

but on that day shall cease to be in force within the Borough unless the byelaws shall previously have been repealed or altered as respects the Borough by byelaws made by the Corporation.

COMPENSATION CLAUSE.

13.—(1) In case any officer of the District Council who was employed by such Council immediately before the date of the confirmation of this Scheme and who shall have been employed by such Council for a period of not less than five years shall not be employed by the Council of the Borough nor offered by that Council a position in their employ of a similar character and of an equal value to that formerly held by him he shall be entitled to be paid compensation for the loss of his position or the reduction of salary or emoluments sustained by him as the case may be; and the amount to be paid in each case shall be determined having regard to the conditions and circumstances mentioned in the Eighth Schedule to the Local Government Act, 1929, and the compensation shall not exceed the limit therein mentioned.

Provided nevertheless that if any such officer shall be so employed by the Corporation he shall, if his services are dispensed with or if his salary is reduced by the Corporation within four years after the commencement of this Scheme, because his services are not required or his duties are diminished, and not on the ground of misconduct, be deemed, unless the contrary is shown, to have suffered a direct pecuniary loss in consequence of this Scheme.

(2) Any compensation payable to any officer shall be paid out of the General Rate Fund of the Borough and the provisions of the said Schedule (except paragraph 11 thereof) shall apply subject to the following and any other necessary modifications—

(a) any reference in that Schedule to "the Council" shall be construed as a reference to the Corporation, and

(b) any reference in that Schedule to "the appointed day" shall be construed as a reference to the appointed day as defined in this Scheme.

(3) All fees or remuneration received and retained by an officer in connection with the preparation of the jurors book or the register of electors under the Representation of the People Acts shall, subject to a reasonable deduction for any expenses incurred by the officer, be regarded as part of the emoluments of the officer for the purposes of compensation.

(4) No officer shall be entitled to receive both compensation under this Scheme for pecuniary loss and a superannuation or retiring allowance in respect of the same period of service and the same pecuniary loss.

(5) For the purposes of this article and of the provisions of the Eighth Schedule to the said Act of 1929 as applied by this article the expression "officer" includes a servant.

ACCOUNTS OF DISTRICT COUNCIL.

14.—(1) The accounts of the District Council and of their committees and officers shall be made up to the appointed day and shall be audited by the district auditor in like manner and subject to the like incidents and consequences as if this Scheme had not been confirmed.

(2) Any sum certified at the audit by the district auditor to be due from any person shall be paid to the treasurer of the Borough.

SUPPLEMENTARY PROVISIONS.

15.—(1) The District Council shall by the levy of a rate liquidate as far as practicable before the appointed day all their current debts and liabilities.

(2) All rates made by the District Council which are not collected immediately before the appointed day and all other sums then due to the District Council may be recovered by the Corporation.

16.—(1) Nothing in this Scheme shall cause to abate or shall prejudicially affect or prevent the continuance of any action, cause of action or proceeding which immediately before the appointed day is pending or existing by or against the District Council or any contract, deed, bond, agreement or other instrument (subsisting immediately before the appointed day) entered into or made by the District Council or their predecessors:

Provided that—

(a) any action, cause of action or proceeding which immediately before the appointed day is pending or existing by or against the District Council may be continued, prosecuted and enforced by or against the Corporation; and

(b) all contracts, deeds, bonds, agreements and other instruments subsisting immediately before the appointed day entered into or made by the District Council (or their predecessors) may be continued and enforced as fully and effectually as if instead of that Council (or their predecessors) the Corporation has been a party thereto.

(2) All legal proceedings pending immediately before the appointed day may be amended in such a manner as may be necessary or proper in consequence of this Scheme.

17. Nothing in this Scheme shall prejudice, vary or affect any power, right, interest or jurisdiction in or over or in connexion with any charitable endowment.

18. Nothing in this Scheme shall affect the limits for the supply of gas or electricity by any company, body or local authority under any Act or any Provisional Order confirmed by Parliament or under any Order made in pursuance of the Gas Undertakings Acts, 1920 and 1929 or the Electricity Supply Acts, 1882 to 1928, nor shall the existing powers or charges of any such company, body or local authority under any Act or Order be prejudiced or affected thereby.

19. All contributions, orders and precepts made or issued before the appointed day shall be as valid in law as if this Scheme had not been confirmed.

20. Notwithstanding the incorporation of the Borough and the provisions of this Scheme, all assessments, orders, apportionments, notices, compositions, charges, acts, matters and things made, entered into or done before the appointed day by, or with reference to the District Council shall be as good, valid and effectual to all intents and purposes whatsoever for, against and with reference to the Corporation, as if the same had been made, done, entered into or done by, or with reference to the Corporation, instead of the District Council and may be proceeded on or enforced in the same manner in all respects as if the Corporation instead of the District Council had been party or privy to the same and had been named or referred to therein.