

**CHAPTER xi.**

An Act to make further provision as to the tolls and charges applicable to the New Junction Canal. A.D. 1931.
[27th March 1931.]

WHEREAS the canal known and hereinafter referred to as “the New Junction Canal” was constructed by the Undertakers of the Aire and Calder Navigation under powers conferred on them by the Aire and Calder and River Dun Navigations Junction Canal Act 1891 :

And whereas the said Undertakers and the Sheffield and South Yorkshire Navigation Company if and when they should become joint owners of the New Junction Canal were by the Canal Tolls and Charges (New Junction Canal) Order 1907 confirmed by the Canal Tolls and Charges (New Junction Canal) Order Confirmation Act 1907 empowered to charge the maximum tolls and wharfage charges specified in Part I of Table A in the schedule to that Order and the short distance charge the minimum toll per boat and the empty boat charge specified in section 7 of that schedule and also certain exceptional and other charges as mentioned in that schedule :

And whereas under and by virtue of the said Act of 1891 the New Junction Canal has now become vested in the Undertakers of the Aire and Calder Navigation and the Sheffield and South Yorkshire Navigation Company (hereinafter together referred to as “the Undertakers”) as their joint property in equal shares

A.D. 1931. — and is managed regulated and worked by the Aire and Calder and River Dun Navigations Joint Committee appointed under section 60 of the said Act of 1891 :

And whereas by directions given by the Minister of Transport in pursuance of section 3 of the Ministry of Transport Act 1919 and dated the fourth day of September nineteen hundred and twenty the Undertakers were empowered and directed during the period mentioned in that section to charge in respect of the New Junction Canal the tolls dues and charges specified in the directions viz. the tolls dues and charges in operation on the thirty-first day of July nineteen hundred and twenty with an addition thereto of one hundred per centum :

And whereas by the Canals (Continuance of Charging Powers) Acts 1922 and 1924 the Expiring Laws Act 1925 the Expiring Laws Continuance Act 1926 the Expiring Laws Continuance Act 1927 and the Expiring Laws Continuance Act 1928 the tolls dues and charges specified in the said directions have been from time to time continued in force and will expire on the thirty-first day of December nineteen hundred and thirty-one unless further continued by Parliament :

And whereas in order to enable the Undertakers after the said thirty-first day of December to charge adequate tolls and charges in respect of the New Junction Canal it is expedient that the Charges Order be amended as by this Act provided :

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

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

Short title.

1. This Act may be cited as the New Junction Canal Act 1931.

Interpretation.

2. In this Act unless the context otherwise requires—

“The Undertakers” means the Undertakers of the Aire and Calder Navigation and the Sheffield

and South Yorkshire Navigation Company A.D. 1931.
jointly in relation to the New Junction Canal
acting by the Aire and Calder and River Dun
Navigations Joint Committee appointed under
the Aire and Calder and River Dun Navigations
Junction Canal Act 1891 ;

“ The Charges Order ” means the Canal Tolls and
Charges (New Junction Canal) Order 1907 ;

“ Authorised tolls ” means the tolls and charges
which the Undertakers are for the time being
authorised to levy in pursuance of this Act ;

“ Authorised toll ” means any toll or charge which
the Undertakers are so authorised to levy ;

“ The Minister ” means the Minister of Transport.

3. From and after the thirty-first day of December Tolls and
nineteen hundred and thirty-one the Charges Order shall charges.
(subject to the provisions of the next succeeding section
of this Act) have effect as if—

(a) the maximum tolls and wharfage charges specified
in the schedule to this Act were substituted
for the maximum tolls and wharfage charges
specified in Part I of Table A in the schedule
to that Order ; and

(b) in section 7 (Short distance charge and empty
boats) of the schedule to that Order the sum of
ten shillings were substituted for the sum of five
shillings in both cases where the latter sum is
mentioned and the sum of twenty shillings were
substituted for the sum of ten shillings.

4.—(1) If at any time after the thirty-first day of Revision of
December nineteen hundred and thirty-two it is repre- rates tolls
sented by application in writing to the Minister— &c..

(a) by any chamber of commerce or shipping or any
representative body of traders or any person
who is in the opinion of the Minister a proper
person for the purpose ; or

(b) by the Undertakers ;

that under the circumstances then existing the authorised
tolls or any of them should be revised the Minister

A.D. 1931. — may (if he thinks fit) subject to the provisions of this section make an order revising the authorised tolls referred to in the application or any of them and may fix the date as from which such order shall take effect and thenceforth such order shall remain in force until it expires or is revoked or modified by a further order of the Minister made in pursuance of this section Provided that before making an order under this section the Minister shall cause an inquiry to be held with reference thereto in pursuance of the Board of Trade Arbitrations &c. Act 1874 as applied by this section.

(2) The provisions of Part I of the Board of Trade Arbitrations &c. Act 1874 shall apply for the purposes of this section as if—

- (a) the Minister were referred to therein in lieu of the Board of Trade ;
- (b) the person or persons duly authorised to hold any inquiry thereunder were the rates advisory committee constituted under the Ministry of Transport Act 1919 or any sub-committee thereof to which the said advisory committee may under section 2 of the Harbours Docks and Piers (Temporary Increase of Charges) Act 1920 have delegated their powers or if the said advisory committee ceases to exist some persons with similar qualifications to be appointed for the purpose by an order of the Minister under section 2 of the said Act of 1874 ; and
- (c) in section 4 of the said Act of 1874 the words “ under the seal of the Minister of Transport ” were substituted for the words “ by writing “ under the hand of the President or of one “ of the secretaries of the Board.”

(3) An application made to the Minister under this section shall be accompanied by such information and particulars as the Minister may consider relevant certified in such manner as he may require and the Minister and the body or persons holding an inquiry for the purposes of this section may call for such documents and accounts as they may consider relevant and may hear such

witnesses as they shall think fit and shall have power to A.D. 1931.
take evidence on oath and for that purpose may —
administer oaths.

(4) Where upon an application for revision of the authorised tolls or an authorised toll an order has been made or the Minister has decided not to make an order no further application for a revision of the tolls or toll to which the application related shall be made within twelve months from the date of such order or decision as the case may be.

5. The Undertakers shall in every year within Accounts.
three months after the close of their financial year or such later period as the Minister may allow send to the Minister a copy of the annual accounts relating to the New Junction Canal.

6. All costs charges and expenses of and incident Costs of
to the preparing for obtaining and passing of this Act Act.
or otherwise in relation thereto shall be paid by the
Undertakers.

A.D. 1931.
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The SCHEDULE referred to in the
foregoing Act.

MAXIMUM TOLLS AND WHARFAGE CHARGES.

In respect of merchandise comprised in the under-mentioned classes.	Maximum tolls.	Maximum wharfage charges.
	Per ton per mile.	Per ton.
A	d. 0·75	d. 3
B	1·00	3
C	1·75	6
1	} 2·80 }	6
2		8
3		8
4		8
5		8

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