

CHAPTER 69.

An Act for constituting a Local Government Board in Ireland, and vesting therein certain functions of the Lord Lieutenant, the Privy Council, and the Chief Secretary to the Lord Lieutenant, concerning the Public Health and Local Government, together with the powers and duties of the Commissioners for administering the Laws for the Relief of the Poor in Ireland.
[10th August 1872.]

WHEREAS it is expedient to concentrate in one department, as herein-after provided, the supervision of the laws relating to the public health, local government, and the relief of the poor in Ireland:

Be it therefore enacted by the Queen'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:

Preliminary.

1. This Act may be cited as "The Local Government Board (Ireland) Act, 1872."

Short title.

Establishment of Local Government Board.

2. A Board shall be established, to be called the Local Government Board for Ireland (in this Act referred to as "The Local Government Board"), and from and after the establishment of such Board the Poor Law Commission shall cease to exist, and all powers and duties vested in or imposed on the Commissioners for administering the Laws for Relief of the Poor in Ireland by the several Acts of Parliament relating to the relief of the poor and any other Acts, or vested in or imposed on the Lord Lieutenant, the Privy Council, or on the chief secretary to the Lord Lieutenant by the enactments mentioned in the schedule annexed hereto, shall be transferred to and imposed on the said Local Government Board, and, except as otherwise provided by this Act, shall be exercised and performed by such Board in like manner and form, and subject to the same conditions, liabilities, and incidents respectively, as such powers and duties might before the passing of this Act have been exercised and performed by the authorities in whom the same were then vested respectively, or as near thereto as circumstances admit.

Establishment of Local Government Board for Ireland.

3. The Local Government Board shall consist of a president, being the chief secretary to the Lord Lieutenant for the time being, the under secretary to the Lord Lieutenant for the time being, together with a vice-president and two other commissioners, one of whom shall be qualified in like manner as the medical commissioner under the Medical Charities Act, to be appointed by Her Majesty, and to hold office during the pleasure of Her Majesty.

Constitution of Local Government Board.

The Local Government Board shall be deemed to be established from and after the date of the first appointment of a vice-president under this Act.

The Local Government Board may appoint in writing such inspectors, auditors, clerks, messengers, and other officers as the Board may, with the sanction of the Treasury, determine.

There shall be paid out of moneys provided by Parliament to the vice-president, the other commissioners, and the officers of the Board such salaries as the Treasury may from time to time determine: Provided that the appointment of any officer to a new office made by the Local Government Board in pursuance of this section shall be deemed to be temporary only until the salary of such office has been provided for by Parliament.

4. The Local Government Board may adopt an official seal, and describe themselves generally by the style and title of "The Local Government Board for Ireland," and, save as herein-after provided, any act to be done or instrument to be executed by or on behalf of the Local Government Board may be done or executed in the name of that Board by the president, or by the under secretary to the Lord Lieutenant, or by the vice-president, or by the two other members of the Local Government Board, both executing.

Seal, style, and acts of Board.

A rule, order, or regulation made by the Local Government Board shall be valid if it is made under the seal of the Board, and signed by the president, or by the under secretary to the Lord Lieutenant, or by the vice-president, or by the two other members of the Board, both signing; and the production of such *prima facie* evidence of any of the said rules, orders, or regulations shall, until the contrary is shown, be a sufficient proof that any such rule, order, or regulation of the Local Government Board was duly made.

Construction of Acts and documents, and power of Local Government Board.

5. In the construction of and for the purposes of any Act of Parliament, contract, or other document passed, entered into, or made before the establishment of the Local Government Board, but so far only as may be necessary for exercising the powers and discharging the duties by this Act transferred to and imposed on the Local Government Board, the name of such Board shall, according to circumstances, be deemed to be substituted for the Commissioners for administering the Laws for Relief of the Poor in Ireland, or the Lord Lieutenant, or Privy Council, or the chief secretary to the Lord Lieutenant, as the case may require; and any act or thing which might, if this Act had not passed, have been done by the Commissioners for administering the Laws for Relief of the Poor in Ireland, or the Lord Lieutenant, or the Privy Council, or the chief secretary to the Lord Lieutenant, so far as relates to the powers and duties hereby transferred, may be done by the Local Government Board.

Auditors.

6. From and after the passing of this Act, any auditor of poor law unions in Ireland who shall be appointed to audit the accounts of other public bodies, in addition to the accounts of the boards of guardians of unions, shall not receive for that duty remuneration beyond the amount of his yearly salary, any enactment to the contrary notwithstanding, and every such enactment is hereby repealed; and the number of such auditors and the amount of their salaries shall be such as the Local Government Board shall determine from time to time, with the approval of the Lords Commissioners of Her Majesty's Treasury: Provided always, that the Local Government Board shall from time to time ascertain and determine what proportion of the salaries paid to the said auditors should be charged in respect of the audit of the accounts of such public bodies respectively, and the amount so ascertained in respect of each such body shall be payable by such body, and shall be paid accordingly to such bank or to such person as the said Commissioners of Her Majesty's Treasury may direct.

Annual Report.

7. The Local Government Board shall once at least in every year make a report to the Lord Lieutenant concerning the execution of the several powers and duties hereby vested in the said Board.

Extension of powers given by s. 6. of 34 & 35 Vict. c. 109. to cases in which governing bodies incur expenses for permanent works, &c.

8. The powers granted by the sixth section of "The Local Government (Ireland) Act, 1871," may be exercised in any case where the governing body of any town exercising the borrowing powers of the special Act has contributed to, purchased, or executed any permanent works, or proposes to contribute to, purchase, or execute such works at a cost not exceeding or estimated not to exceed twice the net annual value of the premises assessable within the town in respect of which the money for such works may be borrowed.

Amendment of Sanitary Act, 1866.

9. The sewer authority of any district not being guardians of the poor shall defray all expenses incurred by such sewer authority in carrying into effect the provisions of section thirty-seven of "The Sanitary Act, 1866," out of the funds and in the manner prescribed by section fifty-eight of the said Act, as if the same were expenses incurred in carrying the Nuisance Removal Acts into effect.

As to powers conferred by 34 & 35 Vict. c. 109, respecting markets and fairs.

10. In addition to the powers conferred by "The Local Government (Ireland) Act, 1871," with regard to markets and fairs, be it enacted, that the governing body of any town, being the owners of any fair held therein, shall, with the consent of two thirds of the members of such governing body, and with the consent of the Local Government Board, and that any person being the owner of any fair held therein shall, with the consent of the Local Government Board, have power to alter and fix from time to time the days for holding such fairs. A notice of such alteration and fixing shall be published by such governing body or person in the Dublin Gazette and in some one newspaper

circulated in such town, and thereupon such fair shall be held only on the day or days mentioned in such notice, and it shall be lawful for such governing body or person to take all such toll or tolls, and to do all such act or acts, and to enjoy all and the same rights, powers, and privileges in respect thereof, and to enforce the same by all and the like remedies, as if the same were held on the day or days upon which it was used to be held previous to the publication of such notice.

11. Whereas the provisions of section one hundred and twenty-four of the Act of the third and fourth years of Victoria, chapter one hundred and eight, relating to the lighting of the boroughs therein referred to, do not apply to any of such boroughs in which there is a local Act for lighting thereof, by reason whereof much inconvenience arises, for remedy thereof be it enacted that it shall be lawful for the council of any such borough, in which there is a local Act for the lighting thereof to make an order that from and after a day named therein the provisions of the said local Act relating to the lighting of such borough shall cease to be in force therein; and from and after such day there shall be in force in lieu thereof within such borough the provisions of the said section one hundred and twenty-four of the said Act of the third and fourth years of Victoria, chapter one hundred and eight, as the same are amended by any Act or Acts.

Amendment
of sect. 124. of
3 & 4 Vict.
c. 108.

12. From and after the passing of this Act, section thirty-one of the Local Government (Ireland) Act, 1871, and all parts of Acts which relate to the election of auditors and to the audit of accounts by such auditors in any town to which the provisions of the Local Government (Ireland) Act, 1871, relating to the audit of accounts, apply, shall be and the same are hereby repealed.

Sect. 31. of
34 & 35 Vict.
c. 109, repealed.

SCHEDULE referred to in the foregoing Act.

Subject.	Act.
Towns Improvement	- 17 & 18 Vict. c. 103.
Sanitary Act, 1866	- 29 & 30 Vict. c. 90.
Sewage Utilization Act, 1865 (as applied to Ireland)	- 28 & 29 Vict. c. 75.
Nuisances Removal Act, 1855 (as applied to Ireland)	- 18 & 19 Vict. c. 121.
Diseases Prevention Act, 1855 (as applied to Ireland)	- 18 & 19 Vict. c. 116.
Nuisances Removal and Diseases Prevention Amendment, 1860 (as applied to Ireland)	- 23 & 24 Vict. c. 77.
Local Government (Ireland)	- 34 & 35 Vict. c. 109.
Sanitary Act Amendment, 1868 (as applied to Ireland)	- 31 & 32 Vict. c. 115.
Sanitary Loans Act, 1869 (as applied to Ireland)	- 32 & 33 Vict. c. 115.
Common Lodging House Act, 1860	- 23 Vict. c. 26.
Burial Grounds	- 19 & 20 Vict. c. 98.
Burial Grounds Amendment Act	- 23 & 24 Vict. c. 76.

CHAPTER 70.

An Act to make better Provision respecting certain Fees payable to the Law Officers of the Crown for England. [10th August 1872.]

BE it enacted by the Queen'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. All fees payable to or to the credit of any law officer or his clerk in pursuance of the Patent Law Amendment Act, 1852, and the Acts amending the same, or on account of any letters patent for new inventions, or any gift, grant, or writing under the Great Seal, be paid as

Certain fees
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