) the added area shall form a new ward of the Borough to be called the Northolt Ward;
- (2) one councillor shall be assigned to the Northolt Ward and the number of councillors of the Borough shall be increased to thirty-one;
- (3) the councillor for the Northolt Ward shall retire from office on the First day of November in the year Nineteen hundred and thirty-one and in every third year thereafter.

10. 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.

County and Borough Councils (Qualification) Act 1914.

11.—(1) Upon the Nineteenth day of September Nineteen hundred and twenty-eight there shall be held an election of one councillor for the Northolt Ward of the Borough constituted by this Order.

Election of councillor for Northolt Ward.

(2) The mayor and town clerk of the existing Borough or such other persons as the Secretary of State may appoint shall perform the duties devolving at an election upon a mayor and town clerk respectively under the Municipal Corporations Acts and the mayor shall be the returning officer at the election but may appoint some other person to act as returning officer.

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Assignment
of alderman
as returning
officer for
Northolt
Ward.

County
electoral
divisions.

Transfer
of public
elementary
schools &c.
within
added area
and of loans.

(3) The councillor elected at the election shall come into office on the appointed day.

12. At the first meeting in October Nineteen hundred and twenty-eight of the Council of the Borough an alderman of the Borough shall be assigned by the Council to act as returning officer for the Northolt Ward until the quarterly meeting of the Council next following.

13.—(1) For the purpose of the election of county councillors the added area shall be transferred from the Hayes Electoral Division to the Ealing North-West Electoral Division.

(2) Any person who immediately before the appointed day represents as a county councillor an existing electoral division of the County which is altered by this Order shall be deemed to have been elected to represent the electoral division as so altered and shall retire from office on the day on which he would have retired if this Order had not been made.

14.—(1) For the purposes and subject to the provisions of the Education Act 1921—

(a) Any public elementary school provided by the County Council as local education authority and situate within the added area and the furniture fittings books and apparatus belonging to the County Council of any public elementary school within that 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;

(b) All contracts debts and liabilities which immediately before the appointed day are existing or are owing by or attach to the County Council in respect exclusively of any public elementary school within the added area or of the furniture fittings books or apparatus or with respect to the officers and teachers of any such school within that 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;

(c) Section 68 of the Act of 1894 shall apply with respect to any adjustment required for the purposes of this article;

(d) Subject to any adjustment which may hereafter be made the liability for the repayment of so much of any loan raised exclusively in respect of any public elementary school or in respect of the furniture fittings or apparatus transferred to and vested in the Corporation by virtue of this Order as will be owing immediately

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before the appointed day 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 education authority and so much of any such loan as will then be owing shall be charged on the borough fund and the 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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(2) In this article "public elementary school" includes the site and school house and also any land acquired and held by the County Council as the local education authority for purposes of elementary education.

15. Any manager of any public elementary school within the added area who was appointed by the County Council or by the Parish Council shall vacate office on the appointed day.

School managers.

16. Subject to the provisions of this Order all property immediately before the appointed day vested in the Corporation 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 immediately before that day are exerciseable by or vested in the Corporation for the benefit of the existing Borough and all liabilities which immediately before the appointed day attach to the Corporation in respect of the existing Borough shall on that day attach to them in respect of the Borough.

Corporation property liabilities &c.

17.—(1) So much of any sums borrowed by the Corporation as immediately before the appointed day are owing and charged upon a fund or rate of the existing Borough shall be charged upon the corresponding fund or rate of the Borough.

Mortgage debts of Corporation.

(2) All borrowed moneys to which this article applies with the interest thereon shall 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.

18. 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;

(2) Any property or liabilities which immediately before the appointed day are vested in or attach to the Rural Council in relation exclusively to the added

Cesser of jurisdiction of Rural Council and property &c.

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area or any part thereof shall 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 1875 to 1925;

- (3) Any property or liabilities which immediately before the appointed day are vested in or attach to the Rural Council in relation to the added area or any part thereof conjointly with any other area shall be a matter for adjustment under this Order.

Housing
Schemes of
Rural
Council.

19.—(1) Upon the appointed day the estate or interest of the Rural Council in such of the houses provided by that Council under the Rural Housing Schemes as are situate within the added area shall by virtue of this Order be transferred to and vest in the Corporation as the authority for the execution of the Housing Act 1925.

(2) The rights liabilities obligations and property attaching to or vested in the Rural Council in relation to the Rural Housing Schemes shall be a matter for adjustment under this Order.

(3) In this article "the Rural Housing Schemes" means the housing schemes of the Rural Council formulated for the Rural District under the Housing Town Planning &c. Act 1919 the Housing &c. Act 1923 the Housing (Financial Provisions) Act 1924 and the Housing Act 1925.

Dissolution
of Parish
Council.

20.—(1) The Parish Council shall cease to exist but shall liquidate as far as practicable before the appointed day all current debts and liabilities incurred by them.

(2) Subject to the provisions of this Order any powers or duties vested in or imposed on the Parish Council shall so far as regards the added area be vested in or imposed on the Corporation.

(3) The property and liabilities of the Parish Council shall by virtue of this Order be transferred to and vest in or attach to the Corporation but shall be a matter for adjustment under this Order.

Local Acts
Orders &c.
relating to
existing
Borough.

21.—(1) Sections 15 18 20 21 24 34 and paragraphs (A) and (B) of section 54 of the Ealing Corporation Act 1905 are hereby repealed.

(2) Subject to the provisions of this Order the unrepealed provisions of—

- (a) 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 scheme or Provisional Orders specified in that Schedule; and

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(b) Any other local Act or Provisional Order duly confirmed and affecting the existing Borough or the Corporation (including any such local Act or Provisional Order passed or confirmed during the present session of Parliament);

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(c) Any order affecting the existing Borough or the Corporation which has effect as if enacted by Parliament;

as the same respectively are in force within the existing Borough immediately before the appointed day shall extend and apply to the Borough and any reference therein which is applicable to the existing Borough and the Corporation shall be deemed to refer to the Borough and the Corporation thereof and any reference therein which is applicable to the existing Parish of Ealing shall be read as a reference to the Parish of Ealing :

Provided that public notice shall be given in the added area of the provisions of Part VII. (Milk supply) of the Ealing Corporation Act 1905 in the manner prescribed by section 71 of that Act and that the provisions aforesaid shall come into operation within the added area at such time not being less than one month after the first publication of the advertisement as the Corporation may fix.

(3) Nothing in this Order shall extend the limits for the supply of electricity by the Corporation or shall prejudice or affect the rights and powers of the Metropolitan Electric Supply Company Limited or the Uxbridge and District Electric Supply Company Limited or alter the area of supply of either of those Companies.

22.—(1) The added area shall cease to form part of the Uxbridge Joint Hospital District and references to the Rural District of Uxbridge and the Rural District Council of Uxbridge in the Uxbridge Joint Hospital Orders 1882 to 1911 shall be read as references to the Rural District as altered by this Order and the Council thereof.

Uxbridge
 Joint
 Hospital
 District.

(2) As soon as practicable after the appointed day an equitable adjustment shall be made under this Order between the Corporation on the one hand and the Uxbridge Joint Hospital Board on the other hand with respect to the interest or share of the added area in the property and liabilities of the Joint Board.

23. For the purposes of any agreement relating to the appointment by the Corporation and the Urban District Council of Brentford and Chiswick of a joint committee for the control and management of certain hospitals the added area shall form part of the Borough of Ealing.

Joint hospital
 committee of
 Corporation
 and Brentford
 and Chiswick
 Council.

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 Adoptive
 Acts.

24.—(1) The provisions of—

- (a) the Baths and Washhouses Acts 1846 to 1925;
- (b) the Infectious Disease (Prevention) Act 1890;
- (c) the Public Health Acts Amendment Act 1890 (except Part IV. of that Act);
- (d) the Public Libraries Acts 1892 to 1919;
- (e) the Local Government and other Officers' Superannuation Act 1922; and
- (f) Parts II. to V. of the Public Health Act 1925;

shall be in force within and apply to the Borough as if the same had been adopted for the Borough.

(2) The provisions of any adoptive Act shall subject to the provisions of this article cease to be in force within or apply to any part of the added area.

(3) Any order under the Infectious Disease (Notification) Act 1889 or under any adoptive Act mentioned in paragraph (1) of this article which is in force immediately before the appointed day throughout the existing Borough shall extend and apply to the added area and any order under the Infectious Disease (Notification) Act 1889 in force immediately before that day within the added area shall save as hereinbefore provided cease to be in force within that area.

Public
 libraries
 small
 dwellings
 acquisition
 maternity
 child
 welfare &c.

25. For the purposes of—

- (a) The Public Libraries Acts 1892 to 1919;
- (b) The Small Dwellings Acquisition Acts 1899 to 1923; and
- (c) The Notification of Births Acts 1907 and 1915 and the Maternity and Child Welfare Act 1918;

the Corporation shall be the authority for the Borough to the exclusion of the County Council.

Ealing and
 Old Brent-
 ford Burial
 Board.

26. Nothing in this Order shall affect the district of the Ealing and Old Brentford Burial Board or shall render any ratepayer of that part of the Borough which is not within the district of the Burial Board liable to contribute to any sum demanded by a precept of the Burial Board and any such precept shall be met in the manner prescribed by section 13 of the Burial Act 1855.

Orders
 under Public
 Health Acts
 Amendment
 Act 1907 or
 Public
 Health
 Act 1925.

27. Subject to any order which the Minister or the Secretary of State may make on or after the appointed day the following provisions shall have effect as regards orders under the Public Health Acts Amendment Act 1907 or the Public Health Act 1925:—

- (1) The provisions of any order made before the appointed day and declaring to be in force throughout the existing Borough any parts or sections of either of those Acts

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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 within the Borough; A.D. 1928.
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(2) Any other order under either of those Acts which is in force immediately before the appointed day throughout the existing Borough shall extend and apply to the added area;

(3) The provisions of any order made before the appointed day and declaring to be in force within the added area any parts or sections of either of those Acts shall cease to apply to the added area and the parts or sections declared by any such order to be in force shall save as hereinbefore provided cease to be in force within the added area.

28.—(1) The powers duties and liabilities transferred to or conferred upon the Corporation by the order of the Local Government Board under section 33 of the Act of 1894 dated the Twenty-third day of August Eighteen hundred and ninety-nine in relation to charities certain powers duties and liabilities of Overseers and other matters shall be deemed to have been transferred to or conferred on the Corporation in respect of the Borough but nothing in this article shall be deemed to substitute a reference to the Parish of Ealing in such of the provisions of that order as relate to charities for the reference to the Parish of Ealing as it existed at the date of the order. Orders under section 33 of Act of 1894.

(2) An order may be made by the Minister under section 33 of the Act of 1894 with respect to charities as if the added area were a separate parish within the Borough.

29. 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 appointed day in any area affected by this Order shall subject to the provisions of those Acts remain in force and apply to the area to which it then applied. Orders under Shop Hours Act 1904 or Shops Acts 1912 to 1920.

30.—(1) Any byelaws made by the Corporation for good rule and government or under the Education Act 1921 or any enactment repealed by that Act and in force immediately before the appointed day shall extend and apply to the Borough until the byelaws are repealed or altered by further byelaws. Byelaws regulations scales of charges &c.

(2) Subject to paragraph (1) of this article all byelaws made by the Corporation the Rural Council or the Parish Council which immediately before the appointed day are in force within the existing Borough or any part thereof or within the added area shall remain in force and continue to apply to the area to which they apply until the byelaws are repealed or altered by further byelaws made by the Corporation.

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(3) All byelaws made by the County Council or by the standing joint committee of the County and in force immediately before the appointed day within the added area shall in so far as byelaws to the like effect could be made by the Corporation cease to be in force within the added area.

(4) In their application to the added area any byelaws made by the Rural Council or the Parish Council shall have effect as if they had been made by the Corporation and as if the added area were referred to therein.

(5) Any proceedings which if this Order had not been made might have been taken for any offence within the added area committed before the appointed day against—

(a) any byelaws of the Rural Council or the Parish Council;
or

(b) any byelaws of the County Council or the standing joint committee which by virtue of this article cease to apply to the added area;

may be taken by the Corporation as if the Corporation had been substituted therein for the Rural Council the Parish Council the County Council or the standing joint committee as the case may require and as if the byelaws of the County Council or the standing joint committee had remained in force.

(6) In this article “byelaws” includes any regulation scale of charges list of tolls or table of fees or payments and any reference to byelaws made by the Corporation or by the Rural Council shall be read as including a reference to byelaws made by the predecessors of the Corporation or the Rural Council as the case may require.

Local land
charges
registers.

31.—(1) The local registrar for the Rural District under the Land Charges Act 1925 and the rules made thereunder shall within fourteen days after the appointed day supply to the local registrar for the Borough an office copy of every entry in the local land charges register relating to any premises situate within the added area and shall be paid by the Corporation in respect thereof such fees as are prescribed by the said rules.

(2) The local registrar for the Borough shall within fourteen days after the receipt of the office copy mentioned in paragraph (1) of this article enter the same with any necessary modifications in the appropriate part of the local land charges register of the Borough.

(3) Until the expiration of one month after the appointed day the following provisions shall have effect in respect of all land within the added area—

(a) The local registrar for the Borough shall give notice to any person desiring to make a personal search that

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an additional search should be made in the register for the Rural District; A.D. 1928.

(b) Where application is made for an official search the local registrar for the Borough shall issue free of charge a certificate of official search in the register of the Borough and shall forward to the local registrar for the Rural District the application received by him together with the fees paid in respect thereof;

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(c) The local registrar for the Rural District shall permit and make such searches and furnish such office copies and certificates as he would have been required to permit make and furnish and shall in relation thereto have the same powers and be subject to the same obligations as if this Order had not been made;

(d) Where a local land charge duly registered in the local land charges register of the Rural District is in pursuance of this Order transferred from the register of the Rural District to the register of the Borough such charge shall not be void as against a purchaser for money or money's worth of a legal estate in the land affected thereby by reason only that it has not been entered in the register of the Borough.

32. Any proceeding taken by the Rural Council under the Town Planning Act 1925 or any enactment thereby repealed (including any agreement order approval consent or notice under that Act repealed enactment or scheme) shall in so far as it relates to land within the added area have effect as if it had been taken by the Corporation in respect of that land. Town planning.

PART IV.

RATING AND VALUATION.

33.—(1) The County of Middlesex (Assessment Areas and Assessment Committees) Scheme 1926 as approved by the Minister on the Eighth day of September Nineteen hundred and twenty-six shall on and after the appointed day be read and have effect as if for references therein to the Borough of Ealing and the Ealing Borough Council there were substituted references to that Borough as extended by this Order and the Borough Council thereof and as if for references to the Rural District of Uxbridge and the Uxbridge Rural District Council there were substituted references to the Rural District as altered by this Order and the Council thereof. Assessment areas and committees.

(2) Any person who immediately before the appointed day represents the existing Borough or the existing Rural District

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Deduction in
ascertaining
rateable
value of
tithes rail-
ways canals
&c.

on the West Middlesex Assessment Committee shall on that day be deemed to have been appointed to represent the Borough or the Rural District (as the case may require) on that Committee.

34. For the purposes of all valuation lists of the Borough prepared under the Rating and Valuation Act 1925 the amount of the deduction to be made from net annual value in the ascertainment of the rateable value of such rateable hereditaments within the added area as are included in class (3) of the hereditaments specified in column (1) of Part II. of the Second Schedule to that Act shall be 30 per cent. and such alterations of the rateable value of rateable hereditaments within the added area shall be made by the Corporation in the first new valuation list under the Act of 1925 as may be necessary to give effect to this provision.

Valuation
lists.

35.—(1) For the purposes of the preparation revision and approval of the first new valuation list under the Rating and Valuation Act 1925 the Corporation as from the passing of the Act of Parliament confirming this Order shall have as respects the added area to the exclusion of the Rural Council all the powers duties and liabilities of the rating authority under Part II. of the Rating and Valuation Act 1925.

(2) That portion of the draft of the first new valuation list under the Rating and Valuation Act 1925 for the existing Rural District which relates to the added area shall after the passing of the Act of Parliament confirming this Order be transferred to the Corporation and subject to such alterations therein as may appear to the Corporation to be necessary and to the revision and approval of the list by the assessment committee shall be amalgamated with the draft of the first new valuation list for the existing Borough to form the first new valuation list for the Borough.

(3) All documents relating exclusively to the preparation within the added area of the first new valuation list under the Rating and Valuation Act 1925 shall after the passing of the Act of Parliament confirming this Order be transferred to the Corporation.

(4) That portion of the valuation list of the Parish of Northolt in force immediately before the appointed day which relates to hereditaments in the added area and the valuation list of the existing Parish of Ealing in force immediately before the appointed day shall on the appointed day together form the valuation list of the Parish of Ealing.

(5) Nothing in this Order shall before the appointed day affect the powers and duties of the Rural Council as the rating authority for the Rural District with respect to valuation lists in force.

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36.—(1) Subject to any future revision the basis of the county rate of the County shall be altered as follows :— A.D. 1928.

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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 Rural District 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 sums deducted in pursuance of the foregoing provision of this article shall be added to the amounts appearing in the basis as the net annual values of the agricultural land and of other hereditaments in the existing Borough ;
 - (c) The amounts appearing in the basis as the net annual value and the assessable value of the property in the existing Borough 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 the existing Borough.

(2) Any alteration of the basis of the county rate made under this article shall not have effect for the purposes of any precept of the County Council for a financial period commencing before the appointed day.

37. For the purpose of ascertaining the amounts due under the precepts issued by the Guardians of the Brentford Union to the Corporation and by the Guardians of the Uxbridge Union to the Rural Council in respect of the financial year ending on the Thirty-first day of March Nineteen hundred and twenty-nine the product of a penny rate in the Borough and in the Rural District respectively shall notwithstanding anything in the Rating and Valuation Act (Product of Rates and Precepts) Rules 1926 be determined separately for each half-year of that financial year and the amounts due in respect of the financial year under those precepts shall be ascertained accordingly. Estimated product of rates.

38. Any expenses incurred by the Corporation in the execution prior to the appointed day of this Part of this Order shall be charged by them on or after the appointed day to the poor rate of the Parish of Ealing. Expenses of Corporation under this Part of this Order.

39.—(1) Notwithstanding the alterations of area effected by this Order all contribution orders and precepts made or issued before the appointed day shall be as valid in law as if this Order had not been made. Contribution orders precepts and arrears of rates.

(2) All rates not collected immediately before the appointed day in respect of hereditaments within the added area shall be

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A.D. 1928. collected and recovered by the Rural Council as the Rating
Ealing Order. Authority but shall be a matter for adjustment under this
 Order.

PART V.

PROVISIONS CONSEQUENT ON ALTERATION OF UNIONS.

New ward of
 Parish of
 Ealing and
 additional
 guardian. 40.—(1) The number of elective guardians of the Brentford
 Union who represent the Parish of Ealing shall be increased from
 ten to eleven.

(2) The Northolt Ward of the Borough constituted by this
 Order shall also be a ward of the Parish of Ealing for the election
 of guardians and shall be represented by one guardian.

(3) The guardian for the Northolt Ward shall retire from
 office on the Fifteenth day of April in the year Nineteen hundred
 and thirty-one and in every third year thereafter.

Rural
 district
 councillor
 for Northolt. 41.—(1) The person who immediately before the appointed
 day is in office as the rural district councillor for the existing
 Parish of Northolt shall on the appointed day cease to be a rural
 district councillor or guardian for that Parish and shall become
 a guardian of the Brentford Union and shall represent the
 Northolt Ward of the Parish of Ealing but shall retire from office
 on the Fifteenth day of April Nineteen hundred and thirty-one.

(2) If immediately before the appointed day a casual
 vacancy shall exist in the office of rural district councillor for
 the existing Parish of Northolt the vacancy in that office shall
 not be filled and the vacancy shall on the appointed day be
 deemed to have arisen in the office of guardian for the Northolt
 Ward of the Parish of Ealing.

(3) The number of rural district councillors for the Rural
 District shall be reduced by one.

Qualification
 of guardians. 42. For the purposes of section 6 of the Poor Law Act 1927
 which relates to the qualification of guardians the added area
 shall be deemed to have formed part of the Brentford Union as
 from the First day of September Nineteen hundred and twenty-
 seven.

Settlement
 and irre-
 movability. 43.—(1) Every person who at any time before the appointed
 day has acquired or who immediately before that day is in the
 course of acquiring a settlement in the existing Parish of Ealing
 or in the existing Parish of Northolt by reason of residence birth
 or other qualification in the existing Parish of Ealing or the added
 area shall be deemed to have acquired or to be in the course of
 acquiring a settlement in the Parish of Ealing.

(2) Every person who at any time before the appointed day
 has acquired or who immediately before that day is in the course

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of acquiring a status of irremovability from the existing Brentford Union or the existing Uxbridge Union by reason of residence in the existing Parish of Ealing or the added area shall be deemed to have acquired or to be in the course of acquiring a status of irremovability from the Brentford Union. A.D. 1928.
—
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(3) For the purposes of this article consecutive periods of residence in any portions of the existing Parish of Northolt shall be aggregated and reckoned as continuous residence in that part of the existing parish in which the person was residing immediately before the appointed day.

44.—(1) The liability for the cost accruing on and after the appointed day of the maintenance in any institution for lunatics or other institution of any person who may be chargeable immediately before the appointed day to the Guardians of the Uxbridge Union and— Liabilities and property of Uxbridge Guardians.

(a) who by reason of residence birth or other qualification in the added area has acquired a settlement in the existing Parish of Northolt or a status of irremovability from the Uxbridge Union; or

(b) who resided in the added area immediately before he last became chargeable to the Guardians of the Uxbridge Union;

shall by virtue of this Order be transferred to and attach to the Guardians of the Brentford Union.

(2) Any property debts and liabilities which immediately before the appointed day are vested in or attach to the Guardians of the Uxbridge Union in relation to the added area conjointly with the remainder of the Uxbridge Union shall be a matter for adjustment under this Order with the Guardians of the Brentford Union.

PART VI.

OFFICERS.

45. In this Part of this Order and in the provisions applied by this Part of this Order unless the context otherwise requires— Meaning in this Part of

“ Local authority ” means a local authority as defined in section 3 of the Local Government and other Officers’ Superannuation Act 1922 and includes the standing joint committee of a county; “ local authority ” and “ officer.”

“ Officer ” includes a servant and any person whose remuneration is paid by a local authority and any teacher employed in a public elementary school which is maintained by a local education authority.

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Ealing Order.
Officers of
Corporation
continued.

Compensa-
tion to
existing
officers.

46. The town clerk and all other officers of the Corporation of the existing Borough who hold office immediately before the appointed day 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 before that day.

47.—(1) Every officer in office on the passing of the Act of Parliament confirming 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 by diminution or loss of fees salary or emoluments (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.

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

(3) Articles 55 to 57 of the Ealing (Extension) Order 1926 shall extend to the determination award and payment of compensation under this Order with such modifications as may be necessary :

Provided that—

- (a) there shall be added to subsection (7) of section 120 of the Act of 1888 as modified by paragraph (2) of article 55 of that Order the words “ For the purposes
“ of this subsection a teacher in a public elementary
“ school maintained but not provided by a council
“ shall be deemed to hold an office under the
“ council ” ;
- (b) for the purposes of paragraph (4) of article 55 of that Order the offices of superintendent registrar registrar of births and deaths and registrar of marriages shall be deemed to be offices under a local authority ; and
- (c) all fees or remuneration received and retained by an officer in connection with the preparation of the jurors book or the register of electors under the Representation of the People Acts 1918 to 1926 shall subject to a reasonable deduction for any expenses incurred by the officer be regarded as part of the emoluments of the officer for the purpose of compensation.

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PART VII.

A.D. 1928.

SUPPLEMENTARY.

Ealing Order.

48.—(1) The Registration Officer of the Parliamentary County of Middlesex shall supply the Registration Officer of the Parliamentary Borough of Ealing on publication with a sufficient number of copies of the electors lists the lists of objections to the electors lists the lists of claimants and the lists of objections to claimants for each registration unit comprising any part of the added area and shall forthwith notify the Registration Officer of the said Parliamentary Borough of his decisions on any objections or claims in respect of any such registration unit.

Duplicate
entries in
electors
lists.

(2) It shall be the duty of the Registration Officer of the Parliamentary Borough of Ealing to issue such notices and otherwise to take such steps as are required by Rule 23 in the First Schedule to the Representation of the People Act 1918 in order to secure that no person is registered as a local government elector in respect of more than one qualification in the Borough for the purpose of borough council elections or in any ward of the Parish of Ealing for the purpose of guardians' elections.

(3) Where the Registration Officer of the Parliamentary Borough of Ealing 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 lists of any registration unit comprising any part of the added area he shall forthwith notify the Registration Officer of the Parliamentary County of Middlesex and that officer shall make such correction accordingly.

(4) This article shall apply to the preparation of the register in the year Nineteen hundred and twenty-eight and of later registers.

49.—(1) In the preparation of the register in the year Nineteen hundred and twenty-eight so far as it relates to any area affected by this Order it shall be competent to the Registration Officers 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 operation of this Order.

Provisions
as to register
of electors.

(2) If the register of local government electors for any electoral area affected by this Order is not so framed as to show

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A.D. 1928. the persons entitled to vote at an election to be held for an electoral division ward or other voting area—
Ealing Order.

- (a) the Town Clerk in the case of an election for any voting area within the Borough; and
- (b) the Registration Officer of the Parliamentary County of Middlesex in the case of an election for 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.

(3) Any additional expense incurred by a Registration Officer which may be solely attributable to an alteration in the arrangement of a new register of electors or to a re-arrangement of an existing register of electors under the foregoing provisions of this article shall be defrayed by the Corporation.

(4) It shall be the duty of any officer designated under article 3 of the Overseers Order 1927 by the Corporation or by the Rural Council for the performance of the duties of overseers in relation to the preparation of the register of electors to render such assistance as may be required by a Registration Officer for the purpose of any alteration or re-arrangement authorised by paragraph (2) of this article.

(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 or desirable 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.

Adaptation
of provisions
as to adjust-
ments.

50.—(1) For the purposes of the application of section 62 of the Act of 1888 to any adjustment under that section which may become necessary in consequence of this Order that section shall have effect—

- (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;
- (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 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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(c) As if the fund or rate specified in any agreement or award of adjustment were substituted for any fund mentioned in the section; and A.D. 1928.
—
Ealing Order.

(d) As if the following subsection were added to the section :—

“ (8) 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 only of a parish the agreement or award may authorise such sum to be levied in that part as an additional item of the poor rate or general rate as the case may be.”

(2) Where an authority affected by this Order or by anything done in pursuance of this Order are the board of guardians of a poor law union section 62 of the Act of 1888 shall apply with respect to any necessary adjustment as modified and set out in the Third Schedule to the Poor Law Act 1927.

51.—(1) Any balance standing on the appointed day in the books of the Guardians of the Uxbridge Union to the credit or debit of the existing Parish of Northolt shall be a matter for adjustment under this Order. Balances in accounts of Uxbridge Guardians and Rural Council.

(2) Any balance on the appointed day in the hands of the Rural Council whether derived from the general rate or a special rate and any arrears of a rate collected by the Council within the existing Parish of Northolt after the appointed day shall be a matter for adjustment under this Order.

52.—(1) All books and documents belonging to the existing Parish of Northolt and all documents directed by law to be kept with the public books writings and papers of that existing Parish (except any book or document relating to ecclesiastical matters) shall be deposited in such custody as the Corporation may direct. Parish books and documents.

(2) Any ratepayer of the existing Parish of Northolt shall at all times have the same right of inspection and of making extracts from the books and documents of that existing Parish which he would have had if this Order had not been made.

53.—(1) The accounts of the Parish Council shall be made up to the appointed day and shall be audited by the district auditor in like manner and subject to the like incidents and consequences as if this Order had not been made. Audit of accounts of Parish Council.

(2) Any sum certified by the district auditor to be due from any person at any such audit shall be paid to the treasurer

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Saving for
main roads
within added
area.

Saving for
Metropolitan
Water
Board and
deficiency
rate.

Saving for
gas and
water com-
panies.

Saving for
qualification
of aldermen
councillors
and
guardians.

Pending
proceedings
before
justices.

Savings for
actions con-
tracts &c.

of the Borough and shall be a matter for adjustment under this Order.

54. Nothing in this Order shall empower the Corporation to claim to maintain and repair any main road situate within the added area.

55.—(1) Nothing in this Order shall alter the limits of supply or affect the existing rights and powers of the Metropolitan Water Board or shall render that portion of the Borough which comprises the added area liable to contribute to any deficiency rate of the Metropolitan Water Board.

(2) Any sum payable under a precept issued to the Corporation by the Metropolitan Water Board shall be levied on that portion of the Borough which does not comprise the added area and the formerly existing Urban District of Greenford and shall be collected together with and as an additional item of the general district rate and as from the date on which the first new valuation list made for the Borough under the Rating and Valuation Act 1925 comes into force together with and as an additional item of the general rate.

56. Nothing in this Order shall alter the area for the supply of gas or water by the Gas Light and Coke Company or by the Rickmansworth and Uxbridge Valley Water Company or by the Colne Valley Water Company or shall prejudice or affect the existing rights and powers of any of those Companies.

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

58. Notwithstanding the alteration of petty sessional divisions made by this Order—

(a) every person committing an offence within the added area prior to the appointed day shall be tried and dealt with as if this Order had not been made;

(b) every proceeding which prior to the appointed day has been begun by or is pending before any justice in relation to any matter arising in or concerning 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.

59.—(1) No alteration effected by this Order shall cause to abate or shall prejudicially affect or prevent the continuance of any action cause of action or proceeding which immediately before the appointed day is pending or existing by or against the Rural Council or any contract deed bond agreement or other

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instrument (subsisting immediately before the appointed day) entered into or made by that Council or their predecessors : A.D. 1928.

Provided that—

Ealing Order.

(a) Any action cause of action or proceeding which immediately before the appointed day 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; and

(b) All contracts deeds bonds agreements and other instruments (subsisting immediately before the appointed day) 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.

(2) All legal proceedings pending immediately before the appointed day may be amended in such manner as may be necessary or proper in consequence of this Order.

60. Nothing in this Order shall—

Other
savings.

(1) restrict the powers of the Secretary of State the Minister or the County Council under the Act of 1888 the Act of 1894 or the Poor Law Act 1927;

(2) affect the powers of the County Council for the division of the parliamentary county into polling districts for parliamentary elections or for the division of the county into polling districts for the elections of county councillors or any existing order or scheme for either of those purposes or for naming the polling places at any election;

(3) affect the ecclesiastical divisions of any parish or prejudice vary or affect any right interest or jurisdiction in or over any charitable endowment; or

(4) affect the operation of such of the provisions of the Rating and Valuation Act 1925 as have not come into operation.

61. Where the day on which anything by this Order required to be done falls on a Sunday that thing shall be done on the following day. Provision as to Sunday.

62. This Order may be cited as the Ealing (Extension) Order 1928. Short title.

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THE SCHEDULE.

Ealing Order.

PART I.—LOCAL ACT.

Session and Chapter.

Short Title.

5 Edw. 7. c. clxxxiii - The Ealing Corporation Act 1905.

PART II.—CONFIRMATION ACTS.

Session and Chapter.	Short Title.	Scheme or order relating to Ealing thereby confirmed.
40 & 41 Vict. c. cci.	The Metropolitan Commons Supplemental Act 1877.	Scheme with respect to Ealing Commons.
54 & 55 Vict. c. l.	The Electric Lighting Orders Confirmation (No. 2) Act 1891.	The Ealing Electric Lighting Order 1891.
13 & 14 Geo. 5. c. xxxvii.	The Ministry of Health Provisional Orders Confirmation (No. 4) Act 1923.	The Ealing Order 1923.

Given under the official seal of the Minister of Health
this Fifth day of March Nineteen hundred and
twenty-eight.

(L.S.)

H. W. S. FRANCIS
Assistant Secretary Ministry of Health.

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