



Local Government (Emergency Provisions) Act 1916

1916 CHAPTER 12

PART II

MISCELLANEOUS ADMINISTRATIVE PROVISIONS

4 Allowances to persons appointed as temporary substitutes

Where a person in receipt of a superannuation allowance under the Poor Law Officers' Superannuation Act, 1896, is appointed or employed as a temporary substitute for any officer or servant by any authority to whom that Act applies, the provisions of section six of that Act shall be construed so as not to deprive him of any such allowance whilst he continues to hold such temporary appointment or employment.

5 Provisions as to notification of diseases

Notwithstanding anything in the Infectious Disease (Notification) Act, 1889, or in any other Act, or in any Order of the Local Government Board, the following provisions shall have effect:—

- (a) The fee to be paid to a medical practitioner for a certificate or notification sent by him to a medical officer of health in respect of a case of disease to which the Act or Order applies, occurring in his private practice, shall be one shilling and no more;
- (b) Every case of any such disease occurring in any building, tent, van, shed, or similar structure in the occupation of any of His Majesty's forces, or of any person employed by or under the Admiralty, the Army Council, or the Minister of Munitions shall be notified to the medical officer of health of the district by the medical attendant if it would have been his duty to notify it if it had occurred elsewhere ; and the local authority shall pay to the medical attendant (unless he is a medical officer who holds a commission in any of His Majesty's forces) for the certificate or notification a fee of one shilling, whether the case occurs in his private practice or otherwise.

6 Use of local authority's premises and officers for military purposes

The use of any institution, building, or other premises belonging to any local authority for the accommodation of sick or wounded sailors or soldiers, or for other purposes in connection with the present war, and any expenditure incurred in connection therewith, shall be deemed to be and always to have been lawful, and the service or employment of any officers or servants of a local authority in or about any institution, building, or other premises so used or otherwise, with the consent of the local authority, in connection with the present war shall be deemed for all purposes to be and always to have been service or employment under that local authority :

Provided that, except in the case of—

- (a) a shire, county, town, or district hall and offices connected therewith; and
- (b) the temporary use of other premises in case of urgent necessity ;

this section shall not authorise the use after the passing of this Act for such purposes as aforesaid of any such institution, building, or premises unless the approval of the appropriate Government department has been obtained.

7 Expenses of Metropolitan Asylums Board

All expenses of the Managers of the Metropolitan Asylum District incurred after the thirty-first day of March nineteen hundred and sixteen (including expenses in connection with the reception and relief of metropolitan casual paupers, but not including expenses incurred in connection with agreements made under section thirty-nine of the National Insurance Act, 1913), shall be defrayed as if they were expenses incurred for the purposes of section thirty-one of the Metropolitan Poor Act, 1867, and notwithstanding anything in that Act or any other enactment none of the said expenses shall be repayable out of the Metropolitan Common Poor Fund.

8 Calculation of sums repayable to guardians out of common poor fund

The amount repayable out of the Metropolitan Common Poor Fund to any board of guardians in respect of the half-year ending the thirtieth day of September nineteen hundred and fifteen and any subsequent half-year shall be calculated as if (subject to such adjustments as may be necessary in consequence of the provisions of the last foregoing section) the gross amount expended by those guardians in respect of expenses which are to be repaid out of that fund had been—

- (a) In the case of a half-year ending on the thirtieth day of September, the gross amount expended by those guardians in respect of such expenses during the half-year ending on the thirtieth day of September nineteen hundred and fourteen; and
- (b) in the case of a half-year ending on the thirty-first day of March, the gross amount expended by those guardians in respect of such expenses during the half-year ending on the thirty-first day of March nineteen hundred and fourteen.

9 Calculation of amounts payable in respect of pauper lunatics

The amounts payable or transferable by the London County Council under subsection (2) of section twenty-four and subsection (2) of section forty-one of the Local Government Act, 1888, on account of pauper lunatics in respect of the year ending the thirty-first day of March nineteen hundred and sixteen, or any subsequent

year, shall instead of being calculated in manner provided in paragraphs (e), (f), and (g) of subsection (2) of section twenty-four be the amount payable or transferable in accordance with the said paragraphs in respect of the year ending on the thirty-first day of March nineteen hundred and fifteen.

10 Payments by county councils in respect of salaries of medical officers of health and inspectors of nuisances

If a temporary substitute is appointed with the sanction of the Local Government Board to replace any medical officer of health or inspector of nuisances who has been granted leave of absence in accordance with the provisions of this Act to serve in or with His Majesty's forces, the county council shall be liable under paragraph (c) of subsection (2) of section twenty-four of the Local Government Act, 1888, to pay to the local authority one half of the sum actually paid by the local authority to the medical officer or inspector of nuisances so replaced or his wife or other dependants nominated by him under this Act, and of the salary of the temporary substitute as sanctioned by the Local Government Board, taken together.

11 Amendment of law as to locomotives on and near highways

- (1) Section five of the Locomotives Act, 1898, shall have effect as if for subsection (1) thereof there were substituted subsection (1) of section twenty-five of the Local Government (Scotland) Act, 1908.
- (2) Section six of the Locomotives Act, 1865, and section two of the Locomotive Threshing Engines Act, 1894, shall have effect as if the proviso to each of those sections were omitted therefrom.

12 Simplifying mode of giving sanctions, &c

- (1) Notwithstanding any statutory or other provision requiring a sanction, assent, approval, authority or direction of the Local Government Board to be given, altered or varied by order or by instrument under seal, any such sanction, assent, approval, authority or direction may be given, altered or varied in a letter or other writing signed by a secretary or assistant secretary of the Board, and shall be as valid in all respects and shall have the same effect as if it had been given by an order of the Board or by an instrument under the seal of the Board, and for the purposes of the Documentary Evidence Act, 1868, as amended by any subsequent enactment, such letter or writing shall be deemed to be an order of the Board.
- (2) This section shall not apply to Scotland or Ireland.

13 Removal of obligation to make certain returns and reports

- (1) It shall be a sufficient compliance with the requirements of the Local Taxation Returns Acts, 1860 and 1877, the Municipal Corporations Act, 1882, and the Local Government Act, 1888, if a summary of the local taxation returns is laid before both Houses of Parliament instead of the abstract thereof required by those Acts.
- (2) A local authority shall not be required to report to the Local Government Board the proceedings of its assessment committee or to make to that Board any return of the superannuation allowances and gratuities paid under the Poor Law Officers' Superannuation Act, 1896.

Status: This is the original version (as it was originally enacted).

- (3) It shall not be necessary to make out the accounts required by subsection (7) of section one of the London (Equalisation of Rates) Act, 1894.
- (4) It shall not be necessary to present to the Local Government Board the account under Part II of the Housing of the Working Classes Act, 1890, required by section forty-four of that Act.
- (5) Section six of the Births and Deaths Registration Act, 1836, which relates to the preparation of general abstracts of the number of births, deaths, and marriages by the Registrar General, shall not be in force.
- (6) It shall not be necessary for the Board of Agriculture and Fisheries—
 - (a) to convene meetings of the representatives of local fishery committees required by section nine of the Sea Fisheries Regulation Act, 1888 ; or
 - (b) to make the annual report to Parliament required by section fifty-nine of the Small Holdings and Allotments Act, 1908, or to require county, borough, district, and parish councils to send to the Board reports of their proceedings under that Act.
- (7) It shall not be necessary for a metropolitan borough council to make the annual report of their proceedings or a list of the names and addresses of their members referred to in section one hundred and ninety-eight of the Metropolis Management Act, 1855, as amended by subsequent enactments.

14 Provisions as to audit

- (1) The powers given to the Local Government Board by section fifty-eight of the Local Government Act, 1894, to modify, with regard to any audit to which that section applies, the enactments as to publication of the notice of audit and of the abstract of accounts and the report of the auditor, shall extend and apply to the audit of all accounts of a local authority which are subject to audit by a district auditor.
- (2) Notwithstanding anything in any statute, the Local Government Board shall, in addition to the powers conferred on them by section five of the District Auditors Act, 1879, have power to prescribe the period for which the accounts of any local authority to which that section applies are to be made up and audited.

15 Payments for returns of deaths under registration Acts

Any expenses incurred in connection with information of deaths or other statistical information in pursuance of the directions of the Local Government Board under subsection (2) of section two of the Parliament and Registration Act, 1916, may, notwithstanding anything in the Acts relating to registration of electors, be charged and paid in such manner as the Local Government Board direct.

16 Incorporation of joint committees, &c. under 1 & 2 Geo.5 c.55

Every joint committee and every joint board constituted or to be constituted under subsection (3) of section sixty-four of the National Insurance Act, 1911, shall be a body corporate by such name as the Board by which it is constituted may direct, and shall have perpetual succession and a common seal and may hold land for the purposes of their powers and duties without licence in mortmain.

17 Amendment of 5 & 6 Geo.5 c.76 s.1, as to casual vacancies

- (1) Where at the date on which, but for the provisions of the Elections and Registration Act, 1915, the next statutory election would have taken place of the members of any council, board of guardians, body, or committee to which section one of that Act applies, or may be applied, there was a vacancy amongst those members, that vacancy may be filled in the manner provided by subsection (2) of section one of that Act, with respect to casual vacancies required to be filled by election ; and any person chosen to fill the vacancy shall hold office in the same manner in all respects as though his predecessor had remained in office until the date when the vacancy was filled.
- (2) The Elections and Registration Act, 1915, shall be deemed to have had effect so as to extend by one year in all cases the term of office of an alderman of a municipal borough.
- (3) This section shall be deemed to have had effect as from the passing of the Elections and Registration Act, 1915.

18 Sanction of expenditure under the Naval and Military War Pensions, &c. (Expenses) Act, 1916

The contributions made by a local authority towards the administrative expenses of a local or district committee under section two of the Naval and Military War Pensions, &c. (Expenses) Act, 1916, shall be subject to the sanction of the Local Government Board.

19 Powers of sanitary authorities in connection with the storage of furniture

It shall be lawful for any sanitary authority, if they think fit, to make or to join with any other sanitary authorities in making arrangements and to incur reasonable expenditure in connection with the storage of furniture and effects belonging to persons serving in or with His Majesty's forces (including the cost Of insurance against fire and other loss or damage), upon such terms and conditions as they may impose, and any expenditure incurred by the authority shall be defrayed out of any fund or rate out of which any expenses of the authority are payable.

20 Prohibition of establishment of new routes for omnibuses

- (1) Notwithstanding anything in any statute it shall not be lawful after the passing of this Act for any omnibus to ply for hire on, or use, any route which has not been regularly used by omnibuses plying for hire within two years prior to the first day of March nineteen hundred and sixteen, except with the consent of the highway authority or, if more than one, every highway authority liable for the maintenance and repair of the highways along which the route runs, which consent may be given on such conditions as the highway authority may consider fit, or, if, in the opinion of the Local Government Board, such consent is unreasonably refused, or if such conditions are unreasonable, without the consent of the Local Government Board ; and if any person drives an omnibus or allows an omnibus to be driven along any route in contravention of this provision, he shall, on summary conviction, be liable to a fine not exceeding five pounds and to a further penalty not exceeding forty shillings for every mile travelled by every omnibus in contravention of the provisions of this section, all penalties recoverable under this section to be paid into the funds of the highway authority concerned:

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Provided that nothing in this section shall apply where a route is altered in consequence of the temporary diversion of traffic on account of the breaking up of any road or in pursuance of the directions of any police authority or other directions lawfully given :

Provided also that nothing in this section shall apply to any omnibus plying for hire on, or using, any route in any case where the Admiralty, Army Council, or Minister of Munitions are of opinion that an omnibus service is necessary for and is to be used by munition workers or other persons engaged on Government war service.

- (2) This section shall not be deemed to detract from any existing powers of highway authorities in regard to omnibuses.
- (3) For the purposes of this section the expression " omnibus " includes every omnibus, char-a-banc, wagonette, brake, stage coach, or other carriage plying for hire or used to carry passengers at separate fares.