



## CHAPTER xcvi.

An Act to confirm a Provisional Order of the A.D. 1936.  
Minister of Health relating to the borough of —  
Barnsley. [31st July 1936.]

**W**HEREAS under the provisions of the Public 38 & 39 Vict.  
Health Act 1875 the Minister of Health has c. 55.  
made a provisional order which needs confirmation 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 of the Minister of Health which is set Order in  
out in the schedule to this Act is hereby confirmed and schedule  
shall have full validity and force. confirmed.

2. This Act may be cited as the Ministry of Health Short title.  
Provisional Order Confirmation (Barnsley) Act 1936.

A.D. 1936.

SCHEDULE.

*Barnsley*  
*Order.*

BOROUGH OF BARN斯LEY.

*Provisional Order amending the Barnsley Corporation*  
*Act 1923.*

WHEREAS the borough of Barnsley is an urban district of which the mayor aldermen and burgesses acting by the council (in this order called "the corporation") are the local authority for the purposes of the Public Health Act 1875;

16 & 17 Vict.  
c. cvii.

And whereas in pursuance of the Barnsley Waterworks Act 1853 and other Acts and orders the corporation carry on a water undertaking and supply water within the borough and certain other areas;

And whereas the expenses connected with the water undertaking of the corporation have for some years exceeded the revenue derived from that undertaking and in respect of the accumulated deficiency the corporation were on the thirty-first day of March nineteen hundred and thirty-six indebted to their bankers to the amount of eighty thousand seven hundred and forty pounds (in this order called "the existing deficiency");

13 & 14  
Geo. 5.  
c. lxxxix.

And whereas by section 92 of the Barnsley Corporation Act 1923 it is provided that any deficiency in the revenue of the water undertaking shall in the first instance be made good out of the district fund and general district rate of the borough;

And whereas the corporation have applied to the Minister of Health for the issue of a provisional order to amend the Act of 1923 in the manner following:

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 Barnsley Order 1936 and shall come into operation on the date of the Act of Parliament confirming it.

[26 GEO. 5. & Ministry of Health [Ch. xcvi.]  
1 EDW. 8.] Provisional Order Confirmation  
(Barnsley) Act, 1936.

2. In this order unless the context otherwise requires—

“ the borough ” means the borough of Barnsley ;

“ the commencement of this order ” means the date on which this order comes into operation ;

“ the Act of 1923 ” means the Barnsley Corporation Act 1923 ; and

“ the Act of 1933 ” means the Local Government Act 1933.

A.D. 1936.

—  
*Barnsley  
Order.*

Interpreta-  
tion.

23 & 24  
Geo. 5. c. 51.

Borrowing  
powers for  
paying off  
existing  
deficiency.

3.—(1) The corporation shall within three months from the commencement of this order pay off the existing deficiency and may for that purpose borrow any sum not exceeding eighty thousand seven hundred and forty pounds and shall pay off the sum so borrowed within eight years from the thirty-first day of March nineteen hundred and thirty-six Any sum so borrowed shall be repaid by eight equal annual instalments of principal or by a non-accumulating sinking fund and the first of such instalments shall be paid or the first payment to the sinking fund shall be made on or before the thirty-first day of March nineteen hundred and thirty-seven.

(2) The provisions of Part IX of the Act of 1933 so far as they are not inconsistent with this section shall extend and apply to any sum borrowed under this section as if it were borrowed under Part IX of that Act and the period fixed for the repayment of any sum borrowed under this section shall as respects that sum be the fixed period for the purpose of the said Part IX.

(3) Notwithstanding anything contained in section 92 (Application of revenue of water undertaking) of the Act of 1923 in the paragraph commencing “ Tenthly— ” no sum provided out of the general rate fund of the borough in meeting any deficiency in the revenue account of the water undertaking in so far as such deficiency is due to any payment of interest or repayment of principal on account of the loan authorised by subsection (1) of this section shall be repayable to that fund out of the revenue of the water undertaking.

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