

Tramways Act, 1886

Section 22 - FUTURE PURCHASE OF UNDERTAKING BY LOCAL AUTHORITY

1) Where the promoter of a tramway in a circle is not the local authority, the local authority, with the previous sanction of the³² [Government], may- (a) within such limits of time as may be specified in this behalf in the order, or (b) if a time was not specified in the order, then within six months after the expiration of a period of twenty-one years from the date of the order, and within six months after the expiration of every subsequent period of seven years, or (c) within two months after the publication of a notification under S. 19 or within six months after the publication of a notification under S. 21, by notice in writing, require the promoter to sell to the local authority his undertaking or the part thereof which is within the circle of the local authority; and thereupon the promoter shall sell the same upon the terms specified in the order, or, if the terms were not specified in the order, then upon the terms of paying the then value of the undertaking or of the part thereof, exclusive of any allowance for past or future profits of the undertaking or any compensation for compulsory sale or other consideration whatsoever. (2) A requisition shall not be made under sub-section (1) unless the making thereof has been approved by the local authority in manner prescribed. (3) When a sale has been made under this section, all the rights, powers and authorities of the promoter in respect of the undertaking or part thereof sold. or, where a notification has been published under section 19-orsec. 21-, all the rights, powers and authorities of the promoter previous to the publication of the notification in respect of the undertaking or part thereof sold, shall be transferred to the authority to whom the undertaking or part has been sold, and shall vest in, and may be exercised by, that authority in the same manner as if the tramway had been constructed by it under an order made under this Act. (4) Subject to, and in accordance with, the preceding provisions of this section, two or more local authorities may jointly purchase an undertaking or so much thereof as is within their circles