



CHAPTER iv.

An Act to extend the time within which the mayor aldermen and burgesses of the county borough of Sunderland may advance money on loan to the River Wear Commissioners and guarantee the re-payment of and the payment of interest upon money borrowed or to be borrowed by the said commissioners to authorise any such advances or guarantees made or given between the thirty-first day of December nineteen hundred and forty-two and the passing of this Act to extend the time limited for the compulsory purchase of lands authorised by the Sunderland Corporation Act 1935 and the Sunderland Corporation Act 1939 and the completion of certain tramways authorised by the first named Act and for other purposes.

[3rd June 1943.]

WHEREAS the borough of Sunderland (in this Act called "the borough") is a county borough under the management and local government of the mayor aldermen and burgesses of the borough (in this Act called "the Corporation"):

And whereas by virtue of various Acts of Parliament the River Wear Commissioners (in this Act called "the commissioners") are authorised to exercise certain powers for the improvement and conservancy of the river Wear and the port of Sunderland and are the owners of docks quays wharves railways works lands and property:

And whereas the consolidated revenue of the commissioners (which before the year nineteen hundred and fourteen was more than sufficient to meet all the charges thereon and the ordinary

10 & 11 Geo. 5.
c. cxl. current expenditure of the commissioners and the interest on mortgages granted by them and their funded debt) had since that date become greatly diminished and therefore by the Wear Navigation and Sunderland Dock (Finance) Act 1920 (in this Act called "the Act of 1920") the Corporation were authorised to make up deficiencies in the revenue of the commissioners and in addition at any time to advance by way of loan to the commissioners such sums of money as the commissioners might for the time being be authorised to borrow and might be desirous of borrowing from the Corporation on such terms and conditions as might be agreed between the Corporation and the commissioners :

And whereas by the Act of 1920 the Corporation were further authorised to guarantee the repayment of and the payment of interest upon money borrowed or to be borrowed by the commissioners in such manner as might be agreed between the Corporation and the commissioners with the proviso that the Corporation should not advance any such money or give any such guarantee after the year nineteen hundred and twenty-nine :

17 & 18 Geo. 5.
c. xcvi. And whereas by the Sunderland Corporation Act 1927 and the
25 & 26 Geo. 5.
c. cxxv. Sunderland Corporation Act 1935 (in this Act called "the Act of 1935") the period within which the last named powers might be exercised was extended but the Corporation may not now advance any such money or give any such guarantee after the year nineteen hundred and forty-two :

1 & 2 Geo. 6.
c. lxxxiv. And whereas by the Wear Navigation and Sunderland Dock Act 1938 the representation of the Corporation on the body of the commissioners has been increased so that of the total number of thirty-seven commissioners fourteen are appointed by the Corporation and of four co-opted members two are nominated by the Corporation :

And whereas the prosperity of the borough is largely dependent on the proper maintenance and operation of the port harbour and dock works managed by the commissioners and it is expedient that the limit of time within which the Corporation may advance any money or give any guarantee as aforesaid be extended as provided by this Act and that any such advances or guarantees which may have been made or given between the thirty-first day of December nineteen hundred and forty-two and the passing of this Act be confirmed :

2 & 3 Geo. 6.
c. lxvi. And whereas by the Act of 1935 as amended by the Sunderland Corporation Act 1935 (Extension of Time) Order 1941 (in this Act called "the Order of 1941") the Corporation were empowered compulsorily to purchase lands required for the purposes of Street Work No. 2 authorised by the Act of 1935 and by the Sunderland Corporation Act 1939 (in this Act called

“the Act of 1939”) the Corporation were empowered compulsorily to purchase lands required for the purposes of a civic centre and municipal and other buildings and premises for carrying on the business of the Corporation in their several capacities and the time within which the Corporation may exercise those powers will expire in the years nineteen hundred and forty-three and nineteen hundred and forty-four respectively :

And whereas by the Act of 1935 the Corporation were authorised to construct certain tramways in the borough and the time for the completion of such tramways limited by the Act of 1935 and extended by the Order of 1941 will expire in the year nineteen hundred and forty-three :

And whereas it is expedient to extend the time within which the Corporation may purchase the said lands compulsorily and complete the said tramways as provided by this Act :

And whereas it is expedient that the other provisions contained in this Act be enacted :

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

And whereas in relation to the promotion of the Bill for this Act the requirements of Part XIII of the Local Government Act 1933 have been observed : 23 & 24 Geo. 5.
c. 51.

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 (that is to say) :—

1. This Act may be cited as the Sunderland Corporation Act 1943. Short title.

2. In this Act the several words and expressions to which meanings are assigned by the Public Health Act 1936 shall have the same respective meanings unless there be something in the subject or context repugnant to such construction. Interpretation,
26 Geo. 5. &
1 Edw. 8. c. 49.

3.—(1) Subsection (3) of section 10 (Power for Corporation to lend money and guarantee loans) of the Act of 1920 shall be read and have effect as if the words “nineteen hundred and sixty-three” were substituted therein for the words “nineteen hundred and twenty-nine.” Extension of
powers of
Corporation to
make advances
to commis-
sioners and
give guar-
antees &c.

(2) Section 265 (Extension of powers of Corporation to make advances to the commissioners and give guarantees) of the Act of 1935 is hereby repealed.

(3) Any advance by way of loan which may have been made by the Corporation to the commissioners between the thirty-first day of December nineteen hundred and forty-two and the passing of this Act of money which the commissioners may for the time being be authorised to borrow and any guarantee which may have been given by the Corporation during that period of the repayment of and the payment of interest upon money borrowed by the commissioners are hereby sanctioned and confirmed.

Extension of
time for
compulsory
purchase
of lands.

4. The time limited by—

(a) section 64 (Period for compulsory purchase of lands) of the Act of 1935 and extended by the Order of 1941 for the compulsory purchase of lands for the construction of Street Work No. 2 described in and authorised by section 62 (Power to make street works) of the Act of 1935; and

(b) section 6 (Period for compulsory purchase of lands) of the Act of 1939 for the compulsory purchase of lands for the purposes of Part II (Lands and civic centre) of the Act of 1939;

is hereby extended or further extended (as the case may be) until the expiration of three years after the termination of the period of the emergency which was the occasion of the passing of the Emergency Powers (Defence) Act 1939.

2 & 3 Geo. 6.
c. 62.

Extension
of time for
construction of
tramways.

5. The period limited by section 78 (Period for completion of tramways) of the Act of 1935 and extended by the Order of 1941 for the completion of the tramways authorised by that Act is hereby further extended until the expiration of three years after the termination of the period of the emergency which was the occasion of the passing of the Emergency Powers (Defence) Act 1939.

Costs of Act.

6.—(1) The costs charges and expenses preliminary to and of and incidental to the preparing applying for obtaining and passing of this Act as taxed by the taxing officer of the House of Lords or of the House of Commons shall be paid by the Corporation out of the general rate fund of the borough or out of moneys to be borrowed under this Act for that purpose.

(2) The Corporation shall have power in addition and without prejudice to their powers of borrowing under the Local Government Act 1933 from time to time to borrow without the consent of any sanctioning authority the sum or sums requisite for the payment of the costs charges and expenses of this Act referred to in subsection (1) of this section and they shall pay off all moneys so borrowed within such period as the Corporation

may determine not exceeding five years from the passing of this Act.

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

Printed by NORMAN GIBB SCORGIE, C.V.O., C.B.E.,
Controller of His Majesty's Stationery Office
and
King's Printer of Acts of Parliament

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*Sunderland Corporation
Act, 1943.*

6 & 7 GEO. 6.

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P. 1522)