

[23 & 24 GEO. 5.] *Ministry of Health* [Ch. xxxii.]  
*Provisional Orders Confirmation (Bath and Bury and  
District Joint Water Board) Act, 1933.*



**CHAPTER xxxii.**

An Act to confirm certain provisional orders of the Minister of Health relating to the city of Bath and the district of the Bury and District Joint Water Board. [18th July 1933.]

A.D. 1933.

**W**HEREAS under the provisions of the Public Health Act 1875 the Minister of Health has made certain provisional orders which need confirmation by Parliament :

38 & 39  
Vict. c. 55.

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 orders of the Minister of Health which as amended are set out in the schedule to this Act are hereby confirmed and shall have full validity and force.

Orders in  
schedule  
confirmed.

2. This Act may be cited as the Ministry of Health Provisional Orders Confirmation (Bath and Bury and District Joint Water Board) Act 1933.

Short title.

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A.D. 1933.

SCHEDULE.

CITY OF BATH.

*Bath Order. Provisional Order repealing in part a Local Act.*

WHEREAS the mayor aldermen and citizens of the city of Bath acting by the council (in this order called "the corporation") are the local authority for the purposes of the Public Health Act 1875 and the provisions of the Bath Corporation Act 1925 (in this order called "the local Act of 1925") are in force in the city of Bath;

And whereas by section 215 of the local Act of 1925 the corporation were required to establish a reserve fund to provide against the depreciation of investments and securities held for the sinking funds of the corporation and the balance to the credit of the fund exceeds forty-seven thousand eight hundred pounds;

And whereas the reserve fund was established in consequence of a depreciation which had occurred in the value of the securities in which the fund for the redemption of the Bath corporation three per cent. redeemable stock had been invested but that stock was wholly redeemed by the corporation on the first day of December nineteen hundred and thirty-two;

And whereas the value of the securities in which the sinking funds and stock redemption funds established by the corporation now exceeds the cost of those securities and it is unnecessary that the reserve fund established under section 215 of the local Act of 1925 should be continued;

And whereas the corporation desire that the balance in the reserve fund should be transferred to such sinking funds for the repayment of loans as they may with the approval of the Minister of Health determine and have applied to the Minister for the issue of a provisional order repealing section 215 of the local Act of 1925 and making such provision for the disposal of the reserve fund as is contained in this order:

Now therefore the Minister of Health in pursuance of the powers given to him by section 303 of the Public Health Act 1875 and of all other powers enabling him in that behalf hereby orders as follows:—

Short title  
and com-  
mencement.

1. This order may be cited as the Bath Order 1933 and shall come into operation on the date of the Act of Parliament confirming it.

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*Bath Order.*

2. Section 215 of the local Act of 1925 is hereby repealed and the reserve fund established by the corporation under that section shall be closed.

Repeal of  
15 & 16 Geo. 5.  
c. xciii. s. 215  
and closure of  
reserve fund.

3.—(1) The corporation may transfer to such of their sinking funds for the repayment of loans raised by them as the corporation may with the approval of the Minister of Health determine any securities in which the reserve fund is invested or any moneys derived from the sale of any such securities or otherwise forming part of the reserve fund.

Transfer of  
reserve fund  
to sinking  
funds.

(2) Any transfer to a sinking fund made under subsection (1) of this section shall to such extent and upon such terms as may be approved by the Minister of Health be in addition to or in substitution for the periodical contributions otherwise payable to that sinking fund.

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DISTRICT OF THE BURY AND DISTRICT  
JOINT WATER BOARD.

*Provisional Order for altering and amending the Bury and  
District Joint Water Board Act 1903.*

*Bury and  
District  
Order.*

WHEREAS by certain local Acts as amended by the Bury and District Joint Water Order 1927 the Bury and District Joint Water Board are authorised to supply water within certain limits;

And whereas by the order of 1927 the Bury and District Joint Water Board Act 1903 was amended so as to authorise the joint board with the consent of the Minister of Health to purchase by agreement any additional lands which may from time to time be required for the purposes of their water undertaking and by section 2 of the said order it is enacted that the joint board shall not construct any works for taking or intercepting water from any lands so acquired unless the works are authorised by and the lands upon which the same are to be constructed are specified in an Act of Parliament or a provisional order confirmed by Parliament;

And whereas the joint board have commenced the construction on land acquired or to be acquired by them at Walmersley in the county borough of Bury of certain works for the taking

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A.D. 1933. or intercepting of water for the purposes of their water under-  
taking;

—  
*Bury and  
District  
Order.*

And whereas by section 43 of the Bury and District Water (Transfer) Act 1900 it is provided that section 303 of the Public Health Act 1875 shall apply to the joint board as if they were a local authority within the meaning of that section;

And whereas the joint board have made application to the Minister of Health for the issue of a provisional order further to alter or amend the Bury and District Joint Water Board Act 1903 as amended by the order of 1927 in the manner hereinafter set forth :

Now therefore the Minister of Health in pursuance of the powers given to him by section 303 of the Public Health Act 1875 and of all other powers enabling him in that behalf hereby orders as follows :—

Short titles  
and com-  
mencement.

1.—(1) This order may be cited as the Bury and District Joint Water Order 1933 and the Bury and District Joint Water Order 1927 and this order may be cited together as the Bury and District Joint Water Orders 1927 and 1933.

(2) This order shall come into operation on the date of the Act of Parliament confirming it.

Interpreta-  
tion.

2. In this order unless the context otherwise requires—

“ the deposited plan ” means the plan which was deposited in the office of the Minister on the thirteenth day of February nineteen hundred and thirty-three and of which duplicates were on the same day deposited in the office of the Clerk of the Parliaments House of Lords and in the Committee and Private Bill Office of the House of Commons;

“ the local Acts and orders ” means the Bury and District Joint Water Board Acts 1900 to 1928 together with the provisional orders amending the same;

“ the Minister ” means the Minister of Health.

Power to  
construct  
works.

3.—(1) The joint board may in the lines and situation and upon the lands at Walmersley in the county borough of Bury delineated on the deposited plan construct and maintain a borehole and pumping station together with all such works buildings and apparatus as may be necessary or convenient in connection therewith or subsidiary thereto in accordance with plans and sections to be approved by the Minister.

(2) In so far as the works referred to in subsection (1) of this section have already been carried out by the joint board

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such works shall be deemed to have been carried out in pursuance of the provisions of this order.

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*Bury and  
District  
Order.*

(3) The works authorised by this order shall for all purposes be deemed part of the water undertaking of the joint board and the provisions of the local Acts and orders shall so far as the same are applicable extend and apply to such works.

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Printed by EYRE AND SPOTTISWOODE LIMITED,  
FOR  
WILLIAM RICHARD CODLING, Esq., C.B., C.V.O., C.B.E., the King's Printer of  
Acts of Parliament.

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