

## **BARROW DRAINAGE ACT 1933**

An Act to make further financial provision for the carrying out and maintenance of works for the arterial drainage of the river barrow and its tributaries, and for that purpose to amend the barrow drainage act, 1927.

[22nd August, 1933.]

BE IT ENACTED BY THE OIREACHTAS OF SAORSTÁT EIREANN AS FOLLOWS:—

The Principal Act.

1.—(1) In this Act the expression "the Principal Act" means the Barrow Drainage Act, 1927 (No. 26 of 1927). (2) Every word and expression to which a particular meaning is given by The Principal Act for the purposes of that Act has in this Act the meaning so given.

Amendment of section 9 of the Principal Act.

2.—(1) So much of paragraph ( a ) of section 9 of the Principal Act as limits the amount of the advance by the Commissioners to a sum of two hundred and twelve thousand five hundred pounds shall cease to have effect, and in lieu thereof it is hereby enacted that the amount of the advance by the Commissioners shall not exceed the sum of two hundred and seventy-five thousand pounds. (2) So much of paragraph ( b ) of section 9 of the Principal Act as limits the amount of the moneys to be provided by the Minister for Finance under that section to the sum of two hundred and twelve thousand five hundred pounds shall cease to have effect, and in lieu thereof it is hereby enacted that the amounts to be provided by the Minister for Finance under that section out of moneys to be provided by the Oireachtas shall not exceed the sum of two hundred and seventy-five thousand pounds.

Amendment of section 19 of the Principal Act.

3.—section 19 of the Principal Act is hereby amended in the following respects, and shall be construed and have effect accordingly, that is to say:— ( a ) by the substitution in sub-section (1) of the said section of the words "three thousand two hundred and fifty" for the words "two thousand", and ( b ) by the substitution in sub-section (2) of the said section of the words "three thousand two hundred and fifty" for the words "two thousand".

Advances by Minister to Borrow Drainage Board.

4.—(1) If, at any time or times before the expiration of the first local financial year next after the 31st day of March following the date of the final award, the Commissioners are of opinion that the Barrow Drainage Board requires for the maintenance of the drainage works during the period between the date of the final award and the expiration of such local financial year any moneys in addition to the sum which the Barrow Drainage Board is entitled to receive in such local financial year under sub-section (1) of section 19 of the Principal Act, as amended by this Act, or in addition to such sum and any moneys previously advanced under this section, the Commissioners may certify to the Minister that a specified amount is so required by the Barrow Drainage Board. (2) The Minister for Finance, on receipt of any certificate under the foregoing sub-section may, out of moneys to be provided by the Oireachtas, make an advance in accordance with this section of an amount not exceeding the amount specified in such

certificate. (3) The aggregate of the advances which may be made under this section shall not exceed the sum of three thousand two hundred and fifty pounds and the Minister shall make no advance which would cause such aggregate to exceed that sum. (4) All moneys advanced under this section shall be refunded to the Minister for Finance and for the purpose of the refunding of such moneys the following provisions shall have effect, that is to say:— ( a ) the Minister for Finance may make such deductions as he may think fit from all or any of the payments which may become due by him to the Barrow Drainage Board under sub-section (3) of section 19 of the Principal Act; ( b ) if after the making of the last payment which may become due by the Minister for Finance to the Barrow Drainage Board under sub-section (3) of section 19 of the Principal Act all sums advanced by the said Minister under this section have not been refunded the balance (in this section referred to as the outstanding balance) shall until repaid by the Barrow Drainage Board become and be a charge on all moneys thereafter received by the Barrow Drainage Board; ( c ) the Minister for Finance may direct the Barrow Drainage Board to repay the outstanding balance (if any) in either of the following ways, that is to say:— (i) in one sum in any specified local financial year; or (ii) in instalments of specified amounts in specified local financial years; and if the Minister directs the repayment of the outstanding balance in either of such ways the Barrow Drainage Board shall repay such outstanding balance in the way directed by the Minister; ( d ) if the Barrow Drainage Board becomes liable under the foregoing paragraph to make any payment to the Minister for Finance in any local financial year, the making of such payment shall be deemed to be part of the cost of the maintenance of the drainage works for that local financial year within the meaning of section 21 of the Principal Act and that section shall apply and have effect accordingly.

Short title and citation.

5.—(1) This Act may be cited as the Barrow Drainage Act, 1933. (2) The Principal Act and this Act may be cited together as the Barrow Drainage Acts, 1927 and 1933.