

L.G. 1039.

THE MINISTRY OF HOME AFFAIRS FOR NORTHERN IRELAND.

TOWN OF KILKEEL.

FORMATION OF URBAN DISTRICT.

17 & 18
Vic.
c. 103.

Whereas the town of Kilkeel is a town having Commissioners under the Town's Improvement (Ireland) Act, 1854, and is situated in and forms part of the rural district of Kilkeel, the union of Kilkeel and the administrative County of Down:

And Whereas the Ministry of Home Affairs for Northern Ireland (in this order referred to as "the Ministry") has received a petition from local government electors within the said town of Kilkeel, praying that the said town may be separated from the rural district of Kilkeel and be constituted an urban sanitary district:

And Whereas the Ministry has caused a local inquiry to be made as to the propriety of assenting to the prayer of the said petition and it appears to the Ministry to be proper to assent thereto:

41 & 42
Vic.
c. 52.

Now, Therefore, the Ministry in exercise of the powers vested in it by section seven of the Public Health (Ireland) Act, 1878, and by certain enactments of the Local Government Acts (Northern Ireland), 1898 to 1936, and of all other powers enabling it hereby orders and directs as follows:—

1. (1) The provisions of the following articles of this order shall come into operation on the first day of April, nineteen hundred and thirty-seven, unless within three months from the date on which this order is published in the *Belfast Gazette* the Ministry receives a petition against the order from at least one-fourth of the local government electors within the town of Kilkeel or from the board of guardians of the Kilkeel union or from the council of the Kilkeel rural district.
 - (2) If any such petition is so received by the Ministry as aforesaid and this order is confirmed by Parliament the provisions of the following articles of this order shall come into operation on the first day of April or first day of October next after such confirmation, whichever is the earlier date.
 - (3) If any such petition having been so received by the Ministry as aforesaid is withdrawn before the eighth day of November, nineteen hundred and thirty-six, the foregoing provisions of this article shall have effect in like manner as if the petition had not been received.
2. The town of Kilkeel shall be separated from the rural district of Kilkeel in the administrative County of Down and shall be constituted an urban sanitary district (hereinafter called "the urban district of Kilkeel") subject to the provisions of the Public Health (Ireland) Acts, 1878 to 1918, as amended by the provisions of the Local Government Acts (Northern Ireland), 1898 to 1936, affecting sanitary districts.
3. There shall be transferred to the urban sanitary authority of the urban district of Kilkeel (in this order referred to as "the urban district council") :—
 - (a) The business of the rural district council of Kilkeel in relation to public works as defined by the Local Government (Ireland) Act, 1898, so far as respects the area of the said urban district;
 - (b) The business of the county council of the administrative county of Down (so far as respects the area of the said urban district) in relation to public works as so defined, the expense of the maintenance of which is not wholly or partly leviable off the county at large.

Provided that nothing in this article shall prejudice the application for or making of any order under the proviso to sub-section (4) of section one of the Local Government (Roads) Act (Northern Ireland), 1923, for determining that contributions should be made by way of adjustment to or by the said county council or the urban district council.

4. Any adjustment of property rights and liabilities which may become necessary for the full and effectual carrying out of this order shall be made as between the urban district council and the county council of the administrative county of Down, or as between the urban district council and the rural district council of Kilkeel, or as between the urban district council and the board of guardians of the Kilkeel union, or as between the urban district council and any other persons whatsoever in manner provided by article thirty of the schedule to the Local Government (Application of Enactments) Order, 1898: Provided that a duly certified