



# Public Health Act 1875

## 1875 CHAPTER 55

### PART VIII

#### ALTERATION OF AREAS AND UNION OF DISTRICTS.

#### PORT SANITARY AUTHORITY.

#### **287 Constitution of port sanitary authority.**

The Local Government Board may, by provisional order, permanently constitute any local authority whose district or part of whose district forms part of or abuts on an) part of a port in England, or the waters of such port, or any conservators commissioners or other persons having authority in or over such port or any part thereof, (which local authority conservators commissioners or other persons are in this Act referred to as a " riparian authority,") the sanitary authority of the whole of such port or of any part thereof (in this Act referred to as the " port sanitary authority ").

The Local Government Board may also by provisional order permanently constitute a port sanitary authority for the whole or any part of a port, by combining any two or more riparian authorities having jurisdiction within such port, or any part thereof, and may prescribe the mode of their joint action ; or by forming a joint board consisting of representative members of any two or more riparian authorities, in the same manner, as is by this Act provided with respect to the formation of a united district. Moreover the Local Government Board may by provisional order permanently constitute a port sanitary authority for any two or more ports, by forming a joint board consisting of representative members of all or any of the riparian authorities having jurisdiction within such ports, or any part thereof.

In any case in which the Local Government Board are by this section authorised permanently to constitute by provisional order a port sanitary authority, the said Board may, if it thinks fit, until such order has been made and confirmed by Parliament, temporarily constitute by order any such authority, and may from time to time renew any such last-mentioned order, and may by any order so made or renewed make any such provisions as it is by this section empowered to make by provisional

---

*Status: This is the original version (as it was originally enacted). This item of legislation is currently only available in its original format.*

---

Any order constituting a port sanitary authority may assign to such authority any powers rights duties capacities liabilities and obligations under this Act, and direct the mode in which the expenses of such authority are to be paid ; and where such order constitutes a joint board the port sanitary authority, it may contain regulations with respect to any matters for which regulations may be made by a provisional order forming a united district under this Act.

A port shall mean a port as established for the purposes of the laws relating to the customs of the United Kingdom.

**288 Jurisdiction of port sanitary authority.**

The order of the Local Government Board constituting a port sanitary authority shall be deemed to give such authority jurisdiction over all waters within the limits of such port, and also over the whole or such portions of the district within the jurisdiction of any riparian authority as may be specified in the order.

**289 Delegation of powers by port sanitary authority.**

A port sanitary authority may, with the sanction of the Local Government Board, delegate to any riparian authority within or bordering on their district the exercise of any powers conferred on such port sanitary authority by the order of the Local Government Board, but, except in so far as such delegation may extend, no other authority shall exercise any powers conferred on a port sanitary authority by the order of the Local Government Board within the district of such port sanitary authority.

**290 Expenses of port sanitary authority.**

Any expenses incurred by a port sanitary authority constituted temporarily in carrying into effect any purposes of this Act shall be defrayed out of a common fund to be contributed by the riparian authorities in such proportions as the Local Government Board thinks just.

Such port sanitary authority, if itself a local authority under this Act independently of its character of a port sanitary authority, shall raise the proportion of expenses due in respect of its own district in the same manner as if such expenses had been incurred by it in the ordinary manner for the purposes of this Act.

For the purpose of obtaining payment from the contributory riparian authorities of the sums to be contributed by them, such port sanitary authority shall issue their precept to each such authority, requiring such authority, within a time limited by the precept, to pay the amount therein mentioned to such port sanitary authority, or to such person as such port sanitary authority may direct.

Any contribution payable by a riparian authority to such port sanitary authority shall be a debt due from them, and may be recovered accordingly, such contribution in the case of a rural authority being deemed general expenses of that authority. If any riparian authority makes default in complying with the precept addressed to it by such port sanitary authority, such port sanitary authority may, instead of instituting proceedings for the recovery of the debt, or in addition to such proceedings, as to any part of the debt which may for the time being be unpaid, proceed in the summary manner in this Act mentioned to raise within the district of the defaulting authority such sum as may be sufficient to pay the debt due.

---

*Status: This is the original version (as it was originally enacted). This item of legislation is currently only available in its original format.*

---

Where several riparian authorities are combined in the district of one port sanitary authority the Local Government Board may by order declare that some one Or more of such authorities shall be exempt from contributing to the expenses incurred by such authorities.

**291 Provision as to port of London.**

The mayor aldermen and commons of the City of London shall be the port sanitary authority of the port of London, and shall pay out of their corporate funds all their expenses as such port sanitary authority.

**292 Proceedings for raising a sum for payment of debt within district of a defaulting authority.**

Where any port sanitary authority joint board or other authority are authorised, in pursuance of this Act, to proceed in a summary manner to raise within the district of a defaulting authority such sum as may be sufficient to pay any debt due to them, the authority so authorised for the purpose of raising such sum shall, within the district of the defaulting authority, have, so far as relates to the raising such sum, the same powers as if they were the defaulting authority, and as if such sum were expenses properly incurred by the defaulting authority within the district of such authority.

Where the defaulting authority have power to raise any moneys due for their expenses by levy of a rate from individual ratepayers, the authority so authorised as aforesaid shall have power to levy such a rate by any officer appointed by them, and the officer so appointed shall have the same powers, and the rate shall be levied in the same manner and be subject to the same incidents in all respects as if it were being levied by the officer of the defaulting authority for the payment of the expenses of that authority ; and where the defaulting authority have power to raise moneys due for their expenses by issuing precepts, or otherwise requiring payments from any other authorities, the authority so authorised as aforesaid shall have the same power as the defaulting authority would have of issuing precepts, or otherwise requiring payment from such other authorities.

Any precepts issued by the authority so authorised as aforesaid for raising the sum due to them may be enforced in the same manner in all respects as if they had been issued by the defaulting authority.

The authority so authorised as aforesaid may, in making an estimate of the sum to be raised for the purpose of paying the debt due to them, add such sums as they think sufficient, not exceeding ten per cent. on the debt due, and may defray thereout all costs charges and expenses (including compensation to any persons they may employ) to be incurred by such authority by reason of the default of the defaulting authority; and the authority so authorised as aforesaid shall apply all moneys raised by them in payment of the debt due to them, and such costs charges and expenses as aforesaid, and shall render the balance, if any, remaining in their hands after such application to the defaulting authority.