





74 (part of collection)
JSN
EGS
NV
1950

Great Britain. Laws, statutes, etc.

**.THE
PUBLIC GENERAL ACTS
AND CHURCH ASSEMBLY MEASURE
OF 1950**

being those which received the Royal Assent in that year,
having been passed during the First and part of the
Second Session of the Thirty-Ninth Parliament of the
United Kingdom of Great Britain and Northern Ireland
and the

FOURTEENTH AND FIFTEENTH YEARS

of the Reign of His Majesty

KING GEORGE THE SIXTH

with

Tables of the Short Titles and of
The Effect of Legislation
and an Index



LONDON:
PRINTED BY HIS MAJESTY'S STATIONERY OFFICE
AND PUBLISHED BY THE COUNCIL OF LAW REPORTING
6, Stone Buildings, Lincoln's Inn, London, W.C.2

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TABLE I.

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TABLE II.

THE SHORT TITLE OF THE MEASURE

**PASSED BY THE NATIONAL ASSEMBLY OF THE CHURCH
OF ENGLAND WHICH RECEIVED THE ROYAL
ASSENT DURING THE YEAR
1950**

14 Geo. 6.

**No. 1. Incumbents (Discipline) Measure, 1947 (Amendment) Measure,
1950, p. ii.**

14 GEO. 6

No. 1

**A MEASURE passed by the National Assembly of the
Church of England****To amend the Incumbents (Discipline) Measure, 1947
[28th July 1950.]**

Repeal. 1. The following section shall be substituted for section 27 of
10 & 11 Geo. 6. the Incumbents (Discipline) Measure, 1947 (hereafter in this
No. 1. Measure referred to as the principal Measure):—

16 & 17 Geo. 5. “27. Part I and section 16 together with the First and
No. 8. Second Schedule of the Benefices (Ecclesiastical Duties)
Measure, 1926, are hereby repealed.”

Commence- 2. Section 1 of this Measure shall be deemed to have effect as
ment. from the 18th day of February, 1947.

Extent. 3. This Measure shall extend to the whole of the Provinces of
Canterbury and York, except the Channel Islands and the Isle of
Man, but may be applied to the Channel Islands or either of
21 & 22 Geo. 5. them, as defined in the Channel Islands (Church Legislation)
No. 4. Measure, 1931, in accordance with the procedure set out in the
schedule to that Measure.

Short title. 4. This Measure may be cited as the Incumbents (Discipline)
Measure, 1947 (Amendment) Measure, 1950, and shall be con-
strued as one with the principal Measure, and the two Measures
may be cited together as the Incumbents (Discipline) Measures,
1947–1950.

TABLE III

SHOWING THE EFFECT OF THE LEGISLATION OF 1950

ACTS AND MEASURES (IN CHRONOLOGICAL ORDER) REPEALED, AMENDED OR OTHERWISE AFFECTED BY THOSE ACTS, MEASURES AND STATUTORY INSTRUMENTS WHICH RECEIVED THE ROYAL ASSENT OR WERE MADE DURING 14 & 15 GEO. 6

[NOTE.—References in the fourth column are to chapters of 14 Geo. 6. unless otherwise stated.]

Session and Chap. or No. of Measure	Short title or Subject	How affected	Chapter of 1950 Act or number of Measure or Statutory Instrument
20 Hen. 3: Stat. Merton: c. 1	Damages to widows on writ of dower.	Repealed (N.I.) ...	6, S.L.R.
c. 4	Commons Act, 1236 ...	Repealed (N.I.) ...	6, S.L.R.
6 Edw. 1: Stat. Glouc.: c. 1	Damages in Lavel Disseisin. In Mort d'Auncestor, Cosinage, etc.	Repealed so far as unrepealed (N.I.).	6, S.L.R.
12 Edw. 1: Stat. Rothlan ...	Provisions made in the Exchequer.	Repealed (N.I.) ...	6, S.L.R.
13 Edw. 1: Stat. West. Sec.: c. 2	Mischiefs to Lords distraining their tenants by replevins.	Repealed (N.I.) ...	6, S.L.R.
c. 5	Three original writs of advowson.	Repealed (N.I.) ...	6, S.L.R.
c. 30	Assignment of justices of nisi prius.	Repealed (N.I.) ...	6, S.L.R.
c. 31	Proceedings on Bills of exceptions.	Repealed (N.I.) ...	6, S.L.R.
c. 46	Commons Act, 1285 ...	Repealed so far as unrepealed (N.I.).	6, S.L.R.
Stat. Circumspecte Agatis.	Statute of Circumspecte Agatis.	Repealed so far as unrepealed (N.I.).	6, S.L.R.
18 Edw. 1: Stat. de Consultatione.	Statute of the Writ of Consultation.	Repealed (N.I.) ...	6, S.L.R.

Session and Chap. or No. of Measure	Short title or Subject	How affected	Chapter of 1950 Act or number of Measure or Statutory Instrument
27 Edw. 1: Stat. de Finibus, 3.	Justices of Assise shall be of Justices of Gaol Delivery. Such Justices shall punish sheriffs offending against Stat. Westr. 1.	Repealed (N.I.) ...	6, S.L.R.
c. 4	Nisi prius shall be granted before one of the judges of the Court where the suit is commenced.	Repealed (N.I.) ...	6, S.L.R.
28 Edw. 1: Artic. sup. Cart. c. 3 ...	Of what things only the steward and marshal of the King's House shall hold plea. What coroners shall inquire of the death of a man slain within the verge.	Repealed (N.I.) ...	6, S.L.R.
9 Edw. 2: Articuli Cleri,			
c. 1	No prohibition in suits for Tythes, etc.	Repealed so far as unrepealed (N.I.)	6, S.L.R.
c. 2	Penance pecuniary and corporal.	Repealed so far as unrepealed (N.I.)	6, S.L.R.
c. 6	Jurisdiction of the King's Court jointly with the Spiritual.	Repealed so far as unrepealed (N.I.)	6, S.L.R.
c. 7	King's letter to discharge an excommunicate shall not issue.	Repealed (N.I.) ...	6, S.L.R.
c. 8	Clerks in the King's service, not bound to residence.	Repealed (N.I.) ...	6, S.L.R.
c. 9	Distresses on the clergy shall not be taken in the highways, nor in the ancient fees of the church.	Repealed (N.I.) ...	6, S.L.R.
c. 13	Examination of a parson presented belongeth to a spiritual judge.	Repealed (N.I.) ...	6, S.L.R.
c. 14	Free elections of dignities of the church.	Repealed (N.I.) ...	6, S.L.R.
12 Edw. 2: Stat. Ebor,			
c. 3	Inquests determinable in the Benches may be taken in the Country.	Repealed (N.I.) ...	6, S.L.R.
c. 4	Justices of nisi prius may record Nonsuits, Defaults, etc.	Repealed (N.I.) ...	6, S.L.R.
Statutes of uncertain date: Perogativa Regis,			
c. 10	King's presentation to vacant churches.	Repealed (N.I.) ...	6, S.L.R.

Session and Chap. or No. of Measure	Short title or Subject	How affected	Chapter of 1950 Act or number of Measure or Statutory Instrument
2 Edw. 3: c. 2	Pardons for felony. Justices of Assize and Gaol delivery. Oyers et terminero.	Repealed so far as unrepealed (N.I.).	6, S.L.R.
4 Edw. 3: c. 11	Justices of Assises and nisi prius may inquire concerning maintainers, etc.	Repealed (N.I.) ...	6, S.L.R.
14 Edw. 3: Stat. 1, c. 6	Records defective by misprison of Clerks amendable.	Repealed (N.I.) ...	6, S.L.R.
c. 16	Nisi prius may be granted before a justice of common pleas in a suit in King's Bench.	Repealed (N.I.) ...	6, S.L.R.
20 Edw. 3 ...	Ordinance for the justices	Repealed so far as unrepealed (N.I.).	6, S.L.R.
25 Edw. 3: Stat. 6, c. 1	Confirmation of privileges and franchises. The King's presentation to benefices in right of another, limited to titles in his own time.	Repealed (N.I.)	6, S.L.R.
c. 3	On presentation in another's right, the King's title shall be examined.	Repealed (N.I.)	6, S.L.R.
c. 7	The title taken to the King for a benefice lapse ^d may be counterpleaded.	Repealed (N.I.)	6, S.L.R.
c. 8	Cognizance of avoidance of benefices declared to appertain to the ecclesiastical judge.	Repealed (N.I.)	6, S.L.R.
34 Edw. 3: c. 20	Exportation of corn forbidden.	Repealed (N.I.)	6, S.L.R.
36 Edw. 3: c. 8	The wages of priests ...	Repealed (N.I.)	6, S.L.R.
8 Ric. 2: c. 4	Penalty on Judge or Clerk making a false entry, etc.	Repealed (N.I.)	6, S.L.R.
13 Ric. 2: Stat. 1, c. 1 ...	The Statute 25 Edw. 3, Stat. 6, c. 3 confirmed, etc.	Repealed (N.I.)	6, S.L.R.

Session and Chap. or No. of Measure	Short title or Subject	How affected	Chapter of 1950 Act or number of Measure or Statutory Instrument
15 Ric. 2: c. 6	On appropriation of benefices provision shall be made for the poor and the vicar.	Repealed (N.I.)	6, S.L.R.
4 Hen. 4: c. 12	Statute 15 Ric. 2, c. 6, touching the appropriation of churches, confirmed.	Repealed (N.I.)	6, S.L.R.
1 Hen. 5: c. 5	In original Writs, etc., Additions of Defendants' Degree, etc., shall be put.	Repealed (N.I.)	6, S.L.R.
2 Hen. 5: Stat. 1, c. 3 ...	Copies of the libels in the spiritual courts shall be duly delivered.	Repealed (N.I.)	6, S.L.R.
9 Hen. 5: Stat. 1, c. 4 ...	Justices may amend the Defaults in Records and Process after Judgment.	Repealed (N.I.)	6, S.L.R.
4 Hen. 6: c. 3	Recital of the Statute 9 Hen. 5. St. 1, reciting Statute 14 Edw. 3. St. 1, c. 6, etc.	Repealed (N.I.)	6, S.L.R.
8 Hen. 6: c. 1	The clergy of the Convocation and their servants shall have all such liberties as the lords and commons of Parliament.	Repealed (N.I.)	6, S.L.R.
c. 12	No Judgment nor Record shall be reversed nor avoided for erasures, interlineations or literal errors.	Repealed so far as unrepealed (N.I.).	6, S.L.R.
c. 15	The judges may amend records in cases of misprison of sheriffs, etc.	Repealed (N.I.)	6, S.L.R.
14 Hen. 6: c. 1	Justices of Nisi Prius may give judgment, etc., in treason and felony cases.	Repealed (N.I.)	6, S.L.R.
27 Hen. 6: c. 5	Sunday Fairs Act, 1448	Excluded... ..	28, s. 59 (2) (a).

Session and Chap. or No. of Measure	Short title or Subject	How affected	Chapter of 1950 Act or number of Measure or Statutory Instrument
24 Hen. 8: c. 12	Ecclesiastical Appeals Act, 1532.	Repealed (N.I.)	6, S.L.R.
35 Hen. 8: c. 16	An Act concerning the Examination of the Canon Law by Two and thirty Persons to be named by the King's Majesty during His Highness's Life.	Repealed... ..	6, S.L.R.
37 Hen. 8: c. 4	Dissolution of Colleges Act, 1545.	Ss. 13, 16 repealed	6, S.L.R.
1 Edw. 6: c. 2	An Acte for the election of Bisshoppes.	Repealed (N.I.)	6, S.L.R.
c. 14	Dissolution of Colleges Act, 1547.	S. 23 repealed	6, S.L.R.
2 & 3 Edw. 6: c. 1	Act of Uniformity, 1548	Repealed (N.I.)	6, S.L.R.
5 & 6 Edw. 6: c. 1	Act of Uniformity, 1551	Repealed (N.I.)	6, S.L.R.
c. 16	Sale of Offices Act, 1551	Ss. 5, 6 repealed (N.I.)... ..	6, S.L.R.
1 Eliz.: c. 1	Act of Supremacy	S. 8 repealed (N.I.)	6, S.L.R.
c. 2	Act of Uniformity, 1558	Repealed (N.I.)	6, S.L.R.
3 Car. 1: c. 2	An Act for the further reformation of Sondry abuses committed on the Lordes Day Commonlie called Sonday.	Excluded... ..	28, s. 59 (2) (b).
c. 5	An Act for contynuance and Repeale of divers Statutes.	S. 22 repealed in part (N.I.)	6, S.L.R.
16 Car. 1: c. 4	An Act for the further reliefe of His Majesties Armie and the Northern Parts of the Kingdome.	S. 2 repealed in part (N.I.)	6, S.L.R.
c. 26	Impressment of seamen...	Repealed (N.I.)	6, S.L.R.
c. 28	Impressment of soldiers	Repealed (N.I.)	6, S.L.R.
c. 30	Relief of Ireland	Repealed (N.I.)	6, S.L.R.
c. 32	Taxation	Repealed (N.I.)	6, S.L.R.
c. 33	An Act for the speedy and effectual reducing the rebels in His Majesty's Kingdom of Ireland to their due obedience to His Majesty and the Crown of England.	Repealed (N.I.)	6, S.L.R.

Session and Chap. or No. of Measure	Short title or Subject	How affected	Chapter of 1950 Act or number of Measure or Statutory Instrument
16 Car. 1: c. 34	An Act adding to and explaining certain clauses in Stat. 16 Car. 1, c. 33.	Repealed (N.I.) ...	6, S.L.R.
c. 35	An Act to enable Corporations and Bodies Politic to participate in the benefit of Stat. 16 Car. 1, c. 33.	Repealed (N.I.) ...	6, S.L.R.
c. 37	An Act for the further advancement of an Effective and Speedy reduction of the rebels in Ireland to the obedience of His Majesty and Crown of England.	Repealed (N.I.) ...	6, S.L.R.
13 Car. 2: Stat. 1, c. 14 ...	Confirmation of Acts ...	Repealed in part (N.I.)...	6, S.L.R.
14 Car. 2: c. 4	Act of Uniformity, 1662	Repealed (N.I.) ...	6, S.L.R.
19 & 20 Car. 2: c. 3	An Act to make Prize Ships free for trade.	Repealed (N.I.) ...	6, S.L.R.
22 & 23 Car. 2: c. 26	An Act to prevent the planting of Tobacco in England, and for regulating the Plantation Trade.	Repealed so far as un-repealed.	6, S.L.R.
29 Car. 2: c. 7	Sunday Observance Act, 1677.	Excluded... ..	28, s. 59 (2) (c).
1 Will. & Mary Sess. 2, c. 2	Bill of Rights	Preamble repealed in part (N.I.).	6, S.L.R.
12 & 13 Will. 3: c. 2	Act of Settlement ...	S. 3 repealed in part (N.I.)	6, S.L.R.
1 Anne: c. 25 Stat. 2, c. 18 ...	Forfeited Estates, Ireland Forfeited Estates, Ireland	Repealed (N.I.) ... Repealed so far as un-repealed (N.I.).	6, S.L.R. 6, S.L.R.
6 Anne: c. 8	An Act for securing the Church of England as by law established.	Repealed (N.I.) ...	6, S.L.R.
c. 25	Forfeited Estates, Ireland	Repealed (N.I.) ...	6, S.L.R.

Session and Chap. or No. of Measure	Short title or Subject	How affected	Chapter of 1950 Act or number of Measure or Statutory Instrument
11 Geo. 1: c. 10	Stamford Bridge, Yorkshire (replacement and tolls).	Repealed... ..	6, S.L.R.
15 Geo. 2: c. 18	Colchester (poor law authority).	Repealed... ..	6, S.L.R.
20 Geo. 2: c. 40	Yarmouth Haven ...	Repealed... ..	6, S.L.R.
26 Geo. 2: c. 6	Quarantine	Repealed (N.I.) ...	6, S.L.R.
29 Geo. 2: c. 8	Quarantine	Repealed (N.I.) ...	6, S.L.R.
31 Geo. 2: c. 46	Old Brentford Bridge ...	Repealed... ..	6, S.L.R.
16 Geo. 3: c. 23	Boston pilotage ...	Repealed... ..	6, S.L.R.
17 Geo. 3: c. 12	Coalport Bridge over Severn (Tolls, etc.).	Repealed... ..	6, S.L.R.
26 Geo. 3: c. 115	Barking	Repealed so far as un-repealed.	6, S.L.R.
27 Geo. 3: c. 48	East India Company warehouses.	Repealed... ..	6, S.L.R.
31 Geo. 3: c. 31	Clergy Endowments (Canada) Act, 1791.	Ss. 38-40 repealed ...	6, S.L.R.
32 Geo. 3: c. 79	Boston pilotage ...	Repealed... ..	6, S.L.R.
41 Geo. 3 (U.K.): c. 25	Master of the Rolls (Ireland) Act, 1801.	Repealed so far as un-repealed (N.I.).	6, S.L.R.
c. 52	House of Commons (Disqualification) Act, 1801.	S. 9 repealed	6, S.L.R.
c. 60	Composition for a Crown debt.	Repealed... ..	6, S.L.R.
c. 85	Fines by Justices Act, 1801.	Repealed so far as un-repealed.	6, S.L.R.
42 Geo. 3: c. 116	Land Tax Redemption Act, 1802.	Ss. 126, 127, 141, 149 applied as modified.	S.I. No. 268, reg. 18, sch.
43 Geo. 3: c. 86	Unlawful Combinations (Ireland) Act, 1803.	S. 21 repealed	6, S.L.R.

Session and Chap. or No. of Measure	Short title or Subject	How affected	Chapter of 1950 Act or number of Measure or Statutory Instrument
44 Geo. 3: c. 77	Marriages Confirmation Act, 1804.	S. 2 repealed	6, S.L.R.
46 Geo. 3: c. 131	Lewis (estates and Crown claims).	Repealed... ..	6, S.L.R.
c. 157	Estates of Granada and St. Vincent traders.	Repealed so far as unrepealed.	6, S.L.R.
c. 158	Estates of Granada and St. Vincent traders.	Repealed... ..	6, S.L.R.
47 Geo. 3: Sess. 2, c. 69...	General de Lancey (Crown claims).	Repealed... ..	6, S.L.R.
48 Geo. 3: c. 135	Granada and St. Vincent traders.	Repealed... ..	6, S.L.R.
c. 145	Judges (Pensions) (Scotland) Act, 1808.	S. 1 amended with saving	11 (14 & 15 Geo. 6), s. 19, sch. 2.
		S. 2 repealed	6, S.L.R.
51 Geo. 3: c. 102	General de Laucey (estates and Crown claims).	Repealed... ..	6, S.L.R.
52 Geo. 3: c. 75	Crown debt of Abraham Goldsmid, etc.	Repealed... ..	6, S.L.R.
c. 131	Parochial Stipends (Scotland) Act, 1812.	Repealed... ..	6, S.L.R.
53 Geo. 3: c. 123	Land Tax Redemption Act, 1813.	S. 13 applied as modified	S.I. No. 268, reg. 18, sch.
54 Geo. 3: c. 16	House of Commons (Disqualification) Act, 1813.	Repealed... ..	6, S.L.R.
c. 95	Judges' Pensions (Ireland)	Repealed (N.I.)	6, S.L.R.
55 Geo. 3: c. 109	Prisoners from Clackmanan.	Repealed... ..	6, S.L.R.
c. 195	Government contractors	Repealed... ..	6, S.L.R.
57 Geo. 3: c. 91	Clerks of the Peace (Fees) Act, 1817.	S. 2 repealed	5, S.L.R.
58 Geo. 3: c. 42	Crown lands at Yarmouth	Repealed... ..	6, S.L.R.
59 Geo. 3: c. 12	Poor Relief Act, 1819 ...	Ss. 19-23, 35 in part, repealed.	6, S.L.R.
c. 45	Court of Session Act, 1819.	Ss. 2, 4, 5 repealed ...	6, S.L.R.
c. 68	Exoneration from a Crown debt.	Repealed... ..	6, S.L.R.

Session and Chap. or No. of Measure	Short title or Subject	How affected	Chapter of 1950 Act or number of Measure or Statutory Instrument
59 Geo. 3: c. 95	Poor Relief (No. 2) Act, 1819.	Repealed... ..	6, S.L.R.
c. 137	Sale of certain Lands at Worcester.	Repealed... ..	6, S.L.R.
1 Geo. 4: c. 36	Poor Law (Appeals) Act, 1820.	Repealed... ..	6, S.L.R.
c. 42	Composition for a Crown debt.	Repealed... ..	6, S.L.R.
c. 101	Divorce Bills Evidence Act, 1820.	Repealed... ..	6, S L R.
c. 114	Caversham Rectory ...	Repealed... ..	6, S.L.R.
1 & 2 Geo. 4: c. 66	British North America Act, 1821.	Repealed so far as un-repealed.	6, S.L.R.
c. 86	Caversham Rectory ...	Repealed... ..	6, S.L.R.
3 Geo. 4: c. 126	Turnpike Roads Act, 1822	S. 32 repealed	6, S.L.R.
4 Geo. 4: c. 19	National Debt Reduction Act, 1823.	S. 12 repealed	6, S.L.R.
c. 61	Court of Chancery (Ireland) Act, 1823.	S. 59 repealed (N.I.) ...	6, S.L.R.
c. 80	Lascars Act, 1823 ...	Ss. 25, 26, 28 repealed ...	6, S.L.R.
c. 97	Commissary Courts (Scotland) Act, 1823.	Repealed so far as un-repealed.	6, S.L.R.
5 Geo. 4: c. 5	Post office buildings ...	Repealed... ..	6, S.L.R.
c. 12	Goal Sessions Act, 1824	Repealed so far as un-repealed.	6, S.L.R.
c. 83	Vagrancy Act, 1824 ...	S. 15 repealed	6, S.L.R.
6 Geo. 4: c. 81	Excise Licenses Act, 1825	S. 5 repealed	6, S.L.R.
c. 120	Court of Session Act, 1825.	Ss. 3, 37 repealed	6, S.L.R.
7 Geo. 4: c. 12	Lands of Dallas, Receiver-General.	Repealed... ..	6, S.L.R.
c. 28	Lands of Tilson, Receiver-General.	Repealed... ..	6, S.L.R.
c. 46	Country Bankers Act, 1826	Ss. 16, 17 repealed	6, S.L.R.
c. 64	Criminal Law Act, 1826	Ss. 1, 5, 6, 17 repealed ...	6, S.L.R.
7 & 8 Geo. 4: c. 53	Excise Management Act 1827.	Ss. 38, 107 repealed	6, S.L.R.
9 Geo. 4: c. 23	Bank Notes Act 1828 ...	Repealed so far as un-repealed.	6, S.L.R.
c. 39	Salmon Fisheries (Scotland) Act 1828.	S. 10 repealed	6, S.L.R.

Session and Chap. or No. of Measure	Short title or Subject	How affected	Chapter of 1950 Act or number of Measure or Statutory Instrument
10 Geo. 4: c. 7	Roman Catholic Relief Act, 1829.	S. 12 repealed in part ...	6, S.L.R.
11 Geo. 4 & 1 Will. 4: c. 26	National Debt Act, 1830	Repealed so far as un-repealed.	6, S.L.R.
c. 51	Beer Licenses Act, 1830	Ss. 23, 24 repealed ...	6, S.L.R.
c. 69	Court of Session Act, 1830.	S. 30 repealed so far as unrepealed.	6, S.L.R.
2 & 3 Will. 4: c. 64	Parliamentary Boundaries Act, 1832.	Repealed so far as un-repealed.	6, S.L.R.
c. 65	Representation of the People (Scotland) Act, 1832.	S. 30 repealed so far as unrepealed.	6, S.L.R.
c. 89	Parliamentary Boundaries (Ireland) Act, 1832.	Repealed so far as un-repealed.	6, S.L.R.
c. 111	Lord Chancellor's Pensions Act, 1832.	S. 3 amended with saving	11 (14 & 15 Geo. 6), s. 19, sch. 2.
c. 116	Lord Lieutenants' and Lord Chancellors' Salaries (Ireland) Act, 1832.	S. 1 repealed	6, S.L.R.
c. 127	Land Tax Commissioners (appointment).	Repealed... ..	6, S.L.R.
3 & 4 Will. 4: c. 41	Judicial Committee Act, 1833.	Applied	29, s. 20 (3).
c. 86	Crown Lands Act, 1833	Repealed... ..	6, S.L.R.
c. 87	Inclosure Act, 1833 ...	Repealed... ..	6, S.L.R.
c. 93	China Trade Act, 1833 ...	Repealed so far as un-repealed.	6, S.L.R.
c. 95	Land Tax Commissioners (appointment).	Repealed... ..	6, S.L.R.
4 & 5 Will. 4: c. 19	House Tax Act, 1834 ...	Repealed so far as un-repealed.	6, S.L.R.
c. 24	Superannuation Act, 1834	Applied as modified, excluded. S. 9 repealed	3 (14 & 15 Geo. 6), s. 3. 6, S.L.R.
c. 36	Central Criminal Court Act, 1834.	Ss. 5, 11	6, S.L.R.
c. 75	Excise Act, 1834 ...	Repealed so far as un-repealed.	6, S.L.R.
c. 76	Poor Law Amendment Act, 1834.	S. 86 repealed in part ...	6, S.L.R.
5 & 6 Will. 4: c. 42	Insolvency Courts Act, 1835.	Repealed... ..	6, S.L.R.
c. 50	Highway Act, 1835 ...	Ss. 42, 43 repealed ... S. 72 applied in part (<i>prosp.</i>).	6, S.L.R. 24, s. 12 (1).
c. 72	Excise Incorporation (Scotland).	Repealed... ..	6, S.L.R.

Session and Chap. or No. of Measure	Short title or Subject	How affected	Chapter of 1950 Act or number of Measure or Statutory Instrument
6 & 7 Will. 4: c. 80	Land Tax Commissioners (appointment).	Repealed... ..	6, S.L.R.
c. 86	Births and Deaths Registration Act, 1836.	S. 5 extended	26, s. 17 (5).
7 Will. 4 & 1 Vict.:			
c. 15	Trent and Markham Bridges.	Repealed... ..	6, S.L.R.
c. 60	Acts of Parliament (Mistaken References) Act, 1837.	Repealed... ..	6, S.L.R.
c. 67	Master and Workmen (Arbitration) Act, 1837.	Repealed... ..	6, S.L.R.
1 & 2 Vict.:			
c. 57	Land Tax Commissioners (appointment).	Repealed... ..	6, S.L.R.
c. 94	Public Record Office Act, 1838.	S. 9 repealed in part ...	6, S.L.R.
c. 95	Pensions Act, 1838 ...	Repealed so far as unrepealed.	6, S.L.R.
c. 106	Pluralities, Act, 1838 ...	S. 40 repealed	6, S.L.R.
c. 110	Judgments Act, 1838 ...	S. 21 repealed so far as unrepealed.	6, S.L.R.
2 & 3 Vict.:			
c. 11	Judgments	Repealed so far as unrepealed.	6, S.L.R.
c. 47	Metropolitan Police Act, 1839.	S. 6 repealed	21, ss. 3 (5), 5, sch.
c. 71	Metropolitan Police Courts Act, 1839.	S. 17 repealed	6, S.L.R.
c. 82	Counties (Detached Parts) Act, 1839.	Repealed so far as unrepealed.	6, S.L.R.
c. 84	Poor Rate Act, 1839 ...	S. 2 repealed	6, S.L.R.
3 & 4 Vict.:			
c. 92	Non-Parochial Registers Act, 1840.	S. 2 repealed	6, S.L.R.
5 & 6 Vict.:			
c. 22	Queen's Prison	Repealed so far as unrepealed.	6, S.L.R.
7 & 8 Vict.:			
c. 79	Land Tax Commissioners	Repealed... ..	6, S.L.R.
c. 92	Coroners Act, 1844 ...	S. 5 repealed	6, S.L.R.
c. 101	Poor Law Amendment Act, 1844.	S. 74 repealed in part ...	6, S.L.R.
8 & 9 Vict.:			
c. 19	Lands Clauses Consolidation (Scotland) Act, 1845.	Ss. 83-88 excluded ...	34, s. 38.
c. 118	Inclosure Act, 1845 ...	Ss. 3 so far as unrepealed, 163 in part, repealed.	6, S.L.R.
c. 127	Small Debts Act, 1845 ...	S. 13 repealed	6, S.L.R.

Session and Chap. or No. of Measure	Short title or Subject	How affected	Chapter of 1950 Act or number of Measure or Statutory Instrument
10 & 11 Vict.: c. 14	Markets and Fairs Clauses Act, 1847.	Act (except ss. 5-9, 51-60) incorporated with modifications.	36, s. 61 (2) (3).
c. 15	Gasworks Clauses Act, 1847.	S. 6 in part, 8-12 repealed as incorporated with Electric Lighting Act, 1882 (45 & 46 Vict. c. 56).	39, s. 15, sch. 5.
c. 17	Waterworks Clauses Act, 1847.	Ss. 28 in part, 30-34 repealed (E.S.).	39, s. 15, sch. 5.
c. 34	Towns Improvement Clauses Act, 1847.	S. 61 excluded (E.) ...	39, s. 24, sch. 5.
11 & 12 Vict.:			
c. 12	Treason Felony Act, 1848	S. 5 repealed	6, S.L.R.
c. 42	Indictable Offences Act, 1848.	Ss. 7, 22, 31 in part, repealed.	6, S.L.R.
c. 44	Justices Protection Act, 1848.	S. 18 repealed	6, S.L.R.
c. 62	Land Tax Commissioners	Repealed... ..	6, S.L.R.
12 & 13 Vict.:			
c. 25	Portuguese Deserters Act, 1849.	Repealed so far as unrepealed.	6, S.L.R.
c. 96	Admiralty Offences (Colonial) Act, 1849.	Applied as modified (Trucial States).	S.I. No. 1967, art. 11, sch. 2.
13 & 14 Vict.:			
c. 89	Court of Chancery (Ireland) Regulation Act, 1850.	Repealed so far as unrepealed.	6, S.I.R.
14 & 15 Vict.:			
c. 55	Criminal Justice Administration Act, 1851.	Ss. 15, 16 repealed ...	6, S.L.R.
c. 64	Railway Regulation Act, 1851.	S. 2 repealed	6, S.L.R.
c. 86	New Zealand Settlements	Repealed... ..	6, S.L.R.
c. 100	Criminal Procedure Act, 1851.	S. 29 repealed (N.I.) ...	6, S.L.R.
15 & 16 Vict.:			
c. 39	Crown Revenue (Colonies) Act, 1852.	Repealed... ..	6, S.L.R.
c. 56	Pharmacy Act, 1852 ...	S. 6 repealed	6, S.L.R.
c. 76	Common Law Procedure Act, 1852.	Ss. 110, 132 repealed ...	6, S.L.R.
c. 79	In losure Act, 1852 ...	S. 2 repealed	5, S.L.R.
16 & 17 Vict.:			
c. 73	Naval Volunteers Act, 1853.	Ss. 1-12, 17 in part, 18-20, 21-22 in part, repealed.	6, S.L.R.
c. 90	Land Tax Redemption (Investment) Act, 1853.	S. 8 applied as modified	S.I. No. 268, reg. 18, sch.
c. 111	Land Tax Commissioners (appointment).	Repealed... ..	6, S.L.R.
c. 129	Pilotage Amendment Act, 1853.	Ss. 3 so far as unrepealed, 4, 5, 8, 9 so far as unrepealed, 10 in part, 11, 12-13 in part, repealed.	6, S.L.R.
c. 131	Merchant Shipping Law (Amendment) Act, 1853.	Ss. 12, 28 repealed ...	6, S.L.R.

Session and Chap. or No. of Measure	Short title or Subject	How affected	Chapter of 1950 Act or number of Measure or Statutory Instrument
17 & 18 Vict.:			
c. 56	Friendly Societies Discharge Act, 1854.	Repealed so far as unrepealed.	6, S.L.R.
c. 80	Registration of Births, Deaths, and Marriages (Scotland) Act, 1854.	Applied in part (Adopted Children Register). S. 6 extended	26, s. 19 (6) 26, s. 19 (5)
c. 82	Court of Chancery of Lancaster Act, 1854.	Ss. 1, 6, 10 repealed ...	6, S.L.R.
c. 94	Public Revenue and Consolidated Fund Charges Act, 1854.	Sch. (B) repealed in part	21, ss. 3 (5), 5, sch.
c. 120	Merchant Shipping (Repeal) Act, 1854.	Ss. 6, 8 repealed ...	6, S.L.R.
18 & 19 Vict.:			
a. 17	Sardinia Loan Act, 1855	Repealed... ..	6, S.L.R.
c. 115	General Board of Health Continuance Act, 1855.	Repealed so far as unrepealed.	6, S.L.R.
c. 120	Metropolis Management Act, 1855	S. 98 excluded S. 109 amended (code-regulated works) repealed in part Ss. 110-111 excluded (code-regulated works) S. 112 amended (code-regulated works). S. 113 (2) added... .. Ss. 213, 214 repealed ...	39, s. 24, sch. 5. 39, s. 15, sch. 5. 39, s. 17, sch. 5. 39, s. 15, sch. 5. 39, s. 15, sch. 5. 39, s. 20, sch. 5. 6, S.L.R.
19 & 20 Vict.:			
c. 39	Sardinia Loan Act, 1856.	Repealed... ..	6, S.L.R.
c. 45	St. Mary Magdalen Hospital, Bath.	Repealed... ..	6, S.L.R.
c. 46	Imprisonment (Scotland) Act, 1856.	Repealed... ..	6, S.L.R.
c. 92	Chancery Appeal Court (Ireland) Act, 1856.	Ss. 19, 20 repealed (N.I.)	6, S.L.R.
c. 113	Foreign Tribunals Evidence Act, 1856.	Applied as modified (Trucial States).	S.I. No. 1967, art. 11, sch. 2.
20 & 21 Vict.:			
c. 10	Borough of Hanley ...	Repealed... ..	6, S.L.R.
c. 46	Land Tax Commissioners (appointment).	Repealed... ..	6, S.L.R.
c. 51	New Zealand Loan Guarantee Act, 1857.	Repealed... ..	6, S.L.R.
c. 71	Lunacy (Scotland) Act, 1857.	S. 84 repealed so far as unrepealed.	6, S.L.R.
c. 72	Police (Scotland) Act, 1857.	S. 18 repealed in part ...	6, S.L.R.
c. 79	Probates and Letters of Administration Act (Ireland) 1857.	Ss. 12 so far as unrepealed, 96, 97 so far as unrepealed, 101 repealed.	6, S.L.R.
c. 85	Matrimonial Causes Act, 1857.	S. 42 repealed Ss. 44, 49 repealed ...	S.I. No. 1940, rule 82. 6, S.L.R.

Session and Chap. or No. of Measure	Short title or Subject	How affected	Chapter of 1950 Act or number of Measure or Statutory Instrument
21 & 22 Vict.: c. 50	Feclesiaſtical Jurisdiction Act, 1858.	Repealed... ..	6, S.L.R.
c. 90	Medical Act, 1858 ...	S. 7 amended S. 12 modified extended (<i>retrosp.</i>) S. 14 extended (<i>prosp.</i>)... amended Ss. 15, 21-23, 25 amended. S. 26 extended (<i>prosp.</i>)... amended (<i>prosp.</i>)... S. 27 extended (<i>prosp.</i>)... applied in part amended S. 28 repealed S. 29 extended (<i>prosp.</i>)... amended (<i>prosp.</i>)... Ss. 30, 32, 34 amended... S. 35 extended (<i>prosp.</i>)... amended Ss. 36, 37 amended S. 38 extended S. 40 amended S. 54 repealed	29, s. 9 (1). 29, ss. 12, 37 (3). 29, s. 30. 29, s. 6 (3) sch. 1. 29, s. 35, sch. 2. 29, s. 35, sch. 2. 29, s. 6 (3), sch. 1. 29, s. 14 (1). 29, s. 6 (3), sch. 1. 29, s. 6 (6). 29, s. 35, sch. 2. 29, s. 19 (1). 29, s. 6 (3), sch. 1. 29, ss. 14, 18 (1), 35 (1). 29, s. 35, sch. 2. 29, s. 6 (3), sch. 1. 29, s. 35, sch. 2. 29, s. 35, sch. 2. 29, s. 6 (3), sch. 1. 29, ss. 6 (4), 28. 29, s. 23 (6).
c. 93	Legitimacy Declaration Act, 1858.	S. 3 repealed	S.I. No. 1940, rule 82.
c. 97	Public Health Act, 1858	S. 4 repealed	6, S.L.R.
22 Vict.: c. 20	Evidence of Commission Act, 1859.	Applied as modified (Trucial States).	S.I. No. 1967, art 11, sch. 2
c. 26	Superannuation Act, 1859	S. 14 repealed	6, S.L.R.
22 & 23 Vict.: c. 4	Middlesex Sessions Act, 1859.	S. 4 repealed in part ...	6, S.L.R.
c. 9	Chief Superintendent in China Act, 1859.	Repealed... ..	6, S.L.R.
c. 26	North-Western Territories of America.	Repealed... ..	6, S.L.R.
c. 31	Court of Probate Act (Ireland), 1859.	Ss. 11, 13, 23, 33 repealed (N.I.).	6, S.L.R.
c. 63	British Law Ascertainment Act, 1859.	Applied as modified (Trucial States).	S.I. No. 1967, art. 11, sch. 2.
23 & 24 Vict.: c. 7	Medical Acts Amendment Act, 1860.	S. 1 amended	29, s. 35, sch. 2.
c. 27	Refreshment Houses Act, 1860.	S. 16 modified	S.I. No. 130, art. 6
c. 85	Registration of Births, Deaths, and Marriages (Scotland) Act, 1860.	Applied in part (Adopted Children Register).	26, s. 19 (6).
c. 113	Excise Act, 1860 ...	S. 33 repealed so far as unrepealed.	6, S.L.R.
c. 122	Admiralty Offences (Colonial) Act, 1860.	Applied as modified (Trucial States).	S.I. No. 1967, art. 11, sch. 2.
c. 125	Metropolis Gas Act, 1860	S. 54 repealed in part ...	39, s. 17, sch. 5.

Session and Chap. or No. of Measure	Short title or Subject	How affected	Chapter of 1950 Act or number of Measure or Statutory Instrument
23 & 24 Vict. : c. 126 ...	Common Law Procedure Act, 1860.	Repealed so far as un-repealed.	6, S.L.R.
c. 129 ...	Excise on Spirits Act, 1860.	Repealed so far as un-repealed.	6, S.L.R.
24 & 25 Vict. : c. 11 ...	Foreign Law Ascertainment Act, 1861	Applied as modified (Trucial States)	S.I. No. 1967, art 11, sch 2.
c. 37 ...	Poor Law (Scotland) No. 2 Act, 1861.	Repealed so far as un-repealed.	6, S.L.R.
c. 47 ...	Harbours and Passing Tolls, etc. Act, 1861.	S. 8 repealed ...	6, S.L.R.
c. 95 ...	Criminal Statutes Repeal	Repealed... ..	6, S.L.R.
c. 112 ...	Birkenhead Enfranchisement.	Repealed so far as un-repealed.	6, S.L.R.
25 & 26 Vict. : c. 39 ...	Red Sea and India Telegraph Act, 1862.	Repealed... ..	6, S.L.R.
c. 91 ...	Medical Council Act, 1862.	S. 2 extended ... S. 3 extended ... amended ...	29, s. 23 (4). 29, s. 23 (4). 29, s. 23 (5).
c. 102 ...	Metropolis Management Amendment Act, 1862.	Ss. 1, 3, 4, 17, 30, 79, 115, Sch. B repealed.	6, S.L.R.
26 & 27 Vict. : c. 14 ...	Post Office Savings Bank Act, 1863.	S. 4 repealed ...	6, S.L.R.
c. 61 ...	Highway Act, 1863 ...	Repealed... ..	6, S.L.R.
c. 65 ...	Volunteer Act, 1863 ...	Ss. 2 in part, 3-53 and Sch. so far as un-repealed, repealed.	6, S.L.R.
c. 70 ...	Public Works (Manufacturing Districts) Act, 1863.	Repealed... ..	6, S.L.R.
c. 82 ...	Church Services (Wales) Act, 1863.	Repealed... ..	6, S.L.R.
c. 94 ...	Annual Turnpike Acts Continuance.	Repealed so far as un-repealed.	6, S.L.R.
c. 105 ...	Promissory Notes Act, 1863	S. 2 repealed ...	6, S.L.R.
c. 112 ...	Telegraph Act, 1863 ...	S. 9 amended (E.S.) ... S. 10 repealed (E.S.) ... S. 15 repealed (E.S.) ... S. 16 repealed ... Ss. 17-20 repealed (E.S.) S. 21 extended and amended (E.S.) S. 23 amended (E.S.) ... applied as modified (E.S.) Ss. 24-29 applied as modified (E.S.) Ss. 30, 31 amended (E.S.) S. 33 excluded (E.S.) ...	39, ss. 17, 36 (10), sch. 5. 39, s. 15, sch. 5. 39, s. 24, sch. 5. 6, S.L.R. 39, s. 15, sch. 5. 39, s. 20 (1). 39, s. 20 (1). 39, s. 20 (2). 39, s. 20 (2). 39, s. 20, sch. 5. 39, s. 24, sch. 5.

Session and Chap. or No. of Measure	Short title or Subject	How affected	Chapter of 1950 Act or number of Measure or Statutory Instrument
27 & 28 Vict.:			
c. 23	Naval Prize Acts Repeal	Repealed... ..	6, S.L.R.
c. 32	Banking Co-partnership Act, 1864.	Repealed... ..	6, S.L.R.
c. 40	Greek Loan Act, 1864 ...	Repealed... ..	6, S.L.R.
c. 104	Public Works (Manufacturing Districts) Act, 1864.	Repealed... ..	6, S.L.R.
28 & 29 Vict.:			
c. 37	County of Sussex Act, 1865.	S. 13 repealed	6, S.L.R.
c. 40	Lancaster Palatine Court Act, 1865.	Repealed... ..	6, S.L.R.
c. 48	Courts of Justice Building Act, 1865.	Ss. 5-15, 17 so far as unrepealed, repealed.	6, S.L.R.
c. 107	Annual Turnpike Acts Continuance Act, 1865.	S. 3 repealed	6, S.L.R.
c. 112	Admiralty, etc. Acts Repeal.	Repealed... ..	6, S.L.R.
c. 126	Prison Act, 1865 ...	S. 20 repealed	6, S.L.R.
29 & 30 Vict.:			
c. 25	Exchequer Bills and Bonds Acts, 1866.	S. 3 repealed in part ...	6, S.L.R.
c. 39	Exchequer and Audit Departments Act, 1866.	S. 4 repealed	3 (14 & 15 Geo. 6), s. 4 (2).
c. 52	Prosecution Expenses Act, 1866.	Repealed... ..	6, S.L.R.
c. 59	Land Tax Commissioners (appointment).	Repealed... ..	6, S.L.R.
c. 62	Crown Lands Act, 1866	S. 30 repealed	6, S.L.R.
c. 68	Superannuation Act, 1866	S. 3 repealed in part; s. 6 repealed.	6, S.L.R.
c. 104	New Zealand Loans Act, 1866.	Repealed so far as unrepealed.	6, S.L.R.
c. 109	Naval Discipline Act, 1866.	S. 90B (2) repealed in part.	5, s. 1, sch. Pt. II.
30 & 31 Vict.:			
c. 3	British North America Act, 1867.	S. 118 repealed	6, S.L.R.
c. 16	Canada Railway Loan Act, 1867.	Repealed so far as unrepealed.	6, S.L.R.
c. 44	Chancery (Ireland) Act, 1867.	Ss. 4, 7, 8, 9, 21, 22 repealed (N.I.).	6, S.L.R.
c. 51	Land Tax Commissioners	Repealed... ..	6, S.L.R.
c. 106	Poor Law Amendment Act, 1867.	Repealed so far as unrepealed.	6, S.L.R.
c. 128	War Department Stores Act, 1867.	Repealed so far as unrepealed.	6, S.L.R.
31 & 32 Vict.:			
c. 50	Lanark Prisons Act, 1868	Repealed so far as unrepealed.	6, S.L.R.
c. 64	Land Registers (Scotland) Act, 1868.	S. 14 amended (<i>retrosp.</i>) S. 17 repealed	11, s. 1, sch. 6, S.L.R.
c. 81	Portpatrick, etc., Railways	Repealed... ..	6, S.L.R.

Session and Chap. or No. of Measure	Short title or Subject	How affected	Chapter of 1950 Act or number of Measure or Statutory Instrument
31 & 32 Vict. :			
c. 100 ...	Court of Session Act, 1868.	S. 91 applied (<i>prosp.</i>) ...	24, s. 6 (3) (4), (5).
c. 101 ...	Titles to Land Consolidation (Scotland) Act, 1868.	S. 39 repealed ... S. 142 repealed in part (<i>retrosp.</i>).	6, S.L.R. 11, s. 1, sch.
c. 116 ...	Larceny Act, 1868 ...	Repealed so far as unrepealed.	6, S.L.R.
c. 120 ...	West Indies (Salaries) Act, 1868.	Repealed so far as unrepealed.	6, S.L.R.
c. 122 ...	Poor Law Amendment Act, 1868.	Ss. 39, 40 repealed so far as unrepealed.	6, S.L.R.
c. 126 ...	Danube Works Loan Act, 1868.	Repealed... ..	6, S.L.R.
32 & 33 Vict. :			
c. 42 ...	Irish Church Act, 1869	S. 20 saved	6, S.L.R., s. 5 (2).
c. 44 ...	Greenwich Hospital Act, 1869.	S. 14 repealed	6, S.L.R.
c. 60 ...	Political Offices Pension Act, 1869.	S. 9 (2) (3), Sch. repealed	6, S.L.R.
c. 64 ...	Land Tax Commissioners (appointment).	Repealed... ..	6, S.L.R.
c. 69 ...	Jamaica Loans Act, 1869	Repealed so far as unrepealed.	6, S.L.R.
c. 70 ...	Contagious Diseases (Animals) Act, 1869.	S. 101 repealed	6, S.L.R.
c. 84 ...	Durham Chancery ...	Repealed... ..	6, S.L.R.
c. 101 ...	Canada (Rupert's Land) Loan Act, 1869.	Repealed... ..	6, S.L.R.
33 & 34 Vict. :			
c. 40 ...	New Zealand (Roads, etc.) Loan Act, 1870.	Repealed so far as unrepealed.	6, S.L.R.
c. 46 ...	Landlord and Tenant (Ireland) Act, 1870.	Ss. 44-45 in part, 46, 47, 54 repealed.	6, S.L.R.
c. 63 ...	Wages Arrestment Limitation (Scotland) Act, 1870.	S. 3 repealed	6, S.L.R.
c. 71 ...	National Debt Act, 1870	Ss. 5 in part, 7-10, 17, 19, 27 in part, 32 in part, 37, 39 in part, 69, 73 in part, Sch. 1 in part, Sch. 3 repealed.	6, S.L.R.
c. 73 ...	Annual Turnpike Acts Continuance Act, 1870.	S. 13 repealed	6, S.L.R.
c. 85 ...	Norfolk Boundary Act, 1870.	Repealed... ..	6, S.L.R.
c. 99 ...	Inland Revenue Repeal	Repealed... ..	6, S.L.R.
34 & 35 Vict. :			
c. 57 ...	Courts of Justice (Additional Site) Act, 1871.	S. 6 repealed	6, S.L.R.
c. 78 ...	Regulation of Railways Act, 1871.	S. 13 repealed	6, S.L.R.
c. 86 ...	Regulation of the Forces Act, 1871.	Ss. 3, 4, 5, 10, 11, 12, 13 repealed.	6, S.L.R.

Session and Chap. or No. of Measure	Short title or Subject	How affected	Chapter of 1950 Act or number of Measure or Statutory Instrument
35 & 36 Vict.:			
c. 20	Customs and Inland Revenue Act, 1872.	Repealed so far as un-repealed.	6, S.L.R.
c. 32	Landlord and Tenant (Ireland) Act, 1872.	S. 1 (1)-(3) repealed ...	6, S.L.R.
c. 65	Bastardy Laws Amendment Act, 1872.	Powers of Court extended S. 3 amended	37, s. 3 (1)-(3). 37, s. 3 (4).
c. 68	Military Forces Localization Act, 1872.	Ss. 5, 6, 7, 8 so far as un-repealed, 9 repealed.	6, S.L.R.
c. 73	Merchant Shipping Act, 1872.	S. 10 repealed	6, S.L.R.
36 & 37 Vict.:			
c. 15	New Zealand (Roads, etc.) Loan Act, 1873.	Repealed... ..	6, S.L.R.
c. 36	Crown Lands Act, 1873	S. 3 repealed	6, S.L.R.
c. 45	Canada (Public Works) Loan Act, 1873.	Repealed so far as un-repealed.	6, S.L.R.
c. 52	Intestates Act, 1873 ...	Repealed (N.I.)	6, S.L.R.
c. 60	Extradition Act, 1873 ...	S. 2 repealed	6, S.L.R.
c. 76	Railway Regulation Act, 1873.	S. 6 repealed (E.) (S.)...	6, S.L.R.
c. 84	Militia Pay and Store-houses.	Repealed so far as un-repealed.	6, S.L.R.
37 & 38 Vict.:			
c. 18	Land Tax Commissioners (appointment).	Repealed... ..	6, S.L.R.
c. 24	Harbour of Colombo Loan.	Repealed so far as un-repealed.	6, S.L.R.
c. 42	Building Societies Act, 1874.	S. 2 repealed	6, S.L.R.
c. 45	County of Hertford and Liberty of St. Albans Act, 1874.	S. 40 repealed	6, S.L.R.
c. 61	Royal (late Indian) Ordnance Corps Act, 1874	Repealed so far as un-repealed.	6, S.L.R.
c. 81	Great Seal (Offices) Act, 1874.	Ss. 10, 11 repealed ...	6, S.L.R.
c. 92	Alderney Harbour (Transfer) Act, 1874.	S. 2 para. (2) repealed ...	6, S.L.R.
38 & 39 Vict.:			
c. 27	Intestates Act, 1875 ...	Repealed (N.I.)	6, S.L.R.
c. 28	Metropolitan Police Staff (Superannuation).	S. 3 repealed in part ...	6, S.L.R.
c. 34	Bishopric of St. Albans Act, 1875.	S. 8 repealed	6, S.L.R.
c. 45	Sinking Fund Act, 1875	Ss. 4, 5 extended ...	15, s. 49 (2).
c. 55	Public Health Act, 1875	S. 145 repealed	6, S.L.R.
		S. 153 excluded	39, s. 24, sch. 5.
c. 64	Government Officers (Security) Act, 1875.	S. 3 repealed	6, S.L.R.
c. 83	Local Loans Act, 1875 ...	Applicable by regulation (S.).	34, s. 136 (2). sch. 11, para. 6.
39 & 40 Vict.:			
c. 5	Telegraph (Money) Act, 1876.	Repealed so far as un-repealed.	6, S.L.R.
c. 20	Statute Law Revision (Substituted Enactments) Act, 1876.	S. 2 repealed	6, S.L.R.

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39 & 40 Vict.:			
c. 35 ...	Customs Tariff Act, 1876	Sch. repealed in part ...	6, S.L.R.
c. 36 ...	Customs Consolidation Act, 1876.	Ss. 121-125 repealed (<i>prosp.</i>). repealed (<i>prosp.</i>) (Isle of Man).	15, ss. 20 (1) 50 (7). 19, ss. 7 (2), 8, sch.
c. 59 ...	Appellate Jurisdiction Act, 1876.	S. 7 amended ...	11 (14 & 15 Geo. 6), s. 19, sch. 2.
c. 61 ...	Divided Parishes and Poor Law Amendment Act, 1876.	S. 29 repealed ...	6, S.L.R.
40 & 41 Vict.:			
c. 2 ...	Treasury Bills Act, 1877	S. 6 excluded ...	1, s. 3 (2); 16, s. 2 (2).
c. 21 ...	Prison Act, 1877 ...	Ss. 22, 23, 35, 36, 52, 53, 55 repealed.	6, S.L.R.
c. 53 ...	Prisons (Scotland) Act, 1877.	Ss. 40-43, 55 so far as unrepealed, 59, 70 and 71 in part, repealed.	6, S.L.R.
c. 57 ...	Supreme Court of Judicature (Ireland) Act, 1877.	Ss. 15, 17 repealed ... S. 19 amended with saving	6, S.L.R. 11 (14 & 15 Geo. 6), s. 19, sch. 2.
c. 59 ...	Colonial Stock Act, 1877	S. 28 (9) repealed ... S. 61 extended ... Extended as modified: Bechuanaland Protectorate. Swaziland Protectorate	6, S.L.R. 27, s. 42 (4). S.I. No. 1975. S.I. No. 1976.
41 & 42 Vict.:			
c. 18 ...	Public Works Loans Act, 1878.	S. 3 repealed so far as unrepealed.	6, S.L.R.
c. 27 ...	Supreme Court of Judicature (Ireland), 1877, Amendment Act, 1878.	S. 1 repealed in part ...	6, S.L.R.
c. 31 ...	Bills of Sale Act, 1878 ...	S. 18 repealed ...	6, S.L.R.
c. 41 ...	Parliamentary Elections Returning Officers Expenses (Scotland) Act, 1878.	Repealed so far as unrepealed.	6, S.L.R.
c. 49 ...	Weights and Measures Act, 1878.	S. 69 repealed in part ...	6, S.L.R.
c. 51 ...	Roads and Bridges (Scotland) Act, 1878.	S. 15 repealed ... Sch. C applied (<i>prosp.</i>) in so far as incorporating s. 96 of 1 & 2 W. 4. c. 43.	6, S.L.R. 24, s. 12 (4).
c. 53 ...	Admiralty and War Office Regulation Act, 1878.	Repealed so far as unrepealed.	6, S.L.R.
c. 63 ...	Prison (Officers Superannuation) Act, 1878.	Repealed ...	6, S.L.R.
c. 76 ...	Telegraph Act, 1878 ...	S. 6 amended (E.S.) (code-regulated works).	39, s. 15, sch. 5.
42 & 43 Vict.:			
c. 19 ...	Habitual Drunkards Act, 1879.	Ss. 4, 5 repealed ...	6, S.L.R.
c. 32 ...	Military Prisons Act, 1879	Repealed so far as unrepealed.	6, S.L.R.

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42 & 43 Vict.:			
c. 44	Lord Clerk Register (Scotland) Act, 1879.	Ss. 6, 7, 10 repealed ...	6, S.L.R.
c. 49	Summary Jurisdiction Act, 1879.	S. 29, Powers extended (<i>temp.</i>). S. 31 applied as modified	37, ss. 5, 25, 30 (2). 26, s. 24 (5).
c. 52	Land Tax Commissioners (Names) Act, 1879.	Repealed	6, S.L.R.
c. 54	Poor Law Act, 1879 ...	Ss. 18 in part, 19 repealed	6, S.L.R.
c. 77	Public Works Loans Act, 1879.	S. 4 repealed in part ...	6, S.L.R.
43 Vict.:			
c. 14	Customs and Inland Revenue Act, 1880.	S. 9, sch. repealed ...	6, S.L.R.
43 & 44 Vict.:			
c. 19	Taxes Management Act, 1880.	S. 53 repealed	6, S.L.R.
c. 20	Inland Revenue Act, 1880	S. 28 applied (Petrol Substitutes). S. 36 repealed	S.I. No. 1285. 6, S.L.R.
c. 24	Spirits Act, 1880 ...	S. 135 applied (Hydrocarbon Oils).	S.I. No. 1284.
c. 32	Bastardy Orders Act, 1880	Repealed	6, S.L.R.
44 & 45 Vict.:			
c. 12	Customs and Inland Revenue Act, 1881.	Ss. 4, 25 repealed ...	6, S.L.R.
c. 16	Land Tax Commissioners (Names) Act, 1881.	Repealed	6, S.L.R.
c. 24	Summary Jurisdiction (Process) Act, 1881.	S. 4 excluded	37, s. 15 (5).
c. 30	Customs (Officers) Act, 1881.	S. 6 repealed	37, s. 30 (1).
c. 43	Superannuation Act, 1881	Repealed	6, S.L.R.
c. 49	Land Law (Ireland) Act, 1881.	Repealed	6, S.L.R.
c. 55	National Debt Act, 1881	Repealed so far as unrepealed, 13 in part, 19, 24 so far as unrepealed, 26 so far as unrepealed, 29, 30 (3) so far as unrepealed, 34 so far as unrepealed, 35, 36, 39, 41, 42 in part, 43-47 so far as unrepealed, 49, 53 so far as unrepealed, 54, 55, 60 repealed.	6, S.L.R.
c. 57	Regulation of the Forces Act, 1881.	Repealed so far as unrepealed.	6, S.L.R.
c. 58	Army Act	S. 53 repealed	6, S.L.R.
		Applied in part	32, s. 18 (1).
		S. 12 applied	32, s. 14.
		S. 15 applied	32, s. 14.
		S. 33 modified	32, s. 3 (3).
		Ss. 41, 57, repealed in part	3, s. 10, sch. 1.
		S. 72 applied	32, s. 20 (1).
		S. 80 incorporated as modified.	32, s. 3 (2) (3).
		S. 83 (2) saved	32, s. 7 (4).

Session and Chap. or No. of Measure	Short title or Subject	How affected	Chapter of 1950 Act or number of Measure or Statutory Instrument
44 & 45 Vict.: c. 58— <i>cont.</i>	Army Act— <i>cont.</i>	S. 84 amended 3, s. 7. repealed in part 3, s. 10, sch. 1. S. 88 (4) repealed 32, s. 29 (1), sch. 3. S. 91 amended 3, s. 3. S. 92 (3) repealed 32, s. 29 (1), sch. 3. S. 96 amended 3, s. 10, sch. 1. S. 98 incorporated as modified. 32, s. 3 (2) (3). S. 99 incorporated as modified. 32, s. 3 (2) (3). amended 3, s. 4. S. 100 incorporated as modified. 32, s. 3 (2) (3). S. 108A repealed in part 3, s. 10, sch. 1. S. 138 amended 3, s. 5. S. 142 repealed in part 3, s. 10, sch. 1. S. 143 extended 32, s. 22 (1). S. 152 amended 3, s. 4. S. 153 (3) extended 32, s. 15 (3). S. 154 applied as modified 32, s. 14 (5). S. 156 repealed in part 3, s. 10, sch. 1. S. 163 incorporated in part. 32, s. 3 (2) (3). applied 32, s. 21 (1). S. 164 applied 32, s. 21 (2). Ss. 166–168 incorporated 32, s. 18 (2) (3). S. 176A amended 3, s. 10, sch. 1. S. 179 amended 3, s. 8. repealed in part 3, s. 8. S. 187 repealed in part 3, s. 10, sch. 1. S. 187AA added 3, s. 10, sch. 1. S. 187C repealed 3, s. 10, sch. 1. S. 190 repealed in part amended 3, ss. 8, 10, sch. 1. S. 2 (3) repealed 32, s. 28 (3). 6, S.L.R.	
c. 64	Central Criminal Court (Prisons) Act, 1881.	S. 2 (3) repealed	6, S.L.R.
c. 69	Fugitive Offenders Act, 1881.	Applied as modified (Trucial States).	S.I. No. 1967, art. 11, sch. 2.
45 & 46 Vict.: c. 3	Slate Mines (Gunpowder) Act, 1882.	Repealed (E.S.)	6, S.L.R.
c. 37	Corn Returns Act, 1882	S. 19 (3) repealed	6, S.L.R.
c. 48	Reserve Forces Act, 1882	Repealed	6, S.L.R.; 32, s. 29 (1) (9), sch. 3; 33, s. 28 (1), sch. 3, Pt. 1.
c. 49	Militia Act, 1882	S. 54 (1) repealed	6, S.L.R.
c. 55	Merchant Shipping (Ex- penses) Act, 1882.	Repealed so far as un- repealed.	6, S.L.R.
c. 56	Electric Lighting Act, 1882.	S. 12 para. (2) amended (E. S.) 39, s. 15, sch. 5. S. 13 excluded (E. S.) 39, s. 20 (3). amended (E. S.) 39, ss. 17, 36 (10), sch. 5. Ss. 15, 16 excluded (E. S.) 39, s. 24, sch. 5.	

Session and Chap. or No. of Measure	Short title or Subject	How affected	Chapter of 1950 Act or number of Measure or Statutory Instrument
45 & 46 Vict.:			
c. 62	Public Works Loans Act, 1882.	S. 11 repealed	6, S.L.R.
c. 72	Revenue Friendly Societies and National Debt Act, 1882.	Ss. 12, 19 in part, 22, repealed.	6, S.L.R.
46 & 47 Vict.:			
c. 34	Cheap Trains Act, 1883...	Ss. 3 (3), 6 (3) (4), 10 in part, repealed.	6, S.L.R.
c. 43	Tramways and Public Companies (Ireland) Act, 1883.	Ss. 13, 14, 15 (1) (2), 16, 18 repealed.	6, S.L.R.
c. 54	National Debt Act, 1883	Repealed so far as unrepealed.	6, S.L.R.
47 & 48 Vict.:			
c. 2	National Debt Act, 1884	Repealed so far as unrepealed.	6, S.L.R.
c. 17	Metropolitan Police Act, 1884.	S. 2 repealed so far as unrepealed.	6, S.L.R.
c. 23	National Debt (Conversion of Stock) Act, 1884.	Ss. 3 so far as unrepealed, 8 repealed.	6, S.L.R.
c. 31	Colonial Prisoners Removal Act, 1884.	Applied as modified (Trucial States). ...	S.I. No. 1967, art. 11, sch. 2.
c. 55	Pensions and Yeomanry Pay Act, 1884.	S. 2 (4) repealed	6, S.L.R.
c. 57	Superannuation Act, 1884	Repealed so far as unrepealed.	6, S.L.R.
48 & 49 Vict.:			
c. 58	Telegraph Act, 1885 ...	S. 3 repealed	6, S.L.R.
c. 67	Indian Army Pension Deficiency Act, 1885.	Repealed... ..	6, S.L.R.
c. 73	Purchase of Land (Ireland) Act, 1885.	Ss. 2, 3, 5 so far as unrepealed, 6, 9 so far as unrepealed, 10, 11, 13, 14 so far as unrepealed, 17 so far as unrepealed, 18, 20, 21, 22 so far as unrepealed repealed.	6, S.L.R.
c. 74	Evidence by Commission Act, 1885.	Applied as modified (Trucial States).	S.I. No. 1967, art. 11, sch. 2.
49 & 50 Vict.:			
c. 8	Army (Annual) Act, 1886	Repealed so far as unrepealed.	6, S.L.R.
c. 9	Prison (Officers Superannuation) Act, 1886.	Repealed... ..	6, S.L.R.
c. 27	Guardianship of Infants Act, 1886.	S. 5. Powers of Court extended.	37, ss. 2, 7.
c. 41	Customs Amendment Act, 1886.	S. 1 repealed	6, S.L.R.
c. 47	Land Tax Commissioners (Names) Act, 1881.	Repealed... ..	6, S.L.R.

Session and Chap. or No. of Measure	Short title or Subject	How affected	Chapter of 1950 Act or number of Measure of Statutory Instrument
49 & 50 Vict.: c. 48	Medical Act, 1886 ...	S. 3 (1) (b) (c) extended S. 7 amended ... amended (<i>prosp.</i>) ... S. 8 extended (<i>prosp.</i>) ... amended (<i>prosp.</i>) ... amended ... extended (<i>retrosp.</i>)... Ss. 11, 12 amended ... S. 14 substituted ... S. 15 repealed in part ... S. 17 explained ... S. 21 extended ... repealed in part ... S. 22 extended ...	29, s. 26. 29, ss. 8, 9 (2). 29, s. 10 (1) (2). 29, s. 10 (1). 29, s. 10 (3). 29, s. 11 (4). 29, s. 30. 29, s. 35, sch. 2. 29, s. 35, sch. 2. 29, s. 35, sch. 2. 29, s. 25 (1). 29, s. 27. 29, s. 35, sch. 2. 29, s. 33.
50 & 51 Vict.: c. 16	National Debt and Local Loans Act, 1887.	Applied	5 (14 & 15 Geo. 6), s. 1 (2).
c. 33	Land Law (Ireland) Act, 1887.	S. 4, sch. 1, repealed ... Ss. 1, 6, 8 so far as unrepealed, 11, 12, 15, 16 so far as unrepealed, 22 so far as unrepealed, 23, 24 so far as unrepealed, 25, 27 so far as unrepealed, 29, 32, repealed.	6, S.L.R. 6, S.L.R.
c. 36	Lieutenancy Clerks Allowances Act, 1887.	Repealed... ..	6, S.L.R.
c. 44	Trinidad and Tobago Act, 1887.	S. 1 repealed in part ...	6, S.L.R.
c. 60	Prison (Officers' Superannuation) (Scotland) Act, 1887.	Repealed... ..	6, S.L.R.
c. 71	Coroners Act, 1887 ...	S. 31 repealed	6, S.L.R.
51 & 52 Vict.: c. 2	National Debt (Conversion) Act, 1888.	Ss. 18, 30 repealed ...	6, S.L.R.
c. 4	Army (Annual) Act, 1888	S. 4 repealed	6, S.L.R.
c. 13	Land Law (Ireland) Act, 1888.	Repealed... ..	6, S.L.R.
c. 15	National Debt (Supplemental) Act, 1888.	S. 4 repealed	6, S.L.R.
c. 31	National Defence Act, 1888.	S. 3, schs. 1, 2 repealed...	6, S.L.R.
c. 32	Imperial Defence Act, 1888.	Repealed so far as unrepealed.	6, S.L.R.
c. 41	Local Government Act, 1888.	S. 11 (12) repealed in part S. 28 saved	39, s. 15, sch. 5. 36, s. 60 (1).
c. 49	Purchase of Land (Ireland) Amendment Act, 1888.	Repealed so far as unrepealed.	6, S.L.R.
c. 56	Suffragans Nomination Act, 1888.	S. 3 repealed	6, S.L.R.
52 & 53 Vict.: c. 3	Army (Annual) Act, 1889	Ss. 4, 5, 7 repealed ...	6, S.L.R.
c. 4	National Debt Redemption Act, 1889.	Repealed so far as unrepealed.	6, S.L.R.
c. 6	National Debt Act, 1889	Ss. 3, 4, in part, repealed	6, S.L.R.
c. 7	Customs and Inland Revenue Act, 1889.	S. 3 repealed	6, S.L.R.

Session and Chap. or No. of Measure	Short title or Subject	How affected	Chapter of 1950 Act or number of Measure or Statutory Instrument
52 & 53 Vict.:			
c. 13	Purchase of Land (Ireland) Amendment Act, 1889.	Repealed... ..	6, S.L.R.
c. 21	Weights and Measures Act, 1889.	S. 16 repealed in part ...	6, S.L.R.
c. 30	Board of Agriculture, Act, 1889.	Applied S. 5 extended	36, s. 57. 35, s. 12. 36, s. 90.
c. 47	Palatine Court of Durham Act, 1889.	S. 10 repealed in part ...	6, S.L.R.
c. 49	Arbitration Act, 1889 ...	Repealed with saving ...	27, s. 44 (3).
c. 55	Universities (Scotland) Act, 1889.	S. 15 (5) repealed ...	6, S.L.R.
c. 59	Land Law (Ireland) Act, 1888, Amendment Act, 1889.	Repealed... ..	6, S.L.R.
c. 63	Interpretation Act, 1889	S. 38 (2) applied ...	28, s. 7 (3).
c. 71	Public Works Loans Act, 1889.	S. 8, sch. 3, repealed ...	6, S.L.R.
53 & 54 Vict.:			
c. 4	Army (Annual) Act, 1890	S. 9 (1), (2) repealed ...	6, S.L.R.
c. 8	Customs and Inland Revenue Act, 1890.	S. 5 repealed	6, S.L.R.
c. 18	Superannuation (War Department) Act, 1890.	Repealed... ..	6, S.L.R.
c. 21	Inland Revenue Regulation Act, 1890.	S. 11 applied (Hydrocarbon Oils) (Petrol Substitutes).	S.I. No. 1284.
c. 25	Barracks Act, 1890 ...	Ss. 5, 6, 7, 9, sch. repealed	S.I. No. 1285.
c. 37	Foreign Jurisdiction Act, 1890.	S. 5 extended	9, s. 1, sch. 1, para. 15.
54 & 55 Vict.:			
c. 5	Army (Annual) Act, 1891	Ss. 4, 6, 9 repealed ...	6, S.L.R.
c. 24	Public Accounts and Charges Act, 1891.	S. 2 extended S. 3 repealed	16, s. 3. 6, S.L.R.
c. 38	Stamp Duties Management Act, 1891.	Ss. 10, 11 applied ...	15, s. 37 (2).
c. 39	Stamp Act, 1891 ...	Excluded (S.) S. 115 applied as modified (S.)	34, s. 136, sch. 11, para. 2. 34, s. 136, sch. 11, para. 3.
c. 45	Turbary (Ireland) Act, 1891.	S. 1 repealed	6, S.L.R.
c. 46	Post Office Act, 1891 ...	Repealed so far as unrepealed.	6, S.L.R.
c. 48	Purchase of Land (Ireland) Act, 1891.	Ss. 1 (1) and 5 so far as unrepealed, 6, 9-14 so far as unrepealed, 15 (1) in part, (4) (7) (8) (10) (11), 17, 18, 20-24, 26, 28 (1)-(6), (8), 29 so far as unrepealed, 30-32, 34-41 so far as unrepealed, schedules 1, 2, 3, repealed.	6, S.L.R.
c. 54	Ranges Act, 1891 ...	Repealed so far as unrepealed.	6, S.L.R.
c. 57	Redemption of Rent (Ireland) Act, 1891.	Repealed... ..	6, S.L.R.
c. 75	Factory and Workshop Act, 1891.	Repealed so far as unrepealed.	6, S.L.R.

Session and Chap. or No. of Measure	Short title or Subject	How affected	Chapter of 1950 Act or number of Measure or Statutory Instrument
55 & 56 Vict.:			
c. 6	Colonial Probates Act, 1892.	Applied (New Brunswick).	S.I. No. 2097.
c. 34	Naval Knights of Windsor (Dissolution) Act, 1892.	S. 1 (4) repealed ...	6, S.L.R.
c. 39	National Debt (Stockholders Relief) Act, 1892.	Ss. 4, 6 repealed ...	6, S.L.R.
c. 49	Mauritius Hurricane Loan Act, 1892.	Repealed... ..	6, S.L.R.
c. 52	British Columbia (Loan) Act, 1892.	Repealed... ..	6, S.L.R.
c. 54	Allotments (Scotland) Act, 1892.	Restricted	38, s. 9.
c. 55	Burgh Police (Scotland) Act, 1892.	S. 78 repealed in part ... S. 149 excluded S. 315 repealed as far as unrepealed. S. 455 extended	6, S.L.R. 39, s. 24, sch. 5. 6, S.L.R. 11 (14 & 15 Geo. 6) s. 20, sch. 3, para 7.
c. 59	Telegraph Act, 1892 ...	S. 1 repealed	6, S.L.R.
c. 61	Public Works Loans Act, 1892.	S. 4 repealed (N.I.) ...	6, S.L.R.
56 & 57 Vict.:			
c. 5	Regimental Debts Act, 1893.	S. 10 (2) extended ... S. 29 repealed in part ...	10, s. 1. 6, S.L.R.
c. 10	Police Act, 1893 ...	Repealed so far as unrepealed.	6, S.L.R.
c. 26	Prison (Officers Superannuation) Act, 1893.	Repealed... ..	6, S.L.R.
c. 35	Congested Districts Board (Ireland) Act, 1893.	Repealed so far as unrepealed.	6, S.L.R.
c. 39	Industrial and Provident Societies Act, 1893.	S. 4 excluded (S.) ...	34, s. 79 (2).
57 & 58 Vict.:			
c. 3	Army (Annual) Act, 1894.	S. 5 repealed	6, S.L.R.
c. 17	Colonial Officers (Leave of Absence) Act, 1894.	Sch. repealed in part ...	5, s. 1, sch. Pt. II.
c. 30	Finance Act, 1894 ...	S. 8 excluded S. 41 repealed so far as unrepealed.	15, s. 44 (2) (8), 50 (7). 6, S.L.R.
c. 31	Zanzibar Indemnity Act, 1894.	Repealed... ..	6, S.L.R.
c. 42	Quarries Act, 1894 ...	Act, as amended, applied as modified (opencast coal).	S.I. No. 167.
c. 50	Congested Districts Board (Ireland) Act, 1894.	Repealed so far as unrepealed.	6, S.L.R.
c. 57	Diseases of Animals Act, 1894.	Repealed (E. S.) ...	36, s. 89, sch. 5.
c. 58	Local Government (Scotland) Act, 1894.	Part IV restricted ...	38, s. 9.

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57 & 58 Vict.: c. 60	Merchant Shipping Act, 1894.	S. 79 (1) modified ... S. 84 (1) modified ... S. 115 (6) substituted ... S. 115A added S. 116 amended S. 117 (1) amended S. 118A added S. 119 amended S. 127 amended S. 131 (2) amended S. 135 (1) substituted S. 137 (1) amended S. 210 excluded S. 242 amended S. 253 amended S. 483 (1) (h) (i) repealed S. 496 (3) extended and explained (E.). Pt. XIII (ss. 680-712) applied as modified (Trucial States). S. 692 applied (E.) (S.)... S. 744 amended, repealed in part. Sch. 6 excluded	9, s. 1, sch. 1, para. 11. 9, s. 1, sch. 1, para. 12. 9, s. 2, sch. 2 para. 1. 9, s. 2, sch. 2, para. 2. 9, s. 2, sch. 2, para. 3. 9, s. 2, sch. 2, para. 4 9, s. 2, sch. 2, para. 5. 9, s. 2, sch. 2, para. 6. 9, s. 2, sch. 2 para. 7. 9, s. 2, sch. 2, para. 8. 9, s. 2, sch. 2, para. 9. 9, s. 2, sch. 2, para. 10. 9, s. 1, sch. 1, para. 13. 9, s. 2, sch. 2, para. 11. 9, s. 2, sch. 2 para. 12. 9, s. 3 (8). 27, s. 29. S.I. No. 1967, art. 11, sch. 2 36, s. 74 (3). 9, s. 4. 9, s. 1, sch. 1, para. 13.
58 & 59 Vict.:	c. 7 Army (Annual) Act, 1895 c. 16 Finance Act, 1895 ... c. 19 Court of Session Con-signations (Scotland) Act, 1895. c. 23 Volunteer Act, 1895 ... c. 34 Colonial Boundaries Act, 1895. c. 35 Naval Works Act, 1895... c. 37 Factory and Workshop Act, 1895. c. 39 Summary Jurisdiction (Married Women) Act, 1895.	S. 9 repealed S. 9 (2) repealed S. 15 repealed Repealed so far as un-repealed. Sch. repealed in part ... Ss. 1, 3, 4, 5, 6, sch. repealed. Repealed so far as un-repealed. Ss. 4, 7 (b) proviso, Powers of Court extended.	6, S.L.R. 6, S.L.R. 6, S.L.R. 6, S.L.R. 5, s. 1, sch. Pt. II. 6, S.L.R. 6, S.L.R. 37, ss. 1, 2 (3).

Session and Chap. or No. of Measure	Short title or Subject	How affected	Chapter of 1950 Act or number of Measure or Statutory Instrument
59 Vict.: Sess. 2: c. 4	Purchase of Land (Ireland) Amendment Act, 1895, Session 2.	Repealed... ..	6, S.L.R.
59 & 60 Vict.: c. 2	Army (Annual) Act, 1896	Repealed so far as unrepealed.	6, S.L.R.
c. 6	Naval Works Act, 1896...	Repealed... ..	6, S.L.R.
c. 15	Diseases of Animals Act, 1896.	Repealed (E.) (S.) ...	36, s. 89, sch. 5.
c. 27	London Cab Act, 1896...	S. 2 repealed	6, S.L.R.
c. 28	Finance Act, 1896 ...	S. 7 repealed	6, S.L.R.
		S. 33 proviso (b) applied	S.I. No. 268.
		S. 37 repealed	6, S.L.R.
c. 38	Uganda Railway Act, 1896.	Repealed... ..	6, S.L.R.
c. 40	Telegraph (Money) Act, 1896.	Repealed... ..	6, S.L.R.
c. 47	Land Law (Ireland) Act, 1896.	Ss. 1-4, 5 (2), (3), 6, in part, 8, 9, 10 (2), 14, 29 (1), 30-33, 35-37, 39 so far as unrepealed, 40, 42, 43-45 so far as unrepealed, 46, 47, 50 (1), (2), (6), Schs. repealed.	6, S.L.R.
c. 50	Poor Law Officers Superannuation Act, 1896.	S. 11 repealed	6, S.L.R.
c. 55	Quarter Sessions (London) Act, 1896.	S. 1 excluded	11 (14 & 15 Geo. 6), s. 22 (1).
c. 58	West Highland Railway Guarantee Act, 1896.	Repealed... ..	6, S.L.R.
60 & 61 Vict.: c. 7	Military Works Act, 1897	Repealed... ..	6, S.L.R.
c. 35	Naval Works Act, 1897...	Repealed... ..	6, S.L.R.
c. 38	Public Health (Scotland) Act, 1897.	Part IX extended ...	28, s. 72 (2) (4) (b).
		S. 72 extended	34, s. 146 (1).
		S. 107 excluded (code-regulated works).	39, s. 15, sch. 5.
		S. 144 applied	34, s. 63 (1).
		S. 146 (1) extended ...	34, s. 169 (2).
c. 41	Post Office and Telegraph Act, 1897.	S. 3 repealed	6, S.L.R.
c. 66	Supreme Court of Judicature (Ireland) (No. 2) Act, 1897.	S. 12 repealed (N.I.) ...	6, S.L.R.
61 & 62 Vict.: c. 9	Reserve Forces and Militia Act, 1898.	Repealed so far as unrepealed.	32, s. 29 (1) (9), sch. 3; 33, s. 28 (1), sch. 3, Pt. I.
c. 10	Finance Act, 1898 ...	S. 16 repealed	6, S.L.R.
c. 33	Telegraph (Money) Act, 1898.	Repealed... ..	6, S.L.R.
c. 54	Public Works Loans Act, 1898.	S. 5 repealed	6, S.L.R.

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62 & 63 Vict.:			
c. 3	Army (Annual) Act, 1899.	Ss. 4, 5 repealed ...	6, S.L.R.
c. 9	Finance Act, 1899 ...	S. 8 excluded (S.) ...	34, s. 136, sch. 11, para. 2.
c. 14	London Government Act, 1899.	S. 17 repealed ...	6, S.L.R.
c. 15	Metropolis Management Act Amendment (By-laws) Act, 1899.	Sch. 2 repealed in part...	6, S.L.R.
c. 18	Congested District Board (Ireland) Act, 1899.	Repealed so far as un-repealed.	6, S.L.R.
c. 19	Electric Lighting Clauses Act, 1899.	Repealed so far as un-repealed.	6, S.L.R.
c. 38	Telegraph Act, 1899 ...	Sch., s. 12 amended (E. S.).	39, ss. 17, 36 (10), Sch. 5.
c. 40	Reserve Forces Act, 1899	Sch., s. 14 excluded (E. S.)	39, s. 15, sch. 5.
		Sch., ss. 15-6 excluded (E. S.) (code-regulated works).	39, s. 15, sch. 5.
		Sch., s. 17 excluded (E.S.)	39, s. 24, sch. 5.
		Ss. 1, 3 repealed ...	6, S.L.R.
		Repealed... ..	32, s. 29 (1) (9), sch. 3.
			33, s. 28 (1), sch. 3, Pt. I.
c. 41	Military Works Act, 1899	Repealed... ..	6, S.L.R.
c. 42	Naval Works Act, 1899	S. 1, sch. repealed ...	6, S.L.R.
63 & 64 Vict.:			
c. 2	War Loan Act, 1900 ...	Repealed so far as un-repealed.	6, S.L.R.
c. 4	Census (Great Britain) Act, 1900.	Repealed so far as un-repealed.	6, S.L.R.
c. 7	Finance Act, 1900 ...	S. 11 modified (<i>retrosp.</i>)	15, s. 44 (8), 50 (7).
c. 42	Reserve Forces Act, 1900	Repealed so far as un-repealed.	32, s. 29 (1) (9), sch. 3.
c. 61	Supplemental War Loan Act, 1900.	Repealed... ..	6, S.L.R.
c. 62	Colonial Stock Act, 1900.	Extended as modified : Bechuanaland Protectorate. Swaziland Protectorate...	S.I. No. 1975. S.I. No. 1976.
64 Vict. Sess. 2:			
c. 1	Supplemental War Loan (No. 2) Act, 1900.	Repealed... ..	6, S.L.R.
1 Edw. 7:			
c. 3	Purchase of Land (Ireland) Act, 1901.	Repealed so far as un-repealed.	6, S.L.R.
c. 4	Civil List Act, 1901 ...	Ss. 4, 8 in part, repealed	6, S.L.R.
c. 24	Burgh Sewerage, Drainage and Water Supply (Scotland) Act, 1901.	S. 9 repealed	6, S.L.R.
c. 30	Purchase of Land (Ireland) (No. 2) Act, 1901.	Repealed... ..	6, S.L.R.
c. 34	Congested Districts Board (Ireland) Act, 1901.	Repealed... ..	6, S.L.R.

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2 Edw. 7: c. 17	Midwives Act, 1902 ...	S. 1 (1) amended ... (3) repealed in part S. 3 extended repealed in part ... S. 5 amended S. 7 repealed in part ... S. 8 (5) repealed (7) repealed Ss. 12 in part, 14 repealed	13, s. 6 (2). 13, s. 16, sch. 3, Pt. II. 13, ss. 1 (2), 3 (1), 6 (1). 13, ss. 7 (3), 16, sch. 3, Pts. I and II. 13, s. 8 (1). 13, s. 16, sch. 3, Pts. I and II. 13, s. 7 (3). 13, s. 16, sch. 3, Pt. II. 13, s. 16, sch. 3, Pt. II.
c. 40	Uganda Railway Act, 1902.	Repealed so far as un- repealed.	6, S.L.R.
3 Edw. 7: c. 8	Finance Act, 1903 ...	Repealed so far as un- repealed.	6, S.L.R.
c. 25	Licensing (Scotland) Act, 1903.	S. 27 (2) repealed ...	6, S.L.R.
c. 31	Board of Agriculture and Fisheries Act, 1903.	Applied	36, s. 57.
c. 33	Burgh Police (Scotland) Act, 1903.	Ss. 67-68 repealed (<i>prosp.</i>)	34, s. 187 (1), sch. 13, Pt. II.
c. 37	Irish Land Act, 1903 ...	Ss. 1, 2 so far as unrepealed, 3-5, 6 so far as un- repealed, 7-12, 15, 16 (2), 17-19, 23 so far as unrepealed, 24 (1), (3), (8), 25, 26, 30, 43 so far as unrepealed, 48 so far as unrepealed, 52 (2), (3), 53, 57-60, 61 (1)-(3), (6), (7), 62-64, 70, 72-85, 87, 89, 91, 93-95, repealed.	6, S.L.R.
c. 43	Diseases of Animals Act, 1903.	Repealed (E.) (S.) ...	36, s. 89, sch. 5.
c. 46	Revenue Act, 1903 ...	S. 12 repealed	6, S.L.R.
4 Edw. 7: c. 5	Army (Annual) Act, 1904	Ss. 6 (2), 12 (b), repealed	6, S.L.R.
c. 34	Irish Land Act, 1904 ...	S. 1 repealed	6, S.L.R.
c. 36	Public Works Loans Act, 1904.	Repealed so far as un- repealed.	6, S.L.R.
5 Edw. 7: c. 12	Churches (Scotland) Act, 1905.	S. 5 repealed in part ...	6, S.L.R.
6 Edw. 7: c. 2	Army (Annual) Act, 1906	S. 7 (1), repealed ...	6, S.L.R.
c. 11	Reserve Forces Act, 1906	Repealed... ..	32, s. 29 (1), (9), sch. 3; 33, s. 28 (1), sch. 3, Pt. I.
c. 14	Alkali, &c., Works Regu- lation Act, 1906.	S. 27, sch. 1 amended (E.)	S.I. No. 364.
c. 32	Dogs Act, 1906	S. 2 repealed (E.) (S.) ...	36, s. 89, sch. 5.

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7 Edw. 7: c. 9	Territorial and Reserve Forces Act, 1907.	Adaptation of Act to Royal Auxiliary Air Force (by O. in C.) amended. Ss. 30-33, 35 repealed ...	S.I. Nos. 834, 1043. 32, s. 29 (1) (9), sch. 3, 33, s. 28 (1), sch. 3, Pt. I. 33, s. 28 (1), sch. 3, Pt. I.
c. 18	Married Women's Property Act, 1907.	S. 4 (2) repealed ...	32, s. 29 (1) (9), sch. 3, 33, s. 28 (1), sch. 3, Pt. I. 32, s. 29 (1) (9), sch. 3, 33, s. 28 (1), sch. 3, Pt. I. 32, s. 29 (1) (9), sch. 3.
c. 51	Sheriff Courts (Scotland) Act, 1907.	S. 20 amended amended with saving. applied	6, S.L.R. 11 (14 & 15 Geo. 6), s. 24 (1). 11 (14 & 15 Geo. 6), s. 19, sch. 2. 11 (14 & 15 Geo. 6), s. 24 (2).
c. 56	Evicted Tenants (Ireland) Act, 1907.	Sch. 1 amended Sch. 1, Rules 18, 45 and 52 substituted, 42 amended, 45A added, 46 repealed. Ss. 3, 6, 12, 14, 16 so far as unrepealed, 17 (1), 18, sch., repealed.	23, s. 12 (7). S.I. No. 1157.
c. 56	Evicted Tenants (Ireland) Act, 1907.	Ss. 3, 6, 12, 14, 16 so far as unrepealed, 17 (1), 18, sch., repealed.	6, S.L.R.
8 Edw. 7: c. 2	Army (Annual) Act, 1908	S. 4 repealed	32, s. 29 (1), sch. 3.
c. 33	Telegraph (Construction) Act, 1908.	S. 2 amended (E. S.) ...	39, s. 20 (1).
c. 36	Small Holdings and Allotments Act, 1908.	Restricted S. 23 (4) repealed ...	31, s. 9. 31, s. 15 (3), sch.
c. 51	Appellate Jurisdiction Act, 1908.	Sch. repealed in part ...	5, s. 1, sch. Pt. II.
c. 57	Coal Mines Regulation Act, 1908.	Ss. 1, 3 suspended (coal mines) (<i>temp.</i>).	S.I. No. 523.
c. 67	Children Act, 1908 ...	S. 123 repealed in part (E.)	6, S.L.R.
9 Edw. 7: c. 3	Army (Annual) Act, 1909	Ss. 11, sch. 2 in part, repealed.	6, S.L.R.
c. 16	Workmen's Compensation (Anglo-French Convention) Act, 1909.	Repealed (N.I.)	6, S.L.R.
c. 26	Diseases of Animals Act, 1909.	Repealed (E.) (S.) ...	36, s. 89, sch.
c. 40	Police Act, 1909 ...	S. 3 repealed	6, S.L.R.

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9 Edw. 7: c. 42	Irish Land Act, 1909 ...	Ss. 3-5, 6 so far as un-repealed, 9 (1), 11 (2), 12, 15, 17, 18 (1) (4), 19, 20 so far as unrepealed, 21-24, 26-28, 29 so far as unrepealed, 31, 35, 36, 40, 42-65, sch. 1, repealed.	6, S.L.R.
c. 44	Housing Town Planning &c., Act, 1909.	Repealed so far as un-repealed.	6, S.L.R.
c. 47	Development and Road Improvement Funds Act, 1909.	S. 8 extended (E. S.) ... extended (E. (except London) S.). (<i>prosp.</i>).	39, s. 33 (3). 24, s. 16 (1).
10 Edw. 7 & 1 Geo. 5: c. 8	Finance (1909-10) Act, 1910.	S. 59 (3) modified ...	15, s. 43 (2), 50(7).
c. 20	Diseases of Animals Act, 1910.	Repealed... ..	36, s. 89, sch. 5.
1 & 2 Geo. 5: c. 26	Telephone Transfer Act, 1911.	Ss. 1-4 repealed ... S. 5 repealed ...	6, S.L.R. 2, s. 2 (6), sch. S.I. No. 1779.
c. 28	Official Secrets Act, 1911	Operation suspended in Penang and Malacca.	
c. 39	Telegraph (Construction) Act, 1911.	S. 1 amended (E.S.) (code-regulated works). amended (E.S.) ...	39, s. 15, sch. 5. 39, s. 24, sch. 5, 5, s. 1, sch. Pt. II. 5, s. 1, sch. Pt. II.
c. 46	Copyright Act, 1911 ...	S. 35 (1) repealed in part	
c. 47	Naval Discipline (Dominion Naval Forces) Act, 1911.	S. 1 (3) repealed in part...	
c. 50	Coal Mines Act, 1911 ...	Act, as amended, applied as modified (opencast coal quarries). Ss. 2 (2), 3 (2), 5 (1) (2), 7 amended. Ss. 8 (1), 9 (1), 9 (2) with saving, 10 (1) substituted, 10 (4) amended.	S.I. No. 167. S.I. No. 743. S.I. No. 77.
c. 55	National Insurance Act, 1911.	S. 62 repealed in part ... Repealed so far as un-pealed (E.S.).	6, S.L.R. 6, S.L.R.
c. 57	Maritime Conventions Act, 1911.	S. 9 (1) repealed in part	5, s. 1, sch Pt. II.
2 & 3 Geo. 5: c. 2	Coal Mines (Minimum Wages) Act, 1912.	Repealed... ..	6, S.L.R.
c. 3	Shops Act, 1912 ...	Repealed (E.S.) ...	28, s. 76 (1), sch. 8.
c. 10	Seal Fisheries (North Pacific) Act, 1912.	S. 5 (2) repealed in part...	5, s. 1, sch. Pt. II.
c. 19	Light Railways Act, 1912	S. 5 (2) repealed ...	6, S.L.R.
c. 24	Shops Act, 1913 ...	Repealed (E.S.)... ..	28, s. 76 (1), sch. 8.
3 & 4 Geo. 5: c. 20	Bankruptcy (S.) Act, 1913	S. 118 extended ...	S.I. No. 453.

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4 & 5 Geo. 5: c. 2 c. 15 c. 59	Army (Annual) Act, 1914 Exportation of Horses Act, 1914. Bankruptcy Act, 1914 ...	S. 7 repealed Repealed... .. S. 33 extended	6, S.L.R. 6, S.L.R.; 36, s. 89 sch. 5. S.I. No. 453.
5 & 6 Geo. 5: c. 30 c. 57 c. 73 c. 74 c. 89 c. 91	Naval Discipline Act, 1915. Prize Courts Act, 1915... Naval Discipline (No. 2) Act, 1915. Police Magistrates (Superannuation) Act, 1915. Finance (No. 2) Act, 1915 Midwives (Scotland) Act, 1915.	S. 14 repealed S. 4 (1) repealed in part... S. 3 repealed S. 1 (1) amended with saving. S. 13 (1) (4) repealed ... S. 1 (1) amended (3) (5) repealed in part S. 2 repealed S. 3 repealed in part ... S. 4 repealed S. 5 extended repealed in part S. 6 (1) (a) repealed in part. S. 9 repealed in part ... S. 11 repealed (in part <i>prosp.</i>). S. 13 amended S. 15 repealed in part ... S. 16 repealed in part ... Ss. 20 in part, 27 repealed	6, S.L.R. 5, s. 1, sch. Pt. II. 6, S.L.R. 11 (14 & 15 Geo. 6), s. 19, sch. 2. 6, S.L.R. 13, s. 6 (2) (4). 13, s. 16, sch. 3 Pt. II. 13, s. 16, sch. 3 Pt. II. 13, s. 16, sch. 3, Pts. I and II. 13, s. 1 (4) (5). 13, ss. 1 (2) (5), 4 (1). 13, ss. 7 (4), 16, sch. 3, Pts. I and II. 13, s. 16, sch. 3, Pt. II. 13, s. 16, sch. 3 Pt. II. 13, ss. 4 (2), 5 (3) (4). 13, s. 8 (2). 13, s. 16, sch. 3 Pts. I & II. 13, ss. 7 (4), 16, sch. 3, Pt. II. 13, s. 16, sch. 3 Pt. II.
6 & 7 Geo. 5: c. 12 c. 40 c. 47 c. 49 c. 61	Local Government (Emergency Provisions) Act, 1916. Telegraph (Construction) Act, 1916. Municipal Savings Banks (War Loan Investment) Act, 1916. Court of Session (Extracts) Act, 1916. Munitions (Liability for Explosions) Act, 1916.	S. 13 (7) repealed S. 4 excluded (E.S.) (code-regulated works). Repealed... .. Schedule repealed Repealed... ..	6, S.L.R. 39, s. 15, sch. 5. 6, S.L.R. 6, S.L.R. 6, S.L.R.
7 & 8 Geo. 5: c. 31	Finance Act, 1917 ...	S. 36 repealed	6, S.L.R.

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7 & 8 Geo. 5: c. 51	Air Force (Constitution) Act, 1917. Air Force Act	S. 6 (1) amended (air force reserve). 6 (2) extended in part Applied in part S. 12 applied S. 15 applied S. 33 modified Ss. 41, 57 repealed in part S. 72 applied S. 80 incorporated as modified. S. 84 amended S. 88 (4) repealed. S. 91 amended S. 96 amended S. 98 incorporated as modified. S. 99 amended incorporated as modified. S. 100 incorporated as modified. S. 108A repealed in part S. 138 amended S. 142 repealed in part S. 143 extended S. 152 amended S. 153 (3) extended S. 154 applied as modified S. 156 repealed in part... .. S. 163 incorporated in part. applied S. 164 applied S. 166 incorporated Ss. 167, 168 incorporated S. 176A amended S. 187AA added S. 187C repealed S. 190 amended amended	33, s. 28 (2), sch. 3, Pt. II. 33, s. 29. 33, s. 18 (1). 33, s. 14. 33, s. 14. 33, s. 3 (3). 3, s. 10, sch. 1. 33, s. 20 (1). 33, s. 3 (2) (3). 3, s. 9. 33, s. 28 (2), sch. 3, ss. 3, 6. 3, s. 10, sch. 1. 33, s. 3 (2) (3). 3, ss. 4, 6. 33, s. 3 (2) (3). 33, s. 3 (2) (3). 3, s. 10, sch. 1. 3, ss. 5, 6. 3, s. 10, sch. 1. 33, s. 22 (1). 3, ss. 4, 6. 33, s. 15 (3). 33, s. 14 (5). 3, s. 10, sch. 1. 33, s. 3 (2) (3). 33, s. 21 (1). 33, s. 21 (2). 33, s. 18 (2) (3). 33, 18 (2). 3, s. 10, sch. 1. 3, s. 10, sch. 1. 33, s. 27 (4).
8 & 9 Geo. 5. c. 24	Flax Companies (Financial Assistance) Act, 1918.	S. 1 (i) repealed	6, S.L.R.
c. 34	Statutory Undertakings (Temporary Increase of Charges) Act, 1918.	Repealed... ..	6, S.L.R.
c. 40	Income Tax Act, 1918...	S. 32 excluded (<i>retros.</i>) S. 33 restricted excluded S. 103 (1) (c) repealed in part. S. 107 applied	15, ss. 29, 50 (7). 15, ss. 39 (3) (b) 50 (7). 11 (14 & 15 Geo. 6), s. 18. 15, ss. 35 (e), 50 (7) (8). sch. 8, Pt. 11. 15, ss. 26 (4), 50 (7).

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8 & 9 Geo. 5: c. 40	Income Tax Act, 1918 — <i>cont.</i>	S. 171 repealed ... S. 221 (1) excluded in part S. 237, defn. of "Incapacitated person" repealed in part. Sch. 1, Sch. D, Cases I and II, Rule 10 saved. Sch. 1, Sch. D, Case III, Rule 1 extended. Sch. 1, Sch. D, Case VI applied. Sch. 1, General Rule No. 16 repealed. Sch. 1, General Rule No. 17 saved. S. 6 repealed	15, ss. 35 (d), 50 (7) (8), sch. 8. Pt. II. 15, ss. 42, 50 (7). 15, ss. 35 (c), 50 (7) (8), sch. 8, Pt. II. 15, ss. 30 (2), 50 (7). 15, ss. 27 (1) (b), 50 (7). 15, ss. 39 (6) (c), 40 (3), 50 (7). 15, ss. 35 (2), 50 (7) (8), sch. 8, Pt. II. 15, ss. 30 (5), 31, 32, 50 (7). 6, S.L.R.
c. 42	Loans (Incumbents of Benefices) Amendment Act, 1918.	S. 1 repealed	13, s. 1 (4).
c. 43	Midwives Act, 1918 ...	Ss. 3 in part, 4 repealed ... Ss. 6 (1) (a), 8 (2) repealed in part. S. 10 repealed (<i>in part prosp.</i>) S. 12 repealed so far as unrepealed. S. 31 repealed so far as unrepealed.	13, s. 16, sch. 3, Pt. I. 13, s. 16, sch. 3, Pt. II. 13, ss. 3 (2), 5 (3). 6, S.L.R. 6, S.L.R.
c. 48	Education (Scotland) Act, 1918.	S. 31 repealed so far as unrepealed.	6, S.L.R.
9 & 10 Geo 5:			
c. 11	Army (Annual) Act, 1919	S. 17 repealed	6, S.L.R.
c. 32	Finance Act, 1919 ...	S. 11 repealed	6, S.L.R.
c. 37	War Loan Act, 1915 ...	S. 6 repealed	6, S.L.R.
c. 46	Police Act, 1919 ...	Sch. rules 5, 9, 22 modified (S.).	S.I. No. 1436.
c. 50	Ministry of Transport Act, 1919.	S. 21 repealed	6, S.L.R.
c. 57	Acquisition of Land (Assessment of Compensation) Act, 1919.	Applied (with or without modifications) (S.).	34, ss. 12 (2), 17 (4), 36 (1), 37, 43 (3), 47 (1) (3), 64 (3), 185. 39, s. 36 (8) (iv). 31, s. 9.
c. 59	Land Settlement (Facilities) Act, 1919.	Ss. 3, 5, 6 applied (S.) ... Restricted	39, s. 36 (8) (iv). 31, s. 9.
c. 60	Housing, Town Planning etc. (Scotland) Act, 1919.	Ss. 22, 31 so far as unrepealed, repealed.	6, S.L.R.
c. 82	Irish Land (Provision for Sailors and Soldiers) Act, 1919.	Ss. 1, 3 repealed	6, S.L.R.
c. 91	Ministry of Agriculture and Fisheries Act, 1919.	Applied	36, s. 57.
c. 92	Aliens Restriction (Amendment) Act, 1919.	S. 1 continued until 31.12.51.	1 (14 & 15 Geo. 6), s. 1 (1), sch. Pt. I.

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9 & 10 Geo. 5: c. 97	Land Settlement (Scotland) Act, 1919.	S. 2 repealed Pt. III (ss. 18-24) restricted.	6, S.L.R. 38, s. 9.
c. 100	Electricity (Supply) Act, 1919.	S. 27 repealed S. 21 extended (E. S.) ...	6, S.L.R. 39, s. 17 (5).
10 & 11 Geo. 5: c. 3	Coinage Act, 1920 ...	S. 3 (2) repealed in part...	5, s. 1, sch. Pt. II.
c. 7	Army and Air Force (Annual) Act, 1920.	Ss. 6, 9, 12 (1) (a) repealed	6, S.L.R.
c. 14	Tramways (Temporary Increase of Charges) Act, 1920.	Repealed (E. S.) ...	6, S.L.R.
c. 17	Increase of Rent and Mortgage Interest (Restrictions) Act, 1920.	Excluded (S.)	34, ss. 55 (1) (3), 158.
c. 18	Finance Act, 1920 ...	Modified (S.) Ss. 5 (1) (2), 6 repealed... S. 25 repealed	34, s. 125. 6, S.L.R. 15, ss. 35 (b), 50 (7) (8), sch. 8, Pt. II. 15, s. 36 (4) (5).
c. 37	Telegraph (Money) Act 1920.	S. 27 amended S. 39 (1) (a) (c) repealed S. 2 repealed	2, s. 2 (6), sch.
c. 46	Dangerous Drugs Act, 1920.	Pt. III (ss. 6-8) applied... S. 7 amended (N.I.) (<i>prosp.</i>)	S.I. No. 527. 7 (14 & 15 Geo. 6), s. 1 (1) (b), sch. Pt. I, para. 1.
		S. 7 (2) amended (E. S.) (<i>prosp.</i>).	7, (14 & 15 Geo. 6), s. 3 (1) (a).
		S. 7 (3) substituted (E. S.) (<i>prosp.</i>).	7 (14 & 15 Geo. 6), s. 3 (1) (b).
		S. 10 (1) (1A) amended (N.I.) (<i>prosp.</i>).	7 (14 & 15 Geo. 6), s. 1 (1) (b), sch. Pt. I, para. 2.
		S. 13 amended (N.I.) (<i>prosp.</i>).	7 (14 & 15 Geo. 6), s. 1 (1) (b), sch. Pt. I, para. 3 (4).
		S. 13 (1) (d) amended (<i>prosp.</i>).	7 (14 & 15 Geo. 6), s. 1 (1) (b), sch. Pt. I, para. 3 (1).
		S. 13 (2) amended (<i>prosp.</i>)	7 (14 & 15 Geo. 6), s. 1 (1) (b), sch. Pt. I, para. 3 (2).
		S. 13 (2A) amended (N.I.) (<i>prosp.</i>).	7 (14 & 15 Geo. 6), s. 1 (1), (b) sch. Pt. I para. 3 (3).
c. 47	Ministry of Food (Continuance) Act, 1920.	Repealed so far as unrepealed.	6, S.L.R.
c. 48	Indemnity Act, 1920 ...	S. 2, sch. repealed ...	6, S.L.R.
c. 57	Unemployment (Relief Works) Act, 1920.	Repealed... ..	6, S.L.R.

Session and Chap. or No. of Measure	Short title or Subject	How affected	Chapter of 1950 Act or number of Measure or Statutory Instrument
10 & 11 Geo. 5: c. 67	Government of Ireland Act, 1920.	S. 4 modified S. 6 modified modified (maintenance orders). modified (<i>prosp.</i>) (dangerous drugs). S. 18 (2) saved Repealed so far as unrepealed.	36, s. 88. 20, s. 5; 29, s. 37 (2); 36, s. 87. 37, s. 31. 7 (14 & 15 Geo. 6), s. 4. 29, s. 37 (3). 6, S.L.R.
c. 71	Housing (Scotland) Act, 1920.	S. 18 (a), (c), repealed Operation suspended in Penang and Malacca. S. 11 (1) repealed in part	6, S.L.R. S.I. No. 1779.
c. 72	Roads Act, 1920 ...		5, s. 1, sch. Pt. II.
c. 75	Official Secrets Act, 1920		
11 & 12 Geo. 5: c. 2	Consolidated Fund (No. 1) Act, 1921.	Repealed... ..	6, S.L.R.
c. 3	Consolidated Fund (No. 2) Act, 1921.	Repealed... ..	6, S.L.R.
c. 8	Ministries of Munitions and Shipping (Cessation) Act, 1921.	Repealed... ..	6, S.L.R.
c. 9	Army and Air Force (Annual) Act, 1921.	Preamble, ss. 2, 3, 5, 7, 9 (1) (a), (2), (3), sch. repealed	6, S.L.R.
c. 10	Mr. Speaker's Retirement Act, 1921.	Repealed... ..	6, S.L.R.
c. 16	Importation of Plumage (Prohibition) Act, 1921.	S. 4 (3) repealed... ..	6, S.L.R.
c. 19	Housing Act, 1921 ...	Repealed so far as unrepealed (E. S.).	6, S.L.R.
c. 21	Dentists Act, 1921 ...	Ss. 1 (4), 18 (2), sch. 2 repealed.	6, S.L.R.
c. 28	Merchant Shipping Act, 1921.	S. 4 (2) repealed ...	6, S.L.R.
c. 29	Church of Scotland Act, 1921.	S. 4 repealed in part ...	6, S.L.R.
c. 32	Finance Act, 1921 ...	Ss. 1-5, 6 (2), 20, 24, 25 (1), 41, 46, 52-59, 65 (3), sch. 3, para. 3, sch. 5, repealed.	6, S.L.R.
c. 35	Corn Sales Act, 1921 ...	Ss. 2 (1), 3, 7 (2) repealed	6, S.L.R.
c. 36	Juries (Emergency Provisions) (Renewal) Act, 1921.	Repealed... ..	6, S.L.R.
c. 37	Territorial Army and Militia Act, 1921.	S. 2 repealed S. 5 (2), sch. 2 repealed	32, s. 29 (1), sch. 3. 6, S.L.R.
c. 39	Admiralty Pensions Act, 1921.	S. 3 repealed	6, S.L.R.
c. 40	Isle of Man (Customs) Act, 1921.	S. 3 repealed	6, S.L.R.
c. 41	Greenwich Hospital Act, 1921.	Repealed... ..	6, S.L.R.
c. 42	Licensing Act, 1921 ...	S. 19, 21 (1) (h), 22 (4), repealed.	6, S.L.R.
c. 43	Land Settlement Amendment Act, 1921.	Repealed... ..	6, S.L.R.
c. 45	Duchy of Lancaster (Application of Capital Moneys) Act, 1921.	Repealed... ..	6, S.L.R.

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11 & 12 Geo. 5:			
c. 46	Appropriation Act, 1921	Repealed... ..	6, S.L.R.
c. 47	Safeguarding of Industries Act, 1921.	Excluded... ..	15, s. 11.
c. 48	Corn Production Acts (Repeal) Act, 1921.	Ss. 2, 3, 6 repealed Sch., certain functions of Secretary of State and Min. of Agric. and Fisheries delegated to Agricultural Executive Committees	6, S.L.R. S.I. No. 1376
c. 52	Exchequer and Audit Departments Act, 1921.	S. 5 applied Ss. 9 (4), 10 (2), sch. 2 repealed.	2, s. 2 (2). 6, S.L.R.
c. 53	Expiring Laws Continuance Act, 1921.	Repealed... ..	6, S.L.R.
c. 54	Public Works Loans Act, 1921.	Repealed... ..	6, S.L.R.
c. 58	Trusts (Scotland) Act, 1921.	S. 36, sch. C repealed ...	6, S.L.R.
c. 61	Forestry Act, 1921 ...	Repealed... ..	6, S.L.R.
c. 63	Appropriation (No. 2) Act, 1921.	Repealed... ..	6, S.L.R.
c. 67	Local Authorities (Financial Provisions) Act, 1921.	Ss. 3 in part, 6 repealed	6, S.L.R.
C.A.M. No. 3	Union of Benefices Measure, 1921.	Repealed... ..	6, S.L.R.
12 & 13 Geo. 5:			
c. 1	Consolidated Fund (No. 1) Act, 1922.	Repealed... ..	6, S.L.R.
c. 2	Coroners (Emergency Provisions Continuance) Act, 1922.	Repealed... ..	6, S.L.R.
c. 3	Consolidated Fund (No. 2) Act, 1922.	Repealed... ..	6, S.L.R.
c. 6	Army and Air Force (Annual) Act, 1922.	Preamble, ss. 2, 3, sch. repealed.	6, S.L.R.
c. 8	Diseases of Animals Act, 1922.	Repealed... ..	6, S.L.R.
c. 11	Juries Act, 1922... ..	Ss. 4 (2), 8 (4), sch. repealed.	6, S.L.R.
c. 16	Law of Property Act, 1922	S. 191 (2) repealed ...	6, S.L.R.
c. 17	Finance Act, 1922 ...	Ss. 1, 2, 3 so far as unrepealed, 4, 5, 13 (2), 16, 32, 33, 34 (10), 42, 43, 49 (4), schs. 2, 3, repealed.	6, S.L.R.
c. 21	Treaties of Washington Act, 1922.	S. 5 (1) repealed in part S. 6 (2) repealed ...	5, s. 1, sch. Pt. II. 6, S.L.R.
c. 25	British Empire Exhibition (Amendment) Act, 1922	Repealed... ..	6, S.L.R.
c. 26	Anglo-Persian Oil Company (Payment of Calls) Act, 1922.	S. 3 (2) repealed ...	6, S.L.R.
c. 32	Appropriation Act, 1922	Repealed... ..	6, S.L.R.
c. 33	Public Works Loans Act, 1922.	Repealed so far as unrepealed.	6, S.L.R.
c. 35	Celluloid and Cinematograph Film Act, 1922.	S. 11 repealed in part ...	6, S.L.R.

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12 & 13 Geo. 5:			
c. 36	Isle of Man (Customs) Act, 1922.	Repealed... ..	6, S.L.R.
c. 37	Naval Discipline Act, 1922.	S. 9 (2) (3), sch. repealed	6, S.L.R.
c. 39	Oil in Navigable Waters Act, 1922.	S. 9 (3) repealed ...	6, S.L.R.
c. 46	Electricity (Supply) Act, 1922.	S. 23 (2) repealed ...	6, S.L.R.
c. 47	Railway and Canal Commission (Consents) Act, 1922.	Repealed... ..	6, S.L.R.
c. 49	Post Office (Parcels) Act, 1922.	S. 3 (2) (4) repealed ...	6, S.L.R.
c. 50	Expiring Laws Act, 1922	Ss. 2, 3, schs. 2, 3 repealed.	6, S.L.R.
c. 51	Allotments Act, 1922 ...	Restricted	31, s. 9.
		S. 1 amended	31, ss. 1 (1), 8.
		S. 2 amended	31, ss. 2 (1), 5.
		S. 2 (5) repealed	31, s. 15 (3), sch.
		S. 4 (2) applied	31, s. 3 (4).
		Ss. 6, 7 extended	31, s. 7.
		S. 8 (1) repealed	6, S.L.R.
		S. 13 repealed	31, s. 15 (3), sch.
		S. 16 (1) amended	31, s. 11 (1).
		S. 16 (3) repealed	31, s. 15 (3), sch.
		S. 19 (2) repealed	6, S.L.R.
		S. 22 (1) applied	31, s. 14 (1).
		S. 22 (4) extended	31, s. 7.
		S. 23 (2), sch. repealed	6, S.L.R.
c. 52	Allotments (Scotland) Act, 1922.	Restricted	38, s. 9.
		S. 1 amended	38, ss. 1 (1), 8 (1).
		S. 2 amended	38, ss. 2 (1), 5.
		S. 2 (9) applied	38, s. 7.
		S. 2 (11) (a) repealed ...	38, ss. 8 (2), 14, sch.
		S. 3 extended	38, s. 7.
		S. 12 repealed	38, s. 14, sch.
		S. 16 (3) repealed	38, s. 14, sch.
		S. 17 (3) repealed	6, S.L.R.
		S. 19 (3) extended	38, s. 7.
		S. 20, sch. 1 repealed ...	6, S.L.R.
c. 54	Milk and Dairies (Amendment) Act, 1922.	Ss. 14, paras. (b) (d) (h), 15 (3) repealed.	6, S.L.R.
c. 56	Criminal Law Amendment Act, 1922.	Ss. 5, 6 (2), sch. repealed	6, S.L.R.
C.A.M. No. 2	Pluralities Act, 1838 (Amendment) Measure, 1922.	Repealed... ..	6, S.L.R.
13 Geo. 5:			
Sess. 2:			
c. 2	Irish Free State (Consequential Provisions) Act, 1922 (Session 2).	Ss. 1 (2), 3 (7), sch. 2 in part, repealed.	6, S.L.R.
c. 3	Appropriation Act 1922 (Session 2).	Repealed	6, S.L.R.
c. 4	Trade Facilities and Loans Guarantee Act, 1922 (Session 2).	S. 1 (1) repealed	6, S.L.R.
c. 5	Importation of Animals Act, 1922 (Session 2).	Repealed... ..	6, S.L.R.; 36, s. 89, sch. 5.

Session and Chap. or No. of Measure	Short title or Subject	How affected	Chapter of 1950 Act or number of Measure or Statutory Instrument
13 & 14 Geo. 5:			
c. 1	Consolidated Fund (No. 1) Act, 1923.	Repealed	6, S.L.R.
c. 3	Army and Air Force (Annual) Act, 1923.	Preamble, ss. 2, 3, 14 (1), 15, sch. repealed.	6, S.L.R.
c. 4	Fees (Increase) Act, 1923	S. 10, sch. 3 repealed ...	6, S.L.R.
c. 5	Dangerous Drugs and Poisons (Amendment) Act, 1923.	S. 2 (3) (b) amended (N.I.) (<i>prosp.</i>).	7 (14 & 15 Geo. 6), s. 1 (1) (b) sch. Pt. II para. 4.
		S. 2 (3) (b) repealed (E.S.) (<i>prosp.</i>).	7 (14 & 15 Geo. 6), s. 3 (2).
		S. 5 amended (N.I.) (<i>prosp.</i>).	7 (14 & 15 Geo. 6), s. 1 (1) (b), sch. Pt. II, para. 5.
		S. 6 amended (<i>prosp.</i>) ...	7 (14 & 15 Geo. 6), s. 2.
		S. 6 (2) amended (N.I.) (<i>prosp.</i>).	7 (14 & 15 Geo. 6), s. 1 (1) (b), sch. Pt. II para. 6.
		S. 6 (3) repealed (<i>prosp.</i>).	7 (14 & 15 Geo. 6), s. 1 (1) (a).
c. 7	Increase of Rent and Mortgage Interest Restrictions (Continuance) Act, 1923.	Repealed... ..	6, S.L.R.
c. 8	Industrial Assurance Act, 1923.	Ss. 17 (4), 30 (3), 35 (2), 46 (3) (4), sch. 5 repealed.	6, S.L.R.
c. 11	Special Constables Act, 1923.	S. 1 (2) repealed... ..	6, S.L.R.
c. 12	Restoration of Order in Ireland (Indemnity) Act, 1923.	S. 1 (1) proviso (2) (3) repealed.	6, S.L.R.
c. 14	Finance Act, 1923 ...	Ss. 1, 2 in part, 3 in part, 4, 6, 7 repealed.	6, S.L.R.
		S. 11 amended	15, s. 16 (2).
		S. 14 repealed	6, S.L.R.
		S. 19 (4) repealed in part	5, s. 1, sch. Pt. II.
		Ss. 21, 36, 38, 39 (4), sch. repealed.	6, S.L.R.
c. 16	Salmon and Freshwater Fisheries Act, 1923.	Ss. 93 (1), 94 (2), sch. 5 repealed.	6, S.L.R.
c. 20	Mines (Working Facilities and Support) Act, 1923.	S. 18 (2) repealed ...	6, S.L.R.
c. 21	Forestry (Transfer of Woods) Act, 1923.	S. 6 (4) repealed ...	6, S.L.R.
c. 22	Cotton Industry Act, 1923	Repealed... ..	6, S.L.R.
c. 23	Bastardy Act, 1923 ...	S. 6 repealed in part ...	6, S.L.R.
c. 24	Housing, &c., Act, 1923	S. 1 (3) modified (S.) ...	34, s. 96 (b).
		S. 2 restricted (S.) ...	34, s. 130, sch. 10.
		S. 2 (8) repealed ...	6, S.L.R.
		S. 3 restricted (S.) ...	34, s. 130, sch. 10.
		Ss. 6 in part, 16, 23 (16), 24 (1), sch. 3 repealed.	6, S.L.R.
c. 26	Iale of Man (Customs) Act, 1923.	Repealed... ..	6, S.L.R.

Session and Chap. or No. of Measure	Short title or Subject	How affected	Chapter of 1950 Act or number of Measure or Statutory Instrument
13 & 14 Geo. 5:			
c. 27	Railway Fires Act (1905) Amendment Act, 1923.	S. 3 repealed	6, S.L.R.
c. 28	Intoxicating Liquor (Sale to Persons under Eighteen) Act, 1923.	S. 1 (5) repealed	6, S.L.R.
c. 29	Public Works Loans Act, 1923.	Repealed... ..	6, S.L.R.
c. 30	Railways (Authorisation of Works) Act, 1923.	Repealed... ..	6, S.L.R.
c. 32	Rent and Mortgage Interest Restrictions 1913.	Ss. 1, 6 (2) repealed	6, S.L.R.
c. 34	Agricultural Credits Act, 1923.	S. 2 repealed	6, S.L.R.
c. 35	Appropriation Act, 1923	Repealed... ..	6, S.L.R.
c. 37	Expiring Laws Continuance Act, 1923.	Repealed... ..	6, S.L.R.
c. 40	Merchant Shipping Acts (Amendment) Act, 1923.	S. 2 (2) repealed	6, S.L.R.
14 & 15 Geo. 5:			
c. 2	Consolidated Fund (No. 1) Act, 1924.	Repealed... ..	6, S.L.R.
c. 4	Consolidated Fund (No. 2) Act, 1924.	Repealed... ..	6, S.L.R.
c. 5	Army and Air Force (Annual) Act, 1924.	Preamble, ss. 2, 3, 9, 10, sch. repealed.	6, S.L.R.
c. 8	Trade Facilities Act, 1924	S. 1 repealed	6, S.L.R.
c. 10	National Health Insurance (Cost of Medical Benefit) Act, 1924.	Repealed... ..	6, S.L.R.
c. 11	Friendly Societies Act, 1924.	S. 2 (3) repealed	6, S.L.R.
c. 12	School Teachers (Superannuation) Act, 1924.	Repealed... ..	6, S.L.R.
c. 15	Auxiliary Air Force and Air Force Reserve Act, 1924.	Ss. 3, 4 in part, powers extended, S. 5 amended (air force reserve).	33, s. 29. 33, s. 28 (2), sch. 3, Pt. II.
c. 17	County Courts Act, 1924	Sch. 1, paras. 1-3 amended with saving.	11 (14 & 15 Geo. 6), s. 19, sch. 2.
c. 21	Finance Act, 1924 ...	Ss. 1, 6 (1) (3), 8, 9, 19, 20, 32, 40, 41 (4), schs. 2, 3 repealed.	6, S.L.R.
c. 24	Isle of Man (Customs) Act, 1924.	Ss. 1, 2, 3 repealed	6, S.L.R.
c. 26	Public Works Loans Act, 1924.	S. 4 continued (1.8.51)	19, s. 4 (1).
c. 27	Conveyancing (Scotland) Act, 1924.	Repealed... ..	6, S.L.R.
c. 29	Local Authorities (Emergency Provisions) Act, 1924.	Ss. 1 (2), 16 (5) repealed	6, S.L.R.
c. 31	Local Authorities (Emergency Provisions) Act, 1924.	Repealed so far as unrepealed.	6, S.L.R.
c. 31	Appropriation Act, 1924	Repealed... ..	6, S.L.R.
c. 34	London Traffic Act, 1924	S. 17 repealed in part	6, S.L.R.
c. 35	Housing (Financial Provisions) Act, 1924.	S. 8 repealed (S.)	34, s. 187, sch. 13 Pt. I.

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14 & 15 Geo. 5: c. 39	Arbitration Clauses (Protocol) Act, 1924.	Repealed with saving ...	27, s. 44 (3).
C.A.M. No. 5	Diocese of Southwell (Division) Measure, 1923.	S. 13 (2), sch. repealed	6, S.L.R.
15 & 16 Geo. 5: c. 1	Expiring Laws Continuance Act, 1924.	Repealed... ..	6, S.L.R.
c. 4	Law of Property Act (Postponement) Act, 1924.	Repealed... ..	6, S.L.R.
c. 5	Law of Property (Amendment) Act, 1924.	Ss. 1, 10, 12 (3), schs. 1, 10 repealed.	6, S.L.R.
c. 7	William Preston Indemnity Act, 1925.	Repealed... ..	6, S.L.R.
c. 8	Consolidated Fund (No. 1) Act, 1925.	Repealed... ..	6, S.L.R.
c. 12	British Sugar (Subsidy) Act, 1925.	Repealed... ..	6, S.L.R.
c. 13	Trade Facilities Act, 1925	Repealed... ..	6, S.L.R.
c. 15	Housing (Scotland) Act, 1925.	Repealed with saving ...	6, S.L.R.; 34, s. 187, sch. 13 Pt. I.
c. 18	Settled Land Act, 1925...	Ss. 7 (5), 17 restricted ... S. 73 (i) (ii) applied ...	15, s. 44 (5). S.I. No. 268, reg. 18, sch. 6, S.L.R.
c. 19	Trustee Act, 1925 ...	Ss. 119 in part, 120 (2), sch. 5 repealed. Ss. 70 in part, 71 (2), sch. 2 repealed.	6, S.L.R.
c. 20	Law of Property Act, 1925.	Ss. 207 in part, 209 (2), sch. 7 repealed.	6, S.L.R.
c. 21	Land Registration Act, 1925.	S. 147 in part, sch. repealed.	6, S.L.R.
c. 22	Land Charges Act, 1925	S. 15 (6) extended ...	24, s. 9 (5); 39, ss. 1, 36 (9), sch. 2 para. 4.
c. 23	Administration of Estates Act, 1925.	Ss. 24 in part, 26 (2), sch. repealed. S. 58 (2), sch. 2 repealed	6, S.L.R.
c. 24	Universities and College Estates Act, 1925.	S. 26 (1) (ii) applied ...	S.I. No. 268, reg. 18, sch. 6, S.L.R.
c. 25	Army and Air Force (Annual) Act, 1925.	Ss. 44 in part, 45 (2), sch. 2 repealed. Preamble, ss. 2, 3, 5 (3), 9, 16 (2), sch. 1 repealed	6, S.L.R.
c. 26	British Empire Exhibition (Guarantee) Act, 1925.	Repealed... ..	6, S.L.R.
c. 27	Charitable Trusts Act, 1925.	Ss. 1 (4), 3 (2) repealed	6, S.L.R.
c. 28	Administration of Justice Act, 1925.	Ss. 27, 29 (4) (5), schs. 4, 5 repealed.	6, S.L.R.
c. 29	Gold Standard Act, 1925	S. 2 repealed	6, S.L.R.
c. 30	Importation of Pedigree Animals Act, 1925.	Repealed... ..	36, s. 89, sch. 5.
c. 33	Church of Scotland (Property and Endowments) Act, 1925.	S. 48 in part, sch. 12 repealed.	6, S.L.R.

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15 & 16 Geo. 5: c. 34	Northern Ireland Land Act, 1925.	Ss. 3 (1)-(3), 4, 8, 9-11, 12 (2) (3), 13, 14, 17-19, 21, 23 (3), 24, 25, 28, 35, schs. 2, 3 repealed.	6, S.L.R.
c. 36	Finance Act, 1925 ...	Ss. 1, 2 repealed ... S. 4 restricted S. 5 (1) repealed Ss. 6 (1), 7 (2)-(4), 13, 14 repealed. S. 15 (2) amended S. 15 (3) repealed in part S. 19 applied S. 28 (6) repealed Sch. 2 Pt. II para. 1 substituted. Sch. 2 Pt. II para. 3 amended. Schs. 3 in part, 5 repealed S. 8 (3) repealed	6, S.L.R. S.I. No. 664, Art. 1 (1). S.I. No. 664, Art. 1 (3). 6, S.L.R. 15, ss. 25, 50 (7). 15, ss. 35 (b), 50 (7) (8), Sch. 8 Pt. II. 15, ss. 38 (3), 50 (7). 6, S.L.R. S.I. No. 664, Art. 1 (2) (a), Sch. 1 Pts. I, II. S.I. No. 664, Art. 1 (2) (b). 6, S.L.R. 6, S.L.R.
c. 38	Performing Animals (Regulation) Act, 1925.	Sch. 2 repealed in part ...	5, s. 1, sch. Pt. II.
c. 42	Merchant Shipping (International Labour Conventions) Act, 1925.	S. 2 (3) repealed	6, S.L.R.
c. 43	Former Enemy Aliens (Disabilities Removal) Act, 1925.	Ss. 4 (3), 5 (7), 11 (3) repealed.	6, S.L.R.
c. 45	Guardianship of Infants Act, 1925.	S. 2 (1) amended S. 14 amended with saving. S. 27 extended S. 49 applied S. 99 extended S. 128 amended S. 128 (2) excluded Ss. 176-198A repealed Ss. 226 in part, 227 (2) repealed. Sch. 3, Pt. III, paras. 1-3 amended with saving. Sch. 6 repealed	4, s. 1. 11 (14 & 15 Geo. 6), s. 19, sch. 2. 27, s. 21 (3). 29, s. 16 (1). 27, s. 38(3). 2 (14 & 15 Geo. 6), s. 1 (2). 11 (14 & 15 Geo. 6), s. 21 (2). 25, s. 34, sch. 6, S.L.R.
c. 49	Supreme Court of Judicature (Consolidation) Act, 1925.	S. 7 (3) repealed	11 (14 & 15 Geo. 6), s. 19, sch. 2. 6, S.L.R.
c. 51	Summary Jurisdiction (Separation and Maintenance) Act, 1925.	Ss. 1-4 repealed... .. Ss. 5, 7 continued (1, 8, 51). Ss. 8, 9 repealed Repealed... ..	6, S.L.R. 19, s. 4 (1). 6, S.L.R. 6, S.L.R.
c. 56	Isle of Man (Customs) Act, 1925.		
c. 57	Appropriation Act, 1925		

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15 & 16 Geo. 5: c. 59	Teachers (Superannuation) Act, 1925.	S. 9 (1) (b) modified (Army education).	S.I. No. 406.
c. 60	Therapeutic Substances Act, 1925.	S. 23 (2) (3) repealed ...	6, S.L.R.
c. 61	Allotments Act, 1925 ...	S. 8 (2) repealed... ..	6, S.L.R.
c. 62	Public Work Loans Act, 1925.	Restricted	31, s. 9.
c. 63	Diseases of Animals Act, 1925.	S. 4 repealed	31, s. 15 (3), sch.
c. 73	National Library of Scotland Act, 1925.	S. 12 (3) repealed ...	6, S.L.R.
c. 74	Dangerous Drugs Act, 1925.	Repealed... ..	6, S.L.R.
		S. 13 (1)-(3) repealed ...	6, S.L.R.
		Ss. 2, 4 (2) repealed ...	6, S.L.R.
		S. 5 amended (<i>prosp.</i>) ...	7 (14 & 15 Geo. 6), s. 2.
		S. 7 (2) repealed (<i>prosp.</i>)	7 (14 & 15 Geo. 6), s. 1 (1) (a).
c. 76	Expiring Laws Act, 1925.	S. 7 (3) repealed... ..	6, S.L.R.
c. 77	Ireland (Confirmation of Agreement) Act, 1925.	S. 2, sch. 2 repealed ...	6, S.L.R.
c. 78	Appropriation (No. 2) Act, 1925.	Repealed... ..	6, S.L.R.
c. 79	Safeguarding of Industries (Customs Duties) Act, 1925.	Repealed... ..	6, S.L.R.
c. 81	Circuit Courts and Criminal Procedure (Scotland) Act, 1925.	Sch. repealed	6, S.L.R.
c. 82	Roads and Streets in Police Burghs (Scotland) Act, 1925.	S. 3 repealed	6, S.L.R.
c. 86	Criminal Justice Act, 1925.	Ss. 30, 42, 49 (4) (5), sch. 3 repealed.	6, S.L.R.
c. 87	Tithe Act, 1925	Ss. 23, 26 (3) (4), sch. 2 repealed	6, S.L.R.
c. 88	Coastguard Act, 1925 ...	S. 3 (4) repealed	6, S.L.R.
c. 90	Rating and Valuation Act, 1925	Ss. 6 (3), 12 (4), 15 (2), 48 (9), 69 (4), sch. 8 repealed.	6, S.L.R.
16 & 17 Geo. 5: c. 1	Consolidated Fund (No. 1) Act, 1926.	Repealed... ..	6, S.L.R.
c. 2	Public Works Loans Act, 1926.	Repealed... ..	6, S.L.R.
c. 6	Army and Air Force (Annual) Act, 1926.	Preamble, ss. 2, 3, 4, 10 (2). sch. 1 repealed.	6, S.L.R.
c. 7	Bankruptcy (Amendment) Act, 1926.	S. 9 repealed	6, S.L.R.
c. 9	Economy (Miscellaneous Provisions) Act, 1926.	S. 19 (2), sch. 4 repealed.	6, S.L.R.
c. 10	Local Authorities (Emergency Provisions) Act, 1926.	Repealed so far as unrepealed.	6, S.L.R.
c. 11	Law of Property (Amendment) Act, 1926.	S. 8 (2) repealed	6, S.L.R.

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16 & 17 Geo. 5:			
c. 12	Unemployment Insurance Act, 1926.	Repealed... ..	6, S.L.R.
c. 16	Execution of Diligence (Scotland) Act, 1926.	S. 7 repealed	6, S.L.R.
c. 17	Coal Mines Act, 1925 ...	Repealed... ..	6, S.L.R.
c. 18	Secretaries of State Act, 1926.	S. 4 (2), sch. repealed ...	6, S.L.R.
c. 19	Re-election of Ministers Act (1919) Amendment Act, 1926.	Repealed... ..	6, S.L.R.
c. 22	Finance Act, 1926 ...	Ss. 1, 2, 11, 19, 25 (2), 32 (3), 37 (3), 47 (5), sch. 5 repealed.	6, S.L.R.
c. 23	Appropriation Act, 1926	Repealed... ..	6, S.L.R.
c. 27	Isle of Man (Customs) Act, 1926.	Ss. 1-5, 7 repealed ...	6, S.L.R.
		S. 8 continued (1.8.51).	19, s. 4.
		Ss. 9, 10, 14, schs. 1-3 repealed.	6, S.L.R.
c. 28	Mining Industry Act, 1926.	Ss. 17 (3), 18 repealed ...	6, S.L.R.
c. 29	Adoption of Children Act, 1926.	Act, except ss. 5 (3) (4), 10, repealed.	6, S.L.R.; 26, s. 46, schs. 4, 5.
c. 31	Home Counties (Music and Dancing) Licensing Act, 1926.	S. 6, sch. 2 repealed ...	6, S.L.R.
c. 32	Midwives Act, 1926 ...	S. 3 (1) repealed ...	13, s. 7 (3).
		S. 4 repealed in part ...	13, s. 16, sch. 3 Pt. I.
c. 33	Appropriation (No. 2) Act, 1926.	Repealed... ..	6, S.L.R.
c. 36	Parks Regulation (Amendment) Act, 1926.	S. 4 (4), sch. repealed ...	6, S.L.R.
c. 37	Lead Paint (Protection against Poisoning) Act, 1926.	S. 8 (2) repealed ...	6, S.L.R.
c. 40	Indian and Colonial Divorce Jurisdiction Act, 1926.	Extended	20, s. 1 (a) (b).
		S. 1 amended	20, s. 1 (c) (d) (e).
		applicable by O. in C.	20, s. 3 (1).
		S. 2 extended	20, s. 2 (1).
		repealed in part ...	5, s. 1, sch. Pt. II.
c. 43	Public Health (Smoke Abatement) Act, 1926.	Ss. 9 so far as unrepealed, 12 (4) repealed.	6, S.L.R.
c. 44	Supreme Court of Judicature of Northern Ireland Act, 1926.	S. 1 (2) amended with saving.	11 (14 & 15 Geo. 6), s. 19, sch. 2.
c. 45	Fertilisers and Feeding Stuffs Act, 1926.	S. 30 (2) (3) repealed ...	6, S.L.R.
c. 47	Rating (Scotland) Act, 1926.	Ss. 30, 31 (2), sch. 3 repealed.	6, S.L.R.
c. 48	Births and Deaths Registration Act, 1926.	S. 13 (1) (4), sch. 2 repealed.	6, S.L.R.
c. 49	Expiring Laws Continuance Act, 1926.	Repealed... ..	6, S.L.R.
c. 51	Electricity (Supply) Act, 1926.	S. 35 (1) (b) repealed ...	39, s. 24, sch. 5.
c. 53	Merchandise Marks Act, 1926.	S. 1 (5) repealed ...	6, S.L.R.
c. 56	Housing (Rural Workers) Act, 1926.	Ss. 1, 2 restricted (S.) ...	34, s. 130, sch. 10.
		S. 3 excluded (S.) ...	34, s. 73 (8).
		modified (S.) ...	34, s. 119.

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16 & 17 Geo. 5: c. 59	Coroners (Amendment) Act, 1926.	Ss. 1 (4), 4 (6), 9, 31 in part, 34 (4), sch. 3 repealed.	6, S.L.R.
c. 60	Legitimacy Act, 1926 ...	S. 2 repealed	25, s. 34, sch. 6, S.L.R.
c. 63	Sale of Food (Weights and Measures) Act, 1926.	S. 12 (2) repealed S. 4 (2) (a) restricted S. 15 (2) (3), sch. 3 repealed.	S.I. No. 790. 6, S.L.R.
C.A.M. No. 1	Brislington Parishes Transfer Measure, 1926.	S. 3 repealed	6, S.L.R.
C.A.M. No. 2	Rural Deaneries of Pontefract and Hensworth (Transfer) Measure, 1926.	S. 3 repealed	6, S.L.R.
C.A.M. No. 5	First Fruits and Tenths Measure, 1926.	Sch. 2 repealed	6, S.L.R.
C.A.M. No. 8	Benefices (Ecclesiastical Duties) Measure, 1926.	Pt. I (ss. 1-13), s. 16, schs. 1, 2 repealed. Sch. 3 repealed	C.A.M. No. 1, s. 1. 6, S.L.R.
17 & 18 Geo. 5: c. 1	Public Works Loans Act, 1927.	Repealed so far as unrepealed.	6, S.L.R.
c. 2	Consolidated Fund (No. 1) Act, 1927.	Repealed... ..	6, S.L.R.
c. 4	Royal and Parliamentary Titles Act, 1927.	S. 1 repealed	6, S.L.R.
c. 7	Army and Air Force (Annual) Act, 1927.	Preamble, ss. 2, 3, sch. repealed.	6, S.L.R.
c. 8	Government of India (Indian Navy) Act, 1927.	Repealed so far as unrepealed.	6, S.L.R.
c. 10	Finance Act, 1927 ...	Ss. 1, 7 (1), (2), 9, 19, 20 repealed. S. 40 (2) amended S. 42 (9) saved S. 46 repealed in part Ss. 47 (3), 48, 57 (6), sch. 2, Pts. I, II repealed. Sch. 5, Pt. II para. 1 repealed. Sch. 6 repealed	6, S.L.R. 15, ss. 24 (1), 50 (7). 15, ss. 30 (5), 50 (7). 15, s. 50 (7) (8), sch. 8, Pt. II. 6, S.L.R. 15, s. 50 (7) (8), sch. 8, Pt. II. 6, S.L.R. 6, S.L.R.
c. 11	Appropriation Act, 1927	Repealed... ..	6, S.L.R.
c. 12	Auctions (Bidding Agreements) Act, 1927.	S. 4 repealed in part	6, S.L.R.
c. 13	Diseases of Animals Act, 1927.	Repealed... ..	6, S.L.R.; 36, s. 89 (1), sch. 5.
c. 16	Land Tax Commissioners Act, 1927.	Repealed... ..	6, S.L.R.
c. 17	Midwives (Scotland) Act, 1927.	S. 6 (1) repealed S. 7 (1) repealed in part... ..	13, s. 7 (4). 13, s. 16, sch. 3, Pt. I.
c. 20	Isle of Man (Customs) Act 1927.	Ss. 2, 3, 4, 5, 6, 8, 9, 10, 13, 17 (2), schs. 2, 4 repealed.	6, S.L.R.
c. 21	Moneylenders Act 1927	S. 19 in part, sch. 2, repealed.	6, S.L.R.

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17 & 18 Geo. 5: c. 23	Crown Lands Act, 1927	Ss. 16 (2), 25 (c), 26 (2), sch. repealed.	6, S.L.R.
c. 25	Appropriation (No. 2) Act, 1927.	Repealed... ..	6, S.L.R.
c. 28	Public Works Loans Act, 1927.	Repealed... ..	6, S.L.R.
c. 34	Expiring Laws Continuance Act, 1927.	Repealed... ..	6, S.L.R.
c. 35	Sheriff Courts and Legal Officers (Scotland) Act, 1927.	Ss. 22, 23, 24 (1), sch. repealed.	6, S.L.R.
c. 36	Landlord and Tenant Act, 1927.	S. 26 (2) repealed ...	6, S.L.R.
c. 37	Road Transport Lighting Act, 1927.	Ss. 11 (1), 16 (2), sch. repealed.	6, S.L.R.
c. 39	Medical and Dentists Acts Amendment Act, 1927.	Sch. Pt. I amended ...	29, s. 14.
c. 40	Indian Church Act, 1927	Sch. Pt. I, art. 4 explained	29, s. 25 (2).
c. 42	Statute Law Revision 1927.	Ss. 2 (1), 11, sch, 1, repealed.	6, S.L.R.
c. 42	Statute Law Revision 1927.	Sch. Pt. I repealed ...	6, S.L.R.
18 & 19 Geo. 5: c. 1	Consolidated Fund (No. 1) Act, 1928.	Repealed... ..	6, S.L.R.
c. 6	Rating (Scotland) Amendment Act, 1928.	Repealed... ..	6, S.L.R.
c. 7	Army and Air Force Act, 1928.	Preamble ss. 2, 3, 4 in part, 7 (2), (3), 8, schs. 1, 3 repealed.	6, S.L.R.
c. 9	Local Authorities (Emergency Provisions) Act, 1928.	Repealed so far as unrepealed.	6, S.L.R.
c. 11	Cotton Industry Act, 1928	Repealed... ..	6, S.L.R.
c. 13	Currency and Bank Notes Act, 1928.	S. 13 (2) (4) sch. repealed	6, S.L.R.
c. 15	Bankers (Northern Ireland) Act, 1928.	S. 4 (3) repealed ...	6, S.L.R.
c. 16	Mr. Speakers Retirement Act, 1928.	Repealed... ..	6, S.L.R.
c. 17	Finance Act, 1928 ...	S. 2 (1) (3) amended ...	15, ss. 1, 5 (1), 50 (7).
		S. 2 (6) (8) applied ...	15, ss. 2, 50 (7), sch. 1 paras. 1, 2.
		S. 3 extended	15, ss. 5 (2), 50 (7).
		S. 3 (2) applied	15, ss. 2, 50 (7), sch. 1, para. 3.
		Ss. 5, 9, 15, 20, 35 (6) repealed.	6, S.L.R.
		Sch. 1 para. 5 applied ...	15, ss. 2, 50 (7), sch. 1 para. 4.
c. 18	Appropriation Act, 1928	Sch. 5 repealed	6, S.L.R.
c. 26	Administration of Justice Act, 1928.	Repealed	6, S.L.R.
		S. 5 repealed	6, S.L.R.
		S. 19 (3) repealed	25, s. 34, sch.
		S. 20 (2) repealed	6, S.L.R.
		Sch. 1, Pt. III repealed	25, s. 34, sch.
		Sch. 2 repealed	6, S.L.R.

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18 & 19 Geo. 5: c. 29	Slaughter of Animals (Scotland) Act, 1928.	S. 11 (2) repealed ...	6, S.L.R.
c. 31	Food and Drugs (Adulteration) Act, 1928.	Repealed so far as unrepealed (N.I.).	6, S.L.R.
c. 32	Petroleum (Consolidation) Act, 1928.	S. 26 in part, sch. 3 repealed.	6, S.L.R.
c. 33	Shops (Hours of Closing) Act, 1928.	Repealed	6, S.L.R.; 28, s. 76 (1), sch. 8.
c. 34	Reorganisation of Offices (Scotland) Act, 1928.	Ss. 1 in part, 14, sch. repealed.	6, S.L.R.
c. 35	Easter Act, 1928 ...	Sch. repealed in part ...	5, s. 1, sch. Pt. II.
c. 36	Naval Prize Act, 1928 ...	S. 4 (2), sch. repealed ...	6, S.L.R.
c. 42	Criminal Law Amendment Act, 1928.	S. 2 (2) repealed ...	6, S.L.R.
c. 43	Agricultural Credits Act, 1928.	Ss. 12, 15 (2) repealed ...	6, S.L.R.
c. 44	Rating and Valuation (Apportionment) Act, 1928.	S. 9 (15) repealed ...	6, S.L.R.
19 & 20 Geo. 5: c. 2	Consolidated Fund (No. 1) Act, 1928 (Session 2).	Repealed... ..	6, S.L.R.
c. 3	Expiring Laws Continuance Act, 1928.	Repealed... ..	6, S.L.R.
c. 5	Public Works Loans Act, 1928.	Repealed... ..	6, S.L.R.
c. 10	Consolidated Fund (No. 2) Act, 1929.	Repealed... ..	6, S.L.R.
c. 13	Agricultural Credits (Scotland) Act, 1929.	S. 10 (2) repealed ...	6, S.L.R.
c. 14	Northern Ireland Land Act, 1929.	Ss. 1, 2, 5, 6 repealed ...	6, S.L.R.
c. 16	Pensions (Governors of Dominions, etc.) Act, 1929.	Ss. 3 (4), 10 (3), sch. repealed.	6, S.L.R.
c. 17	Local Government Act, 1929.	S. 33 extended S. 35 (4) repealed S. 75 excluded Ss. 130, 137 repealed S. 138 (2) repealed in part	39, s. 23 (6). 6, S.L.R. 31, s. 11 (1). 6, S.L.R. 36, s. 89 (1) sch. 5.
		Sch. 3, para. 1 repealed... ..	36, s. 89 (1) sch. 5.
c. 20	Army and Air Force (Annual) Act, 1929.	Sch. 12 repealed Preamble, ss. 2, 3, sch. 1, sch. 2 in part, repealed.	6, S.L.R. 6, S.L.R.
c. 21	Finance Act, 1929 ...	Ss. 1, 2, 3, 5, 6 (3), sch. repealed.	6, S.L.R.
c. 22	Appropriation Act, 1929	Repealed... ..	6, S.L.R.
c. 25	Local Government (Scotland) Act, 1929.	Ss. 3 in part, 72, 74, 75, 76 (1)-(3) (7), 79 (1), 80 (2) repealed. Sch. 1, Pt. I para. 8 repealed. Sch. 9 repealed	6, S.L.R. 36, s. 89 (1), sch. 5. 6, S.L.R.

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19 & 20 Geo. 5: c. 27	Savings Banks Act, 1929	Ss. 3, 20 (4) (5), sch. repealed.	6, S.L.R.
c. 29	Government Annuities Act, 1929.	Ss. 36 (1), 66 (1), 69, 70 in part, sch. 2 repealed.	6, S.L.R.
c. 30	Chatham and Sheerness Stipendiary Magistrate Act, 1929.	Repealed... ..	6, S.L.R.
c. 32	Artificial Cream Act, 1929	S. 8 (2) repealed ...	6, S.L.R.
c. 37	Police Magistrates Superannuation (Amendment) Act, 1929.	S. 1 (1) amended with saving.	11 (14 & 15 Geo. 6.), s. 19, sch. 2.
C.A.M. No. 2	Representation of the Laity Measure, 1929.	S. 3 (2) repealed ...	6, S.L.R.
C.A.M. No. 3	Ecclesiastical Dilapidations (Amendment) Measure, 1929.	S. 2 repealed	6, S.L.R.
S. 10 (6) repealed.			6, S.L.R.
20 & 21 Geo. 5: c. 1	Isle of Man (Customs) Act, 1929.	S. 1 repealed S. 3 repealed in part ... continued (1.8.51) ...	6, S.L.R. 6, S.L.R. 19, s. 4 (1).
c. 4	Irish Free State (Confirmation of Agreement) Act, 1929.	S. 4 repealed S. 2 (2) repealed ...	6, S.L.R. 6, S.L.R.
c. 9	Under Secretaries of State Act, 1929.	Repealed... ..	6, S.L.R.
c. 11	Consolidated Fund (No. 2) Act, 1929 (Session 2).	Repealed... ..	6, S.L.R.
c. 12	Expiring Laws Continuance Act, 1929.	Repealed... ..	6, S.L.R.
c. 14	Consolidated Fund (No. 2) Act, 1930.	Repealed... ..	6, S.L.R.
c. 15	Arbitration (Foreign Awards) Act, 1930.	Repealed with saving ...	27, ss. 43, 44 (3).
c. 18	Consolidated Fund (No. 3) Act, 1930.	Repealed... ..	6, S.L.R.
c. 20	Land Drainage (Scotland) Act, 1930.	Ss. 3, 10 repealed ...	6, S.L.R.
c. 22	Army and Air Force (Annual) Act, 1930.	Preamble, ss. 2, 3, 6 (2), 8, sch. 1 repealed.	6, S.L.R.
c. 23	Mental Treatment Act, 1930.	Ss. 14 (2), 15 (3), 16 (3), 22 (2) (4), sch. 4 repealed.	6, S.L.R.
c. 27	Appropriation Act, 1930	Repealed... ..	6, S.L.R.
c. 28	Finance Act, 1930 ...	Ss. 1 (1) (2), 2 (2) (5), 4, 5 repealed. S. 7 applied	6, S.L.R. 15, ss. 2, 50 (7), sch. 1 para. 2.
		Ss. 8-10 repealed ...	6, S.L.R.
		S. 39 modified (<i>retrosp.</i>)	15, ss. 44 (8), 50 (7).
		S. 40 restricted	15, ss. 48, 50 (7).
		Ss. 46, 53 (8), sch. 3 repealed.	6, S.L.R.
c. 32	Poor Prisoners Defence Act, 1930.	S. 5 repealed in part ...	6, S.L.R.

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20 & 21 Geo. 5: c. 35	Hairdressers' and Barbers' Shops (Sunday Closing) Act, 1930.	Repealed... ..	6, S.L.R.; 28, s. 76 (1), sch. 8.
c. 37	Adoption of Children (Scotland) Act, 1930.	Act, except ss. 5 (4) (5) 10, repealed.	6, S.L.R.; 26, s. 46, sch. 4.
c. 38	Navy and Marines (Wills) Act, 1930.	Ss. 1 (1), 2 (3), sch. 2, repealed.	6, S.L.R.
c. 39	Housing Act, 1930 ...	Ss. 64 in part, 65 (4), sch. 6 repealed.	6, S.L.R.
c. 40	Housing (Scotland) Act, 1930.	Ss. 1-6, repealed ...	34, s. 187, sch. 13, Pt. I.
		s. 7 (1) (i)-(iii), (2) (4) repealed,	34, s. 187, sch. 13, Pt. I.
		(1) (iv), (3) repealed (<i>prosp.</i>).	34, s. 187, sch. 13, Pt. II.
		Ss. 8-21, repealed ...	34, s. 187, sch. 13, Pt. I.
		S. 22 repealed	6, S.L.R.; 34, s. 187, sch. 13, Pt. I.
		Ss. 25-45, 47, 48, 49 in part, 50 in part repealed.	6, S.L.R.
		S. 51 repealed	6, S.L.R.; 34, s. 187, sch. 13, Pt. I.
		Schs. 1-4, 5 in part repealed	6, S.L.R.
		Sch. 6 repealed	6, S.L.R.; 34, s. 187, sch. 13, Pt. I.
c. 42	Isle of Man (Customs) Act, 1930.	Ss. 1, 3 repealed ...	6, S.L.R.
		S. 4 amended and extended.	19, s. 1.
		S. 4 (1) repealed in part	19, s. 8 (2), sch.
		S. 5 repealed	6, S.L.R.
c. 43	Road Traffic Act, 1930...	S. 5 excluded (Holders of International Driving Permits).	S.I. No. 333.
		S. 47 (1) amended (26.4.51).	39, s. 27 (1).
		S. 48 extended (<i>prosp.</i>)...	24, s. 6 (1), (2).
		S. 54 extended (<i>prosp.</i>)...	24, s. 12 (2).
		S. 60 (<i>f</i>) repealed ...	6, S.L.R.
		S. 71 (4) applied as modified.	S.I. No. 1166, art. 7.
		S. 101 restricted... ..	S.I. No. 1166, art. 6.
		S. 123 (2) repealed ...	6, S.L.R.
		Sch. 1 amended... ..	S.I. No. 1705.
c. 44	Land Drainage Act, 1930	Sch. 5 repealed in part ...	6, S.L.R.
		S. 80 (1) (3) (4) repealed (1.7.52).	xliv. s. 13 (2).
		S. 83 in part, sch. 7, repealed.	6, S.L.R.
c. 45	Criminal Appeal (Northern Ireland) Act, 1930.	S. 21 (4), sch. repealed...	6, S.L.R.

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20 & 21 Geo. 5:			
c. 46	British Museum Act, 1930	Ss. 2, 3 (2) repealed ...	6, S.L.R.
c. 48	London Naval Treaty Act, 1930.	Ss. 1 (2), 2 repealed ...	6, S.L.R.
c. 49	Public Works Loans Act, 1930.	Repealed... ..	6, S.L.R.
c. 51	Reservoirs (Safety Provisions) Act, 1930.	S. 12 (2) repealed ...	6, S.L.R.
C.A.M. No. 6	Clergy Pensions (Older Incumbents) Measure, 1930.	S. 11 repealed	6, S.L.R.
21 & 22 Geo. 5:			
c. 1	Consolidated Fund (No. 1) Act, 1930, Session 2.	Repealed... ..	6, S.L.R.
c. 4	Expiring Laws Continuance Act, 1930.	Repealed... ..	6, S.L.R.
c. 9	Colonial Naval Defence Act, 1931.	S. 4 repealed in part ...	6, S.L.R.
c. 10	Consolidated Fund (No 2) Act, 1931.	Repealed... ..	6, S.L.R.
c. 14	Army and Air Force (Annual) Act, 1931.	Preamble, ss. 2, 3, sch. 1 repealed.	6, S.L.R.
c. 16	Ancient Monuments Act, 1931.	S. 17 (3), sch. 3 repealed	6, S.L.R.
c. 22	Housing (Rural Workers) Amendment Act, 1931.	Repealed... ..	6, S.L.R.
c. 23	Mining Industry (Welfare Fund) Act, 1931.	Repealed... ..	6, S.L.R.
c. 27	Coal Mines Act, 1931 ...	Ss. 2, 3 (3) (4) repealed...	6, S.L.R.
c. 28	Finance Act, 1931 ...	Ss. 1 (1), 5, 6, 38, 39, 44 (6) so far as unrepealed, sch. 3 repealed.	6, S.L.R.
c. 29	Appropriation Act, 1931	Repealed... ..	6, S.L.R.
c. 30	Probation of Offenders (Scotland) Act, 1931.	S. 12 (2) (3), sch. repealed	6, S.L.R.
c. 31	Marriage (Prohibited Degrees of Relationship) Act, 1931.	Repealed (E.) S. 3 (3) repealed ...	25, s. 34, sch. 6, S.L.R.
c. 32	Road Traffic (Amendment) Act, 1931.	S. 1 repealed	6, S.L.R.
c. 33	Architects (Registration) Act, 1931.	S. 18 (1) repealed ...	6, S.L.R.
c. 34	Isle of Man (Customs) Act, 1931.	S. 1 repealed S. 2 repealed so far as unrepealed.	19, s. 8 (2), sch. 6, S.L.R.
c. 35	British Sugar Industry (Assistance) Act, 1931.	Repealed... ..	6, S.L.R.
c. 41	Agricultural Land (Utilisation) Act, 1931.	Ss. 5, 6, 7, 12 (2) repealed Ss. 13-16 restricted (E.)... Sch. 1 repealed so far as unrepealed.	6, S.L.R. 31, s. 9. 6, S.L.R.
c. 42	Agricultural Marketing Act, 1931.	S. 17 as amended, excluded.	36, s. 72 (2).
c. 44	Small Landholders and Agricultural Holdings (Scotland) Act, 1931.	Ss. 3 (2), 24, 41 (2), sch. 2 repealed.	6, S.L.R.
c. 45	Local Government (Clerks) Act, 1931.	S. 13 (2) repealed ...	6, S.L.R.
c. 46	Gold Standard (Amendment) Act, 1931.	S. 1 (3) repealed ...	6, S.L.R.

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21 & 22 Geo. 5: c. 47	Public Works Loans Act, 1931.	Repealed... ..	6, S.L.R.
c. 49	Finance (No. 2) Act, 1931	S. 2 (1) (2) repealed ... S. 4 applied	6 S.L.R. 15, ss. 2, 50 (7), sch. 1, para. 5.
c. 50	Appropriation (No. 2) Act, 1931.	Repealed... ..	6, S.L.R.
c. 51	Foodstuffs (Prevention of Exploitation) Act, 1931.	Repealed... ..	6, S.L.R.
C.A.M. No. 1	Episcopal Pensions (Sodor and Man) Measure, 1931.	S. 3 repealed	6, S.L.R.
C.A.M. No. 7	Cathedrals Measure, 1931	S. 31, sch. 3 repealed ...	6, S.L.R.
22 & 23 Geo. 5: c. 1	Abnormal Importations (Customs Duties) Act, 1931.	Repealed... ..	6, S.L.R.
c. 2	Expiring Laws Act, 1931	S. 2, sch. 2 repealed ...	6, S.L.R.
c. 3	Horticultural Products (Emergency Customs Duties) Act, 1931.	Repealed... ..	6, S.L.R.
c. 7	Indian Pay (Temporary Abatements) Act, 1931.	Repealed... ..	6, S.L.R.
c. 8	Import Duties Act, 1932	Pt. I (ss. 1-11) excluded... Sch. 1 (free list) amended	15, s. 11. S.I. Nos. 638, 825, 874, 1261, 1299, 1319, 1387, 1528, 1535, 1797.
c. 9	Merchant Shipping (Safety and Load Line Conventions) Act, 1932.	Ss. 24 (6), 35 (5), 39 (1) (2), 67 in part, 74 (2), sch. 4 repealed.	6, S.L.R.
c. 13	Financial Emergency Enactments (Continuance) Act, 1932.	Repealed... ..	6, S.L.R.
c. 14	Consolidated Fund (No. 1) Act, 1932.	Repealed... ..	6, S.L.R.
c. 15	Dangerous Drugs Act, 1932.	Ss. 2-3 amended (<i>prosp.</i>) S. 5 (2) repealed (<i>prosp.</i>)	7 (14 & 15 Geo. 6), s. 2. 7 (14 & 15 Geo. 6), s. 1 (1) (a).
c. 16	Isle of Man (Customs) Act, 1932.	S. 5 (3) (4) repealed ... S. 20 (1) repealed ...	6, S.L.R. 19, s. 8 (2), sch.
c. 18	Rating and Valuation Act, 1932.	S. 1 (2) repealed ...	6, S.L.R.
c. 20	Chancel Repairs Act, 1932.	S. 5 (3) repealed ...	6, S.L.R.
c. 21	President of the Board of Trade Act, 1932.	Repealed so far as un- repealed.	6, S.L.R.
c. 22	Army and Air Force (Annual) Act, 1932.	Preamble, ss. 2, 3, 15 (5), schs. 1, 4 repealed.	6, S.L.R.
c. 23	Grey Seals Protection Act, 1932.	S. 3 (2) repealed ...	6, S.L.R.
c. 24	Wheat Act, 1932 ...	S. 19 repealed	6, S.L.R.

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22 & 23 Geo. 5: c. 25	Finance Act, 1932 ...	Ss. 1 (2), 3 (2), 5 (6), 6 repealed. S. 9 amended S. 10 amended Ss. 15, 16 repealed S. 7 (2), sch. repealed ...	6, S.L.R. 15, ss. 12, 50 (7). 15, ss. 10, 50 (7). 6, S.L.R. 6, S.L.R.
c. 26	Universities (Scotland) Act, 1932.	S. 35 applied (Western Australia). S. 37 (5) substituted ...	S.I. No. 836, art. 1. 6 (14 & 15 Geo. 6), s. 1.
c. 37	Solicitors Act, 1932 ...	S. 69 applied Ss. 82 (1), 83 (2), sch. 4 repealed.	27, s. 18 (5). 6, S.L.R.
c. 41	Isle of Man (Customs) (No. 2) Act, 1932.	S. 7 repealed S. 9 continued (1.8.51) ... Ss. 11, 14 (3), sch. 2 ... repealed.	6, S.L.R. 19, s. 4. 6, S.L.R.
c. 42	Public Works Loans Act, 1932.	Repealed... ..	6, S.L.R.
c. 45	Rights of Way Act, 1932	S. 6 repealed	6, S.L.R.
c. 46	Children and Young Persons Act, 1932.	S. 90 (3) repealed	6, S.L.R.
c. 47	Children and Young Persons (Scotland) Act, 1932.	S. 83 (3) repealed	6, S.L.R.
c. 50	Appropriation Act, 1932	Repealed... ..	6, S.L.R.
c. 51	Sunday Entertainments Act, 1932.	Saved S. 6 (2) repealed	28, s. 22 (4). 6, S.L.R.
c. 53	Ottawa Agreements Act, 1932.	S. 8 repealed S. 14 (2) repealed Sch. 3 repealed	36, s. 89, sch. 5. 6, S.L.R. 36, s. 89, sch. 5.
c. 54	Transitional Payments (Determination of Need) Act, 1932.	Repealed... ..	6, S.L.R.
c. 55	Administration of Justice Act, 1932.	S. 1 (2) repealed	6, S.L.R.
23 & 24 Geo. 5: c. 1	Consolidated Fund (No. 1) Act, 1932.	Repealed... ..	6, S.L.R.
c. 2	Expiring Laws Continuance Act, 1932.	Repealed... ..	6, S.L.R.
c. 3	Consolidated Fund (No. 2) Act, 1933.	Repealed... ..	6, S.L.R.
c. 6	Visiting Forces (British Commonwealth) Act, 1933.	Ss. 3 (1), 4 (1) repealed in part. S. 7 (2) repealed S. 8 (1) repealed in part	5, s. 1, sch. Pt. II. 3, s. 10, sch. 1. 5, s. 1, sch. Pt. II.
c. 7	Indian Pay (Temporary Abatements) Act, 1933.	Repealed... ..	6, S.L.R.
c. 10	Russian Goods (Import Prohibition) Act, 1933.	S. 4 (2) repealed	6, S.L.R.
c. 11	Army and Air Force (Annual) Act, 1933.	Preamble, ss. 2, 3, sch. repealed.	6, S.L.R.
c. 12	Children and Young Persons Act, 1933.	Extended Ss. 86 modified (maintenance orders). S. 87 modified (maintenance orders). Powers of Court extended	28, s. 72 (1). 37, s. 14, sch. 1. 37, s. 14, sch. 1. 37, s. 4.

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23 & 24 Geo. 5: c. 12	Children and Young Persons Act, 1933— <i>cont.</i>	Ss. 88–89 modified (maintenance orders). S. 109 (2) (4), sch. 6 repealed.	37, s. 14, sch. 1. 6, S.L.R.
c. 14	London Passenger Transport Act, 1933.	Ss. 27, 50, 56, 82 (2), 108, sch. 11 in part, sch. 16 repealed.	6, S.L.R.
c. 15	Housing (Financial Provisions) Act, 1933.	Repealed so far as unrepealed.	6, S.L.R.
c. 18	Exchange Equalisation Account Act, 1933.	Repealed... ..	6, S.L.R.
c. 19	Finance Act, 1933 ...	Ss. 1 (1)–(6), 1 (7) in part, 2 (1), 7 (5), 8 (4) repealed. S. 10 repealed	6, S.L.R. 15, ss. 50 (7) (8), sch. 8 Pt. II. 6, S.L.R.
c. 20	False Oaths (Scotland) Act, 1933.	S. 8, sch. repealed ...	6, S.L.R.
c. 21	Solicitors (Scotland) Act, 1933.	Ss. 51, 52 in part, sch. 3 repealed.	6, S.L.R.
c. 22	Teachers (Superannuation) Act, 1933.	Repealed so far as unrepealed.	6, S.L.R.
c. 24	Solicitors Act, 1933 ...	S. 9 (3) repealed ...	6, S.L.R.
c. 25	Pharmacy and Poisons Act, 1933.	S. 31 (2) (4), sch. 3 repealed.	6, S.L.R.
c. 30	Cotton Industry Act, 1933	Repealed... ..	6, S.L.R.
c. 31	Agricultural Marketing Act, 1933.	Ss. 14 (4), 30 (2), sch. 4 repealed.	6, S.L.R.
c. 32	Rent and Mortgage Interest Restrictions (Amendment) Act, 1933.	S. 3 saved (S.) S. 18 (3), sch. 3 repealed.	34, s. 120. 6, S.L.R.
c. 34	Appropriation Act, 1933	Repealed... ..	6, S.L.R.
c. 36	Administration of Justice (Miscellaneous Provisions) Act, 1933.	S. 10 (3) (4), sch. 3 repealed.	6, S.L.R.
c. 38	Summary Jurisdiction (Appeals) Act, 1933.	S. 11 (2), sch. repealed	6, S.L.R.
c. 39	Slaughter of Animals Act, 1933.	S. 10 (3) repealed ...	6, S.L.R.
c. 40	Isle of Man (Customs) Act, 1933.	S. 4 continued (1. 8. 51) ... Ss. 6, 12 (4), 13 (3) repealed. S. 16 repealed Ss. 20, 21 (3), sch. 6 repealed.	19, s. 4 6, S.L.R. 19, s. 8 (2), sch. 6, S.L.R.
c. 41	Administration of Justice (Scotland) Act, 1933.	S. 41 (2), sch. repealed	6, S.L.R.
c. 48	Expiring Laws Continuance Act, 1933.	Repealed so far as unrepealed.	6, S.L.R.

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23 & 24 Geo. 5: c. 51	Local Government Act, 1933.	S. 193 (3) (5) excluded ... S. 290 (2)-(5) applied ...	31, s. 11 (2). 24, s. 1, sch., para. 3 (7); 39, ss. 15, 17, 24, 36 (10), sch. 6 para. 8. 6, S.L.R.
c. 52	Protection of Birds Act, 1933.	Ss. 304, 307 in part, 308 in part, schs. 10, 11 repealed. S. 2 (2) repealed ...	6, S.L.R.
c. 53	Road and Rail Traffic 1933.	Ss. 41 (4), 47 (3), 48, 49 (2) sch. 3 repealed.	6 S.L.R.
C.A.M. No. 2	Wythenshawe Parishes (Transfer) Measure, 1933.	S. 3 repealed	6, S.L.R.
24 & 25 Geo. 5: c. 3	Consolidated Fund (No. 1) Act, 1934.	Repealed... ..	6, S.L.R.
c. 5	Air Force Reserve (Pilots and Observers) Act, 1934.	Powers extended ...	33, s. 29.
c. 8	Indian Pay (Temporary Abatements) Act, 1934.	Repealed... ..	6, S.L.R.
c. 9	Mining Industry (Welfare Fund) Act, 1934.	S. 3 (2) (b) repealed ...	6, S.L.R.
c. 11	Army and Air Force (Annual) Act, 1934.	Preamble, ss. 2, 3, sch. 1 repealed.	6, S.L.R.
c. 14	Arbitration Act, 1934 ...	Repealed with saving ...	6, S.L.R.; 27, s. 44 (3). 6, S.L.R.
c. 18	Illegal Trawling (Scotland) Act, 1934.	S. 7, sch. repealed ...	6, S.L.R.
c. 19	Registration of Births, Deaths and Marriages (Scotland) (Amendment) Act, 1934.	S. 7 (2) repealed ...	6, S.L.R.
c. 20	Water Supplies (Exceptional Shortage) Orders Act, 1934.	Ss. 1 (1)-(4) (6) (7), 2, 3 (1)-(7). 4-11, 12 (2) (3), sch. repealed.	6, S.L.R.
c. 22	Assessor of Public Undertakings (Scotland) Act, 1934.	S. 4 repealed	6, S.L.R.
c. 30	Cotton Manufacturing Industry (Temporary Provisions) Act, 1934.	Ss. 1 and 2 continued until 31.12.51.	1 (14 & 15 Geo. 6), s. 1 (1), sch. Pt. I.
c. 32	Finance Act, 1934 ...	S. 1 (2) amended ... S. 1 (3) repealed ... S. 2 (5) repealed ... S. 3 (1) applied S. 3 (2) (3) repealed ... Ss. 4 (2), 6 (3), 19, 20 repealed. S. 21 (1) extended (<i>retrosp.</i>). S. 21 (5) repealed ... Ss. 27, 30 (7), sch. 4 repealed.	15, ss. 8, 50 (7). 6, S.L.R. 6, S.L.R. 15, ss. 2, 50 (7), sch. 1 para. 6. 6, S.L.R. 6, S.L.R. 15, ss. 27, 50 (7). 6, S.L.R. 6, S.L.R.

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24 & 25 Geo. 5: c. 35	Land Settlement (Scotland) Act, 1934.	Repealed... ..	6, S.L.R.
c. 36	Petroleum (Production) Act, 1934.	S. 3 repealed in part ...	39, s. 15, sch. 5.
c. 37	Trustees Savings Banks (Special Investments) Act, 1934.	S. 2 (2) repealed ...	6, S.L.R.
c. 39	British Sugar (Subsidy) Act, 1934.	Repealed... ..	6, S.L.R.
c. 41	Law Reform (Miscellaneous Provisions) Act, 1934.	Ss. 1 (7), 3 (2) repealed	6, S.L.R.
c. 42	Shops Act, 1934 ...	Repealed... ..	6, S.L.R.; 28, s. 76(1), sch. 8.
c. 44	Appropriation Act, 1934	Repealed... ..	6, S.L.R.
c. 46	Isle of Man (Customs) Act, 1934.	Ss. 1 (2), 2, 3 (4), 4 repealed.	6, S.L.R.
c. 47	Colonial Stock Act, 1934	Excluded (Newfoundland).	5, s. 1.
c. 48	Public Works Loans Act, 1934.	Repealed... ..	6, S.L.R.
c. 49	Whaling Industry Act, 1934.	S. 19 (2) repealed ...	6, S.L.R.
c. 50	Road Traffic Act, 1934...	S. 1 continued as amended until 31.12.51.	1 (14 & 15 Geo. 6), s. 1 (1), sch. Pt. 1.
c. 51	Milk Act, 1934	S. 42 (3) repealed ... Ss. 1 so far as unrepealed, 2, 3, 4 so far as unrepealed, 5, 6, 7, 8 so far as unrepealed, 11, 14 (2) repealed.	6, S.L.R. 6, S.L.R.
c. 53	County Courts Act, 1934	S. 4 (1) (b) amended ... S. 88 (1) amended ... S. 193 (3) (4) repealed ... Sch. 1 Pts. I and II amended with saving. Sch. 5 repealed ...	4, s. 2. 23, s. 12 (2). 6, S.L.R. 11 (14 & 15 Geo. 6), s. 19, sch. 2. 6, S.L.R.
c. 54	Cattle Industry (Emergency Provisions) Act, 1934.	Ss. 2, 3 repealed ...	6, S.L.R.
c. 57	Expiring Laws Continuance Act, 1934.	Repealed... ..	6, S.L.R.
c. 58	Betting and Lotteries Act, 1934.	Ss. 15 (5), 32, 33 (2), sch. 2 repealed.	6, S.L.R.,
25 & 26 Geo. 5: c. 2	Supreme Court of Judicature (Amendment) Act, 1935.	S. 4 repealed	25, s. 34, sch.
c. 4	Consolidated Fund (No. 1) Act, 1935.	Repealed... ..	6, S.L.R.
c. 6	Unemployment Assistance (Temporary Provisions) Act, 1935.	Repealed... ..	6, S.L.R.
c. 7	British Shipping (Assistance) Act, 1935.	Repealed... ..	6, S.L.R.
c. 10	Consolidated Fund (No. 2) Act, 1935.	Repealed... ..	6, S.L.R.

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25 & 26 Geo. 5: c. 12	Cattle Industry (Emergency Provisions) Act, 1935.	Repealed... ..	6, S.L.R.
c. 15	Post Office (Amendment) Act, 1935.	Ss. 2 (1), 4 (2), 16 (2), sch. 2 repealed.	6, S.L.R.
c. 17	Army and Air Force (Annual) Act, 1935.	Preamble, ss. 2, 3, sch. 1 repealed.	6, S.L.R.
c. 19	Land Drainage (Scotland) Act, 1935.	Repealed... ..	6, S.L.R.
c. 20	Vagrancy Act, 1935 ...	S. 1 (2) repealed ...	6, S.L.R.
c. 21	Northern Ireland Land Purchase (Winding Up) Act, 1935.	S. 15 (3) repealed ...	6, S.L.R.
c. 22	Unemployment Assistance (Temporary Provisions) (No. 2) Act, 1935.	Repealed... ..	6, S.L.R.
c. 23	Superannuation Act, 1935	S. 2 saved S. 3 extended S. 5 repealed S. 8 (2) (3) excluded ...	11 (14 & 15 Geo. 6), s. 15 (1). 2 (14 & 15 Geo. 6), s. 2 (2) (b). 6, S.L.R. 11 (14 & 15 Geo. 6), s. 10 (8).
c. 24	Finance Act, 1935 ...	S. 1 (3) amended extended S. 1 (5) repealed S. 2 amended applied S. 2 (2) amended S. 2 (4) repealed in part... S. 2 (7) (d) substituted (1.1.51). Ss. 8 (2), 9 (2), 12 (2), 17, 18 repealed. S. 19 (2) amended Ss. 24, 34 (5), (6), 35 (7), sch. 2 repealed.	15, ss. 16 (1) (3), 50 (7). 15, ss. 16 (2) (3), 50 (7). 6, S.L.R. 15, ss. 1 (5) (6), 13 (6), 50 (7). 15, ss. 2, 50 (7), sch. 1 para. 7. 15, ss. 2 (4), 50 (7). 15, ss. 2 (4), 50 (7) (8), sch. 8 Pt. 11. 15, ss. 13 (5) (6), 50 (7). 6, S.L.R. 15, ss. 24 (2), 50 (7). 6, S.L.R.
c. 25	Counterfeit Currency (Convention) Act, 1935.	S. 6 (6) repealed ...	6, S.L.R.
c. 28	Appropriation Act, 1935	Repealed... ..	6, S.L.R.
c. 30	Law Reform (Married Women and Tortfeasors) Act, 1935.	S. 5 (2) repealed S. 6 applied S. 7 repealed Sch. 1 repealed in part Sch. 2 repealed	6, S.L.R. 39, s. 19 (4). 6, S.L.R. 25, s. 34, sch. 6, S.L.R.
c. 31	Diseases of Animals Act, 1935.	Act, except s. 17, repealed	6, S.L.R.; 36, s. 89, sch. 5.
c. 34	Isle of Man (Customs) Act, 1935.	Ss. 1 (3), 3, 9 (2), sch. repealed.	6, S.L.R.

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25 & 26 Geo. 5: c. 37	British Sugar (Subsidy) Act, 1935.	Repealed... ..	6, S.L.R.
c. 39	Cattle Industry (Emergency Provisions) (No. 2) Act, 1935.	Repealed... ..	6, S.L.R.
c. 40	Housing Act, 1935 ...	S. 37 (1) (2) repealed	6, S.L.R.
c. 41	Housing (Scotland) Act, 1935.	Ss. 1-29 repealed with saving. S. 33 repealed with saving. Ss. 37-82, repealed with saving. Ss. 84, 85, 86 in part, 87 in part repealed with saving. S. 88 repealed with saving	6, S.L.R.; 34, s. 187, sch. 13, Pt. I. 34, s. 187, sch. 13, Pt. I. 6, S.L.R.; 34, s. 187, sch. 13, Pt. I. 34, s. 187, sch. 13, Pt. I.
c. 43	Salmon and Freshwater Fisheries Act, 1935.	S. 3 repealed	6, S.L.R.
c. 46	Money Payments (Justices Procedure) Act, 1935.	Ss. 5 (4), 7, 10 (4), 16 (2) (3), sch. repealed.	6, S.L.R.
C.A.M. No. 2	Farnham Castle Measure, 1935.	S. 2, para. (iii) repealed...	6, S.L.R.
26 Geo. 5 & 1 Edw. 8: c. 4	Expiring Laws Continuance Act, 1935.	Repealed... ..	6, S.L.R.
c. 5	Public Works Loans Act, 1935.	Ss. 1, 2, 3, 4, 5 (3), sch. repealed.	6, S.L.R.
c. 7	Unemployment Assistance (Temporary Provisions) (Extension) Act, 1936.	Repealed... ..	6, S.L.R.
c. 8	Consolidated Fund (No. 1) Act, 1936.	Repealed... ..	6, S.L.R.
c. 9	Milk (Extension of Temporary Provisions) Act, 1936.	Repealed... ..	6, S.L.R.
c. 11	Consolidated Fund (No. 2) Act, 1936.	Repealed... ..	6, S.L.R.
c. 12	British Shipping (Continuance of Subsidy) Act, 1936.	Repealed... ..	6, S.L.R.
c. 14	Army and Air Force (Annual) Act, 1936.	Preamble, 2, 3, sch. repealed.	6, S.L.R.
c. 15	Civil List Act, 1936 ...	Ss. 1-7, 10, 13 (1)-(4), sch. repealed.	6, S.L.R.
c. 16	Coinage Offences Act, 1936.	S. 18 (2) (3), sch. repealed	6, S.L.R.
c. 18	Sugar Industry (Reorganization) Act, 1936.	Ss. 3 (2), 5 (3), 14 in part, 16, sch. 1 Pt. II, sch. 2 repealed.	6, S.L.R.

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26 Geo. 5 & 1 Edw. 8:			
c. 22	Hours of Employment (Conventions) Act, 1936.	S. 6 (2) repealed ...	6, S.L.R.
c. 24	Employment of Women and Young Persons Act, 1936.	S. 5 (2) repealed ...	6, S.L.R.
c. 25	Pensions (Governors of Dominions, etc.) Act, 1936.	S. 1 (5) repealed ...	6, S.L.R.
c. 26	Land Registration Act, 1936.	Ss. 3 (2) (4), 5 (2) in part, 9 (2), sch. repealed.	6, S.L.R.
c. 28	Shops Act, 1936 ...	Repealed... ..	6, S.L.R.; 28, s. 76 (1), sch. 8.
c. 29	Malta (Letters Patent) Act, 1936.	S. 3 repealed in part ...	6, S.L.R.
c. 30	Retail Meat Dealers' Shops (Sunday Closing) Act, 1936.	Repealed... ..	6, S.L.R.; 28, s. 76 (1), sch. 8.
c. 31	Old Age Pensions Act, 1936.	Ss. 14 in part, 16 (1), sch. 2 repealed.	6, S.L.R.
c. 34	Finance Act, 1936 ...	Ss. 2, 3 (2), 14, 15, 33 (2), 35 (7) repealed.	6, S.L.R.
c. 35	Solicitors Act, 1936 ...	Sch. 1 amended ... Schs. 3 Pt. II, 4 repealed	15, ss. 9, 50 (7). 6, S.L.R.
c. 37	Appropriation Act, 1936	Ss. 7 in part, 9 (2), 10, 11, 17 (2) repealed.	6, S.L.R.
c. 38	Weights and Measures Act, 1936.	Repealed... ..	6, S.L.R.
c. 40	Midwives Act, 1936 ...	S. 13 (2) repealed ...	6, S.L.R.
		S. 2 (3) amended ...	13, s. 13, sch. 2.
		S. 5 (1)-(7) repealed ...	6, S.L.R.
		S. 6 amended ...	13, s. 13, sch. 2.
		S. 9 (3) repealed ...	13, s. 16, sch. 3 Pt. I.
		S. 9 (5) repealed ...	13, s. 16, sch. 3 Pt. II.
c. 43	Tithe Act, 1936 ...	S. 48 (3), sch. 9 repealed	6, S.L.R.
c. 45	Isle of Man (Customs) Act, 1936.	S. 2 repealed ...	6, S.L.R.
		S. 3 continued (1.8.51) ...	19, s. 4.
		S. 3 (2) repealed ...	6, S.L.R.
		S. 5 (3) repealed ...	6, S.L.R.
		S. 6 amended ...	19, s. 5.
		S. 11 (2), sch. 2 repealed	6, S.L.R.
c. 46	Cattle Industry (Emergency Provisions) Act, 1936.	Repealed... ..	6, S.L.R.
c. 47	Crown Lands Act, 1936	Ss. 8 (5), 10 (4), sch. 2 repealed.	6, S.L.R.
c. 48	Health Resorts and Watering Places Act, 1936.	S. 2 (3) repealed ...	6, S.L.R.
c. 49	Public Health Act, 1936	Extended Ss. 144 as modified, 145, 146 applied. Ss. 279 (2) in part, 279 (3) repealed. Ss. 346 in part, 347 in part, sch. 3 repealed.	28, s. 72 (2). S.I. No. 1554, reg. 5. 39, s. 15, sch. 5. 6, S.L.R.

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26 Geo. 5 & 1 Edw. 8: c. 50	Public Health (London) Act, 1936.	Extended Pt. II (ss. 14-81) saved... Ss. 308, 309 (2), sch. 7 repealed.	28, s. 72 (2). 39, s. 35, sch. 7 para. 2. 6, S.L.R.
c. 51	Housing Act, 1936 ...	Ss. 190, 191 (2), sch. 12 repealed.	6, S.L.R.
c. 52	Private Legislation Procedure (Scotland) Act, 1936.	Applicable by direction...	34, s. 33 (4); 39, s. 36 (12).
c. 53	Shops (Sunday Trading Restriction) Act, 1936.	S. 19 in part, sch. repealed Repealed	6, S.L.R.; 28, s. 76 (1), sch. 8.
C.A.M. No. 2	Union of Benefices (Amendment) Measure, 1936.	Ss. 2 (2), 17 (2) repealed	6, S.L.R.
1 Edw. 8 & 1 Geo. 6: c. 1	Merchant Shipping (Carriage of Munitions to Spain) Act, 1936.	Repealed... ..	6, S.L.R.
c. 4	Expiring Laws Continuance Act, 1936.	Repealed... ..	6, S.L.R.
c. 5	Road Trunks Act, 1936...	S. 1 (5) (6) repealed ... S. 5 (1)-(3) applied in part (<i>prosp.</i>).	6, S.L.R. 24, s. 13.
c. 6	Public Order Act, 1936...	S. 5 (4) repealed ...	6, S.L.R.
c. 7	Consolidated Fund (No. 1) Act, 1937.	S. 10 (3) repealed ...	6, S.L.R.
c. 8	Beef and Veal Customs Duties Act, 1937.	Repealed... ..	6, S.L.R.
c. 10	Unemployment Assistance (Temporary Provisions) (Amendment) Act, 1937.	Repealed... ..	6, S.L.R.
c. 11	Public Works Loans Act, 1937.	Repealed... ..	6, S.L.R.
c. 12	Firearms Act, 1937 ...	Ss. 31, 34 (2) (4), sch. 4 repealed.	6, S.L.R.
c. 14	East India Loans Act, 1937.	Ss. 9, 12 (2) (3), sch. 2 repealed.	6, S.L.R.
c. 16	Regency Act, 1937 ...	S. 7 repealed	6, S.L.R.
c. 17	Reserve Forces Act, 1937	Repealed... ..	32, s. 29 (1), sch. 3.
c. 19	Merchant Shipping (Spanish Frontiers Observation) Act, 1937.	Repealed... ..	6, S.L.R.
c. 20	Consolidated Fund (No. 2) Act, 1937.	Repealed... ..	6, S.L.R.
c. 21	British Shipping (Continuance of Subsidy) Act, 1937.	Repealed... ..	6, S.L.R.
c. 23	Merchant Shipping Act, 1937.	S. 2 repealed	6, S.L.R.
c. 26	Army and Air Force (Annual) Act, 1937.	Preamble, ss. 2, 3, sch. 1 repealed.	6, S.L.R.
c. 27	County Councils Association Expenses (Amendment) Act, 1937.	Repealed... ..	6, S.L.R.

Session and Chap. or No. of Measure	Short title or Subject	How affected	Chapter of 1950 Act or number of Measure or Statutory Instrument
1 Edw. 8 & 1 Geo. 6: c. 30	Maternity Services (Scotland) Act, 1937.	S. 8 (3) repealed ...	13, s. 16, sch. 3 Pt. I.
c. 33	Diseases of Fish Act, 1937	S. 10 repealed in part ...	6, S.L.R.
c. 37	Children and Young Persons (Scotland) Act, 1937.	S. 14 (2) repealed ... S. 50 (3) repealed ... S. 90 modified (maintenance orders). S. 91 modified (maintenance orders). powers of Court extended.	6, S.L.R. 26, s. 46, sch. 4. 37, s. 14, sch. 1. 37, s. 14, sch. 1. 37, s. 9.
c. 38	Ministers of the Crown Act, 1937.	Ss. 92, 93 modified (maintenance orders). S. 113 (2) (4), sch. 4 repealed.	37, s. 14, sch. 1.
c. 40	Public Health (Drainage of Trade Premises) Act, 1937.	S. 11 (2), sch. 4 repealed	6, S.L.R.
c. 42	Exportation of Horses Act, 1937.	Ss. 1 (3), 7 (6), 9 (4), 12 (5), 15 (3) repealed.	6, S.L.R.
c. 43	Public Records (Scotland) Act, 1937.	Repealed	6, S.L.R.; 36, s. 89, sch. 5.
c. 46	Physical Training and Recreation Act, 1937.	Ss. 15, 16, sch. 2 repealed	6, S.L.R.
c. 47	Teachers (Superannuation) Act, 1937.	S. 11 (2), sch. repealed ...	6, S.L.R.
c. 48	Methylated Spirits (Sale by Retail) (Scotland) Act, 1937.	Ss. 2 (5), 5 (2), sch. repealed.	6, S.L.R.
c. 50	Livestock Industry Act, 1937.	S. 8 (2) repealed	6, S.L.R.
c. 52	Chairman of Traffic Commissioners, etc. (Tenure of Office) Act, 1937.	Ss. 9, 38 in part, repealed	6, S.L.R.
c. 54	Finance Act, 1937 ...	S. 3 (2) extended ... restricted ...	11 (14 & 15 Geo. 6), s. 20, sch. 3 para. 4. 11 (14 & 15 Geo. 6), s. 21.
c. 55	Appropriation Act, 1937	Ss. 1, 2, 3 (5) (6), 5 (3), 6 (2), 10, 11, 16, 27, 28 (3), 34 (6), sch. 6 repealed.	6, S.L.R.
c. 57	Matrimonial Causes Act, 1937.	Repealed	6, S.L.R.
c. 58	Summary Procedure (Domestic Proceedings) Act, 1937.	Act, except s. 11, repealed	6, S.L.R.; 25, s. 34, sch.
c. 62	Coal Mines (Employment of Boys) Act, 1937.	S. 10 (4) repealed ...	6, S.L.R.
c. 63	Nigerian (Remission of Payments) Act, 1937.	S. 1 repealed in part ...	6, S.L.R.
c. 64	Isle of Man (Customs) Act, 1937.	Repealed	6, S.L.R.
c. 66	Milk (Amendment) Act, 1937.	S. 1 repealed S. 3 continued (1.8.51) S. 3 (5) repealed Ss. 1-6, 8 (2), 9 (2), sch. 1 in part, sch. 2 repealed.	6, S.L.R. 19, s. 4 6, S.L.R. 6, S.L.R.

Session and Chap. or No. of Measure	Short title or Subject	How affected	Chapter of 1950 Act or number of Measure or Statutory Instrument
1 Edw. 8 & 1 Geo. 6: c. 67	Factories Act, 1937 ...	S. 98 (6) repealed ... Ss. 123, 125 applied ... Ss. 140 (1) (2) (7), 141, 142 (2) incorporated. S. 152 applied S. 156 (7) (9) (10) incorporated. Ss. 159 in part, 160 (2), sch. 4 repealed.	28, s. 76 (1), sch. 8. 28, s. 71 (2), 72 (2). 28, s. 71 (3). 28, s. 29 (3) proviso. 28, s. 71 (3). 6, S.L.R.
c. 68	Local Government Superannuation Act, 1937.	Extended, modified and applied. S. 10 amended S. 35 extended	S.I. No. 497, regs. 48, 50, 53. S.I. No. 497, reg. 63. S.I. No. 145, rule 23.
c. 69	Local Government Superannuation (Scotland) Act, 1937.	S. 41 (1), sch. 4 repealed Extended, modified and applied. Pt. I (Ss. 1-21) applied as modified. S. 10 amended S. 28 (1) repealed S. 30 extended S. 35 (1) repealed	6, S.L.R. S.I. No. 498, regs. 45, 46, 49. 34, s. 179. S.I. No. 498, reg. 58. 6, S.L.R. S.I. No. 145, rule 23. 6, S.L.R.
c. 70	Agriculture Act, 1937 ...	S. 13 (3) repealed S. 18 repealed S. 19 (1) repealed in part repealed in part (E) Ss. 20-25, 27, 28 (1) repealed. S. 29 (1) (c) repealed (E.) (S.). S. 30 amended (E.) (S.) S. 32 repealed in part (E) (S) S. 34 (3) (4) repealed Sch. 2 repealed Sch. 3 repealed	6, S.L.R. 6, S.L.R.; 36, s. 89, sch. 5. 36, s. 89, sch. 5. 35, s. 36, sch. 5. } 36, s. 89, sch. 5. 36, s. 7 (2). 36, s. 89, sch. 5. 6, S.L.R. 6, S.L.R.; 36, s. 89, sch. 5. 6, S.L.R.
1 & 2 Geo. 6: c. 1	Expiring Laws Continuance Act, 1937.	Repealed	6, S.L.R.
c. 6	Air Raid Precautions Act, 1937.	S. 10 repealed	6, S.L.R.
c. 7	Public Works Loans Act, 1937.	Ss. 1, 2, sch. repealed ...	6, S.L.R.
c. 9	Consolidated Fund (No. 1) Act, 1938.	Repealed	6, S.L.R.
c. 11	Blind Persons Act, 1938	S. 6 (2) repealed	6, S.L.R.
c. 12	Population (Statistics) Act, 1938.	Temporary Act: see s. 7 (4). Continued as amended until 31.12.51.	1 (14 & 15 Geo. 6), s. 1 (1), sch. Pt. I.

Session and Chap. or No. of Measure	Short title or Subject	How affected	Chapter of 1950 Act or number of Measure or Statutory Instrument
1 & 2 Geo. 6:			
c. 15 ...	Cotton Industry Act, 1938	Repealed ...	6, S.L.R.
c. 17 ...	Cinematograph Films Act, 1938.	S. 46 (2) repealed ...	6, S.L.R.
c. 20 ...	Army and Air Force (Annual) Act, 1938.	Preamble, ss. 2, 3, 6, sch. repealed.	6, S.L.R.
c. 22 ...	Trade Marks Act, 1938...	Ss. 70 (1), 71 (2), sch. 4 repealed.	6, S.L.R.
c. 24 ...	Conveyancing Amendment (Scotland) Act, 1938.	Ss. 2 (3), 3, 12 (3) repealed	6, S.L.R.
c. 28 ...	Evidence Act, 1938 ...	S. 7 (3) repealed ...	6, S.L.R.
c. 30 ...	Sea Fish Industry, Act, 1938.	S. 40 repealed ...	6, S.L.R.
c. 35 ...	Housing (Rural Workers) Amendment Act, 1938.	S. 1 repealed ...	6, S.L.R.
c. 36 ...	Infanticide Act, 1938 ...	Ss. 5, 6 modified (S.) ...	34, s. 119 (2).
c. 38 ...	Housing (Agricultural Population) (Scotland) Act, 1938.	S. 2 (3) repealed ...	6, S.L.R.
		Act (except ss. 1-2, 21 in part, 22 and sch. 2) repealed.	34, s. 187, sch. 13, Pt. I.
		S. 1 excluded ...	34, s. 91 (4)
		restricted ...	34, s. 95
		S. 2 excluded ...	34, s. 91 (4)
c. 40 ...	Children and Young Persons Act, 1938.	Ss. 8 in part, 9 (3), sch. in part, repealed.	6, S.L.R.
c. 42 ...	Herring Industry Act, 1938.	Ss. 9 in part, 10 (2) (4), sch. 3 repealed.	6, S.L.R.
c. 44 ...	Road Haulage Wages Act, 1938.	S. 17 (3) (4) repealed ...	6, S.L.R.
c. 45 ...	Inheritance (Family Provision) Act, 1938.	S. 6 (2) repealed ...	6, S.L.R.
c. 46 ...	Finance Act, 1938 ...	S. 1 repealed ...	6, S L R.; 15, s. 50 (7) (8), sch. 8 Pt. II.
		S. 2 (4) repealed ...	6, S.L.R.
		S. 3 repealed in part amended ...	6, S.L.R.
		S. 4 (1) applied ...	15, ss. 4, 50 (7)
		Ss. 8, 14, 15, 43 (3), 54, 55 (7), schs. 2, 5 repealed.	15, ss. 2, 50 (7), sch. 1 para. 2.
c. 47 ...	Appropriation Act, 1938	Repealed... ...	6, S.L.R.
c. 48 ...	Criminal Procedure (Scotland) Act, 1938.	S. 11 (2) repealed ...	6, S.L.R.
c. 50 ...	Divorce (Scotland) Act, 1938	S. 7 repealed ...	6, S.L.R.
c. 53 ...	Hire Purchase Act, 1938	S. 22 (2) repealed ...	6, S.L.R.
c. 54 ...	Architects Registration Act, 1938.	S. 1 (4) (5) repealed ...	6, S.L.R.
c. 55 ...	Registration of Still-Births (Scotland) Act, 1938.	S. 5 (3) repealed ...	6, S.L.R.
c. 56 ...	Food and Drugs Act, 1938.	Act extended (E.) ... applicable by regulations (E.).	35, s. 32 35, ss. 6, 17 (3)
		Pt. II (Ss. 20-29), S. 65 (1) (b) (c) repealed	35, s. 36, sch. 5
		S. 65 (3) restricted ...	35, s. 7 (2)
		S. 71 (2) extended ...	35, s. 36 (4)

Session and Chap. or No. of Measure	Short title or Subject	How affected	Chapter of 1950 Act or number of Measure or Statutory Instrument
1 & 2 Geo. 6: c. 56	Food and Drugs Act, 1938— <i>cont.</i>	S. 84 (1) amended ... S. 92 (1) repealed in part Ss. 98, 101 (1) repealed ... Sch. 1 Pt. I repealed ... Sch. 4 repealed ... Repealed... ..	35, s. 36 (5) 35, s. 36, sch. 5 6, S.L.R. 35, s. 36, sch. 5 6, S.L.R. 6, S.L.R.
c. 58	Chimney Sweepers Acts (Repeal) Act, 1938.	Repealed... ..	6, S.L.R.
c. 59	Local Government (Hours of Poll) Act, 1938.	S. 2 (2) repealed ...	6, S.L.R.
c. 61	Milk (Extension and Amendment) Act, 1938.	Repealed... ..	6, S.L.R.
c. 63	Administration of Justice (Miscellaneous Provisions) Act, 1938.	S. 10 (2) repealed ... S. 14 repealed ... Ss. 19 (2), 20 (3) (5), schs. 3, 4 repealed.	6, S.L.R. 25, s. 34, sch. 6, S.L.R.
c. 68	Isle of Man (Customs) Act, 1938.	S. 1 repealed ... S. 2 (1) repealed ... S. 2 (3) repealed ... S. 3 repealed in part ... amended ... Ss. 6 (1), 7 (1), 12 (2), sch. 2 repealed.	6, S.L.R. 19, s. 8 (2), sch. 6, S.L.R.; 19, s. 8 (2), sch. 6, S.L.R. 19, s. 2. 6, S.L.R.
c. 69	Young Persons (Employment) Act, 1938.	Part I (ss. 1-10) applicable Ss. 8, 11-13 repealed ...	28, s. 68 (1) (2). 28, s. 76 (1), sch. 8.
c. 71	Bacon Industry Act, 1938	S. 14 (3) repealed ...	6, S.L.R.
c. 73	Nursing Home Registration (Scotland) Act, 1938.	S. 56 (2) repealed ... S. 11 (2) in part, 11 (3), sch. repealed.	6, S.L.R. 6, S.L.R.
C.A.M. No. 3	Parsonages Measure, 1938.	S. 23 repealed	6, S.L.R.
2 & 3 Geo. 6: c. 1	Expiring Laws Continuance Act, 1938.	Repealed... ..	6, S.L.R.
c. 2	Public Works Loans Act, 1938.	Repealed... ..	6, S.L.R.
c. 3	Housing (Financial Provisions) (Scotland) Act, 1938.	Excluded... .. S. 1 restricted S. 4 repealed S. 6 repealed	34, s. 91 (4). 34, s. 95. 6, S.L.R.; 34, s. 187, sch. 13 Pt. I. 34, s. 187, sch. 13 Pt. I.
c. 7	Currency and Bank Notes Act, 1939.	S. 7 repealed S. 5 (2) (3), sch. repealed	6, S.L.R. 6, S.L.R.
c. 9	Mining Industry (Welfare Fund) Act, 1939.	S. 2 (6), sch. 2 repealed ...	6, S.L.R.
c. 12	Consolidated Fund (No. 1) Act, 1939.	Repealed	6, S.L.R.
c. 16	Prevention of Fraud (Investments) Act, 1939.	S. 25 repealed	6 S.L.R.
c. 17	Army and Air Force (Annual) Act, 1939.	Preamble, ss. 2, 3, 8 (2), sch. repealed.	6 S.L.R.
c. 19	Wild Birds (Duck and Geese) Protection Act, 1939.	S. 5 (2) repealed ...	6 S.L.R.
c. 20	Re-organisation of Offices (Scotland) Act, 1939.	Ss. 5, 6 (1) in part, sch. repealed.	6 S.L.R.

Session and Chap. or No. of Measure	Short title or Subject	How affected	Chapter of 1950 Act or number of Measure or Statutory Instrument
2 & 3 Geo. 6:			
c. 21 ...	Limitation Act, 1939 ...	S. 34 (2) (4), sch. repealed	6, S.L.R.
c. 24 ...	Reserve and Auxiliary Forces Act, 1939.	Repealed ...	6 S.L.R.
c. 25 ...	Military Training Act, 1939.	Repealed ...	6, S.L.R.
c. 27 ...	Adoption of Children (Regulation) Act, 1939.	Repealed ...	6, S.L.R.; 26, s. 46, schs. 4, 5.
c. 31 ...	Civil Defence Act, 1939	S. 56 (7) repealed ...	6, S.L.R.
c. 34 ...	Marriage (Scotland) Act, 1939.	Ss. 8 in part, 9 in part, sch. 2 repealed.	6, S.L.R.
c. 36 ...	Hall-marking of Foreign Plate Act, 1939.	S. 2 (2) repealed ...	6, S.L.R.
c. 40 ...	London Government Act, 1939.	S. 124 (2) repealed ... S. 145 amended ... Ss. 205, 207 in part, 208 in part, schs. 7, 8 repealed.	22, s. 1 (2). 22, s. 1 (1). 6, S.L.R.
c. 41 ...	Finance Act, 1939 ...	Ss. 1 (1) (2) (4), 2 (1) (3), 7 (4) repealed. S. 10 repealed (1.1.51) ...	6, S.L.R. 15, s. 50 (7) (8), sch. 8 Pt. I. 6, S.L.R.
c. 44 ...	House to House Collections Act, 1939.	Ss. 11, 12, 33, schs. 1 Pts. I, II, 2 Pts. I, II, III repealed.	6, S.L.R.
c. 46 ...	Milk Industry Act, 1939	S. 12 (2) repealed ...	6, S.L.R.
c. 48 ...	Agricultural Development Act, 1939.	Ss. 1, 2, 3, 4, 5, sch. repealed.	6, S.L.R.
c. 48 ...	Agricultural Development Act, 1939.	Ss. 9, 10 (2), 20 repealed	6, S.L.R.
c. 50 ...	Prevention of Violence (Temporary Provisions) Act, 1939.	Temporary Act: see s. 5 (2). Continued until 31.12.51.	1 (14 & 15 Geo. 6), s. 1 (1), sch. Pt. I.
c. 52 ...	Appropriation Act, 1939	Repealed ...	6, S.L.R.
c. 53 ...	Isle of Man (Customs) Act, 1939.	Ss. 2, 3 (5), 4 (3), 5 (2), 6 (2), sch. 4 repealed.	6, S.L.R.
c. 55 ...	Building Societies Act, 1939.	S. 18 (3) repealed ... Sch. Pt. I para. 3 amended	6, S.L.R. 34, s. 77 (3).
c. 56 ...	Riding Establishments Act, 1939.	S. 4 (2) repealed ...	6, S.L.R.
c. 57 ...	War Risks Insurance Act, 1939.	S. 1 (4) repealed ...	6, S.L.R.
c. 59 ...	Air Ministry (Heston and Kenley Aerodromes Extension) Act, 1939.	Ss. 1 (2), 7 (2) repealed ...	6, S.L.R.
c. 62 ...	Emergency Powers (Defence) Act, 1939.	S. 7, application continued (Isle of Man). S. 10 (1) repealed in part	S.I. No. 1774. 5, s. 1, sch. Pt. II.
c. 63 ...	Appropriation (No. 2) Act, 1939.	Repealed ...	6, S.L.R.
c. 64 ...	Currency (Defence) Act 1939.	Ss. 2 (1), 3, 4 (2) repealed	6, S.L.R.
c. 70 ...	Ships and Aircraft (Transfer Restriction) Act, 1939.	Ss. 4 (2) (a) (iii), 11 (1) (c) repealed in part. S. 12 repealed in part ...	5, s. 1, sch. Pt. I. 5, s. 1, sch. Pt. II.
c. 71 ...	Rent and Mortgage Interest Restrictions Act, 1939.	Ss. 2, 5, 9 (3) (4), sch. 2 repealed.	6, S.L.R.

Session and Chap. or No. of Measure	Short title or Subject	How affected	Chapter of 1950 Act or number of Measure or Statutory Instrument
2 & 3 Geo. 6: c. 75	Compensation (Defence) Act, 1939.	S. 20 (2) repealed ...	6, S.L.R.
c. 76	Regional Commissioners Act, 1939.	Repealed	6, S.L.R.
c. 78	Administration of Justice (Emergency Provisions) Act, 1939.	Repealed with saving ...	6, S.L.R.
c. 79	Administration of Justice (Emergency Provisions) (Scotland) Act, 1939.	Repealed with saving ...	6, S.L.R.
c. 82	Personal Injuries (Emergency Provisions) Act, 1939.	S. 9 (3) repealed ...	6, S.L.R.
c. 85	House of Commons (Service in His Majesty's Forces) Act, 1939.	Expired (24.4.50) ...	S.I. No. 671.
c. 89	Trading with the Enemy Act, 1939	S. 1 excluded (Japan) ... S. 14 (b) repealed in part S. 17 (3) in part, sch. repealed.	S.I. No. 28 5, s. 1, sch. Pt. I 6, S.L.R.
c. 90	Military and Air Forces (Prolongation of Service) Act, 1939.	Saved	32, s. 29 (8); 33, s. 30 (6).
c. 94	Local Government Staffs (War Service) Act, 1939.	S. 17 (2) repealed ...	6, S.L.R.
c. 95	Teachers' Superannuation (War Service) Act, 1939.	S. 13 (3) repealed ...	6, S.L.R.
c. 96	Education (Scotland) (War Service Superannuation) Act, 1939.	S. 8 (2) repealed ...	6, S.L.R.
c. 99	Income Tax Procedure (Emergency Provisions) Act, 1939.	Repealed	6, S.L.R.
c. 102	Liability for War Damage (Miscellaneous Provisions) Act, 1939.	S. 8 (4) repealed ...	6, S.L.R.
c. 103	Police and Firemen (War Service) Act, 1939.	S. 16 (2) repealed ...	6, S.L.R.
c. 104	Control of Employment Act, 1939.	Repealed	6, S.L.R.
c. 105	Administration of Justice (Emergency Provisions) (Northern Ireland) Act, 1939.	Repealed with saving ...	6, S.L.R.
c. 106	Universities and Colleges (Emergency Provisions) Act, 1939.	Repealed	6, S.L.R.
c. 107	Patents, Designs, Copyright and Trade Marks (Emergency) Act, 1939.	S. 11 (2) repealed ...	6, S.L.R.
c. 109	Finance (No. 2) Act, 1939	S. 1 repealed in part ... amended Ss. 2, 5 (4), 6 (3), 8, 9 (6) repealed. Sch. 1, Rates of Duty and Drawback on Beer amended (19.4.50). Sch. 2 repealed	6, S.L.R. 15, ss. 6, 50 (7), sch. 2. 6, S.L.R. 15, ss. 6, 50 (7), sch. 2. 6, S.L.R.

Session and Chap. or No. of Measure	Short title or Subject	How affected	Chapter of 1950 Act or number of Measure or Statutory Instrument
2 & 3 Geo. 6: c. 113 ...	Courts (Emergency Powers) (Scotland) Act, 1939.	Expired (8.10.50) ... S. 1 (1) in part, (2) in part repealed	S.I. No. 1647 6, S.L.R.
c. 117 ...	National Loans Act, 1939	Extended	21, s. 2 (2); 34, s. 94 (3); 8 (14 & 15 Geo. 6), s. 3 (2).
c. 121 ...	Official Secrets Act, 1939	S. 5 (4), sch. 3 repealed ... Operation suspended in Penang and Malacca.	6, S.L.R. S.I. No. 1779.
C.A.M. No. 3	Clergy (National Emergency Precautions) Measure, 1939.	Repealed	6, S.L.R.
3 & 4 Geo. 6: c. 1	Expiring Laws Continuance Act, 1939.	Repealed	6, S.L.R.
c. 2	Postponement of Enactments (Miscellaneous Provisions) Act, 1939.	S. 1 repealed S. 2 repealed Sch. repealed	6, S.L.R. 26, s. 46, sch. 4. 6, S.L.R.
c. 4	Czecho-Slovakia (Financial Claims and Refugees) Act, 1940.	Ss. 2, 4 in part, repealed	21, ss. 4, 5, sch.
c. 9	Cotton Industry Act, 1940.	Repealed	6, S.L.R.
c. 11	Consolidated Fund (No. 1) Act, 1940.	Repealed	6, S.L.R.
c. 14	Agriculture (Miscellaneous War Provisions) Act, 1940.	S. 13 (4) sch. 4 repealed	6, S.L.R.
c. 18	Army and Air Force (Annual) Act, 1940.	Preamble and s. 2 repealed.	6, S.L.R.
c. 19	Societies (Miscellaneous Provisions) Act, 1940.	S. 12 (3), sch. repealed ...	6, S.L.R.
c. 20	Emergency Powers (Defence) Act, 1940.	S. 1 (3) repealed ...	6, S.L.R.
c. 21	Treachery Act, 1940 ...	S. 5 (1) repealed in part	5, s. 1, sch. Pt. II.
c. 25	Post Office and Telegraph Act, 1940.	S. 1 repealed	6, S.L.R.
c. 28	Evidence and Powers of Attorney Act, 1940.	S. 4 (2) repealed ...	6, S.L.R.
c. 29	Finance Act, 1940 ...	Ss. 1 (5), 3 (4), 6, 8 (7) repealed. S. 9 repealed (1.1.51) ... Ss. 11, 12, 42 repealed ... S. 43 (1) amended ... S. 43 (2) amended ... modified ... S. 44 amended as to deaths occurring after 18.4.50. S. 51A added Ss. 62, 65 (8), sch. 8 repealed.	6, S.L.R. 15, s. 50 (7) (8), sch. 8 Pt. I. 6, S.L.R. 15, ss. 43, 50 (7), sch. 7. 15, ss. 43, 50 (7), sch. 7. 15, ss. 43 (2), 50 (7). 15, ss. 46, 50 (7). 15, ss. 47, 50 (7). 6, S.L.R.

Session and Chap. or No. of Measure	Short title or Subject	How affected	Chapter of 1950 Act or number of Measure or Statutory Instrument
3 & 4 Geo. 6:			
c. 30	Marriage (Scotland) (Emergency Provisions) Act, 1940.	Repealed	6, S.L.R.
c. 35	Indian and Colonial Divorce Jurisdiction Act, 1940.	Extended S. 5 amended (<i>in part retrospect.</i>)	20, s. 1 (a) (b). 20, ss. 2 (2), 4.
c. 39	Consolidated Fund (No. 2) Act, 1940.	Repealed	6, S.L.R.
c. 40	Colonial Development and Welfare Act, 1940.	S. 1 (1) proviso amended S. 1 (5) repealed in part	4 (14 & 15 Geo. 6), s. 1. 4 (14 & 15 Geo. 6), ss. 2, 3 (2), sch.
c. 42	Law Reform (Miscellaneous Provisions) (Scotland) Act, 1940.	S. 3 applied S. 11 (3), sch. repealed ...	39, s. 36 (4). 6, S.L.R.
c. 46	Appropriation Act, 1940	Repealed	6, S.L.R.
c. 48	Finance (No. 2) Act, 1940.	Ss. 1 (4), 3 (3), 4 (4), 6 (1) repealed. S. 21 amended	6, S.L.R. 15, s. 18, 50 (7), sch. 5 Pt. 1, para. 1.
c. 49	Isle of Man (Customs) Act, 1940.	S. 42 (8), sch. 10 repealed S. 8, 9 (3), sch. 6 repealed	6, S.L.R. 6, S.L.R.
c. 50	Agriculture (Miscellaneous War Provisions) (No. 2) Act, 1940.	S. 4 repealed	6, S.L.R.; 36, s. 89, sch. 5.
c. 52	Consolidated Fund (No. 3) Act, 1940.	Repealed	6, S.L.R.
c. 53	Prolongation of Parliament Act, 1940.	Repealed	6, S.L.R.
c. 54	Appropriation (No. 2) Act, 1940.	Repealed	6, S.L.R.
4 & 5 Geo. 6:			
c. 2	Expiring Laws Continuance Act, 1940.	Repealed	6, S.L.R.
c. 6	Consolidated Fund (No. 1) Act, 1941.	Repealed	6, S.L.R.
c. 9	Consolidated Fund (No. 2) Act, 1941.	Repealed	6, S.L.R.
c. 10	Air Raid Precautions (Postponement of Financial Investigation) Act, 1941.	Repealed	6, S.L.R.
c. 12	War Damage Act, 1941	S. 74 (2) repealed ...	6, S.L.R.
c. 14	Public Works Loans Act, 1941.	Ss. 1, 2, 3, 4, sch. repealed	6, S.L.R.
c. 17	Army and Air Force (Annual) Act, 1941.	Preamble, ss. 2, 8 repealed	6, S.L.R.
c. 20	Public and Other Schools (War Conditions) Act, 1941.	Repealed	6, S.L.R.
c. 21	Allied Powers (Maritime Courts) Act, 1941.	Repealed	6, S.L.R.
c. 22	Fire Services (Emergency Provisions) Act, 1941.	Repealed	6, S.L.R.

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4 & 5 Geo. 6:			
c. 24	Liabilities (War - Time Adjustment) Act, 1941.	Expired (8.10.50.)	S.I. No. 1647.
c. 26	Consolidated Fund (No. 3) Act, 1941.	Repealed	6, S.L.R.
c. 30	Finance Act, 1941 ...	Ss. 1, 4, 5, 13 (3), 33 (4), 50, 51, 52 (7), sch. 5 repealed.	6, S.L.R.
c. 31	Goods and Services (Price Control) Act, 1941.	S. 23 (2) in part, sch. 3 repealed.	6, S.L.R.
c. 32	Isle of Man (Customs) Act, 1941.	Repealed	6, S.L.R.
c. 34	Repair of War Damage Act, 1941.	Ss. 1 (3) in part, 3 in part, 4, 6 in part, 7 (2), 8 (2), sch. paras. 4, 5, repealed.	6, S.L.R.
c. 36	Financial Powers (U.S.A. Securities) Act, 1941.	S. 3 (2) repealed in part	6, S.L.R.
c. 38	Appropriation Act, 1941	Repealed	6, S.L.R.
c. 42	Pharmacy and Medicines Act, 1941.	S. 7 repealed	6, S.L.R.
		S. 11 repealed in part ... explained ...	6, S.L.R.
		S. 12 repealed in part ... explained ...	29, s. 23 (6). 6, S.L.R.
c. 43	Appropriation (No. 2) Act, 1941.	Repealed	6, S.L.R.
c. 46	Solicitors Act, 1941 ...	Ss. 26 (6) (7), 30 (2) repealed.	6, S.L.R.
c. 48	Prolongation of Parliament Act, 1941.	Repealed	6, S.L.R.
c. 50	Agriculture (Miscellaneous Provisions) Act, 1941.	S. 1 (3) repealed ...	6, S.L.R.
5 & 6 Geo. 6:			
c. 2	Consolidated Fund (No. 1) Act, 1941 (session 2).	Repealed	6, S.L.R.
c. 3	Expiring Laws Continuance Act, 1941.	Repealed	6, S.L.R.
c. 8	War Orphans Act, 1942	S. 2 (2) repealed ...	6, S.L.R.
c. 9	Restoration of Pre-War Trade Practices Act, 1942.	S. 1 (1) substituted ...	9 (14 & 15 Geo. 6), s. 1 (1).
		S. 1 (2) substituted ...	9 (14 & 15 Geo. 6), s. 1 (2).
		Ss. 1 (3) and 2 (1) amended	9 (14 & 15 Geo. 6), s. 1 (3).
		S. 9 (1) amended ...	9 (14 & 15 Geo. 6), s. 1 (4).
		S. 11 (1) repealed in part	9 (14 & 15 Geo. 6), s. 3 (4).
		S. 13 amended	9 (14 & 15 Geo. 6), s. 2.
c. 12	Consolidated Fund (No. 2) Act, 1942.	Repealed... ..	6, S.L.R.
c. 15	Army and Air Force (Annual) Act, 1942.	Preamble, s. 2 repealed...	6, S.L.R.

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5 & 6 Geo. 6: c. 21	Finance Act, 1942 ...	Ss. 1 (3), 5 (4), 7 repealed S. 8 repealed (1.1.51) ...	6, S.L.R. 15, s. 50 (7) (8), sch. 8, Pt. I. 6, S.L.R.
c. 22	Consolidated Fund (No. 3) Act, 1942.	Repealed... ..	6, S.L.R.
c. 27	Appropriation Act, 1942	Repealed... ..	6, S.L.R.
c. 32	Housing (Rural Workers) Act, 1942.	S. 1 (1) repealed ...	6, S.L.R.
c. 33	Appropriation (No. 2) Act, 1942.	Repealed... ..	6, S.L.R.
c. 34	Appropriation (No. 3) Act, 1942.	Repealed... ..	6, S.L.R.
c. 37	Prolongation of Parliament Act, 1942.	Repealed... ..	6, S.L.R.
6 & 7 Geo. 6: c. 1	Expiring Laws Continuance Act, 1942.	Repealed... ..	6, S.L.R.
c. 2	Supreme Court (Northern Ireland) Act, 1942.	S. 3 (3), sch. repealed ...	6, S.L.R.
c. 4	Consolidated Fund (No. 1) Act, 1943.	Repealed... ..	6, S.L.R.
c. 11	Consolidated Fund (No. 2) Act, 1943.	Repealed... ..	6, S.L.R.
c. 15	Army and Air Force (Annual) Act, 1943.	Preamble, s. 2, 3 (3), repealed.	6, S.L.R.
c. 16	Agriculture (Miscellaneous Provisions) Act, 1943.	Ss. 1 (2), 2, 18 (2) repealed.	6, S.L.R.
c. 17	Nurses Act, 1943 ...	Ss. 13 (4), 16 (3) repealed	6, S.L.R.
c. 19	Courts (Emergency Powers) Act, 1943.	Expired (8.10.50) ...	S.I. No. 1647.
c. 20	Consolidated Fund (No. 3) Act, 1943.	S. 14 (2), sch. 2 repealed Repealed... ..	6, S.L.R. 6, S.L.R.
c. 21	War Damage Act, 1943...	S. 32 (2) (4) (5), jurisdiction transferred to Lands Tribunal. Ss. 108 (1) in part, 119 (4), 127 (1), sch. 8 repealed.	S.I. No. 513. 6, S.L.R.
c. 22	Housing (Agricultural Population) (Scotland) Act, 1943.	Repealed... ..	34, s. 187, sch. 13, Pt. I.
c. 25	Settled Land and Trustees Act, 1943.	S. 2 repealed	6, S.L.R.
c. 26	Telegraph Act, 1943 ...	S. 2 (4) repealed ...	6, S.L.R.
c. 28	Finance Act, 1943 ...	Ss. 1 (3), 5 (6) repealed S. 6 amended (10.9.50)... S. 8 amended repealed (1.1.51) ...	6, S.L.R. 15, ss. 14, 50 (7), 15, ss. 13 (6), 50 (7), 15, s. 50 (7) (8) sch. 8, Pt. I.

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6 & 7 Geo. 6: c. 28	Finance Act, 1943— <i>cont.</i>	Ss. 13, 14, 30, 31 (7), repealed. Sch. 5, Pt. II substituted (10.9.50). Sch. 9 repealed Repealed... .. S. 16 (4) repealed	6, S.L.R. 15, ss. 14, 50 (7), sch. 4. 6, S.L.R. 6, S.L.R. 6, S.L.R.
c. 31	Appropriation Act, 1943	Repealed... ..	6, S.L.R.
c. 33	Nurses (Scotland) Act, 1943.	S. 16 (4) repealed	6, S.L.R.
c. 35	Foreign Service Act, 1943	S. 1 (2) repealed	6, S.L.R.
c. 41	Appropriation (No. 2) Act, 1943.	Repealed... ..	6, S.L.R.
c. 44	Rent of Furnished Houses Control (Scotland) Act, 1943.	Temporary Act (see s. 10 (2)) continued as amended until 31.3.52.	1 (14 & 15 Geo. 6), s. 1 (2), sch. Pt. III.
c. 45	Income Tax (Employments) Act, 1943.	S. 5 (3) in part, sch. 3 repealed.	6, S.L.R.
c. 46	Prolongation of Parliament Act, 1943.	Repealed... ..	6, S.L.R.
c. 48	Parliament (Elections and Meeting) Act, 1943.	Sch. 7 repealed	6, S.L.R.
C.A.M. No. 1	New Parishes Measure, 1943.	S. 32 (1) in part, sch. repealed.	6, S.L.R.
7 & 8 Geo. 6: c. 1	Expiring Laws Continuance Act, 1943.	Repealed... ..	6, S.L.R.
c. 4	Consolidated Fund (No. 1) Act, 1944.	Repealed... ..	6, S.L.R.
c. 6	Courts (Emergency Powers) (Scotland) Act, 1944.	Expired (8.10.50)	S.I. No. 1647.
c. 9	Supreme Court of Judicature (Amendment) Act, 1944.	S. 1 (1) (2) amended S. 2 (2) repealed	4, s. 1. 6, S.L.R.
c. 10	Disabled Persons (Employment) Act, 1944.	S. 23 (3) repealed	6, S.L.R.
c. 12	Income Tax (Offices and Employments) Act, 1944.	S. 9 (4), sch. repealed	6, S.L.R.
c. 15	Reinstatement in Civil Employment Act, 1944.	Ss. 24 (2), 24 (3) so far as unrepealed, sch. 3 repealed.	6, S.L.R.
c. 16	Public Works Loans Act, 1944.	Ss. 1, 2, 3, sch. repealed	6, S.L.R.
c. 17	Consolidated Fund (No. 2) Act, 1944.	Repealed... ..	6, S.L.R.
c. 18	Army and Air Force (Annual) Act, 1944.	Preamble, ss. 2, 3 (2) repealed.	6, S.L.R.
c. 20	Consolidated Fund (No. 3) Act, 1944.	Repealed... ..	6, S.L.R.
c. 21	Pensions (Increase) Act, 1944.	Sch. 1 Pt. I extended	S.I. Nos. 497, reg. 64, 498,
c. 23	Finance Act, 1944	S. 1 (1) (3) repealed S. 2 (1) repealed S. 2 (2) repealed Ss. 6, 7 repealed S. 11 (1) excluded	6, S.L.R. 6, S.L.R. 15, s. 50 (7) (8), sch. 8 Pt. II. 6, S.L.R. 15, ss. 20 (6), 50 (7).

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7 & 8 Geo. 6: c. 23	Finance Act, 1944— <i>cont.</i>	S. 40 amended S. 40 (1) amended as to deaths occurring after 18.4.50. Ss. 48, 49 (9) repealed ... Sch. 3 para. 2 substituted as to deaths occurring after 18.4.50. Sch. 5 repealed S. 8 (3) in part, sch. repealed.	15, ss. 46 (2) (b), 50 (7). 15, ss. 46 (2) (a) (ii), 50 (7). 6, S.L.R. 15, ss. 46 (2) (b), 50 (7). 6, S.L.R. 6, S.L.R.
c. 26	Rural Water Supplies and Sewerage Act, 1944.	S. 8 (3) in part, sch. repealed.	6, S.L.R. 6, S.L.R.
c. 27	Isle of Man (Customs) Act, 1944.	Repealed... ..	6, S.L.R.
c. 29	Food and Drugs (Milk and Dairies) Act, 1944.	Ss. 1-4, 8 (1) in part, 8 (2), sch. repealed.	35, s. 36, sch. 5.
c. 30	Appropriation Act, 1944.	Repealed... ..	6, S.L.R.
c. 31	Education Act, 1944 ...	Ss. 43 (1) in part, 53 (4) repealed.	6, S.L.R.
c. 36	Housing (Temporary Accommodation) Act, 1944.	S. 6 (1) (2) (3) repealed	6, S.L.R.
c. 37	Appropriation (No. 2) 1944.	Repealed... ..	6, S.L.R.
c. 39	Housing (Scotland) Act, 1944.	Repealed... ..	6, S.L.R.; 34, s. 187, sch. 13 Pt. I.
c. 40	Liabilities (War-Time Adjustment) Act, 1944.	Expired (8.10.50.) ... Ss. 10, 11 (2) repealed ...	S.I. No. 1647. 6, S.L.R.
c. 43	Matrimonial Causes (War Marriages) Act, 1944.	S. 1 (1) (b) repealed ... S. 5 (1), appointed day fixed (1.6.50).	25, s. 34, sch. S.I. No. 672.
c. 44	Diplomatic Privileges (Extension) Act, 1944.	Repealed... ..	14, s. 7.
c. 45	Prolongation of Parliament Act, 1944.	Repealed... ..	6, S.L.R.
C.A.M. No. 1	Reorganisation Areas Measure, 1944.	S. 56, sch. 3 repealed ...	6, S.L.R.
8 & 9 Geo. 6: c. 1	Consolidated Fund (No. 1) Act, 1944 (Session 2).	Repealed... ..	6, S.L.R.
c. 2	Expiring Laws Continuance Act, 1944.	Repealed... ..	6, S.L.R.
c. 4	Consolidated Fund (No. 2) Act, 1945.	Repealed... ..	6, S.L.R.
c. 5	Representation of the People Act, 1945.	S. 40 (2), sch. 5 repealed	6, S.L.R.
c. 8	Road Transport Lighting (Cycles) Act, 1945.	S. 1 repealed	6, S.L.R.
c. 13	Consolidated Fund (No. 3) Act, 1945.	Repealed... ..	6, S.L.R.
c. 14	Teachers Superannuation Act, 1945.	S. 14 (3) repealed ...	6, S.L.R.
c. 15	Licensing Planning (Temporary Provisions) Act, 1945.	Temporary Act (see s. 15) continued as amended until 31.3.52.	1 (14 & 15 Geo. 6), s. 1 (2), sch. Pt. II.
c. 16	Limitation (Enemies and War Prisoners) Act, 1945.	S. 6 (2) repealed ...	6, S.L.R.

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8 & 9 Geo. 6: c. 17 c. 18	Wages Council Act, 1945 Local Authorities Loans Act, 1945.	S. 25 (3), sch. 4 repealed S. 1 continued until 31.12.51. S. 6 repealed in part ...	6, S.L.R. 1 (14 & 15 Geo. 6), s. 1 (1), sch. Pt. I. 34, s. 187, sch. 13, Pt. I.
c. 19	Ministry of Fuel and Power Act, 1945.	S. 12 (2) repealed ... S. 7 (1) in part, sch. 3 repealed.	6, S.L.R. 6, S.L.R.
c. 22	Army and Air Force (Annual) Act, 1945.	Preamble, S. 2 repealed...	6, S.L.R.
c. 24	Finance Act, 1945 ...	S. 2 (2) repealed ...	6, S.L.R.
c. 25	Appropriation Act, 1945	Repealed... ..	6, S.L.R.
c. 27	Welsh Church (Burial Grounds) Act, 1945.	S. 6 (2) repealed ...	6, S.L.R.
c. 29	Liabilities (War - Time Adjustment) (Scotland) Act, 1945.	Expires (8.10.51) ...	S.I. No. 1647
c. 32	Income Tax Act, 1945 ...	S. 7 (2) amended (<i>retros.</i>)	15, ss. 28, 50 (7).
c. 35	Forestry Act, 1945 ...	Ss. 3 (3), 10 (4), sch. 2 repealed.	6, S.L.R.
c. 36	Distribution of Industry Act, 1945.	S. 1 extended repealed in part. Ss. 12 (1), 16 (2), sch. 2 repealed.	8, s. 1 (1), 8, s. 1 (5). 8, s. 1 (5).
c. 40	Postponement of Polling Day Act, 1945.	Repealed... ..	6, S.L.R.
c. 41	Family Allowances Act, 1945.	S. 28 (1) repealed ...	6, S.L.R.
c. 42	Water Act, 1945 ...	S. 12 (5) amended ... S. 19 (6) (b), period extended. S. 22 (3) amended ... Ss. 62 in part, 63 (3) repealed. Sch. 3, s. 5 (1) (2), amended. Sch. 3, ss. 23, 24, repealed Sch. 3, s. 25 (1) amended Sch. 3, ss. 25 (2) in part, 26, 27 (2), 28 (2), repealed. Sch. 5 repealed S. 44 repealed	39, s. 20, sch. 5. S.I. No. 1616. 39, s. 17, sch. 5. 6, S.L.R. 39, s. 17, 24, sch. 5. 39, s. 15, sch. 5. 39, s. 17, sch. 5. 39, s. 15, sch. 5.
c. 43	Requisitioned Land and War Works Act, 1945.	S. 10 repealed	6, S.L.R.
C.A.M. No. 1	Emergency Legislation Measure, 1944.	S. 9 repealed	6, S.L.R.
C.A.M. No. 2	Episcopal Pensions Measure, 1945.	S. 9 repealed	6, S.L.R.
9 & 10 Geo. 6: c. 1	Local Elections (Service Abroad) Act, 1945.	Repealed... ..	6, S.L.R.
c. 4	Consolidated Fund (No. 1) Act, 1945.	Repealed... ..	6, S.L.R.
c. 8	War Damage (Valuation Appeals) Act, 1945.	Jurisdiction transferred to Lands Tribunal.	S.I. No. 513.
c. 9	Expiring Laws Continuance Act, 1945.	Repealed... ..	6, S.L.R.

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9 & 10 Geo. 6: c. 10	Supplies and Services (Transitional Powers) Act, 1945.	Continued until 10.12.51 Applied S. 4 (3) repealed	S.I. No. 1769. 28, s. 7 (2). 6, S.L.R.
c. 11	Inshore Fishing Industry Act, 1945.	S. 1 (3), period extended to 9.12.52.	S.I. No. 1866.
c. 13	Finance (No. 2) Act, 1945	S. 3 repealed S. 7 repealed (1.1.51) S. 8 (5) (a), (b) repealed... .. S. 11 repealed in part S. 21 (6) repealed Ss. 51 (5), 52 (5) extended (unilateral relief). Ss. 61, 62 (8), sch. 3, Pt. III, sch. 10 repealed.	15, s. 50 (7) (8), sch. 8, Pt. II. 15, s. 50 (7) (8), sch. 8, Pt. I. 15, s. 50 (7) (8), sch. 8, Pt. II. 15, ss. 7, 50 (7) (8), sch. 8, Pt. II. 6, S.L.R. 15, ss. 36 (3), 50 (7). 6, S.L.R.
c. 14	Isle of Man (Customs) Act, 1945.	Repealed... ..	6, S.L.R.
c. 18	Statutory Orders (Special Procedure) Act, 1945.	S. 10 (2) applied S. 12 (2) repealed	34, s. 33 (4); 39, s. 36 (12). 6, S.L.R.
c. 26	Emergency Laws (Transitional Provisions) Act, 1946.	Ss. 3, 6 continued until 10.12.51. S. 8 repealed S. 9 continued until 10.12.51. S. 17 repealed S. 18 amended	S.I. No. 1770. 9 (14 & 15 Geo. 6), s. 3 (4). S.I. No. 1770. 6, S.L.R. S.I. Nos. 1770, 1972. 6, S.L.R.
c. 27	Bank of England Act, 1946.	Ss. 3 (4), 4 (8), sch. 3 repealed.	6, S.L.R.
c. 28	Assurance Companies Act, 1946.	S. 13 (2), sch. 4 repealed	6, S.L.R.
c. 33	Consolidated Fund (No. 1) Act, 1946.	Repealed... ..	6, S.L.R.
c. 34	Furnished Houses (Rent Control) Act, 1946.	Temporary Act (see s. 13 (3)) continued as amended until 31.3.52.	1 (14 & 15 Geo. 6), s. 1 (2), sch. Pt. III.
c. 36	Statutory Instruments Act, 1946.	Applied (S.) Applied S. 1 (2) extended	26, s. 44 (2); 27, s. 41 (4); 34, s. 166 (5). 29, s. 34 (1); 37, s. 29 (1). 32, s. 27 (4); 33, s. 26 (4).
c. 40	Miscellaneous Financial Provisions Act, 1946.	S. 1 (1) amended S. 3 amended applied S. 5 repealed	21, s. 1. 21, s. 1. 8 (14 & 15 Geo. 6), s. 2 (3). 3 (14 & 15 Geo. 6), s. 4 (2).
c. 41	Public Works Loans Act, 1946.	S. 6 (3), sch. repealed Ss. 2, 3, 4, 5 (2), sch. 2 repealed.	6, S.L.R. 6, S.L.R.

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9 & 10 Geo. 6: c. 42	Water (Scotland) Act, 1946.	S. 19 (5) amended ... S. 55 (2) (4)-(10) applied as modified. S. 65 (3) amended ... Ss. 87, 89 (2) repealed ... Sch. 3 paras. 2, 3 repealed Sch. 3 para. 4 (1) amended Sch. 3 paras. 4 (2) in part, 5, 6 (2) repealed. Sch. 4, s. 5 (1) amended Sch. 4, s. 5 (2) amended Sch. 5 repealed	39, s. 20, sch. 5. S.I. No. 1516, rule 6 (4). 39, s. 17, sch. 5. 6, S.L.R. 39, s. 15, sch. 5. 39, s. 17, sch. 5. 39, s. 15, sch. 5.
c. 46	Police Act, 1946 ...	Sch. 4, s. 5 (1) amended	39, s. 17, sch. 5.
c. 47	Army and Air Force (Annual) Act, 1946.	Sch. 4, s. 5 (2) amended	39, s. 24, sch. 5.
c. 48	Housing (Financial and Miscellaneous Provisions) Act, 1946.	Sch. 5 repealed	6, S.L.R.
c. 49	Acquisition of Land (Authorisation Procedure) Act, 1946.	S. 20 (4), sch. 5 repealed Preamble, s. 2 repealed... Ss. 9 (3), 16 (7) repealed Applied as modified ... Act (except s. 2) applied Extended S. 10 (3) repealed ... Sch. 4, so far as amending the Diseases of Animals Act, 1894, repealed. Sch. 6 repealed	6, S.L.R. 6, S.L.R. 6, S.L.R. 8, s. 1 (3). 13, s. 9 (2); 24, s. 8 (2). 36, s. 62 (4). 6, S.L.R. 36, s. 89, sch. 5.
c. 54	Housing (Financial Provisions) (Scotland) Act, 1946.	Sch. 6 repealed	6, S.L.R.
c. 55	Ministerial Salaries Act, 1946.	Repealed except ss. 15 and 20.	34, s. 187, sch. 13 Pt. I.
c. 59	Ministerial Salaries Act, 1946.	S. 4 (2) repealed ...	6, S.L.R.
c. 59	Coal Industry (Nationalisation) Act, 1946.	S. 65 (3), sch. 4 repealed	6, S.L.R.
c. 60	Superannuation Act, 1946.	S. 1 (1), end of period fixed (30.6.50).	S.I. No. 962.
c. 60	Superannuation Act, 1946.	S. 1 (2) extended ...	2 (14 & 15 Geo. 6), s. 2 (3).
c. 60	Superannuation Act, 1946.	S. 4 (3), end of period fixed (31.12.49).	S.I. No. 42.
c. 62	National Insurance (Industrial Injuries) Act, 1946.	S. 60 (1) (2) extended ...	11 (14 & 15 Geo. 6), s. 20, sch. 3 para. 3 (1).
c. 62	National Insurance (Industrial Injuries) Act, 1946.	Sch. 5 amended with saving.	11 (14 & 15 Geo. 6), s. 19, sch. 2.
c. 64	Finance Act, 1946 ...	Ss. 4, 8 (2) repealed ...	6, S.L.R.
c. 64	Finance Act, 1946 ...	S. 16 extended	15, ss. 18 (5) (b), 50 (7).
c. 64	Finance Act, 1946 ...	Ss. 48 (2), 63 (2), 65, 67 (10) (11) repealed.	6, S.L.R.
c. 64	Finance Act, 1946 ...	Sch. 4, para. 5 added (1.7.50).	15, ss. 18 (2) (b) (3), 50 (7).
c. 65	Appropriation Act, 1946	Sch. 12 repealed ...	6, S.L.R.
c. 66	Diplomatic Privileges (Extension) Act, 1946.	Repealed... ..	6, S.L.R.
c. 66	Diplomatic Privileges (Extension) Act, 1946.	Repealed... ..	14, s. 7.

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9 & 10 Geo. 6 : c. 67	National Insurance Act, 1946.	S. 38 (1) (2) extended ...	11 (14 & 15 Geo. 6), s. 20, sch. 3 para. 3 (1).
c. 68	New Towns Act, 1946 ...	Sch. 6 amended with saving. Ss. 8, 25 (10) repealed (S.)	11 (14 & 15 Geo. 6), s. 19, sch. 2. 34, s. 187, sch. 13 Pt. I.
c. 69	Isle of Man (Customs) Act, 1946.	Ss. 1 (3), 2 repealed ...	6, S.L.R.
c. 71	Police (Scotland) Act, 1946.	S. 13 (3), sch. 4 repealed	6, S.L.R.
c. 72	Education (Scotland) Act, 1946.	Ss. 32 (2), 144 (4) in part, sch. 8 repealed.	6, S.L.R.
c. 73	Hill Farming Act, 1946	S. 22 repealed	6, S.L.R.
c. 75	Public Works Loans (No. 2) Act, 1946.	S. 1 repealed S. 2 (4) applied	6, S.L.R. 5 (14 & 15 Geo. 6), s. 2.
c. 77	Association of County Councils (Scotland) Act, 1946.	S. 3 repealed S. 5 (2), (3) repealed ...	6, S.L.R. 6, S.L.R.
c. 81	National Health Service Act, 1946.	Ss. 26 (5), 49 (6) (7), sch. 9 Pt. II repealed. Sch. 10 repealed in part	6, S.L.R. 6, S.L.R.; 26, s. 46, sch. 4; 28, s. 76 (1), sch. 8.
10 & 11 Geo. 6: c. 1	Expiring Laws Continuance Act, 1946.	Repealed... ..	6, S.L.R.
c. 5	Greenwich Hospital Act, 1947.	S. 3 (2), sch. 2 repealed	6, S.L.R.
c. 9	Malta (Reconstruction) Act, 1947.	S. 3 repealed	4 (14 & 15 Geo. 6), s. 3 (2), sch.
c. 12	Births and Deaths Registration Act, 1947.	S. 2 (2) repealed	6, S.L.R.
c. 14	Exchange Control Act, 1947.	S. 44 (3) repealed Sch. 1 amended	6, S.L.R. S.I. No. 1073.
c. 17	Consolidated Fund (No. 1) Act, 1947.	Repealed... ..	6, S.L.R.
c. 20	Dog Racecourse Betting (Temporary Provisions) Act, 1947.	Repealed... ..	6, S.L.R.
c. 21	Forestry Act, 1947 ...	S. 2 applied (except London) (<i>prosp.</i>). S. 3 (2) applied in part as modified (<i>prosp.</i>). S. 4 applied as modified (<i>prosp.</i>).	24, s. 9 (4). 24, s. 9 (6). 24, s. 9 (6).
c. 25	Army and Air Force (Annual) Act, 1947.	Preamble, s. 2 repealed	6, S.L.R.
c. 27	National Health Service (Scotland) Act, 1947.	Sch. 9, Pt. II, sch. 11, Pt. II repealed.	6, S.L.R.
c. 28	Isle of Man Harbours Act, 1947.	S. 1 (3), sch. repealed ...	6, S.L.R.
c. 33	Foreign Marriage Act, 1947.	S. 3 (3) repealed in part... S. 4 (1) repealed	5, s. 1, sch. Pt. II. 6, S.L.R.

Session and Chap. or No. of Measure	Short title or Subject	How affected	Chapter of 1950 Act or number of Measure or Statutory Instrument
10 & 11 Geo. 6: c. 35	Finance Act, 1947 ...	<p>S. 1 (1) (2) (4) (5) repealed.</p> <p>S. 5 (7) in part repealed...</p> <p>S. 8 (2)-(4) repealed (1.1.51).</p> <p>S. 32 (2) repealed ...</p> <p>S, 54 (1) explained ...</p> <p>S. 69, sch. 2, Pt. III, repealed.</p> <p>Sch. 4, Pt. II repealed ...</p> <p>Sch. 9, Pt. I applied and extended (unilateral relief).</p> <p>Sch. 9, Pt. I, para. 3 modified (unilateral relief).</p> <p>Sch. 9, Pt. I, para. 7 (3) modified as to unilateral relief.</p>	<p>15, s. 50 (7) (8), sch. 8, Pt. II.</p> <p>6, S.L.R.</p> <p>15, s. 50 (7) (8), sch. 8, Pt. I.</p> <p>6, S.L.R.</p> <p>15, ss. 37 (2), 50 (7).</p> <p>6, S.L.R.</p> <p>15, s. 50 (7) (8), sch. 8, Pt. II.</p> <p>15, ss. 36 (2) (3), 50 (7).</p> <p>15, ss. 36, 50 (7), Sch. 6, Pt. II, para. 1.</p> <p>15, ss. 36, 50 (7), sch. 6, Pt. II, para. 2.</p>
c. 36	Education (Exemptions) (Scotland) Act, 1947.	Temporary Act (see s. 2 (2)) continued until 31.12.51.	1 (14 & 15 Geo. 6), s. 1 (1), sch. Pt. I.
c. 39	Statistics of Trade Act, 1947.	S. 19 (4) repealed ...	6, S.L.R.
c. 40	Industrial Organisation and Development Act, 1947.	S. 16 repealed	6, S.L.R.
c. 41	Fire Services Act, 1947...	S. 39 (4), sch. 6 repealed	6, S.L.R.
c. 42	Acquisition of Land (Authorisation Procedure) (Scotland) Act, 1947.	<p>Applied as modified ...</p> <p>Applied (exc. s. 2) ...</p> <p>Applied (exc. s. 2) (<i>prosp.</i>)</p> <p>Applied</p>	<p>8, s. 1 (3) (4).</p> <p>13, s. 9 (2) (4).</p> <p>24, s. 8 (2) (3).</p> <p>34, ss. 17 (2) (3), 64 (1).</p>
c. 43	Local Government (Scotland) Act, 1947.	<p>Extended</p> <p>S. 8 (1), sch. 5 repealed...</p> <p>Part XII applicable by regulations.</p> <p>Excluded... ..</p> <p>S. 163 applied</p> <p>s. 218 applied</p> <p>S. 226 excluded (<i>prosp.</i>)</p> <p>S. 293 repealed ...</p> <p>S. 355 (2)-(9) applied ...</p>	<p>36, s. 62 (4).</p> <p>6, S.L.R.</p> <p>34, s. 136 (2), sch. 11, para. 6.</p> <p>34, s. 136 (5).</p> <p>34, s. 30 (1).</p> <p>S.I. No. 36, sch. para. 26.</p> <p>24, s. 16 (4).</p> <p>34, s. 187, sch. 13, Pt. I.</p> <p>24, s. 1, sch. para. 3 (8); 39, s. 36 (13).</p>
c. 44	Crown Proceedings Act, 1947.	<p>Ss. 378, 381 in part, repealed.</p> <p>Sch. 9, para. 3 repealed...</p> <p>Schs. 13, 14 repealed ...</p> <p>Pts. II, III, IV applied as modified.</p> <p>Ss. 39 (1), 54 (2), sch. 2 repealed.</p>	<p>6, S.L.R.</p> <p>36, s. 89, sch. 5.</p> <p>6, S.L.R.</p> <p>S.I. No. 95.</p> <p>6, S.L.R.</p>

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10 & 11 Geo. 6: c. 47	Companies Act, 1947 ...	S. 123 (3) so far as un-repealed, sch. 9, Pt. II repealed.	6, S.L.R.
c. 48	Agriculture Act, 1947 ...	S. 4 (2), period extended S. 5 (2), sch. 1 amended	S.I. 851. S.I. 1262.
c. 49	Transport Act, 1947 ...	S. 118 (1) (4), sch. 12 repealed (1.7.52).	xlix. s. 13 (2).
c. 50	Isle of Man (Customs) Act, 1947.	S. 4 continued (1.8.51) ...	19, s. 4.
c. 51	Town and Country Planning Act, 1947.	Ss. 5, 6 (2) repealed ... S. 117 (3) amended ...	6, S.L.R. 39, s. 24, sch. 5.
c. 52	Appropriation Act, 1947	S. 120 (2) repealed ...	6, S.L.R.
c. 53	Town and Country Planning (Scotland) Act, 1947.	Repealed... .. S. 111 (3) amended ... S. 114 (2) repealed ...	6, S.L.R. 39, s. 24, sch. 5. 6, S.L.R.
c. 54	Electricity Act, 1947 ...	S. 57 (7) in part, sch. 5 repealed.	6, S.L.R.
C.A.M. No. 1	Incumbents (Discipline) Measure, 1947.	S. 27 substituted (<i>retrosp.</i>)	C.A.M. No. 1, ss. 1, 2.
11 & 12 Geo. 6: c. 3	Burma Independence Act, 1947.	S. 5 (3) in part, sch. 2 repealed.	6, S.L.R.
c. 8	Mandated and Trust Territories Act, 1947.	Extended	36, s. 26 (2).
c. 9	Finance (No. 2) Act, 1947	S. 1 (1) repealed ... S. 6 (5) saved and extended. S. 8 amended restricted S. 9 (5) repealed ... Sch. 5 extended Sch. 5 para. 2 modified... Sch. 6 repealed	6, S.L.R. 15, ss. 17 (1), 50 (7). 15, ss. 32 (3), 50 (7). 15, ss. 41, 50 (7). 6, S.L.R. 15, ss. 17 (1), 50 (7). 15, ss. 17 (3), 50 (7). 6, S.L.R.
c. 10	Emergency Laws (Miscellaneous Provisions) Act, 1947.	S. 4 (3) repealed ... S. 5 (1) amended ...	6, S.L.R. 9 (14 & 15 Geo. 6), s. 3 (4).
c. 11	Medical Practitioners and Pharmacists Act, 1947.	S. 10 repealed Sch. 2 para. 7 applied ... S. 1 extended excluded in part amended repealed in part S. 2 amended S. 3 extended S. 5 saved amended Ss. 6, 7, 8 amended ...	6, S.L.R. 37, s. 26 (2). 29, s. 31 (1) (4). 29, s. 31 (2). 29, s. 35 sch. 2. 29, s. 35, sch. 2. 29, s. 35, sch. 2. 29, s. 31 (3). 29, s. 31 (4). 29, s. 35, sch. 2. 29, s. 35, sch. 2. 6, S.L.R.
c. 13	Public Works Loans Act, 1947.	Ss. 1, 3, 4, sch. repealed	29, s. 35, sch. 2. 6, S.L.R.
c. 16	Post Office and Telegraph (Money) Act, 1948.	S. 1 (4) repealed ...	2, s. 2 (6), sch.
c. 17	Requisitioned Land and War Works Act, 1948.	S. 12 saved	39, s. 22 (2) (iii).
c. 23	Cinematograph Films Act, 1948.	S. 10 (5), sch. 1 Pt. II repealed.	6, S.L.R.

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11 & 12 Geo. 6: c. 24	Police Pensions Act, 1948	S. 4 applied (E.S.) ... S. 4 (5) repealed ... S. 5 applied (E.S.) ... Ss. 5 (6), 6 repealed ... S. 7 applied (E.S.) ... S. 9 (2), sch. 2 repealed S. 1 (2) proviso repealed S. 1 (6) repealed ...	S.I. Nos. 673, 674. 6, S.L.R. S.I. Nos. 673, 674. 6, S.L.R. S.I. Nos. 673, 674. 6, S.L.R. 3, s. 8 (4). 6, S.L.R.
c. 25	Royal Marines Act, 1948	Parts I and II extended (except London). (<i>prosp.</i>)	24, s. 16 (3) (b).
c. 26	Local Government Act, 1948.	Ss. 113 (3), 132 (8) repealed.	6, S.L.R.
c. 28	Army and Air Force (Annual) Act, 1948.	Ss. 7, 11 (2), 13 (3), 14 para. (a), sch. Pts. I, II, III repealed.	6, S.L.R.
c. 29	National Assistance Act, 1948.	S. 43, powers of Court extended. S. 44, powers of Court extended.	37, ss. 4, 9. 37, ss. 3 (1) (3), 8.
c. 32	River Boards Act, 1948	S. 62 (3), sch. 7 repealed S. 19 applied	6, S.L.R. S.I. No. 16, reg. 3.
c. 33	Superannuation (Miscellaneous Provisions) Act, 1948.	S. 37 (4) repealed ... S. 12 (4) repealed ...	6, S.L.R. 6, S.L.R.
c. 34	Motor Spirit (Regulation) Act, 1948.	Expired (27.5.50) ...	S.I. No. 870.
c. 35	Animals Act, 1948 ...	Part I repealed Ss. 12 (2), 13 (5), sch. repealed.	36, s. 89, sch. 5. 6, S.L.R.
c. 38	Companies Act, 1948 ...	S. 94 extended Ss. 161, 162 applied ... S. 319 extended ...	S.I. No. 453, reg. 30. S.I. No. 533. S.I. No. 453, reg. 30.
c. 39	Industrial Assurance and Friendly Societies Act, 1948.	S. 23 (3) repealed ...	26, s. 46, sch. 4.
c. 40	Education (Miscellaneous Provisions) Act, 1948.	S. 11 (2), sch. 2 repealed	6, S.L.R.
c. 43	Children Act, 1948 ...	S. 26 powers of court extended. modified (maintenance orders). Ss. 35-36 in part, 37 (4) repealed. S. 39 (2) (3) applied ... Ss. 60 (3), 62 (2) repealed Sch. 3 repealed in part Sch. 4 repealed	37, ss. 3 (1) (3), 8. 37, s. 14, sch. 1. 26, s. 46, sch. 4. 26, s. 43 (2). 6, S.L.R. 26, s. 46, sch. 4. 6, S.L.R.
c. 44	Merchant Shipping Act, 1948.	Ss. 2 (2)-(5), 3, 4, applied as modified. S. 6 (2) repealed in part S. 9 applied as modified repealed in part ... S. 11 (2) applied as modified.	9, s. 1 (5), sch. 1. 5, s. 1, sch. Pt. II. 9, s. 1 (5), sch. 1. 5, s. 1, sch. Pt. I. 9, s. 1 (5), sch. 1.

Session and Chap. or No. of Measure	Short title or Subject	How affected	Chapter of 1950 Act or number of Measure or Statutory Instrument
11 & 12 Geo. 6: c. 45	Agriculture (Scotland) Act, 1948.	Certain functions of Secretary of State delegated to Agricultural Executive Committees. Pt. III (ss. 39-54), commencement date fixed (5.4.50). S. 78 repealed	S.I. No. 456. S.I. No. 526. 34, s. 187, sch. 13 Pt. I. S.I. No. 526.
c. 46	Employment and Training Act, 1948.	S. 14 (1) extended	8, s. 5 (1).
c. 47	Agricultural Wages Act, 1948.	S. 21 (1), sch. 2 repealed S. 20 (1), sch. 5 repealed	6, S.L.R. 6, S.L.R.
c. 49	Finance Act, 1948 ...	S. 14 (2) saved and extended. S. 15 (5) repealed S. 20 (5) repealed S. 21 extended applied in part S. 24 (2) restricted Sch. 8 Pt. I amended	15, ss. 17 (1), 50 (7). 6, S.L.R. 15, s. 50 (7) (8), sch. 8 Pt. II. 15, ss. 18 (5) (a), 50 (7). 15, ss. 18, 50 (7), sch. 5 Pt. I para. 3 (3). 15, ss. 18, 50 (7), sch. 5 Pt. II para. 5 (2). 15, ss. 18 (1) (2) (a) (3), 50 (7) (8), sch. 8 Pt. II; S.I. Nos. 89, 106, 164, 224, 225, 290, 561, 1444, 1640, 1665, 2104.
c. 52	Veterinary Surgeons Act, 1948.	S. 23 (b) repealed (E. S.) Ss. 25 (5), 27 (2) repealed Sch. 2, para. 2 repealed (E. S.).	36, s. 89, sch. 5. 6, S.L.R. 36, s. 89, sch. 5.
c. 55	Factories Act, 1948 ...	S. 16 (2), sch. 3 repealed	6, S.L.R.
c. 56	British Nationality Act, 1948.	Applied S. 1 (3) repealed in part... S. 3 (2) extended S. 32 (7) amended (Newfoundland). S. 34 (2) repealed	29, s. 31 (5). 5, s. 1, sch. Pt. II. S.I. Nos. 510, s. 1 (5) (b); 2094, s. 1 (5) (b). 5, s. 2. 6, S.L.R.
c. 57	Public Registers and Records (Scotland) Act, 1948.	S. 1 (8), repealed S. 4 saved S. 7 (2), sch. repealed	6, S.L.R. 6, S.L.R. 11, s. 1 (1). 6, S.L.R.
c. 61	Isle of Man (Customs) Act, 1948.	Ss. 1, 2, 5 (2) continued (1.8.1951)	19, s. 4 (1).
c. 62	Statute Law Revision Act, 1948.	S. 8 (3), sch. 4 repealed... Restricted Sch. 1 repealed	6, S.L.R. 6, S.L.R.s. 5 (3). 6, S.L.R.

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11 & 12 Geo. 6: c. 63	Agricultural Holdings Act, 1948.	S. 25 (1) (c), (d), (5) (6), certain functions of Min. of Agric. and Fisheries delegated to County Agricultural Executive Committees.	S.I. No. 1411.
c. 64	National Service Act, 1948.	Pt. II extended Ss. 1 (2), 17 (6), (b) amended (<i>retrosp.</i>). S. 23 (2) extended ... S. 24 (1) amended (<i>retrosp.</i>). S. 26 (1) extended in part S. 26 (4) repealed ... S. 32 (1) extended in part Ss. 36, 37 modified ... S. 40 (1) (b) amended (<i>retrosp.</i>). S. 50 amended S. 54 (5) extended ... S. 55 extended S. 58 extended Sch. 2, para. 1 amended (<i>retrosp.</i>). Sch. 5 extended	10 (14 & 15 Geo. 6), ss. 1-4, 7, 30, s. 1 (1) (2). 30, s. 1 (3). 30, s. 1 (1) (2). 32, s. 29 (5). 3, s. 10, sch. 32, s. 29 (5). 10 (14 & 15 Geo. 6), s. 5 (1). 30, s. 1 (1) (2). 10 (14 & 15 Geo. 6.) s. 5 (2). 10 (14 & 15 Geo. 6.) s. 5 (3). 30, s. 1 (4); 10 (14 & 15 Geo. 6), s. 6. 30, s. 1 (3). 30, s. 1 (1) (2), 10 (14 & 15 Geo. 6), ss. 1, 3 (2). 6, S.L.R.
c. 65	Representation of the People Act, 1948.	Sch. 10, Pt. II, para. 7 (1), (2) in part, repealed.	10 (14 & 15 Geo. 6), ss. 1, 3 (2). 6, S.L.R.
c. 67	Gas Act, 1948	Sch. 3, paras. 1 (1) in part, 2, 3 repealed. Sch. 3, para. 4 (1) amended. Sch. 3, paras. 4 (2), 5 repealed. Sch. 3, para. 6 (1) amended. Sch. 3, para. 7 amended	39, s. 15, sch. 5. 39, ss. 17, 36 (10), sch. 5. 39, s. 15, sch. 5. 39, s. 15, sch. 5. 39, ss. 17, 36 (10), sch. 5.
12, 13 & 14 Geo. 6:			
c. 5	Civil Defence Act, 1948	S. 11 (2), sch. repealed ...	6, S.L.R.
c. 6	National Service (Amendment) Act, 1948.	S. 1 amended (<i>retrosp.</i>)...	30, s. 1 (1) (2).
c. 7	Wages Councils Act, 1948	S. 8 (4), sch. 3 repealed...	6, S.L.R.
c. 8	Recall of Army and Air Force Pensioners Act, 1948.	S. 2 (1) amended	32, s. 29 (3); 33, s. 30 (2).
c. 10	Administration of Justice (Scotland) Act, 1948.	S. 5 (2), sch. repealed ...	6, S.L.R.

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12, 13 & 14 Geo. 6: c. 20	Cinematograph Film Production (Special Loans) Act, 1949.	S. 4 (1) amended ...	18, s. 1.
c. 25	Tenancy of Shops (Scotland) Act, 1949.	Temporary Act (see s. 3 (3)) continued until 31.12.51	1 (14 & 15 Geo. 6), s. 1 (1), sch. Pt. I.
c. 32	Special Roads Act, 1949	Ss. 4, 6 saved ... S. 20 (3) amended ...	39, s. 17 (1). 39, s. 24, sch. 5.
c. 34	Milk (Special Designations) Act, 1949.	Repealed (E.) ...	35, s. 36, sch. 5.
c. 37	Agriculture (Miscellaneous Provisions) Act, 1949.	S. 7 repealed ... S. 13 repealed ... Sch. Pt. I repealed ...	35, s. 36, sch. 5. 36, s. 89, sch. 5. 35, s. 36, sch. 5.
c. 39	Commonwealth Telegraphs Act, 1949.	S. 5 (4) repealed ...	2, s. 2 (6), sch.
c. 41	Ireland Act, 1949 ...	S. 3 (2) extended ...	S.I. Nos. 510, s. 1 (5) (b), 2094, s. 1 (5) (b).
c. 42	Lands Tribunal Act, 1949	S. 2 (6) amended ... S. 3 (4) amended (N.I.)...	11 (14 & 15 Geo. 6), s. 13 (2). S.I. No. 513.
c. 44	Superannuation Act, 1949	Applied as modified ... S. 38 extended ... S. 39 amended ... extended ... S. 40 amended ... S. 62 applied ...	11 (14 & 15 Geo. 6), s. 23. 2 (14 & 15 Geo. 6), s. 2 (2) (b). 2 (14 & 15 Geo. 6), s. 1 (1). 2 (14 & 15 Geo. 6), s. 2 (2) (a). 2 (14 & 15 Geo. 6), s. 1 (1). 3 (14 & 15 Geo. 6), s. 3 (3).
c. 47	Finance Act, 1949 ...	Ss. 2, 9 repealed with saving. S. 15 (6), appointed day fixed (1.4.50). S. 28 (3) restricted ... S. 51 saved ... Sch. 1 repealed with saving.	15, s. 50 (7) (8), sch. 8, Pt. II. S.I. No. 130, art. 3. 15, s. 45 (1), 50 (7). 15, s. 27 (2) (c), 50 (7). 15, s. 50 (7) (8), sch. 8, Pt. II.
c. 51	Legal Aid and Advice Act, 1949.	Ss. 1-4, 6, 14-16, 17 (1)-(4), schs. 1-3 for certain purposes, and ss. 12, 17 (5), (6), commencement date fixed (2.10.50).	S.I. No. 1357.

Session and Chap. or No. of Measure	Short title or Subject	How affected	Chapter of 1950 Act or number of Measure or Statutory Instrument
12, 13 & 14 Geo. 6:			
c. 58 ...	Isle of Man (Customs) Act, 1949.	Ss. 1-5 continued (1.8.51)	19, s. 4 (1).
c. 61 ...	Housing (Scotland) Act, 1949.	Repealed, except ss. 38-40, 49 in part.	34, s. 187, sch. 13, Pt. I.
c. 63 ...	Legal Aid and Solicitors (Scotland) Act, 1949.	Ss. 1-4, 6 (3)-(7), 14-16, 17 in part, schs. 1-3 and 8, Pt. I in part, commencement date fixed (2.10.50).	S.I. No. 1512.
c. 66 ...	House of Commons (Redistribution of Seats) Act, 1949.	Commencement date fixed (1.4.50).	S.I. No. 371.
c. 68 ...	Representation of the People Act, 1949.	Commencement date fixed for certain provisions (11.3.50), for remaining provisions not already in force (3.4.50).	S.I. No. 242.
c. 73 ...	Nurses Act, 1949 ...	S. 23 (7) modified (Scilly Isles). S. 23 (1), appointed day amended (22.9.50).	S.I. No. 115. S.I. No. 165.
c. 74 ...	Coast Protection Act, 1949.	Pt. III (ss. 37-40), "appointed day" fixed (1.4.50).	S.I. No. 267.
c. 75 ...	Agricultural Holdings (Scotland) Act, 1949.	Certain functions of Secretary of State delegated to Agricultural Executive Committees.	S.I. No. 1553.
c. 78 ...	Married Women (Restraint upon Anticipation) Act, 1949.	Sch. 1 repealed in part ...	25, s. 34, sch.
c. 85 ...	Distribution of German Enemy Property Act, 1949.	S. 2 modified (Isle of Man and Channel Islands).	S.I. No. 1642, art. 26.
c. 87 ...	Patents Act, 1949 ...	S. 49 (2), period of emergency extended to 10.12.51.	S.I. No. 1778.
c. 88 ...	Registered Designs Act, 1949.	Sch. 1, para. 4 (2), period of emergency extended to 10.12.51.	S.I. No. 1777.
c. 89 ...	Vehicles (Excise) Act, 1949.	S. 4 (2) amended ... S. 4 (2) (e) repealed (1.1.51). S. 30 (4) repealed (1.1.51) Sch. 3 amended and repealed in part (1.1.51) Sch. 6, para. 1 repealed (1.1.51). Sch. 6, para. 1 (1) amended. Sch. 6, para. 3, appointed day fixed (1.5.50).	15, s. 13 (2) (4), sch. 3. 15, s. 50, sch. 8, Pt. I. 15, ss. 13 (2), 50, sch. 8, Pt. I. 15, ss. 13 (3), 50, sch. 8, Pt. I. 15, s. 50, sch. 8, Pt. I. 15, s. 13 (6). S.I. No. 184.

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12, 13 & 14 Geo. 6: c. 92	India (Consequential Provision) Act, 1949.	S. 1 (1) extended ...	25, s. 34 (2); 32, s. 29 (6); 33, s. 30 (3); S.I. Nos. 510, s. 1 (5) (a), 2094, s. 1 (5) (a).
c. 93	National Health Service (Amendment) Act, 1949.	Extended in part to Isles of Scilly.	S.I. No. 1835.
c. 94	Criminal Justice (Scotland) Act, 1949.	Commencement date fixed for certain provisions (12.6.50).	S.I. No. 670.
c. 95	Nurses (Scotland) Act, 1949.	S. 21, appointed day amended (1.12.50).	S.I. No. 656.
c. 96	Auxiliary and Reserve Forces Act, 1949.	Ss. 1-3 applied as modified (joint T.A. and R.A.A.F. associations); ss. 1-6 applied as modified (R.A.A.F.). Ss. 12, 13 repealed ...	S.I. No. 834, art. 1. 32, s. 29 (1) (9), sch. 3; 33, s. 28 (1) (9), sch. 3 Pt. I.
		Ss. 14, 15, 16 (1) extended. S. 17 repealed so far as relates to the army reserve. S. 18 (3) repealed ...	33, s. 29. 32, s. 29 (1) (9), sch. 3. 32, s. 29 (1) (9), sch. 3.
c. 98	Adoption of Children Act, 1949.	Act, except s. 13 in part, repealed.	26, s. 46, schs. 4, 5.
c. 99	Married Women (Maintenance) Act, 1949.	S. 4 applied (E.) (<i>temp.</i>)	37, s. 30 (3) (b).
c. 100	Law Reform (Miscellaneous Provisions) Act, 1949.	S. 1 (1)-(3) repealed (E.). S. 1 (4) repealed in part (E.). Ss. 3-6 repealed (E.) ... S. 7 repealed (E.) ... 7 (3) repealed ...	25, s. 34, sch. 25, s. 34, sch. 25, s. 34, sch. 25, s. 34, sch. 26, s. 46, sch. 4.
c. 101	Justices of the Peace Act, 1949.	Commencement dates fixed for certain provisions. S. 15 (4) extended ... S. 33 amended ... amended with saving. applied ... extended ...	S.I. No. 517. 37, ss. 5, 25, 30 (2). 11 (14 & 15 Geo. 6), s. 14 (2). 11 (14 & 15 Geo. 6), s. 19, sch. 2. 11 (14 & 15 Geo. 6), s. 20, sch. 3 para. 5 (5). 11 (14 & 15 Geo. 6), s. 20, sch. 3 paras. 5, 6.

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14 Geo. 6: c. 7	Diplomatic Privileges (Extension) Act, 1950.	Repealed... ..	14, s. 7.
c. 9	Merchant Shipping Act, 1950.	Commencement date fixed (10.12.50).	S.I. No. 1845.
c. 15	Finance Act, 1950 ...	S. 14, appointed day fixed (10.9.50).	S.I. No. 1467.
c. 28	Shops Act, 1950 ...	Certain provisions continued until 10.12.51. (See s. 7).	S.I. No. 1771.
c. 30	National Service Act, 1950.	S. 1 extended as modified (Isle of Man).	S.I. No. 1652.

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THE
PUBLIC GENERAL STATUTES

14 GEO. 6

CHAPTER 1

An Act to apply certain sums out of the Consolidated Fund to the service of the years ending on the thirty-first day of March, one thousand nine hundred and forty-nine, one thousand nine hundred and fifty and one thousand nine hundred and fifty-one. [30th March 1950.]

Most Gracious Sovereign,

WE, Your Majesty's most dutiful and loyal subjects, the Commons of the United Kingdom in Parliament assembled, towards making good the supply which we have cheerfully granted to Your Majesty in this session of Parliament, have resolved to grant unto Your Majesty the sums hereinafter mentioned; and do therefore most humbly beseech Your Majesty that it may be enacted, and be it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

1. The Treasury may issue out of the Consolidated Fund of the United Kingdom and apply towards making good the supply granted to His Majesty for the service of the years ending on the thirty-first day of March, one thousand nine hundred and forty-nine and one thousand nine hundred and fifty, the sum of one hundred and forty-eight million, four hundred and two thousand, nine hundred and eighty-six pounds, one shilling and five pence.

Issue of
£148,402,986 1s. 5d.
out of the Con-
solidated Fund for
the service of the
years ending
31st March, 1949
and 1950.

2. The Treasury may issue out of the Consolidated Fund of the United Kingdom and apply towards making good the supply granted to His Majesty for the service of the year ending on the thirty-first day of March, one thousand nine hundred and fifty-one, the sum of one thousand two hundred and forty-six million, two hundred and thirteen thousand, one hundred pounds.

Issue of
£1,246,213,100 out
of the Consolidated
Fund for the service
of the year ending
31st March, 1951.

3.—(1) The Treasury may borrow from any person by the issue of Treasury Bills or otherwise, and the Bank of England and the Bank of Ireland may advance to the Treasury on the

Power for
the Treasury
to borrow.

A

credit of the said sums, any sum or sums not exceeding in the whole one thousand three hundred and ninety-four million, six hundred and sixteen thousand, and eighty-six pounds, one shilling and five pence.

40 & 41 Vict.
c. 2.

(2) The date of payment of any Treasury Bills issued under this section shall be a date not later than the thirty-first day of March, one thousand nine hundred and fifty-one, and section six of the Treasury Bills Act, 1877 (which relates to the renewal of bills) shall not apply with respect to those bills.

(3) Any money borrowed otherwise than on Treasury Bills shall be repaid, with interest not exceeding three pounds per cent. per annum, out of the growing produce of the Consolidated Fund, at any period not later than the next succeeding quarter to that in which the money was borrowed.

(4) Any money borrowed under this section shall be placed to the credit of the account of the Exchequer, and shall form part of the said Consolidated Fund, and be available in any manner in which such Fund is available.

(5) The interest on any money borrowed under this section shall be paid out of the permanent annual charge for the National Debt.

Short title.

4. This Act may be cited as the Consolidated Fund Act, 1950.

CHAPTER 2

An Act to provide for raising further money for the development of the postal, telegraphic and telephonic systems and the repayment to the Post Office Fund of money applied thereout for such development, to amend the enactments relating to Post Office accounts and for purposes connected therewith.

[27th April 1950.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

Grant for development of postal, telegraphic and telephonic systems.

1.—(1) Without prejudice to the exercise of any powers previously given for the like purpose, the Treasury may issue out of the Consolidated Fund of the United Kingdom or the growing produce thereof (hereafter in this Act referred to as "the Consolidated Fund") such sums, not exceeding in the whole the sum of seventy-five million pounds, as may be

required by the Postmaster-General for developing, according to estimates approved by the Treasury, the postal, telegraphic and telephonic systems, or for repaying to the Post Office Fund any moneys which may have been applied thereout for that purpose.

(2) The Treasury may, if they think fit, for the purpose of providing money for sums so authorised to be issued out of the Consolidated Fund, or for repaying to that fund all or any part of the sums so issued, borrow by means of terminable annuities for a term not exceeding twenty years, and all sums so borrowed shall be paid into the Exchequer.

(3) The said annuities shall be paid out of moneys provided by Parliament for the service of the Post Office, and if those moneys are insufficient shall be charged on and paid out of the Consolidated Fund.

2.—(1) No account or statement relating to a period after the financial year ending on the thirty-first day of March, nineteen hundred and forty-nine, shall be required to be prepared or audited—

- (a) under section two of the Telegraph (Money) Act, 1920 (which relates to statements of loan charges and expenditure accounts in connection with the telegraph and telephone services of the Post Office); or
- (b) under section five of the Telephone Transfer Act, 1911, as extended by any subsequent enactment (which relates to certain loan expenditure accounts in connection with those services).

(2) It is hereby declared that section five of the Audit Departments Act, 1921 (which relates to the preparation by government departments of income and expenditure accounts of commercial services, together with balance sheets and statements of profit and loss, and to the examination of those accounts by the Comptroller and Auditor-General), applies in relation to the telegraph and telephone services of the Post Office notwithstanding the provision made at the date of the passing of that Act by the enactment referred to in paragraph (a) of the foregoing subsection.

(3) In respect of any financial year to which this subsection applies the Postmaster-General shall prepare, in such form and manner as the Treasury may direct, an account of all sums issued under section one of this Act or a corresponding enactment and of all expenditure from sums so issued.

(4) In the last foregoing subsection the expression "a corresponding enactment" means section one of the Post Office and Telegraph (Money) Act, 1948, section five of the Commonwealth Telegraphs Act, 1949, and any other enactment to which

the subsection is extended by an Act passed after this Act; and the subsection shall apply to the financial year ending on the thirty-first day of March, nineteen hundred and fifty, and any subsequent financial year in which any sums are issued as mentioned in that subsection or there is any expenditure from sums so issued.

(5) An account prepared under subsection (3) of this section in respect of any financial year shall be transmitted to the Comptroller and Auditor-General not later than the thirtieth day of November next following the end of that year, and he shall examine and certify the account and lay copies thereof, together with his report thereon, before Parliament.

(6) The enactments mentioned in the Schedule to this Act are hereby repealed to the extent specified in the third column of that Schedule.

Short title.

3. This Act may be cited as the Post Office and Telegraph (Money) Act, 1950.

SCHEDULE

ENACTMENTS REPEALED

Session and Chapter	Short Title	Extent of Repeal
1 & 2 Geo. 5. c. 26.	The Telephone Transfer Act, 1911.	Section five.
10 & 11 Geo. 5. c. 37.	The Telegraph (Money) Act, 1920.	Section two.
11 & 12 Geo. 6. c. 16.	The Post Office and Telegraph (Money) Act, 1948.	Subsection (4) of section one.
12, 13 & 14 Geo. 6. c. 39.	The Commonwealth Telegraphs Act, 1949.	Subsection (4) of section five.



CHAPTER 3

Army and Air Force (Annual) Act, 1950

ARRANGEMENT OF SECTIONS

Section

1. Short title.
2. Army and Air Force Act to be in force for specified times.

AMENDMENTS OF THE ARMY AND AIR FORCE ACTS AND REPEALS

PART I

*Amendments of the Army Act applicable also (subject to modifications)
to the Air Force Act*

3. Amendment of s. 91 as respects Northern Ireland.
4. Power to substitute fine for imprisonment in certain cases.
5. Penal stoppages from ordinary pay of soldiers sentenced to imprisonment, etc.
6. Application of Part I to Air Force Act.

PART II

Amendment of Army Act

7. Period of re-engagement of soldiers of certain descriptions.
8. Application of Army Act to Royal Marines, etc.

PART III

Amendment of Air Force Act

9. Conditions for re-engagement of airmen.

PART IV

Miscellaneous Amendments and Repeals

10. Consequential repeals and amendments.
11. Repeal of certain obsolete enactments.

SCHEDULES:

First Schedule—Consequential repeals and amendments.

Second Schedule—Repeal of obsolete enactments.

An Act to provide, during twelve months, for the discipline and regulation of the Army and the Air Force, and to repeal certain enactments relating thereto.
[27th April 1950.]

WHEREAS the raising or keeping of a standing army within the United Kingdom in time of peace, unless it be with the consent of Parliament, is against law:

And whereas it is adjudged necessary by His Majesty and this present Parliament that a body of land forces should be continued for the safety of the United Kingdom and the defence of

the possessions of His Majesty's Crown, and that the whole number of such forces should consist of four hundred and sixty-seven thousand :

And whereas it is adjudged necessary that a body of air forces should be continued for the purposes aforesaid, and that the whole number of such forces should consist of two hundred and fifteen thousand :

And whereas it is also judged necessary for the safety of the United Kingdom and the defence of the possessions of this realm that a body of Royal Marine forces should be employed in His Majesty's fleet and naval service under the direction of the Lord High Admiral of the United Kingdom, or the Commissioners for executing the office of Lord High Admiral aforesaid :

And whereas the said marine forces may frequently be quartered or be on shore, or be sent to do duty or be on board transport ships or vessels, merchant ships or vessels, or other ships or vessels, or they may be under other circumstances in which they will not be subject to the laws relating to the government of His Majesty's forces by sea :

And whereas no man can be forejudged of life or limb, or subjected in time of peace to any kind of punishment within this realm, by martial law, or in any other manner than by the judgment of his peers and according to the known and established laws of this realm ; yet, nevertheless, it being requisite, for the retaining all the before-mentioned forces, and other persons subject to military law or to the Air Force Act, in their duty, that an exact discipline be observed and that persons belonging to the said forces who mutiny, or stir up sedition, or desert His Majesty's service, or are guilty of crimes and offences to the prejudice of good order and military or air force discipline, be brought to a more exemplary and speedy punishment than the usual forms of the law will allow :

And whereas the Army Act and the Air Force Act will expire in the year one thousand nine hundred and fifty on the following days :—

- (a) In Great Britain and Northern Ireland, the Channel Islands and the Isle of Man, on the thirtieth day of April ; and
- (b) elsewhere, whether within or without His Majesty's dominions, on the thirty-first day of July :

Be it therefore enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and

Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

1. This Act may be cited as the Army and Air Force (Annual) Act, 1950. Short title.

2.—(1) The Army Act and the Air Force Act shall be and remain in force during the periods hereinafter mentioned, and no longer, unless otherwise provided by Parliament, that is to say:— Army and Air Force Act to be in force for specified times.

(a) within Great Britain and Northern Ireland, the Channel Islands, and the Isle of Man, from the thirtieth day of April, nineteen hundred and fifty, to the thirtieth day of April, nineteen hundred and fifty-one, both inclusive; and

(b) elsewhere, whether within or without His Majesty's dominions, from the thirty-first day of July, nineteen hundred and fifty, to the thirty-first day of July, nineteen hundred and fifty-one, both inclusive.

(2) The Army Act and the Air Force Act, while in force, shall apply to persons subject to military law or to the Air Force Act, as the case may be, whether within or without His Majesty's dominions.

(3) A person subject to military law or to the Air Force Act shall not be exempted from the provisions of the Army Act or the Air Force Act by reason only that the number of the forces for the time being in the service of His Majesty, exclusive of the marine forces, is either greater or less than the numbers hereinbefore mentioned.

AMENDMENTS OF THE ARMY AND AIR FORCE ACTS AND REPEALS

PART I

Amendments of the Army Act applicable also (subject to modifications) to the Air Force Act

3.—(1) In paragraph (a) of subsection (3) of section ninety-one of the Army Act (which, as respects soldiers with homes in Northern Ireland, provides for their reception into mental hospitals in Northern Ireland on the order of the Army Council or an officer deputed by that Council) for the words "by order direct that the soldier shall be received" there shall be substituted the words "apply for the soldier's reception". Amendment of s. 91 as respects Northern Ireland.

(2) In subsection (4) of the said section ninety-one for the words "an order under paragraph (a) of subsection (3) of this section" there shall be substituted the words "an application under paragraph (a) of subsection (3) of this section", and for the words "as if it were a reception order" to the end of the

PART I
—*cont.*

subsection there shall be substituted the words “as if it were an application made under section seven of the Mental Health Act (Northern Ireland), 1948”.

Power to substitute fine for imprisonment in certain cases.

4. At the end of subsection (1) of section ninety-nine of the Army Act (which makes it a punishable offence to make a false answer to any question in an attestation paper) and at the end of section one hundred and fifty-two of the Army Act (which makes it a punishable offence to pretend to be a deserter) there shall be added the words “or to a fine not exceeding twenty pounds”.

Penal stoppages from ordinary pay of soldiers sentenced to imprisonment, etc.

5. For paragraph (1) of section one hundred and thirty-eight of the Army Act (which provides for penal deductions from ordinary pay) there shall be substituted the following paragraph:—

“ (1) All ordinary pay—

- (a) for every day of absence either on desertion or without leave, or as a prisoner of war ;
- (b) for every day of imprisonment, corrective training, preventive detention, detention in a Borstal institution or detention of any other description, to which he is liable in consequence of an order or sentence of a civil court or an order of recall made by the Prison Commissioners, the Secretary of State or the Ministry of Home Affairs for Northern Ireland, for every day in custody (whether in prison or elsewhere) between conviction by a civil court and sentence, and for every day in custody on a charge for an offence of which the soldier is afterwards convicted by a civil court ;
- (c) for every day of imprisonment, detention or field punishment awarded by a court-martial, the soldier's commanding officer, or, in the case of a soldier on board one of His Majesty's ships, the commanding officer of that ship, and for every day while a soldier is in custody on a charge for an offence of which he is afterwards convicted by a court-martial, or on a charge of absence without leave for which he is afterwards awarded detention or field punishment by his commanding officer ”.

Application of Part I to Air Force Act.

6. References in the preceding sections in this Part of this Act to the Army Act shall be deemed to include references to the Air Force Act, and the provisions of the said sections shall in their application to the Air Force Act have effect subject to any of the general modifications set out in Part I of the Second Schedule to the Air Force (Constitution) Act, 1917, which apply.

PART II

Amendment of Army Act

7. After subsection (1) of section eighty-four of the Army Act (which provides that subject to regulations of the Army Council a soldier of the regular forces may in certain circumstances be re-engaged for such further period of army service as will make up a total continuous period of twenty-two years' service) there shall be inserted the following subsection:—

Period of re-engagement of soldiers of certain descriptions.

“(1A) Subject to any such regulations as aforesaid, in the case of soldiers of the regular forces enlisted outside the United Kingdom, being persons of such descriptions as may be specified in such regulations, the last foregoing subsection shall have effect as if for the reference to a period of twenty-two years' service there were substituted a reference to such shorter period of service as may be specified in the regulations.”

8.—(1) In section one hundred and seventy-nine of the Army Act (which provides for the modifications subject to which that Act applies to the Royal Marines) for the words from the beginning to “shall be made” there shall be substituted the words “This Act shall apply to the Royal Marines, and to the officers and men thereof, as it applies to any other part of the regular forces and to the officers and soldiers thereof, subject however to the following modifications”.

Application of Army Act to Royal Marines, etc.

(2) After paragraph (19A) of the said section one hundred and seventy-nine there shall be added the following paragraph:—

“(19B) The Royal Marines shall be formed into a separate corps.”

(3) At the end of the said section one hundred and seventy-nine there shall be added the following paragraph:—

“Notwithstanding anything in the Royal Marines Act, 1948, or the Naval Reserve Act, 1900, this section shall apply—

- (a) in relation to an officer of the Royal Marine Forces Volunteer Reserve when he is ordered on any duty or service for which as such an officer he is liable as it applies in relation to an officer of the Royal Marines, and
- (b) in relation to a non-commissioned officer or marine of the said Reserve or of the Royal Fleet Reserve when he is called into actual service or is being trained or exercised as it applies in relation to a man of the Royal Marines;

A *

PART II
—cont.

and in this section references to a man of the Royal Marines shall include references to a non-commissioned officer of the Royal Marines ”.

(4) The following provisions are hereby repealed, that is to say, paragraph (21) of section one hundred and seventy-nine of the Army Act, in paragraph (8) of section one hundred and ninety of that Act the words from “ and including ” to the end of the paragraph, in paragraph (15) of the said section one hundred and ninety the words from “ so however ” to “ separate corps ”, and the proviso to subsection (2) of section one of the Royal Marines Act, 1948.

PART III

Amendment of Air Force Act

Conditions for
re-engagement
of airmen.

9. In subsection (1) of section eighty-four of the Air Force Act (which allows an airman of the regular air force after the expiration of four years, reckoned as mentioned in that subsection, to be re-engaged either for a further period of air force service such as, with his previous service and any period previously served in the reserve, will make up a total continuous period of twenty-four years’ service or for such other further periods as are mentioned in the said subsection (1)) the proviso (which excludes for the purposes of that section any period of whole-time or part-time service within the meaning of Part I of the National Service Act, 1948) is hereby repealed; and after the said subsection (1) there shall be inserted the following subsections:—

“ (1A) In the case of a man who, before the beginning of his original term of enlistment, has been an officer or airman of the regular air force or the air force reserve or auxiliary air force, the aggregate of all the time so spent by him (whether continuously or not) in air force service, other than—

(a) time spent, as an officer or airman of the air force reserve or the auxiliary air force, while called out for training, or

(b) time spent before attaining the age of eighteen in service in the regular air force as a boy,

shall count towards completion of the period of four years mentioned in the last foregoing subsection or, if the said aggregate amounts to four years or more, so much of that subsection as prevents re-engagement before the expiration of the said period of four years shall not apply.

(1B) For the purposes of paragraph (a) of subsection (1) of this section, any period of part-time service within the meaning of Part I of the National Service Act, 1948, shall be disregarded.”

PART IV

Miscellaneous Amendments and Repeals

10. The amendments set out in the First Schedule to this Act shall have effect for repealing provisions which have become spent or otherwise for adapting the wording of the enactments referred to in that Schedule to changes in the law. Consequential repeals and amendments.

11. The enactments specified in the first column of the Second Schedule to this Act, being obsolete enactments which regulate the discipline and conduct of the army in Northern Ireland as respects the matters specified in the second column of that Schedule, are hereby repealed. Repeal of certain obsolete enactments.

SCHEDULES

FIRST SCHEDULE

CONSEQUENTIAL REPEALS AND AMENDMENTS

1.—(1) The following provisions are hereby repealed, that is to say:—

- (a) in section forty-one of the Army Act, paragraph (2A) (which provides for punishment by court-martial for offences under the Treachery Act, 1940), and in section fifty-seven of that Act, in subsections (1) and (2) the words “ or for an offence under the Treachery Act, 1940 ”;
- (b) in the proviso to subsection (1) of section eighty-four of that Act (which provides for the disregarding of whole-time or part-time service within the meaning of Part I of the National Service Act, 1948, in the computation of the period of a soldier’s army service for the purposes of his re-engagement) the words “ whole-time or ”;
- (c) in section one hundred and eight A of that Act, in subsection (4), the words from “ Section one ” to the end of the subsection (which excludes the operation of section one of the Rules Publication Act, 1893);
- (d) in section one hundred and forty-two of that Act, in subsection (1), the words “ Commissioners of His Majesty’s ”, and subsection (4) (which makes provision as to offences triable under two enactments or under an enactment and at common law);
- (e) in section one hundred and fifty-six of that Act, subsection (8) (which makes special provision as to minimum fines in the case of colonies);
- (f) in section one hundred and eighty-seven of that Act, paragraph (4) (which directs that in relation to the militia the Isle of Man shall be treated as a colony);
- (g) section one hundred and eighty-seven C of that Act (which, so far as still in force, provides for the application of the Act to Newfoundland), and in section seven of the Visiting Forces

PART II
—cont.

and in this section references to a man of the Royal Marines shall include references to a non-commissioned officer of the Royal Marines ”.

(4) The following provisions are hereby repealed, that is to say, paragraph (21) of section one hundred and seventy-nine of the Army Act, in paragraph (8) of section one hundred and ninety of that Act the words from “and including” to the end of the paragraph, in paragraph (15) of the said section one hundred and ninety the words from “so however” to “separate corps”, and the proviso to subsection (2) of section one of the Royal Marines Act, 1948.

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Amendment of Air Force Act

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“(1A) In the case of a man who, before the beginning of his original term of enlistment, has been an officer or airman of the regular air force or the air force reserve or auxiliary air force, the aggregate of all the time so spent by him (whether continuously or not) in air force service, other than—

(a) time spent, as an officer or airman of the air force reserve or the auxiliary air force, while called out for training, or

(b) time spent before attaining the age of eighteen in service in the regular air force as a boy,

shall count towards completion of the period of four years mentioned in the last foregoing subsection or, if the said aggregate amounts to four years or more, so much of that subsection as prevents re-engagement before the expiration of the said period of four years shall not apply.

(1B) For the purposes of paragraph (a) of subsection (1) of this section, any period of part-time service within the meaning of Part I of the National Service Act, 1948, shall be disregarded.”

PART IV

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10. The amendments set out in the First Schedule to this Act shall have effect for repealing provisions which have become spent or otherwise for adapting the wording of the enactments referred to in that Schedule to changes in the law. Consequential repeals and amendments.

11. The enactments specified in the first column of the Second Schedule to this Act, being obsolete enactments which regulate the discipline and conduct of the army in Northern Ireland as respects the matters specified in the second column of that Schedule, are hereby repealed. Repeal of certain obsolete enactments.

SCHEDULES

FIRST SCHEDULE

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- (a) in section forty-one of the Army Act, paragraph (2A) (which provides for punishment by court-martial for offences under the Treachery Act, 1940), and in section fifty-seven of that Act, in subsections (1) and (2) the words “ or for an offence under the Treachery Act, 1940 ”;
- (b) in the proviso to subsection (1) of section eighty-four of that Act (which provides for the disregarding of whole-time or part-time service within the meaning of Part I of the National Service Act, 1948, in the computation of the period of a soldier’s army service for the purposes of his re-engagement) the words “ whole-time or ”;
- (c) in section one hundred and eight A of that Act, in subsection (4), the words from “ Section one ” to the end of the subsection (which excludes the operation of section one of the Rules Publication Act, 1893);
- (d) in section one hundred and forty-two of that Act, in subsection (1), the words “ Commissioners of His Majesty’s ”, and subsection (4) (which makes provision as to offences triable under two enactments or under an enactment and at common law);
- (e) in section one hundred and fifty-six of that Act, subsection (8) (which makes special provision as to minimum fines in the case of colonies);
- (f) in section one hundred and eighty-seven of that Act, paragraph (4) (which directs that in relation to the militia the Isle of Man shall be treated as a colony);
- (g) section one hundred and eighty-seven C of that Act (which, so far as still in force, provides for the application of the Act to Newfoundland), and in section seven of the Visiting Forces

1ST SCH.
—cont.

(British Commonwealth) Act, 1933, subsection (2) (which, so far as still in force, provides that that Act shall operate in addition to, and not in derogation of, the provisions of any Act of Parliament applicable to a Newfoundland force by virtue of the said section one hundred and eighty-seven C);

(h) in section one hundred and ninety of the Army Act, paragraph (3) (which defines the expression "Commander-in-Chief").

(2) The provisions of the foregoing sub-paragraph, except heads (b), (f) and (h), shall apply in relation to the Air Force Act as they apply in relation to the Army Act.

2.—(1) At the end of section ninety-six of the Army Act and of section ninety-six of the Air Force Act there shall be added the following paragraph:—

"This section shall not apply in relation to apprentices who are deemed, by virtue of Part I of the National Service Act, 1948, to have been duly enlisted in any of His Majesty's forces."

(2) Subsection (4) of section twenty-six of the National Service Act, 1948 (which makes the same provision as the paragraph directed to be inserted in the Army Act and the Air Force Act by the last foregoing sub-paragraph) is hereby repealed.

3. In section one hundred and seventy-six A of the Army Act and in section one hundred and seventy-six A of the Air Force Act, in paragraph (a) of subsection (2) (which provides for the application of those Acts respectively in relation to officers of land forces and air forces raised under the Army and Air Force (Women's Service) Act, 1948, with modifications relating to relative ranks) after the word "officers" there shall be inserted the words "if and in so far as regulations made by His Majesty so provide" and for the words "regulations made by His Majesty" there shall be substituted the words "such regulations".

4.—(1) After section one hundred and eighty-seven A of the Army Act and after section one hundred and eighty-seven A of the Air Force Act there shall be inserted the following section:—

'Application of Act to Republic of Ireland. 187AA. Notwithstanding anything in the Ireland Act, 1949, this Act shall apply in relation to the Republic of Ireland as it applies in relation to a foreign country and not as it applies in relation to any part of His Majesty's dominions.'

(2) In section one hundred and ninety of the Army Act and in section one hundred and ninety of the Air Force Act, in paragraph (23) (which defines the expression "Dominion") for the words from "Eire" to the end there shall be substituted the words "India, Pakistan and Ceylon".

5. In section one hundred and ninety of the Army Act and in section one hundred and ninety of the Air Force Act, in paragraph (37) (which defines the expression "county court judge" in Scotland and Northern Ireland) for the words from "includes" to "Northern Ireland" there shall be substituted the words "shall be construed, in relation to Scotland, as a reference to the sheriff or sheriff-substitute, and in relation to Northern Ireland as a reference to".

SECOND SCHEDULE

REPEAL OF OBSOLETE ENACTMENTS

<i>Session, chapter and extent of repeal</i>	<i>Nature of enactment repealed</i>
10 Will. 3. c. 8 (Ir.) Section twelve ...	Non-commissioned officers and soldiers not to go out of their garrison or other quarters with firearms except by command.
6 Anne c. 14 (Ir.) Section one ...	Detachments of more than fifteen soldiers not to march without an officer; officer to make reparation to persons complaining of trespasses and offences; procedure for recovery of damages in default of such reparation.
Section two ...	Detachments of less than fifteen soldiers not to march without a sergeant or corporal; sergeant or corporal to make reparation as aforesaid; recovery of damages as aforesaid.
Section ten ...	Officers and soldiers not to destroy game, poultry or fish without leave of the lord of the manor.
39 Geo. 3. c. 59 (Ir.) The whole Act, so far as still in force.	An Act to enable His Majesty's forces, under orders of march, to pass through turnpikes and over bridges toll free.

Table of Statutes referred to in this Act

Short Title	Session and Chapter
Rules Publication Act, 1893	56 & 57 Vict. c. 66.
Naval Reserve Act, 1900	63 & 64 Vict. c. 52.
Air Force (Constitution) Act, 1917	7 & 8 Geo. 5. c. 51.
Visiting Forces (British Commonwealth) Act, 1933	23 Geo. 5. c. 6.
Treachery Act, 1940	3 & 4 Geo. 6. c. 21.
Royal Marines Act, 1948	11 & 12 Geo. 6. c. 25.
National Service Act, 1948	11 & 12 Geo. 6. c. 64.
Ireland Act, 1949	12, 13 & 14 Geo. 6. c. 41.

CHAPTER 4

An Act to provide for increasing the number of puisne judges of the High Court and the number of judges of county courts. [23rd May 1950.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

Increase of number of puisne judges of the High Court.
15 & 16 Geo. 5. c. 49.
7 & 8 Geo. 6. c. 9.
12, 13 & 14 Geo. 6. c. 62.

1. The number of puisne judges of the High Court who may be appointed under the Supreme Court of Judicature (Consolidation) Act, 1925, shall be increased by six; and accordingly—

(a) subsection (1) of section two of that Act, as amended by the Supreme Court of Judicature (Amendment) Act, 1944, and by section forty-nine of the Patents and Designs Act, 1949; and

(b) subsections (1) and (2) of section one of the said Act of 1944, as amended by the said section forty-nine;

shall have effect as if, for the word “thirty-three”, wherever that word occurs, there were substituted the word “thirty-nine”.

Increase of number of judges of county courts.
24 & 25 Geo. 5. c. 53.

2. The number of judges of county courts who may be appointed under the County Courts Act, 1934, shall be increased by five; and accordingly paragraph (b) of the proviso to subsection (1) of section four of that Act shall have effect as if, for the word “sixty”, there were substituted the word “sixty-five”.

Short title.

3. This Act may be cited as the High Court and County Court Judges Act, 1950.

CHAPTER 5

Newfoundland (Consequential Provisions) Act, 1950

ARRANGEMENT OF SECTIONS

Section

1. Cesser of effect of certain enactments as to Newfoundland.
 2. Amendment of British Nationality Act, 1948, as to potential citizens of Newfoundland.
 3. Power to make further adaptations by Order in Council.
 4. Short title.
- Schedule—Enactments Repealed.

An Act to provide for repeals and amendments of enactments consequential on Newfoundland's becoming part of Canada. [23rd May 1950.]

WHEREAS by virtue of the Terms of Union between Canada and Newfoundland set out in the Schedule to the British North America Act, 1949, and confirmed by section one of that Act, Newfoundland has become part of Canada :

Be it therefore enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

- 1.—(1) The following enactments shall cease to have effect to the following extent, that is to say—
- Cesser of
effect of
certain
enactments
as to
Newfoundland.
- The Colonial Stock Act, 1934, as to stock issued by the Government of Newfoundland ;
- The Ships and Aircraft (Transfer Restriction) Act, 1939, so far as that Act extends to Newfoundland, and, so far as that Act extends to any other country or territory, as to aircraft registered in Newfoundland ;
- Section fourteen of the Trading with the Enemy Act, 1939, as to Newfoundland ; and
- Subsection (1) of section nine of the Merchant Shipping Act, 1948, as to Newfoundland ;

and accordingly the enactments specified in Part I of the Schedule to this Act are hereby repealed to the extent mentioned in the third column of that Part.

(2) The enactments specified in Part II of the Schedule to this Act, being either—

- (a) enactments which contain references both to Canada and to Newfoundland having like effect as to each, and in which the references to Newfoundland became superfluous when Newfoundland became part of Canada, or
- (b) enactments which are expressed to operate in relation to any Dominion within the meaning of the Statute of Westminster, 1931, with an exception for Newfoundland, and in which the excepting words became inoperative when Newfoundland became part of Canada.

1ST SCH.
—cont.

(British Commonwealth) Act, 1933, subsection (2) (which, so far as still in force, provides that that Act shall operate in addition to, and not in derogation of, the provisions of any Act of Parliament applicable to a Newfoundland force by virtue of the said section one hundred and eighty-seven C);

(h) in section one hundred and ninety of the Army Act, paragraph (3) (which defines the expression "Commander-in-Chief").

(2) The provisions of the foregoing sub-paragraph, except heads (b), (f) and (h), shall apply in relation to the Air Force Act as they apply in relation to the Army Act.

2.—(1) At the end of section ninety-six of the Army Act and of section ninety-six of the Air Force Act there shall be added the following paragraph:—

"This section shall not apply in relation to apprentices who are deemed, by virtue of Part I of the National Service Act, 1948, to have been duly enlisted in any of His Majesty's forces."

(2) Subsection (4) of section twenty-six of the National Service Act, 1948 (which makes the same provision as the paragraph directed to be inserted in the Army Act and the Air Force Act by the last foregoing sub-paragraph) is hereby repealed.

3. In section one hundred and seventy-six A of the Army Act and in section one hundred and seventy-six A of the Air Force Act, in paragraph (a) of subsection (2) (which provides for the application of those Acts respectively in relation to officers of land forces and air forces raised under the Army and Air Force (Women's Service) Act, 1948, with modifications relating to relative ranks) after the word "officers" there shall be inserted the words "if and in so far as regulations made by His Majesty so provide" and for the words "regulations made by His Majesty" there shall be substituted the words "such regulations".

4.—(1) After section one hundred and eighty-seven A of the Army Act and after section one hundred and eighty-seven A of the Air Force Act there shall be inserted the following section:—

'Application of Act to Republic of Ireland. 187AA. Notwithstanding anything in the Ireland Act, 1949, this Act shall apply in relation to the Republic of Ireland as it applies in relation to a foreign country and not as it applies in relation to any part of His Majesty's dominions.'

(2) In section one hundred and ninety of the Army Act and in section one hundred and ninety of the Air Force Act, in paragraph (23) (which defines the expression "Dominion") for the words from "Eire" to the end there shall be substituted the words "India, Pakistan and Ceylon".

5. In section one hundred and ninety of the Army Act and in section one hundred and ninety of the Air Force Act, in paragraph (37) (which defines the expression "county court judge" in Scotland and Northern Ireland) for the words from "includes" to "Northern Ireland" there shall be substituted the words "shall be construed, in relation to Scotland, as a reference to the sheriff or sheriff-substitute, and in relation to Northern Ireland as a reference to".

SECOND SCHEDULE

REPEAL OF OBSOLETE ENACTMENTS

<i>Session, chapter and extent of repeal</i>	<i>Nature of enactment repealed</i>
10 Will. 3. c. 8 (Ir.) Section twelve ...	Non-commissioned officers and soldiers not to go out of their garrison or other quarters with firearms except by command.
6 Anne c. 14 (Ir.) Section one ...	Detachments of more than fifteen soldiers not to march without an officer; officer to make reparation to persons complaining of trespasses and offences; procedure for recovery of damages in default of such reparation.
Section two ...	Detachments of less than fifteen soldiers not to march without a sergeant or corporal; sergeant or corporal to make reparation as aforesaid; recovery of damages as aforesaid.
Section ten ...	Officers and soldiers not to destroy game, poultry or fish without leave of the lord of the manor.
39 Geo. 3. c. 59 (Ir.) The whole Act, so far as still in force.	An Act to enable His Majesty's forces, under orders of march, to pass through turnpikes and over bridges toll free.

Table of Statutes referred to in this Act

Short Title	Session and Chapter
Rules Publication Act, 1893	56 & 57 Vict. c. 66.
Naval Reserve Act, 1900	63 & 64 Vict. c. 52.
Air Force (Constitution) Act, 1917	7 & 8 Geo. 5. c. 51.
Visiting Forces (British Commonwealth) Act, 1933	23 Geo. 5. c. 6.
Treachery Act, 1940	3 & 4 Geo. 6. c. 21.
Royal Marines Act, 1948	11 & 12 Geo. 6. c. 25.
National Service Act, 1948	11 & 12 Geo. 6. c. 64.
Ireland Act, 1949	12, 13 & 14 Geo. 6. c. 41.

CHAPTER 4

An Act to provide for increasing the number of puisne judges of the High Court and the number of judges of county courts. [23rd May 1950.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

Increase of number of puisne judges of the High Court.
15 & 16 Geo. 5. c. 49.
7 & 8 Geo. 6. c. 9.
12, 13 & 14 Geo. 6. c. 62.

1. The number of puisne judges of the High Court who may be appointed under the Supreme Court of Judicature (Consolidation) Act, 1925, shall be increased by six; and accordingly—

(a) subsection (1) of section two of that Act, as amended by the Supreme Court of Judicature (Amendment) Act, 1944, and by section forty-nine of the Patents and Designs Act, 1949; and

(b) subsections (1) and (2) of section one of the said Act of 1944, as amended by the said section forty-nine;

shall have effect as if, for the word “thirty-three”, wherever that word occurs, there were substituted the word “thirty-nine”.

Increase of number of judges of county courts.
24 & 25 Geo. 5. c. 53.

2. The number of judges of county courts who may be appointed under the County Courts Act, 1934, shall be increased by five; and accordingly paragraph (b) of the proviso to subsection (1) of section four of that Act shall have effect as if, for the word “sixty”, there were substituted the word “sixty-five”.

Short title.

3. This Act may be cited as the High Court and County Court Judges Act, 1950.

CHAPTER 5

Newfoundland (Consequential Provisions) Act, 1950

ARRANGEMENT OF SECTIONS

Section

1. Cesser of effect of certain enactments as to Newfoundland.
2. Amendment of British Nationality Act, 1948, as to potential citizens of Newfoundland.
3. Power to make further adaptations by Order in Council.
4. Short title.
Schedule—Enactments Repealed.

An Act to provide for repeals and amendments of enactments consequential on Newfoundland's becoming part of Canada. [23rd May 1950.]

WHEREAS by virtue of the Terms of Union between Canada and Newfoundland set out in the Schedule to the British North America Act, 1949, and confirmed by section one of that Act, Newfoundland has become part of Canada :

Be it therefore enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

1.—(1) The following enactments shall cease to have effect to the following extent, that is to say—

Cesser of effect of certain enactments as to Newfoundland.

The Colonial Stock Act, 1934, as to stock issued by the Government of Newfoundland ;

The Ships and Aircraft (Transfer Restriction) Act, 1939, so far as that Act extends to Newfoundland, and, so far as that Act extends to any other country or territory, as to aircraft registered in Newfoundland ;

Section fourteen of the Trading with the Enemy Act, 1939, as to Newfoundland ; and

Subsection (1) of section nine of the Merchant Shipping Act, 1948, as to Newfoundland ;

and accordingly the enactments specified in Part I of the Schedule to this Act are hereby repealed to the extent mentioned in the third column of that Part.

(2) The enactments specified in Part II of the Schedule to this Act, being either—

(a) enactments which contain references both to Canada and to Newfoundland having like effect as to each, and in which the references to Newfoundland became superfluous when Newfoundland became part of Canada, or

(b) enactments which are expressed to operate in relation to any Dominion within the meaning of the Statute of Westminster, 1931, with an exception for Newfoundland, and in which the excepting words became inoperative when Newfoundland became part of Canada.

shall, for the purpose of removing the words so becoming superfluous or inoperative, be repealed to the extent mentioned in the third column of that Part.

(3) In the definition of the expression " Dominion " in Regulation one hundred of the Defence (General) Regulations, 1939 (which defines that expression as meaning any Dominion within the meaning of the Statute of Westminster, 1931, with an exception for Newfoundland) the words " except Newfoundland " shall be repealed, so, however, that the repeal thereof shall not affect the operation of the said Regulations as respects anything done or omitted to be done before Newfoundland became part of Canada.

Amendment of British Nationality Act, 1948, as to potential citizens of Newfoundland.

2. For the purposes of the British Nationality Act, 1948—

(a) a person who, by virtue of subsection (7) of section thirty-two of that Act, was deemed to be at the date of the commencement of that Act potentially a citizen of Newfoundland shall be deemed to have been at that date potentially a citizen of Canada and not potentially a citizen of Newfoundland ; and

(b) in relation to such a person, a citizenship law shall, notwithstanding the Citizenship Law (Canada) Order, 1948, made under subsection (8) of the said section thirty-two, be deemed not to have taken effect in Canada until the first day of April, nineteen hundred and forty-nine (being the date mentioned in section forty-six of the enactment of the legislature of Canada intituled the Statute Law Amendment (Newfoundland) Act, 13 Geo. 6 c. 6, which section relates to the extension of the Canadian citizenship laws to Newfoundland).

Power to make further adaptations by Order in Council.

3.—(1) His Majesty may by Order in Council make such further adaptations in any Act of the Parliament of the United Kingdom passed before this Act, or in any instrument having effect under any such Act, as appear to him necessary in consequence of Newfoundland's becoming part of Canada.

(2) A draft of any Order in Council made under this section shall be laid before Parliament.

(3) Any Order in Council made under this section may be varied or revoked by a subsequent Order in Council.

Short title.

4. This Act may be cited as the Newfoundland (Consequential Provisions) Act, 1950.

SCHEDULE

ENACTMENTS REPEALED

PART I

Session and Chapter	Short Title	Extent of Repeal
2 & 3 Geo. 6. c. 70.	The Ships and Aircraft (Transfer Restriction) Act, 1939.	In section four, in paragraph (a) of subsection (2), the words "in Newfoundland or". In section eleven, in paragraph (c) of subsection (1), the words "Newfoundland and".
2 & 3 Geo. 6. c. 89.	The Trading with the Enemy Act, 1939.	In section fourteen, in paragraph (b), the words "Newfoundland or".
11 & 12 Geo. 6. c. 44.	The Merchant Shipping Act, 1948.	In section nine, in subsection (1), the word "Newfoundland".

PART II

29 & 30 Vict. c. 109.	The Naval Discipline Act, 1866.	In section ninety B, in subsection (2), the words "and Newfoundland".
57 & 58 Vict. c. 17.	The Colonial Officers (Leave of Absence) Act, 1894.	In the Schedule, the word "Newfoundland".
58 & 59 Vict. c. 34.	The Colonial Boundaries Act, 1895.	In the Schedule, the word "Newfoundland".
6 Edw. 7. c. 11	The Reserve Forces Act, 1906.	In the Schedule, the word "Newfoundland".
8 Edw. 7. c. 51	The Appellate Jurisdiction Act, 1908.	In the Schedule, the word "Newfoundland".
1 & 2 Geo. 5. c. 46.	The Copyright Act, 1911	In section thirty-five, in subsection (1), in the definition of "self-governing dominion", the words "and Newfoundland".
1 & 2 Geo. 5. c. 47.	The Naval Discipline (Dominion Naval Forces) Act, 1911.	In section one, in subsection (3), the words "and Newfoundland".
1 & 2 Geo. 5. c. 57.	The Maritime Conventions Act, 1911.	In section nine, in subsection (1), the words "and Newfoundland".
2 & 3 Geo. 5. c. 10.	The Seal Fisheries (North Pacific) Act, 1912.	In section five, in subsection (2), the words "and Newfoundland".
5 & 6 Geo. 5. c. 57.	The Prize Courts Act, 1915.	In section four, in subsection (1), the words "or Newfoundland".
10 & 11 Geo. 5. c. 3.	The Coinage Act, 1920 ...	In section three, in subsection (2), the words "and Newfoundland".

SCHEDULE
—cont.

Session and Chapter	Short Title	Extent of Repeal
10 & 11 Geo. 5. c. 75.	The Official Secrets Act, 1920.	In section eleven, in subsection (1), the word "Newfoundland".
12 & 13 Geo. 5. c. 21.	The Treaties of Washington Act, 1922.	In section five, in subsection (1), the words "and Newfoundland".
13 & 14 Geo. 5. c. 14.	The Finance Act, 1923 ...	In section nineteen, in subsection (4), the words "or Newfoundland".
15 & 16 Geo. 5. c. 42.	The Merchant Shipping (International Labour Convention) Act, 1925.	In the Second Schedule, the word "Newfoundland".
16 & 17 Geo. 5. c. 40.	The Indian and Colonial Divorce Jurisdiction Act, 1926.	In section two, in subsection (2), the word "Newfoundland".
18 & 19 Geo. 5. c. 35.	The Easter Act, 1928 ...	In the Schedule, the word "Newfoundland".
23 & 24 Geo. 5. c. 6.	The Visiting Forces (British Commonwealth) Act, 1933.	In section three, in subsection (1), the words "or Newfoundland". In section four, in subsection (1), the words "or Newfoundland". In section eight, in subsection (1), in the definition of "visiting force", the words "or Newfoundland".
2 & 3 Geo. 6. c. 62.	The Emergency Powers (Defence) Act, 1939.	In section ten, in subsection (1), the words "except Newfoundland".
2 & 3 Geo. 6. c. 70.	The Ships and Aircraft (Transfer Restriction) Act, 1939.	In section twelve, in the definition of "Dominion", the words "except Newfoundland".
3 & 4 Geo. 6. c. 21.	The Treachery Act, 1940	In section five, in subsection (1), in the definition of "Dominion", the words "except Newfoundland".
10 & 11 Geo. 6. c. 33.	The Foreign Marriage Act, 1947.	In section three, in subsection (3), the words "except Newfoundland".
11 & 12 Geo. 6. c. 44.	The Merchant Shipping Act, 1948.	In section six, in subsection (2), the words "other than Newfoundland".
11 & 12 Geo. 6. c. 56.	The British Nationality Act, 1948.	In section one, in subsection (3), the word "Newfoundland".

Table of Statutes referred to in this Act

Short title	Session and Chapter
Statute of Westminster, 1931	22 & 23 Geo. 5. c. 4.
Colonial Stock Act, 1934	24 & 25 Geo. 5. c. 47.
Ships and Aircraft (Transfer Restriction) Act, 1939	2 & 3 Geo. 6. c. 70.
Trading with the Enemy Act, 1939	2 & 3 Geo. 6. c. 89.
Merchant Shipping Act, 1948	11 & 12 Geo. 6. c. 44.
British Nationality Act, 1948... ..	11 & 12 Geo. 6. c. 56.
British North America Act, 1949	12, 13 & 14 Geo. 6. c. 22.

CHAPTER 6

Statute Law Revision Act, 1950

ARRANGEMENT OF SECTIONS

Section

- 1 Enactments in schedules repealed.
- 2 Application of repealed enactments in local courts.
- 3 Omissions.
- 4 Church Assembly Measures.
- 5 Provisions as to Northern Ireland.
- 6 Short title.

SCHEDULES:

First Schedule.—Enactments of the Parliaments of England, Great Britain and the United Kingdom.

Second Schedule.—Enactments of the Irish Parliament passed before the commencement of the Union with Ireland Act, 1800.

Third Schedule.—Enactments contained in Church Assembly Measures.

An Act for further promoting the Revision of the Statute Law by repealing Enactments which have ceased to be in force or have become unnecessary and for facilitating the publication of Revised Editions of the Statutes.

[23rd May 1950.]

WHEREAS it is expedient that certain enactments which may be regarded as spent, or have ceased to be in force otherwise than by express specific repeal, or have, by lapse of time or otherwise, become unnecessary, should be expressly and specifically repealed:

Be it therefore enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

Enactments in
schedules
repealed.
39 & 40 Geo. 3
c. 67.

1.—(1) The enactments of the Parliaments of England, Great Britain, and the United Kingdom described in the First Schedule to this Act, the enactments of the Irish Parliament passed before the commencement of the Union with Ireland Act, 1800, described in the Second Schedule to this Act, and the enactments of the Church Assembly described in the Third Schedule to this Act are hereby repealed, subject to the provisions of this Act and subject to the exceptions and qualifications in the said schedules mentioned; and every part of a title, preamble, or recital specified after the words "in part, namely," in connection with an Act mentioned in the said schedules may be omitted from any revised edition of the statutes published by authority after the passing of this Act and there may be added in the said edition such brief statement of the Acts, officers, persons, and things mentioned in the title, preamble, or recital, as may in consequence of such omission appear necessary:

Provided as follows:—

The repeal of any words or expressions of enactment described in the said schedules shall not affect the binding force, operation, or construction of any statute, or of any part of a statute, whether as respects the past or the future;

and where any enactment not comprised in the said schedules has been repealed, confirmed, revived, or perpetuated by any enactment hereby repealed, such repeal, confirmation, revivor, or perpetuation shall not be affected by the repeal effected by this Act;

and the repeal by this Act of any enactment or schedule shall not affect any enactment in which such enactment or schedule has been applied, incorporated, or referred to;

nor shall such repeal of any enactment affect any right to any hereditary revenues of the Crown, or affect any charges thereupon or prevent any such enactment from being put in force for the collection of any such revenues or otherwise in relation thereto;

and this Act shall not affect the validity, invalidity, effect, or consequences of anything already done or suffered,—or any existing status or capacity,—or any right, title, obligation, or liability, already acquired, accrued, or incurred, or

any remedy or proceeding in respect thereof,—or any release or discharge of or from any debt, penalty, obligation, liability, claim, or demand,—or any indemnity,—or the proof of any past act or thing ;

nor shall this Act affect any principle or rule of law or equity, or established jurisdiction, form or course of pleading, practice, or procedure, or the general or public nature of any statute, or any existing usage, franchise, liberty, custom, privilege, restriction, exemption, office, appointment, payment, allowance, emolument, or benefit, or any prospective right, notwithstanding that the same respectively may have been in any manner affirmed, recognised, or derived by, in, or from any enactment hereby repealed :

nor shall this Act revive or restore any jurisdiction, office, duty, drawback, fee, payment, franchise, liberty, custom, liability, right, state, degree, style, dignity, title, honour, privilege, restriction, exemption, usage, practice, procedure, form of punishment, or other matter or thing not now existing or in force ;

and this Act shall not extend to repeal any enactment so far as the same may be in force in any part of His Majesty's dominions out of the United Kingdom, except where otherwise expressed in the said schedules.

(2) As respects omission from any revised edition of the statutes published by authority of parts of titles, preambles or recitals, the preceding subsection shall not apply in relation to any Northern Ireland edition as defined in subsection (1) of section five of this Act (whereby corresponding provision for such omission is made in relation to such an edition).

2. If and so far as any enactment repealed by this Act applies or may have been by Order in Council applied to the court of the county palatine of Lancaster or to any inferior court of civil jurisdiction, such enactment shall be construed as if it were contained in a local and personal Act specially relating to such court and shall have effect accordingly. Application of repealed enactments in local courts.

3.—(1) From any revised edition of the statutes published by authority there may be omitted enactments or words in respect of matters exclusively relating to territory within the jurisdiction of any one or more of the following, that is to say, Canada, Australia, New Zealand, the Union of South Africa, India, Pakistan, Ceylon, the Republic of Ireland, Burma and, so far as relates to matters within the powers of the Parliament thereof, Northern Ireland. Omissions.

25 & 26 Geo. 5.
c. 21.

(2) For the purposes of the preceding subsection, enactments relating to land purchase in Northern Ireland shall be deemed to relate to a subject within the powers of the Parliament of Northern Ireland notwithstanding that such enactments may relate to any of the matters set out in the Second Schedule to the Northern Ireland Land Purchase (Winding Up) Act, 1935.

(3) Without prejudice to any other saving contained in this Act, an omission made under the authority of this section shall not affect the construction or interpretation of any statute.

(4) The preceding provisions of this section shall not apply in relation to any Northern Ireland edition as defined in subsection (1) of section five of this Act (but without prejudice to any powers of the Parliament of Northern Ireland in relation to such an edition).

Church
Assembly
Measures.

4. In this Act, unless the context otherwise requires, the expression "enactment" includes an enactment comprised in a Church Assembly Measure.

Provisions as
to Northern
Ireland.

5.—(1) The following provisions of this subsection shall have effect as to any revised edition of the statutes affecting Northern Ireland the publication whereof is authorised or directed by the Parliament of Northern Ireland (in this Act referred to as a "Northern Ireland edition"), for authorising measures expedient in connection with the publication of a Northern Ireland edition in so far as they require authorisation by an Act of the Parliament of the United Kingdom as affecting matters not within the powers of the Parliament of Northern Ireland, that is to say—

- (a) every part of a title, preamble or recital specified after the words "in part, namely," in connection with an Act mentioned in the Schedules to this Act, or in a Schedule to any Statute Law Revision Act heretofore enacted being a Schedule which specifies enactments thereby repealed and applies to Northern Ireland, may be omitted from any Northern Ireland edition, notwithstanding that the subject matter of the words omitted is not within the powers of the Parliament of Northern Ireland; and there may be added in that edition such brief statement of the Acts, officers, persons, and things mentioned in the title, preamble or recital as may in consequence of such omission appear necessary;
- (b) such of the provisions of any Statute Law Revision Act heretofore enacted as authorise the omission of any enactments or words other than such a part of a title, preamble or recital as aforesaid shall apply to any

Northern Ireland edition, notwithstanding that the subject of the enactments or words omitted is not within the powers of the Parliament of Northern Ireland, so, however, that, without prejudice to any other saving contained in this Act, an omission made under the authority of this paragraph shall not affect the construction or interpretation of any statute ;

- (c) in any Northern Ireland edition an Act of the Irish Parliament may be cited by a short title assigned thereto by the Parliament of Northern Ireland, notwithstanding that the subject thereof is not within the powers of that Parliament ; and
- (d) where any Act included in a Northern Ireland edition cites or refers to another Act otherwise than by its short title, the short title may be printed in that edition in substitution for such citation or reference, notwithstanding that the subject of the Act which contains the citation or reference is not within the powers of the Parliament of Northern Ireland.

(2) Without prejudice to any other saving contained in this Act, the repeal by this Act of any enactment shall not prejudice or affect the continued operation of section twenty of the Irish Church Act, 1869. 32 & 33
Vict. c. 42.

(3) The Statute Law Revision Act, 1948, so far as it repeals 11 & 12 Geo. 6. 13 Edw. 1 Stat. Westm. sec. c. 34, shall be deemed not to have c. 62. extended to Northern Ireland.

(4) In its application to Northern Ireland this Act shall, as respects matters within the powers of the Parliament of Northern Ireland, be subject to alteration by that Parliament as if it had been an Act passed before the appointed day within the meaning of the Government of Ireland Act, 1920. 10 & 11 Geo 5.
c. 67.

6. This Act may be cited as the Statute Law Revision Act, Short title. 1950.

SCHEDULES

Section 1

FIRST SCHEDULE

Enactments of the Parliaments of England, Great Britain and the United Kingdom.

Reign and Chapter	Title
20 Hen. 3.: Stat. Merton.:	
c. 1.	Damages to widows on writ of dower. The whole chapter, in so far as it extends to Northern Ireland.
c. 4.	The Commons Act, 1236. The whole chapter, in so far as it extends to Northern Ireland.
6 Edw. 1.: Stat. Glouc.:	
c.1.	Damages in Novel Disseisin. In Mort d'Auncestor, Cosinage, etc. The whole chapter, so far as unrepealed, in so far as it extends to Northern Ireland.
12 Edw. 1.: Stat. Rothlan.:	Provisions made in the Exchequer.
	The whole statute, in so far as it extends to Northern Ireland.
13 Edw. 1.: Stat. Westm. sec.:	
c. 2.	Mischiefs to lords distraining their tenants by replevins. The whole chapter, in so far as it extends to Northern Ireland.
c. 5.	Three original writs of advowson. The whole chapter, in so far as it extends to Northern Ireland.
c. 30.	Assignment of justices of nisi prius. The whole chapter, in so far as it extends to Northern Ireland.
c. 31.	Proceedings on bills of exceptions. The whole chapter, in so far as it extends to Northern Ireland.

Reign and Chapter	Title	1ST SCH. —cont.
13 Edw. 1.: Stat. Westm. Sec.: c. 46.	The Commons Act, 1285. The whole chapter, so far as unrepealed, in so far as it extends to Northern Ireland.	
13 Edw. 1.: Stat. Circum- specte Agatis.	The Statute of Circumspecte Agatis. The whole statute, so far as unrepealed, in so far as it extends to Northern Ireland.	
18 Edw. 1.: Stat. de Consultatione.	The Statute of the Writ of Consultation. The whole statute, in so far as it extends to Northern Ireland.	
27 Edw. 1.: Stat. de Finibus:	c. 3. Justices of Assise shall be of Justices of Gaol Delivery. Such Justices shall punish sheriffs offending against Stat. Westm. 1. The whole chapter, in so far as it extends to Northern Ireland.	
	c. 4. Nisi prius shall be granted before one of the Judges of the Court where the suit is commenced. The whole chapter, in so far as it extends to Northern Ireland.	
28 Edw. 1.: Artic. sup. Cart.:	c. 3. Of what things only the steward and marshal of the King's House shall hold plea. What coroners shall inquire of the death of a man slain within the verge. The whole chapter, in so far as it extends to Northern Ireland.	
9 Edw. 2.: Stat. 1.: Articuli Cleri.:	c. 1. No prohibition in suits for Tythes, etc. The whole chapter, so far as unrepealed, in so far as it extends to Northern Ireland.	

1ST SCH.
—cont.

Reign and Chapter	Title
9 Edw. 2.:	
Stat. 1.:	
Articuli Cleri.:	
c. 2.	<p>Penance pecuniary and corporal. The whole chapter, so far as unrepealed, in so far as it extends to Northern Ireland.</p>
c. 6.	<p>Jurisdiction of the King's Court jointly with the spiritual. The whole chapter, so far as unrepealed, in so far as it extends to Northern Ireland.</p>
c. 7.	<p>The King's letter to discharge an excommunicate shall not issue. The whole chapter, in so far as it extends to Northern Ireland.</p>
c. 8.	<p>Clerks in the King's service, not bound to residence. The whole chapter, in so far as it extends to Northern Ireland.</p>
c. 9.	<p>Distresses on the clergy shall not be taken in the highways, nor in the ancient fees of the church. The whole chapter, in so far as it extends to Northern Ireland.</p>
c. 13.	<p>Examination of a parson presented belongeth to a spiritual judge. The whole chapter, in so far as it extends to Northern Ireland.</p>
c. 14.	<p>Free election of dignities of the church. The whole chapter, in so far as it extends to Northern Ireland.</p>
12 Edw. 2.:	
Stat. Ebor.:	
c. 3.	<p>Inquests determinable in the Benches may be taken in the Country. The whole chapter, in so far as it extends to Northern Ireland.</p>
c. 4.	<p>Justices of nisi prius may record Nonsuits, Defaults, etc. The whole chapter, in so far as it extends to Northern Ireland.</p>

Reign and Chapter	Title
Statutes of uncertain date: Prerogativa	
Regis:	
c. 10.	The King's presentation to vacant churches. The whole chapter, in so far as it extends to Northern Ireland.
2 Edw. 3.:	
c. 2.	Pardons for felony. Justices of Assize and gaol delivery. Oyers et terminers. The whole chapter, so far as unrepealed, in so far as it extends to Northern Ireland.
4 Edw. 3.:	
c. 11.	Justices of Assises and Nisi Prius may inquire concerning Maintainers, etc. The whole chapter, in so far as it extends to Northern Ireland.
14 Edw. 3.:	
Stat. 1.:	
c. 6.	Records defective by misprision of Clerks amendable. The whole chapter, in so far as it extends to Northern Ireland.
c. 16.	Nisi prius may be granted before a justice of common pleas in a suit in King's Bench. The whole chapter, in so far as it extends to Northern Ireland.
20 Edw. 3.:	Ordinance for the justices. The whole statute, so far as unrepealed, in so far as it extends to Northern Ireland.
25 Edw. 3.:	
Stat. 6.:	
c. 1.	Confirmation of privileges and franchises. The King's presentation to benefices in right of another, limited to titles in his own time. The whole chapter, in so far as it extends to Northern Ireland.
c. 3.	On presentations in another's right, the King's title shall be examined. The whole chapter, in so far as it extends to Northern Ireland.

1ST SCH.
—cont.

1ST SCH.
—cont.

Reign and Chapter	Title
25 Edw. 3.: Stat. 6.: c. 7.	The title taken to the King for a benefice lapsed may be counterpleaded. The whole chapter, in so far as it extends to Northern Ireland.
c. 8.	Cognizance of avoidance of benefices declared to appertain to the ecclesiastical judge. The whole chapter, in so far as it extends to Northern Ireland.
34 Edw. 3.: c. 20.	Exportation of corn forbidden. The whole chapter, in so far as it extends to Northern Ireland.
36 Edw. 3.: c. 8.	The wages of priests. The whole chapter, in so far as it extends to Northern Ireland.
8 Ric. 2.: c. 4.	Penalty on Judge or Clerk making a false entry, etc. The whole chapter, in so far as it extends to Northern Ireland.
13 Ric. 2.: Stat. 1.: c. 1.	The Statute 25 Edw. 3, Stat. 6, c. 3, confirmed. The King's presentee shall not be admitted to any benefice full of an incumbent till the King hath recovered by law. The whole chapter, in so far as it extends to Northern Ireland.
15 Ric. 2.: c. 6.	On appropriation of benefices provision shall be made for the poor and the vicar. The whole chapter, in so far as it extends to Northern Ireland.
4 Hen. 4.: c. 12.	Statute 15 Ric. 2. c. 6, touching the appropriation of churches, confirmed. The whole chapter, in so far as it extends to Northern Ireland.

Reign and Chapter	Title
1 Hen. 5.:	<p>c. 5. In original Writs, etc., Additions of Defendants' Degree, etc., shall be put. The whole chapter, in so far as it extends to Northern Ireland.</p>
2 Hen. 5.:	<p>Stat. 1.:</p> <p>c. 3. Copies of the libels in the spiritual courts shall be duly delivered. The whole chapter, in so far as it extends to Northern Ireland.</p>
9 Hen. 5.:	<p>Stat. 1.:</p> <p>c. 4. Justices may amend the Defaults in Records and Process after Judgment. The whole chapter, in so far as it extends to Northern Ireland.</p>
4 Hen. 6.:	<p>c. 3. Recital of the Statute 9 Hen. 5. St. 1, reciting Statute 14 Edw. 3. St. 1. c. 6, for amendment of Errors in process by misprision of clerks as well after judgment as before. The whole chapter, in so far as it extends to Northern Ireland.</p>
8 Hen. 6.:	<p>c. 1. The clergy of the Convocation and their servants shall have all such liberties as the lords and commons of Parliament. The whole chapter, in so far as it extends to Northern Ireland.</p> <p>c. 12. No Judgment nor Record shall be reversed nor avoided for erasures, interlineations or literal errors. The whole chapter, so far as unrepealed, in so far as it extends to Northern Ireland.</p> <p>c. 15. The Judges may amend records in cases of misprision of sheriffs, etc. The whole chapter, in so far as it extends to Northern Ireland.</p>

1st SCH.
—cont.

1st SCH.
—cont.

Reign and Chapter	Title
14 Hen. 6.: c. 1.	Justices of Nisi Prius may give judgment, etc., in treason and felony cases. The whole chapter, in so far as it extends to Northern Ireland.
24 Hen. 8.: c. 12.	The Ecclesiastical Appeals Act, 1532. The whole Act, in so far as it extends to Northern Ireland.
35 Hen. 8.: c. 16.	An Act concerning the Examination of the Canon Laws by Two and thirty Persons to be named by the King's Majesty during His Highness's Life.
37 Hen. 8.: c. 4.	The Dissolution of Colleges Act, 1545. In part, namely,— Sections thirteen and sixteen.
1 Edw. 6.: c. 2.	An Acte for the election of Bisshoppes. The whole Act, in so far as it extends to Northern Ireland.
c. 14.	The Dissolution of Colleges Act, 1547. In part, namely,— Section twenty-three.
2 & 3 Edw. 6.: c.1.	The Act of Uniformity, 1548. The whole Act, in so far as it extends to Northern Ireland.
5 & 6 Edw. 6.: c. 1.	The Act of Uniformity, 1551. The whole Act, in so far as it extends to Northern Ireland.
c. 16.	The Sale of Offices Act, 1551. In part, namely,— Sections five and six, in so far as they extend to Northern Ireland.

Reign and Chapter	Title
1 Eliz. :	<p>c. 1. The Act of Supremacy. In part, namely,— Section eight, in so far as it extends to Northern Ireland.</p> <p>c. 2. The Act of Uniformity, 1558. The whole Act, in so far as it extends to Northern Ireland.</p>
3 Car. 1.:	<p>c. 5. An Act for contynuaunce and Repeale of divers Statutes. In part, namely,— In section twenty-two the words “an Act intituled, An Act for the increase of mariners, and for maintenance of navigation, repealing a former Act made in the three and twentieth year of her said Majesty’s reign, bearing the same title,” in so far as they extend to Northern Ireland.</p>
16 Car. 1.:	<p>c. 4. An Act for the further releife of His Majesties Armie and the Northern Parts of the Kingdome. In part, namely,— Section two so far as it relates to the continuation of 39 Eliz. c. 10. by 3 Car. 1. c. 5. in so far as it extends to Northern Ireland.</p> <p>c. 26. An Act for the better raising and levying of Mariners, Sailers and others for the present guarding of the Seas and necessary defence of this realm and other His Majesties Dominions. The whole Act, in so far as it extends to Northern Ireland.</p> <p>c. 28. An Act for the better raising and leavying of Souldiers for the present defence of the Kingdomes of England and Ireland. The whole Act, in so far as it extends to Northern Ireland.</p> <p>c. 30. An Act for a speedie contribution and loan towards the releife of his Majesties distressed subjects of the Kingdome of Ireland. The whole Act, in so far as it extends to Northern Ireland.</p>

1st SCH.
—cont.

Reign and Chapter	Title
16 Car. 1.:	
c. 32.	An Act for the raising and leavying of Moneys for the necessary defence and great affaires of the Kingdomes of England and Ireland, and for the payment of debts undertaken by the Parliament. The whole Act, in so far as it extends to Northern Ireland.
c. 33.	An Act for the speedy and effectual reducing the rebels in His Majesty's Kingdom of Ireland to their due obedience to His Majesty and the Crown of England. The whole Act, in so far as it extends to Northern Ireland.
c. 34.	An Act adding to and explaining certain clauses in Stat. 16 Car. 1. c. 33. The whole Act, in so far as it extends to Northern Ireland.
c. 35.	An Act to enable Corporations and Bodies Politic to participate in the benefit of Stat. 16 Car. 1. c. 33. The whole Act, in so far as it extends to Northern Ireland.
c. 37.	An Act for the further advancement of an Effective and Speedy reduction of the rebels in Ireland to the obedience of His Majesty and Crown of England. The whole Act, in so far as it extends to Northern Ireland.
13 Car. 2. Stat. 1.:	
c. 14.	An Act for Confirming an Act intituled an Act for encouraging and encreasing of Shipping and Navigation and severall other Acts both publique and private mentioned therein. In part, namely,— The words "One other Act, intituled, An Act for prohibiting the exportation of wool, wool-fells, fullers earth or any kind of scouring earth", and the words "One other Act, intituled, an Act for prohibiting the planting, setting or sowing of tobacco in England and Ireland" in so far as they extend to Northern Ireland.

Reign and Chapter	Title	1st SCH. —cont.
14 Car. 2: c. 4.	The Act of Uniformity, 1662. The whole Act, in so far as it extends to Northern Ireland.	
19 & 20 Car. 2: c. 3.	An Act to make Prize Ships free for trade. The whole Act, in so far as it extends to Northern Ireland.	
22 & 23 Car. 2.: c. 26.	An Act to prevent the planting of Tobacco in England, and for regulateing the Plantation Trade. The whole Act so far as unrepealed.	
1 Will. & Mar. Sess. 2:	c. 2. The Bill of Rights. In part, namely,— In the preamble the words “ and jurors which passe upon men in trialls for high treason ought to be freeholders ”, in so far as they extend to Northern Ireland.	
12 & 13 Will. 3: c. 2.	The Act of Settlement. In part, namely,— In section three from the words “ That after the said limitation shall take effect as afore-said, judges commissions ” where those words secondly occur to the words “ it may be lawful to remove them ”, in so far as they extend to Northern Ireland.	
1 Anne.:	c. 25. An Act for making more effectual the provision out of the forfeited estates in Ireland, for the building of churches and augmenting small vicarages in Ireland. The whole Act, in so far as it extends to Northern Ireland.	

1st SCH.
—cont.

Reign and Chapter	Title
1 Anne, Stat. 2.: c. 18.	<p>An Act for advancing the sale of the forfeited estates in Ireland, and for vesting such as remain unsold by the present trustees, in Her Majesty, her heirs and successors, for such uses, as the same were before vested in the said trustees ; and for the more effectually selling and setting the said estates to protestants ; and for explaining several Acts relating to the Lord Bophin, and Sir Redmond Everard.</p> <p>The whole Act so far as unrepealed, in so far as it extends to Northern Ireland.</p>
6 Anne.:	<p>c. 8. An Act for securing the Church of England as by law established.</p> <p>The whole Act, in so far as it extends to Northern Ireland.</p>
	<p>c. 25. An Act for making the Stats. 11 Will. 3. c. 2 and 1 Anne c. 25 more effectual for appropriating the forfeited impropriations in Ireland, for the building of churches, and augmenting poor vicarages there.</p> <p>The whole Act, in so far as it extends to Northern Ireland.</p>
11 Geo. 1.:	<p>c. 10. An Act to enable the Justices of the Peace for the East-Riding of the County of York, to take down the County Bridge called Stanford Bridge, and to build a Stone Bridge at a more convenient Place over the River Darwent in the said Riding instead thereof.</p>
15 Geo. 2.:	<p>c. 18. An Act to render more effectual an Act made in the ninth and tenth Years of the Reign of his late Majesty King William the Third, intituled, An Act for erecting Hospitals and Workhouses within the Town of Colchester in the County of Essex, for the better employing and maintaining the Poor thereof.</p>

Reign and Chapter	Title	1ST SOLL. —cont.
20 Geo. 2. : c. 40.	<p>An Act to revive, continue and amend an Act made in the ninth Year of the Reign of his late Majesty King George the First, intituled, An Act for clearing, depthening, repairing, extending, maintaining and improving the Haven and Piers of Great Yarmouth ; and for depthening and making more navigable the several rivers emptying themselves at the said town ; and also for preserving ships wintering in the said Haven from accidents by fire.</p>	
26 Geo. 2. : c. 6.	<p>An Act to oblige ships more effectually to perform their quarantine ; and for the better preventing the plague being brought from foreign parts into Great Britain or Ireland, or the Isles of Guernsey, Jersey, Alderney, Sark or Man.</p> <p>The whole Act, in so far as it extends to Northern Ireland.</p>	
29 Geo. 2. : c. 8.	<p>An Act to repeal a Clause in an Act made in the twenty-sixth year of His present Majesty intituled, An Act to oblige ships more effectually to perform their quarantine ; and for the better preventing the plague being brought from foreign parts into Great Britain or Ireland or the Isles of Guernsey, Jersey, Alderney, Sark or Man, whereby the stationing of ships infected with the plague, to the northward of Cape Finisterre, is confined to the Harbour of New Grimsby, and removable to no other place ; and for appointing a more safe and commodious place instead thereof.</p> <p>The whole Act, in so far as it extends to Northern Ireland.</p>	
31 Geo. 2. : c. 46.	<p>An Act to amend an Act passed in the last Session of Parliament, intituled, An Act for building a Bridge or Bridges cross the River of Thames, from a certain Place in Old Brentford, in the Parish of Ealing, in the County of Middlesex, known by the Name of Smith or Smith's Hill, to the opposite Shore in the County of Surry.</p>	

1ST SCH.
—cont.

Reign and Chapter	Title
16 Geo. 3. : c. 23.	An Act for the better Regulation and Government of the Pilots conducting Ships and Vessels into and out of the Port of Boston, in the County of Lincoln; and for affixing and setting down Mooring-Posts upon the Banks or High Marshes within or adjoining to the Haven and Harbour of the said Port; and for affixing and laying down Bridges over the Creeks upon the High Marshes within or adjoining to the said Haven and Harbour; and for preventing Mischiefs by Fire in the said Haven and Harbour.
17 Geo. 3. : c. 12.	An Act for building a Bridge across the River Severn, from or near a Place called Preen's-Eddy, in the Parish of Broseley, to or near a Place called the Sheep-Wash, in the Parish of Sutton-Maddock, in the County of Salop; and for making proper Roads and Avenues to and from the same.
26 Geo. 3. : c. 115.	An Act for providing a proper Workhouse, and better regulating the Poor, within the Parish of Barking, in the County of Essex; and for regulating the Common Wharf within the Town of Barking. The whole Act so far as unrepealed.
27 Geo. 3. : c. 48.	An Act to enable the East India Company to continue their Warehouses already built, and to build new Warehouses, exceeding certain dimensions, freed and discharged from the Regulations and Directions contained in an Act made in the fourteenth Year of the Reign of his Majesty King George the Third, intituled, An Act for the further and better Regulating of Buildings and Party Walls; and for the more effectually preventing Mischiefs by Fire within the Cities of London and Westminster, and the Liberties thereof, and other the Parishes, Precincts, and Places, within the Weekly Bills of Mortality, the Parishes of Saint Mary le Bon, Paddington, Saint Pancras, and Saint Luke at Chelsea, in the County of Middlesex, and for indemnifying, under certain Conditions, Builders and other Persons against the Penalties to which they are or may be liable for erecting Buildings within the Limits aforesaid contrary to Law.

Reign and Chapter	Title	1st SCH; —cont.
31 Geo. 3.: c. 31.	<p>The Clergy Endowments (Canada) Act, 1791. In part, namely,— Sections thirty-eight; thirty-nine and forty.</p>	
32 Geo. 3.: c. 79.	<p>An Act for amending an Act, of the sixteenth year of his present Majesty, relating to the Haven and Harbour of Boston in the County of Lincoln; and for regulating the Mooring and Removing of Ships and other Vessels within the said Haven and Harbour, and for removing Obstructions therein.</p>	
41 Geo. 3. (U.K.):	<p>c. 25. The Master of the Rolls (Ireland) Act, 1801. The whole Act so far as unrepealed, in so far as it extends to Northern Ireland.</p> <p>c. 52. The House of Commons (Disqualification) Act, 1801. In part, namely,— Section nine.</p> <p>c. 60. An Act to explain and amend an Act passed in the Thirty-fourth Year of the Reign of his present Majesty, intituled, An Act to enable the Lords Commissioners of His Majesty's Treasury to ascertain what sum shall be paid into His Majesty's Exchequer, in full Satisfaction of the Debt due on the Mortgage made by the late John Gardner Kemeys, Esquire, in Trust for the late Right Honourable Richard Rigby, in case it shall appear to the said Lords Commissioners that it will be necessary to resort to the mortgaged Premises, in order to recover the Balance due from the said Richard Rigby to His Majesty.</p> <p>c. 85. The Fines by Justices Act, 1801. The whole Act so far as unrepealed.</p>	
43 Geo. 3. c. 86.	<p>The Unlawful Combinations (Ireland) Act, 1803. In part, namely,— Section twenty-one.</p>	

1st SCH.
—cont.

Reign and Chapter	Title
44 Geo. 3.: c. 77.	The Marriages Confirmation Act, 1804. In part, namely,— Section two.
46 Geo. 3.: c. 131.	An Act for exonerating the Estates of Percival Lewis Esquire, and Marianne Lewis Spinster, in the Parish of Putney in the County of Surrey, from the Claims of His Majesty against the Estate of Edward Lewis Esquire, deceased.
c. 157.	An Act for more effectually carrying into Execution the Purposes of an Act made in the Thirty-ninth and Fortieth Year of His present Majesty, to give further Time for the Payment, on the Conditions therein mentioned, of Instalments on certain Loans advanced to the House of Alexander Houstoun and Company, to Charles Ashwell Esquire, and to William Johnstone Esquire, being Persons connected with and trading to the Islands of Grenada and Saint Vincent, so far as relates to the Real and Personal Estates of William Mac Dowall, James Mac Dowall, and Robert Houstoun Rae, in the West Indies and elsewhere, except in Scotland. The whole Act so far as unrepealed.
c. 158.	An Act for more effectually carrying into Execution the Purposes of an Act made in the Thirty-ninth and Fortieth Year of His present Majesty, to give further Time for the Payment, on the Conditions therein mentioned, of Instalments on certain Loans advanced to the House of Alexander Houstoun and Company, to Charles Ashwell Esquire, and to William Johnstone Esquire, being Persons connected with and trading to the Islands of Grenada and Saint Vincent, so far as relates to the Real and Personal Estates of William Mac Dowall, James Mac Dowall, and Robert Houstoun Rae Esquires, in Scotland.
47 Geo. 3.: Sess. 2:	c. 69. An Act for discharging from the Claims of the Crown, certain Real and Personal Estates belonging to General de Lancey, late Barrack Master General, and vested in Trustees for Sale.

Reign and Chapter	Title	1ST SCH. —cont.
48 Geo. 3.:		
c. 135.	An Act to amend an Act made in the Forty-sixth Year of His present Majesty for more effectually carrying into Execution the Purposes of an Act made in the Thirty-ninth and Fortieth Year of His Majesty, to give further Time for the Payment, on the Conditions therein mentioned, of Instalments on certain Loans advanced to the House of Alexander Houstoun and Company to Charles Ashwell Esquire, and to William Johnstone Esquire, being Persons connected with and trading to the Islands of Grenada and St. Vincent, so far as relates to the Real and Personal Estates of William Mac Dowall, James Mac Dowall, and Robert Houstoun Rae, in the West Indies and elsewhere, except in Scotland.	
c. 145.	An Act for enabling His Majesty to grant Annuities to the Judges of the Courts of Session, Justiciary, and Exchequer in Scotland upon the Resignation of their Offices. In part, namely,— Section two.	
51 Geo. 3.:		
c. 102.	An Act to extend the provisions of an Act passed in the Forty-seventh Year of His present Majesty, for discharging from the Claims of the Crown certain Real and Personal Estates belonging to General de Lancey, late Barrack Master General, and vested in Trust for Sale; and also for vesting and settling certain Lands heretofore contracted to be purchased by the said General de Lancey in Trustees, to be sold for Payment of a Debt due to the Crown, and for other Purposes relative thereto.	
52 Geo. 3.:		
c. 75.	An Act to provide for the more complete and effectual Liquidation of a Debt due to His Majesty from the late Abraham Goldsmid, Merchant, and his surviving Partners; and to confirm and establish certain Agreements entered into for that and other Purposes relating thereto.	
c. 131.	The Parochial Stipends (Scotland) Act, 1812.	
54 Geo. 3.:		
c. 16.	The House of Commons (Disqualifications) Act, 1813.	

1ST SCH.
—cont.

Reign and Chapter	Title
54 Geo. 3.: c. 95.	An Act to enable His Majesty to grant additional Annuities to the Judges of the Court of King's Bench, Judges of the Courts of Common Pleas and Exchequer, in Ireland, on the Resignation of their offices. The whole Act in so far as it extends to Northern Ireland.
55 Geo. 3.: c. 109.	An Act to enable the Sheriff Depute or Substitute and Justices of the Peace of the County of Clackmanan, to incarcerate Persons in the Gaol of the Royal Burgh of Stirling or the Common Gaol of the County of Stirling.
c. 184.	The Stamp Act, 1815. In part, namely,— Sections twenty-one and twenty-two.
c. 195.	An Act for exonerating the Estates and Effects of the late Sir James Colebrooke, the late Sir George Colebrooke, Arnold Nesbit, Sir Samuel Fludyer, Adam Drummond and Moses Franks, and of their Sureties, from all Claims and Demands whatsoever in respect of any Contracts entered into with His Majesty's Government.
57 Geo. 3.: c. 91.	The Clerks of the Peace (Fees) Act, 1817. In part, namely,— Section two.
58 Geo. 3.: c. 42.	An Act for enabling the Trustees of certain Premises at Great Yarmouth in the County of Norfolk, held in Trust for His Majesty, to execute a Conveyance of the same to a Purchaser thereof.
59 Geo. 3.: c. 12.	The Poor Law Relief Act, 1819. In part, namely,— Sections nineteen; twenty; twenty-one; twenty-two and twenty-three. Section thirty-five from "and all Acts" to "major part of them."

Reign and Chapter	Title
59 Geo. 3.:	
c. 45.	The Court of Session Act, 1819. In part, namely,— Sections two ; four and five.
c. 68.	An Act for exonerating the Manor of Dawlish in the County of Devon, from the Claims of the Crown against the Estate of John Inglett Fortescue Esquire.
c. 95.	The Poor Relief (No. 2) Act, 1819.
c. 137.	An Act to enable the Directors of the Poor of the several Parishes within the City of Worcester, and of the Parishes united therewith, to sell and dispose of certain Lands, discharged of all Claims of the Crown in respect of any Forfeiture incurred under the Statutes of Mortmain.
1 Geo. 4.:	
c. 36.	The Poor Law (Appeals) Act, 1820.
c. 42.	An Act to authorise the Composition for the Debt remaining due to His Majesty from the late Abraham Goldsmid Merchant, and his surviving Partners.
c. 101.	The Divorce Bills Evidence Act, 1820.
c. 114.	An Act for enabling William Blackall Simonds Esquire to sell or mortgage his Estate and Interest in the Improprate Rectory of Caversham in the County of Oxford, free from the Claims of the Crown.
1 & 2 Geo. 4.:	
c. 66.	The British North America Act, 1821. The whole Act so far as unrepealed.
c. 86.	An Act for amending an Act passed in the First Year of His present Majesty, for enabling William Blackall Simonds Esquire, to sell or mortgage his Estate and Interest in the Improprate Rectory of Caversham, in the County of Oxford, free from the Claims of the Crown.
3 Geo. 4.:	
c. 126.	The Turnpike Roads Act, 1822. In part, namely,— Section thirty-two.

1ST SCH.
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1ST SCH.
—cont.

Reign and Chapter	Title
4 Geo. 4.:	
c. 19.	The National Debt Reduction Act, 1823. In part, namely,— Section twelve.
c. 61.	The Court of Chancery (Ireland) Act, 1823. In part, namely,— Section fifty-nine, in so far as it extends to Northern Ireland.
c. 80.	The Lascars Act, 1823. In part, namely,— Sections twenty-five ; twenty-six and twenty- eight.
c. 97.	The Commissary Courts (Scotland) Act, 1823. The whole Act so far as unrepealed.
5 Geo. 4.:	
c. 5.	An Act for enabling a Conveyance to be made of Part of a House in Lombard Street, vested in the Right Honourable Henry Frederick Lord Carteret, formerly His Majesty's Postmaster General.
c. 12.	The Gaol Sessions Act, 1824. The whole Act so far as unrepealed.
c. 83.	The Vagrancy Act, 1824. In part, namely,— Section fifteen.
c. 84.	The Transportation Act, 1824. In part, namely,— Section twenty-three.
6 Geo. 4.:	
c. 81.	The Excise Licenses Act, 1825. In part, namely,— Section five.
c. 120.	The Court of Session Act, 1825. In part, namely,— Sections three and thirty-seven.

Reign and Chapter	Title	1ST SCH. —cont.
7 Geo. 4.:		
c. 12.	An Act for exonerating a certain Estate called Maes Llemystin , situate in the Parish of Llangadfan , in the County of Montgomery , belonging to Charles Dallas Esquire , from the Claims of the Crown.	
c. 28.	An Act for exonerating certain Estates called Corsica Hall , Alfriston , Mass Alfriston otherwise Masse Alfryshton , and Dean Place , in the County of Sussex , belonging to John Henry Tilson Esquire , from the Claims of the Crown.	
c. 46.	The Country Bankers Act, 1826 . In part, namely,— Sections sixteen and seventeen.	
c. 64.	The Criminal Law Act, 1826 . In part, namely,— Section one. Sections five and six. Section seventeen.	
7 & 8 Geo. 4.:	The Excise Management Act, 1827 .	
c. 53.	In part, namely,— Sections thirty-eight and one hundred and seven.	
9 Geo. 4.:	The Bank Notes Act, 1828 .	
c. 23.	The whole Act so far as unrepealed.	
c. 39.	The Salmon Fisheries (Scotland) Act, 1828 . In part, namely,— Section ten.	
10 Geo. 4.:		
c. 7.	The Roman Catholic Relief Act, 1829 . In part, namely,— In section twelve the words “or Ireland.”	
11 Geo. 4. &		
1 Will. 4.:		
c. 26.	The National Debt Act, 1830 . The whole Act so far as unrepealed.	
c. 51.	The Beer Licenses Act, 1830 . In part, namely,— Sections twenty-three and twenty-four.	

1ST SCH.
—cont.

Reign and Chapter	Title
11 Geo. 4 & 1 Will. 4.: c. 69.	The Court of Session Act, 1830. In part, namely,— Section thirty so far as unrepealed.
2 & 3 Will. 4.: c. 64.	The Parliamentary Boundaries Act, 1832. The whole Act so far as unrepealed.
c. 65.	The Representation of the People (Scotland) Act, 1832. In part, namely,— Section thirty so far as unrepealed.
c. 89.	The Parliamentary Boundaries (Ireland) Act, 1832. The whole Act so far as unrepealed.
c. 116.	The Lord Lieutenants' and Lord Chancellors' Salaries (Ireland) Act, 1832. In part, namely,— Section one.
c. 127.	An Act for appointing additional Commissioners to put in execution the Acts for granting an Aid to His Majesty by a Land Tax, and continuing the Duties on Personal Estates, Offices and Pensions.
3 & 4 Will. 4.: c. 86.	The Crown Lands Act, 1833.
c. 87.	The Inclosure Act, 1833.
c. 93.	The China Trade Act, 1833. The whole Act so far as unrepealed.
c. 95.	An Act to appoint additional Commissioners for executing the Acts for granting an Aid by a Land Tax, and for continuing the Duties on Personal Estates, Offices and Pensions.
4 & 5 Will. 4.: c. 19.	The House Tax Act, 1834. The whole Act so far as unrepealed.
c. 24.	The Superannuation Act, 1834. In part, namely,— Section nine.

Reign and Chapter	Title	1ST SCH. —cont.
4 & 5 Will. 4. : c. 36.	The Central Criminal Court Act, 1834. In part, namely,— Sections five and eleven.	
	c. 75. The Excise Act, 1834. The whole Act so far as unrepealed.	
	c. 76. The Poor Law Amendment Act, 1834. In part, namely,— Section eighty-six the words “or appointment of any officer” and from “nor the appointment” to “the poor rate”.	
5 & 6 Will. 4. :	c. 42. The Insolvency Courts Act, 1835.	
	c. 50. The Highway Act, 1835. In part, namely,— Sections forty-two and forty-three.	
	c. 72. An Act for abolishing the Excise Incorporation in Scotland, and for transferring the Funds of the said Incorporation to the Consolidated Fund, and providing for the Payment of the Annuities to the Widows and Orphans of late and present Members of the Incorporation Fund.	
6 & 7 Will. 4. :	c. 80. An Act to appoint additional Commissioners for executing the Acts for granting an Aid by a Land Tax, and for continuing the Duties on Personal Estates, Offices and Pensions.	
7 Will. 4. & 1	Vict. : An Act to discharge His Majesty's Manor and Demesne Lands at Newark in the County of Nottingham from any Costs of rebuilding or repairing Trent and Markham Bridges, and to charge the same on the other Hereditary Revenues of the Crown.	
	c. 15.	
	c. 60. The Acts of Parliament (Mistaken References) Act, 1837.	
	c. 67. The Master and Workmen (Arbitration) Act, 1837.	

1ST SCH.
—cont.

Reign and Chapter	Title
1 & 2 Vict. :	
c. 57.	An Act to appoint additional Commissioners for executing the Acts granting a Land Tax and Duties on Personal Estates, Offices and Pensions.
c. 94.	The Public Record Office Act, 1838. In part, namely,— Section nine the proviso.
c. 95.	The Pensions Act, 1838. The whole Act so far as unrepealed.
c. 106.	The Pluralities Act, 1838. In part, namely,— Section forty.
c. 110.	The Judgments Act, 1838. In part, namely,— Section twenty-one so far as unrepealed.
2 & 3 Vict. :	
c. 11.	An Act for the better Protection of Purchasers against Judgments, Crown Debts, Lis Pendens, and Fiats in Bankruptcy. The whole Act so far as unrepealed.
c. 71.	The Metropolitan Police Courts Act, 1839. In part, namely,— Section seventeen.
c. 82.	The Counties (Detached Parts) Act, 1839. In part, namely,— The whole Act so far as unrepealed.
c. 84.	The Poor Rate Act, 1839. In part, namely,— Section two.
3 & 4 Vict. :	
c. 92.	The Non-Parochial Registers Act, 1840. In part, namely,— Section two.
5 & 6 Vict. :	
c. 22.	An Act for Consolidating the Queen's Bench, Fleet and Marshalsea Prisons, and for regulating the Queen's Prison. The whole Act so far as unrepealed.
7 & 8 Vict. :	
c. 79.	An Act to appoint additional Commissioners for executing the Acts for granting a Land Tax and for other Rates and Taxes.

Reign and Chapter	Title	1ST SCH. —cont.
7 & 8 Vict.:		
c. 92.	The Coroners Act, 1844. In part, namely,— Section six.	
c. 101.	The Poor Law Amendment Act, 1844. In part, namely,— Section seventy-four from “and the words ‘licensed Minister’” to the end of the section.	
8 & 9 Vict.:		
c. 118.	The Inclosure Act, 1845. In part, namely,— Section three so far as unrepealed. Section one hundred and sixty-three to “of this Act, and”.	
c. 127.	The Small Debts Act, 1845. In part, namely,— Section thirteen.	
11 & 12 Vict.:		
c. 12.	The Treason Felony Act, 1848. In part, namely,— Section five.	
c. 42.	The Indictable Offences Act, 1848. In part, namely,— Section seven. Section twenty-two. Section thirty-one from “without possessing” to “behalf and”.	
c. 44.	The Justices Protection Act, 1848. In part, namely,— Section eighteen.	
c. 62.	An Act to appoint additional Commissioners for executing the Acts for granting a Land Tax and other Rates and Taxes.	
12 & 13 Vict.:		
c. 25.	The Portugese Deserters Act, 1849. The whole Act so far as unrepealed.	
13 & 14 Vict.:		
c. 89.	The Court of Chancery (Ireland) Regulation Act, 1850. The whole Act so far as unrepealed.	

1ST SCH.
—cont.

Reign and Chapter	Title
14 & 15 Vict. :	
c. 55.	The Criminal Justice Administration Act, 1851. In part, namely,— Sections fifteen and sixteen.
c. 64.	The Railway Regulation Act, 1851. In part, namely,— Section two.
c. 86.	An Act to regulate the Affairs of certain Settlements established by the New Zealand Company in New Zealand.
c. 100.	The Criminal Procedure Act, 1851. In part, namely,— Section twenty-nine, in so far as it extends to Northern Ireland.
15 & 16 Vict. :	
c. 39.	The Crown Revenue (Colonies) Act, 1852.
c. 56.	The Pharmacy Act, 1852. In part, namely,— Section six.
c. 76.	The Common Law Procedure Act, 1852. In part, namely,— Section one hundred and eight the proviso. Section one hundred and ten. Section one hundred and thirty-two.
c. 79.	The Inclosure Act, 1852. In part, namely,— Section two.
16 & 17 Vict. :	
c. 73.	The Naval Volunteers Act, 1853. In part, namely,— Sections one to twelve. Section seventeen from “every volunteer during” to “such volunteer, and to”; from “and to all officers” to “actual service”; the words “volunteers and” and the word “volunteer” where next occurring. Sections eighteen to twenty. Section twenty-one the words “any volunteer under this Act or”. Section twenty-two the words, “any volunteer under this Act or”, the words “any such volunteer or” and the words “any such volunteer”.

Reign and Chapter	Title	1st Sch. —cont.
16 & 17 Vict.:		
c. 111.	An Act to appoint additional Commissioners for executing the Acts for granting a Land Tax and other Rates and Taxes.	
c. 129.	The Pilotage Amendment Act, 1853. In part, namely,— Sections three so far as unrepealed; four; five; eight and nine so far as unrepealed. Section ten from “either in respect of surplus duties” to “claims as hereinafter provided for” except the word “shall” in the middle of this passage. Section eleven. Section twelve to “subject to the charges aforesaid”; the words “after this Act comes into operation” and from “or of the poundage upon the sums” to the end of the section. Section thirteen to “Be it enacted that, for the purpose of carrying the said intention and provisions into effect”; and from “for altering and determining the payments” to “and the said Trinity House may also with such consent as aforesaid from time to time make regulations”.	
c. 131.	The Merchant Shipping Law (Amendment) Act, 1853. In part, namely,— Sections twelve and twenty-eight.	
17 & 18 Vict.:		
c. 56.	The Friendly Societies Discharge Act, 1854. The whole Act so far as unrepealed.	
c. 82.	The Court of Chancery of Lancaster Act, 1854. In part, namely,— Sections one; six and ten.	
c. 120.	The Merchant Shipping (Repeal) Act, 1854. In part, namely,— Section six. Section eight.	

1ST SCH.
—cont.

Reign and Chapter	Title
18 & 19 Vict. :	
c. 17.	The Sardinia Loan Act, 1855.
c. 115.	The General Board of Health Continuance Act, 1855. The whole Act so far as unrepealed.
c. 120.	The Metropolis Management Act, 1855. In part, namely,— Sections two hundred and thirteen and two hundred and fourteen.
19 & 20 Vict. :	
c. 39.	The Sardinia Loan Act, 1856.
c. 45.	An Act for confirming a Scheme of the Charity Commissioners for Saint Mary Magdalen Hospital near Bath.
c. 46.	The Imprisonment (Scotland) Act., 1856.
c. 92.	The Chancery Appeal Court (Ireland) Act, 1856. In part, namely,— Sections nineteen and twenty, in so far as they extend to Northern Ireland.
c. 119.	The Marriage and Registration Act, 1856. In part, namely,— Section one.
20 & 21 Vict. :	
c. 10.	An Act to amend the Charter of Incorporation granted to the Borough of Hanley in the County of Stafford.
c. 46.	An Act to appoint additional Commissioners for executing the Acts for granting a Land Tax and other Rates and Taxes.
c. 51.	The New Zealand Loan Guarantee Act, 1857.
c. 71.	The Lunacy (Scotland) Act, 1857. In part, namely,— Section eighty-four so far as unrepealed.
c. 72.	The Police (Scotland) Act, 1857. In part, namely,— Section eighteen the words "or in the militia".

Reign and Chapter	Title
20 & 21 Vict. :	
c. 79.	<p>The Probates and Letters of Administration Act (Ireland), 1857. In part, namely,— Section twelve, so far as unrepealed ; section ninety-six ; section ninety-seven, so far as unrepealed and section one hundred and one.</p>
c. 85.	<p>The Matrimonial Causes Act, 1857. In part, namely,— Section forty-four. Section forty-nine.</p>
21 & 22 Vict. :	
c. 50.	The Ecclesiastical Jurisdiction Act, 1858.
c. 97.	<p>The Public Health Act, 1858. In part, namely,— Section four.</p>
22 Vict. :	
c. 26.	<p>The Superannuation Act, 1859. In part, namely,— Section fourteen.</p>
22 & 23 Vict. :	
c. 4.	<p>The Middlesex Sessions Act, 1859. In part, namely,— Section four from “and the said justices” to the end of the section.</p>
c. 9.	The Chief Superintendent in China Act, 1859.
c. 26.	<p>An Act to make further Provision for the Regulation of the Trade with the Indians, and for the Administration of Justice in the North-Western Territories of America.</p>
c. 31.	<p>The Court of Probate Act (Ireland), 1859. In part, namely,— Section eleven, section thirteen, section twenty-three and section thirty-three, in so far as those sections extend to Northern Ireland.</p>
23 & 24 Vict. :	
c. 113.	<p>The Excise Act, 1860. In part, namely,— Section thirty-three so far as unrepealed.</p>

1ST SCH.
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1st Sch.
—cont.

Reign and Chapter	Title
23 & 24 Vict. : c. 126.	The Common Law Procedure Act, 1860. The whole Act so far as unrepealed.
c. 129.	The Excise on Spirits Act, 1860. The whole Act so far as unrepealed.
24 & 25 Vict. :	
c. 37.	The Poor Law (Scotland) No. 2 Act, 1861. The whole Act so far as unrepealed.
c. 47.	The Harbours and Passing Tolls, etc. Act, 1861. In part, namely,— Section eight.
c. 95.	An Act to repeal certain Enactments which have been consolidated in several Acts of the present Session relating to indictable offences and other matters.
c. 112.	An Act for the Appropriation of the Seats vacated by the Disfranchisement of the Boroughs of Sud- bury and Saint Alban. The whole Act so far as unrepealed.
25 & 26 Vict. :	
c. 39.	The Red Sea and India Telegraph Act, 1862.
c. 102.	The Metropolis Management Amendment Act, 1862. In part, namely,— Sections one ; three ; four ; seventeen ; thirty ; seventy-nine ; one hundred and fifteen and schedule B.
26 & 27 Vict. :	
c. 14.	The Post Office Savings Bank Act, 1863. In part, namely,— Section four.
c. 61.	The Highway Act, 1863.
c. 65.	The Volunteer Act, 1863. The whole Act so far as unrepealed except sections one and two. Section two the words “under this Act”, and from “and offering their services” to the end of the section.

Reign and Chapter	Title
26 & 27 Vict. :	
c. 70.	The Public Works (Manufacturing Districts) Act, 1863.
c. 82.	The Church Services (Wales) Act, 1863.
c. 94.	An Act to amend the Law relating to the Repair of Turnpike Roads in England and to continue certain Turnpike Acts in Great Britain. The whole Act so far as unrepealed.
c. 105.	The Promissory Notes Act, 1863. In part, namely,— Section two.
c. 112.	The Telegraph Act, 1863. In part, namely,— Section sixteen.
27 & 28 Vict. :	
c. 23.	An Act to repeal certain Enactments relating to Naval Prize of War and Matters connected therewith or with the Discipline or Management of the Navy.
c. 32.	The Banking Copartnership Act, 1864.
c. 40.	The Greek Loan Act, 1864.
c. 104.	The Public Works (Manufacturing Districts) Act, 1864.
28 & 29 Vict. :	
c. 37.	The County of Sussex Act, 1865. In part, namely,— Section thirteen.
c. 40.	The Lancaster Palatine Court Act, 1865.
c. 48.	The Courts of Justice Building Act, 1865. In part, namely,— Sections five to fifteen and so far as unrepealed section seventeen.
c. 107.	The Annual Turnpike Acts Continuance Act, 1865. In part, namely,— Section three.

1ST SCH.
—cont.

1ST SCH.
—*cont.*

Reign and Chapter	Title
28 & 29 Vict.:	
c. 112.	An Act to repeal Enactments relating to Powers of the Commissioners of the Admiralty, and to various Matters under the Control of the Admiralty.
c. 126.	The Prison Act, 1865. In part, namely,— Section twenty.
29 & 30 Vict.:	
c. 25.	The Exchequer Bills and Bonds Act, 1866. In part, namely,— Section three the proviso, so far as unrepealed.
c. 52.	The Prosecution Expenses Act, 1866.
c. 59.	An Act to appoint additional Commissioners for executing the Acts for granting a Land Tax and other Rates and Taxes.
c. 62.	The Crown Lands Act, 1866. In part, namely,— Section thirty.
c. 68.	The Superannuation Act, 1866. In part, namely,— Section three from “any officer who” to “as regards”. Section six.
c. 104.	The New Zealand Loans Act, 1866. The whole Act so far as unrepealed.
30 & 31 Vict.:	
c. 3.	The British North America Act, 1867. In part, namely,— Section one hundred and eighteen.
c. 16.	The Canada Railway Loan Act, 1867. The whole Act so far as unrepealed.

Reign and Chapter	Title	1ST SCH. —cont.
30 & 31 Vict.:		
c. 44.	<p>The Chancery (Ireland) Act, 1867.</p> <p>In part, namely,—</p> <p>Sections four; seven; eight; nine; twenty-one and twenty-two, in so far as they extend to Northern Ireland.</p>	
c. 51.	<p>An Act to appoint additional Commissioners for executing the Acts for granting a Land Tax and other Rates and Taxes.</p>	
c. 106.	<p>The Poor Law Amendment Act, 1867.</p> <p>The whole Act so far as unrepealed.</p>	
c. 128.	<p>The War Department Stores Act, 1867.</p> <p>The whole Act so far as unrepealed.</p>	
31 & 32 Vict.:		
c. 50.	<p>The Lanark Prisons Act, 1868.</p> <p>The whole Act so far as unrepealed.</p>	
c. 64.	<p>The Land Registers (Scotland) Act, 1868.</p> <p>In part, namely,—</p> <p>Section seventeen.</p>	
c. 81.	<p>An Act to authorize Loans of Public Money to the Portpatrick and the Belfast and County Down Railway Companies, and a Payment to the Portpatrick Company in consequence of the Abandonment of the Communication between Donaghadee and Portpatrick.</p>	
c. 101.	<p>The Titles to Land Consolidation (Scotland) Act, 1868.</p> <p>In part, namely,—</p> <p>Section thirty-nine.</p>	
c. 116.	<p>The Larceny Act, 1868.</p> <p>The whole Act so far as unrepealed.</p>	
c. 120.	<p>The West Indies (Salaries) Act, 1868.</p> <p>The whole Act so far as unrepealed.</p>	

1ST SCH.
—cont.

Reign and Chapter	Title
31 & 32 Vict. : c. 122.	The Poor Law Amendment Act, 1868. In part, namely,— Sections thirty-nine and forty so far as un- repealed.
c. 126.	The Danube Works Loan Act, 1868.
32 & 33 Vict. :	
c. 44.	The Greenwich Hospital Act, 1869. In part, namely,— Section fourteen.
c. 60.	The Political Offices Pension Act, 1869. In part, namely,— Section nine subsections two and three, and the schedule.
c. 64.	An Act to appoint additional Commissioners for executing the Acts for granting a Land Tax and other rates and taxes.
c. 69.	The Jamaica Loans Act, 1869. The whole Act so far as unrepealed.
c. 70.	The Contagious Diseases (Animals) Act, 1869. In part, namely,— Section one hundred and one.
c. 84	An Act to abolish the office of Cursitor of the Court of Chancery in the palatine of Durham.
c. 101.	The Canada (Rupert's Land) Loan Act, 1869.
33 & 34 Vict. :	
c. 40.	The New Zealand (Roads, etc.) Loan Act, 1870. The whole Act so far as unrepealed.
c. 46.	The Landlord and Tenant (Ireland) Act, 1870. In part, namely,— In sections forty-four and forty-five the words from the beginning to "in the term of thirty-five years"; sections forty-six ; forty-seven and fifty-four.
c. 63.	The Wages Arrestment Limitation (Scotland) Act, 1870. In part, namely,— Section three.

Reign and Chapter	Title	1ST SCH. —cont.
33 & 34 Vict. : c. 71.	The National Debt Act, 1870. In part, namely,— Section five to “the respective amounts thereof subsisting at the passing of this Act, and ”; the words “due to the several persons who at the passing of this Act are entitled thereto, and their representatives ”; the words from “All the annuities ” in the first place in which those words occur, to “therein mentioned ”; and the words “at the periods and in the manner in the same Schedule mentioned ”. Sections seven ; eight ; nine ; ten ; seventeen and nineteen. Section twenty-seven to “annuities. But ”; and the words “other ” and “also ”. Section thirty-two the words “or some person deriving title from him by devolution in law as in this part of this Act mentioned ” and the words “and on his bankruptcy his assignee, and on the marriage of the nominee being a female, her husband ”. Section thirty-seven. Section thirty-nine paragraph five, the words “or bankruptcy ” and the words “or of the marriage of the nominee being a female ”. Section sixty-nine. Section seventy-three the words “receipt of dividends and ”; and the words “and to receipt of dividends on stock standing in the names of infants or persons of unsound mind ”. Schedule one, all the denominations except the last ; the second and third columns ; the regulation. Schedule three.	
c. 73.	The Annual Turnpike Acts Continuance Act, 1870. In part, namely,— Section thirteen.	
c. 85.	The Norfolk Boundary Act, 1870.	
c. 99.	An Act for the repeal of certain Enactments relating to the Inland Revenue.	

1ST SCH.
—cont.

Reign and Chapter	Title
34 & 35 Vict. :	
c. 57.	The Courts of Justice (Additional Site) Act, 1871. In part, namely,— Section six.
c. 78.	The Regulation of Railways Act, 1871. In part, namely,— Section thirteen.
c. 86.	The Regulation of the Forces Act, 1871. In part, namely,— Sections three ; four ; five ; ten ; eleven ; twelve and thirteen.
35 & 36 Vict. :	
c. 20.	The Customs and Inland Revenue Act, 1872. The whole Act so far as unrepealed.
c. 32.	The Landlord and Tenant (Ireland) Act, 1872. In part, namely,— Section one subsections one, two and three.
c. 68.	The Military Forces Localization Act, 1872. In part, namely,— Sections five ; six ; seven ; eight so far as unrepealed and nine.
c. 73.	The Merchant Shipping Act, 1872. In part, namely,— Section ten.
36 & 37 Vict. :	
c. 15.	The New Zealand (Roads, etc.) Loan Act, 1873.
c. 36.	The Crown Lands Act, 1873. In part, namely,— Section three.
c. 45.	The Canada (Public Works) Loan Act, 1873. The whole Act so far as unrepealed.
c. 52.	The Intestates Act, 1873. The whole Act, in so far as it extends to Northern Ireland.

Reign and Chapter	Title	1st Sch. —cont.
36 & 37 Vict. :		
c. 60.	The Extradition Act, 1873. In part, namely,— Section two.	
c. 76.	The Railway Regulation Act, 1873. In part, namely,— Section six, except in so far as it extends to Northern Ireland.	
c. 84.	An Act to explain the Militia Pay Acts, 1868 and 1869, and to facilitate the sale of property held for Militia purposes. The whole Act so far as unrepealed.	
37 & 38 Vict. :		
c. 18.	An Act to appoint additional Commissioners for executing the Acts for granting a Land Tax and other rates and taxes.	
c. 24.	An Act to empower the Public Works Loan Com- missioners to advance a sum of money, by way of loan, for improvement of the Harbour of Colombo in the colony of Ceylon. The whole Act so far as unrepealed.	
c. 42.	The Building Societies Act, 1874. In part, namely,— Section two.	
c. 45.	The County of Hertford and Liberty of St. Albans Act, 1874. In part, namely,— Section forty.	
c. 61.	The Royal (late Indian) Ordnance Corps Act, 1874. The whole Act so far as unrepealed.	
c. 81.	The Great Seal (Offices) Act, 1874. In part, namely,— Sections ten and eleven.	
c. 92.	The Alderney Harbour (Transfer) Act, 1874. In part, namely,— Section two paragraph two.	

1ST SCH.
—cont.

Reign and Chapter	Title
38 & 39 Vict. :	
c. 27.	The Intestates Act, 1875. The whole Act, in so far as it extends to Northern Ireland.
c. 28.	The Metropolitan Police Staff (Superannuation) Act, 1875. In part, namely,— Section three to “allowance and”.
c. 34.	The Bishopric of St. Albans Act, 1875. In part, namely,— Section eight.
c. 55.	The Public Health Act, 1875. In part, namely,— Section one hundred and forty-five.
c. 64.	The Government Officers (Security) Act, 1875. In part, namely,— Section three.
39 & 40 Vict. :	
c. 5.	The Telegraph (Money) Act, 1876. The whole Act so far as unrepealed.
c. 20.	The Statute Law Revision (Substituted Enactments) Act, 1876. In part, namely,— Section two.
c. 35.	The Customs Tariff Act, 1876. In part, namely,— References in the schedule to (a) chicory, cocoa and coffee. (b) chloral hydrate.
c. 61.	The Divided Parishes and Poor Law Amendment Act, 1876. In part, namely,— Section twenty-nine.
40 & 41 Vict. :	
c. 21.	The Prison Act, 1877. In part, namely,— Sections twenty-two ; twenty-three ; thirty-five and thirty-six. Section fifty-two. Sections fifty-three and fifty-five.

Reign and Chapter	Title	1ST SCH. —cont.
40 & 41 Vict.: c. 53.	<p>The Prisons (Scotland) Act, 1877.</p> <p>In part, namely,—</p> <p>Sections forty ; forty-one ; forty-two and forty-three.</p> <p>Section fifty-five so far as unrepealed.</p> <p>Section fifty-nine.</p> <p>Section seventy from “ For the purposes of this Act, sufficient accommodation ” to the end of the section.</p> <p>Section seventy-one in the definition of “ County ” the words from “ For the purposes of this Act ” to the end of the definition.</p>	
c. 57.	<p>The Supreme Court of Judicature (Ireland) Act, 1877.</p> <p>In part, namely,—</p> <p>Sections fifteen and seventeen.</p> <p>Section twenty-eight subsection nine.</p>	
41 & 42 Vict.:		
c. 18.	<p>The Public Works Loans Act, 1878.</p> <p>In part, namely,—</p> <p>Section three so far as unrepealed.</p>	
c. 27.	<p>The Supreme Court of Judicature Act (Ireland), 1877, Amendment Act, 1878.</p> <p>In part, namely,—</p> <p>Section one the proviso.</p>	
c. 31.	<p>The Bills of Sale Act, 1878.</p> <p>In part, namely,—</p> <p>Section eighteen.</p>	
c. 41.	<p>The Parliamentary Elections Returning Officers Expenses (Scotland) Act, 1878.</p> <p>The whole Act so far as unrepealed.</p>	
c. 49.	<p>The Weights and Measures Act, 1878.</p> <p>In part, namely,—</p> <p>Section sixty-nine from “ and for the purposes ” to end of section.</p>	
c. 51.	<p>The Roads and Bridges (Scotland) Act, 1878.</p> <p>In part, namely,—</p> <p>Section fifteen.</p>	

1st SCH.
—cont.

Reign and Chapter	Title
41 & 42 Vict. :	
c. 53.	The Admiralty and War Office Regulation Act, 1878. The whole Act so far as unrepealed.
c. 63.	The Prison (Officers Superannuation) Act, 1878.
42 & 43 Vict. :	
c. 19.	The Habitual Drunkards Act, 1879. In part, namely,— Sections four and five.
c. 32.	The Military Prisons Act, 1879. The whole Act so far as unrepealed.
c. 44.	The Lord Clerk Register (Scotland) Act, 1879. In part, namely,— Section six. Section seven. Section ten.
c. 52.	The Land Tax Commissioners (Names) Act, 1879.
c. 54.	The Poor Law Act, 1879. In part, namely,— Section eighteen the definitions of “ the Metro- polis ”, “ Metropolitan Asylums Board ”, “ Urban sanitary district ”, “ rural sanitary district ” and “ union ”. Section nineteen.
c. 77.	The Public Works Loans Act, 1879. In part, namely,— Section four from “ nor to any advance ” to “ the harbour of Colombo ”.
43 Vict. :	
c. 14.	The Customs and Inland Revenue Act, 1880. In part, namely,— Section nine and schedule.
43 & 44 Vict. :	
c. 19.	The Taxes Management Act, 1880. In part, namely,— Section fifty-three.

Reign and Chapter	Title	1ST SCH. —cont.
43 & 44 Vict. :		
c. 20.	The Inland Revenue Act, 1880. In part, namely,— Section thirty-six.	
c. 32.	The Bastardy Orders Act, 1880.	
44 & 45 Vict. :		
c. 12.	The Customs and Inland Revenue Act, 1881. In part, namely,— Section four. Section twenty-five.	
c. 16.	The Land Tax Commissioners (Names) Act, 1881.	
c. 30.	The Customs (Officers) Act, 1881.	
c. 43.	The Superannuation Act, 1881.	
c. 49.	The Land Law (Ireland) Act, 1881. In part, namely,— Section four subsection four; section eight so far as unrepealed; section thirteen subsection three to “day of the date of application.”; and section nineteen. Sections twenty-four and twenty-six so far as unrepealed; section twenty-nine; section thirty subsection three so far as unrepealed; section thirty-four so far as unrepealed; sections thirty-five and thirty-six. Section thirty-nine. Section forty-one; in section forty-two the words from the beginning to “styled ‘the Irish Land Commission’”; sections forty-three to forty-seven so far as unrepealed; section forty-nine; section fifty-three so far as unrepealed; sections fifty-four and fifty-five. Section sixty.	
c. 55.	The National Debt Act, 1881. The whole Act so far as unrepealed.	
c. 57.	The Regulation of the Forces Act, 1881. In part, namely,— Section fifty-three.	
c. 64.	The Central Criminal Court (Prisons) Act, 1881. In part, namely,— Section two subsection three.	

1st SCH.
—cont.

Reign and Chapter	Title
45 & 46 Vict. :	
c. 3.	The Slate Mines (Gunpowder) Act, 1882. The whole Act so far as it extends to England and Scotland.
c. 37.	The Corn Returns Act, 1882. In part, namely,— Section nineteen subsection three.
c. 48.	The Reserve Forces Act, 1882. In part, namely,— Section twenty-eight (Definitions) the words “not holding an honorary commission.” Section twenty-nine the last paragraph.
c. 49.	The Militia Act, 1882. In part, namely,— Section fifty-four subsection one.
c. 50.	The Municipal Corporations Act, 1882. In part, namely,— Section two hundred and forty-eight subsection four.
c. 55.	The Merchant Shipping (Expenses) Act, 1882. The whole Act so far as unrepealed.
c. 62.	The Public Works Loans Act, 1882. In part, namely,— Section eleven.
c. 72.	The Revenue, Friendly Societies and National Debt Act, 1882. In part, namely,— Section twelve. Section nineteen from “and the said Act” to the end of the section. Section twenty-two.
46 & 47 Vict. :	
c. 34.	The Cheap Trains Act, 1883. In part, namely,— Sections three subsection three ; six subsections three and four and section ten from “and except as” to the end of the section.

Reign and Chapter	Title	1st Sch. —cont.
46 & 47 Vict. : c. 43.	The Tramways and Public Companies (Ireland) Act, 1883. In part, namely,— Sections thirteen and fourteen ; section fifteen subsections one and two ; sections sixteen and eighteen.	
c. 54.	The National Debt Act, 1883. The whole Act so far as unrepealed.	
47 & 48 Vict. :		
c. 2.	The National Debt Act, 1884. The whole Act so far as unrepealed.	
c. 17.	The Metropolitan Police Act, 1884. In part, namely,— Section two so far as unrepealed.	
c. 23.	The National Debt (Conversion of Stock) Act, 1884. In part, namely,— Section three so far as unrepealed. Section eight.	
c. 55.	The Pensions and Yeomanry Pay Act, 1884. In part, namely,— Section two subsection four.	
c. 57.	The Superannuation Act, 1884. The whole Act so far as unrepealed.	
48 & 49 Vict. :		
c. 58.	The Telegraph Act, 1885. In part, namely,— Section three.	
c. 67.	The Indian Army Pension Deficiency Act, 1885.	
c. 73.	The Purchase of Land (Ireland) Act, 1885. In part, namely,— Sections two and three so far as unrepealed ; section five so far as unrepealed ; section six ; section nine so far as unrepealed ; sections ten, eleven and thirteen ; section fourteen so far as unrepealed. Section seventeen so far as unrepealed ; sections eighteen, twenty and twenty-one ; section twenty-two so far as unrepealed.	

1ST SCH.
—cont.

Reign and Chapter	Title
49 & 50 Vict.:	
c. 8.	The Army (Annual) Act, 1886. The whole Act so far as unrepealed.
c. 9.	The Prison (Officers Superannuation) Act, 1886.
c. 41.	The Customs Amendment Act, 1886. In part, namely,— Section one.
c. 47.	The Land Tax Commissioners (Names) Act, 1881.
50 & 51 Vict.:	
c. 16.	The National Debt and Local Loans Act, 1887. In part, namely,— Section four. Schedule one.
c. 33.	The Land Law (Ireland) Act, 1887. In part, namely,— Sections one and six ; section eight so far as unrepealed. Sections eleven and twelve ; section fifteen, sections sixteen and twenty-two so far as unrepealed ; section twenty-three. Section twenty-four so far as unrepealed ; section twenty-five ; section twenty-seven so far as unrepealed ; section twenty-nine. Section thirty-two.
c. 36.	The Lieutenancy Clerks Allowances Act, 1887.
c. 44.	The Trinidad and Tobago Act, 1887. In part, namely,— Section one the proviso.
c. 60.	The Prison (Officers Superannuation) (Scotland) Act, 1887.
c. 71.	The Coroners Act, 1887. In part, namely,— Section thirty-one.
51 & 52 Vict.:	
c. 2.	The National Debt (Conversion) Act, 1888. In part, namely,— Section eighteen. Section thirty.

Reign and Chapter	Title	1ST SCH. —cont.
51 & 52 Vict. :		
c. 4.	The Army (Annual) Act, 1888. In part, namely,— Section four.	
c. 13.	The Land Law (Ireland) Act, 1888.	
c. 15.	The National Debt (Supplemental) Act, 1888. In part, namely,— Section four.	
c. 31.	The National Defence Act, 1888. In part, namely,— Section three. Schedules one and two.	
c. 32.	The Imperial Defence Act, 1888. The whole Act so far as unrepealed.	
c. 49.	The Purchase of Land (Ireland) Amendment Act, 1888. The whole Act so far as unrepealed.	
c. 56.	The Suffragans Nomination Act, 1888. In part, namely,— Section three.	
52 & 53 Vict. :		
c. 3.	The Army (Annual) Act, 1889. In part, namely,— Section four. Section five. Section seven.	
c. 4.	The National Debt Redemption Act, 1889. The whole Act so far as unrepealed.	
c. 6.	The National Debt Act, 1889. In part, namely,— Section three. Section four subsections three, four and five.	
c. 7.	The Customs and Inland Revenue Act, 1889. In part, namely,— Section three.	
c. 13.	The Purchase of Land (Ireland) Amendment Act, 1889.	

1ST SCH.
—cont.

Reign and Chapter	Title
52 & 53 Vict.:	
c. 21.	The Weights and Measures Act, 1889. In part, namely,— Section sixteen the proviso.
c. 47.	The Palatine Court of Durham Act, 1889. In part, namely,— Section ten to “judge thereof”.
c. 55.	The Universities (Scotland) Act, 1889. In part, namely,— Section fifteen subsection five.
c. 59.	The Land Law (Ireland) Act, 1888, Amendment Act, 1889.
c. 71.	The Public Works Loans Act, 1889. In part, namely,— Section eight and schedule three.
53 & 54 Vict.:	
c. 4.	The Army (Annual) Act, 1890. In part, namely,— Section nine subsection one. Section nine subsection two.
c. 8.	The Customs and Inland Revenue Act, 1890. In part, namely,— Section five.
c. 18.	The Superannuation (War Department) Act, 1890.
c. 25.	The Barracks Act, 1890. In part, namely,— Sections five ; six ; seven ; nine and schedule.
54 & 55 Vict.:	
c. 5.	The Army (Annual) Act, 1891. In part, namely,— Section four. Section six. Section nine.
c. 24.	The Public Accounts and Charges Act, 1891. In part, namely,— Section three.

Reign and Chapter	Title	1ST SCH. —cont.
54 & 55 Vict.:		
c. 45.	The Turbary (Ireland) Act, 1891. In part, namely,— Section one.	
c. 46.	The Post Office Act, 1891. The whole Act so far as unrepealed.	
c. 48.	The Purchase of Land (Ireland) Act, 1891. In part, namely,— Section one subsection one so far as unrepealed. Section five so far as unrepealed ; section six. Sections nine to fourteen so far as unrepealed ; in section fifteen, in subsection one, the words “The guaranteed land stock shall, from time to time as required for the purposes of this Act, be created by the Treasury, and issued by the Land Commission in the prescribed manner, and”, in subsection two, the words from “and the National Debt Commissioners” to the end of the subsection, and subsections four, seven, eight, ten and eleven ; sections seventeen and eighteen ; sections twenty to twenty-four ; section twenty-six. Section twenty-eight except subsection seven thereof ; section twenty-nine so far as unrepealed ; and sections thirty, thirty-one and thirty-two. Sections thirty-four to forty-one so far as unrepealed. The First and Second Schedules. The Third Schedule.	
c. 54.	The Ranges Act, 1891. The whole Act so far as unrepealed.	
c. 57.	The Redemption of Rent (Ireland) Act, 1891.	
c. 75.	The Factory and Workshop Act, 1891. The whole Act so far as unrepealed.	
55 & 56 Vict.:		
c. 34.	The Naval Knights of Windsor (Dissolution) Act, 1892. In part, namely,— Section one subsection four.	

1st SCH.
—cont.

Reign and Chapter	Title
55 & 56 Vict. :	
c. 39.	The National Debt (Stockholders Relief) Act, 1892. In part, namely,— Sections four and six.
c. 49.	The Mauritius Hurricane Loan Act, 1892.
c. 52.	The British Columbia (Loan) Act, 1892.
c. 55.	The Burgh Police (Scotland) Act, 1892. In part, namely,— Section seventy-eight last paragraph. Section three hundred and fifteen so far as unrepealed.
c. 59.	The Telegraph Act, 1892. In part, namely,— Section one.
c. 61.	The Public Works Loans Act, 1892. In part, namely,— Section four, in so far as it extends to Northern Ireland.
56 & 57 Vict. :	
c. 5.	The Regimental Debts Act, 1893. In part, namely,— Section twenty-nine (Definitions) the words “although not holding an honorary com- mission”.
c. 10.	The Police Act, 1893. The whole Act so far as unrepealed.
c. 26.	The Prison (Officers Superannuation) Act, 1893.
c. 35.	The Congested Districts Board (Ireland) Act, 1893. The whole Act so far as unrepealed.
57 & 58 Vict. :	
c. 3.	The Army (Annual) Act, 1894. In part, namely,— Section five.
c. 30.	The Finance Act, 1894. In part, namely,— Section forty-one so far as unrepealed.

Reign and Chapter	Title	1st Sch. —cont.
57 & 58 Vict. :		
c. 31.	The Zanzibar Indemnity Act, 1894.	
c. 50.	The Congested Districts Board (Ireland) Act, 1894. The whole Act so far as unrepealed.	
58 & 59 Vict. :		
c. 7.	The Army (Annual) Act, 1895. In part, namely,— Section nine.	
c. 16.	The Finance Act, 1895. In part, namely,— Section nine subsection two.	
c. 19.	The Court of Session Consignations (Scotland) Act, 1895. In part, namely,— Section fifteen.	
c. 23.	The Volunteer Act, 1895. The whole Act so far as unrepealed.	
c. 35.	The Naval Works Act, 1895. In part, namely,— Sections one ; three ; four ; five ; six and schedule.	
c. 37.	The Factory and Workshop Act, 1895. The whole Act so far as unrepealed.	
59 Vict. Sess. 2 :		
c. 4.	The Purchase of Land (Ireland) Amendment Act, 1895, Session 2.	
59 & 60 Vict. :		
c. 2.	The Army (Annual) Act, 1896. The whole Act so far as unrepealed.	
c. 6.	The Naval Works Act, 1896.	
c. 27.	The London Cab Act, 1896. In part, namely,— Section two.	
c. 28.	The Finance Act, 1896. In part, namely,— Section seven. Section thirty-seven.	

1ST SCH.
—cont.

Reign and Chapter	Title
59 & 60 Vict.:	
c. 38.	The Uganda Railway Act, 1896.
c. 40.	The Telegraph (Money) Act, 1896.
c. 47.	<p>The Land Law (Ireland) Act, 1896.</p> <p>In part, namely,—</p> <p>Sections one to three.</p> <p>Section four.</p> <p>Section five subsections two and three; in section six the proviso; sections eight and nine; section ten subsection two.</p> <p>Section fourteen.</p> <p>Section twenty-nine subsection one; sections thirty to thirty-three and thirty-five to thirty-seven; section thirty-nine so far as un-repealed; sections forty and forty-two.</p> <p>Sections forty-three to forty-five so far as un-repealed.</p> <p>Sections forty-six and forty-seven.</p> <p>Section fifty subsections one, two and six.</p> <p>The Schedules.</p>
c. 50.	<p>The Poor Law Officers Superannuation Act, 1896.</p> <p>In part, namely,—</p> <p>Section eleven.</p>
c. 58.	The West Highland Railway Guarantee Act, 1896.
60 & 61 Vict.:	
c. 7.	The Military Works Act, 1897.
c. 26.	<p>The Metropolitan Police Courts Act, 1897.</p> <p>In part, namely,—</p> <p>Section six.</p> <p>Section seven subsection one, from “or at any court” to the end of the subsection.</p>
c. 35.	The Naval Works Act, 1897.
c. 41.	<p>The Post Office and Telegraph Act, 1897.</p> <p>In part, namely,—</p> <p>Section three.</p>
c. 66.	<p>The Supreme Court of Judicature (Ireland) (No. 2) Act, 1897.</p> <p>In part, namely,—</p> <p>Section twelve, in so far as it extends to Northern Ireland.</p>

Reign and Chapter	Title
61 & 62 Vict. :	
c. 10.	The Finance Act, 1898. In part, namely,— Section sixteen.
c. 31.	The Metropolitan Police Courts Act, 1898. The whole Act so far as unrepealed.
c. 33.	The Telegraph (Money) Act, 1898.
c. 54.	The Public Works Loans Act, 1898. In part, namely,— Section five.
62 & 63 Vict. :	
c. 3.	The Army (Annual) Act, 1899. In part, namely,— Section four. Section five.
c. 9.	The Finance Act, 1899. In part, namely,— Section seventeen.
c. 14.	The London Government Act, 1899. In part, namely,— Schedule two Part two so far as concerns 34 & 35 Vict. c. 113.
c. 15.	The Metropolis Management Act Amendment (Byelaws) Act, 1899. The whole Act so far as unrepealed.
c. 18.	The Congested Districts Board (Ireland) Act, 1899. The whole Act so far as unrepealed.
c. 38.	The Telegraph Act, 1899. In part, namely,— Sections one and three.
c. 41.	The Military Works Act, 1899.
c. 42.	The Naval Works Act, 1899. In part, namely,— Section one and schedule.

1ST SCH.
—cont.

1st SCH.
—cont.

Reign and Chapter	Title
63 & 64 Vict.:	
c. 2.	The War Loan Act, 1900. The whole Act so far as unrepealed.
c. 4.	The Census (Great Britain) Act, 1900. The whole Act so far as unrepealed.
c. 61.	The Supplemental War Loan Act, 1900.
64 Vict.	
Sess. 2:	
c. 1.	The Supplemental War Loan (No. 2) Act, 1900.
1 Edw. 7:	
c. 3.	The Purchase of Land (Ireland) Act, 1901. The whole Act so far as unrepealed.
c. 4.	The Civil List Act, 1901. In part, namely,— Section four. Section eight the words “for . . . His Majesty’s daughters and”.
c. 24.	The Burgh Sewerage, Drainage and Water Supply (Scotland) Act, 1901. In part, namely,— Section nine.
c. 30.	The Purchase of Land (Ireland) (No. 2) Act, 1901.
c. 34.	The Congested Districts Board (Ireland) Act, 1901.
2 Edw. 7:	
c. 40.	The Uganda Railway Act, 1902. The whole Act so far as unrepealed.
3 Edw. 7:	
c. 8.	The Finance Act, 1903. The whole Act so far as unrepealed.
c. 25.	The Licensing (Scotland) Act, 1903. In part, namely,— Section twenty-seven subsection two.

Reign and Chapter	Title	1ST SCH. —cont.
3 Edw. 7:	<p>c. 37. The Irish Land Act, 1903. In part, namely,— Section one; section two so far as unrepealed; sections three to five; section six so far as unrepealed; sections seven to twelve; section fifteen; section sixteen subsection two; sections seventeen to nineteen; section twenty-three so far as unrepealed; in section twenty-four, subsections one, three and eight; sections twenty-five and twenty-six; section thirty; and sections forty-three and forty-eight so far as unrepealed. Section fifty-two subsections two and three. Section fifty-three; sections fifty-seven to sixty; section sixty-one, except subsections four and five thereof; sections sixty-two to sixty-four and section seventy. Sections seventy-two to eighty-five. Section eighty-seven. Section eighty-nine. Section ninety-one. Sections ninety-three to ninety-five.</p>	
	<p>c. 46. The Revenue Act, 1903. In part, namely,— Section twelve.</p>	
4 Edw. 7:	<p>c. 5. The Army (Annual) Act, 1904. In part, namely,— Sections six subsection two and twelve paragraph (b).</p> <p>c. 34. The Irish Land Act, 1904. In part, namely,— Section one.</p> <p>c. 36. The Public Works Loans Act, 1904. The whole Act so far as unrepealed.</p>	
5 Edw. 7:	<p>c. 12. The Churches (Scotland) Act, 1905. In part, namely,— Section five the last sentence.</p>	

1ST SCH.
—cont.

Reign and Chapter	Title
6 Edw. 7.:	
c. 2.	The Army (Annual) Act, 1906. In part, namely,— Section seven subsection one.
7 Edw. 7.:	
c. 18.	The Married Women's Property Act, 1907. In part, namely,— Section four subsection two.
c. 56.	The Evicted Tenants (Ireland) Act, 1907. In part, namely,— Sections three ; six ; twelve and fourteen ; section sixteen so far as unrepealed ; section seventeen subsection one ; section eighteen ; the Schedule.
8 Edw. 7.:	
c. 67.	The Children Act, 1908. In part, namely,— Section one hundred and twenty-three sub- section two so far as unrepealed, and so far as it extends to England.
9 Edw. 7.:	
c. 3.	The Army (Annual) Act, 1909. In part, namely,— Section eleven. Schedule two as to section ninety-one of the Army Act.
c. 16.	The Workmen's Compensation (Anglo-French Con- vention) Act, 1909. The whole Act, in so far as it extends to Northern Ireland.
c. 40.	The Police Act, 1909. In part, namely,— Section three.
c. 42.	The Irish Land Act, 1909. In part, namely,— Sections three to five ; section six so far as unrepealed ; section nine subsection one. Section eleven subsection two.

Reign and Chapter	Title	1st Sch. —cont.
9 Edw. 7:		
c. 42.	<p>Sections twelve ; fifteen and seventeen ; section eighteen subsections one and four ; section nineteen.</p> <p>Section twenty so far as unrepealed ; section twenty-one.</p> <p>Section twenty-two.</p> <p>Sections twenty-three and twenty-four ; sections twenty-six to twenty-eight ; section twenty-nine so far as unrepealed ; sections thirty-one ; thirty-five ; thirty-six ; forty ; forty-two and forty-three.</p> <p>Sections forty-four to sixty.</p> <p>Sections sixty-one to sixty-four.</p> <p>Section sixty-five.</p> <p>The First Schedule.</p>	
c. 44.	<p>The Housing, Town Planning etc. Act, 1909.</p> <p>The whole Act so far as unrepealed.</p>	
1 & 2 Geo. 5.:		
c. 26.	<p>The Telephone Transfer Act, 1911.</p> <p>In part, namely,—</p> <p>Sections one; two ; three and four.</p>	
c. 50.	<p>The Coal Mines Act, 1911.</p> <p>In part, namely,—</p> <p>Section sixty-two paragraph two from “ but any tub ” to the end of the paragraph.</p>	
c. 55.	<p>The National Insurance Act, 1911.</p> <p>The whole Act so far as unrepealed, except so far as it extends to Northern Ireland.</p>	
2 & 3 Geo. 5.:		
c. 2.	<p>The Coal Mines (Minimum Wages) Act, 1912.</p>	
c. 19.	<p>The Light Railways Act, 1912.</p> <p>In part, namely,—</p> <p>Section five subsection two.</p>	
4 & 5 Geo. 5.:		
c. 2.	<p>The Army (Annual) Act, 1914.</p> <p>In part, namely,—</p> <p>Section seven.</p>	

1st SCH.
—cont.

Reign and Chapter	Title
4 & 5 Geo. 5.: c. 15.	The Exportation of Horses Act, 1914. In part, namely,— Section one subsection two.
5 & 6 Geo. 5.: c. 30.	The Naval Discipline Act, 1915. In part, namely,— Section fourteen.
c. 73.	The Naval Discipline (No. 2) Act, 1915. In part, namely,— Section three.
c. 89.	The Finance (No. 2) Act, 1915. In part, namely,— Section thirteen subsections one and four.
6 & 7 Geo. 5.: c. 12.	The Local Government (Emergency Provisions) Act, 1916. In part, namely,— Section thirteen subsection seven.
c. 47.	The Municipal Savings Banks (War Loan Investment) Act, 1916.
c. 49.	The Court of Session (Extracts) Act, 1916. In part, namely,— The Schedule.
c. 61.	The Munitions (Liability for Explosions) Act, 1916.
7 & 8 Geo. 5.: c. 31.	The Finance Act, 1917. In part, namely,— Section thirty-six.
8 & 9 Geo. 5.: c. 24.	The Flax Companies (Financial Assistance) Act, 1918. In part, namely,— Section one, paragraph (i).
c. 34.	Statutory Undertakings (Temporary Increase of Charges) Act, 1918.

Reign and Chapter	Title	1st Sch. —cont.
46 & 47 Vict. : c. 43.	The Tramways and Public Companies (Ireland) Act, 1883. In part, namely,— Sections thirteen and fourteen ; section fifteen subsections one and two ; sections sixteen and eighteen.	
c. 54.	The National Debt Act, 1883. The whole Act so far as unrepealed.	
47 & 48 Vict. :		
c. 2.	The National Debt Act, 1884. The whole Act so far as unrepealed.	
c. 17.	The Metropolitan Police Act, 1884. In part, namely,— Section two so far as unrepealed.	
c. 23.	The National Debt (Conversion of Stock) Act, 1884. In part, namely,— Section three so far as unrepealed. Section eight.	
c. 55.	The Pensions and Yeomanry Pay Act, 1884. In part, namely,— Section two subsection four.	
c. 57.	The Superannuation Act, 1884. The whole Act so far as unrepealed.	
48 & 49 Vict. :		
c. 58.	The Telegraph Act, 1885. In part, namely,— Section three.	
c. 67.	The Indian Army Pension Deficiency Act, 1885.	
c. 73.	The Purchase of Land (Ireland) Act, 1885. In part, namely,— Sections two and three so far as unrepealed ; section five so far as unrepealed ; section six ; section nine so far as unrepealed ; sections ten, eleven and thirteen ; section fourteen so far as unrepealed. Section seventeen so far as unrepealed ; sections eighteen, twenty and twenty-one ; section twenty-two so far as unrepealed.	

1st SCH.
—cont.

Reign and Chapter	Title
10 & 11 Geo. 5.:	
c. 14.	The Tramways (Temporary Increase of Charges) Act, 1920. The whole Act, except in so far as it extends to Northern Ireland.
c. 18.	The Finance Act, 1920. In part, namely,— Section five subsections one and two. Section six. Section thirty-nine subsection one paragraphs (a) and (c).
c. 47.	The Ministry of Food (Continuance) Act, 1920. The whole Act so far as unrepealed.
c. 48.	The Indemnity Act, 1920. In part, namely,— Section two and Schedule.
c. 57.	The Unemployment (Relief Works) Act, 1920.
c. 71.	The Housing (Scotland) Act, 1920. The whole Act so far as unrepealed.
c. 72.	The Roads Act, 1920. In part, namely,— Section eighteen paragraphs (a) and (c).
11 & 12 Geo. 5.:	
c. 2.	The Consolidated Fund (No. 1) Act, 1921.
c. 3.	The Consolidated Fund (No. 2) Act, 1921.
c. 8.	The Ministries of Munitions and Shipping (Cessation) Act, 1921.
c. 9.	The Army and Air Force (Annual) Act, 1921. In part, namely,— Preamble ; sections two and three. Section five. Section seven. Section nine subsection one paragraph (a) and subsection two. Section nine subsection three. Schedule.
c. 10.	Mr. Speaker's Retirement Act, 1921.

Reign and Chapter	Title	1st Sch. —cont.
11 & 12 Geo. 5:		
c. 16.	<p>The Importation of Plumage (Prohibition) Act, 1921.</p> <p>In part, namely,— Section four subsection three.</p>	
c. 19.	<p>The Housing Act, 1921.</p> <p>The whole Act so far as unrepealed, except so far as it extends to Northern Ireland.</p>	
c. 21.	<p>The Dentists Act, 1921.</p> <p>In part, namely,— Section one subsection four. Section eighteen subsection two and schedule two.</p>	
c. 28.	<p>The Merchant Shipping Act, 1921.</p> <p>In part, namely,— Section four subsection two.</p>	
c. 29.	<p>The Church of Scotland Act, 1921.</p> <p>In part, namely,— Section four from “and shall come into operation” to the end of the section.</p>	
c. 32.	<p>The Finance Act, 1921.</p> <p>In part, namely,— Sections one and two. Section three. Sections four and five. Section six subsection two. Section twenty. Section twenty-four. Sections twenty-five subsection one and forty-one. Section forty-six. Section fifty-two. Sections fifty-three; fifty-four; fifty-five; fifty-six; fifty-seven and fifty-eight. Section fifty-nine. Section sixty-five subsection three. Schedule three paragraph three. Schedule five.</p>	
c. 35.	<p>The Corn Sales Act, 1921.</p> <p>In part, namely,— Section two subsection one. Section three. Section seven subsection two.</p>	

1ST SCH.
—cont.

Reign and Chapter	Title
11 & 12 Geo. 5:	
c. 36.	The Juries (Emergency Provisions) (Renewal) Act, 1921.
c. 37.	The Territorial Army and Militia Act, 1921. In part, namely,— Section five subsection two. Schedule two.
c. 39.	The Admiralty Pensions Act, 1921. In part, namely,— Section three.
c. 40.	The Isle of Man (Customs) Act, 1921.
c. 41.	The Greenwich Hospital Act, 1921.
c. 42.	The Licensing Act, 1921. In part, namely,— Sections nineteen and twenty-one subsection one paragraph (h). Section twenty-two subsection four.
c. 43.	The Land Settlement Amendment Act, 1921.
c. 45.	The Duchy of Lancaster (Application of Capital Moneys) Act, 1921.
c. 46.	The Appropriation Act, 1921.
c. 48.	The Corn Production Acts (Repeal) Act, 1921. In part, namely,— Sections two and three. Section six.
c. 52.	The Exchequer and Audit Departments Act, 1921. In part, namely,— Sections nine subsection four; ten subsection two and schedule two.
c. 53.	The Expiring Laws Continuance Act, 1921.
c. 54.	The Public Works Loans Act, 1921.
c. 58.	The Trusts (Scotland) Act, 1921. In part, namely,— Section thirty-six and Schedule C.
c. 61.	The Forestry Act, 1921.
c. 63.	The Appropriation (No. 2) Act, 1921.

Reign and Chapter	Title	1st SCH. —cont.
11 & 12 Geo. 5: c. 67.	<p>The Local Authorities (Financial Provisions) Act, 1921.</p> <p>In part, namely,— Section three subsection three the proviso and section six.</p>	
12 & 13 Geo. 5:		
c. 1.	The Consolidated Fund (No. 1) Act, 1922.	
c. 2.	The Coroners (Emergency Provisions Continuance) Act, 1922.	
c. 3.	The Consolidated Fund (No. 2) Act, 1922.	
c. 6.	<p>The Army and Air Force (Annual) Act, 1922.</p> <p>In part, namely,— Preamble ; sections two ; three and schedule.</p>	
c. 8.	The Diseases of Animals Act, 1922.	
c. 11.	<p>The Juries Act, 1922.</p> <p>In part, namely,— Section four subsection two. Section eight subsection four and schedule.</p>	
c. 16.	<p>The Law of Property Act, 1922.</p> <p>In part, namely,— Section one hundred and ninety-one sub- section two.</p>	
c. 17.	<p>The Finance Act, 1922.</p> <p>In part, namely,— Section one. Sections two and three so far as unrepealed. Sections four and five. Section thirteen subsection two. Section sixteen. Section thirty-two. Section thirty-three. Section thirty-four subsection ten. Sections forty-two and forty-three. Section forty-nine subsection four. Schedule two. Schedule three.</p>	

1ST SCH.
—cont.

Reign and Chapter	Title
12 & 13 Geo. 5 :	
c. 21.	The Treaties of Washington Act, 1922. In part, namely,— Section six subsection two.
c. 25.	The British Empire Exhibition (Amendment) Act, 1922.
c. 26.	The Anglo-Persian Oil Company (Payment of Calls) Act, 1922. In part, namely,— Section three subsection two.
c. 32.	The Appropriation Act, 1922.
c. 33.	The Public Works Loans Act, 1922. The whole Act so far as unrepealed.
c. 35.	The Celluloid and Cinematograph Film Act, 1922 In part, namely,— Section eleven subsection one from “and shall come ” to the end of the subsection.
c. 36.	The Isle of Man (Customs) Act, 1922.
c. 37.	The Naval Discipline Act, 1922. In part, namely,— Section nine subsection two. Section nine subsection three and schedule.
c. 39.	The Oil in Navigable Waters Act, 1922. In part, namely,— Section nine subsection three.
c. 46.	The Electricity (Supply) Act, 1922. In part, namely,— Section twenty-three subsection two.
c. 47.	The Railway and Canal Commission (Consents) Act, 1922.
c. 49.	The Post Office (Parcels) Act, 1922. In part, namely,— Section three subsection two. Section three subsection four.

Reign and Chapter	Title	1st Sch. —cont.
12 & 13 Geo. 5:		
c. 50.	<p>The Expiring Laws Act, 1922.</p> <p>In part, namely,— Section two. Section three. Schedule two. Schedule three.</p>	
c. 51.	<p>The Allotments Act, 1922.</p> <p>In part, namely,— Section eight subsection one. Sections nineteen subsection two ; twenty-three subsection two and schedule.</p>	
c. 52.	<p>The Allotments (Scotland) Act, 1922.</p> <p>In part, namely,— Section seventeen subsection three. Section twenty and schedule one.</p>	
c. 54.	<p>The Milk and Dairies (Amendment) Act, 1922.</p> <p>In part, namely,— Section fourteen paragraph (b). Section fourteen paragraph (d). Section fourteen paragraph (h). Section fifteen subsection three.</p>	
c. 56.	<p>The Criminal Law Amendment Act, 1922.</p> <p>In part, namely,— Sections five ; six subsection two and schedule.</p>	
13 Geo. 5		
Sess. 2:		
c. 2.	<p>The Irish Free State (Consequential Provisions) Act, 1922 (Session 2).</p> <p>In part, namely,— Section one subsection two. Section three subsection seven. Schedule two Part two from “ and the person ”. Schedule two Part three from “ and any com- missioner ”.</p>	
c. 3.	<p>The Appropriation Act, 1922 (Session 2).</p>	
c. 4.	<p>The Trade Facilities and Loans Guarantee Act, 1922 (Session 2).</p> <p>In part, namely,— Section one subsection one.</p>	
c. 5.	<p>The Importation of Animals Act, 1922 (Session 2).</p> <p>In part, namely,— Section ten subsection four.</p>	

1ST SCH.
—cont.

Reign and Chapter	Title
13 & 14 Geo. 5:	
c. 1.	The Consolidated Fund (No. 1) Act, 1923.
c. 3.	The Army and Air Force (Annual) Act, 1923. In part, namely,— Preamble ; sections two and three. Section fourteen subsection one. Section fifteen. Schedule.
c. 4.	The Fees (Increase) Act, 1923. In part, namely,— Section ten and schedule three.
c. 7.	The Increase of Rent and Mortgage Interest Restrictions (Continuance) Act, 1923.
c. 8.	The Industrial Assurance Act, 1923. In part, namely,— Sections seventeen subsection four ; thirty subsection three ; thirty-five subsection two and forty-six subsection three. Section forty-six subsection four and schedule five.
c. 10.	The Agricultural Holdings (Scotland) Act, 1923. In part, namely,— Section forty subsection three (as originally enacted). Section fifty to " Provided that ". Section fifty-one. Schedule four.
c. 11.	The Special Constables Act, 1923. In part, namely,— Section one subsection two.
c. 12.	The Restoration of Order in Ireland (Indemnity) Act, 1923. In part, namely,— Section one subsection one the proviso, subsections two and three.
c. 14.	The Finance Act, 1923. In part, namely,— Section one. Sections two subsection two last sentence and three subsection two last sentence. Section four. Sections six ; seven ; fourteen and twenty-one. Section thirty-six. Sections thirty-eight ; thirty-nine subsection four and schedule.

Reign and Chapter	Title	1ST SCH. —cont.
13 & 14 Geo. 5 :		
c. 16.	The Salmon and Freshwater Fisheries Act, 1923. In part, namely,— Section ninety-three subsection one. Section ninety-four subsection two. Schedule five.	
c. 20.	The Mines (Working Facilities and Support) Act, 1923. In part, namely,— Section eighteen subsection two.	
c. 21.	The Forestry (Transfer of Woods) Act, 1923. In part, namely,— Section six subsection four.	
c. 22.	The Cotton Industry Act, 1923.	
c. 23.	The Bastardy Act, 1923. In part, namely,— Section six from “and shall” to the end of the section.	
c. 24.	The Housing etc. Act, 1923. In part, namely,— Section two subsection eight. Section six subsection one to “repealed ; but”. Section sixteen. Section twenty-three subsection sixteen. Section twenty-four subsection one and schedule three.	
c. 26.	The Isle of Man (Customs) Act, 1923.	
c. 27.	The Railways Fires Act (1905) Amendment Act, 1923. In part, namely,— Section three.	
c. 28.	The Intoxicating Liquor (Sale to Persons under Eighteen) Act, 1923. In part namely,— Section one subsection five.	
c. 29.	The Public Works Loans Act, 1923.	

1st SCH.
—cont.

Reign and Chapter	Title
13 & 14 Geo. 5:	
c. 30.	The Railways (Authorisation of Works) Act, 1923.
c. 32.	The Rent and Mortgage Interest Restrictions Act, 1923.
	In part, namely,— Section one. Section six subsection two.
c. 34.	The Agricultural Credits Act, 1923.
	In part, namely,— Section two.
c. 35.	The Appropriation Act, 1923.
c. 37.	The Expiring Laws Continuance Act, 1923.
c. 40.	The Merchant Shipping Acts (Amendment) Act, 1923.
	In part, namely,— Section two subsection two.
14 & 15 Geo. 5:	
c. 2.	The Consolidated Fund (No. 1) Act, 1924.
c. 4.	The Consolidated Fund (No. 2) Act, 1924.
c. 5.	The Army and Air Force (Annual) Act, 1924.
	In part, namely,— Preamble, sections two and three. Section nine. Section ten. Schedule.
c. 8.	The Trade Facilities Act, 1924.
	In part, namely,— Section one.
c. 10.	The National Health Insurance (Cost of Medical Benefit) Act, 1924.
c. 11.	The Friendly Societies Act, 1924.
	In part, namely,— Section two subsection three.
c. 12.	The School Teachers (Superannuation) Act, 1924.

Reign and Chapter	Title	1ST SCH. —cont.
14 & 15 Geo. 5: c. 21.	<p>The Finance Act, 1924.</p> <p>In part, namely,—</p> <p>Section one.</p> <p>Section six subsection one.</p> <p>Sections six subsection three ; eight ; nine and nineteen.</p> <p>Section twenty.</p> <p>Section thirty-two.</p> <p>Section forty.</p> <p>Section forty-one subsection four.</p> <p>Schedule two.</p> <p>Schedule three.</p>	
c. 24	<p>The Isle of Man (Customs) Act, 1924.</p> <p>In part, namely,—</p> <p>Sections one ; two and three.</p>	
c. 26.	The Public Works Loans Act, 1924.	
c. 27.	<p>The Conveyancing (Scotland) Act, 1924.</p> <p>In part, namely,—</p> <p>Section one subsection two.</p> <p>Section sixteen subsection five.</p>	
c. 29.	<p>The Local Authorities (Emergency Provisions) Act, 1924.</p> <p>The whole Act so far as unrepealed.</p>	
c. 31.	The Appropriation Act, 1924.	
c. 34.	<p>The London Traffic Act, 1924.</p> <p>In part, namely,—</p> <p>Section seventeen subsection one from “ and shall ” to the end of the subsection.</p>	
15 & 16 Geo. 5:		
c. 1.	The Expiring Laws Continuance Act, 1924.	
c. 4.	The Law of Property Act (Postponement) Act, 1924.	
c. 5.	<p>The Law of Property (Amendment) Act, 1924.</p> <p>In part, namely,—</p> <p>Sections one and ten.</p> <p>Section twelve subsection three.</p> <p>Schedules one and ten.</p>	

1ST SCH.
—cont.

Reign and Chapter	Title
15 & 16 Geo. 5:	
c. 7.	The William Preston Indemnity Act, 1925.
c. 8.	The Consolidated Fund (No. 1) Act, 1925.
c. 12.	The British Sugar (Subsidy) Act, 1925.
c. 13.	The Trade Facilities Act, 1925.
c. 15.	<p>The Housing (Scotland) Act, 1925.</p> <p>In part, namely,—</p> <p>Section one hundred and twenty subsection one to “Provided that”.</p> <p>Section one hundred and twenty-one subsection two.</p> <p>Schedule six.</p>
c. 18.	<p>The Settled Land Act, 1925.</p> <p>In part, namely,—</p> <p>Section one hundred and nineteen subsection one to “Provided that”.</p> <p>Section one hundred and twenty subsection two.</p> <p>Schedule five.</p>
c. 19.	<p>The Trustee Act, 1925.</p> <p>In part, namely,—</p> <p>Section seventy to “Provided that”.</p> <p>Section seventy-one subsection two.</p> <p>Schedule two.</p>
c. 20.	<p>The Law of Property Act, 1925.</p> <p>In part, namely,—</p> <p>Section two hundred and seven to “Provided that”.</p> <p>Section two hundred and nine subsection two.</p> <p>Schedule seven.</p>
c. 21.	<p>The Land Registration Act, 1925.</p> <p>In part, namely,—</p> <p>Section one hundred and forty-seven to “Provided that” and schedule.</p>
c. 22.	<p>The Land Charges Act, 1925.</p> <p>In part, namely,—</p> <p>Section twenty-four to “Provided that”.</p> <p>Section twenty-six subsection two.</p> <p>Schedule.</p>

Reign and Chapter	Title	1st SCH. —cont.
15 & 16 Geo. 5:		
c. 23.	<p>The Administration of Estates Act, 1925.</p> <p>In part, namely,—</p> <p>Section fifty-eight subsection two.</p> <p>Schedule two.</p>	
c. 24.	<p>The Universities and College Estates Act, 1925.</p> <p>In part, namely,—</p> <p>Section forty-four subsection one to “Provided that”.</p> <p>Section forty-five subsection two.</p> <p>Schedule two.</p>	
c. 25.	<p>The Army and Air Force (Annual) Act, 1925.</p> <p>In part, namely,—</p> <p>Preamble, sections two and three.</p> <p>Section five subsection three.</p> <p>Section nine.</p> <p>Section sixteen subsection two.</p> <p>Schedule one.</p>	
c. 26.	<p>The British Empire Exhibition (Guarantee) Act, 1925.</p>	
c. 27.	<p>The Charitable Trusts Act, 1925.</p> <p>In part, namely,—</p> <p>Section one subsection four.</p> <p>Section three subsection two.</p>	
c. 28.	<p>The Administration of Justice Act, 1925.</p> <p>In part, namely,—</p> <p>Sections twenty-seven and twenty-nine subsection four.</p> <p>Section twenty-nine subsection five.</p> <p>Schedules four and five.</p>	
c. 29.	<p>The Gold Standard Act, 1925.</p> <p>In part, namely,—</p> <p>Section two.</p>	
c. 33.	<p>The Church of Scotland (Property and Endowments) Act, 1925.</p> <p>In part, namely,—</p> <p>Section forty-eight to “that schedule,” and schedule twelve.</p>	

1ST SCH.
—cont.

Reign and Chapter	Title
15 & 16 Geo. 5.: c. 34.	<p>The Northern Ireland Land Act, 1925.</p> <p>In part, namely,—</p> <p>Section three subsections one, two and three ; sections four and eight ; sections nine to eleven ; section twelve subsections two and three ; sections thirteen and fourteen ; sections seventeen to nineteen ; section twenty-one.</p> <p>Section twenty-three subsection three.</p> <p>Section twenty-four.</p> <p>Sections twenty-five and twenty-eight.</p> <p>Section thirty-five.</p> <p>The Second and Third Schedules.</p>
c. 36.	<p>The Finance Act, 1925.</p> <p>In part, namely,—</p> <p>Sections one ; two ; six subsection one ; seven subsections two, three and four ; thirteen and fourteen.</p> <p>Section twenty-eight subsection six.</p> <p>Schedule three Part III as to lace and embroidery.</p> <p>Schedule five.</p>
c. 38.	<p>The Performing Animals (Regulation) Act, 1925.</p> <p>In part, namely,—</p> <p>Section eight subsection three.</p>
c. 43.	<p>The Former Enemy Aliens (Disabilities Removal) Act, 1925.</p> <p>In part, namely,—</p> <p>Section two subsection three.</p>
c. 45.	<p>The Guardianship of Infants Act, 1925.</p> <p>In part, namely,—</p> <p>Sections four subsection three and five subsection seven.</p> <p>Section eleven subsection three.</p>
c. 49.	<p>The Supreme Court of Judicature (Consolidation) Act, 1925.</p> <p>In part, namely,—</p> <p>Section two hundred and twenty-six subsection one to “ Provided that ”.</p> <p>Section two hundred and twenty-seven subsection two.</p> <p>Schedule six.</p>

Reign and Chapter	Title
15 & 16 Geo. 5.:	
c. 51.	The Summary Jurisdiction (Separation and Maintenance) Act, 1925. In part, namely,— Section seven subsection three.
c. 56.	The Isle of Man (Customs) Act, 1925. In part, namely,— Sections one ; two ; three ; four and eight. Section nine.
c. 57.	The Appropriation Act, 1925.
c. 59.	The Teachers (Superannuation) Act, 1925. In part, namely,— Section twenty-three subsection two. Section twenty-three subsection three.
c. 60.	The Therapeutic Substances Act, 1925. In part, namely,— Section eight subsection two.
c. 61.	The Allotments Act, 1925. In part, namely,— Section twelve subsection three.
c. 62.	The Public Works Loans Act, 1925.
c. 63.	The Diseases of Animals Act, 1925. The whole Act so far as unrepealed.
c. 73.	The National Library of Scotland Act, 1925. In part, namely,— Section thirteen subsections one, two and three.
c. 74.	The Dangerous Drugs Act, 1925. In part, namely,— Sections two and four subsection two. Section seven subsection three.
c. 76.	The Expiring Laws Act, 1925. In part, namely,— Section two and schedule two.

1ST SCH.
—cont.

1st SCH.
—cont.

Reign and Chapter	Title
15 & 16 Geo. 5:	
c. 77.	The Ireland (Confirmation of Agreement) Act, 1925. In part, namely,— Section two subsection two.
c. 78.	The Appropriation (No. 2) Act, 1925.
c. 79.	The Safeguarding of Industries (Customs Duties) Act, 1925.
c. 81.	The Circuit Courts & Criminal Procedure (Scotland) Act, 1925. In part, namely,— The Schedule.
c. 82.	The Roads and Streets in Police Burghs (Scotland) Act, 1925. In part, namely,— Section three.
c. 86.	The Criminal Justice Act, 1925. In part, namely,— Section thirty. Sections forty-two and forty-nine subsection four. Section forty-nine subsection five. Schedule three.
c. 87.	The Tithe Act, 1925. In part, namely,— Sections twenty-three and twenty-six subsection three. Section twenty-six subsection four and schedule two.
c. 88.	The Coastguard Act, 1925. In part, namely,— Section three subsection four.
c. 90.	The Rating and Valuation Act, 1925. In part, namely,— Sections six subsection three ; twelve subsection four and fifteen subsection two. Section forty-eight subsection nine. Section sixty-nine subsection four. Schedule eight.

Reign and Chapter	Title	1st SCH. —cont.
16 & 17 Geo. 5:		
c. 1.	The Consolidated Fund (No. 1) Act, 1926.	
c. 2.	The Public Works Loans Act, 1926.	
c. 6.	The Army and Air Force (Annual) Act, 1926. In part, namely,— Preamble ; sections two ; three and ten sub- section two. Section four. Schedule one.	
c. 7	The Bankruptcy (Amendment) Act, 1926. In part, namely,— Section nine.	
c. 9.	The Economy (Miscellaneous Provisions) Act, 1926. In part, namely,— Section nineteen subsection two and schedule four.	
c. 10.	The Local Authorities (Emergency Provisions) Act, 1926. The whole Act so far as unrepealed.	
c. 11.	The Law of Property (Amendment) Act, 1926. In part, namely,— Section eight subsection two.	
c. 12.	The Unemployment Insurance Act, 1926.	
c. 16.	The Execution of Diligence (Scotland) Act, 1926. In part, namely,— Section seven.	
c. 17.	The Coal Mines Act, 1926.	
c. 18.	The Secretaries of State Act, 1926. In part, namely,— Section four subsection two and schedule.	
c. 19.	The Re-election of Ministers Act (1919) Amend- ment Act, 1926.	

1st SCH.
—cont.

Reign and Chapter	Title
16 & 17 Geo. 5: c. 22.	<p>The Finance Act, 1926.</p> <p>In part, namely,—</p> <p>Sections one ; two ; eleven and nineteen. Section twenty-five subsection two. Section thirty-two subsection three. Section thirty-seven subsection three. Section forty-seven subsection five and schedule five.</p>
c. 23.	The Appropriation Act, 1926.
c. 27.	<p>The Isle of Man (Customs) Act, 1926.</p> <p>In part, namely,—</p> <p>Sections one ; two ; three ; four ; five ; seven ; nine ; ten ; fourteen and schedules one and three.</p>
c. 28.	<p>The Mining Industry Act, 1926.</p> <p>In part, namely,—</p> <p>Section seventeen subsection three. Section eighteen.</p>
c. 29.	<p>The Adoption of Children Act, 1926.</p> <p>In part, namely,—</p> <p>Section twelve subsection two.</p>
c. 31.	<p>The Home Counties (Music and Dancing) Licens- ing Act, 1926.</p> <p>In part, namely,—</p> <p>Section six and schedule two.</p>
c. 33.	The Appropriation (No. 2) Act, 1926.
c. 36.	<p>The Parks Regulation (Amendment) Act, 1926.</p> <p>In part, namely,—</p> <p>Section four subsection four and schedule.</p>
c. 37.	<p>The Lead Paint (Protection against Poisoning) Act, 1926.</p> <p>In part, namely,—</p> <p>Section eight subsection two.</p>
c. 43.	<p>The Public Health (Smoke Abatement) Act, 1926.</p> <p>In part, namely,—</p> <p>Section nine, so far as unrepealed. Section twelve subsection four.</p>

Reign and Chapter	Title
16 & 17 Geo. 5.:	
c. 45.	The Fertilisers and Feeding Stuffs Act, 1926. In part, namely,— Section thirty subsection two. Section thirty subsection three.
c. 47.	The Rating (Scotland) Act, 1926. In part, namely,— Section thirty. Section thirty-one subsection two. Schedule three.
c. 48.	The Births and Deaths Registration Act, 1926. In part, namely,— Section thirteen subsection one. Section thirteen subsection four. Schedule two.
c. 49.	The Expiring Laws Continuance Act, 1926.
c. 53.	The Merchandise Marks Act, 1926. In part, namely,— Section one subsection five.
c. 59.	The Coroners (Amendment) Act, 1926. In part, namely,— Section one subsection four. Section four subsection six. Section nine and section thirty-one to "Provided that". Section thirty-four subsection four. Schedule three.
c. 60.	The Legitimacy Act, 1926. In part, namely,— Section twelve subsection two.
c. 63.	The Sale of Food (Weights and Measures) Act, 1926. In part, namely,— Section fifteen subsection two. Section fifteen subsection three and schedule three.
17 & 18 Geo. 5.:	
c. 1.	The Public Works Loans Act, 1927. The whole Act so far as unrepealed.
c. 2.	The Consolidated Fund (No. 1) Act, 1927.

1st Sch.
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1ST SCH.
—cont.

Reign and Chapter	Title
17 & 18 Geo. 5:	
c. 4.	The Royal and Parliamentary Titles Act, 1927. In part, namely,— Section one.
c. 7.	The Army and Air Force (Annual) Act, 1927. In part, namely,— Preamble, sections two ; three and schedule.
c. 8.	The Government of India (Indian Navy) Act, 1927. The whole Act, so far as unrepealed.
c. 10.	The Finance Act, 1927. In part, namely,— Section one. Section seven subsections one and two. Section nine. Section nineteen. Section twenty. Section forty-seven subsection three. Section forty-eight. Section fifty-seven subsection six. Schedule two, Parts I and II. Schedule four so far as unrepealed. Schedule six.
c. 11.	The Appropriation Act, 1927.
c. 12.	The Auctions (Bidding Agreements) Act, 1927. In part, namely,— Section four subsection one, from “and shall” to the end of the subsection.
c. 13.	The Diseases of Animals Act, 1927. In part, namely,— Section one subsection three. Section six subsection four and schedule.
c. 16.	The Land Tax Commissioners Act, 1927.
c. 20.	The Isle of Man (Customs) Act, 1927. In part, namely,— Sections two ; three ; four ; five ; six ; eight ; nine ; ten ; thirteen. Section seventeen subsection two. Schedule two. Schedule four.

Reign and Chapter	Title	1st Sch. —cont.
17 & 18 Geo. 5: c. 21.	The Moneylenders Act, 1927. In part, namely,— Section nineteen, subsection three to “Provided that”, and Schedule two.	
c. 23.	The Crown Lands Act, 1927. In part, namely,— Sections sixteen subsection two; twenty-five paragraph (c); twenty-six subsection two and schedule.	
c. 25.	The Appropriation (No. 2) Act, 1927.	
c. 28.	The Public Works Loans Act, 1927.	
c. 34.	The Expiring Laws Continuance Act, 1927.	
c. 35.	The Sheriff Courts and Legal Officers (Scotland) Act, 1927. In part, namely,— Section twenty-two. Section twenty-three. Section twenty-four subsection one. Schedule.	
c. 36.	The Landlord and Tenant Act, 1927. In part, namely,— Section twenty-six subsection two.	
c. 37.	The Road Transport Lighting Act, 1927. In part, namely,— Section eleven subsection one. Section sixteen subsection two. Schedule.	
c. 40.	The Indian Church Act, 1927. In part, namely,— Section two paragraph (i). Section eleven. Schedule one.	
c. 42.	The Statute Law Revision Act, 1927. In part, namely,— The Schedule, Part I.	

1ST SCH.
—cont.

Reign and Chapter	Title
18 & 19 Geo. 5.:	
c. 1.	The Consolidated Fund (No. 1) Act, 1928.
c. 6.	The Rating (Scotland) Amendment Act, 1928.
c. 7.	<p>The Army and Air Force Act, 1928.</p> <p>In part, namely,—</p> <p>Preamble, sections two and three.</p> <p>Section four, paragraph one from “and for paragraph (k)” to “regularly relieved”.</p> <p>Section seven subsection two.</p> <p>Section seven subsection three.</p> <p>Section eight.</p> <p>Schedule one.</p> <p>Schedule three.</p>
c. 9.	<p>The Local Authorities (Emergency Provisions) Act, 1928.</p> <p>The whole Act so far as unrepealed.</p>
c. 11.	The Cotton Industry Act, 1928.
c. 13.	<p>The Currency and Bank Notes Act, 1928.</p> <p>In part, namely,—</p> <p>Section thirteen subsection two.</p> <p>Section thirteen subsection four and schedule.</p>
c. 15.	<p>The Bankers (Northern Ireland) Act, 1928.</p> <p>In part, namely,—</p> <p>Section four subsection three.</p>
c. 16.	Mr. Speaker's Retirement Act, 1928.
c. 17.	<p>The Finance Act, 1928.</p> <p>In part, namely,—</p> <p>Section five.</p> <p>Sections nine, fifteen and twenty.</p> <p>Section thirty-five subsection six and schedule five.</p>
c. 18.	The Appropriation Act, 1928.
c. 26.	<p>The Administration of Justice Act, 1928.</p> <p>In part, namely,—</p> <p>Section five.</p> <p>Section twenty subsection two and schedule two.</p>

Reign and Chapter	Title
18 & 19 Geo. 5 :	
c. 29.	<p>The Slaughter of Animals (Scotland) Act, 1928. In part, namely,— Section eleven subsection two.</p>
c. 31.	<p>The Food and Drugs (Adulteration) Act, 1928. The whole Act, so far as unrepealed, in so far as it extends to Northern Ireland.</p>
c. 32.	<p>The Petroleum (Consolidation) Act, 1928. In part, namely,— Section twenty-six subsection three to “ Provided that ”. Section twenty-six subsection five. Schedule three.</p>
c. 33.	<p>The Shops (Hours of Closing) Act, 1928. In part, namely,— Section ten subsection four and schedule four.</p>
c. 34.	<p>The Reorganisation of Offices (Scotland) Act, 1928. In part, namely,— Section one subsection six from “ and the enactments ” to the end of the section and section fourteen and schedule.</p>
c. 36.	<p>The Naval Prize Act, 1928. In part, namely,— Section four subsection two and schedule.</p>
c. 42.	<p>The Criminal Law Amendment Act, 1928. In part, namely,— Section two subsection two.</p>
c. 43.	<p>The Agricultural Credits Act, 1928. In part, namely,— Section twelve. Section fifteen subsection two.</p>
c. 44.	<p>The Rating and Valuation (Apportionment) Act, 1928. In part, namely,— Section nine subsection fifteen.</p>

1st Sch.
—cont.

1st SCH.
—cont.

Reign and Chapter	Title
19 & 20 Geo. 5.:	
c. 2.	The Consolidated Fund (No. 1) Act, 1928 (Session 2).
c. 3.	The Expiring Laws Continuance Act, 1928.
c. 5.	The Public Works Loans Act, 1928.
c. 10.	The Consolidated Fund (No. 2) Act, 1929.
c. 13.	The Agricultural Credits (Scotland) Act, 1929. In part, namely,— Section ten subsection two.
c. 14.	The Northern Ireland Land Act, 1929. In part, namely,— Section one. Sections two and five. Section six.
c. 16.	The Pensions (Governors of Dominions etc.) Act, 1929. In part, namely,— Section three subsection four. Section ten subsection three and schedule.
c. 17.	The Local Government Act, 1929. In part, namely,— Sections thirty-five subsection four and one hundred and thirty. Section one hundred and thirty-seven and schedule twelve.
c. 20.	The Army and Air Force (Annual) Act, 1929. In part, namely,— Preamble ; sections two ; three and schedule one. Schedule two, the amendment relating to section 85.
c. 21.	The Finance Act, 1929. In part, namely,— Section one. Sections two & three. Section five. Section six subsection three and schedule.
c. 22.	The Appropriation Act, 1929.

Reign and Chapter	Title	1ST SCH. —cont.
19 & 20 Geo. 5.:		
c. 25.	<p>The Local Government (Scotland) Act, 1929.</p> <p>In part, namely,—</p> <p>Section three subsection three the proviso. Sections seventy-two and seventy-four. Section seventy-five. Section seventy-six subsections one, two and three. Section seventy-six subsection seven. Section seventy-nine subsection one. Section eighty subsection two. Schedule nine.</p>	
c. 27.	<p>The Savings Banks Act, 1929.</p> <p>In part, namely,—</p> <p>Sections three and twenty subsection four. Section twenty subsection five. Schedule.</p>	
c. 29.	<p>The Government Annuities Act, 1929.</p> <p>In part, namely,—</p> <p>Section thirty-six subsection one ; sixty-six subsection one and sixty-nine. Section seventy subsection one from “and shall come ” to the end of the subsection. Schedule two.</p>	
c. 30.	<p>The Chatham & Sheerness Stipendiary Magistrates Act, 1929.</p>	
c. 32.	<p>The Artificial Cream Act, 1929.</p> <p>In part, namely,—</p> <p>Section eight subsection two.</p>	
c. 37.	<p>The Police Magistrates Superannuation (Amendment) Act, 1929.</p> <p>In part, namely,—</p> <p>Section three subsection two.</p>	
20 & 21 Geo. 5.:		
c. 1.	<p>The Isle of Man (Customs) Act, 1929.</p> <p>In part, namely,—</p> <p>Section one. Section three to “ Provided that ” and section four.</p>	

1ST SCH.
—cont.

Reign and Chapter	Title
20 & 21 Geo. 5.:	
c. 4.	The Irish Free State (Confirmation of Agreement) Act, 1929. In part, namely,— Section two subsection two.
c. 9.	The Under Secretaries of State Act, 1929.
c. 11.	The Consolidated Fund (No. 2) Act, 1929 (Session 2).
c. 12.	The Expiring Laws Continuance Act, 1929.
c. 14.	The Consolidated Fund (No. 2) Act, 1930.
c. 18.	The Consolidated Fund (No. 3) Act, 1930.
c. 20.	The Land Drainage (Scotland) Act, 1930. In part, namely,— Section three. Section ten.
c. 22.	The Army and Air Force (Annual) Act, 1930. In part, namely,— Preamble ; sections two ; three and six subsection two. Section eight. Schedule one.
c. 23.	The Mental Treatment Act, 1930. In part, namely,— Section fourteen subsection two. Sections fifteen subsection three and sixteen subsection three. Section twenty-two subsection two. Section twenty-two subsection four. Schedule four.
c. 27.	The Appropriation Act, 1930.
c. 28.	The Finance Act, 1930. In part, namely,— Section one subsection one. Section one subsection two. Section two subsections two, three and four. Section two subsection five. Section four. Section five. Sections eight and nine. Section ten. Section forty-six. Section fifty-three subsection eight and schedule three.

Reign and Chapter	Title	1ST SCH. —cont.
20 & 21 Geo. 5.:		
c. 32.	<p>The Poor Prisoners Defence Act, 1930.</p> <p>In part, namely,—</p> <p>Section five subsection one from “ and shall ” to the end of the subsection.</p> <p>Section five subsection four to “ Provided that ”.</p>	
c. 35.	<p>The Hairdressers and Barbers Shops (Sunday Closing) Act, 1930.</p> <p>In part, namely,—</p> <p>Section six subsection one from “ and shall ” to the end of the subsection.</p>	
c. 37.	<p>The Adoption of Children (Scotland) Act, 1930.</p> <p>In part, namely,—</p> <p>Section five subsection two so far as un-repealed.</p> <p>Section twelve subsection two.</p>	
c. 38.	<p>The Navy and Marines (Wills) Act, 1930.</p> <p>In part, namely,—</p> <p>Sections one subsection one ; two subsection three and schedule two.</p>	
c. 39.	<p>The Housing Act, 1930.</p> <p>In part, namely,—</p> <p>Section sixty-four subsection one to “ Provided that ”.</p> <p>Section sixty-five subsection four.</p> <p>Schedule six.</p>	
c. 40.	<p>The Housing (Scotland) Act, 1930.</p> <p>In part, namely,—</p> <p>Sections twenty-two subsection three ; fifty-one subsection one to “ Provided that ” and schedule six.</p>	
c. 42.	<p>The Isle of Man (Customs) Act, 1930.</p> <p>In part, namely,—</p> <p>Section one.</p> <p>Sections three and five.</p>	
c. 43.	<p>The Road Traffic Act, 1930.</p> <p>In part, namely,—</p> <p>Section sixty paragraph (f).</p> <p>Section one hundred and twenty-three subsection two.</p> <p>Schedule five except so far as it relates to the Locomotives Act, 1861, and the Locomotives Act, 1898.</p>	

1ST SCH.
—cont.

Reign and Chapter	Title
20 & 21 Geo. 5.: c. 44.	The Land Drainage Act, 1930. In part, namely,— Section eighty-three subsection one to “Provided that” and schedule seven.
c. 45.	The Criminal Appeal (Northern Ireland) Act, 1930. In part, namely,— Section twenty-one subsection four and schedule.
c. 46.	The British Museum Act, 1930. In part, namely,— Section two. Section three subsection two.
c. 48.	The London Naval Treaty Act, 1930. In part, namely,— Section one subsection two. Section two.
c. 49.	The Public Works Loans Act, 1930.
c. 51.	The Reservoirs (Safety Provisions) Act, 1930. In part, namely,— Section twelve subsection two.
21 & 22 Geo. 5.:	
c. 1.	The Consolidated Fund (No. 1) Act, 1930. Ses- sion 2.
c. 4.	The Expiring Laws Continuance Act, 1930.
c. 9.	The Colonial Naval Defence Act, 1931. In part, namely,— Section four subsection two to “Provided that”.
c. 10.	The Consolidated Fund (No. 2) Act, 1931.
c. 14.	The Army & Air Force (Annual) Act, 1931. In part, namely,— Preamble ; sections two ; three and schedule one.

Reign and Chapter	Title	1st SCH. —cont.
21 & 22 Geo. 5.:		
c. 16.	<p>The Ancient Monuments Act, 1931.</p> <p>In part, namely,—</p> <p>Section seventeen subsection three and schedule three.</p>	
c. 22.	<p>The Housing (Rural Workers) Amendment Act, 1931.</p>	
c. 23.	<p>The Mining Industry (Welfare Fund) Act, 1931.</p>	
c. 27.	<p>The Coal Mines Act, 1931.</p> <p>In part, namely,—</p> <p>Sections two ; and three subsections three and four.</p>	
c. 28.	<p>The Finance Act, 1931.</p> <p>In part, namely,—</p> <p>Section one subsection one.</p> <p>Sections five and six.</p> <p>Section thirty-eight.</p> <p>Section thirty-nine.</p> <p>Section forty-four subsection six so far as unrepealed and schedule three.</p>	
c. 29.	<p>The Appropriation Act, 1931.</p>	
c. 30.	<p>The Probation of Offenders (Scotland) Act, 1931.</p> <p>In part, namely,—</p> <p>Section twelve subsection two.</p> <p>Section twelve subsection three and schedule.</p>	
c. 31.	<p>The Marriage (Prohibited Degrees of Relationship) Act, 1931.</p> <p>In part, namely,—</p> <p>Section three subsection three.</p>	
c. 32.	<p>The Road Traffic (Amendment) Act, 1931.</p> <p>In part, namely,—</p> <p>Section one.</p>	
c. 33.	<p>The Architects (Registration) Act, 1931.</p> <p>In part, namely,—</p> <p>Section eighteen subsection one.</p>	

1ST SCH.
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Reign and Chapter	Title
21 & 22 Geo. 5.:	
c. 34.	The Isle of Man (Customs) Act, 1931. In part, namely,— Section two so far as unrepealed.
c. 35.	The British Sugar Industry (Assistance) Act, 1931.
c. 41.	The Agricultural Land (Utilisation) Act, 1931. In part, namely,— Sections five ; six and seven. Section twelve subsection two. Schedule one so far as unrepealed.
c. 44.	The Small Landholders and Agricultural Holdings (Scotland) Act, 1931. In part, namely,— Sections three subsection two ; twenty-four ; forty-one subsection two and schedule two.
c. 45.	The Local Government (Clerks) Act, 1931. In part, namely,— Section thirteen subsection two.
c. 46.	The Gold Standard (Amendment) Act, 1931. In part, namely,— Section one subsection three.
c. 47.	The Public Works Loans Act, 1931.
c. 49.	The Finance (No. 2) Act, 1931. In part, namely,— Section two subsections one and two. Sections six and seven. Sections twenty-four ; twenty-five subsection five. Schedule one Parts one and two. Schedule five.
c. 50.	The Appropriation (No. 2) Act, 1931.
c. 51.	The Foodstuffs (Prevention of Exploitation) Act, 1931.
22 & 23 Geo. 5.:	
c. 1.	The Abnormal Importations (Customs Duties) Act, 1931.

Reign and Chapter	Title
22 & 23 Geo. 5.:	
c. 2.	The Expiring Laws Act, 1931. In part, namely,— Section two and schedule two.
c. 3.	The Horticultural Products (Emergency Customs Duties) Act, 1931.
c. 7.	The Indian Pay (Temporary Abatements) Act, 1931.
c. 9.	The Merchant Shipping (Safety and Load Line Conventions) Act, 1932. In part, namely,— Sections twenty-four subsection six and thirty-five subsection five. Section thirty-nine subsection one. Sections thirty-nine subsection two; sixty-seven subsection two to "Provided that" and seventy-four subsection two and schedule four.
c. 13.	The Financial Emergency Enactments (Continuance) Act, 1932.
c. 14.	The Consolidated Fund (No. 1) Act, 1932.
c. 15.	The Dangerous Drugs Act, 1932. In part, namely,— Section five subsection three. Section five subsection four.
c. 18.	The Rating and Valuation Act, 1932. In part, namely,— Section one subsection two.
c. 20.	The Chancel Repairs Act, 1932. In part, namely,— Section five subsection three.
c. 21.	The President of the Board of Trade Act, 1932. The whole Act so far as unrepealed.
c. 22.	The Army and Air Force (Annual) Act, 1932 In part, namely,— Preamble; sections two and three. Section fifteen subsection five. Schedule one. Schedule four.

1st Sch.,
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1ST SCH.
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Reign and Chapter	Title
22 & 23 Geo. 5.:	
c. 23.	The Grey Seals Protection Act, 1932. In part, namely,— Section three subsection two.
c. 24.	The Wheat Act, 1932. In part, namely,— Section nineteen.
c. 25.	The Finance Act, 1932. In part, namely,— Section one subsection two. Sections three subsection two ; and five sub- section six. Section six. Sections fifteen and sixteen.
c. 26.	The Universities (Scotland) Act, 1932. In part, namely,— Section seven subsection two and schedule.
c. 32.	The Patents and Designs Act, 1932. In part, namely,— Section fifteen subsection two.
c. 37.	The Solicitors Act, 1932. In part, namely,— Section eighty-two subsection one. Section eighty-three subsection two. Schedule four.
c. 41.	The Isle of Man (Customs) (No. 2) Act, 1932. In part, namely,— Sections seven and eleven. Section fourteen subsection three and schedule two.
c. 42.	The Public Works Loans Act, 1932.
c. 45.	The Rights of Way Act, 1932. In part, namely,— Section six.
c. 46.	The Children and Young Persons Act, 1932. In part, namely,— Section ninety subsection three.

Reign and Chapter	Title	1ST SCH. —cont.
22 & 23 Geo. 5.:	c. 47. The Children and Young Persons (Scotland) Act, 1932.	
	In part, namely,— Section eighty-three subsection three.	
	c. 50. The Appropriation Act, 1932.	
	c. 51. The Sunday Entertainments Act, 1932.	
	In part, namely,— Section six subsection two.	
	c. 53. The Ottawa Agreements Act, 1932.	
	In part, namely,— Section fourteen subsection two.	
	c. 54. The Transitional Payments (Determination of Need) Act, 1932.	
	c. 55. The Administration of Justice Act, 1932.	
	In part, namely,— Section one subsection two.	
23 & 24 Geo. 5.:	c. 1. The Consolidated Fund (No. 1) Act, 1932.	
	c. 2. The Expiring Laws Continuance Act, 1932.	
	c. 3. The Consolidated Fund (No. 2) Act, 1933.	
	c. 7. The Indian Pay (Temporary Abatements) Act, 1933.	
	c. 10. The Russian Goods (Import Prohibition) Act, 1933.	
	In part, namely,— Section four subsection two.	
	c. 11. The Army and Air Force (Annual) Act, 1933.	
	In part, namely,— Preamble ; sections two ; three and schedule.	
	c. 12. The Children and Young Persons Act, 1933.	
	In part, namely,— Section one hundred and nine subsection two. Section one hundred and nine subsection four and schedule six.	

1ST SCH.
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Reign and Chapter	Title
23 & 24 Geo. 5.:	
c. 14.	<p>The London Passenger Transport Act, 1933.</p> <p>In part, namely,—</p> <p>Section twenty-seven.</p> <p>Section fifty.</p> <p>Section fifty-six.</p> <p>Section eighty-two subsection two.</p> <p>Section one hundred and eight.</p> <p>Schedule eleven so far as it relates to schedule three Part I, of the Road Traffic Act, 1930.</p> <p>Schedule sixteen.</p>
c. 15.	<p>The Housing (Financial Provisions) Act, 1933.</p> <p>The whole Act so far as unrepealed.</p>
c. 18.	<p>The Exchange Equalisation Account Act, 1933.</p>
c. 19.	<p>The Finance Act, 1933.</p> <p>In part, namely,—</p> <p>Section one subsections one to six and seven to “Provided that”.</p> <p>Section two subsection one.</p> <p>Sections seven subsection five ; and eight subsection four.</p> <p>Sections fourteen subsection four ; fifteen subsection three ; sixteen subsection six to “effect, and” and twenty-three subsection two.</p> <p>Sections twenty-seven ; twenty-eight and thirty.</p> <p>Section thirty-one subsection two.</p> <p>Sections thirty-six and thirty-seven.</p> <p>Section forty-seven subsection seven and schedule eight.</p>
c. 20.	<p>The False Oaths (Scotland) Act, 1933.</p> <p>In part, namely,—</p> <p>Section eight and schedule.</p>
c. 21.	<p>The Solicitors (Scotland) Act, 1933.</p> <p>In part, namely,—</p> <p>Section fifty-one.</p> <p>Section fifty-two from “Part I” to the end of the section.</p> <p>Schedule three.</p>

Reign and Chapter	Title	1st Sch. —cont.
23 & 24 Geo. 5.:		
c. 22.	The Teachers (Superannuation) Act, 1933. The whole Act so far as unrepealed.	
c. 24.	The Solicitors Act, 1933. In part, namely,— Section nine subsection three.	
c. 25.	The Pharmacy and Poisons Act, 1933. In part, namely,— Section thirty-one subsection two. Section thirty-one subsection four and schedule three.	
c. 27.	The Blind Voters Act, 1933. In part, namely,— Section two subsection two.	
c. 30.	The Cotton Industry Act, 1933.	
c. 31.	The Agricultural Marketing Act, 1933. In part, namely,— Sections fourteen subsection four and thirty subsection two and schedule four.	
c. 32.	The Rent and Mortgage Interest Restrictions (Amendment) Act, 1933. In part, namely,— Section eighteen subsection three and schedule three.	
c. 34.	The Appropriation Act, 1933.	
c. 36.	The Administration of Justice (Miscellaneous Pro- visions) Act, 1933. In part, namely,— Section ten subsection three. Section ten subsection four. Schedule three.	
c. 38.	The Summary Jurisdiction (Appeals) Act, 1933. In part, namely,— Section eleven subsection two. Schedule.	
c. 39.	The Slaughter of Animals Act, 1933. In part, namely,— Section ten subsection three.	

1ST SCH.
—cont.

Reign and Chapter	Title
23 & 24 Geo. 5.:	
c. 40.	<p>The Isle of Man (Customs) Act, 1933.</p> <p>In part, namely,—</p> <p>Section six.</p> <p>Sections twelve subsection four and thirteen subsection three.</p> <p>Section twenty.</p> <p>Section twenty-one subsection three and schedule six.</p>
c. 41.	<p>The Administration of Justice (Scotland) Act, 1933.</p> <p>In part, namely,—</p> <p>Section forty-one subsection two.</p> <p>The Schedule.</p>
c. 48.	<p>The Expiring Laws Continuance Act, 1933.</p> <p>The whole Act so far as unrepealed.</p>
c. 51.	<p>The Local Government Act, 1933.</p> <p>In part, namely,—</p> <p>Section three hundred and four.</p> <p>Section three hundred and seven subsection one to “Provided that”.</p> <p>Section three hundred and eight subsection one from “and shall” to the end of the subsection.</p> <p>Schedule ten.</p> <p>Schedule eleven.</p>
c. 52.	<p>The Protection of Birds Act, 1933.</p> <p>In part, namely,—</p> <p>Section two subsection two.</p>
c. 53.	<p>The Road and Rail Traffic Act, 1933.</p> <p>In part, namely,—</p> <p>Sections forty-one subsection four; forty-seven subsection three and forty-eight.</p> <p>Section forty-nine subsection two.</p> <p>Schedule three.</p>
24 & 25 Geo. 5.:	
c. 2.	<p>The Newfoundland Act, 1933.</p> <p>In part, namely,—</p> <p>Section five.</p>
c. 3.	<p>The Consolidated Fund (No. 1) Act, 1934.</p>

Reign and Chapter	Title
24 & 25 Geo. 5.:	
c. 8.	The Indian Pay (Temporary Abatements) Act, 1934.
c. 9.	The Mining Industry (Welfare Fund) Act, 1934. In part, namely,— Section three subsection two paragraph (b).
c. 11.	The Army and Air Force (Annual) Act, 1934. In part, namely,— Preamble ; sections two ; three and schedule one.
c. 14.	The Arbitration Act, 1934. In part, namely,— Section twenty-one subsection six. Section twenty-one subsection seven. Schedule three.
c. 18.	The Illegal Trawling (Scotland) Act, 1934. In part, namely,— Section seven and schedule.
c. 19.	The Registration of Births, Deaths and Marriages (Scotland) (Amendment) Act, 1934. In part, namely,— Section seven subsection two.
c. 20.	The Water Supplies (Exceptional Shortage) Orders Act, 1934. The whole Act except sections one subsection five ; three subsection eight and twelve subsection one.
c. 22.	The Assessor of Public Undertakings (Scotland) Act, 1934. In part, namely,— Section four.
c. 32.	The Finance Act, 1934. In part, namely,— Sections one subsection three ; two subsection five and three subsection two. Section three subsection three. Sections four subsection two and six subsection three. Sections nineteen and twenty. Sections twenty-one subsection five ; twenty-seven ; thirty subsection seven and schedule four.

1ST SCH.
—cont.

1ST SCH.
—cont.

Reign and Chapter	Title
24 & 25 Geo. 5.:	
c. 35.	The Land Settlement (Scotland) Act, 1934.
c. 37.	The Trustees Savings Banks (Special Investments) Act, 1934. In part, namely,— Section two subsection two.
c. 39.	The British Sugar (Subsidy) Act, 1934.
c. 41.	Law Reform (Miscellaneous Provisions) Act, 1934. In part, namely,— Sections one subsection seven and three subsection two.
c. 42.	The Shops Act, 1934. In part, namely,— Section sixteen. Section eighteen subsection four. Schedule.
c. 44.	The Appropriation Act, 1934.
c. 46.	The Isle of Man (Customs) Act, 1934. In part, namely,— Section one subsection two. Section two. Section three subsection four. Section four.
c. 48.	The Public Works Loans Act, 1934.
c. 49.	The Whaling Industry Act, 1934. In part, namely,— Section nineteen subsection two.
c. 50.	The Road Traffic Act, 1934. In part, namely,— Section forty-two subsection three.
c. 51.	The Milk Act, 1934. In part, namely,— Sections two ; three ; five ; six and seven ; and, so far as unrepealed, sections one ; four and eight. Section eleven. Section fourteen subsection two.

Reign and Chapter	Title	1ST SCH. —cont.
24 & 25 Geo. 5.: c. 53.	<p>The County Courts Act, 1934.</p> <p>In part, namely,—</p> <p>Section one hundred and ninety-three subsection three.</p> <p>Section one hundred and ninety-three subsection four and schedule five.</p>	
c. 54.	<p>The Cattle Industry (Emergency Provisions) Act, 1934.</p> <p>In part, namely,—</p> <p>Sections two and three.</p>	
c. 57.	The Expiring Laws Continuance Act, 1934.	
c. 58.	<p>The Betting and Lotteries Act, 1934.</p> <p>In part, namely,—</p> <p>Sections fifteen subsection five and thirty-two.</p> <p>Section thirty-three subsection two.</p> <p>Schedule two.</p>	
25 & 26 Geo. 5.:		
c. 4.	The Consolidated Fund (No. 1) Act, 1935.	
c. 6.	The Unemployment Assistance (Temporary Provisions) Act, 1935.	
c. 7.	The British Shipping (Assistance) Act, 1935.	
c. 10.	The Consolidated Fund (No. 2) Act, 1935.	
c. 12.	The Cattle Industry (Emergency Provisions) Act, 1935.	
c. 15.	<p>The Post Office (Amendment) Act, 1935.</p> <p>In part, namely,—</p> <p>Sections two subsection one ; four subsection two ; sixteen subsection two and schedule two.</p>	
c. 17.	<p>The Army and Air Force (Annual) Act, 1935.</p> <p>In part, namely,—</p> <p>Preamble ; sections two ; three and schedule one.</p>	
c. 19.	The Land Drainage (Scotland) Act, 1935.	

1ST SCH.
—cont.

Reign and Chapter	Title
25 & 26 Geo. 5.:	
c. 20.	The Vagrancy Act, 1935. In part, namely,— Section one subsection two.
c. 21.	The Northern Ireland Land Purchase (Winding Up) Act, 1935. In part, namely,— Section fifteen subsection three.
c. 22.	The Unemployment Assistance (Temporary Provisions) (No. 2) Act, 1935.
c. 23.	The Superannuation Act, 1935. In part, namely,— Section five.
c. 24.	The Finance Act, 1935. In part, namely,— Section one subsection five. Sections eight subsection two ; nine subsection two and twelve subsection two. Sections seventeen ; eighteen and twenty-four. Section thirty-four subsection five. Section thirty-four subsection six. Section thirty-five subsection seven and schedule two.
c. 25.	The Counterfeit Currency (Convention) Act, 1935. In part, namely,— Section six subsection six.
c. 28.	The Appropriation Act, 1935.
c. 30.	The Law Reform (Married Women and Tortfeasors) Act, 1935. In part, namely,— Section five subsection two. Section seven. Schedule two.
c. 31.	The Diseases of Animals Act, 1935. In part, namely,— Section nineteen subsection three and schedule two.
c. 34.	The Isle of Man (Customs) Act, 1935. In part, namely,— Section one subsection three. Section three. Section nine subsection two and schedule.

Reign and Chapter	Title	1ST SCH. —cont.
25 & 26 Geo. 5.:		
c. 37.	The British Sugar (Subsidy) Act, 1935.	
c. 39.	The Catle Industry (Emergency Provisions) (No. 2) Act, 1935.	
c. 40.	The Housing Act, 1935. In part, namely,— Section thirty-seven subsections one and two.	
c. 41.	The Housing (Scotland) Act, 1935. In part, namely,— Section nineteen subsection one. Section thirty-four subsections one and two. Sections forty-eight subsection one ; fifty-nine subsection two ; sixty-nine subsection two and eighty-eight to “ Provided that ” and schedule six.	
c. 43.	The Salmon and Freshwater Fisheries Act, 1935. In part, namely,— Section three.	
c. 46.	The Money Payments (Justices Procedure) Act, 1935. In part, namely,— Sections five subsection four ; seven ; ten subsection four and sixteen subsection two. Section sixteen subsection three. Schedule.	
26 Geo. 5 & 1 Edw. 8:		
c. 4.	The Expiring Laws Continuance Act, 1935.	
c. 5.	The Public Works Loans Act, 1935. In part, namely,— Section one. Sections two ; three ; four ; five subsection three and schedule.	
c. 7.	The Unemployment Assistance (Temporary Provisions) (Extension) Act, 1936.	
c. 8.	The Consolidated Fund (No. 1) Act, 1936.	
c. 9.	The Milk (Extension of Temporary Provisions) Act, 1936.	

1ST SCH.
—cont.

Reign and Chapter	Title
26 Geo. 5 & 1 Edw. 8.:	
c. 11.	The Consolidated Fund (No. 2) Act, 1936.
c. 12.	The British Shipping (Continuance of Subsidy) Act, 1936.
c. 14.	The Army and Air Force (Annual) Act, 1936. In part, namely,— Preamble ; sections two ; three and schedule.
c. 15.	The Civil List Act, 1936. In part, namely,— Sections one ; two ; three ; four ; five ; six ; seven ; ten and section thirteen except sub- section five. Schedule.
c. 16.	The Coinage Offences Act, 1936. In part, namely,— Section eighteen subsection two. Section eighteen subsection three. Schedule.
c. 18.	The Sugar Industry (Reorganization) Act, 1936. In part, namely,— Sections three subsection two and five sub- section three. Section fourteen subsection one the proviso. Section sixteen ; schedule one Part two and schedule two.
c. 22.	The Hours of Employment (Conventions) Act, 1936. In part, namely,— Section six subsection two.
c. 24.	The Employment of Women and Young Persons Act, 1936. In part, namely,— Section five subsection two.
c. 25.	The Pensions (Governors of Dominions etc.) Act, 1936. In part, namely,— Section one subsection five.

Reign and Chapter	Title	1st Sch. —cont.
26 Geo. 5 & 1 Edw. 8.:	<p>c. 26. The Land Registration Act, 1936.</p> <p>In part, namely,—</p> <p>Sections three subsections two and four; five subsection two from “and subsection (4)” to the end of the subsection and nine subsection two and schedule.</p>	
	<p>c. 28. The Shops Act, 1936.</p> <p>In part, namely,—</p> <p>Section two subsection three.</p>	
	<p>c. 29. The Malta (Letters Patent) Act, 1936.</p> <p>In part, namely,—</p> <p>Section three subsection one from “and shall” to the end of the subsection.</p> <p>Section three subsection two.</p>	
	<p>c. 30. The Retail Meat Dealers Shops (Sunday Closing) Act, 1936.</p> <p>In part, namely,—</p> <p>Section eight subsection one from “and shall” to the end of the subsection.</p>	
	<p>c. 31. The Old Age Pensions Act, 1936.</p> <p>In part, namely,—</p> <p>Section fourteen to “Provided that”.</p> <p>Section sixteen subsection one.</p> <p>Schedule two.</p>	
	<p>c. 34. The Finance Act, 1936.</p> <p>In part, namely,—</p> <p>Section one subsection four.</p> <p>Section two.</p> <p>Section three subsection two.</p> <p>Section four so far as unrepealed and sections fourteen and fifteen.</p> <p>Sections thirty-three subsection two; thirty-five subsection seven; schedule three Part II and schedule four.</p>	
	<p>c. 35. The Solicitors Act, 1936.</p> <p>In part, namely,—</p> <p>Section seven subsection three last sentence and subsection four last sentence; and section nine subsection two.</p> <p>Sections ten and eleven.</p> <p>Section seventeen subsection two.</p>	

1ST SCH.
—cont.

Reign and Chapter	Title
26 Geo. 5 & 1 Edw. 8.:	
c. 37.	The Appropriation Act, 1936.
c. 38.	The Weights and Measures Act, 1936. In part, namely,— Section thirteen subsection two.
c. 40.	The Midwives Act, 1936. In part, namely,— Section five subsections one to seven.
c. 43.	The Tithe Act, 1936. In part, namely,— Section forty-eight subsection three and schedule nine.
c. 44.	The Air Navigation Act, 1936. In part, namely,— Section thirty-five subsection two and schedule seven.
c. 45.	The Isle of Man (Customs) Act, 1936. In part, namely,— Section two. Sections three subsection two ; and five sub- section three. Section eleven subsection two and schedule two.
c. 46.	The Cattle Industry (Emergency Provisions) Act, 1936.
c. 47.	The Crown Lands Act, 1936. In part, namely,— Sections eight subsection five ; ten subsection four and schedule two.
c. 48.	The Health Resorts and Watering Places Act, 1936. In part, namely,— Section two subsection three.
c. 49.	The Public Health Act, 1936. In part, namely,— Section three hundred and forty-six sub- section one to “ Provided that ”. Section three hundred and forty-six sub- section one the proviso paragraphs (e) and (f). Section three hundred and forty-seven sub- section one from “ and shall ” to the end of the subsection. Schedule three.

Reign and Chapter	Title	1ST SCH. —cont.
26 Geo. 5 & 1 Edw. 8.:	<p>c. 50. The Public Health (London) Act, 1936. In part, namely,— Section three hundred and eight. Section three hundred and nine subsection two. Schedule seven.</p> <p>c. 51. The Housing Act, 1936. In part, namely,— Section one hundred and ninety. Section one hundred and ninety-one subsection two. Schedule twelve.</p> <p>c. 52. The Private Legislation Procedure (Scotland) Act, 1936. In part, namely,— Section nineteen to “Provided that” and schedule.</p> <p>c. 53. The Shops (Sunday Trading Restrictions) Act, 1936. In part, namely,— Section sixteen subsection three. Section sixteen subsection four and schedule four.</p>	
1 Edw. 8 & 1 Geo. 6.:	<p>c. 1. The Merchant Shipping (Carriage of Munitions to Spain) Act, 1936.</p> <p>c. 4. The Expiring Laws Continuance Act, 1936.</p> <p>c. 5. The Trunk Roads Act, 1936. In part, namely,— Section one subsections five and six and section five subsection four.</p> <p>c. 6. The Public Order Act, 1936. In part, namely,— Section ten subsection three.</p> <p>c. 7. The Consolidated Fund (No. 1) Act, 1937.</p> <p>c. 8. The Beef and Veal Customs Duties Act, 1937. In part, namely,— Section one subsection six.</p>	

1ST SCH.
—cont.

Reign and Chapter	Title
1 Edw. 8 & 1 Geo. 6.:	
c. 10.	The Unemployment Assistance (Temporary Provisions) (Amendment) Act, 1937.
c. 11.	The Public Works Loans Act, 1937.
c. 12.	The Firearms Act, 1937. In part, namely,— Section thirty-one. Section thirty-four subsection two. Section thirty-four subsection four. Schedule four.
c. 14.	The East India Loans Act, 1937. In part, namely,— Section nine. Section twelve subsection two. Section twelve subsection three and schedule two.
c. 16.	The Regency Act, 1937. In part, namely,— Section seven.
c. 19.	The Merchant Shipping (Spanish Frontiers Observation) Act, 1937.
c. 20.	The Consolidated Fund (No. 2) Act, 1937.
c. 21.	The British Shipping (Continuance of Subsidy) Act, 1937.
c. 23.	The Merchant Shipping Act, 1937. In part, namely,— Section two.
c. 26.	The Army and Air Force (Annual) Act, 1937. In part, namely,— Preamble ; sections two ; three and schedule one.
c. 27.	The County Councils Association Expenses (Amendment) Act, 1937.
c. 30.	The Maternity Services (Scotland) Act, 1937. In part, namely,— Section ten subsection one from “ and shall ” to the end of the subsection.

Reign and Chapter	Title	1ST SCH. —cont.
1 Edw. 8 & 1 Geo. 6.:		
c. 33.	The Diseases of Fish Act, 1937. In part, namely,— Section fourteen subsection two.	
c. 37.	The Children and Young Persons (Scotland) Act, 1937. In part, namely,— Section one hundred and thirteen subsection two. Section one hundred and thirteen subsection four and schedule four.	
c. 38.	The Ministers of the Crown Act, 1937. In part, namely,— Section eleven subsection two and schedule four.	
c. 40.	The Public Health (Drainage of Trade Premises) Act, 1937. In part, namely,— Section one subsection three. Sections seven subsection six ; nine subsection four ; twelve subsection five and fifteen subsection three.	
c. 42.	The Exportation of Horses Act, 1937. In part, namely,— Section two subsection two.	
c. 43.	The Public Records (Scotland) Act, 1937. In part, namely,— Sections fifteen and sixteen and schedule two.	
c. 46.	The Physical Training and Recreation Act, 1937. In part, namely,— Section eleven subsection two and schedule.	
c. 47.	The Teachers (Superannuation) Act, 1937. In part, namely,— Sections two subsection five ; five subsection two and schedule.	

1ST SCH.
—cont.

Reign and Chapter	Title
1 Edw. 8 & 1 Geo. 6.: c. 48.	<p>The Methylated Spirits (Sale by Retail) (Scotland) Act, 1937.</p> <p>In part, namely,— Section eight subsection two.</p>
c. 50.	<p>The Livestock Industry Act, 1937.</p> <p>In part, namely,— Section nine. Section thirty-eight subsection two the proviso.</p>
c. 53.	<p>The Agricultural Wages (Regulation) (Scotland) Act, 1937.</p> <p>In part, namely,— Section sixteen.</p>
c. 54.	<p>The Finance Act, 1937.</p> <p>In part, namely,— Sections one and two. Section three subsection five. Section three subsection six. Sections five subsection three and six subsection two. Sections ten ; eleven ; sixteen and twenty-seven. Sections twenty-eight subsection three ; thirty-four subsection six and schedule six.</p>
c. 55.	<p>The Appropriation Act, 1937.</p>
c. 57.	<p>The Matrimonial Causes Act, 1937.</p> <p>In part, namely,— Section ten subsection five. Section fourteen subsection two.</p>
c. 58.	<p>The Summary Procedure (Domestic Proceedings) Act, 1937.</p> <p>In part, namely,— Section ten subsection four.</p>
c. 62.	<p>The Coal Mines (Employment of Boys) Act, 1937.</p> <p>In part, namely,— Section one subsection one the last sentence.</p>

Reign and Chapter	Title	1st SCH. —cont.
1 Edw. 8 & 1 Geo. 6.:		
c. 63.	The Nigerian (Remission of Payments) Act, 1937.	
c. 64.	The Isle of Man (Customs) Act, 1937. In part, namely,— Section one. Section three subsection five.	
c. 66.	The Milk (Amendment) Act, 1937. In part, namely,— Sections one ; two ; three ; four ; five ; six and section eight subsection two. Section nine subsection two. Schedule one, except the amendment to s. 12 of the Principal Act contained in Part I of the schedule. Schedule two.	
c. 67.	The Factories Act, 1937. In part, namely,— Section one hundred and fifty-nine subsection one to " Provided that ". Section one hundred and sixty subsection two. Schedule four.	
c. 68.	The Local Government Superannuation Act, 1937. In part, namely,— Section forty-one subsection one and schedule four.	
c. 69.	The Local Government Superannuation (Scotland) Act, 1937. In part, namely,— Section twenty-eight subsection one. Section thirty-five subsection one.	
c. 70.	The Agriculture Act, 1937. In part, namely,— Section thirteen subsection three. Sections eighteen subsection two and thirty- four subsection three. Section thirty-four subsection four. Schedule two so far as relates to the Milk and Dairies (Consolidation) Act, 1915. Schedule three.	

1ST SCH.
—cont.

Reign and Chapter	Title
1 & 2 Geo. 6.:	
c. 1.	The Expiring Laws Continuance Act, 1937.
c. 6.	The Air-Raid Precautions Act, 1937. In part, namely,— Section ten.
c. 7.	The Public Works Loans Act, 1937. In part, namely,— Sections one ; two and schedule.
c. 9.	The Consolidated Fund (No. 1) Act, 1938.
c. 11.	The Blind Persons Act, 1938. In part, namely,— Section six subsection two.
c. 15.	The Cotton Industry Act, 1938.
c. 17.	The Cinematograph Films Act, 1938. In part, namely,— Section forty-six subsection two.
c. 20.	The Army and Air Force (Annual) Act, 1938. In part, namely,— Preamble ; sections two and three. Section six. Schedule.
c. 22.	The Trade Marks Act, 1938. In part, namely,— Section seventy subsection one. Section seventy-one subsection two. Schedule four.
c. 24.	The Conveyancing Amendment (Scotland) Act, 1938. In part, namely,— Section two subsection three. Section three. Section twelve subsection three.

Reign and Chapter	Title	1st Sch. —cont.
1 & 2 Geo. 6.: c. 28.	The Evidence Act, 1938. In part, namely,— Section seven subsection three.	
c. 29.	The Patents etc. (International Conventions) Act, 1938. In part, namely,— Section seven. Section twelve subsection seven.	
c. 30.	The Sea Fish Industry Act, 1938. In part, namely,— Section forty.	
c. 35.	The Housing (Rural Workers) Amendment Act, 1938. In part, namely,— Section one.	
c. 36.	The Infanticide Act, 1938. In part, namely,— Section two subsection three.	
c. 40.	The Children and Young Persons Act, 1938. In part, namely,— Section eight the words “and in the Educa- tion Act, 1921.” Section nine subsection three. The Schedule so far as relates to the Educa- tion Act, 1921.	
c. 42.	The Herring Industry Act, 1938. In part, namely,— Section nine the proviso and section ten sub- section two. Section ten subsection four and schedule three.	
c. 44.	The Road Haulage Wages Act, 1938. In part, namely,— Section seventeen subsection three. Section seventeen subsection four.	

1ST SCH.
—cont.

Reign and Chapter	Title
1 & 2 Geo. 6.:	
c. 45.	The Inheritance (Family Provision) Act, 1938. In part, namely,— Section six subsection two.
c. 46.	The Finance Act, 1938. In part, namely,— Section one subsection three. Section two subsection four. Sections three subsection four and five subsection two. Sections eight; fourteen and fifteen. Section forty-three subsection three. Sections fifty-four; fifty-five subsection seven and schedules two and five.
c. 47.	The Appropriation Act, 1938.
c. 48.	The Criminal Procedure (Scotland) Act, 1938. In part, namely,— Section eleven subsection two.
c. 50.	The Divorce (Scotland) Act, 1938. In part, namely,— Section seven.
c. 53.	The Hire Purchase Act, 1938. In part, namely,— Section twenty-two subsection two.
c. 54.	The Architects Registration Act, 1938. In part, namely,— Section one subsection four. Section one subsection five.
c. 55.	The Registration of Still-Births (Scotland) Act, 1938. In part, namely,— Section five subsection three.

Reign and Chapter	Title	1st Sch. —cont.
1 & 2 Geo. 6. :		
c. 56.	The Food and Drugs Act, 1938. In part, namely,— Sections ninety-eight ; one hundred and one subsection one and schedule four.	
c. 58.	The Chimney Sweepers Acts (Repeal) Act, 1938.	
c. 59.	The Local Government (Hours of Poll) Act, 1938. In part, namely,— Section two subsection two.	
c. 61.	The Milk (Extension and Amendment) Act, 1938.	
c. 63.	The Administration of Justice (Miscellaneous Pro- visions) Act, 1938. In part, namely,— Sections ten subsection two ; nineteen sub- section two and twenty subsection three. Section twenty subsection five. Schedules three and four.	
c. 68.	The Isle of Man (Customs) Act, 1938. In part, namely,— Section one. Sections two subsection three ; three sub- section three and five subsection three. Section six subsection one. Sections seven subsection one ; twelve sub- section two and schedule two.	
c. 69.	The Young Persons (Employment) Act, 1938. In part, namely,— Section fourteen subsection three.	
c. 71.	The Bacon Industry Act, 1938. In part, namely,— Section fifty-six subsection two.	
c. 73.	The Nursing Home Registration (Scotland) Act, 1938. In part, namely,— Section eleven subsection two to “ Provided that ”. Section eleven subsection three. Schedule.	

1st SCH.
—cont.

Reign and Chapter	Title
2 & 3 Geo. 6.:	
c. 1.	The Expiring Laws Continuance Act, 1938.
c. 2.	The Public Works Loans Act, 1938.
c. 3.	The Housing (Financial Provisions) (Scotland) Act, 1938. In part, namely,— Section four subsection four. Section seven.
c. 7.	The Currency and Bank Notes Act, 1939. In part, namely,— Section five subsection two. Section five subsection three and schedule.
c. 9.	The Mining Industry (Welfare Fund) Act, 1939. In part, namely,— Section two subsection six and schedule two.
c. 12.	The Consolidated Fund (No. 1) Act, 1939.
c. 16.	The Prevention of Fraud (Investments) Act, 1939. In part, namely,— Section twenty-five.
c. 17.	The Army and Air Force (Annual) Act, 1939. In part, namely,— Preamble; sections two; three; eight subsection two and schedule.
c. 19.	The Wild Birds (Duck and Geese) Protection Act, 1939. In part, namely,— Section five subsection two.
c. 20.	The Reorganisation of Offices (Scotland) Act, 1939. In part, namely,— Section five. Section six subsection one from “the expression ‘appointed day’” to the end of the subsection. Schedule.

Reign and Chapter	Title
2 & 3 Geo. 6. :	
c. 21.	The Limitation Act, 1939. In part, namely,— Section thirty-four subsection two. Section thirty-four subsection four and schedule.
c. 24.	The Reserve and Auxiliary Forces Act, 1939.
c. 25.	The Military Training Act, 1939.
c. 27.	The Adoption of Children (Regulation) Act, 1939. In part, namely,— Section eight subsection two. Section fifteen paragraph (<i>d</i>) so far as it substitutes a new subsection for subsection (5) of s. 2 of 20 & 21 Geo. 5. c. 37. Section seventeen subsection two.
c. 30.	The Access to Mountains Act, 1939. In part, namely,— Section twelve subsection one from “and shall ” to the end of the subsection.
c. 31.	The Civil Defence Act, 1939. In part, namely,— Section fifty-six subsection seven.
c. 32.	The Patents and Designs (Limits of Time) Act, 1939. In part, namely,— Section five subsection five.
c. 34.	The Marriage (Scotland) Act, 1939. In part, namely,— Section eight to “ Provided that ”. Section nine from “ shall come ” to “ forty, and ”. Schedule two.
c. 36.	The Hall-marking of Foreign Plate Act, 1939. In part, namely,— Section two subsection two.
c. 39.	The Coast Protection Act, 1939. In part, namely,— Section five subsection two and schedule two.

1ST SCH.
—cont.

1ST SCH.
—cont.

Reign and Chapter	Title
2 & 3 Geo. 6 :	
c. 40.	<p>The London Government Act, 1939.</p> <p>In part, namely,— Sections two hundred and five; two hundred and seven to “Provided that”. Section two hundred and eight from “and shall” to the end of the section. Schedules seven and eight.</p>
c. 41.	<p>The Finance Act, 1939.</p> <p>In part, namely,— Section one subsections one and two. Section one subsection four. Section two subsection one. Section two subsections three and seven subsection four. Sections eleven and twelve. Section thirty-three. Schedule one, Parts I and II. Schedule two, Parts I, II and III.</p>
c. 44.	<p>The House to House Collections Act, 1939.</p> <p>In part, namely,— Section twelve subsection two.</p>
c. 46.	<p>The Milk Industry Act, 1939.</p> <p>In part, namely,— Sections one; two; three; four; five and schedule.</p>
c. 47.	<p>The Overseas Trade Guarantees Act, 1939.</p> <p>In part, namely,— Section eight.</p>
c. 48.	<p>The Agricultural Development Act, 1939.</p> <p>In part, namely,— Section nine. Section ten subsection two. Section twenty.</p>
c. 52.	<p>The Appropriation Act, 1939.</p>
c. 53.	<p>The Isle of Man (Customs) Act, 1939.</p> <p>In part, namely,— Section two. Sections three subsection five; four subsection three and five subsection two. Section six subsection two and schedule four.</p>

Reign and Chapter	Title
2 & 3 Geo. 6.:	
c. 55.	The Building Societies Act, 1939. In part, namely,— Section eighteen subsection three.
c. 56.	The Riding Establishments Act, 1939. In part, namely,— Section four subsection two.
c. 57.	The War Risks Insurance Act, 1939. In part, namely,— Section one subsection four.
c. 59.	The Air Ministry (Heston and Kenley Aerodromes Extension) Act, 1939. In part, namely,— Section one subsection two. Section seven subsection two.
c. 63.	The Appropriation (No. 2) Act, 1939.
c. 64.	The Currency (Defence) Act, 1939. In part, namely,— Section two subsection one. Section three. Section four subsection two.
c. 71.	The Rent and Mortgage Interest Restrictions Act, 1939. In part, namely,— Sections two ; five ; nine subsection three. Section nine subsection four. Schedule two.
c. 75.	The Compensation (Defence) Act, 1939. In part, namely,— Section twenty subsection two.
c. 76.	The Regional Commissioners Act, 1939.
c. 78.	The Administration of Justice (Emergency Pro- visions) Act, 1939. The whole Act but without prejudice to the temporary and transitional provisions made by the Administration of Justice (Emergency Provisions) Act (Expiry) Order, 1947.

1ST SCH.
—cont.

1ST SCH.
—cont.

Reign and Chapter	Title
2 & 3 Geo. 6.:	
c. 79.	<p>The Administration of Justice (Emergency Provisions) (Scotland) Act, 1939.</p> <p>The whole Act but without prejudice to the temporary and transitional provisions made by the Administration of Justice (Emergency Provisions) (Scotland) Act (Expiry) Order, 1947.</p>
c. 82.	<p>The Personal Injuries (Emergency Provisions) Act, 1939.</p> <p>In part, namely,— Section nine subsection three.</p>
c. 89.	<p>The Trading with the Enemy Act, 1939.</p> <p>In part, namely,— Section seventeen subsection three to “Provided that”, and schedule.</p>
c. 94.	<p>The Local Government Staffs (War Service) Act, 1939.</p> <p>In part, namely,— Section seventeen subsection two.</p>
c. 95.	<p>The Teachers Superannuation (War Service) Act, 1939.</p> <p>In part, namely,— Section thirteen subsection three.</p>
c. 96.	<p>The Education (Scotland) (War Service Superannuation) Act, 1939.</p> <p>In part, namely,— Section eight subsection two.</p>
c. 99.	<p>The Income Tax Procedure (Emergency Provisions) Act, 1939.</p>
c. 102.	<p>The Liability for War Damage (Miscellaneous Provisions) Act, 1939.</p> <p>In part, namely,— Section eight subsection four.</p>
c. 103.	<p>The Police and Firemen (War Service) Act, 1939.</p> <p>In part, namely,— Section sixteen subsection two.</p>
c. 104.	<p>Control of Employment Act, 1939.</p>

Reign and Chapter	Title
2 & 3 Geo. 6:	
c. 105.	<p>The Administration of Justice (Emergency Provisions) (Northern Ireland) Act, 1939.</p> <p>The whole Act but without prejudice to the temporary and transitional provisions made by the Administration of Justice (Emergency Provisions) (Northern Ireland) Act (End of Emergency) Order, 1947.</p>
c. 106.	<p>The Universities and Colleges (Emergency Provisions) Act, 1939.</p>
c. 107.	<p>The Patents, Designs, Copyright and Trade Marks (Emergency) Act, 1939.</p> <p>In part, namely,—</p> <p>Section eleven subsection two.</p>
c. 109.	<p>The Finance (No. 2) Act, 1939.</p> <p>In part, namely,—</p> <p>Section one subsection seven.</p> <p>Section two.</p> <p>Sections three subsection four ; five subsection four and six subsection three.</p> <p>Section eight.</p> <p>Section nine subsection six.</p> <p>Schedule two.</p>
c. 113.	<p>The Courts (Emergency Powers) (Scotland) Act, 1939.</p> <p>In part, namely,—</p> <p>Section one subsection one the proviso paragraph (b) and subsection two the first proviso.</p>
c. 117.	<p>The National Loans Act, 1939.</p> <p>In part, namely,—</p> <p>Section five subsection four and schedule three.</p>
3 & 4 Geo. 6.:	
c. 1.	<p>The Expiring Laws Continuance Act, 1939.</p>
c. 2.	<p>The Postponement of Enactments (Miscellaneous Provisions) Act, 1939.</p> <p>In part, namely,—</p> <p>Section one and schedule.</p>

1ST SCH.
—cont.

1ST SCH.
—cont.

Reign and Chapter	Title
3 & 4 Geo. 6.:	
c. 9.	The Cotton Industry Act, 1940.
c. 11.	The Consolidated Fund (No. 1) Act, 1940.
c. 14.	The Agriculture (Miscellaneous War Provisions) Act, 1940. In part, namely,— Section thirteen subsection four and schedule four.
c. 18.	The Army and Air Force (Annual) Act, 1940. In part, namely,— Preamble and section two.
c. 19.	The Societies (Miscellaneous Provisions) Act, 1940. In part, namely,— Section twelve subsection three and schedule.
c. 20.	The Emergency Powers (Defence) Act, 1940. In part, namely,— Section one subsection three.
c. 25.	The Post Office and Telegraph Act, 1940. In part, namely,— Section one.
c. 28.	The Evidence and Powers of Attorney Act, 1940. In part, namely,— Section four subsection two.
c. 29.	The Finance Act, 1940. In part, namely,— Sections one subsection five ; three subsection four ; four subsection four and five subsection three. Section six. Section eight subsection seven.
c. 29.	Sections eleven and twelve. Section forty-two. Section sixty-two. Section sixty-five subsection eight and schedule eight.

Reign and Chapter	Title
3 & 4 Geo. 6.:	
c. 30.	The Marriage (Scotland) (Emergency Provisions) Act, 1940.
c. 39.	The Consolidated Fund (No. 2) Act, 1940.
c. 42.	The Law Reform (Miscellaneous Provisions) (Scotland) Act, 1940. In part, namely,— Section eleven subsection three and schedule.
c. 46.	The Appropriation Act, 1940.
c. 48.	The Finance (No. 2) Act, 1940. In part, namely,— Sections one subsection four; three subsection three and four subsection four. Section six subsection one. Section forty-two subsection eight and schedule ten.
c. 49.	The Isle of Man (Customs) Act, 1940. In part, namely,— Section eight. Section nine subsection three and schedule six.
c. 50.	The Agriculture (Miscellaneous War Provisions) (No. 2) Act, 1940. In part, namely,— Section four subsection two.
c. 52.	The Consolidated Fund (No. 3) Act, 1940.
c. 53.	The Prolongation of Parliament Act, 1940.
c. 54.	The Appropriation (No. 2) Act, 1940.
4 & 5 Geo. 6:	
c. 2.	The Expiring Laws Continuance Act, 1940.
c. 6.	The Consolidated Fund (No. 1) Act, 1941.
c. 9.	The Consolidated Fund (No. 2) Act, 1941.

1ST SCH.
—cont.

1ST SCH.
—cont.

Reign and Chapter	Title
4 & 5 Geo. 6.:	
c. 10.	The Air Raid Precautions (Postponement of Financial Investigation) Act, 1941.
c. 12.	The War Damage Act, 1941. In part, namely,— Section seventy-four subsection two.
c. 14.	The Public Works Loans Act, 1941. In part, namely,— Sections one and two. Sections three, four and the schedule.
c. 17.	The Army and Air Force (Annual) Act, 1941. In part, namely,— Preamble and section two. Section eight.
c. 20.	The Public and Other Schools (War Conditions) Act, 1941.
c. 21.	The Allied Powers (Maritime Courts) Act, 1941.
c. 22.	The Fire Services (Emergency Provisions) Act, 1941.
c. 26.	The Consolidated Fund (No. 3) Act, 1941.
c. 30.	The Finance Act, 1941. In part, namely,— Sections one ; four and five. Sections thirteen subsection three and thirty-three subsection four. Section fifty. Sections fifty-one ; fifty-two subsection seven and schedule five.
c. 31.	The Goods and Services (Price Control) Act, 1941. In part, namely,— Section twenty-three subsection two to “ Provided that ” and schedule three.

Reign and Chapter	Title	1ST SCH. ---cont.
4 & 5 Geo. 6. :		
c. 32.	The Isle of Man (Customs) Act, 1941.	
c. 34.	<p>The Repair of War Damage Act, 1941.</p> <p>In part, namely,—</p> <p>Section one subsection three to “ hereby repealed, and ”.</p> <p>Sections three and six the words from “ and the Essential ” to “ War Damage) Act, 1939.”</p> <p>Sections four and seven subsection two.</p> <p>Section eight subsection two.</p> <p>Schedule paragraphs four and five.</p>	
c. 36.	<p>The Financial Powers (U.S.A. Securities) Act, 1941.</p> <p>In part, namely,—</p> <p>Section three subsection two the proviso.</p>	
c. 38.	The Appropriation Act, 1941.	
c. 42.	<p>The Pharmacy and Medicines Act, 1941.</p> <p>In part, namely,—</p> <p>Sections seven ; eleven subsection four and twelve subsection six.</p>	
c. 43.	The Appropriation (No. 2) Act, 1941.	
c. 46.	<p>The Solicitors Act, 1941.</p> <p>In part, namely,—</p> <p>Section twenty-six subsections six and seven.</p> <p>Section thirty subsection two.</p>	
c. 48.	The Prolongation of Parliament Act, 1941.	
c. 50.	<p>The Agriculture (Miscellaneous Provisions) Act, 1941.</p> <p>In part, namely,—</p> <p>Section one subsection three.</p>	
5 & 6 Geo. 6. :		
c. 2.	The Consolidated Fund (No. 1) Act, 1941 (Session 2).	
c. 3.	The Expiring Laws Continuance Act, 1941.	

1ST SCH.
—cont.

Reign and Chapter	Title
5 & 6 Geo. 6.:	
c. 6.	The Patents and Designs Act, 1942. In part, namely,— Section two subsection three. Section two subsection four.
c. 8.	The War Orphans Act, 1942. In part, namely,— Section two subsection two.
c. 12.	The Consolidated Fund (No. 2) Act, 1942.
c. 15.	The Army and Air Force (Annual) Act, 1942. In part, namely,— Preamble and section two.
c. 21.	The Finance Act, 1942. In part, namely,— Sections one subsection three and five sub- section four. Section seven. Section sixteen. Sections twenty-one ; twenty-two ; twenty- seven and forty-six. Section forty-nine subsection eight. In Schedule nine the words from “ For sub- section (4) of section nineteen ” to the end of the schedule. Schedules eleven, Part III and twelve.
c. 22.	The Consolidated Fund (No. 3) Act, 1942.
c. 27.	The Appropriation Act, 1942.
c. 32.	The Housing (Rural Workers) Act, 1942. In part, namely,— Section one subsection one.
c. 33.	The Appropriation (No. 2) Act, 1942.
c. 34.	The Appropriation (No. 3) Act, 1942.
c. 37.	The Prolongation of Parliament Act, 1942.
6 & 7 Geo. 6.:	
c. 1.	The Expiring Laws Continuance Act, 1942.
c. 2.	The Supreme Court (Northern Ireland) Act, 1942. In part, namely,— Section three subsection three and schedule.

Reign and Chapter	Title	1ST SCH. —cont.
6 & 7 Geo. 6. :		
c. 4.	The Consolidated Fund (No. 1) Act, 1943.	
c. 11.	The Consolidated Fund (No. 2) Act, 1943.	
c. 15.	The Army and Air Force (Annual) Act, 1943. In part, namely,— Preamble and section two. Section three subsection three.	
c. 16.	The Agriculture (Miscellaneous Provisions) Act, 1943. In part, namely,— Section one subsection two. Section two. Section eighteen subsection two.	
c. 17.	The Nurses Act, 1943. In part, namely,— Section thirteen subsection four. Section sixteen subsection three.	
c. 19.	The Courts (Emergency Powers) Act, 1943. In part, namely,— Section fourteen subsection two and schedule two.	
c. 20.	The Consolidated Fund (No. 3) Act, 1943.	
c. 21.	The War Damage Act, 1943. In part, namely,— Sections one hundred and eight subsection one the last sentence ; and one hundred and nineteen subsection four. Section one hundred and twenty-seven sub- section one and schedule eight.	
c. 25.	The Settled Land and Trustees Act, 1943. In part, namely,— Section two.	
c. 26.	The Telegraph Act, 1943. In part, namely,— Section two subsection four.	

1st SCH.
—cont.

Reign and Chapter	Title
6 & 7 Geo. 6.:	
c. 28.	<p>The Finance Act, 1943.</p> <p>In part, namely,—</p> <p>Sections one subsection three and five subsection six.</p> <p>Sections thirteen ; fourteen and thirty.</p> <p>Section thirty-one subsection seven and schedule nine.</p>
c. 31.	The Appropriation Act, 1943.
c. 33.	<p>The Nurses (Scotland) Act, 1943.</p> <p>In part, namely,—</p> <p>Section sixteen subsection four.</p>
c. 35.	<p>The Foreign Service Act, 1943.</p> <p>In part, namely,—</p> <p>Section one subsection two.</p>
c. 41.	The Appropriation (No. 2) Act, 1943.
c. 45.	<p>The Income Tax (Employments) Act, 1943.</p> <p>In part, namely,—</p> <p>Section five subsection three to “ Provided that ” and schedule three.</p>
c. 46.	The Prolongation of Parliament Act, 1943.
c. 48.	<p>The Parliament (Elections and Meeting) Act, 1943.</p> <p>In part, namely,—</p> <p>Section thirty-three so far as unrepealed and schedule seven.</p>
7 & 8 Geo. 6.:	
c. 1.	The Expiring Laws Continuance Act, 1943.
c. 4.	The Consolidated Fund (No. 1) Act, 1944.
c. 9.	<p>The Supreme Court of Judicature (Amendment) Act, 1944.</p> <p>In part, namely,—</p> <p>Section two subsection two.</p>

Reign and Chapter	Title	1ST SCH. —cont.
7 & 8 Geo. 6. :		
c. 10.	The Disabled Persons (Employment) Act, 1944. In part, namely,— Section twenty-three subsection three.	
c. 12.	The Income Tax (Offices and Employments) Act, 1944. In part, namely,— Section nine subsection four and schedule.	
c. 15.	The Reinstatement in Civil Employment Act, 1944. In part, namely,— Section twenty-four subsection two. Section twenty-four subsection three so far as unrepealed and schedule three.	
c. 16.	The Public Works Loans Act, 1944. In part, namely,— Sections one ; two and three and schedule.	
c. 17.	The Consolidated Fund (No. 2) Act, 1944.	
c. 18.	The Army and Air Force (Annual) Act, 1944. In part, namely,— Preamble ; sections two and three subsection two.	
c. 20.	The Consolidated Fund (No. 3) Act, 1944.	
c. 23.	The Finance Act, 1944. In part, namely,— Section one subsections one and three. Section two subsection one. Sections six and seven. Section forty-eight. Section forty-nine subsection nine and schedule five.	
c. 26.	The Rural Water Supplies and Sewerage Act, 1944. In part, namely,— Section eight subsection three to “ Provided that ” and the schedule.	

1st SCH.
—cont.

Reign and Chapter	Title
7 & 8 Geo. 6.:	
c. 27.	The Isle of Man (Customs) Act, 1944.
c. 30.	The Appropriation Act, 1944.
c. 31.	The Education Act, 1944. In part, namely,— Section forty-three subsection one to “Part of this Act,”. Section fifty-three subsection four.
c. 36.	The Housing (Temporary Accommodation) Act, 1944. In part, namely,— Section six subsections one, two and three.
c. 37.	The Appropriation (No. 2) Act, 1944.
c. 39.	The Housing (Scotland) Act, 1944. In part, namely,— Sections one and two.
c. 40.	The Liabilities (War Time Adjustment) Act, 1944. In part, namely,— Sections ten and eleven subsection two.
c. 45.	The Prolongation of Parliament Act, 1944.
8 & 9 Geo. 6.:	
c. 1.	The Consolidated Fund (No. 1) Act, 1944 (Session 2).
c. 2.	The Expiring Laws Continuance Act, 1944.
c. 4.	The Consolidated Fund (No. 2) Act, 1945.
c. 5.	The Representation of the People Act, 1945. In part, namely,— Section forty subsection two and schedule five.

Reign and Chapter	Title	1ST SCH. —cont.
8 & 9 Geo. 6 :		
c. 8.	The Road Transport Lighting (Cycles) Act, 1945. In part, namely,— Section one.	
c. 9.	The Export Guarantees Act, 1945. In part, namely,— Section four from “ and the provisions ” to the end of the section. Schedule, Part II.	
c. 13.	The Consolidated Fund (No. 3) Act, 1945.	
c. 14.	The Teachers Superannuation Act, 1945. In part, namely,— Section fourteen subsection three.	
c. 16.	The Limitation (Enemies and War Prisoners) Act, 1945. In part, namely,— Section six subsection two.	
c. 17.	The Wages Council Act, 1945. In part, namely,— Section twenty-five subsection three and schedule four.	
c. 18.	The Local Authorities Loans Act, 1945. In part, namely,— Section twelve subsection two.	
c. 19.	The Ministry of Fuel and Power Act, 1945. In part, namely,— Section seven subsection one from “ and the enactments ” to the end of the sub- section. Schedule three.	
c. 22.	The Army and Air Force (Annual) Act, 1945. In part, namely,— Preamble and section two.	
c. 24.	The Finance Act, 1945. In part, namely,— Section two subsection two.	

1ST SCH.
—cont.

Reign and Chapter	Title
8 & 9 Geo. 6:	
c. 25.	The Appropriation Act, 1945.
c. 27.	The Welsh Church (Burial Grounds) Act, 1945. In part, namely,— Section six subsection two.
c. 35.	The Forestry Act, 1945. In part, namely,— Sections three subsection three; ten subsection four and schedule two.
c. 38.	The Local Government (Boundary Commission) Act, 1945. In part, namely,— Section eight subsection two and schedule two.
c. 40.	The Postponement of Polling Day Act, 1945.
c. 41.	The Family Allowances Act, 1945. In part, namely,— Section twenty-eight subsection one.
c. 42.	The Water Act, 1945. In part, namely,— Section sixty-two to "Provided that". Section sixty-three subsection three. Schedule five.
c. 43.	The Requisitioned Land and War Works Act, 1945. In part, namely,— Section forty-four.
9 & 10 Geo. 6.:	
c. 1.	The Local Elections (Service Abroad) Act, 1945.
c. 4.	The Consolidated Fund (No. 1) Act, 1945.
c. 9.	The Expiring Laws Continuance Act, 1945.
c. 10.	The Supplies and Services (Transitional Powers) Act, 1945. In part, namely,— Section four subsection three.

Reign and Chapter	Title	1ST SCH. —cont.
9 & 10 Geo. 6.:		
c. 13.	<p>The Finance (No. 2) Act, 1945.</p> <p>In part, namely,—</p> <p>Section twenty-one subsection six.</p> <p>Section sixty-one.</p> <p>Section sixty-two subsection eight and schedules three Part III and ten.</p>	
c. 14.	The Isle of Man (Customs) Act, 1945.	
c. 18.	<p>The Statutory Orders (Special Procedure) Act, 1945.</p> <p>In part, namely,—</p> <p>Section twelve subsection two.</p>	
c. 26.	<p>The Emergency Laws (Transitional Provisions) Act, 1946.</p> <p>In part, namely,—</p> <p>Section seventeen.</p>	
c. 27.	<p>The Bank of England Act, 1946.</p> <p>In part, namely,—</p> <p>Section three subsection four.</p> <p>Section four subsection eight.</p> <p>Schedule three.</p>	
c. 28.	<p>The Assurance Companies Act, 1946.</p> <p>In part, namely,—</p> <p>Section thirteen subsection two and schedule four.</p>	
c. 33.	The Consolidated Fund (No. 1) Act, 1946.	
c. 40.	<p>The Miscellaneous Financial Provisions Act, 1946.</p> <p>In part, namely,—</p> <p>Section six subsection three and schedule.</p>	
c. 41.	<p>The Public Works Loans Act, 1946.</p> <p>In part, namely,—</p> <p>Section two.</p> <p>Sections three and four.</p> <p>Section five subsection two and schedule two.</p>	

1ST SCH.
—cont.

Reign and Chapter	Title
9 & 10 Geo. 6.:	
c. 42.	The Water (Scotland) Act, 1946. In part, namely,— Section eighty-seven. Section eighty-nine subsection two. Schedule five.
c. 46.	The Police Act, 1946. In part, namely,— Section twenty subsection four and schedule five.
c. 47.	The Army and Air Force (Annual) Act, 1946. In part, namely,— Preamble and section two.
c. 48.	The Housing (Financial and Miscellaneous Provisions) Act, 1946. In part, namely,— Sections nine subsection three and sixteen subsection seven.
c. 49.	The Acquisition of Land (Authorisation Procedure) Act, 1946. In part, namely,— Section ten subsection three and schedule six.
c. 55.	The Ministerial Salaries Act, 1946. In part, namely,— Section four subsection two.
c. 59.	The Coal Industry (Nationalisation) Act, 1946. In part, namely,— Section sixty-five subsection three and schedule four.
c. 64.	The Finance Act, 1946. In part, namely,— Section four. Section eight subsection two. Sections forty-eight subsection two and sixty-five. Section sixty-three subsection two ; sixty-seven subsections ten and eleven and schedule twelve.

Reign and Chapter	Title
9 & 10 Geo. 6.:	
c. 65.	The Appropriation Act, 1946.
c. 69.	The Isle of Man (Customs) Act, 1946. In part, namely,— Section one subsection three. Section two.
c. 70.	The Civil Aviation Act, 1946. In part, namely,— Section forty-one subsection four.
c. 71.	The Police (Scotland) Act, 1946. In part, namely,— Section thirteen subsection three and schedule four.
c. 72.	The Education (Scotland) Act, 1946. In part, namely,— Section thirty-two subsection two. Section one hundred and forty-four subsection four to "Provided that"; and schedule eight.
c. 73.	The Hill Farming Act, 1946. In part, namely,— Section twenty-two.
c. 75.	The Public Works Loans (No. 2) Act, 1946. In part, namely,— Section one. Section three.
c. 77.	The Association of County Councils (Scotland) Act, 1946. In part, namely,— Section five subsections two and three.
c. 81.	The National Health Service Act, 1946. In part, namely,— Section twenty-six subsection five. Section forty-nine subsections six and seven. Schedules nine Part II and ten Part II.

1st Sch.
—cont.

1ST SCH.
—cont.

Reign and Chapter	Title
10 & 11 Geo. 6.:	
c. 1.	The Expiring Laws Continuance Act, 1946.
c. 3.	The Unemployment and Family Allowances (Northern Ireland Agreement) Act, 1946. In part, namely,— Section two subsection two.
c. 5.	The Greenwich Hospital Act, 1947. In part, namely,— Section three subsection two and schedule two.
c. 12.	The Births and Deaths Registration Act, 1947. In part, namely,— Section two subsection two.
c. 14.	The Exchange Control Act, 1947. In part, namely,— Section forty-four subsection three.
c. 15.	The Agricultural Wages (Regulation) Act, 1947. In part, namely,— Section twelve subsection five and schedule three.
c. 17.	The Consolidated Fund (No. 1) Act, 1947.
c. 18.	The Air Navigation Act, 1947. In part, namely,— Section eight subsection three and schedule.
c. 20.	The Dog Racecourse Betting (Temporary Provisions) Act, 1947.
c. 25.	The Army and Air Force (Annual) Act, 1947. In part, namely,— Preamble and section two.
c. 27.	The National Health Service (Scotland) Act, 1947. In part, namely,— Schedules nine Part II and eleven Part II.

Reign and Chapter	Title	1ST SCH. —cont.
10 & 11 Geo. 6.:		
c. 28.	The Isle of Man Harbours Act, 1947. In part, namely,— Section one subsection three and the schedule.	
c. 33.	The Foreign Marriage Act, 1947. In part, namely,— Section four subsection one.	
c. 35.	The Finance Act, 1947. In part, namely,— Section five subsection seven to “Provided that”. Section thirty-two subsection two. Section sixty-nine. Schedule two Part III.	
c. 39.	The Statistics of Trade Act, 1947. In part, namely,— Section nineteen subsection four.	
c. 40.	The Industrial Organisation and Development Act, 1947. In part, namely,— Section sixteen.	
c. 41.	The Fire Services Act, 1947. In part, namely,— Section thirty-nine subsection four and schedule six.	
c. 42.	The Acquisition of Land (Authorisation of Procedure) (Scotland) Act, 1947. In part, namely,— Section eight subsection one and schedule five.	
c. 43.	The Local Government (Scotland) Act, 1947. In part, namely,— Section three hundred and seventy-eight. Section three hundred and eighty-one to “Provided that”. Schedule thirteen. Schedule fourteen.	

1ST SCH.
—cont.

Reign and Chapter	Title
10 & 11 Geo. 6:	
c. 44.	The Crown Proceedings Act, 1947. In part, namely,— Section thirty-nine subsection one. Section fifty-four subsection two. Schedule two.
c. 47.	The Companies Act, 1947. In part, namely,— Section one hundred and twenty-three subsection three so far as unrepealed and Schedule nine Part II.
c. 50.	The Isle of Man (Customs) Act, 1947. In part, namely,— Section five. Section six subsection two.
c. 51.	The Town and Country Planning Act, 1947. In part, namely,— Section one hundred and twenty subsection two.
c. 52.	The Appropriation Act, 1947.
c. 53.	The Town and Country Planning (Scotland) Act, 1947. In part, namely,— Section one hundred and fourteen subsection two.
c. 54.	The Electricity Act, 1947. In part, namely,— Section fifty-seven subsection seven to “ of that Schedule, and ”. Schedule five.
11 & 12 Geo. 6.:	
c. 3.	The Burma Independence Act, 1947. In part, namely,— Section five subsection three to “ Provided that ” and schedule two.
c. 9.	The Finance (No. 2) Act, 1947. In part, namely,— Section one subsection one. Section nine subsection five and schedule six.

Reign and Chapter	Title	1st Sch —cont.
11 & 12 Geo. 6.:		
c. 10.	The Emergency Laws (Miscellaneous Provisions) Act, 1947. In part, namely,— Sections four subsection three and ten.	
c. 13.	The Public Works Loans Act, 1947. In part, namely,— Sections one ; three ; four and schedule.	
c. 23.	The Cinematograph Films Act, 1948. In part, namely,— Section ten subsection five. Schedule one Part II.	
c. 24.	The Police Pensions Act, 1948. In part, namely,— Sections four subsection five ; five subsection six ; six ; nine subsection two and schedule two.	
c. 25.	The Royal Marines Act, 1948. In part, namely,— Section one subsection six.	
c. 26.	The Local Government Act, 1948. In part, namely,— Sections one hundred and thirteen subsection three and one hundred and thirty-two subsection eight.	
c. 28.	The Army and Air Force (Annual) Act, 1948. In part, namely,— Sections seven ; eleven subsection two ; thirteen subsection three ; fourteen paragraph (a) and schedule Parts I, II and III.	
c. 29.	The National Assistance Act, 1948. In part, namely,— Section sixty-two subsection three and schedule seven.	
c. 32.	The River Boards Act, 1948. In part, namely,— Section thirty-seven subsection four.	

1ST SCH.
—cont.

Reign and Chapter	Title
11 & 12 Geo. 6. :	
c. 33.	<p>The Superannuation (Miscellaneous Provisions) Act, 1948. In part, namely,— Section twelve subsection four.</p>
c. 35.	<p>The Animals Act, 1948. In part, namely,— Sections twelve subsection two and thirteen subsection five and schedule.</p>
c. 40.	<p>The Education (Miscellaneous Provisions) Act, 1948. In part, namely,— Section eleven subsection two and schedule two.</p>
c. 43.	<p>The Children Act, 1948. In part, namely,— Section sixty subsection three. Section sixty-two subsection two. Schedule four.</p>
c. 46.	<p>The Employment and Training Act, 1948. In part, namely,— Section twenty-one subsection one and schedule two.</p>
c. 47.	<p>The Agricultural Wages Act, 1948. In part, namely,— Section twenty subsection one and schedule five.</p>
c. 49.	<p>The Finance Act, 1948. In part, namely,— Section fifteen subsection five.</p>
c. 52.	<p>The Veterinary Surgeons Act, 1948. In part, namely,— Sections twenty-five subsection five and twenty-seven subsection two.</p>

Reign and Chapter	Title
11 & 12 Geo. 6.: c. 55.	The Factories Act, 1948. In part, namely,— Section sixteen subsection two and schedule three.
c. 56.	The British Nationality Act, 1948. In part, namely,— Section thirty-four subsection two.
c. 57.	The Public Registers and Records (Scotland) Act, 1948. In part, namely,— Section one subsection eight. Section seven subsection two and schedule.
c. 61.	The Isle of Man (Customs) Act, 1948. In part, namely,— Section eight subsection three and schedule four.
c. 62.	The Statute Law Revision Act, 1948. In part, namely,— Schedule one.
c. 65.	The Representation of the People Act, 1948. In part, namely,— Schedule ten Part II paragraph seven sub-paragraph one and in sub-paragraph two the words to “any subsequent year” and the words from “(a) the amendments made” to “shall not apply”.
12 & 13 Geo. 6.: c. 5.	The Civil Defence Act, 1948. In part, namely,— Section eleven subsection two and schedule.
c. 7.	The Wages Councils Act, 1948. In part, namely,— Section eight subsection four and schedule three.
c. 10.	The Administration of Justice (Scotland) Act, 1948. In part, namely,— Section five subsection two and schedule.

1st SCH.
—cont.

Section 1.

SECOND SCHEDULE

Enactments of the Irish Parliament passed before the commencement of the Union with Ireland Act, 1800.

Reign and Chapter	Title
7 Edw. 4.:	
c. 2.	An Act that none shall purchase Benefices from Rome.
28 Hen. 8.:	
c. 5.	An Act authorising the King, His Heirs and Successors, to be supreme Head of the Church of Ireland. The whole Act so far as unrepealed.
33 Hen. 8.:	
c. 1.	An Act that the King of England, His Heirs and Successors, be Kings of Ireland. In part, namely,— In section two the words “ And be it enacted by authority aforesaid, That on this side the first day of July next coming proclamation shall be made in all Shires within this land of Ireland of the tenour and sentences of this Act ” and the words “ after the said first day of July ”.
c. 10.	An Act for Jointenants.
33 Hen. 8.:	
Sess. 2.	
c. 3.	An Act touching Mispleading and Jeoyfailes. The whole Act so far as unrepealed.
2 Eliz.:	
c. 2.	An Act for the Uniformitie of Common Prayer and Service in the Church, and the Administration of the Sacraments. The whole Act so far as unrepealed.
12 Eliz.:	
c. 2.	An Act that Exemplifications shall be of the same Effect and Strength, as the Record or Matter exemplified should be.
11, 12 & 13	
Jac. 1.:	
c. 8.	An Act for the avoyding of privie and secret outlawries of His Majesties' subjects in personall actions. The whole Act so far as unrepealed.

Reign and Chapter	Title
10 Car. 1.:	
Sess. 2.	
c. 17.	An Act, that where the plaintiffe is non-suite, the defendant shall recover costs.
Sess. 3.	
c. 7.	An Act for contentation of debts upon execution.
c. 18.	An Act for the swearing of under-sheriffs, and other officers.
	In part, namely,— Sections one and two. In section five the words “sheriffe or other” and “or any of them”.
10 & 11 Car. 1.:	
c. 8.	An Act to give costs to the defendant, upon a non-suite of the plaintiffe, or verdict against him.
c. 10.	An Act to prevent and punish the abuses in procuring processe and supersedeas of the peace and good behaviour out of his Majesties Courts of Chancery, Kings Bench, and to prevent abuses in procuring writs of certiorari, etc.
	In part, namely,— Section two. Section three. Section four.
14 & 15 Car. 2.:	
c. 21.	An Act for increasing the fee of the seal due to the lord chancellor of Ireland.
17 & 18 Car. 2.:	
c. 6.	An Act for the Uniformity of Publique Prayers and Administration of Sacraments, and other Rites and Ceremonies; and for establishing the Forme of making, ordaining, and consecrating Bishops, Priests and Deacons, in the Church of Ireland. The whole Act so far as unrepealed.
c. 11.	An Act to prevent Delays in extending Statutes, Judgments, and Recognizances. The whole Act, so far as unrepealed.

2ND SCH.
—cont.

2ND SCH.
—cont.

Reign and Chapter	Title
17 & 18 Car. 2.: c. 20.	An Act for the trial by Nisi Prius, of Issues laid in the City of Dublin and County of Dublin.
4 Will. & Mary: c. 4.	An Act for taking Affidavits in the Country, to be made use of in the Courts of King's Bench, Common Pleas and Exchequer.
7 Will. 3.:	c. 2. An Act for taking away the Writ de heretico comburendo. The whole Act so far as unrepealed.
c. 18.	An Act for taking Special Bails in the Country, upon Actions and Suits depending in the Courts of King's Bench, Common Pleas, and Exchequer at Dublin.
c. 22.	An Act for the more speedy and effectual proceeding upon Distresses and Avowries for Rent. In part, namely,— Sections one and two.
9 Will. 3.:	c. 10. An Act for the preventing frivolous and vexatious Law-suits; and giving remedy to the Parties aggrieved to recover their Costs at Law, in certain Cases, where heretofore no Costs were given. The whole Act, so far as unrepealed.
c. 13.	An Act for avoiding of vexatious Delays, caused by removing Actions and Sutes out of the inferior Courts.
10 Will. 3.:	c. 8. An Act for the Preservation of the Game, and the more easy Conviction of such as shall destroy the same. In part, namely,— Section thirteen.

Reign and Chapter	Title
6 Anne.:	
c. 10.	<p>An Act for the Amendment of the Law, and the better Advancement of Justice.</p> <p>In part, namely,—</p> <p>Section one. Section two. Section three. Section four. Section five. Section seven. Section eleven. Section eighteen. Section twenty. Section twenty-one. Section twenty-two.</p> <p>In section twenty-three the words from “ and the auditors ” to the end of the section.</p>
c. 15.	<p>An Act to supply the Defects, and for the better Execution of an Act, entitled, an Act for the avoiding of privy and secret Outlawries of His Majesty’s Subjects in Personal Actions.</p> <p>The whole Act so far as unrepealed.</p>
8 Anne:	
c. 5.	<p>An Act to prevent Delays of Proceedings at the Assizes and Sessions.</p>
2 Geo. 1:	
c. 11.	<p>An Act for reviving and amending an Act, intituled, an Act for Recovery of small Debts in a summary Way, before the Judges of Assize.</p> <p>The whole Act, so far as unrepealed.</p>
4 Geo. 1:	
c. 7.	<p>An Act for Vesting in His Majesty, His Heirs and Successors, the several Lands, Tenements and Hereditaments, whereon the Barracks in this Kingdom are built, or building or contracted for, and whereon Lighthouses are or shall be built: and for making reasonable Satisfaction to the several Owners and Proprietors for the same; and likewise for amending an Act made in the sixth Year of her late Majesty’s reign, intituled, An Act to prevent the Disorders that may happen by the Marching of Soldiers, and for providing Carriages for the Baggage of Soldiers in their March.</p> <p>In part, namely,—</p> <p>Sections three, four, five and eight.</p>

2ND SCH.
—cont.

2ND SCH.
—cont.

Reign and Chapter	Title
4 Geo. 1.:	<p>c. 8. An Act to oblige all Officers to return a List of their Fees by a Day certain. The whole Act, so far as unrepealed.</p>
	<p>c. 13. An Act for explaining and amending an Act of Parliament made in the ninth year of his late Majesty King William, intituled, An Act for the preventing frivolous and vexatious Law Suits; and giving Remedy to the Parties grieved to recover their Costs at Law in certain Cases, where heretofore no Costs were given.</p>
6 Geo. 1.:	<p>c. 5. An Act for exempting the Protestant Dissenters of this Kingdom from certain penalties, to which they are now subject. In part, namely,— Section eight.</p>
8 Geo. 1.:	<p>c. 6. An Act for the further amendment of the Law, and for continuing and amending several acts near expiring. The whole Act, so far as unrepealed.</p>
3 Geo. 2.:	<p>c. 9. An Act for the further explaining and amending several statutes for prohibiting under sheriffs and sheriffs clerks from officiating as sub-sheriffs or sheriffs clerks more than one year; and to render more effectual an act to prevent fees being taken in certain cases; and to take away the pretended office of barony-clerk, and to oblige sheriffs to appoint deputies for granting replevins; and also for discharging of prisoners unable to pay their fees. In part, namely,— Section three.</p>
7 Geo. 2.:	<p>c. 14. An Act for the Relief of Mortgagees; and for making the Process in Courts of Equity more effectual against Mortgagors, who abscond and cannot be served therewith, and against persons, who being served refuse to appear; and also for better regulating the Payment of the Fees of Attornies and Solicitors.</p>

Reign and Chapter	Title	2ND SCH. —cont.
11 Geo. 2: c. 6.	An Act that all Proceedings in Courts of Justice within this Kingdom shall be in the English Language. In part, namely,— Section six.	
13 Geo. 2.: c. 9.	An Act for explaining and amending an Act for the Relief of Mortgagees ; and for the perpetuating the Testimony of Witnesses in Suits in Equity ; and for empowering the Dean and Chapter of the Holy Trinity or Christ-Church Dublin to grant to His Majesty for any Term of Years the Rooms over the Room commonly called the Exchequer Chamber and other Rooms therein mentioned ; and for amending a Misnomer in an Act to enable Charles Coote, Esquire, to raise Portions for younger Children. The whole Act, so far as unrepealed.	
19 & 20 Geo. 3.: c. 38.	An Act to prevent vexatious and frivolous arrests, and for other purposes. The whole Act, so far as unrepealed.	
21 & 22 Geo. 3.: c. 50.	An Act for securing the Independency of Judges, and the impartial Administration of Justice.	
23 & 24 Geo. 3.: c. 22.	An Act for better securing the Monies and Effects of the Suitors of the Court of Chancery, and the Court of Exchequer, by depositing the same in the National Bank ; and to prevent the forging and counterfeiting any Draft, Order, or other Voucher, for the Payment or Delivery of such Money or Effects, and for other Purposes. The whole Act, so far as unrepealed.	
26 Geo. 3.: c. 31.	An Act for making more effectual an Act made in the Seventeenth Year of the Reign of His late Majesty King Charles the Second, Entitled, an Act to prevent Delays in extending Statutes, Judgments, and Recognizances, and for explaining an Act made in the Tenth Year of the Reign of His late Majesty King Charles the First, Entitled, An Act for Contentation of Debts upon execution.	

2ND SCH.
—cont.

Reign and Chapter	Title
28 Geo. 3.: c. 24.	<p>An Act for repealing an Act made in the Thirty-third Year of the Reign of King Henry the Eighth, entitled, An Act for the Election of the Lord Justice, and also for the Election of a Lord Justice and Governor of this Realm upon the Event, and in the Manner therein mentioned.</p> <p>The whole Act, so far as unrepealed.</p>
30 Geo. 3.: c. 41.	<p>An Act for enabling the Lord High Chancellor, and the Court of Exchequer respectively, to make Orders on the Governor and Company of the Bank of Ireland for payment, out of the General Fund of monies belonging to the Suitors of the Courts of Chancery and Exchequer, the Sum therein mentioned, towards building the Principal Courts of Justice at Dublin, and Law Offices, and for amending an Act, Entitled, an Act for better securing the Monies and Effects of the Suitors of the Court of Chancery and Court of Exchequer, by depositing the same in the National Bank, and to prevent the forging and counterfeiting any Draft, Order or other Voucher, for the payment or delivery of such Money or Effects, and for other Purposes.</p> <p>The whole Act, so far as unrepealed.</p>
36 Geo. 3.: c. 1.	<p>An Act for securing the Payment of the Annuities, and of the Interest upon the Principal Sums therein provided for, and towards the Discharge of such Principal Sums in such Manner as therein is directed, and for enabling the Officers of His Majesty's Treasury to receive certain Sums for a limited Time, in Manner therein mentioned, and for granting to His Majesty certain Sum of Money out of the Consolidated Fund, and for applying a certain Sum of Money therein mentioned, for the Service of the Year One thousand seven hundred and ninety-six and for other purposes.</p> <p>The whole Act, so far as unrepealed.</p>

Reign and Chapter	Title
38 Geo. 3.: c. 39.	An Act for the better ascertaining the Amount, and securing the payment of the Bills of Cost of Proctors, employed in carrying on and defending Suits and transacting Business in the High Court of Admiralty, in His Majesty's Court of Prerogative, in the Court of Delegates and in all Ecclesiastical Courts within the Kingdom of Ireland.
39 Geo. 3.: c. 19.	An Act for the Repairing of Cathedral Churches in Cases where the Parish Churches have been long in Ruins. The whole Act, so far as unrepealed.
40 Geo. 3.: c. 69.	An Act to enable his Majesty to grant Annuities to the Lord High Chancellor, and to the Judges of the Court of King's Bench, Master of the Rolls, Judges of the Courts of Common Pleas and Exchequer, Judge or Commissioner of the Court of Prerogative, the Judge of the Court of Admiralty, the Chairman of the Quarter Sessions of the County of Dublin, and Assistant Barristers of the several other Counties, on the Resignation of their respective Offices and to amend an Act passed in the Thirty-sixth Year of his present Majesty, entitled, An Act for encreasing the Salaries of the Chief and other Judges of the Courts of King's Bench and Common Pleas, and of the Chief Baron and other Barons of the Court of Exchequer in this Kingdom. In part, namely,— From the words "whereas it is expedient that His Majesty should be able to make appropriate provision" to the words "so as such annuity to be granted as aforesaid, together with the salary and profits of such other office shall together not exceed, in the whole, the said sum of four thousand pounds."

Section 1.

THIRD SCHEDULE

Enactments contained in Church Assembly Measures

Reign and No.	Title
11 & 12 Geo. 5.: No. 3.	Union of Benefices Measure, 1921.
12 & 13 Geo. 5.: No. 2.	Pluralities Act, 1838 (Amendment) Measure, 1922.
14 & 15 Geo. 5.: No. 5.	Diocese of Southwell (Division) Measure, 1923. In part, namely,— Section thirteen subsection two. The Schedule.
16 & 17 Geo. 5.: No. 1.	Brislington Parishes Transfer Measure, 1926. In part, namely,— Section three.
No. 2.	Rural Deaneries of Pontefract and Hemsworth (Transfer) Measure, 1926. In part, namely,— Section three.
No. 5.	First Fruits and Tenths Measure, 1926. In part, namely,— The second Schedule.
No. 8.	Benefices (Ecclesiastical Duties) Measure, 1926. In part, namely,— The third Schedule.
19 & 20 Geo. 5.: No. 2.	Representation of the Laity Measure, 1929. In part, namely,— Section two.
No. 3.	Ecclesiastical Dilapidations (Amendment) Measure, 1929. In part, namely,— Section ten subsection six.

3RD SCH.
—cont.

Reign and No.	Title
Geo. 5.: No. 6.	Clergy Pensions (Older Incumbents) Measure, 1930. In part, namely,— Section eleven.
21 & 22 Geo. 5.: No. 1.	Episcopal Pensions (Sodor and Man) Measure, 1931. In part, namely,— Section three.
No. 7.	Cathedrals Measure, 1931. In part, namely,— Section thirty-one and the third schedule.
23 & 24 Geo. 5.: No. 2.	Wythenshawe Parishes (Transfer) Measure, 1933. In part, namely,— Section three.
25 & 26 Geo. 5.: No. 2.	Farnham Castle Measure, 1935. In part, namely,— Section two paragraph (iii).
26 Geo. 5 & 1 Edw. 8.: No. 2.	Union of Benefices (Amendment) Measure, 1936. In part, namely,— Section two subsection two and section seven- teen subsection two.
1 & 2 Geo. 6.: No. 3.	Parsonages Measure, 1938. In part, namely,— Section twenty-three.
2 & 3 Geo. 6.: No. 3.	Clergy (National Emergency Precautions) Measure, 1939.
6 & 7 Geo. 6.: No. 1.	New Parishes Measure, 1943. In part, namely,— Section thirty-two subsection one from “The enactments” to “Provided that:—”. The Schedule.

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3RD SCH.
—cont.

Reign and No.	Title
7 & 8 Geo. 6.: No. 1.	Reorganisation Areas Measure, 1944. In part, namely,— Section fifty-six and third Schedule.
8 & 9 Geo. 6.: No. 1.	The Emergency Legislation Measure, 1944. In part, namely,— Section ten.
No. 2.	Episcopal Pensions Measure, 1945. In part, namely,— Section nine.

CHAPTER 7

Diplomatic Privileges (Extension) Act, 1950

ARRANGEMENT OF SECTIONS

Section

1. Amendments of 7 & 8 Geo. 6. c. 44.
2. Provisions as to Orders in Council.
3. Short title, citation and repeal.

SCHEDULES:

First Schedule.—Amendments consequential on Section one (2) of this Act.

Second Schedule.—Subsections (1) and (2) of Section one of, and the Schedule to, the Diplomatic Privileges (Extension) Act, 1944, as amended.

Third Schedule.—Provisions of the Diplomatic Privileges (Extension) Act, 1946, repealed.

An Act to amend the Diplomatic Privileges (Extension) Act, 1944. [23rd May, 1950.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

Amendments
of 7 & 8
Geo. 6. c. 44.

1.—(1) In subsection (1) of section one of the Diplomatic Privileges (Extension) Act, 1944 (which provides that that section shall apply to any organisation declared by Order in Council to be an organisation of which His Majesty's Government in the

United Kingdom and the government or governments of one or more foreign sovereign Powers are members) for the words " His Majesty's Government in the United Kingdom and the government or governments of one or more foreign sovereign Powers " there shall be substituted the words " the United Kingdom or His Majesty's Government therein and one or more foreign sovereign Powers or the government or governments thereof ".

(2) The provisions of the said Act of 1944 as amended by the Diplomatic Privileges (Extension) Act, 1946, relating to representatives of member governments on the governing body or any committee of an organisation to which section one of the first-mentioned Act applies and their official staffs shall extend to representatives (whether of governments or not) on any organ of such an organisation and members of any committee of such an organisation or of an organ thereof and their official staffs, and accordingly the consequential amendments specified in the First Schedule to this Act shall have effect. 9 & 10 Geo. 6.
c. 66.

(3) In the proviso to subsection (2) of section one of the said Act of 1944 as amended as aforesaid (which proviso provides that an Order in Council relating to an organisation to which the said section one applies shall not confer any immunity or privilege upon any person as the representative of His Majesty's Government in the United Kingdom or as a member of the staff of such a representative), for the words " shall not confer any immunity or privilege " there shall be substituted the words " shall be so framed as to secure that there are not conferred on any person any immunities or privileges greater in extent than those which, at the time of the making of the Order, are required to be conferred on that person in order to give effect to any international agreement in that behalf and that no immunity or privilege is conferred ".

(4) In accordance with the provisions of this Act, subsections (1) and (2) of section one of, and the Schedule to, the said Act of 1944 (as amended by the said Act of 1946 and this Act) shall have effect as set out in the Second Schedule to this Act.

2.—(1) A draft of any Order in Council proposed to be made under the Diplomatic Privileges (Extension) Act, 1944, after the passing of this Act shall be laid before Parliament and the draft shall not be submitted to His Majesty except in pursuance of an address presented by each House of Parliament praying that the Order be made. Provisions as
to Orders
in Council.

(2) Any power conferred by the said Act of 1944 to make an Order in Council shall be construed as including a power to revoke or vary the Order in Council by a subsequent Order in Council made in accordance with subsection (1) hereof.

F*

(3) Neither subsections (1) and (2) of section two of the said Act of 1944 nor subsection (2) of section five of the Statutory Instruments Act, 1946 (which relate to the annulment of Orders in Council) shall apply to an Order in Council made under the said Act of 1944 after the passing of this Act, and subsection (4) of the said section two (which relates to the variation and revocation of Orders in Council) shall cease to have effect.

Short title,
citation
and repeal.

3.—(1) This Act may be cited as the Diplomatic Privileges (Extension) Act, 1950, and the Diplomatic Privileges (Extension) Acts, 1944 and 1946, and this Act may be cited together as the Diplomatic Privileges (Extension) Acts, 1944 to 1950.

(2) The provisions of the Diplomatic Privileges (Extension) Act, 1946, specified in the first column of the Third Schedule to this Act are hereby repealed to the extent specified in the second column of that Schedule.

SCHEDULES

FIRST SCHEDULE

AMENDMENTS CONSEQUENTIAL ON SECTION ONE (2) OF THIS ACT

1. In subsection (2) of section one of the Diplomatic Privileges (Extension) Act, 1944, as amended by the Diplomatic Privileges (Extension) Act, 1946, for the words “any person who is the representative of a member government on the governing body or any committee of the organisation”, there shall be substituted the words “any persons who are representatives (whether of governments or not) on any organ of the organisation or are members of any committee of the organisation or of an organ thereof”, for the words “the staffs of representatives of member governments”, there shall be substituted the words “the staffs of such representatives and members as aforesaid” and for the words “representatives or officers” there shall be substituted the words “representatives, members or officers”.

2. In paragraph 1 of Part IV of the Schedule to the said Act of 1944, as amended as aforesaid, for the words “the representative of a member government”, there shall be substituted the words “a representative on any organ of the organisation or a member of any committee of the organisation or of an organ thereof” and after the words “a representative” there shall be inserted the words “or member”.

SECOND SCHEDULE

SUBSECTIONS (1) AND (2) OF SECTION ONE OF, AND THE SCHEDULE TO, THE DIPLOMATIC PRIVILEGES (EXTENSION) ACT, 1944, AS AMENDED

A.—SUBSECTIONS (1) AND (2) OF SECTION ONE, AS AMENDED

(1) This section shall apply to any organisation declared by Order in Council to be an organisation of which the United Kingdom or His

Majesty's Government therein and one or more foreign sovereign Powers or the government or governments thereof are members.

2ND SCH.
—cont.

(2) His Majesty may by Order in Council—

- (a) provide that any organisation to which this section applies (hereinafter referred to as "the organisation") shall, to such extent as may be specified in the Order, have the immunities and privileges set out in Part I of the Schedule to this Act, and shall also have the legal capacities of a body corporate;
- (b) confer upon such number of officers of the organisation as may be specified in the Order, being the holders of such high offices in the organisation as may be specified in the Order, and upon such persons employed on missions on behalf of the organisation as may be so specified, and upon any persons who are representatives (whether of governments or not) on any organ of the organisation or are members of any committee of the organisation or of an organ thereof, to such extent as may be so specified, the immunities and privileges set out in Part II of the Schedule to this Act;
- (c) confer upon such other classes of officers and servants of the organisation as may be specified in the Order, to such extent as may be so specified, the immunities and privileges set out in Part III of the Schedule to this Act;

and Part IV of the Schedule to this Act shall have effect for the purpose of extending to the staffs of such representatives and members as aforesaid and to the families of officers of the organisation any immunities and privileges conferred on the representatives, members or officers under paragraph (b) of this subsection, except in so far as the operation of the said Part IV is excluded by the Order conferring the immunities and privileges:

Provided that the Order in Council shall be so framed as to secure that there are not conferred on any person any immunities or privileges greater in extent than those which, at the time of the making of the Order, are required to be conferred on that person in order to give effect to any international agreement in that behalf and that no immunity or privilege is conferred upon any person as the representative of His Majesty's Government in the United Kingdom or as a member of the staff of such a representative.

B.—THE SCHEDULE, AS AMENDED

PART I

Immunities and privileges of the organisation

1. Immunity from suit and legal process.
2. The like inviolability of official archives and premises occupied as offices as is accorded in respect of the official archives and premises of an envoy of a foreign sovereign Power accredited to His Majesty.
3. The like exemption or relief from taxes and rates, other than taxes on the importation of goods, as is accorded to a foreign sovereign Power.

2ND SCH.
—cont.

4. Exemption from taxes on the importation of goods directly imported by the organisation for its official use in the United Kingdom or for exportation, or on the importation of any publications of the organisation directly imported by it, such exemption to be subject to compliance with such conditions as the Commissioners of Customs and Excise may prescribe for the protection of the Revenue.

5. Exemption from prohibitions and restrictions on importation or exportation in the case of goods directly imported or exported by the organisation for its official use and in the case of any publications of the organisation directly imported or exported by it.

6. The right to avail itself, for telegraphic communications sent by it and containing only matter intended for publication by the press or for broadcasting (including communications addressed to or despatched from places outside the United Kingdom), of any reduced rates applicable for the corresponding service in the case of press telegrams.

PART II

Immunities and privileges of representatives, members of committees, high officers and persons on missions

1. The like immunity from suit and legal process as is accorded to an envoy of a foreign sovereign Power accredited to His Majesty.
2. The like inviolability of residence as is accorded to such an envoy.
3. The like exemption or relief from taxes as is accorded to such an envoy.

PART III

Immunities and privileges of other officers and servants

1. Immunity from suit and legal process in respect of things done or omitted to be done in the course of the performance of official duties.
2. Exemption from income tax in respect of emoluments received as an officer or servant of the organisation.

PART IV

Immunities and privileges of official staffs and of high officers' families

1. Where any person is entitled to any such immunities and privileges as are mentioned in Part II of this Schedule as a representative on any organ of the organisation or a member of any committee of the organisation or of an organ thereof, his official staff accompanying him as such a representative or member shall also be entitled to those immunities and privileges to the same extent as the retinue of an envoy of a foreign sovereign Power accredited to His Majesty is entitled to the immunities and privileges accorded to the envoy.
2. Where any person is entitled to any such immunities and privileges as are mentioned in Part II of this Schedule as an officer of the organisation, that person's wife or husband and children under the age of twenty-one shall also be entitled to those immunities and

privileges to the same extent as the wife or husband and children of an envoy of a foreign sovereign Power accredited to His Majesty are entitled to the immunities and privileges accorded to the envoy.

2ND SCH.
—cont.

THIRD SCHEDULE

PROVISIONS OF THE DIPLOMATIC PRIVILEGES (EXTENSION) ACT, 1946, REPEALED

<i>Provision</i>	<i>Extent of Repeal</i>
Section one	In subsection (1), the words from “and accordingly” to the end of the subsection.
Section two	Paragraph (a).
The Second Schedule ...	The whole Schedule.

CHAPTER 8

Distribution of Industry Act, 1950

ARRANGEMENT OF SECTIONS

Section

1. Acquisition of land and creation of easements.
2. Provision by agreement of facilities on land not owned by Board.
3. Further provision for grants and loans.
4. Payments towards cost of removal and resettlement of key workers and their dependants.
5. Payments and receipts.
6. Short title, interpretation, construction and citation.

An Act to make further provision for the acquisition of land, creation of easements and carrying out of work in development areas ; to authorise the Board of Trade to make grants in exceptional cases in connection with the establishment in, or transfer to, development areas of industrial undertakings, and to make grants or loans to housing associations for the provision of dwellings in development areas ; and to extend section five of the Employment and Training Act, 1948, in relation to persons transferred for employment in industrial undertakings established in, or transferred to, development areas. [12th July 1950.]

BE it enacted by the King’s most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

1.—(1) The power of the Board of Trade under section one of the principal Act to acquire land for the purpose of facilitating the provision of such premises, sites and means of access as are

Acquisition of land and creation of easements.

mentioned in the said section one shall be exercisable, in the case of land including industrial buildings, notwithstanding that no, or no substantial, adaptation of the buildings is necessary for the purpose for which it is proposed to acquire the land:

Provided that—

- (a) where at the time of the publication, in accordance with the provisions of the Acquisition of Land (Authorisation Procedure) Act, 1946, as hereinafter applied, of notice of the preparation in draft of a compulsory purchase order the industrial building to which the draft order relates is in occupation for a purpose involving the use thereof to a substantial extent for the carrying on of any industrial process or in connection with any such process for the time being carried on by the occupier of the building, the Board shall not have power to make the compulsory purchase order;
 - (b) where on an objection duly made under the said Act of 1946, as so applied, any owner, lessee or occupier of the industrial building to which a draft compulsory purchase order relates represents that the building will be in such occupation as aforesaid within three months, the Board shall not make the compulsory purchase order (but without prejudice to the holding of any proceedings between the preparation thereof in draft and the making of the order) until the expiration of three months from the making of the objection or such longer period as the Board may allow, and where such an objection is made the last foregoing paragraph shall have effect with the substitution for the reference to the time of publication of notice of a reference to the expiration of the said period of three months or the said longer period, as the case may be.
- (2) For the purpose of meeting the requirements of industrial undertakings (including requirements arising from the needs of persons employed or to be employed therein) the Board of Trade may by agreement secure the granting, over land in a development area, of easements appurtenant to other such land, whether belonging to the Board or not.
- (3) The Acquisition of Land (Authorisation Procedure) Act, 1946, shall apply in relation to the compulsory purchase of land by the Board of Trade under the principal Act or this Act as if in paragraph (b) of subsection (1) of section one of the said Act of 1946 references to the Minister of Transport and to the enactments therein mentioned included references to the Board of Trade and to the principal Act and this Act.
- (4) In the application of this section to Scotland, for the references to the Acquisition of Land (Authorisation Procedure) Act, 1946, there shall be substituted references to the Acquisition

of Land (Authorisation Procedure) (Scotland) Act, 1947, and for the reference to an easement there shall be substituted a reference to a servitude.

(5) In paragraph (a) of section one of the principal Act the words "by a compulsory purchase order made under this Act" and the words from "for the provision" to "means of access", and subsection (1) of section twelve of the principal Act, subsection (2) of section sixteen thereof, and the Second Schedule thereto, are hereby repealed:

Provided that any proceedings for the compulsory purchase of land under the principal Act begun, but not completed, before the passing of this Act may be continued and completed as if this section had not been passed.

2. Where it appears to the Board of Trade expedient, for the purpose of facilitating the carrying on of an industrial undertaking in a development area, that any work should be carried out on land not held by the Board, the Board may with the agreement of all persons interested in that land carry out the work.

3.—(1) Where it is proposed to establish an industrial undertaking in a development area, or to transfer the whole or any part of an industrial undertaking for the purpose of its being carried on in a development area, and on an application in that behalf by the person by whom the undertaking is to be carried on in the development area the Board of Trade are satisfied that there are exceptional circumstances which render it expedient that the Board should make to the said person a grant in respect of expenditure or loss arising in connection with the establishment or transfer, or in respect of any description of expenditure or loss so arising, the Board may with the consent of the Treasury make such a grant.

(2) The Board of Trade may with the consent of the Treasury make grants or loans to housing associations (as defined by the Housing Act, 1936, as amended by the Housing Act, 1949, or in Scotland as defined by the Housing (Scotland) Act, 1935, as amended by the Housing (Scotland) Act, 1949) where the Board are satisfied that the grants or loans will further the provision in a development area of dwellings for persons employed or to be employed in the area.

4.—(1) The following provisions shall have effect for assisting the transfer of persons from employment in an industrial undertaking, wherever carried on, to employment in an industrial undertaking (in this section referred to as "the new undertaking") which is being established in a development area by way of extension of or in connection with, or by way of transfer of the whole or part of, the first-mentioned undertaking.

(2) If on an application in that behalf as respects any person the Minister of Labour and National Service is satisfied that for the purpose of facilitating the establishment of the new undertaking it is expedient that he should exercise his powers under this subsection in connection with such a transfer, he may for the purposes of section five of the Employment and Training Act, 1948 (which provides for payments towards the cost of removal and resettlement of workers and their dependants and towards their maintenance and welfare in the course of their removal pending their resettlement) treat—

- (a) the said person's becoming employed in the new undertaking as if it were the obtaining of employment; and
- (b) the said person's ceasing to be employed in the new undertaking as if it were the coming to an end of employment, notwithstanding that he ceases to be so employed in order that he may continue in employment elsewhere.

(3) In this section expressions have the same meanings as in the principal Act.

**Payments
and receipts.**

5.—(1) There shall be defrayed out of moneys provided by Parliament—

- (a) any increase attributable to the provisions of this Act in the sums payable out of such moneys under subsection (1) of section eleven of the principal Act,
- (b) any increase attributable to the provisions of section four of this Act in the sums payable out of such moneys under subsection (1) of section fourteen of the Employment and Training Act, 1948.

(2) There shall be paid into the Exchequer any increase attributable to the provisions of subsection (2) of section three of this Act in the sums payable into the Exchequer under subsection (2) of section eleven of the principal Act.

**Short title,
interpretation,
construction
and citation.**

6.—(1) This Act may be cited as the Distribution of Industry Act, 1950.

(2) In this Act the expression "the principal Act" means the Distribution of Industry Act, 1945.

(3) This Act, except section four thereof and so much of section five thereof as relates to the said section four, shall be construed as one with the principal Act.

(4) The principal Act and this Act, except section four thereof and so much of section five thereof as relates to the said section four, may be cited together as the Distribution of Industry Acts, 1945 and 1950; and the Employment and Training Act, 1948, section four of this Act and so much of section five thereof as relates to the said section four may be cited together as the Employment and Training Acts, 1948 and 1950.

Table of Statutes referred to in this Act

Short Title	Session and Chapter
Housing (Scotland) Act, 1935	25 & 26 Geo. 5. c. 41.
Housing Act, 1936	26 Geo. 5. & 1 Edw. 8. c. 51.
Distribution of Industry Act, 1945	8 & 9 Geo. 6. c. 36.
Acquisition of Land (Authorisation Procedure) Act, 1946	9 & 10 Geo. 6. c. 49.
Acquisition of Land (Authorisation Procedure) (Scotland) Act, 1947	10 & 11 Geo. 6. c. 42.
Employment and Training Act, 1948	11 & 12 Geo. 6. c. 46.
Housing Act, 1949	12 & 13 Geo. 6. c. 60.
Housing (Scotland) Act, 1949	12 & 13 Geo. 6. c. 61.

CHAPTER 9

Merchant Shipping Act, 1950

ARRANGEMENT OF SECTIONS

Section

1. Regulations with respect to crew accommodation in fishing boats.
2. Engagement and discharge of crews.
3. Review of punishments imposed by naval courts.
4. Amendment of s. 744 of the Merchant Shipping Act, 1894.
5. Removal of doubts as to meaning of Summary Jurisdiction Acts in relation to Northern Ireland.
6. Payment of fees into the Exchequer.
7. Interpretation.
8. Short title, construction, citation and commencement.

FIRST SCHEDULE.—Provisions of Merchant Shipping Act, 1948, applied with modifications for the purposes of section one of this Act.

SECOND SCHEDULE.—Amendments of Merchant Shipping Act, 1894, relating to engagement and discharge of crews.

An Act to provide for regulating crew accommodation in fishing boats and for amending the Merchant Shipping Acts, 1894 to 1949, with respect to the engagement and discharge of crews, the review of punishments imposed by naval courts, fishing boats engaged in the Newfoundland cod fisheries, and proceedings in summary courts in Northern Ireland; and for purposes connected with the matters aforesaid.

[12th July 1950.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

Regulations with respect to crew accommodation in fishing boats.

1.—(1) The Minister may, after consultation with such organisation or organisations as appear to him to be representative of owners of British fishing boats and with such organisation or organisations as appear to him to be representative of seamen employed in British fishing boats, make regulations with respect to the crew accommodation to be provided in fishing boats of any class specified in the regulations, being—

- (a) British fishing boats registered in the United Kingdom, whether under Part I or Part IV of the principal Act and whether so registered before or after the date on which the regulations come into force ; or
- (b) boats which at any time after the said date are being constructed for use as fishing boats, and are being so constructed to the order of any person qualified under the principal Act to be the owner of a British ship, and have not been registered in the United Kingdom or elsewhere :

Provided that, subject to the provisions of any Order in Council made under the First Schedule to this Act, such regulations shall not apply to any fishing boat under construction which is being constructed at any place in His Majesty's dominions outside the United Kingdom, in India, in the Republic of Ireland or in any protectorate, protected state, trust territory or mandated territory within the meaning of the British Nationality Act, 1948, or is intended on her first registration to be registered at any such place.

(2) Without prejudice to the generality of the preceding subsection, regulations made thereunder may, in particular—

- (a) prescribe the minimum space per man which must be provided in any fishing boat to which the regulations apply by way of sleeping accommodation for seamen and apprentices, and the maximum number of persons by whom any specified part of such accommodation may be used ;
- (b) regulate the position in any such fishing boat in which the crew accommodation or any part thereof may be located, and the standards to be observed in the construction, equipment and furnishing of any such accommodation ;
- (c) require the submission to a surveyor of ships of plans and specifications of any works proposed to be carried

out for the purpose of the provision or alteration of any such accommodation, and authorise the surveyor to inspect any such works ;

- (d) provide for the maintenance and repair of any such accommodation, and prohibit or restrict the use of any such accommodation for purposes other than those for which it is designed ;

and may make different provision in respect of different classes of fishing boats and in respect of crew accommodation provided for different classes of persons.

(3) If the provisions of any regulations made under this section are contravened in the case of any fishing boat, the owner or skipper of the fishing boat shall be liable to a fine not exceeding one hundred pounds.

(4) Regulations made under this section may provide that any store rooms comprised in the crew accommodation of a fishing boat shall, to such extent as may be prescribed under the regulations, be disregarded in estimating the space to be deducted from the tonnage of the fishing boat under section seventy-nine of the principal Act in respect of crew accommodation.

(5) The provisions of the First Schedule to this Act (being provisions contained in sections two, three, four, nine and eleven of the Merchant Shipping Act, 1948, set out with modifications) shall have effect in relation to fishing boats to which regulations made under this section apply.

(6) The power of the Minister to make regulations under this section shall be exercisable by statutory instrument, and any such statutory instrument shall be subject to annulment in pursuance of a resolution of either House of Parliament.

2. The amendments specified in the Second Schedule to this Act shall be made in the provisions of Part II of the principal Act therein specified, being amendments made for the purpose of extending to home trade ships having a gross tonnage of two hundred tons or more (not being ships engaged exclusively on the work of any harbour, pilotage or local authority), certain provisions relating to the engagement and discharge of crews of foreign-going ships, and for making certain modifications of those provisions. Engagement and discharge of crews.

3.—(1) Where a naval court summoned under Part VI of the principal Act imposes on any person any one or more of the following punishments, that is to say :— Review of punishments imposed by naval courts.

- (a) sentences him to imprisonment ;
(b) imposes on him any fine or forfeiture of wages ;

- (c) removes or discharges him from his ship ; or
- (d) in the case of a certificated officer, cancels or suspends his certificate ;

the order of the court, so far as it imposes any such punishment, shall be subject to review by the senior naval or consular officer (hereafter in this section referred to as " the reviewing officer ") present at the place where the court is held :

Provided that, if the senior naval or consular officer present at the said place is a member of the naval court, the functions of the reviewing officer under this section shall be exercised in relation to that court by the naval commander-in-chief or the naval officer within whose command the said place is situated.

(2) The reviewing officer may, in reviewing any such order, confirm or refuse to confirm the order so far as it imposes on any person any such punishment, or vary the order, as respects any such punishment imposed thereby, as follows:—

- (a) in the case of imprisonment, reduce the term thereof or substitute a fine, forfeiture of wages or removal or discharge from his ship ;
- (b) in the case of a fine or forfeiture of wages, reduce the amount thereof or substitute removal or discharge from his ship ;
- (c) in the case of any other punishment, being a punishment imposed on a certificated officer, substitute any punishment which is lower in the following scale:—
 - cancellation of certificate,
 - suspension of certificate,
 - removal or discharge from his ship ; or
- (d) in the case of suspension of certificate, reduce the period thereof :

Provided that the reviewing officer shall not substitute under this subsection any punishment which the naval court could not have imposed.

(3) Where any such order imposes two or more such punishments as are referred to in subsection (1) of this section, whether of the same kind or different kinds, the reviewing officer may, in exercising his powers under the last foregoing subsection, deal separately with each such punishment.

(4) Where any such naval court imposes a sentence of imprisonment and directs the offender to be sent to the United Kingdom or any other place under section sixty-seven of the Merchant Shipping Act, 1906, the reviewing officer may revoke that direction.

(5) The place of imprisonment, whether on land or on board ship, of any person sentenced by any such naval court shall,

unless he is sent to the United Kingdom or any other place under the said section sixty-seven, be a place approved in writing by the reviewing officer as a proper place for the purpose.

(6) Where any order reviewed under this section requires the offender to pay the costs of the proceedings or any part thereof, the reviewing officer may also revoke that requirement or may vary it, but not so as to increase the amount payable by the offender in respect of those costs.

(7) The reviewing officer shall, on reviewing an order under this section, record his decision in writing, and if he refuses to confirm the order (so far as it imposes any such punishment as aforesaid), the order shall to that extent cease to have effect and if he varies the order, it shall thereafter have effect as if it had been made by the court as so varied.

(8) Proviso (i) to paragraph (h) of subsection (1) of section four hundred and eighty-three of the principal Act (which provides for the confirmation of sentences of imprisonment and the approval of the place of imprisonment) shall cease to have effect.

4. A ship shall not be deemed to be a foreign-going ship for the purposes of the principal Act by reason only that she is engaged in the Newfoundland cod fisheries, and accordingly section seven hundred and forty-four of that Act shall have effect with the substitution for the words "whale, seal, walrus or Newfoundland cod fisheries" of the words "whale, seal or walrus fisheries" and with the omission of the words "of ships engaged in the Newfoundland cod fisheries which belong to ports in Canada or Newfoundland and".

Amendment
of s. 744 of
the Merchant
Shipping
Act, 1894.

5. It is hereby declared for the removal of doubts that, in the application of the Merchant Shipping Acts, 1894 to 1949, and this Act to Northern Ireland, the expression "the Summary Jurisdiction Acts" includes any Act of the Parliament of Northern Ireland amending the Petty Sessions (Ireland) Act, 1851.

Removal of
doubts as to
meaning of
Summary
Jurisdiction
Acts in relation
to Northern
Ireland.

6. Any fees received by the Minister under or by virtue of this Act or regulations made thereunder shall be paid into the Exchequer.

Payment of
fees into the
Exchequer.

7.—(1) In this Act, the following expressions have the meanings hereby respectively assigned to them, that is to say:—

Interpretation.

"crew accommodation" includes sleeping rooms, mess rooms, sanitary accommodation, hospital accommodation, recreation accommodation, store rooms and catering accommodation provided for the use of seamen and apprentices;

“ fishing boat ” has the same meaning as in Part IV of the principal Act, except that it includes a vessel which is being constructed for the purpose of being employed in sea fishing or in the sea-fishing service ;

“ local authority ” means the Common Council of the City of London, the council of a metropolitan borough, the council of any county, county borough or county district in England and Wales or Northern Ireland, and, in Scotland, any county, town or district council ;

“ the Minister ” means the Minister of Transport ;

“ owner ”, in relation to a fishing boat under construction, means the person to whose order she is being constructed ;

“ pilotage authority ” has the same meaning as in the Pilotage Act, 1913 ;

“ the principal Act ” means the Merchant Shipping Act, 1894 ;

and any reference in this Act to the re-registration of a fishing boat shall not include a reference to a re-registration which is only required in consequence of a change in the ownership of the boat.

(2) Except so far as the context otherwise requires, any reference in this Act to any other enactment shall be construed as a reference to that enactment as amended, extended, or applied by or under any other enactment, including this Act.

Short title,
construction,
citation and
commence-
ment.

8.—(1) This Act may be cited as the Merchant Shipping Act, 1950.

(2) This Act shall be construed as one with the Merchant Shipping Acts, 1894 to 1949, and, without prejudice to the generality of this provision, references in those Acts to the Merchant Shipping Acts shall be construed as including references to this Act ; and the said Acts and this Act may be cited together as the Merchant Shipping Acts, 1894 to 1950.

(3) This Act shall come into operation on such date as the Minister may by order appoint, and different dates may be appointed for the purpose of different provisions of this Act, and the power of the Minister to make orders under this subsection shall be exercisable by statutory instrument.

SCHEDULES

FIRST SCHEDULE

Section 1.

PROVISIONS OF MERCHANT SHIPPING ACT, 1948, APPLIED WITH
MODIFICATIONS FOR THE PURPOSES OF SECTION ONE OF THIS
ACT*Application of regulations to fishing boats already registered, under
construction &c. (s. 2 (2) to (5) of 1948 Act)*

1. Where any fishing boat to which regulations made under section one of this Act apply was registered in the United Kingdom under Part I or Part IV of the principal Act immediately before the date on which those regulations came into force, then, unless and until, after that date, the fishing boat is re-registered in the United Kingdom or undergoes substantial structural alterations or repairs (not being repairs carried out in consequence of damage or in an emergency)—

(a) any requirements of the regulations (including any subsequent regulations amending or substituted for those regulations) relating to matters specified in paragraph (a) or paragraph (b) of subsection (2) of section one of this Act (in this Schedule referred to as "the construction requirements") shall—

(i) in the case of a fishing boat to which corresponding requirements under the law in force immediately before that date were applicable, be deemed to be complied with if those requirements are complied with ;

(ii) in any other case, not apply ; and

(b) any requirements of any such regulations relating to matters specified in paragraph (c) of the said subsection (2) (in this Schedule referred to as "the survey requirements") shall not apply to any works other than works proposed to be carried out for the purpose of any such alterations or repairs as aforesaid.

2. Where regulations made under section one of this Act become applicable—

(a) to a fishing boat under construction of which the keel was laid before the date on which those regulations came into force ;

(b) to a fishing boat registered in the United Kingdom under Part I or Part IV of the principal Act after that date, not being a fishing boat to which such regulations applied while she was under construction,

or where any such fishing boat as is mentioned in the preceding paragraph is re-registered, altered or repaired as mentioned in that paragraph, then, if, upon application made to him by the owner of the fishing boat, the Minister is satisfied, after consultation with the owner of the fishing boat or an organisation or organisations appearing to the Minister to be representative of owners of British fishing boats, and with an organisation or organisations appearing to the Minister to be representative of seamen employed in British fishing boats, that such steps, if any, as are reasonable and practicable have been taken for securing compliance with the construction requirements

1ST SCH.
—cont.

of the regulations in the case of the fishing boat, he shall certify accordingly.

3. In determining for the purposes of the last preceding paragraph what steps for securing compliance with the construction requirements of any regulations are reasonable and practicable, the Minister shall have regard to the age of the fishing boat, to the purpose for which she is or is intended to be used and to the nature of any alterations or repairs which are carried out, or to the extent to which the construction of the fishing boat had been completed before the date on which the regulations came into force, as the case may be.

4. Where any such certificate is issued by the Minister as aforesaid, then, subject to compliance with such conditions, if any, as may be specified in the certificate—

- (a) the construction requirements of the regulations (including any subsequent regulations amending or substituted for those regulations) shall be deemed to be complied with in the case of the fishing boat ; and
- (b) the survey requirements of any such regulations shall not apply to any works other than works proposed to be carried out for the purpose of any such alterations or repairs as are mentioned in paragraph 1 of this Schedule :

Provided that on the occurrence of any such event as is mentioned in the said paragraph 1, the provisions of this paragraph shall cease to have effect in relation to the fishing boat, but without prejudice to the issue of a further certificate under paragraph 2 of this Schedule.

Inspection of crew accommodation (s. 3 of 1948 Act)

5. Whenever a fishing boat to which regulations made under section one of this Act apply is registered or re-registered in the United Kingdom under Part I or Part IV of the principal Act and whenever a complaint in respect of crew accommodation in any such fishing boat is duly made in accordance with the regulations, and on such other occasions as may be prescribed by the regulations, a surveyor of ships shall inspect the crew accommodation.

6. If, upon any such inspection, the surveyor is satisfied that the crew accommodation complies with the regulations, he shall (except where the inspection is made in consequence of a complaint) give to the registrar of British ships a certificate specifying as space deductible under section seventy-nine of the principal Act the whole of the space comprised in that accommodation, except any part thereof required by the regulations to be disregarded in estimating the space so to be deducted.

7. If, upon any such inspection, it appears to the surveyor that the accommodation does not comply in all respects with the regulations, he may give to the registrar a certificate specifying as space deductible as aforesaid such part of the space comprised in the accommodation as he considers appropriate having regard to the extent to which it complies with the regulations, but if he does not

give such a certificate he shall report to the registrar that no space is deductible as aforesaid:

1ST SCH.
—cont.

Provided that the surveyor shall not be required to make such a report as aforesaid—

- (a) if the inspection is made on the occasion of the registration or re-registration of the fishing boat; or
- (b) if it appears to him that the failure to comply with the regulations is not substantial and will be remedied within a reasonable time.

8. Where any certificate is given or report made under either of the two last preceding paragraphs in respect of a fishing boat already registered, any certificate previously given thereunder in respect of that fishing boat shall cease to have effect, and the register tonnage of the fishing boat shall be altered accordingly.

9. In respect of any inspection of a fishing boat carried out by a surveyor for the purposes of this Schedule, there shall be paid such fees as may be prescribed by regulations made under section one of this Act.

10. Regulations made under section one of this Act may require the skipper of any fishing boat to which the regulations apply, or any officer authorised by him for the purpose, to carry out such inspections of the crew accommodation as may be prescribed by the regulations, and to record, in such manner as may be so prescribed, such particulars of any such inspection as may be so prescribed.

*Consequential amendments of principal Act (Section 4
of 1948 Act)*

11. In relation to fishing boats to which regulations made under section one of this Act apply, section seventy-nine of the principal Act (which authorises certain deductions in ascertaining the register tonnage of ships) shall have effect as if in sub-paragraph (a) (i) of subsection (1) for the words “any space occupied by seamen or apprentices and appropriated to their use, which is certified under the regulations scheduled to this Act with regard thereto” there were substituted the words “any space provided by way of crew accommodation which is certified under the Merchant Shipping Act, 1950, to be space deductible under this section”.

12. In relation to a fishing boat of any foreign country, being a fishing boat to which regulations made under section one of this Act would apply if she were a British fishing boat and were registered in the United Kingdom under Part I or Part IV of the principal Act, subsection (1) of section eighty-four of the principal Act (which as amended by section fifty-five of the Merchant Shipping Act, 1906, provides for the ascertainment of the tonnage of certain foreign ships) shall have effect subject to the following modifications, that is to say:—

- (a) for the words “shall be deemed to have been certified under this Act and to comply with the provisions of this Act which apply to such a space in the case of British ships” there shall be substituted the words “shall be deemed to

1ST SCH.
—cont.

have been specified in a certificate issued under the Merchant Shipping Act, 1950, and to comply with regulations made under section one of that Act”;

- (b) for the words “the standard required under this Act in the case of a British ship” there shall be substituted the words “the standard which would be required under or for the purposes of those regulations if she were a British fishing boat registered in the United Kingdom under Part I or Part IV of this Act”.

13. Section two hundred and ten of the principal Act and the Sixth Schedule to that Act shall not apply to any fishing boat to which regulations made under section one of this Act apply (but without prejudice to the provisions of paragraph 1 of this Schedule):

Provided that any certificate given in relation to any such fishing boat as aforesaid, under paragraph (3) of the said Sixth Schedule before the date on which the regulations apply thereto shall have effect for the purposes of this Act and of the principal Act as if it had been given under paragraph 6 of this Schedule.

Application to certain countries and territories (Sections 9 and 11 (2) of 1948 Act)

14. His Majesty may by Order in Council direct that any of the provisions of section one of this Act or of this Schedule (including any enactments for the time being in force amending or substituted for the said provisions) shall extend, with such exceptions, adaptations and modifications, if any, as may be specified in the Order, to the Isle of Man, any of the Channel Islands or any colony.

15. The Foreign Jurisdiction Act, 1890, shall have effect as if the provisions of section one of this Act and of this Schedule were included among the enactments which, by virtue of section five of that Act, may be extended by Order in Council to countries in which for the time being His Majesty has jurisdiction.

16. His Majesty may by Order in Council direct that any of the provisions of section one of this Act or of this Schedule shall apply, subject to such exceptions, adaptations and modifications, if any, as may be specified in the Order, to fishing boats registered in any country or territory to which the said provisions can be extended by virtue of either of the two last preceding paragraphs, or under construction in any such country or territory, or to be registered on first registration in any such country or territory, as it applies to fishing boats registered in the United Kingdom under Part I or Part IV of the principal Act, under construction in the United Kingdom or to be so registered on first registration, as the case may be.

17. Any Order in Council made under the preceding provisions of this Schedule shall be subject to annulment in pursuance of a resolution of either House of Parliament.

SECOND SCHEDULE

Section 2.

AMENDMENTS OF MERCHANT SHIPPING ACT, 1894, RELATING TO
ENGAGEMENT AND DISCHARGE OF CREWS

1. For paragraph (6) of section one hundred and fifteen (which relates to agreements with the crews of foreign-going ships) there shall be substituted the following paragraph:—

“(6) A running agreement shall not extend beyond the expiration of the period of six months from the date of the agreement, or the first arrival of the ship at her port of destination in the United Kingdom after the expiration of that period, or the discharge of cargo consequent on that arrival:

Provided that this paragraph shall not apply in relation to a running agreement under which the number of the crew is five hundred or more, but the time for which a seaman is engaged under such an agreement shall be limited so as not to extend beyond the expiration of the period of six months from the date of his engagement, or the first arrival of the ship at her port of destination in the United Kingdom after the expiration of that period, or the discharge of cargo consequent on that arrival.”

2. After the said section one hundred and fifteen, the following section shall be inserted:—

“Special provisions as to agreements with crew of certain home trade ships. 115A.—The following provisions shall have effect with respect to the agreements with the crew made in the United Kingdom in the case of home trade ships having a gross tonnage of two hundred tons or more (not being ships engaged exclusively on the work of any harbour, pilotage or local authority):—

- (1) the agreement shall (subject to the provisions of this Act as to substitutes) be signed by each seaman in the presence of a superintendent:
- (2) the superintendent shall cause the agreement to be read over and explained to each seaman, or otherwise ascertain that each seaman understands the same before he signs it, and shall attest each signature:
- (3) when the crew is first engaged the agreement shall be signed in duplicate, and one part shall be retained by the superintendent, and the other shall be delivered to the master, and shall contain a special place or form for the descriptions and signatures of substitutes or persons engaged subsequently to the first departure of the ship:
- (4) where a substitute is engaged in the place of a seaman who duly signed the agreement, and whose services are within twenty-four hours of the ship's putting to sea lost by death, desertion, or other unforeseen cause, the engagement shall, when practicable, be made before a superintendent, and, when not practicable, the master shall, before the ship puts to sea, if practicable, and if not, as soon afterwards as possible, cause

2ND SCH.
—*cont.*

the agreement to be read over and explained to the substitute, and the substitute shall thereupon sign the same in the presence of a witness and the witness shall attest the signature:

- (5) agreements may be made either for service in a particular ship or for service in two or more ships belonging to the same owner, but in the latter case the names of the ships and the nature of the service shall be specified in the agreement:
- (6) an agreement for service in two or more ships belonging to the same owner may be made by the owner instead of by the master; and the provisions of this Act with respect to the making of the agreement shall apply accordingly:
- (7) an agreement with the crew of the ship shall not extend beyond the expiration of the period of six months from the date of the agreement, or the time at which the ship first arrives at her final port of destination in the United Kingdom after the expiration of that period, or the discharge of cargo consequent on that arrival:

Provided that, if there is no superintendent at the said final port of destination, the agreement may extend until the first arrival of the ship after that time at a port in the United Kingdom at which there is a superintendent, or the discharge of cargo consequent on that arrival:

- (8) on every return to a port in the United Kingdom before the final termination of an agreement, the master shall, if any engagements or discharges of seamen have been made, make on the agreement an endorsement that they have all been made as required by law, and if a master wilfully makes a false statement in any such endorsement or if he omits to make an endorsement which he is required to make under this paragraph, he shall for each offence be liable to a fine not exceeding twenty pounds:
- (9) the duplicate agreement retained by the superintendent on the first engagement of the crew shall either be transmitted to the Registrar-General of Shipping and Seamen immediately, or kept by the superintendent until the expiration of the agreement, as the Minister of Transport directs."

3. In section one hundred and sixteen (which relates to agreements with the crews of home trade ships), after the words "home trade ships for which an agreement with the crew is required under this Act" there shall be inserted the words "other than ships to which the last preceding section applies".

4. In subsection (1) of section one hundred and seventeen (which requires changes in the crews of foreign-going ships to be reported) after the words "foreign-going ship" there shall be inserted the words "and every home trade ship to which section one hundred and

fifteen A of this Act applies, being in each case a ship", for the words "before finally leaving the United Kingdom" where they first occur, there shall be substituted the words "before leaving any port in the United Kingdom", and for the said words, where they secondly occur, there shall be substituted the words "before leaving that port, and, if the ship has previously left any port in the United Kingdom, since leaving the last such port."

2ND SCH.
—cont.

5. After section one hundred and eighteen, there shall be inserted the following section:—

"Certificate as to agreements with certain home trade ships. 118A.—(1) On the due execution of an agreement with the crew in accordance with this Act, the superintendent shall grant the master of a home trade ship to which section one hundred and fifteen A of this Act applies a certificate to that effect, and the master shall, before proceeding to sea, produce to the office of customs that certificate, and the ship may be detained until the certificate is produced.

(2) The master or owner of every such home trade ship shall upon the discharge of the crew deliver the agreement with the crew to the superintendent before whom the crew is discharged, and the superintendent shall give the master or owner a certificate of that delivery, and the ship may be detained until the certificate is produced to the proper officer of the customs.

(3) If the master or owner fails without reasonable cause to comply with this section, he shall for each offence be liable to a fine not exceeding five pounds."

6. In section one hundred and nineteen (which relates to certificates as to agreements with crews of home trade ships) after the words "home trade ship of more than eighty tons burden" there shall be inserted the words "other than a ship to which section one hundred and fifteen A of this Act applies."

7.—(1) In section one hundred and twenty-seven (which requires crews of foreign-going ships to be discharged before a superintendent), after subsection (2) there shall be inserted the following subsection:—

"(2A) Where a seaman serving in a home trade ship to which section one hundred and fifteen A of this Act applies is discharged on the termination of his engagement, he shall be discharged in the manner provided by this Act in the presence of a superintendent:

Provided that this subsection shall not apply where—

(a) a seaman is discharged from a ship, under an agreement made in accordance with the said section for service in two or more ships, for the purpose of being engaged in another ship to which the agreement relates; or

(b) a seaman is proceeding on temporary leave while remaining in the service of the owner of the ship."

(2) In subsection (3) of the said section one hundred and twenty-seven after the words "home trade ship" there shall be inserted "other than a ship to which the last preceding subsection applies."

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—cont.

8. In subsection (2) of section one hundred and thirty-one (which requires wages to be paid before a superintendent), after the words “home trade ship” there shall be inserted the words “other than a ship to which section one hundred and fifteen A of this Act applies.”

9. For subsection (1) of section one hundred and thirty-five (which relates to time of payment of wages for home trade ships), there shall be substituted the following subsection:—

“(1) The master or owner of every home trade ship shall pay every seaman his wages—

(a) if the seaman is discharged before a superintendent, at the time when he is so discharged ;

(b) in any other case, within two days after the termination of his engagement.”

10. In section one hundred and thirty-seven (which provides for decision of wages questions by superintendents), after the words “foreign-going ship” there shall be inserted the words “or a home trade ship to which section one hundred and fifteen A of this Act applies.”

11.—(1) In section two hundred and forty-two (which requires logs to be delivered to superintendents), after subsection (1), the following subsection shall be inserted:—

“(1A) The master or owner of every home trade ship to which section one hundred and fifteen A of this Act applies and for which an official log is required to be kept, shall, upon the discharge of the crew, deliver the official log book to the superintendent before whom the crew is discharged.”

(2) In subsection (2) of the said section after the word “every” there shall be inserted the word “other”.

12.—(1) In subsection (2) of section two hundred and fifty-three (which relates to lists of the crew), after paragraph (a) there shall be inserted the following paragraph:—

“(aa) in the case of a home trade ship to which section one hundred and fifteen A of this Act applies, shall be delivered by the master, upon the discharge of the crew, to the superintendent before whom the crew is discharged ; and”

and in paragraph (b) of that subsection for the word “a” there shall be substituted the words “any other”.

(2) In subsection (3) of the said section, after the words “foreign-going ship” there shall be inserted the words “or home trade ship to which section one hundred and fifteen A of this Act applies”, and for the words “a home trade ship” there shall be substituted the words “any other home trade ship”.

Table of Statutes referred to in this Act

Short Title	Session and Chapter
Petty Sessions (Ireland) Act, 1851	14 & 15 Vict. c. 93.
Foreign Jurisdiction Act, 1890	53 & 54 Vict. c. 37.
Merchant Shipping Act, 1894	57 & 58 Vict. c. 60.
Merchant Shipping Act, 1906	6 Edw. 7. c. 48.
Pilotage Act, 1913	2 & 3 Geo. 5. c. 31.
Merchant Shipping Act, 1948	11 & 12 Geo. 6. c. 44.
British Nationality Act, 1948	11 & 12 Geo. 6. c. 56.

CHAPTER 10

Royal Patriotic Fund Corporation Act, 1950

An Act to make further provision as respects the application of certain funds under the management of the Royal Patriotic Fund Corporation.

[12th July 1950.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

1.—(1) The objects of the fund constituted in pursuance of subsection (2) of section ten of the Regimental Debts Act, 1893 (which provides for the application of the undisposed residue of soldiers' effects to the creation or maintenance of a fund for the benefit of widows or children, or other near relatives, of soldiers dying on service or within six months after discharge) shall, to such extent as may be provided by Royal Warrant under that Act and subject to the provisions of any such Warrant, include the widows, children and other near relatives of persons dying at any time who have been soldiers.

Extension of
objects of
soldiers' effects
fund.
56 & 57 Vict.
c. 5.

(2) The foregoing subsection shall apply in relation to the air force, but with the substitution—

- (a) for the reference to the said Act of 1893 of a reference to that Act as applied to the air force;
- (b) for the references to soldiers of references to airmen.

2. Any provision contained in an enactment or other instrument, however worded, passed or made before the commencement of this Act which defines the purposes for which the Royal Patriotic Fund Corporation may apply any of their property or otherwise exercise any of their powers, being a provision which apart from this section relates in the same way to the naval and

Certain funds
applicable as
well for air
force as for
naval and
military
dependants.

to the military forces of the Crown but does not relate to the air forces of the Crown, shall if otherwise applicable in relation to the last-mentioned forces of the Crown apply, and be deemed always to have applied, in relation to those forces as if references in the provision to the military forces of the Crown or to members, or any class of members, thereof included references to the air forces of the Crown or, as the case may be, to members or the like class of members thereof.

Short title. 3. This Act may be cited as the Royal Patriotic Fund Corporation Act, 1950.

CHAPTER 11

Public Registers and Records (Scotland) Act, 1950

An Act to amend the law of Scotland with regard to the signing of certificates of recording in the Register of Sasines. [12th July 1950.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

Certificate of recording in Register of Sasines need not be signed.
11 & 12 Geo. 6. c. 57.

1.—(1) Save as may be otherwise prescribed by Act of Sederunt made by the Court of Session under section four of the Public Registers and Records (Scotland) Act, 1948, it shall not be necessary, notwithstanding anything in any enactment, for a certificate of recording endorsed or stamped on a writ recorded in the Register of Sasines to be signed by the Keeper of the Registers of Scotland or by any other person.

(2) The enactments set forth in the Schedule to this Act are hereby repealed to the extent specified in the third column of that Schedule.

(3) This section shall be deemed to have had effect as from the thirtieth day of July, nineteen hundred and forty-eight.

Citation.

2. This Act may be cited as the Public Registers and Records (Scotland) Act, 1950, and the Public Registers and Records (Scotland) Act, 1948, and this Act may be cited together as the Public Registers and Records (Scotland) Acts, 1948 and 1950.

SCHEDULE

ENACTMENTS REPEALED

Session and Chapter	Short Title	Extent of Repeal
31 & 32 Vict. c. 64.	The Land Registers (Scotland) Act, 1868.	Section fourteen so far as it relates to the signing of certificates of registration.
31 & 32 Vict. c. 101.	The Titles to Land Consolidation (Scotland) Act, 1868.	In section one hundred and forty-two the words "and shall be subscribed by the keeper of the register".

CHAPTER 12

Foreign Compensation Act, 1950

ARRANGEMENT OF SECTIONS

Section

1. Constitution of Foreign Compensation Commission.
2. Distribution of compensation under Yugoslav and Czechoslovak agreements.
3. Compensation payable by foreign Governments under future agreements.
4. Procedure of Commission.
5. Enforcement of attendance of witnesses, production of documents and furnishing of information.
6. Accounts of Commission and annual report.
7. Administrative and financial provisions.
8. Orders in Council and rules.
9. Short title and interpretation.

An Act to provide for the establishment of a Commission for the purpose of registering and determining claims to participate in compensation under agreements with foreign Governments and of distributing any compensation received under any such agreements, and for purposes connected with the matters aforesaid.

[12th July 1950.]

WHEREAS agreements (hereafter in this Act referred to as the "Yugoslav Agreements") entered into between His Majesty's Government in the United Kingdom and the Government of Yugoslavia on the twenty-third day of December, nineteen hundred and forty-eight, and on the twenty-sixth day

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of December, nineteen hundred and forty-nine, provided for the payment of compensation by the last-mentioned government in respect of British property, rights and interests affected by certain Yugoslav measures:

And whereas an agreement (hereafter in this Act referred to as the "Czechoslovak Agreement") entered into between His Majesty's Government in the United Kingdom and the Government of Czechoslovakia on the twenty-eighth day of September, nineteen hundred and forty-nine, provided for the payment of compensation by the last-mentioned government in respect of British property, rights and interests affected by certain Czechoslovak measures:

Be it therefore enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

Constitution
of Foreign
Compensation
Commission.

1.—(1) For the purposes of this Act, there shall be constituted a Commission, to be called the Foreign Compensation Commission and in this Act referred to as "the Commission", consisting of a chairman appointed by the Lord Chancellor and such number of other members so appointed as the Secretary of State may with the approval of the Treasury determine.

(2) The Commission shall be a body corporate with power to hold land without licence in mortmain and may act notwithstanding a vacancy among the members thereof.

(3) Every member of the Commission shall hold and vacate his office in accordance with the terms of his appointment, and a member of the Commission who ceases to hold office shall be eligible for re-appointment.

(4) A person shall be disqualified for being appointed or being a member of the Commission so long as he is a member of the Commons House of Parliament.

(5) The Commission shall pay to their members such remuneration (whether by way of salary or fees) and allowances as the Commission may with the approval of the Secretary of State and the Treasury determine.

Distribution of
compensation
under Yugo-
slav and
Czechoslovak
agreements.

2.—(1) His Majesty may by Order in Council provide for the distribution by the Commission—

(a) of such sums as may be paid to the Commission by His Majesty's Government in the United Kingdom, being sums received under the Yugoslav Agreements, among the persons who establish claims to the satisfaction of the Commission in respect of losses suffered in such circumstances as may be prescribed by the Order;

(b) of such sums as may be paid to the Commission by His Majesty's Government in the United Kingdom, being sums received under the Czechoslovak Agreement, among the persons who establish claims to the satisfaction of the Commission in respect of losses suffered in such circumstances as may be prescribed by the Order.

(2) Without prejudice to the generality of the preceding subsection, an Order in Council under this section may make provision—

(a) for defining the persons who are to be qualified, in respect of nationality or status, to make applications to the Commission for the purpose of establishing such claims as aforesaid, and for imposing any other conditions to be fulfilled before such claims can be entertained ;

(b) for prescribing the matters which have to be established to the satisfaction of the Commission by persons making such applications ;

(c) for requiring documents of title relating to property in respect of which claims are established to be surrendered to the Commission, and for securing the abandonment or extinction of rights in respect of which claims are established.

(3) An Order in Council under this section may make provision for enabling a person appointed by the government of any of the following countries, that is to say, Canada, the Commonwealth of Australia, New Zealand, the Union of South Africa, India, Pakistan, Ceylon or Southern Rhodesia, to be treated as an additional member of the Commission for the purpose of determining such classes of applications as may be prescribed by the Order.

3. If His Majesty's Government in the United Kingdom enter into or contemplate an agreement with the government of any foreign country providing for the payment of compensation by the latter government, His Majesty may by Order in Council make provision for all or any of the following matters, that is to say:—

(a) for the registration by the Commission of claims to participate in such compensation, and for the making of reports by the Commission with respect to such claims ;

(b) for the determination of such claims by the Commission ;

(c) for any matters arising in relation to such claims for which, in relation to the claims mentioned in the last

preceding section, provision may be made under that section ;

- (d) for the distribution by the Commission of any sums paid to them by His Majesty's Government in the United Kingdom, being sums received under the agreement ;
- (e) for any supplementary and incidental matters for which provision appears to His Majesty to be necessary or expedient.

**Procedure of
Commission.**

4.—(1) His Majesty may by Order in Council provide for enabling applications made to the Commission under this Act to be determined on behalf of the Commission by such number of the members thereof as may be prescribed by the Order, and the Order may prescribe different numbers in relation to different classes of applications.

(2) Subject to the preceding subsection, the Commission shall with the approval of the Lord Chancellor make rules regulating the procedure of the Commission in determining applications made to them under this Act, and such rules may prescribe time limits within which such applications must be made, and may confer powers on the Commission for enforcing the attendance of witnesses and their examination on oath, affirmation or otherwise, and for compelling the production of documents and the furnishing of information, and for the taking of evidence abroad.

(3) Rules made under this section shall, in the case of applications made under an Order in Council under section two of this Act, provide that the application shall, if the Commission so direct or the applicant so desires, be the subject of an oral hearing, and that the applicant shall be entitled to appear in person or to be represented at the hearing, and the rules may make like provision in the case of other applications to the Commission.

(4) The determination by the Commission of any application made to them under this Act shall not be called in question in any court of law.

**Enforcement
of attendance
of witnesses,
production of
documents and
furnishing of
information.**

5.—(1) If any person—

- (a) on being summoned, in accordance with rules made under section four of this Act, as a witness before the Commission, fails to attend ; or
- (b) being in attendance as a witness refuses to take an oath or make an affirmation required in accordance with such rules to be taken or made, or to answer any question to which the Commission may legally require an answer ; or

- (c) being required in accordance with such rules to produce any document or furnish any information, fails without reasonable excuse to comply with that requirement ; or
- (d) does any other thing which would, if the Commission had been a court of law having power to commit for contempt, have been contempt of court ;

the chairman of the Commission may certify the offence of that person under his hand to the High Court, and the court may thereupon inquire into the alleged offence and may punish or take steps for the punishment of that person in like manner as if he had been guilty of contempt of the court.

(2) A witness before the Commission shall be entitled to the same immunities and privileges as if he were a witness before the High Court.

6.—(1) The Commission shall prepare accounts, in such form and manner as the Treasury may direct, for each financial year, and shall, as soon as possible after the end of each financial year, submit to the Secretary of State their accounts for that year, and the Secretary of State shall transmit the accounts to the Comptroller and Auditor General who shall examine and certify them and shall lay copies thereof, together with his report thereon, before Parliament. Accounts of Commission and annual report.

(2) The Commission shall prepare an annual report on the exercise of their functions during each financial year and shall, as soon as possible after the end of each such year, submit the report for that year to the Secretary of State, and the Secretary of State shall lay copies thereof before Parliament.

(3) In this section the expression “ financial year ” means the period beginning with the passing of this Act and ending with the thirty-first day of March, nineteen hundred and fifty-one, and every subsequent period of twelve months ending with the thirty-first day of March.

7.—(1) His Majesty may make provision by Order in Council with respect to— Administrative and financial provisions.

- (a) the quorum and proceedings of the Commission ;
- (b) the appointment of officers and servants of the Commission and the payment of remuneration and allowances to them ;
- (c) the management and investment of any moneys in the hands of the Commission ;

- (d) any other matters for which His Majesty considers it necessary or expedient to provide for the purpose of enabling the Commission to exercise their functions ;
- (e) the disposal of any sums in the hands of the Commission which it is not practicable to distribute ;
- (f) the winding up of the Commission.

(2) Subject as hereinafter provided, the expenses of the Commission, including the remuneration and allowances of the members, officers and servants of the Commission, shall be defrayed out of moneys provided by Parliament :

Provided that His Majesty may by Order in Council direct the payment into the Exchequer by the Commission, out of any sums paid to the Commission for the purpose of being distributed by them under this Act, of such amount as may be determined by or under the Order to be the amount of the said expenses attributable to the discharge by the Commission of their functions in relation to the distribution of those sums.

Orders in
Council and
rules.

8.—(1) Any Order in Council made under this Act may be revoked or varied by a further Order in Council.

(2) All Orders in Council made under this Act shall be subject to annulment in pursuance of a resolution of either House of Parliament.

(3) The power of the Lord Chancellor to approve rules made under section four of this Act shall be exercisable by statutory instrument, and any such statutory instrument shall be subject to annulment in pursuance of a resolution of either House of Parliament.

Short title
and
interpretation.

9.—(1) This Act may be cited as the Foreign Compensation Act, 1950.

(2) In this Act the expression “ compensation ” includes any payment made in respect of any debt or claim on which there has been a default.



CHAPTER 13*Midwives (Amendment) Act, 1950***ARRANGEMENT OF SECTIONS***The Central Midwives Board and the Central Midwives
Board for Scotland*

Section

1. Power of Ministers to revise constitutions of Central Midwives Board and Central Midwives Board for Scotland.
2. Incorporation of the Boards.

Certification of Midwives

3. Certification in England of midwives certified in Scotland or Northern Ireland.
4. Certification in Scotland of midwives certified in England or Northern Ireland.
5. Certification in England or Scotland of midwives trained outside the United Kingdom.

Miscellaneous amendments

6. Midwives' uniforms.
7. Information as to midwives.
8. Fees for examinations and certificates.
9. Power of local supervising authorities to provide residential accommodation for pupil midwives.
10. Allowances to members of the Boards.
11. Members of Parliament not to be remunerated for sitting on either of the Boards.
12. Exemption of midwives from jury service.
13. Minor amendments of the Midwives Act, 1936.

Supplementary provisions

14. Application of fees.
15. Expenses.
16. Repeals.
17. Short title, construction, citation and extent.

SCHEDULES :

First Schedule—Supplementary Provisions relating to the Central Midwives Board.

Second Schedule—Minor Amendments of the Midwives Act, 1936.

Third Schedule—Enactments Repealed.

An Act to amend the law relating to midwives.
[12th July 1950.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same as follows:—

The Central Midwives Board and the Central Midwives Board for Scotland

Power of Ministers to revise constitutions of Central Midwives Board and Central Midwives Board for Scotland.

1.—(1) If at any time it appears to the Minister of Health (hereafter in this Act referred to as "the Minister"), after consultation with such bodies and persons as appear to him to be concerned, to be expedient so to do, he may by order vary the constitution of the Central Midwives Board or reconstitute that Board.

(2) An order under the foregoing subsection may provide for any incidental or supplementary matters for which it appears to the Minister requisite or expedient for the purposes of the order to provide and in particular, but without prejudice to the generality of this subsection, may (so far as provision in that behalf appears to the Minister to be requisite or expedient for the purpose of giving full effect to the order) provide that the power of the Central Midwives Board under section three of the Midwives Act, 1902, to frame rules shall include power to frame rules with respect to such matters as may be specified in the order.

(3) The power conferred on the Minister by this section shall be exercisable by statutory instrument whereof a draft shall be laid before Parliament.

(4) Section one of the Midwives Act, 1918 (which provides for the modification of the constitution of the Central Midwives Board in pursuance of a representation in that behalf made by them to the Minister) shall cease to have effect, but this repeal shall not affect any Order in Council under that section which is in force at the passing of this Act and the provisions of any such Order in Council shall have effect as if they were contained in an order under this section.

(5) This section shall apply to Scotland with the substitution, for references to the Minister and the Central Midwives Board, of references respectively to the Secretary of State and the Central Midwives Board for Scotland, with the substitution, for the reference to section three of the Midwives Act, 1902, of a reference to section five of the Midwives (Scotland) Act, 1915, and with the substitution, for the reference to section one of the Midwives Act, 1918, of a reference to section four of the said Act of 1915.

2.—(1) On the passing of this Act the Central Midwives Incorporation Board shall become a body corporate with perpetual succession, of the Boards. a common seal and power to hold land without licence in mortmain, and the provisions contained in the First Schedule to this Act shall have effect in relation to that Board.

(2) This section and the First Schedule to this Act shall apply to Scotland with the substitution, for references to the Central Midwives Board, of references to the Central Midwives Board for Scotland, and, for the reference to section three of the Midwives Act, 1902, of a reference to section five of the Midwives (Scotland) Act, 1915, and with the omission of the words “ without licence in mortmain ”.

Certification of Midwives

3.—(1) The Central Midwives Board shall, in exercise of the power conferred on them by section three of the Midwives Act, 1902, to frame rules regulating the issue of certificates—

(a) after consultation with the Central Midwives Board for Scotland, frame rules enabling women certified under the Midwives (Scotland) Act, 1915, to be certified under the Midwives Act, 1902, on compliance with such conditions, if any, as may be specified in the rules and on payment of such fee, if any, as may be determined by the Central Midwives Board with the approval of the Minister; and

Certification
in England
of midwives
certified in
Scotland or
Northern
Ireland.

(b) after consultation with the Joint Nursing and Midwives Council for Northern Ireland, frame rules enabling women certified or deemed to have been certified under the Midwives (Ireland) Act, 1918, to be certified under the Midwives Act, 1902, on compliance with such conditions, if any, as may be specified in the rules and on payment of such fee, if any, as may be determined as aforesaid.

(2) Section ten of the Midwives Act, 1918 (which provides for the certification under the Midwives Act, 1902, of midwives certified in any part of His Majesty's dominions outside England)—

(a) shall, as respects women certified under the Midwives (Scotland) Act, 1915, cease to have effect on the date on which rules first made in pursuance of paragraph (a) of the foregoing subsection come into operation; and

(b) shall, as respects women certified or deemed to have been certified under the Midwives (Ireland) Act, 1918, cease to have effect on the date on which rules first made in pursuance of paragraph (b) of that subsection come into operation.

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(3) References in this section to the Midwives (Ireland) Act, 1918, shall be construed as references to that Act as it applies to Northern Ireland under the provisions of the Government of Ireland Act, 1920, and subject to any adaptation or amendment made by Order in Council under those provisions or by any Act of the Parliament of Northern Ireland.

Certification
in Scotland
of midwives
certified in
England or
Northern
Ireland.

4.—(1) The Central Midwives Board for Scotland shall, in exercise of the power conferred on them by section five of the Midwives (Scotland) Act, 1915, to frame rules regulating the issue of certificates—

- (a) after consultation with the Central Midwives Board, frame rules enabling women certified under the Midwives Act, 1902, to be certified under the Midwives (Scotland) Act, 1915, on compliance with such conditions, if any, as may be specified in the rules and on payment of such fee, if any, as may be determined by the Central Midwives Board for Scotland with the approval of the Secretary of State; and
- (b) after consultation with the Joint Nursing and Midwives Council for Northern Ireland, frame rules enabling women certified or deemed to have been certified under the Midwives (Ireland) Act, 1918, to be certified under the Midwives (Scotland) Act, 1915, on compliance with such conditions, if any, as may be specified in the rules and on payment of such fee, if any, as may be determined as aforesaid.

(2) Section eleven of the Midwives (Scotland) Act, 1915 (which provides for the certification under that Act of midwives certified in any part of His Majesty's dominions outside Scotland)—

- (a) shall, as respects women certified under the Midwives Act, 1902, cease to have effect on the date on which rules first made in pursuance of paragraph (a) of the foregoing subsection come into operation; and
- (b) shall, as respects women certified or deemed to have been certified under the Midwives (Ireland) Act, 1918, cease to have effect on the date on which rules first made in pursuance of paragraph (b) of that subsection come into operation.

(3) Subsection (3) of the last foregoing section shall apply for the purpose of the construction of references in this section to the Midwives (Ireland) Act, 1918.

Certification
in England
or Scotland
of midwives
trained outside
the United
Kingdom.

5.—(1) A woman who proves to the satisfaction of the Central Midwives Board that, elsewhere than in the United Kingdom, she successfully completed her training as a midwife in accordance with a scheme of training recognised by the Board as being satisfactory for the purposes of this subsection and that she is of

good character shall, on making an application in that behalf and on payment of such fee, if any, as may be determined by the Board with the approval of the Minister, be entitled to be certified under the Midwives Act, 1902.

(2) If, in the case of a woman who proves to the satisfaction of the Central Midwives Board that she successfully completed her training as a midwife elsewhere than in the United Kingdom but is unable to prove that her training was in accordance with a scheme of training recognised by the Board as being satisfactory for the purposes of the foregoing subsection, the Board are of opinion that she can properly be certified under the Midwives Act, 1902, after undergoing to their satisfaction such further training in England as may be specified by them and passing such examinations, if any, as may be so specified, they may, if they are satisfied that she is of good character, certify her under that Act if, after undergoing the specified training in England to their satisfaction and passing any specified examinations, she makes an application in that behalf and pays such fee, if any, as may be determined by the Board with the approval of the Minister.

(3) Section ten of the Midwives Act, 1918, shall, as respects women certified elsewhere than in any part of the United Kingdom, cease to have effect on the passing of this Act.

(4) This section shall apply to Scotland with the substitution, for references to the Central Midwives Board, the Minister, the Midwives Act, 1902, and England, of references respectively to the Central Midwives Board for Scotland, the Secretary of State, the Midwives (Scotland) Act, 1915, and Scotland, and with the substitution, for the reference to section ten of the Midwives Act, 1918, of a reference to section eleven of the said Act of 1915.

Miscellaneous amendments

6.—(1) The power of the Central Midwives Board under section three of the Midwives Act, 1902, to frame rules shall include power to frame rules with respect to the uniform which may be worn by midwives.

(2) In subsection (1) of section one of the Midwives Act, 1902 (which imposes a penalty on any woman who, not being certified under that Act, takes or uses the name or title of midwife, or any name, title, addition or description or badge implying that she is so certified, or is a person specially qualified to practise midwifery, or is recognised by law as a midwife), for the words "or description or badge" there shall be substituted the words "description, uniform or badge".

(3) Any agreement made (whether before or after the passing of this Act) between a local health authority or other body or association and a midwife employed by them for the purpose of attending on women in their homes as a midwife or maternity nurse shall be void in so far as it precludes the midwife from wearing a uniform prescribed by virtue of subsection (1) of this section.

(4) This section shall apply to Scotland with the substitution, for the reference to the Central Midwives Board, of a reference to the Central Midwives Board for Scotland, and with the substitution, for references to sections one and three of the Midwives Act, 1902, of references respectively to sections one and five of the Midwives (Scotland) Act, 1915.

Information as to midwives. 7.—(1) A copy of the roll of midwives shall be kept at the office of the Central Midwives Board and shall be open to the inspection of any person without charge during usual business hours.

(2) It shall be the duty of every local supervising authority to supply the secretary of the Central Midwives Board, during the month of February in each year, with the names and addresses of all midwives who, during the period of twelve months ending with the thirty-first day of January in that year, have notified the authority of their intention to practise within their area, and the Board shall publish in each year a list of the names supplied to their secretary under this subsection in that year:

Provided that, in relation to the year nineteen hundred and fifty-one, this subsection shall have effect with the substitution, for the reference to twelve months, of a reference to thirteen months.

(3) Paragraph IV of section three of the Midwives Act, 1902, and subsection (1) of section three of the Midwives Act, 1926 (which relate to the publication by the Central Midwives Board of the roll of midwives), and paragraph (5) of section eight of the Midwives Act, 1902 (which requires a local supervising authority to supply the secretary of the Central Midwives Board, in the month of January in each year, with the names and addresses of all midwives who, during the preceding year, have notified the authority of their intention to practise within their area, and to keep a current copy of the roll of midwives accessible at all times for public inspection), are hereby repealed.

(4) This section shall apply to Scotland with the substitution, for references to the Central Midwives Board, of references to

the Central Midwives Board for Scotland, and with the substitution, for subsection (3), of the following subsection:—

“(3) Paragraph (4) of section five of the Midwives (Scotland) Act, 1915, and subsection (1) of section six of the Midwives (Scotland) Act, 1927 (which relate to the publication by the Central Midwives Board for Scotland of the roll of midwives), and paragraph (6) of section sixteen of the Midwives (Scotland) Act, 1915 (which requires a local supervising authority to supply the secretary of the Central Midwives Board for Scotland, in the month of January in each year, with the names and addresses of all midwives who, during the preceding year, have notified the authority of their intention to practise within their area, and to keep a current copy of the roll of midwives accessible at all times for public inspection), are hereby repealed.”

(5) This section shall come into operation on the first day of January, nineteen hundred and fifty-one.

8.—(1) Section five of the Midwives Act, 1902 (whereof the first two provisions, as amended by the Ministry of Health Act, 1919, and subsection (3) of section nine of the Midwives Act, 1936, provide for the payment to the Central Midwives Board by a woman presenting herself for examination or certificate of such fees, not exceeding one guinea in each case, as may be determined by the Board with the approval of the Minister), shall have effect with the substitution, for the words from the beginning to “paid to the Central Midwives Board”, of the words “There shall be payable to the Central Midwives Board by a woman in respect of any examination for which she presents herself and in respect of the issue to her of a certificate such fees respectively as may be determined by the Board with the approval of the Minister”.

Fees for
examinations
and certificates.

(2) Section thirteen of the Midwives (Scotland) Act, 1915 (whereof the first two provisions, as amended by subsection (3) of section eight of the Maternity Services (Scotland) Act, 1937, provide for the payment to the Central Midwives Board for Scotland by a woman presenting herself for examination or certificate of such fees, not exceeding one guinea in each case, as may be determined by the Board with the approval of the Secretary of State), shall have effect with the substitution, for the words from the beginning to “paid to the Board”, of the words “There shall be payable to the Board by a woman in respect of any examination for which she presents herself and in respect of the issue to her of a certificate such fees respectively as may be determined by the Board with the approval of the Secretary of State”.

Power of local supervising authorities to provide residential accommodation for pupil midwives.

9.—(1) A local supervising authority may provide, or may improve or furnish, residential accommodation for women undergoing in their area courses of training with a view to obtaining certificates under the Midwives Act, 1902.

(2) The Minister may authorise a local supervising authority to purchase compulsorily land for the purpose of the provision of such accommodation as aforesaid, and the Acquisition of Land (Authorisation Procedure) Act, 1946 (except section two thereof) shall apply in relation to the compulsory purchase of land under this subsection as if it had been in force immediately before the commencement of that Act.

(3) Expenditure incurred under this section by a local supervising authority shall be deemed for the purposes of section fifty-three of the National Health Service Act, 1946 (which provides for the payment of grants to local health authorities in respect of expenditure incurred by them in carrying out their functions as local health authorities), to be expenditure incurred by the authority in carrying out their functions under that Act as a local health authority.

(4) This section shall apply to Scotland with the substitution, for references to the Minister, the Midwives Act, 1902, the Acquisition of Land (Authorisation Procedure) Act, 1946, and the National Health Service Act, 1946, of references respectively to the Secretary of State, the Midwives (Scotland) Act, 1915, the Acquisition of Land (Authorisation Procedure) (Scotland) Act, 1947, and the National Health Service (Scotland) Act, 1947.

Allowances to members of the Boards.

10.—(1) The Central Midwives Board may pay to the members thereof sums (to be calculated in accordance with directions to be given by the Minister) in respect of any loss of earnings they would otherwise have made or any additional expenses (including travelling and subsistence expenses) to which they would not otherwise have been subject, being loss or expenses necessarily suffered or incurred by them for the purpose of enabling them to perform duties as members of that Board.

(2) This section shall apply to Scotland with the substitution, for references to the Central Midwives Board and the Minister, of references respectively to the Central Midwives Board for Scotland and the Secretary of State.

Members of Parliament not to be remunerated for sitting on either of the Boards.

11. No person shall be disqualified for being elected to, or sitting or voting as a member of, the House of Commons by reason of being a member of the Central Midwives Board or the Central Midwives Board for Scotland; but, in relation to a member of either of those Boards who is a member of the House of Commons, section ten of this Act shall have effect with the omission of references to loss of earnings.

12. A practising midwife shall be exempt from serving on any jury. Exemption of midwives from jury service.

13. The provisions of the Midwives Act, 1936, specified in the first column of the Second Schedule to this Act shall have effect subject to the amendments respectively specified in relation thereto in the second column of that Schedule, being minor amendments consequential on the repeal and re-enactment of section one of that Act and the Nursing Homes Registration Act, 1927. Minor amendments of the Midwives Act, 1936.

Supplementary provisions

14. Any sums received by the Central Midwives Board by way of fees under this Act shall be dealt with by that Board as if they had been received by way of fees under the Midwives Act, 1902, and any sums received by the Central Midwives Board for Scotland by way of fees under this Act shall be dealt with by that Board as if they had been received by way of fees under the Midwives (Scotland) Act, 1915. Application of fees.

15. Any increase attributable to the passing of this Act in the sums which, under Part I or II of the Local Government Act, 1948, are payable out of moneys provided by Parliament shall be defrayed out of moneys so provided. Expenses.

16.—(1) The enactments mentioned in the first and second columns of Part I of the Third Schedule to this Act, being enactments which to the extent specified in the third column of that Part of that Schedule should be repealed in view of the foregoing provisions of this Act, are hereby repealed to the extent so specified. Repeals.

(2) The enactments mentioned in the first and second columns of Part II of the Third Schedule to this Act, being enactments which to the extent specified in the third column of that Part of that Schedule have by lapse of time or otherwise become obsolete or unnecessary and which should be repealed with a view to the consolidation of enactments relating to midwives, are hereby repealed to the extent so specified.

17.—(1) This Act may be cited as the Midwives (Amendment) Act, 1950. Short title, construction, citation and extent.

(2) This Act shall, in its application to England, be construed as one with the Midwives Acts, 1902 to 1936, and, in its application to Scotland, be construed as one with the Midwives (Scotland) Acts, 1915 and 1927.

(3) The Midwives Acts, 1902 to 1936, and this Act may be cited together as the Midwives Acts, 1902 to 1950, and the Midwives (Scotland) Acts, 1915 and 1927, the Maternity Services (Scotland) Act, 1937, and this Act may be cited together as the Midwives (Scotland) Acts, 1915 to 1950.

(4) This Act shall not extend to Northern Ireland.

SCHEDULES

Section 2.

FIRST SCHEDULE

SUPPLEMENTARY PROVISIONS RELATING TO THE CENTRAL MIDWIVES BOARD

1. The Central Midwives Board shall appoint one of the members thereof to act as chairman of the Board and may appoint another of the members thereof to act as deputy chairman in the absence of the chairman.

2. The powers of the Central Midwives Board may be exercised notwithstanding a vacancy in the membership of the Board.

3. The quorum of the Central Midwives Board shall be such as may be prescribed by rules framed by them under section three of the Midwives Act, 1902.

4. The Central Midwives Board may constitute such committees consisting of members of the Board as the Board consider it desirable for the exercise or performance of any of their powers or duties to constitute.

5. The Central Midwives Board may enter into such agreements, acquire such property and do such things as may, in the opinion of the Board, be necessary or desirable for the exercise or performance of any of their powers or duties, and may dispose as they think fit of any property acquired by them.

6. The seal of the Central Midwives Board shall be authenticated by the signature of the chairman of the Board or some other member of the Board authorised by the Board to act in that behalf, and of the secretary of the Board or some other person authorised by the Board so to act.

7. Every document purporting to be a document duly executed or issued either under the seal of the Central Midwives Board authenticated in the manner provided by this Schedule or on behalf of the Board, or purporting to be signed by the secretary of the Board or any person authorised to act in that behalf, shall, until the contrary is proved, be deemed to be a document so executed or issued, or so signed, as the case may be.

SECOND SCHEDULE

Section 13.

MINOR AMENDMENTS OF THE MIDWIVES ACT, 1936

*Provisions amended and
subject matter thereof**Amendments*

- Subsection (3) of section two
(Superannuation rights of certain midwives employed by local supervising authorities in pursuance of the Act).
- The first reference to the Midwives Act, 1936, shall be construed as including a reference to section twenty-three of the National Health Service Act, 1946.
- Section six
(Prohibition of unqualified persons from acting as maternity nurses for gain).
- The references, in paragraph (b) of the proviso to subsection (1), to the Nursing Homes Registration Act, 1927, and sections six and ten of that Act shall—
- (a) in the application of that subsection elsewhere than to the administrative county of London, be construed respectively as references to Part VI of the Public Health Act, 1936, and sections one hundred and ninety-two and one hundred and ninety-nine of that Act; and
- (b) in the application of that subsection to the administrative county of London, be construed respectively as references to Part XI of the Public Health (London) Act, 1936, and sections two hundred and forty-six and three hundred and four of that Act.
- The reference in subsection (2) to the Midwives Act, 1936, shall be construed as a reference to section twenty-three of the National Health Service Act, 1946.

Section 16.

THIRD SCHEDULE
ENACTMENTS REPEALED

PART I

REPEALS CONSEQUENTIAL ON PROVISIONS OF THIS ACT

Session and Chapter	Short Title	Extent of Repeal
2 Edw. 7. c. 17	The Midwives Act, 1902	In section three, the words from "And generally" to "this Act".
5 & 6 Geo. 5. c. 91.	The Midwives (Scotland) Act, 1915.	In section seven, the words "purporting to be" and (in the second place where they occur) the words "to be". In section three, the words from "the Board may act" to "from their own number" and the words from "and the members shall be paid" to the end of the section. In section five, the words from "and generally" to "this Act". In section fifteen, the words "purporting to be", wherever they occur, and the words "to be" where they occur in the second place in the second paragraph.
8 & 9 Geo. 5. c. 43.	The Midwives Act, 1918	In section three, the words "purporting to be".
16 & 17 Geo. 5. c. 32.	The Midwives Act, 1926	Section four. In section four, the words from "and if any" to "description".
17 & 18 Geo. 5. c. 17.	The Midwives (Scotland) Act, 1927.	In section seven, in subsection (1), the words from "and if any" to the end of the subsection.
26 Geo. 5. & 1 Edw. 8. c. 40.	The Midwives Act, 1936	In section nine, subsection (3).
1 Edw. 8. & 1 Geo. 6. c. 30.	The Maternity Services (Scotland) Act, 1937.	In section eight, subsection (3).

PART II

REPEALS OF OBSOLETE OR UNNECESSARY ENACTMENTS

Session and Chapter	Short Title	Extent of Repeal
2 Edw. 7. c. 17	The Midwives Act, 1902	In section one, in subsection (3), the words "and regulations." In section three, in paragraph I, sub-paragraph (d), and in paragraph V, the words "and regulations."

Session and Chapter	Short Title	Extent of Repeal
2 Edw. 7. c. 17 —cont.	The Midwives Act, 1902 —cont.	In section seven, the words “ in all courts ” and the words “ until the contrary be made to appear.” In section eight, paragraph (7). In section twelve, the words “ with or without hard labour.” Section fourteen.
5 & 6 Geo. 5. c. 91.	The Midwives (Scotland) Act, 1915.	In section one, in subsection (3), the words “ and regulations ” and, in subsection (5), the words “ by the rules of approved societies or insurance committees.” Section two. In section three, the words from “ which shall consist of ” to “ British Medical Association ”, the words “ as aforesaid ”, and the words from “ The meetings of the Board ” to “ Edinburgh.” In section five, in paragraph (1), sub-paragraph (d), and in paragraph (5), the words “ and regulations.” In section six, in subsection (1), in paragraph (a), the words “ or regulations.” In section nine, the words “ or regulations.” In section fifteen, the words “ in all courts ” and the words “ until the contrary be made to appear.” In section sixteen, paragraph (7), and the words “ and women shall be eligible to serve on any such committees.” In section twenty, the words “ with or without hard labour.” Section twenty-seven. In section six, in subsection (1), in paragraph (a), the words “ or regulations.” In section eight, in subsection (2), the words “ or regulations.” In section nine, subsection (5).
8 & 9 Geo. 5. c. 43.	The Midwives Act, 1918	In section six, in subsection (1), in paragraph (a), the words “ or regulations.”
26 Geo. 5. & 1 Edw. 8. c. 40.	The Midwives Act, 1936	In section nine, subsection (5).

3RD SCH.
—cont.

Table of Statutes referred to in this Act.

Short Title	Session and Chapter
Midwives Act, 1902	2 Edw. 7. c. 17.
Midwives (Scotland) Act, 1915	5 & 6 Geo. 5. c. 91.
Midwives Act, 1918	8 & 9 Geo. 5. c. 43.
Midwives (Ireland) Act, 1918	7 & 8 Geo. 5. c. 59.
Government of Ireland Act, 1920	10 & 11 Geo. 5. c. 67.
Midwives Act, 1926	17 & 18 Geo. 5. c. 17.
Midwives (Scotland) Act, 1927	17 & 18 Geo. 5. c. 17.
Nursing Homes Registration Act, 1927	17 & 18 Geo. 5. c. 38.
Midwives Act, 1936	26 Geo. 5. & 1 Edw. 8. c. 40.
Public Health Act, 1936	26 Geo. 5. & 1 Edw. 8. c. 49.
Public Health (London) Act, 1936	26 Geo. 5. & 1 Edw. 8. c. 50.
Maternity Services (Scotland) Act, 1937	1 Edw. 8. & 1 Geo. 6. c. 30.
Acquisition of Land (Authorisation Procedure) Act, 1946	9 & 10 Geo. 6. c. 49.
National Health Service Act, 1946	9 & 10 Geo. 6. c. 81.
National Health Service (Scotland) Act, 1947	10 & 11 Geo. 6. c. 27.
Acquisition of Land (Authorisation Procedure) (Scotland) Act, 1947	10 & 11 Geo. 6. c. 42.
Local Government Act, 1948	11 & 12 Geo. 6. c. 26.

CHAPTER 14

International Organisations (Immunities and Privileges) Act, 1950

ARRANGEMENT OF SECTIONS

Section

1. Immunities, privileges and capacities of certain international organisations and persons connected therewith.
2. Publication of lists of persons entitled to immunities and privileges under preceding section.
3. Immunities and privileges of judges of, and suitors to, the International Court of Justice.
4. Diplomatic immunities of representatives attending international conferences.
5. Reciprocal treatment.
6. Orders in Council.
7. Repeal and savings.
8. Short title.

SCHEDULE.—Immunities and Privileges.

An Act to consolidate the Diplomatic Privileges (Extension) Acts, 1944 to 1950. [12th July 1950.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

1.—(1) This section shall apply to any organisation declared by Order in Council to be an organisation of which the United Kingdom or His Majesty's Government therein and one or more foreign sovereign Powers or the government or governments thereof are members.

Immunities, privileges and capacities of certain international organisations and persons connected therewith.

(2) His Majesty may by Order in Council—

(a) provide that any organisation to which this section applies (hereinafter referred to as "the organisation") shall, to such extent as may be specified in the Order, have the immunities and privileges set out in Part I of the Schedule to this Act, and shall also have the legal capacities of a body corporate;

(b) confer upon—

(i) any persons who are representatives (whether of governments or not) on any organ of the organisation or are members of any committee of the organisation or of an organ thereof;

(ii) such number of officers of the organisation as may be specified in the Order, being the holders of such high offices in the organisation as may be so specified; and

(iii) such persons employed on missions on behalf of the organisation as may be so specified;

to such extent as may be specified in the Order, the immunities and privileges set out in Part II of the Schedule to this Act;

(c) confer upon such other classes of officers and servants of the organisation as may be specified in the Order, to such extent as may be so specified, the immunities and privileges set out in Part III of the Schedule to this Act;

and Part IV of the Schedule to this Act shall have effect for the purpose of extending to the staffs of such representatives and members as are mentioned in sub-paragraph (i) of paragraph (b) of this subsection and to the families of officers of the organisation any immunities and privileges conferred on the representatives,

members or officers under that paragraph, except in so far as the operation of the said Part IV is excluded by the Order conferring the immunities and privileges:

Provided that the Order in Council shall be so framed as to secure that there are not conferred on any person any immunities or privileges greater in extent than those which, at the time of the making of the Order, are required to be conferred on that person in order to give effect to any international agreement in that behalf and that no immunity or privilege is conferred upon any person as the representative of His Majesty's Government in the United Kingdom or as a member of the staff of such a representative.

Publication of lists of persons entitled to immunities and privileges under preceding section.

2.—(1) Where immunities and privileges are conferred on any persons by an Order in Council made under subsection (2) of the foregoing section, the Secretary of State—

- (a) shall compile a list of the persons entitled to immunities and privileges conferred under paragraph (b) of that subsection, and may compile a list of the persons entitled to immunities and privileges conferred under paragraph (c) of that subsection;
- (b) shall cause any list compiled under this subsection to be published in the London, Edinburgh and Belfast Gazettes; and
- (c) whenever any person ceases or begins to be entitled to the immunities and privileges to which any such list relates, shall amend the list and cause a notice of the amendment or, if he thinks fit, an amended list, to be published as aforesaid.

(2) Every list or notice published under the foregoing subsection shall state the date from which the list or amendment takes or took effect; and the fact that any person is or was included or not included at any time among the persons entitled to the immunities and privileges in question may, if a list of those persons has been so published, be conclusively proved by producing the Gazette containing the list or, as the case may be, the last list taking effect before that time, together with the Gazettes (if any) containing notices of the amendments taking effect before that time, and by showing that the name of that person is or was at that time included or not included in the said list.

Immunities and privileges of judges of, and suitors to, the International Court of Justice.

3.—(1) His Majesty may, by Order in Council, confer on the judges and registrars of the International Court, and on suitors to that Court and their agents, counsel and advocates, such immunities, privileges and facilities as may be required to give effect to any resolution of, or convention approved by, the General Assembly of the United Nations.

(2) In this section the expression “ the International Court ” means the International Court of Justice set up under the Charter of the United Nations.

4.—(1) Where a conference is held in the United Kingdom and is attended by the representatives of His Majesty’s Government in the United Kingdom and the government or governments of one or more foreign sovereign Powers, and it appears to the Secretary of State that doubts may arise as to the extent to which the representatives of such foreign Powers and members of their official staffs are entitled to diplomatic immunities, he may—

- (a) compile a list of the persons aforesaid who are entitled to such immunities, and cause that list to be published in the London, Edinburgh, and Belfast Gazettes; and
- (b) whenever it appears to the Secretary of State that any person ceases or begins to be entitled to such immunities, amend the list and cause a notice of the amendment or, if he thinks fit, an amended list, to be published as aforesaid;

and every representative of a foreign Power who is for the time being included in the list shall, for the purpose of any enactment and rule of law or custom relating to the immunities of an envoy of a foreign Power credited to His Majesty, and of the retinue of such an envoy, be treated as if he were such an envoy, and such of the members of his official staff as are for the time being included in the list shall be treated for the purpose aforesaid as if they were his retinue.

(2) Every list or notice published under the foregoing subsection in relation to any conference shall include a statement of the date from which the list or amendment takes or took effect; and the fact that any person is or was included or not included at any time among the persons entitled to diplomatic immunities as representatives attending the conference or as members of the official staff of any such representative may, if a list of those persons has been so published, be conclusively proved by producing the Gazette containing the list or, as the case may be, the last list taking effect before that time, together with the Gazettes (if any) containing notices of the amendments taking effect before that time, and by showing that the name of that person is or was at that time included or not included in the said list.

5. Nothing in the foregoing provisions of this Act shall be construed as precluding His Majesty from declining to accord immunities or privileges to, or from withdrawing immunities or privileges from, nationals or representatives of any Power on the ground that that Power is failing to accord corresponding immunities or privileges to British nationals or representatives.

Orders in
Council.

6.—(1) A draft of any Order in Council proposed to be made under this Act shall be laid before Parliament and the draft shall not be submitted to His Majesty except in pursuance of an address presented by each House of Parliament praying that the Order be made.

(2) Any power conferred by this Act to make an Order in Council shall be construed as including a power to revoke or vary the Order in Council by a subsequent Order in Council made in accordance with the foregoing subsection.

Repeal and
savings.

7.—(1) The Diplomatic Privileges (Extension) Acts, 1944 to 1950, are hereby repealed.

(2) Nothing in this Act shall affect any Order in Council made, list or notice published or condition prescribed under an enactment repealed by this Act, but any such Order in Council, list, notice or condition shall, if in force at the commencement of this Act, continue in force and, so far as it could have been made, published or prescribed under this Act, have effect as if so made, published or prescribed.

(3) Any document referring to an enactment repealed by this Act shall be construed as referring to the corresponding provision of this Act.

52 & 53 Vict.
c. 63.

(4) The mention of particular matters in this section shall not be taken as prejudicing the operation of section thirty-eight of the Interpretation Act, 1889, with regard to the effect of repeals.

Short title.

8. This Act may be cited as the International Organisations (Immunities and Privileges) Act, 1950.

Section 1.

SCHEDULE

IMMUNITIES AND PRIVILEGES

PART I

Immunities and privileges of the organisation

1. Immunity from suit and legal process.
2. The like inviolability of official archives and premises occupied as offices as is accorded in respect of the official archives and premises of an envoy of a foreign sovereign Power accredited to His Majesty.
3. The like exemption or relief from taxes and rates, other than taxes on the importation of goods, as is accorded to a foreign sovereign Power.
4. Exemption from taxes on the importation of goods directly imported by the organisation for its official use in the United Kingdom or for exportation, or on the importation of any publications of the

organisation directly imported by it, such exemption to be subject to compliance with such conditions as the Commissioners of Customs and Excise may prescribe for the protection of the Revenue.

5. Exemption from prohibitions and restrictions on importation or exportation in the case of goods directly imported or exported by the organisation for its official use and in the case of any publications of the organisation directly imported or exported by it.

6. The right to avail itself, for telegraphic communications sent by it and containing only matter intended for publication by the press or for broadcasting (including communications addressed to or despatched from places outside the United Kingdom), of any reduced rates applicable for the corresponding service in the case of press telegrams.

PART II

Immunities and privileges of representatives, members of committees, high officers and persons on missions

7. The like immunity from suit and legal process as is accorded to an envoy of a foreign sovereign Power accredited to His Majesty.

8. The like inviolability of residence as is accorded to such an envoy.

9. The like exemption or relief from taxes as is accorded to such an envoy.

PART III

Immunities and privileges of other officers and servants

10. Immunity from suit and legal process in respect of things done or omitted to be done in the course of the performance of official duties.

11. Exemption from income tax in respect of emoluments received as an officer or servant of the organisation.

PART IV

Immunities and privileges of official staffs and of high officers' families

12. Where any person is entitled to any such immunities and privileges as are mentioned in Part II of this Schedule as a representative on any organ of the organisation or a member of any committee of the organisation or of an organ thereof, his official staff accompanying him as such a representative or member shall also be entitled to those immunities and privileges to the same extent as the retinue of an envoy of a foreign sovereign Power accredited to His Majesty is entitled to the immunities and privileges accorded to the envoy.

13. Where any person is entitled to any such immunities and privileges as are mentioned in Part II of this Schedule as an officer of the organisation, that person's wife or husband and children under the age of twenty-one shall also be entitled to those immunities and privileges to the same extent as the wife or husband and children of an envoy of a foreign sovereign Power accredited to His Majesty are entitled to the immunities and privileges accorded to the envoy.



CHAPTER 15*Finance Act, 1950*

ARRANGEMENT OF SECTIONS

PART I

CUSTOMS, EXCISE AND PURCHASE TAX

Hydrocarbon oils, etc.

Section

1. Hydrocarbon oils (rate of customs duty and rebate).
2. Hydrocarbon oils (excise).
3. Petrol substitutes (excise).
4. Power methylated spirits (rate of excise duty).
5. Minor amendments about hydrocarbon oils.

Other provisions about particular duties or articles

6. Beer (customs and excise).
7. Spirits (allowances on export, etc.).
8. Increase of quota for colonial certificated sugar.
9. Extension of special power to remove or reduce additional import duties on iron and steel goods.
10. Amendment as to relief from import duties of certain machinery.
11. Duty free importations for industrial research.
12. Amendment of powers to allow drawback.
13. Excise licences for tractors, etc.
14. Reduction of full rates of entertainments duty.
15. Reduction of entertainments duty in certain cases.
16. Extension of s. 1 (3) of Finance Act, 1935.
17. Pool betting duty.
18. Road vehicles and road vehicle chassis (purchase tax).
19. Extension of purchase tax exemption for war memorials.

General provisions

20. Supply of duty free goods to H.M. ships.
21. Repayment of customs duty where goods returned or destroyed by importer.

PART II

INCOME TAX

22. Charge of income tax for 1950-51.
23. Higher rates of income tax for 1949-50.
24. Increase in reduced rate relief and consequential alteration in marginal relief for small incomes.
25. Relaxation of conditions for grant of "age relief" under the Finance Act, 1925, s. 15 (2).
26. Surtax to be charged on consideration for certain restrictive covenants, etc.
27. Payments for wayleaves, etc., for electric lines.
28. Continuation of period for which mills, factories allowances may be given.
29. Contributions under Superannuation Act (Northern Ireland) 1949, not to qualify for income tax relief.
30. General rule as to income tax on husbands and wives.
31. Consequences, as respects personal allowances, of exercise of option by husband or wife for separate assessment.
32. Collection from wife of tax assessed on husband attributable to her income.
33. Right of husband to disclaim liability for tax on deceased wife's income.

Section

34. Construction of references to married women living with their husbands, and special provisions as to certain spouses geographically separated.
35. Repeal of certain provisions as to married women.

PART III

MISCELLANEOUS PROVISIONS AS TO INCOME TAX AND OTHER TAXES

36. Unilateral relief for double taxation.
37. Extension of charities relief to certain bodies as respects past periods.
38. Extension of charities relief to certain scientific research Associations.
39. Treatment for taxation purposes of enemy debts, etc., written off during the war.
40. Modification of last preceding section in the case of recoveries by assignees and in certain cases of subsidiary companies.
41. Remission in certain cases of interest on tax in arrear by reason of exchange restrictions.
42. Proceedings for penalties, etc.

PART IV

ESTATE DUTY

43. Disposition or determination of life interests, etc.
44. Collection of duty from trustees after disposition or determination of life interest, etc.
45. Parliamentary settled estates.
46. Dispositions in favour of relatives.
47. Amendment of s. 51 of Finance Act, 1940.
48. Objects of national, scientific, historic or artistic interest.

PART V

MISCELLANEOUS

49. Provisions as to permanent annual charge for the National Debt and as to the Old Sinking Fund.
50. Short title, construction, extent and repeals.

SCHEDULES :

First Schedule.—Hydrocarbon oils (excise): enactments applied.

Second Schedule.—Beer (rates of duty and drawback).

Third Schedule.—Section 4 (2) of the Vehicles (Excise) Act, 1949, as amended.

Fourth Schedule.—Entertainments: full rates of duty.

Fifth Schedule.—Purchase tax: supplementary provisions as to road vehicle chassis and road vehicles.

Part I.—Provisions dealing with tax in respect of road vehicle chassis.

Part II.—Provisions adjusting contractual rights in relation to purchase tax in respect of road vehicles.

Sixth Schedule.—Double taxation relief.

Seventh Schedule.—Section 43 (1) and (2) of the Finance Act, 1940.

Eighth Schedule.—Enactments repealed.

Part I.—Repeals having effect from beginning of 1951.

Part II.—Miscellaneous repeals.

An Act to grant certain duties and alter other duties, to make certain amendments of the law relating to purchase tax, to amend the law relating to other branches of the public revenue or to the National Debt, and to make further provision in connection with Finance. [28th July 1950.]

Most Gracious Sovereign,

WE, Your Majesty's most dutiful and loyal subjects, the Commons of the United Kingdom in Parliament assembled, towards raising the necessary supplies to defray Your Majesty's public expenses, and making an addition to the public revenue, have freely and voluntarily resolved to give and grant unto Your Majesty the several duties hereinafter mentioned; and do therefore most humbly beseech Your Majesty that it may be enacted, and be it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same as follows:—

PART I

CUSTOMS, EXCISE AND PURCHASE TAX

Hydrocarbon oils, etc.

Hydrocarbon oils (rate of customs duty and rebate).

1.—(1) The rate of the duty of customs charged under section two of the Finance Act, 1928, on hydrocarbon oils shall be eighteen pence a gallon (instead of being ninepence a gallon as provided by section one of the Finance Act, 1938).

(2) The rate of any rebate allowed under subsection (3) of the said section two on the delivery for home consumption of oils other than light oils within the meaning of that subsection shall be as follows:—

(a) in the case of the oils mentioned in the next following subsection, it shall be eighteen pence a gallon (instead of being ninepence a gallon as provided by section one of the Finance Act, 1947);

(b) in any other case it shall be seventeen pence a gallon (instead of being eightpence a gallon as provided by section one of the Finance Act, 1938).

(3) The oils (not being light oils) to which paragraph (a) of the last foregoing subsection applies are—

(a) fuel oils (that is to say, oils which contain in solution an amount of hard asphalt of not less than one half of one per cent.); and

(b) gas oils (that is to say, oils of which not more than fifty per cent. by volume distils at a temperature not exceeding two hundred and forty degrees centigrade.

and of which more than fifty per cent. by volume distils at a temperature not exceeding three hundred and forty degrees centigrade); and

- (c) kerosene (that is to say, oils of which more than fifty per cent. by volume distils at a temperature not exceeding two hundred and forty degrees centigrade).

(4) The method of testing any oils for the purpose of the last foregoing subsection shall be such as the Commissioners may direct.

(5) For the purposes of section two of the Finance Act, 1935 (which disallows rebate on heavy oils used as road fuel), the rebate allowed on oils of any description shall not be treated as having been repaid unless it has been repaid at the rate for the time being in force for oils of that description.

(6) This section shall have effect as from six o'clock in the evening of the eighteenth day of April, nineteen hundred and fifty, but the last foregoing subsection shall not apply to any rebate repaid before that hour.

2.—(1) Subject to the provisions of this section—

Hydrocarbon
oils (excise).

(a) there shall be charged on any hydrocarbon oils to which this section applies a duty of excise at the rate at which the duty of customs on hydrocarbon oils is for the time being chargeable under section two of the Finance Act, 1928, less ninepence a gallon or such other amount per gallon as may from time to time be directed by order of the Treasury: and

(b) in the case of oils other than light oils, there shall be allowed from that duty a rebate, at the rate for the time being in force for the duty, on any oils charged with the duty and not excluded from rebate by section two of the Finance Act, 1935 (which relates to oils used as road fuel).

(2) This section shall apply to hydrocarbon oils produced in the United Kingdom, if so produced on or after the relevant date or if stored on or after the relevant date in a refinery or on other premises in the United Kingdom used for the production of hydrocarbon oils or on premises containing any bonded storage for hydrocarbon oils:

Provided that it shall not apply—

- (a) to oils on which a duty of customs is chargeable under section two of the Finance Act, 1928; or
- (b) to any such oils as are exempted from that duty by subsection (5) of section six of the Finance Act, 1933 (which relates to solid or semi-solid substances).

PART I
—*cont.*

(3) The duty under this section and any rebate from that duty shall be charged or allowed in the case of any oils when they are first (on or after the relevant date) either—

- (a) delivered for home consumption from a refinery or from other premises used for the production of hydrocarbon oils or from premises containing any bonded storage for hydrocarbon oils ; or
- (b) removed to a refinery which it appears to the Commissioners is not primarily used for the production of hydrocarbon oils and which is for the time being specified in a direction given by the Commissioners for this purpose ; or
- (c) used in a refinery in such circumstances that an allowance is payable in respect thereof under subsection (4) of section eight of the Finance (No. 2) Act, 1945 ;

and shall be charged or allowed according to the quantity so delivered or removed or the quantity treated for the purposes of the said section eight as so used, as the case may be.

(4) In the enactments mentioned in the First Schedule to this Act references to the customs duty on hydrocarbon oils under section two of the Finance Act, 1928, to drawback of that duty and to rebate under subsection (3) of that section shall respectively include references to the duty under this section, to drawback thereof and to rebate under this section, and in section two of the Finance Act, 1935, after the words “ bill of entry ” in subsection (2) there shall be inserted the words “ or home consumption warrant ” and the words “ in the case of imported oils ” in subsection (4) shall be omitted.

(5) The Commissioners may by statutory instrument make regulations—

- (a) for prohibiting the production of hydrocarbon oils or any description thereof except by a person holding a licence, and for requiring premises used for the production of any such oils to be entered with the Commissioners ; and
- (b) for fixing the date of expiration of any such licence ; and
- (c) for regulating (with a view to securing the collection of any duty under this section) the production, storage and warehousing of hydrocarbon oils or any description thereof, and the removal of any such oils to or from premises used for the production of any such oils ; and
- (d) for relieving from the duty under this section oils intended for exportation or shipment as stores ; and
- (e) generally for securing and collecting the duty under this section ;

and may by the regulations apply to the duty and drawback under this section and to producers of hydrocarbon oils or any

description thereof any enactments relating to any duty or drawback of excise or customs and to persons carrying on any trade subject to the law of excise.

PART I
—cont.

(6) If any person acts in contravention of, or fails to comply with, any regulations made under this section he shall be liable at the option of the Commissioners either to an excise penalty equal to three times the value of the goods in respect of which the offence was committed (including the full amount of the duty, if any, chargeable thereon) or to an excise penalty of one hundred pounds, and the goods in respect of which the offence was committed shall be forfeited.

(7) The power of the Treasury to make orders under subsection (1) of this section shall be exercisable by statutory instrument, which shall be laid before the Commons House of Parliament after being made and,—

- (a) if it increases the rate of duty under this section, shall cease to have effect on the expiration of a period of twenty-eight days from the date on which it is made, unless at some time before the expiration of that period it has been approved by a resolution of that House (but without prejudice to anything previously done thereunder or to the making of a new order); and
- (b) if it does not increase the rate of duty under this section, shall be subject to annulment in pursuance of a resolution of that House.

In reckoning any such period of twenty-eight days as aforesaid no account shall be taken of any time during which Parliament is dissolved or prorogued or during which the Commons House is adjourned for more than four days.

(8) For the purposes of this section—

- (a) references to the production of hydrocarbon oils include references to—
 - (i) the obtaining of one description of hydrocarbon oils from another description thereof; and
 - (ii) the subjecting of hydrocarbon oils to any process of purification or blending; as well as references to the obtaining of hydrocarbon oils from other substances or from any natural source, and any reference to producers of hydrocarbon oils shall be construed accordingly;
- (b) the expressions “hydrocarbon oils”, “light oils” and “refinery” have the same meanings as in section two of the Finance Act, 1928.

(9) This section shall have effect as from the nineteenth day of April, nineteen hundred and fifty, and references in this section to the relevant date refer to that day.

PART I
—cont.
Petrol
substitutes
(excise).

3.—(1) Subject to the provisions of this section, there shall be charged a duty of excise on any petrol substitute which is sent out from the premises of a person producing or dealing in petrol substitutes and was not acquired by him duty paid under this section.

(2) The rate of duty under this section shall be the same as that at which the duty of excise on hydrocarbon oils is for the time being chargeable under the last foregoing section.

(3) For the purposes of this section, the expression “petrol substitute” means any liquid intended to take the place of petrol as fuel for internal combustion piston engines, being neither a hydrocarbon oil (within the meaning of section two of the Finance Act, 1928) nor power methylated spirits.

(4) The Commissioners may by statutory instrument make regulations—

- (a) for prohibiting the production of petrol substitutes, and dealing in petrol substitutes on which duty has not been paid, except by persons holding a licence and having made entry for the purpose ; and
- (b) for fixing the date of expiration of any such licence ; and
- (c) for regulating (with a view to securing the collection of any duty under this section) the production, dealing in, storage and warehousing of petrol substitutes and their removal to or from premises used therefor ; and
- (d) generally for securing and collecting the duty under this section ;

and may by the regulations apply to that duty and to persons producing or dealing in petrol substitutes any enactments relating to any duty of excise or customs and to persons carrying on any trade subject to the law of excise.

(5) If any person—

- (a) uses as fuel for an internal combustion piston engine any liquid which is neither a hydrocarbon oil (within the meaning of section two of the Finance Act, 1928) nor power methylated spirits and which he knows or has reasonable cause to believe not to be duty paid under this section ; or
- (b) acts in contravention of, or fails to comply with, any regulations made under the last foregoing subsection ;

he shall be liable at the option of the Commissioners either to an excise penalty equal to three times the value of the goods in respect of which the offence was committed (including the full amount of the duty, if any, chargeable thereon) or to an excise penalty of one hundred pounds, and the goods in respect of which the offence is committed shall be forfeited.

(6) This section shall have effect as from the nineteenth day of April, nineteen hundred and fifty, but where any petrol substitute has before that date been sent out from the premises of a person producing or dealing in petrol substitutes it shall not be chargeable with duty under this section by reason of its being again sent out as aforesaid after that date nor shall paragraph (a) of subsection (5) of this section apply to it.

PART I
—cont.

4.—(1) The rate of the duty of excise charged under section three of the Finance Act, 1938, on spirits used for making power methylated spirits shall be increased from ninepence a gallon to eighteen pence a gallon. Power methylated spirits (rate of excise duty).

(2) This section shall have effect as from the nineteenth day of April, nineteen hundred and fifty.

5.—(1) For the purposes of the customs duty charged on hydrocarbon oils by section two of the Finance Act, 1928, and of the excise duty charged thereon by this Act, oils satisfying any of the requirements specified in the definition of light oils in subsection (3) of the said section two shall nevertheless be treated as not being light oils if they are of a description to which this subsection is for the time being applied by direction of the Treasury: Minor amendments about hydrocarbon oils.

Provided that the Treasury shall not direct that this subsection shall apply to any description of oils unless they are satisfied that the description is one which should, according to its use, be classed with oils that are not light oils within that definition.

(2) The power of the Commissioners to make regulations under section three of the Finance Act, 1928, shall include power to make regulations prohibiting the incorporation of gas in hydrocarbon oils elsewhere than in a refinery; and it is hereby declared that (except in so far as the contrary intention appears)—

- (a) any reference in that section to hydrocarbon oils applies to hydrocarbon oils whether or not imported or produced from imported materials; and
- (b) any of the powers conferred by that section may be exercised either as respects all hydrocarbon oils or as respects any class of hydrocarbon oils, and in particular (but without prejudice to the generality of this provision) oils may be divided for the purpose into oils which have, and oils which have not, been imported or produced from imported oils, and (in the case of oils not so imported or produced) into oils which have, and oils which have not, been produced from imported materials.

Other provisions about particular duties or articles

6.—(1) Section one of the Finance (No. 2) Act, 1939 (which imposes duties of excise and customs in respect of beer and Beer (customs and excise).

H

PART I
—*cont.*

provides for drawbacks from those duties), shall have effect as if the Second Schedule to this Act were substituted for the First Schedule to that Act:

Provided that this section shall not apply to reduce any drawback in respect of beer as to which it is shown to the satisfaction of the Commissioners that duty was paid at the rate in force before the coming into force of this section.

(2) This section shall have effect as from the nineteenth day of April, nineteen hundred and fifty.

Spirits
(allowances on
export, etc.).

7. In section eleven of the Finance (No. 2) Act, 1945 (which abolished certain allowances in respect of spirits exported or otherwise disposed of), any saving for spirits warehoused or distilled before the beginning of the year nineteen hundred and forty-six shall cease to have effect as from the first day of May, nineteen hundred and fifty, and accordingly the proviso to that section is hereby repealed as from that date.

**Increase of
quota for
colonial
certificated
sugar.**

8. The maximum quantity of sugar in respect of which quota certificates may be issued under section one of the Finance Act, 1934 (which, inter alia, provides a special preference in respect of colonial sugar), shall, as respects the financial year ending with the thirty-first day of March, nineteen hundred and fifty-one and subsequent financial years, be five hundred and twenty-five thousand tons, instead of four hundred thousand tons (the quantity allowed under section two of the Finance Act, 1944).

**Extension of
special power
to remove or
reduce
additional
import duties
on iron and
steel goods.**

9. At the end of the First Schedule to the Finance Act, 1936 (which sets out the descriptions of iron and steel goods on which under section six of that Act additional import duty may be removed or reduced in the case of goods accompanied by a certificate of origin and a quota certificate), there shall be added the entry:—

“ Tubes, pipes and pipe and tube fittings ”.

**Amendment as
to relief from
import duties
of certain
machinery.**

10.—(1) Section ten of the Finance Act, 1932 (which authorises the issue of licences for the importation of certain machinery without payment of all or any of the duties under the Import Duties Act, 1932), shall apply, with the necessary modifications of references to importation without payment of duty, to a case where a consignment of machinery is imported and the necessary application is made after the importation but before delivery of the consignment to the importer, as it applies to a case where it is proposed to import a consignment of machinery and the necessary application is made before the importation.

(2) Subject to such conditions as the Commissioners may impose for the protection of the revenue, any duty paid under the Import Duties Act, 1932, on the importation of any consign-

ment of machinery shall be repaid, if the Commissioners are satisfied that a licence in respect of the consignment has subsequently been issued under the said section ten by virtue of this section.

PART I
—cont.

11.—(1) Where the Board of Trade are satisfied that any goods imported or proposed to be imported after the coming into force of this section are intended and are reasonably required for the purpose of subjecting the goods, or any material or component in the goods, to examination or tests with a view to promoting or improving the manufacture in the United Kingdom of articles similar to those goods or to that material or component, as the case may be, the Board may if in view of all the circumstances of the case they deem it expedient so to do recommend the Treasury to direct that the next following subsection shall apply to the goods, and if on that recommendation the Treasury so direct the said subsection shall apply accordingly :

Duty free
importations
for industrial
research.

Provided that in giving any such direction the Treasury may themselves impose conditions for restricting the use or disposal of the goods and may authorise the Commissioners to impose conditions for the protection of the revenue and, where conditions are imposed by or under the direction given with respect to any goods, the said subsection shall apply to any of the goods only if and so long as those conditions are complied with and (where the Commissioners so require) security is given that they will be complied with.

(2) So long as this subsection applies to any goods, payment shall not be required of any of the following duties of customs which may be chargeable in respect of the importation of the goods, that is to say—

- (a) the duties chargeable under Part I of the Import Duties Act, 1932 ;
- (b) the duties chargeable on silk or artificial silk or articles made wholly or in part of silk or artificial silk ;
- (c) the duties chargeable under the Safeguarding of Industries Act, 1921 :

Provided that where it is proposed to use or dispose of the goods in any manner for which the consent of the Treasury is required by the direction given with respect to the goods, the Treasury may consent to the goods being so used or disposed of subject to payment of the duty which would have been payable but for the direction or such part of that duty as the Treasury think appropriate in the circumstances.

(3) Subject to such conditions as the Commissioners may impose for the protection of the revenue, any of the said duties paid on the importation of any goods shall be repaid, if the Commissioners are satisfied that by virtue of a direction subsequently given under this section subsection (2) thereof applies to the goods.

PART I
—cont.

(4) Where by virtue of a direction given under this section goods are imported without payment of duty or duty paid on their importation is repaid, and any conditions imposed by or under the direction are not complied with, then (without prejudice to any liability for duty) the goods shall be forfeited.

(5) The Board of Trade shall not make a recommendation under this section about any goods except on a written application made by the importer before delivery of the goods to him.

Amendment of
powers to allow
drawback

12.—(1) A scheme under section nine of the Finance Act, 1932, for allowing, in the case of goods of any class or description, a drawback of import duties in respect of any material used in the manufacture of those goods may make provision as follows, that is to say:—

- (a) instead of providing in accordance with paragraph (b) of subsection (2) of the said section nine for the allowance of drawback in respect either of the quantity of the relevant material actually contained in the goods or of such average quantity of material as is mentioned in that paragraph, the scheme may provide for the allowance of drawback in respect of the quantity of the relevant material actually contained in the goods together with such additional quantity as may be specified in the scheme as being the appropriate allowance for wastage in the manufacture of the goods;
- (b) the scheme may specify a rate of drawback exceeding the limit imposed by paragraph (c) of the said subsection (2), if the rate specified is such as would not exceed that limit were the limit imposed by reference to the average amount of duty paid in respect, not of all duty-paid material of the relevant class or description, but of such of that material as is used, either by manufacturers generally or by any particular manufacturer, in the manufacture either of all goods of the relevant class or description or of such goods of that class or description as are manufactured for export;
- (c) instead of specifying a rate of drawback for the relevant material in accordance with the said paragraph (c), the scheme may divide the material into two or more categories (by reference to the duty paid or otherwise) and specify a rate for each category as if it were a separate class or description of material for purposes of the scheme.

(2) Any additional quantity specified under paragraph (a) of the foregoing subsection as being the appropriate allowance for wastage shall be fixed as so much per cent. (by the same measure of quantity as is used in fixing the rate of drawback) of the quantity of the relevant material actually contained in the goods, and for the purposes of that paragraph the expression “the appropriate allowance” means the allowance

equivalent to the average rate of wastage of the relevant material, either by manufacturers generally or by any particular manufacturer, in the manufacture either of all goods of the relevant class or description or of such goods of that class or description as are manufactured for export.

PART I
—cont.

(3) Where any such scheme as is mentioned in subsection (1) of this section provides different rates of drawback for different categories of the relevant material in accordance with paragraph (c) of that subsection and, in the manufacture of any goods in the case of which drawback is payable under the scheme, there has been used material of more than one of those categories, then (unless the scheme allows drawback only in respect of the quantity of material actually contained in the goods) the quantity of material in respect of which drawback is payable at each of the rates applicable in the case of those goods shall be arrived at as follows :—

- (a) if the scheme allows drawback in respect of the quantity of the relevant material actually contained in the goods together with such additional quantity as is mentioned in paragraph (a) of subsection (1) of this section, the said additional quantity shall be deemed to be material of the same categories, and in the same proportions, as the relevant material actually contained in the goods (excluding any such material which is not duty paid);
 - (b) if the scheme allows drawback in respect of the average quantity of the relevant material used in manufacture as provided for by paragraph (b) of subsection (2) of the said section nine of the Finance Act, 1932, the quantity in respect of which drawback may be allowed at the rate applicable to any category shall be the quantity of duty-paid material of that category which is shown to the satisfaction of the Commissioners to have been used in the manufacture of the goods, but so that this paragraph shall not affect the total quantity of material in respect of which the drawback may be allowed and, where it would otherwise have that effect, the quantity in respect of which drawback would be payable at a lower rate shall be increased or reduced as the case may require, in preference to the quantity in respect of which it would be payable at a higher rate.
- (4) In subsection (1) of this section the expression “import duties” means any of the following duties of customs, namely—
- (a) the duties chargeable under Part I of the Import Duties Act, 1932;
 - (b) the duties chargeable under section one of the Ottawa Agreements Act, 1932;

PART I
—cont.

- (c) the new duties chargeable under section nine of the Finance Act, 1933, on silk or artificial silk or articles made wholly or in part of silk or artificial silk ;
- (d) the duties chargeable under the Safeguarding of Industries Act, 1921 ;
- (e) the duties chargeable under the Beef and Veal Customs Duties Act, 1937 ;

and any reference in this section to section nine of the Finance Act, 1932, shall accordingly include that section as applied by subsequent enactments to the duties mentioned in paragraphs (b) to (e) of this subsection.

Excise licences
for tractors,
etc.

13.—(1) The Vehicles (Excise) Act, 1949, shall have effect as if subsection (2) of section four (which sets out the vehicles chargeable with duty at the rates provided for by that section) were amended as directed by the next following subsection of this section, and accordingly read as set out in the Third Schedule to this Act.

(2) The amendments to be made in the said subsection (2) are as follows—

- (a) in sub-paragraph (ii) of paragraph (a) the words “ in the occupation of the person in whose name the vehicle is registered under this Act ” shall be omitted, and after the word “ agricultural ” there shall be inserted the words “ or woodland ” ;
- (b) at the end of the said paragraph (a) there shall be added the following sub-paragraphs :—

“ (iii) for hauling, within fifteen miles of a farm in the occupation of the person in whose name the vehicle is registered under this Act, agricultural or woodland produce of that farm, or agricultural or woodland produce of land occupied with that farm or fuel required for any purpose on that farm or for domestic purposes by persons employed on that farm by the occupier of the farm ;

(iv) for hauling articles required for a farm by the person in whose name the vehicle is registered under this Act, being either the owner or occupier of the farm or a contractor engaged to do agricultural work on the farm by the owner or occupier of the farm or for hauling articles required by that person for land occupied by him with a farm ;

(v) for hauling, within fifteen miles of a forestry estate in the occupation of the person in whose name the vehicle is registered under this Act, agricultural or woodland produce of that estate or fuel required for any purpose on that estate or for domestic purposes by persons employed on that estate by the

occupier of the estate, or for hauling articles required for such a forestry estate by the occupier of the estate ;”

(c) paragraph (e) (which specifies the tractors and other vehicles for which the section provides rates of duty from twelve pounds upwards according to their weight) shall be omitted ;

(d) in paragraph (f), for the words “ the foregoing paragraphs ” there shall be substituted the words “ paragraphs (a) to (d). ”

(3) The rate of duty chargeable under the Vehicles (Excise) Act, 1949, in respect of any such vehicle as is mentioned in paragraph (a), (b), (c) or (d) of subsection (2) of section four of that Act shall be two pounds, and accordingly in the fourth column of the Third Schedule to that Act for the words “ 5s. 0d.,” wherever they occur, there shall be substituted the words “ £2 0s. 0d.”

(4) In subsection (2) of the said section four (and in this subsection)—

(a) any reference to a farm shall include a market garden ;

(b) any reference to woodland produce includes the wood and other produce of trees which are not woodland trees ;

(c) any reference to articles required for a farm, forestry estate or other land shall include articles which are or have been required for doing work on and for the purposes of the farm, forestry estate or other land, except that in the said subsection (2) ;

(i) the reference to articles required for a farm by a contractor engaged to do agricultural work on the farm shall include only articles required for the farm in connection with that work, and

(ii) the reference to articles required for land occupied with a farm shall include only articles required for the land in connection with the doing on the land of any agricultural or forestry work (including the getting and carrying away of any woodland produce) :

(d) any reference to the owner of a farm includes any person having any estate or interest in land comprised in the farm.

(5) In section two of the Finance Act, 1935 (which disallows rebate on heavy oils used as road fuel for a vehicle as defined in that section), for the definition of “ vehicle ” in paragraph (d) of subsection (7) there shall be substituted the following definition:—

“(d) the expression ‘ vehicle ’ does not include any such vehicle as is mentioned in paragraph (a), (b), (c) or (d) of subsection (2) of section four of the Vehicles

PART I
—cont.

(Excise) Act, 1949, as amended by the Finance Act, 1950 (or as would be mentioned in the said paragraph (a) as so amended if the references therein to the said Act of 1949 included references to the law as to the registration of mechanically propelled vehicles for the time being in force in Northern Ireland), or any vehicle being a road roller.”

(6) The foregoing provisions of this section shall have effect only as from the beginning of the year nineteen hundred and fifty-one, but the Vehicles (Excise) Act, 1949, and section two of the Finance Act, 1935, shall have, and be deemed to have had, effect as if the periods respectively mentioned—

(a) in sub-paragraph (1) of paragraph 1 of the Sixth Schedule to the said Act of 1949 (which paragraph makes a temporary extension of the class of agricultural tractors etc. qualifying for a five shilling licence and for oil rebate in Great Britain) ; and

(b) in subsection (4) of section eight of the Finance Act, 1943 (which section has the same effect as respects oil rebate in Northern Ireland) ;

ended with the end of the year nineteen hundred and fifty instead of with the end of June in that year.

Reduction of full rates of entertainments duty.

14.—(1) Section six of the Finance Act, 1943, shall have effect as if for the rates of duty set out in Part II of the Fifth Schedule to that Act (which sets out the full rates of entertainments duty) there were substituted the rates of duty set out in the Fourth Schedule to this Act.

(2) This section shall have effect as respects payments for admission to entertainments held on or after the appointed day, and where entertainments duty has been charged on any payment made before that day, and by virtue of this section the duty should have been charged at a lower rate than that at which it was in fact charged, the person by whom the duty was paid shall be entitled to repayment of the amount of the overcharge.

(3) In this section the expression “ the appointed day ” means such day as the Treasury may appoint by order made by statutory instrument.

Reduction of entertainments duty in certain cases.

15.—(1) Where an entertainment held after the fifth day of August, nineteen hundred and fifty, would apart from this section be chargeable with entertainments duty at the full rates, but the Commissioners on an application made in such manner as they may direct are satisfied that the entertainment is one to which this section applies, then the entertainments duty chargeable in the case of any payment for admission to the entertainment shall be two-thirds of the duty chargeable in the case of a payment of the same gross amount at the full rate plus one-third of the duty so chargeable at the reduced rate.

(2) This section applies to any entertainment in the case of which not less than one quarter of the total time taken by the entertainment is taken solely by items such that, had the entertainment consisted only of those items, it would have been chargeable at the reduced rates and that such other conditions (if any) as may be prescribed are satisfied, and which apart from those items consists wholly or mainly of the exhibition of a cinematograph film.

(3) In this section the following expressions have the following meanings respectively:—

- (a) “full rate” means the rate of entertainments duty according to the scale applicable in cases falling neither within this section nor within subsection (3) of section one of the Finance Act, 1935 (which relates to stage plays etc.) and “reduced rate” means the rate according to the scale applicable in cases which fall within the said subsection (3);
- (b) “gross amount” means amount inclusive of entertainments duty;
- (c) “prescribed” means prescribed by regulations made by the Commissioners by statutory instrument.

(4) Where entertainments duty has been charged on any payment made before the passing of this Act, and by virtue of this section the duty should have been charged at a lower rate than that at which it was in fact charged, the person by whom the duty was paid shall be entitled to repayment of the amount of the overcharge.

16.—(1) In subsection (3) of section one of the Finance Act, 1935 (which provides for reduced rates of entertainments duty in the case of stage plays, &c.), after the words “variety entertainment,” there shall be inserted the words “a puppet or marionette show.”

Extension
of s. 1 (3) of
Finance Act
1935.

(2) The entertainments chargeable with entertainments duty at reduced rates by virtue of the said subsection (3) shall include any entertainment which would be exempt from entertainments duty by virtue of section eleven of the Finance Act, 1923 (which relates to exhibitions provided by non-profit-making societies), but for the fact that it consists partly of items not falling within paragraph (b) of subsection (1) of that section, if those items are items which fall within the said subsection (3) and in which all the performers whose words or actions constitute the item are actually present and performing.

(3) This section shall apply to entertainments held after the fifth day of August, nineteen hundred and fifty; and where entertainments duty has been charged on any payment made before

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PART I
—cont.

the passing of this Act, and by virtue of this section the duty should have been charged at a lower rate than that at which it was in fact charged, the person by whom the duty was paid shall be entitled to repayment of the amount of the overcharge.

Pool betting
duty.

17.—(1) Without prejudice to subsection (5) of section six of the Finance (No. 2) Act, 1947, or to subsection (2) of section fourteen of the Finance Act, 1948 (which define pool betting for the purposes of the pool betting duty), bets shall be deemed for the purposes of the said section six and of the Fifth Schedule to the said Act of 1947 to be made by way of pool betting whenever a number of persons make bets on the basis that the winners or their winnings shall, to any extent, be at the discretion of the promoter or some other person; and for the purpose of this section any reference in the enactments relating to the said duty to winnings or to the payment of winnings shall be taken to apply notwithstanding that the winnings take the form wholly or partly of a benefit which is not pecuniary.

(2) Where a person carries on the business of receiving or negotiating bets, and there is or has been issued in connection with that business any advertisement or other publication calculated to encourage in persons making bets of any description with or through him a belief that the bets are made on the basis aforesaid, then any bets of that description subsequently made with or through him in the course of that business shall be deemed for the purposes of this section to be made on that basis.

(3) This section shall have effect as respects bets made at any time by reference to any event taking place on or after the first day of August, nineteen hundred and fifty; and paragraph 2 of the Fifth Schedule to the Finance (No. 2) Act, 1947 (which provides for the regulation of pool betting businesses for the purposes of the duty), shall have effect in relation to a person to whom it applies by virtue only of this section with the substitution for references to the twenty-eighth day of December, nineteen hundred and forty-seven, and the fourth day of January, nineteen hundred and forty-eight, respectively of references to the first day and the eighth day of August, nineteen hundred and fifty.

Road vehicles
and road
vehicle chassis
(purchase tax).

18.—(1) As from the nineteenth day of April, nineteen hundred and fifty, the enactments relating to purchase tax shall have, and be deemed to have had, effect as if in Group 35 in Part I of the Eighth Schedule to the Finance Act, 1948, there were omitted the whole of sub-paragraphs (i) to (iii) of paragraph (a), with the exception of the word "First" in the second column, where last occurring.

(2) As from the first day of July, nineteen hundred and fifty, the said enactments shall have, and be deemed to have had, effect as if there were added—

PART I
—cont.

(a) as a new paragraph (d) in the said Group 35 the entry :—

“ (d) Road vehicle chassis, mechanically propelled First ” ;

(b) as a new paragraph 5 in the Fourth Schedule to the Finance Act, 1946 (which sets out the classes of goods relevant to the provisions about the application of chargeable processes), the entry :—

“ 5. Road vehicle chassis, mechanically propelled.”

(3) For the purposes of the said enactments a chassis designed for a mechanically propelled vehicle shall be deemed to be mechanically propelled, whether or not complete with an engine and other parts and accessories required for the purpose, and the expression “ road vehicle chassis ” shall include so much of a chassis-less road vehicle as may be determined by the Commissioners to be in effect chassis, and references to a vehicle’s chassis shall be construed accordingly.

(4) The Fifth Schedule to this Act shall have effect for the purpose of the purchase tax in respect of road vehicle chassis, and for the purpose of adjusting contractual rights in certain cases in relation to purchase tax in respect of road vehicles.

(5) Subsection (2) of this section may be varied or revoked—

(a) in so far as it amends the Eighth Schedule to the Finance Act, 1948, by an order of the Treasury under section twenty-one of that Act ;

(b) in so far as it amends the Fourth Schedule to the Finance Act, 1946, by an order of the Treasury under section sixteen of that Act :

as if it had been contained in such an order, and an order varying or revoking the said subsection (2) or the said Group 35 may, in connection therewith, vary or revoke any provision of subsection (3) of this section or of Part I of the Fifth Schedule to this Act.

19. Subject to such conditions as they may impose for the protection of the revenue, the Commissioners, upon an application in that behalf made to them whether before or after the coming into force of this section, may remit purchase tax chargeable in respect of an article of furniture, plate or textile material or an ornament, if they are satisfied that the purchase, importation or other act by virtue of which the tax is chargeable was made or done for the purpose of placing the article or ornament in a place of religious worship as a war memorial and that it will be retained therein.

Extension of
purchase tax
exemption for
war memorials.

PART I
—*cont.*

General provisions

Supply of
duty free
goods to
H.M. ships.

20.—(1) The Treasury may by regulations provide that, subject to any prescribed conditions, goods of any description specified in the regulations which are supplied either—

- (a) to any ship of the Royal Navy in commission of a description so specified, for the use of persons serving in that ship (being persons borne on the books of that or some other ship of the Royal Navy or a naval establishment); or
- (b) to the Admiralty, for the use of persons serving in ships of the Royal Navy or naval establishments;

shall for all or any purposes of any customs or excise duty or drawback in respect of those goods be treated as exported, and a person supplying or intending to supply goods as aforesaid shall be treated accordingly as exporting or intending to export them; and on the coming into force of the first regulations under this section, sections one hundred and twenty-one to one hundred and twenty-five of the Customs Consolidation Act, 1876 (which provide for the supply of wines and tobacco free of duty to persons serving in the navy), shall cease to have effect.

(2) Regulations made under this section with respect to goods of any description may regulate or provide for regulating the quantity allowed to any ship or establishment, the manner in which they are to be obtained and their use or distribution.

(3) The regulations may contain such other incidental or supplementary provisions as appear to the Treasury to be necessary for the purposes of this section (including any adaptations of the enactments relating to customs or excise, and any transitional provisions consequential on the repeal of sections one hundred and twenty-one to one hundred and twenty-five of the Customs Consolidation Act, 1876), and may make different provision in relation to different cases, and in particular in relation to different classes or descriptions of goods or of ships or establishments.

(4) In this section the expression “prescribed” means prescribed by regulations under this section or, in pursuance of any such regulations, by the Commissioners after consultation with the Admiralty.

(5) The power of the Treasury to make regulations under this section shall be exercisable by statutory instrument, which shall be subject to annulment in pursuance of a resolution of the Commons House of Parliament, and before making any such regulations the Treasury shall consult with the Admiralty and with the Commissioners.

(6) Subsection (1) of section eleven of the Finance Act, 1944 (which applies for purchase tax purposes enactments relating to Customs generally), shall not apply to this section.

21.—(1) Subject to such conditions as the Commissioners may prescribe for the protection of the revenue, where it is shown to the satisfaction of the Commissioners—

PART I
—cont.

Repayment of
customs duty
where goods
returned or
destroyed by
importer.

(a) that goods were imported into the United Kingdom in pursuance of a contract of sale, and that the description, quality, state or condition of the goods was not in accordance with the contract or that the goods were damaged in transit ; and

(b) that the importer, with the consent of the seller, either—
(i) returned the goods unused to the seller and for that purpose entered the goods before shipment ; or
(ii) destroyed the goods unused ;

the importer shall be entitled to obtain from the Commissioners repayment of any duty of customs paid on the importation of the goods.

(2) Nothing in this section shall apply to goods imported on approval or on “ sale or return ” or other similar terms.

PART II

INCOME TAX

22.—(1) Income tax for the year 1950-51 shall be charged at the standard rate of nine shillings in the pound, and, in the case of an individual whose total income exceeds two thousand pounds, at such higher rates in respect of the excess over two thousand pounds as Parliament may hereafter determine.

Charge of
income tax
for 1950-51.

(2) All such enactments as had effect with respect to the income tax charged for the year 1949-50 shall have effect with respect to the income tax charged for the year 1950-51.

23. Income tax for the year 1949-50 shall be charged, in the case of an individual whose total income exceeded two thousand pounds, at the same higher rates in respect of the excess over two thousand pounds as were charged for the year 1948-49.

Higher rates
of income tax
for 1949-50.

24.—(1) In subsection (2) of section forty of the Finance Act, 1927 (which, as amended by section seventeen of the Finance (No. 2) Act, 1945, and section twenty-eight of the Finance Act, 1948, provides for the relief from income tax commonly known as the reduced rate relief), the words “ thirteen-eightieths ” shall throughout be substituted for the words “ two-thirds ” and the words “ four-ninths ” shall throughout be substituted for the words “ one-third ”.

Increase in
reduced rate
relief and
consequential
alteration in
marginal relief
for small
incomes.

(2) In subsection (2) of section nineteen of the Finance Act, 1935 (which, as amended by subsequent enactments, limits the tax on incomes exceeding one hundred and thirty-five pounds but less than one hundred and sixty pounds to three-tenths of the excess), the words “ one-quarter ” shall be substituted for the words “ three-tenths ”.

PART II
—*cont.*

(3) The additional relief afforded by this section for the year 1950-51 shall not be deemed to have affected the amount of tax deductible or repayable before the eighth day of June, nineteen hundred and fifty.

Relaxation of conditions for grant of "age relief" under Finance Act, 1925, s. 15 (2).

25. In subsection (2) of section fifteen of the Finance Act, 1925 (which provides, in certain cases, for a relief from income tax for a person who proves that, at the commencement of the year of assessment, he or his wife living with him had attained the age of sixty-five years), for the words "at the commencement of the year of assessment," there shall be substituted the words "at any time during the year of assessment."

Surtax to be charged on consideration for certain restrictive covenants, etc.

26.—(1) Where—

- (a) an individual who holds, has held or is about to hold an office or employment gives, in connection with his holding thereof, an undertaking (whether absolute or qualified and whether legally valid or not) the tenor or effect of which is to restrict him as to his conduct or activities; and
- (b) in respect of the giving of that undertaking by him, or of the total or partial fulfilment of that undertaking by him, any sum is paid either to him or to any other person; and
- (c) apart from this section, the sum paid would neither fall to be treated as income of any person for the purposes of income tax for any year of assessment nor fall to be taken into account as a receipt in computing, for the purposes of income tax for any year of assessment, the amount of any income of, or loss incurred by, any person,

the same results shall follow in relation to surtax for the year of assessment in which the said sum is paid as would have followed if the said sum had been paid to the said individual (and not to any other person) as and for the net amount of an annual payment to which the said individual was entitled, being an annual payment chargeable to income tax from the gross amount of which tax at the standard rate for that year had been duly deducted under Rule 19 or Rule 21 of the General Rules:

Provided that where the individual has died before the payment of the said sum, so much of the preceding provisions of this subsection as relates to the results which are to follow from the matters specified in paragraphs (a) to (c) of this subsection shall have effect as if the said sum had been paid immediately before the death.

(2) Where valuable consideration otherwise than in the form of money is given in respect of the giving of, or of the total or partial fulfilment of, any undertaking, the preceding provisions of this section shall apply as if a sum had instead been paid equal to the value of that consideration.

(3) The preceding provisions of this section shall apply to surtax for the year 1949-50 or any subsequent year of assessment, and, in relation to surtax for any of the said years, shall be deemed always to have had effect, and all such assessments and additional assessments shall be made as are necessary to give effect to the provisions of this subsection:

Provided that—

(a) the said preceding provisions shall not apply to any sums paid or consideration given if either—

(i) the undertaking in question was given on or before the sixth day of April, nineteen hundred and forty-eight; or

(ii) the sum or consideration is or was paid or given at or after the time of the retirement of the individual in question from the service of the person under whom the office or employment in question was held and is or was so paid or given in pursuance of a provision in that behalf which expressly provides for the payment or giving thereof at or after that time and is embodied in a contract made in writing on or before the eighteenth day of April, nineteen hundred and fifty, or reduced to writing on or before that date; or

(iii) the sum or consideration is or was paid or given in pursuance of an express provision in that behalf embodied in a contract made in writing on or before the eighteenth day of April, nineteen hundred and fifty, or reduced to writing on or before that date, being a contract the main purpose of which was to provide for the transfer of a trade or part of a trade or for the transfer of the controlling interest in any body corporate; and

(b) no person shall be liable to any penalty by reason that, in any return or particulars of income made or furnished before the passing of this Act, any amount has not been included which ought to have been included in view of the said preceding provisions.

For the purposes of this subsection, a director of a company shall be deemed to be in the service of that company and to hold his office as such under that company.

(4) Where any sum is paid or valuable consideration given to any person in any year of assessment in respect of the giving of, or of the total or partial fulfilment of, an undertaking given after the sixth day of April, nineteen hundred and forty-eight, and satisfying the conditions specified in paragraph (a) of subsection (1) of this section (not being a sum from which tax is duly deducted under any provision of the Income Tax Acts), it shall, subject to the provisions of this subsection, be the duty of the

PART II
—*cont.*

person paying over the sum or giving the consideration to deliver particulars thereof in writing to the surveyor not later than one month after the end of that year, identifying the recipient of the payment or consideration, the undertaking in connection with which it was made or given and the individual who gave that undertaking; and the provisions of section one hundred and seven of the Income Tax Act, 1918 (which relates to failure to deliver lists, declarations and statements) shall apply in relation to the particulars required to be delivered under this subsection as they apply in relation to any list, declaration or statement required to be delivered by any such notice as is referred to in that section.

This subsection applies to any sum paid or consideration given in the year 1949-50 or any subsequent year of assessment, but where the payment or giving of the sum or consideration took place during the year 1949-50, the time for delivering the particulars shall not expire until one month after the passing of this Act.

(5) In this section, the expression "office or employment" means any office or employment whatsoever such that the emoluments thereof, if any, are or would be chargeable to income tax under Schedule E for any year of assessment; and references in this section to the giving of valuable consideration do not include references to the mere assumption of an obligation to make over or provide valuable property, rights or advantages, but do include references to the doing of anything in or towards the discharge of such an obligation.

Payments for
wayleaves, etc.,
for electric
lines.

27.—(1) Subsection (1) of section twenty-one of the Finance Act, 1934 (which, amongst other things, charges certain rents to tax under Schedule D and provides for the deduction of tax therefrom on payment thereof) shall apply to rent in respect of any easement enjoyed in the United Kingdom in connection with any electric, telegraphic or telephonic wire or cable (not being such an easement as is mentioned in that section) as it applies to rent in respect of easements enjoyed in connection with any of the concerns specified in Rules 1, 2 and 3 of No. III of Schedule A, not being rent rendered in produce of the concern:

Provided that—

(a) any payment of rent to which this subsection applies which does not exceed two pounds ten shillings per year—

(i) may, if the payer so elects, be treated as not affected by so much of subsection (1) of the said section twenty-one as provides that the rent shall, for the purpose of such of the provisions of the Income Tax Acts as refer to royalties paid in respect of the user of a patent, be treated as if it were such a royalty; and

(ii) shall in that event be made without deduction of tax accordingly ; and

- (b) any payment of rent to which this subsection applies which is made without deduction of tax (whether by virtue of the preceding provisions of this proviso or otherwise) shall, unless tax is assessed thereon under Rule 21 of the General Rules, be chargeable to tax under Case III of Schedule D as if it were mentioned in Rule 1 of the Rules applicable to that Case.

(2) This section shall be deemed always to have had effect and references to the said section twenty-one in any provisions of the Income Tax Acts other than this section (including the reference in subsection (2) of the said section twenty-one itself) shall be construed as including, and as having always included, references to that section as extended by this section :

Provided that where, before the nineteenth day of April, nineteen hundred and fifty, any payment of any rent to which subsection (1) of this section applies has been made without deduction of tax, nothing in this section shall affect—

- (a) any determination of any Commissioners made before the said date as respects the chargeability of that payment to tax ; or
- (b) any appeal from or case stated in respect of any such determination ; or
- (c) any agreement which, under section fifty-one of the Finance Act, 1949, has the effect of such a determination ; or
- (d) any appeal against any assessment the effect of which is to charge that payment to tax, if notice of the appeal was given before that date, and the appeal remains undetermined at that date.

(3) In this section, the expressions “ rent ” and “ easement ” have the same meanings as in the said section twenty-one, and the reference to easements enjoyed in connection with any electric, telegraphic or telephonic wire or cable includes (without prejudice to the generality of that expression) references to easements enjoyed in connection with any pole or pylon supporting any such wire or cable or with any apparatus used in connection with any such wire or cable, including any transformer so used.

28. Subsection (2) of section seven of the Income Tax Act, 1945 (which provides that the allowances under section fifteen of the Finance Act, 1937, in respect of mills, factories and other similar premises shall cease in all cases after the year 1950-51) shall have effect and be deemed always to have had effect as if for the words “ the next four years of assessment ”, in both places where those words occur, there were substituted the words “ the next nine years of assessment ”.

Continuation
of period for
which mills,
factories
allowances
may be given.

PART II
—*cont.*

Contributions under Superannuation Act (Northern Ireland), 1949, not to qualify for income tax relief.

29.—(1) Relief from income tax shall not be allowed to any person under section thirty-two of the Income Tax Act, 1918 (which provides relief for, amongst other things, contributions to secure deferred annuities to widows and provision for children) or under any other provision of the Income Tax Acts providing for relief for income tax purposes, in respect of any contributions made by him under any enactments of the Parliament of Northern Ireland corresponding to Parts I and II of the Superannuation Act, 1949, and, in particular, under Parts I and II of the Superannuation Act (Northern Ireland), 1949.

(2) This section shall have effect, and be deemed always to have had effect, for the purposes of income tax for the year 1949-50 and all subsequent years of assessment.

General rule as to income tax on husbands and wives.

30.—(1) Subject to the following provisions of this Part of this Act, a woman's income chargeable to income tax shall, so far as it is income for a year of assessment or part of a year of assessment during which she is a married woman living with her husband, be deemed for income tax purposes to be his income and not to be her income :

Provided that the question whether there is any income of hers chargeable to income tax for any year of assessment, and, if so, what is to be taken to be the amount thereof for income tax purposes, shall not be affected by the provisions of this subsection.

(2) Any tax falling to be assessed in respect of any income which, under subsection (1) of this section, is to be deemed to be the income of a woman's husband shall, instead of being assessed on her, or on her trustee, guardian, curator or committee, or on her executors or administrators, be assessable on him or, in the appropriate cases, on his trustee, guardian, curator or committee, or on his executors or administrators :

Provided that nothing in this subsection shall affect the operation of Rule 10 of the Rules applicable to Cases I and II of Schedule D (which relates to the method by which partnership income is to be assessed).

(3) The personal reliefs allowed in the case of a man for any year of assessment shall be so allowed that an amount not less than the total of the following, that is to say—

- (a) any deduction falling to be made under subsection (2) of section eighteen of the Finance Act, 1920 (which grants a special relief where the income of a man includes earned income of his wife) ;
- (b) so much of any deduction falling to be made under subsection (1) of section fifteen of the Finance Act, 1925 (which relates to earned income relief) as could not have been made but for the existence of earned income of his wife ; and

- (c) any deduction falling to be made by virtue of subsections (2) to (7) of section twenty-eight of the Finance Act, 1948 (which increases the reduced rate relief in certain cases where a man's income includes earned income of his wife),

goes to reduce the tax chargeable on the earned income of his wife.

(4) References in this section to a woman's income include references to any sum which, apart from the provisions of this section, would fall to be included in computing her total income, and this subsection has effect in relation to any such sum notwithstanding that some enactment (including, except so far as the contrary is expressly provided, an enactment passed after the passing of this Act) requires that that sum should not be treated as income of any person other than her.

(5) This section has effect subject to the provisions of Rule 17 of the General Rules (which relates to the right of spouses to separate assessment to income tax) and subsection (9) of section forty-two of the Finance Act, 1927 (which relates to the right of spouses to separate assessment to surtax).

(6) In this and the next following section, the expression "personal relief" means any relief under sections eighteen to twenty-two of the Finance Act, 1920, under section fifteen of the Finance Act, 1925, under subsection (2) of section forty of the Finance Act, 1927, under subsection (1) or subsection (2) of section nineteen of the Finance Act, 1935, under section fifteen of the Finance Act, 1943, or under section thirty-two of the Income Tax Act, 1918.

31.—(1) The provisions of this section shall have effect as respects personal reliefs where, by virtue of an application under Rule 17 of the General Rules, income tax for any year is to be assessable and chargeable on the incomes of a husband and a wife as if they were not married.

(2) The total relief given to the husband and the wife by way of personal reliefs shall be the same as if the application had not had effect with respect to the year and, subject to the provisions of this subsection and of the next following subsection, the reduction of tax flowing from the personal reliefs shall be allocated to the husband and the wife—

- (a) so far as it flows from relief under subsection (1) of section fifteen of the Finance Act, 1925, in respect of earned income, in proportion to the amounts of their respective earned incomes ;
- (b) so far as it flows from relief under subsection (2) of section fifteen of the Finance Act, 1925 (which relates to persons who, or whose wives, have attained a certain age), in proportion to the amounts of their respective total incomes ;

Consequences,
as respects
personal
allowances, of
exercise of
option by
husband or
wife for
separate
assessment.

PART II
—*cont.*

- (c) so far as it flows from relief under section thirty-two of the Income Tax Act, 1918 (which relates to life insurance premiums and other payments), to the husband or the wife according as he or she made the payment giving rise to the relief ;
- (d) so far as it flows from relief in respect of a dependent relative under section twenty-two of the Finance Act, 1920, or relief in respect of a child under subsection (2) of section twenty-one of that Act, to the husband or the wife according as he or she maintains the relative or child ;
- (e) as to the balance, in proportion to the amounts of tax which would have been payable by them respectively if the only personal reliefs allowable had been the reliefs referred to in paragraphs (a) and (b) of this subsection :

Provided that, subject to the provisions of the next following subsection, the amount of reduction of tax allocated to the wife by virtue of paragraphs (a) to (e) of this subsection shall not be less than the minimum amount which, if no application under the said Rule 17 had had effect for that year, would, under subsection (3) of the last preceding section, have had to go to reduce the tax chargeable in respect of her earned income, and the amount of reduction of tax allocated to the husband shall be correspondingly reduced.

(3) Where the amount of reduction of tax allocated to the husband under subsection (2) of this section exceeds the tax (other than surtax) chargeable on the income of the husband for the year of assessment, the balance shall be applied to reduce the tax chargeable on the income of the wife for that year, and where the amount of reduction of tax allocated to the wife under the said subsection (2) exceeds the tax (other than surtax) chargeable on her income for the year of assessment, the balance shall be applied to reduce the tax chargeable on the income of the husband for that year.

(4) Returns of the total incomes of the husband and the wife may be made for the purposes of this section either by the husband or by the wife, but, if the Commissioners of Inland Revenue are not satisfied with any such return, they may obtain a return from the wife or the husband. as the case may be.

(5) The Commissioners of Inland Revenue may require returns for the purposes of this section to be made at any time, and the provisions of the Income Tax Acts relating to penalties for neglect or refusal to deliver, or for delay in delivering, true and correct statements of profits or gains shall, with the necessary modifications, apply in the case of the neglect or refusal to make, or wilful delay in making, any such return.

32.—(1) Where—PART II
—cont.

- (a) after the passing of this Act, an assessment to income tax (hereinafter in this section referred to as “the original assessment”) has been made for the year 1950-51 or any subsequent year of assessment on a man, or on a man’s trustee, guardian, curator or committee, or on a man’s executors or administrators; and
- (b) the Commissioners of Inland Revenue, in the case of an assessment to income tax other than surtax, or the Special Commissioners, in the case of an assessment to surtax, are of opinion that, if an application for separate assessment under Rule 17 of the General Rules or under subsection (9) of section forty-two of the Finance Act, 1927, had been in force with respect to that year of assessment, an assessment in respect of, or of part of, the same income would have fallen to be made on, or on the trustee, guardian, curator or committee of, or on the executors or administrators of, a woman who is the said man’s wife or was his wife in that year of assessment; and
- (c) the whole or part of the amount payable under the original assessment has remained unpaid at the expiration of twenty-eight days from the time when it became due,

Collection from wife of tax assessed on husband attributable to her income.

the Commissioners of Inland Revenue, or, as the case may be, the Special Commissioners, may serve on her, or, if she is dead, on her executors or administrators, or, if such an assessment as is referred to in paragraph (b) of this subsection could, in the event therein referred to, have been made on her trustee, guardian, curator, or committee, on her or on her trustee, guardian, curator, or committee, a notice—

- (i) giving particulars of the original assessment and of the amount remaining unpaid thereunder; and
- (ii) giving particulars, to the best of their judgment, of the assessment which would have fallen to be made as aforesaid,

and requiring the person on whom the notice is served to pay the amount which would have been payable under the last mentioned assessment if it conformed with those particulars, or the amount remaining unpaid under the original assessment, whichever is the less.

(2) The same consequences as respects—

- (a) the imposition of a liability to pay, and the recovery of, the tax, with or without interest; and
- (b) priority for the tax in bankruptcy or in the administration of the estate of a deceased person; and

PART II
—cont.

(c) appeals to the General or Special Commissioners and the stating of cases for the opinion of the High Court; and

(d) the ultimate incidence of the liability imposed,

shall follow on the service of a notice under subsection (1) of this section on a woman, or on her trustee, guardian, curator or committee, or on her executors or administrators, as would have followed on the making on her, or on her trustee, guardian, curator or committee, or on her executors or administrators, as the case may be, of such an assessment as is referred to in paragraph (b) of subsection (1) of this section, being an assessment which—

- (i) was made on the day of the service of the notice; and
- (ii) charged the same amount of tax as is required to be paid by the notice; and
- (iii) fell to be made and was made by the authority who made the original assessment; and
- (iv) was made by that authority to the best of their judgment,

and the provisions of the Income Tax Acts relating to the matters specified in paragraphs (a) to (d) of this subsection shall, with the necessary adaptations, have effect accordingly:

Provided that, where an appeal against the original assessment has been heard in whole or in part by the Special Commissioners, any appeal from the notice shall be an appeal to the Special Commissioners, and where an appeal against the original assessment has been heard in whole or in part by the General Commissioners for any division, any appeal from the notice shall be an appeal to the General Commissioners for that division.

(3) Where a notice is given under subsection (1) of this section, tax up to the amount required to be paid by the notice shall cease to be recoverable under the original assessment and, where the tax charged by the original assessment carried interest under section eight of the Finance (No. 2) Act, 1947, such adjustment shall be made of the amount payable under that section in relation to that assessment, and such repayments shall be made of any amounts previously paid under that section in relation thereto, as are necessary to secure that the total sum, if any, paid or payable under that section in relation to that assessment is the same as it would have been if the amount which ceases to be recoverable had never been charged.

(4) Where the amount payable under a notice given under subsection (1) of this section is reduced as the result of an appeal or of the stating of a case for the opinion of the High Court—

(a) the Commissioners of Inland Revenue shall, if, in the light of that result, they are satisfied that the original

assessment was excessive, cause such relief to be given by way of repayment or otherwise as appears to them to be just ; but

PART II
—cont.

(b) subject to any relief so given, a sum equal to the reduction in the amount payable under the notice shall again become recoverable under the original assessment.

(5) The Commissioners of Inland Revenue, the Special Commissioners, and the surveyor or other proper officer of the Crown shall have the like powers of obtaining information with a view to the giving of, and otherwise in connection with, a notice under subsection (1) of this section as they would have had with a view to the making of, and otherwise in connection with, such an assessment as is referred to in paragraph (b) of subsection (1) of this section if the necessary conditions had been fulfilled for the making of such an assessment.

(6) Any notice under subsection (1) of this section may be served by post.

33.—(1) Where a woman dies who, at any time before her death, was a married woman living with her husband, he or, if he is dead, his executors or administrators may, not later than two months from the date of the grant of probate or letters of administration in respect of her estate or, with the consent of her executors or administrators, at any later date, serve on her executors or administrators and on the surveyor a notice in writing declaring that, to the extent permitted by this section, he or they disclaims or disclaim responsibility for unpaid income tax in respect of all income of hers for any year of assessment or part of a year of assessment during which he was her husband and she was living with him :

Right of husband to disclaim liability for tax on deceased wife's income.

Provided that a notice under this section shall not be deemed to be validly served on the surveyor unless it specifies the names and addresses of the woman's executors or administrators.

(2) Where such a notice has been duly served on a woman's executors or administrators and on the surveyor—

(a) it shall be the duty of the Commissioners of Inland Revenue and the Special Commissioners to exercise such powers as they may then or thereafter be entitled to exercise under section thirty-two of this Act in connection with any assessment made on or before the date when the service of the said notice is completed, being an assessment in respect of any of the income to which the said notice relates ; and

(b) the assessments (if any), whether to income tax other than surtax or to surtax, which may be made after that date shall, in all respects and in particular as respects

PART II
—cont.

the persons assessable and the tax payable, be the assessments which would have fallen to be made if—

(i) an application for separate assessment under Rule 17 of the General Rules or under subsection (9) of section forty-two of the Finance Act, 1927, as the case may be, had been in force in respect of the year of assessment in question ; and

(ii) all assessments previously made had been made accordingly.

(3) Any notice under this section may be served by post.

(4) In this section, the expression “ the surveyor ” means, in relation to a notice, any surveyor who might reasonably be considered by the person serving the notice to be likely to be concerned with the subject-matter thereof or who declares himself ready to accept service of the notice.

(5) In the application of this section to Scotland, the reference to the date of the grant of probate or letters of administration shall be construed as a reference to the date of confirmation.

Construction of references to married women living with their husbands, and special provisions as to certain spouses geographically separated.

34.—(1) A married woman shall be treated for income tax purposes as living with her husband unless either—

(a) they are separated under an order of a court of competent jurisdiction or by deed of separation ; or

(b) they are in fact separated in such circumstances that the separation is likely to be permanent.

(2) Where a married woman is living with her husband and either—

(a) one of them is, and one of them is not, resident in the United Kingdom for a year of assessment ; or

(b) both of them are resident in the United Kingdom for a year of assessment but one of them is, and one of them is not, absent from the United Kingdom throughout that year,

the same consequences shall follow for income tax purposes as would have followed if, throughout that year of assessment, they had been in fact separated in such circumstances that the separation was likely to be permanent :

Provided that where this subsection applies and the net aggregate amount of income tax (including surtax) falling to be borne by the husband and the wife for the year is greater than it would have been but for the provisions of this subsection, the Commissioners of Inland Revenue shall cause such relief to be given (by the reduction of such assessments on the husband or the wife or the repayment of such tax paid (by deduction or otherwise) by the husband or the wife as those Commissioners may direct) as will reduce the said net aggregate amount by the amount of the excess.

35. The following enactments or parts of enactments, that is to say—

PART II
—cont.

Repeal of certain provisions as to married women.

- (a) Rule 16 of the General Rules (which contains a general provision as to married women); and
- (b) section twenty-five of the Finance Act, 1920, and the proviso to subsection (3) of section fifteen of the Finance Act, 1925 (which relate to the effect on reliefs of claims for separate assessment); and
- (c) so much of the definition of the expression “incapacitated person” in section two hundred and thirty-seven of the Income Tax Act, 1918, as requires a married woman, as such, to be treated as an incapacitated person; and
- (d) section one hundred and seventy-one of the Income Tax Act, 1918 (which enables a man to be made liable in certain cases for tax assessed on his wife); and
- (e) in paragraph (c) of subsection (1) of section one hundred and three of the Income Tax Act, 1918 (which relates to the information to be given by trustees, agents, receivers and others) the words “living with her husband, or a married woman whose husband is not accountable for the payment of any tax charged on her,”

are hereby repealed.

PART III

MISCELLANEOUS PROVISIONS AS TO INCOME TAX AND OTHER TAXES

36.—(1) To the extent appearing from the subsequent provisions of this section and the Sixth Schedule to this Act, relief from income tax and the profits tax shall be given in respect of tax payable under the law of any territory outside the United Kingdom by allowing the last-mentioned tax as a credit against income tax or the profits tax, notwithstanding that there are not for the time being in force any arrangements under Part V of the Finance (No. 2) Act, 1945, providing for such relief.

Unilateral relief for double taxation.

(2) The said relief (in the subsequent provisions of this section and in the said Schedule to this Act referred to as “unilateral relief”) shall be such relief as would fall to be given under Part I of the Ninth Schedule to the Finance Act, 1947, if arrangements with the Government of the territory in question, containing such provision as appears in so much of Part I of the said Schedule to this Act as applies to that territory, were in force by virtue of Part V of the Finance (No. 2) Act, 1945:

Provided that the total amount of the credit to be allowed by way of unilateral relief in the case of any income shall not

PART III
—cont.

exceed, if the territory is within the Commonwealth territories, three-quarters, and, in any other case, one-half, of the sum of the limits specified in paragraph 4 and sub-paragraph (1) of paragraph 5 of Part I of the said Ninth Schedule.

(3) The provisions of Part I of the Ninth Schedule to the Finance Act, 1947, shall, as respects unilateral relief, have effect subject to the provisions set out in Part II of the said Schedule to this Act, and any expression occurring in Part I of the said Ninth Schedule, or in subsection (5) of section fifty-one or subsection (5) of section fifty-two of the Finance (No. 2) Act, 1945, which imports a reference to relief under arrangements for the time being in force by virtue of Part V of the last-mentioned Act shall be deemed to import also a reference to unilateral relief.

(4) Unilateral relief shall not be given in respect of tax payable under the law of the Republic of Ireland, and section twenty-seven of the Finance Act, 1920, shall, as applied by the agreements set out in the Second Schedule to the Finance Act, 1926, the Fourth Schedule to the Finance Act, 1928, and the Ninth Schedule to the Finance Act, 1948, continue to have effect in relation to the Republic of Ireland.

(5) Subject to the provisions of subsection (4) of this section, section twenty-seven of the Finance Act, 1920, shall cease to have effect.

(6) Where, under the law in force in any territory outside the United Kingdom, provision is made for the allowance, in respect of the payment of United Kingdom income tax, of relief from tax payable under that law, the obligation as to secrecy imposed by the Income Tax Acts upon persons employed in relation to Inland Revenue shall not prevent the disclosure to the authorised officer of the Government of that territory of such facts as may be necessary to enable the proper relief to be given under the law thereof.

(7) References in this section, and in the said Schedule to this Act, to tax payable or tax paid under the law of a territory outside the United Kingdom include only references to taxes which are charged on income or profits and correspond to income tax or the profits tax in the United Kingdom, and, without prejudice to the generality of the preceding words, a tax which is payable under the law of a province, state or other part of a country not being a country within the Commonwealth territories or which is levied by or on behalf of a municipality or other local body, shall not be deemed for the purposes of this subsection to correspond to income tax or the profits tax.

(8) In this section and the said Schedule to this Act, the expression "income," in relation to the profits tax, means profits.

(9) In this section and the said Schedule to this Act, the expression "the Commonwealth territories" means His Majesty's dominions, India, the British protectorates and protected states and any trust territory administered by the Government of any part of His Majesty's dominions.

PART III
—cont

(10) This section and the said Schedule to this Act shall have effect in relation to the Anglo-Egyptian Sudan as they have effect in relation to a part of His Majesty's dominions.

(11) This section applies to income tax for the year 1950-51 and all subsequent years of assessment, and to the profits tax for any chargeable accounting period ending after the end of March, nineteen hundred and fifty, but the transitional provisions contained in Part III of the said Schedule to this Act shall have effect in the cases therein referred to.

37.—(1) A body of persons which—

- (a) was established before the sixth day of April, nineteen hundred and fifty; and
- (b) on the said sixth day of April, or such later date as the Commissioners of Inland Revenue may upon application allow, satisfies the conditions required by law to be satisfied in the case of a body if it is to be treated as a body established for charitable purposes only,

Extension of
charities relief
to certain
bodies as
respects past
periods.

shall not be treated as not having satisfied those conditions at any date earlier than the said sixth day of April or such later date as aforesaid, as the case may be, by reason only that, at that earlier date, the memorandum of association or other similar instrument regulating its functions contained provisions empowering it to establish and support, or aid in the establishment and support of, any charitable or benevolent associations or institutions, to subscribe or guarantee money for charitable or benevolent purposes in any way connected with its purposes or calculated to further its objects or to do such other things as it might think conducive to the attainment of its objects, or any other provisions which, in the opinion of the Commissioners considering the matter, so closely approximate to any such provisions as aforesaid that they ought to be treated for the purposes of this section as equivalent thereto.

(2) A body of persons to which subsection (1) of this section applies shall not, for the purposes of the stamp duty on an instrument executed before the said sixth day of April, or, as the case may be, before the later date allowed under the said subsection (1), be deemed to have been other than a body established for charitable purposes only within the meaning of subsection (1) of section fifty-four of the Finance Act, 1947, by reason only that, on the date relevant for the purposes of subsection (1) of the said section fifty-four, the memorandum of association or other similar

PART III
—*cont.*

instrument regulating its functions contained any such provisions as are referred to in subsection (1) of this section, and where more stamp duty has been paid on any such instrument than ought to have been paid having regard to the provisions of this subsection, the provisions of sections ten and eleven of the Stamp Duties Management Act, 1891, shall apply as if a stamp of greater value than was necessary had been inadvertently used for the instrument, and relief may be given accordingly, and may be so given notwithstanding that, in accordance with the provisions of section twelve of the Stamp Act, 1891, the instrument had been stamped before the passing of this Act with a particular stamp denoting that it was duly stamped.

**Extension of
charities relief
to certain
scientific
research
Associations.**

38.—(1) Where—

- (a) an Association which has as its object the undertaking of scientific research which may lead to or facilitate an extension of any class or classes of trade is approved for the purposes of this section by the Committee of the Privy Council for Scientific and Industrial Research ; and
- (b) the memorandum of association or other similar instrument regulating the functions of the Association precludes the direct or indirect payment or transfer to any of its members of any of its income or property by way of dividend, gift, division, bonus or otherwise howsoever by way of profit,

there shall be allowed in its case all such relief from income tax and stamp duties as falls to be allowed in the case of a body of persons which is established for charitable purposes only and the whole income of which is applied to those purposes :

Provided that the condition specified in paragraph (b) of this section shall not be deemed not to be complied with in the case of an Association by reason only that the memorandum or other similar instrument regulating its functions does not prevent the payment to members of the Association of—

- (i) reasonable remuneration for goods, labour or power supplied, or services rendered ; or
- (ii) reasonable interest for money lent ; or
- (iii) reasonable rent for any premises.

(2) In this section the expression “ scientific research ” means any activities in the fields of natural or applied science for the extension of knowledge.

(3) Section nineteen of the Finance Act, 1925 (which prescribes the procedure to be followed in the case of certain claims for relief from income tax and confers a right of appeal in connection therewith), shall apply to claims for relief from income tax under this section.

39.—(1) Where—

PART III

—cont.

Treatment for
taxation
purposes of
enemy debts,
etc., written off
during the war.

(a) the profits or losses arising from a trade or business in an accounting period ending after the end of March, nineteen hundred and thirty-nine, and beginning before the end of the year nineteen hundred and forty-six fell to be computed for excess profits tax or profits tax purposes, or the profits or gains or losses of a year or period ending and beginning as aforesaid fell to be computed in the case of a trade for income tax purposes; and

(b) in computing those profits, profits or gains or losses a deduction was allowed so as wholly or partly to write off—

(i) a debt or claim (whether actual or potential) owed by or on a person resident or carrying on business in territory which was, had been or subsequently became enemy territory, or owed by or on a State or Sovereign of a State which was, had been or subsequently became at war with His Majesty; or

(ii) the value of any property in, or believed to be in, any such territory as aforesaid, or under, or believed to be under, the control of any Power which was, had been or subsequently became at war with His Majesty; and

(c) a recovery is made in respect of that debt, claim or property, whether from the debtor or person liable or otherwise, and whether by the person carrying on the trade or business or trade in the accounting period, or year or period, aforesaid or by some person claiming through or under him; and

(d) the amount of the recovery, or, if there is more than one, the total amount of the recoveries, is greater or less than such part, if any, of the amount or value of the debt, claim or property as is still not written off after effect has been given to the deduction,

the deduction shall be deemed to have been improper to the extent of the excess or, as the case may be, to have been insufficient to the extent of the deficiency, and, subject to the provisions of the next following section, all such consequences shall ensue, as respects all persons concerned, for the purposes of excess profits tax, the profits tax and income tax (including surtax) for any chargeable accounting period or year of assessment, as would have ensued if no deduction had been made or, as the case may be, if there had been made a deduction smaller by the amount of the said excess or greater by the amount

PART III
—cont.

of the said deficiency, and payments of tax (including refunds of excessive repayments of tax) and repayments of tax (including post-war refunds of excess profits tax) shall be made accordingly.

(2) In this section—

(a) the expression “ recovery ” means the obtaining of anything of value, whether in cash or not, and references to the amount of a recovery are references to the amount or value, as the case may require, of what is obtained ;

(b) references to a recovery in respect of a debt, claim or property wholly or partly written off in the manner specified in subsection (1) of this section include, in particular, references to—

(i) any sum obtained under the Distribution of German Enemy Property Act, 1949, or any other enactment, in virtue of rights in respect of that debt, claim or property ; and

(ii) anything of value obtained (whether in cash or not) in consideration of an assignment of any rights in respect of the debt, claim or property.

and where (whether in consideration of an assignment or otherwise) anything is obtained partly in respect of some debt, claim or property so written off as aforesaid and partly in respect of some other debt, claim or property, the amount or value of what is obtained shall be apportioned rateably to the amounts or values of the several debts, claims or properties and there shall be deemed to be a recovery in respect of the first mentioned debt, claim or property of an amount equal to such part of the amount or value of what is obtained as is apportioned thereto :

Provided that where the whole or any part of, or of the value of, something obtained in consideration of an assignment of rights in respect of any debt, claim or property so written off as aforesaid is treated as a recovery in respect of that debt, claim or property, all subsequent recoveries in respect of that debt, claim or property made by virtue of those rights shall be left out of account for the purposes of this section except to the extent that the total amount thereof exceeds or, as the case may be, exceeds that part of, the amount or value of what was obtained in consideration of the assignment.

(3) In ascertaining, under subsection (2) of this section, the amount of any recovery, there may be deducted from the amount or value of what is obtained any expenses incurred in obtaining it, and references in the said subsection to the amount or value of what is obtained shall be construed accordingly :

Provided that, to the extent that any expenses so deducted go to reduce the sum which is to be treated under that subsection as the amount of a recovery in respect of a debt, claim

or property wholly or partly written off in the manner specified in subsection (1) of this section—

PART III
—cont.

- (a) no deduction shall be allowed for the expenses in computing, for excess profits tax or profits tax purposes, the profits or losses arising from any trade or business in any accounting period or in computing, for the purposes of income tax for any year of assessment, the profits or gains or losses of any trade; and
- (b) the expenses shall not be included in computing the expenses of management in respect of which relief may be claimed under section thirty-three of the Income Tax Act, 1918;

and the payments and repayments of tax falling to be made under subsection (1) of this section shall be adjusted accordingly.

(4) Where an amount of tax has been allowed to remain uncollected on the ground that some debt, claim or property might prove to be irrecoverable or lost, without, however, a deduction being actually allowed in the relevant computation of profits, profits or gains or losses, the preceding provisions of this section shall apply, with the necessary adaptations, as if a deduction had been allowed in the said computation so as to write off the debt or claim, or, as the case may be, the value of the property, to an extent corresponding to the amount of tax allowed to remain uncollected.

(5) In this section, the expression “enemy territory” means any area under the sovereignty of, or in the occupation of, a Power at war with His Majesty and the expression “at war with His Majesty” means at war with His Majesty at some time during the years nineteen hundred and thirty-nine to nineteen hundred and forty-six.

(6) In any case to which this section applies—

- (a) all such assessments or additional assessments to excess profits tax, the profits tax or income tax (including surtax) shall be made as are necessary to secure that the payments of tax mentioned in subsection (1) of this section are duly recovered; and
- (b) all such assessments as aforesaid, and all repayments of tax mentioned in the said subsection (1), shall be made notwithstanding that the liability of the persons in question to excess profits tax, the profits tax, income tax other than surtax or surtax, as the case may be, has been finally determined (whether before or after the passing of this Act) and notwithstanding that the time limited by law for making assessments, additional assessments or claims for repayments has expired; and

PART III
—*cont.*

- (c) the recovery of all or any of the payments of income tax other than surtax falling to be made by a particular person for any year of assessment (including refunds of excessive repayments of tax) may, if convenient, be secured as aforesaid by a single assessment or additional assessment under Case VI of Schedule D, and may be so secured notwithstanding that all or any of the income in respect of which the tax is payable is income chargeable only by deduction or chargeable only under some other Schedule or Case.

Modification of last preceding section in the case of recoveries by assignees and in certain cases of subsidiary companies.

40.—(1) The provisions of the last preceding section shall, in the cases specified in the subsequent provisions of this section, have effect subject to the modifications therein specified.

(2) Where the recovery is made otherwise than by, or by the executors or administrators of, the person carrying on the trade or business or trade in the accounting period, or year or period, mentioned in paragraph (a) of subsection (1) of the last preceding section, the payments and repayments of tax mentioned in the said subsection (1) shall not be made, but the Commissioners of Inland Revenue may serve on, or on the executors or administrators of, the person making the recovery a notice giving particulars, to the best of the judgment of those Commissioners, of the payments and repayments which would have fallen to be made but for the provisions of this subsection, and requiring the person on whom the notice is served to pay such sum as may be specified in the notice, being the sum by which, to the best of the judgment of the Commissioners, the total amount of the said payments exceeds the total amount of the said repayments:

Provided that where the person making the recovery is not resident in the United Kingdom or is dead and was not resident in the United Kingdom at the time of his death, the Commissioners may, if they think fit, instead of serving a notice on him or his executors or administrators, serve a notice on, or on the executors or administrators of, any predecessor in title of his in respect of the debt, claim or property in question, being a person who is resident in the United Kingdom or was so resident when he was last entitled to the rights in respect of the debt, claim or property in question to which the person making the recovery has succeeded.

(3) Where a notice is served under subsection (2) of this section on, or on the executors or administrators of, a person, the same consequences as respects—

- (a) the imposition of liability to pay, and the recovery of, the sum to which the notice relates, with or without interest; and
- (b) priority for the claim of the Crown for that sum in bankruptcy, or in the winding up of a company or in the administration of the estate of a deceased person; and

(c) appeals to the Special Commissioners and the stating of cases for the opinion of the High Court, shall follow on the service of the notice as would have followed on the making of an assessment to income tax in that amount on, or, as the case may be, on the executors or administrators of, that person by the Special Commissioners under Case VI of Schedule D in respect of income chargeable under that Case for the year of assessment current when the notice was served, and the provisions of the Income Tax Acts relating to those matters shall, with the necessary adaptations, have effect accordingly.

(4) Where excess profits tax is concerned and—

- (a) a body corporate was carrying on the trade or business in the accounting period mentioned in paragraph (a) of subsection (1) of the last preceding section ; and
- (b) that body corporate was in that accounting period a subsidiary member of a group of companies ; and
- (c) at some time before the recovery is made, that group ceased to exist or that body corporate ceased to be a member thereof,

subsections (2) and (3) of this section shall apply as they apply where the recovery is made otherwise than by, or by the executors or administrators of, the person who was carrying on the business in the said accounting period.

A group of companies shall be deemed for the purposes of this subsection to continue to exist notwithstanding any changes in the members thereof, so long as, and only so long as, the same body corporate remains the principal company of the group.

In this subsection, the expressions “group of companies”, “the principal company” and “subsidiary member” have the meanings assigned to them by subsection (1) of section twenty-eight of the Finance Act, 1940 (which contains provisions as to the treatment of inter-connected companies for excess profits tax purposes).

(5) Subsections (2) and (3) of this section shall also apply as aforesaid where the profits tax is concerned and—

- (a) a body corporate was carrying on the trade or business in the accounting period mentioned in paragraph (a) of subsection (1) of the last preceding section ; and
- (b) a notice given by another body corporate under section twenty-two of the Finance Act, 1937 (which provides for the amalgamation for the purposes of the profits tax of the profits or losses of bodies corporate with those of their subsidiaries) had effect as respects that body corporate in relation to a chargeable accounting period coinciding with, or falling wholly or partly within, that accounting period ; and

PART III
—cont.

(c) that notice had ceased to be in force before the recovery is made :

Provided that this subsection shall not apply by reason of the notice ceasing to be in force if—

- (i) it ceased to be in force by reason of the giving of a subsequent notice under the said section twenty-two, being a notice given as respects both those bodies corporate ; and
- (ii) thereafter, until the recovery is made, there is no period during which either that notice or some other notice under the said section twenty-two, being a notice given as respects both bodies corporate, is not in force.

Remission in certain cases of interest on tax in arrear by reason of exchange restrictions.

41.—(1) The provisions of this section shall have effect where the Commissioners of Inland Revenue are satisfied as respects any tax carrying interest under section eight of the Finance (No. 2) Act, 1947,—

- (a) that the tax is in respect of profits or income arising in a country outside the United Kingdom ; and
- (b) that, as the result of action of the government of that country, it is impossible for the profits or income to be remitted to the United Kingdom ; and
- (c) that having regard to the matters aforesaid and to all the other circumstances of the case it is reasonable that the tax should for the time being remain uncollected,

and the Commissioners allow the tax to remain uncollected accordingly.

(2) Interest on the said tax shall, subject to the provisions of subsection (3) of this section, cease to run under the said section eight as from the date on which the Commissioners of Inland Revenue were first in possession of the information necessary to enable them to be satisfied as aforesaid, and, if the said date is not later than three months from the time when the tax became due and payable, the interest thereon under the said section eight in respect of the period before the said date shall be remitted.

(3) Where, under subsection (2) of this section, interest has ceased to run on any tax and thereafter demand is made by the collector or other proper officer for payment of all or any of that tax, interest under the said section eight shall again begin to run from the date of the demand in respect of the amount demanded :

Provided that where all or any part of the amount demanded is paid not later than three months from the date of the demand, the interest under the said section eight on the amount so paid running from the date of the demand shall be remitted.

(4) This section shall apply in relation to all assessments made whether before or after the passing of this Act, and, in relation to any assessment made before the passing of this Act, shall be deemed always to have had effect :

Provided that no sum actually paid before the twenty-seventh day of June, nineteen hundred and fifty, in respect of any interest shall be repaid by virtue of the provisions of this section.

PART III
—cont.

42. So much of subsection (1) of section two hundred and twenty-one of the Income Tax Act, 1918, as requires proceedings for the recovery of fines, penalties or forfeitures to be commenced in the name either of an officer or of the Attorney-General shall not apply to proceedings in England, Wales or Northern Ireland instituted under the Crown Proceedings Act, 1947, by and in the name of the Commissioners of Inland Revenue as an authorised department for the purposes of the last-mentioned Act. Proceedings for penalties, etc.

PART IV

ESTATE DUTY

43.—(1) Subsections (1) and (2) of section forty-three of the Finance Act, 1940, shall be amended as provided by Part I of the Seventh Schedule to this Act, and accordingly shall have effect as set out in Part II of that Schedule with the amendments made by the Eleventh Schedule to the Finance Act, 1946, and by this subsection. Disposition or determination of life interests, etc. 2

(2) Where an interest limited to cease on a death (within the meaning of the said section forty-three) has been disposed of or has determined, bona fide possession and enjoyment of the property shall not be deemed for the purposes of subsection (2) of that section to be assumed immediately thereafter and thenceforward retained to the entire exclusion of a person who had the interest and of any benefit to him by contract or otherwise, if at any time thereafter he has a benefit by virtue of any operations associated with the disposition or determination, nor while he has such a benefit shall the property be deemed to be enjoyed to the entire exclusion as aforesaid for the purposes of subsection (3) of section fifty-nine of the Finance (1909-10) Act, 1910 (which relates to the surrender of benefits reserved).

(3) In the last foregoing subsection—

- (a) the reference to any operations associated with the disposition shall be taken as referring to any associated operations as defined by section fifty-nine of the Finance Act, 1940, of which the disposition is one; and
- (b) the reference to any operations associated with the determination shall be taken as referring to any associated operations as so defined of which any disposition resulting in, or effected in contemplation of or with reference to, the determination is one.

PART IV
—cont.

(4) This section shall have effect in relation to any death occurring after the eighteenth day of April, nineteen hundred and fifty, whether or not the relevant interest is disposed of or determines after that date.

Collection of
duty from
trustees after
disposition or
determination
of life
interest, etc.

44.—(1) Where an interest limited to cease on a death (within the meaning of section forty-three of the Finance Act, 1940) after becoming an interest in possession is disposed of or determines wholly or partly, then, whatever the nature of the property in which the interest subsisted, the following persons shall be accountable for any estate duty payable on the death by virtue of that section (in addition to any persons accountable therefor apart from this section), that is to say—

- (a) if the settlement under which the interest subsisted is in existence at the death, the trustees for the time being of that settlement ; and
- (b) if it is not, the persons who were the last trustees of that settlement.

(2) Notwithstanding anything in the foregoing subsection or in section eight of the Finance Act, 1894, no person shall be accountable as trustee of a settlement for any estate duty payable by virtue of the said section forty-three in respect of property paid or applied to or for the benefit of a person not of full age in the exercise of any express or implied power of advancement under the settlement, where that person is not and does not become absolutely and indefeasibly entitled to any share or interest in the property comprised in the settlement, and the property so paid or applied to him or for his benefit does not exceed altogether in amount one half of his presumptive share or interest in the property so comprised.

(3) Where—

- (a) the trustees of a settlement may become accountable for estate duty payable by virtue of the said section forty-three in respect of any property ; and
- (b) it is intended that the property or any part thereof shall cease to be comprised in the settlement ;

then if the trustees obtain from the Commissioners a certificate of the amount which in the opinion of the Commissioners may properly be treated as the prospective amount of the duty, and give the Commissioners all the information and evidence required by the Commissioners in connection with the application for the certificate, no person shall be accountable as trustee of the settlement for the duty to which the certificate relates to an amount in excess of the amount certified.

(4) It is hereby declared that a person who may become accountable as trustee of a settlement for estate duty payable by virtue of the said section forty-three on property which is or

has been comprised in the settlement has a lien for the prospective amount of the duty and the costs in respect thereof on any property in his hands which is so comprised.

(5) Where the trustees of a settlement may become accountable for estate duty payable by virtue of the said section forty-three on property which is or has been comprised in the settlement, they may refuse to execute a deed of discharge under section seventeen of the Settled Land Act, 1925, with respect to any land so comprised, or to make or concur in a conveyance of any such land to a person entitled to it as mentioned in subsection (5) of section seven of that Act, unless they are satisfied that they are effectually indemnified against their liability by virtue of this section up to the prospective amount of the duty and the costs in respect thereof.

(6) Where land comprised in a settlement is not vested in the trustees of the settlement, but they are entitled under the last foregoing subsection to refuse to make or concur in a conveyance such as is there mentioned, they may require the person having the possession of the last or only principal vesting instrument to endorse on or annex to that instrument a memorandum that any such conveyance of land so comprised requires the concurrence of the trustees for the time being of the settlement, or, in the case of registered land, they may require the proprietor to apply for the entry on the register of a restriction to the like effect; and thereafter no such conveyance shall be made except by the trustees for the time being or with their concurrence.

(7) References in this section to the prospective amount of any duty are to be taken as referring to the prospective amount of the duty on the assumption that it will become chargeable.

(8) Subsections (1) and (2) of this section shall have effect in relation to any death occurring after the eighteenth day of April, nineteen hundred and fifty, whether or not the relevant interest is disposed of or determines after that date, so however that no person shall by virtue of the said subsection (1) be accountable as trustee of any settlement for any duty except to the extent of the property comprised in the settlement after the said eighteenth day of April; and subsection (3) of this section shall be deemed always to have had effect and to have applied with any necessary modifications to duty payable by virtue of section eleven of the Finance Act, 1900, or section thirty-nine of the Finance Act, 1930, as it applies to duty payable by virtue of section forty-three of the Finance Act, 1940.

45.—(1) Where land or chattels are so settled, whether by Act of Parliament or royal grant, that no one of the persons successively in possession thereof is capable of alienating the same, then notwithstanding anything in subsection (3) of section twenty-eight of the Finance Act, 1949 (which directs that the Parliamentary settled estates.

PART IV
—cont.

estate duty law shall apply to land and chattels so settled in the same way as to other settled property), on the death of a tenant in tail of the property comprised in the settlement estate duty shall not be chargeable as respects any part of that property in the case of which he has disposed of his personal interest to or for the benefit of the person who may from time to time be his successor and in the case of which the conditions of the next following subsection are satisfied.

(2) The conditions to be satisfied are—

- (a) that the disposition of the tenant in tail's personal interest was bona fide effected five years before his death ;
- (b) that bona fide possession and enjoyment of the property was assumed immediately after the disposition by the tenant in tail's successor and thenceforward retained to the entire exclusion of the tenant in tail and of any benefit to him by contract or otherwise or (bona fide possession and enjoyment of the property having been so assumed) the property was enjoyed to the entire exclusion as aforesaid for the five years before the tenant in tail's death ;
- (c) that there is not (by reason of any subsequent disposition of the tenant in tail's personal interest or otherwise) any change on the tenant in tail's death in the person beneficially entitled to possession of the property or the income arising therefrom :

Provided that, for the purposes of paragraph (b) of this subsection, subsection (2) of section forty-three of this Act shall apply in relation to any disposition of a tenant in tail's personal interest as it applies for the purposes of the enactments therein mentioned in relation to a disposition of an interest limited to cease on a death.

(3) For the purpose of paragraph (c) of the last foregoing subsection there shall not be deemed to be a change on a tenant in tail's death in the person beneficially entitled to the income arising from any property by reason only that a jointure or other annuity payable out of that income arises on the tenant in tail's death under the settlement comprising the property or ceases on the tenant in tail's death, but nothing in this section shall affect the duty chargeable on any property on the tenant in tail's death by reason of some other person's having or having had in that property an interest limited to cease on that death.

(4) In this section the expression "tenant in tail" means tenant in tail in possession within the meaning of the Settled Land Act, 1925, and references to a tenant in tail of any property include one of two or more tenants in tail in common or

tenants in tail in coparcenery of that property ; and in relation to any tenant in tail of property—

PART IV
—cont.

(a) the expression “ personal interest ” means his right as tenant in tail to possession of the property or the income arising therefrom or a share thereof during his life ; and

(b) the expression “ successor ” means the person who, if the tenant in tail were dead, would be tenant in tail in his place, whether as heir under the entail or as tenant in tail in remainder.

46.—(1) In relation to a person dying after the eighteenth day of April, nineteen hundred and fifty, there shall be substituted for subsection (1) of section forty-four of the Finance Act, 1940, the following subsections :—

Dispositions in favour of relatives.

“ (1) Any disposition made by the deceased in favour of a relative of his shall be treated for the purposes of paragraph (c) of subsection (1) of section two of the Finance Act, 1894. as a gift unless—

(a) the disposition was made on the part of the deceased for full consideration in money or money's worth paid to him for his own use or benefit ; or

(b) the deceased was concerned in a fiduciary capacity imposed on him otherwise than by a disposition made by him and in such a capacity only ;

and references to a gift in the other enactments relating to estate duty (including this Part of this Act) shall be construed accordingly :

Provided that where the disposition was made on the part of the deceased for partial consideration in money or money's worth paid to him for his own use or benefit, the value of the consideration shall be allowed as a deduction from the value of the property for the purpose of estate duty.

(1A) Where the deceased made a disposition of property in favour of a relative of his, the creation or disposition in favour of the deceased of an annuity or other interest limited to cease on the death of the deceased or of any other person shall not be treated for the purposes of this section or of subsection (1) of section seven of the Finance Act, 1894, as consideration for the disposition made by the deceased.

(1B) If a company to which this section applies was concerned in a transaction in relation to which it is claimed

PART IV
—cont.

that the provisions of paragraph (a) of or the proviso to subsection (1) of this section have effect, those provisions shall have effect in relation thereto if and only if, and to the extent only to which, the Commissioners are satisfied that those provisions would have had effect in the following circumstances, namely, if the assets of the company had been held by it on trust for the members thereof and any other person to whom it is under any liability incurred otherwise than for the purposes of the business of the company wholly and exclusively, in accordance with the rights attaching to the shares in and debentures of the company and the terms on which any such liability was incurred, and if the company had acted in the capacity of a trustee only with power to carry on the business of the company and to employ the assets of the company therein.

(1C) Any gift made in favour of a relative of the deceased by a company of which the deceased at the time of the gift had control within the meaning of subsection (3) of section fifty-five of this Act shall be treated for the purposes of paragraph (c) of subsection (1) of section two of the Finance Act, 1894, as a gift made by the deceased, and the property taken under the gift shall be treated as included by virtue of that paragraph in the property passing on the death of the deceased, if and to the extent to which the Commissioners are satisfied that they would fall to be so treated in the circumstances mentioned in the last foregoing subsection.”

(2) Where the foregoing subsection applies,—

(a) references to subsection (1A) of the said section forty-four shall be substituted—

(i) for the reference to subsection (1) of that section in subsection (5) thereof; and

(ii) for the reference to that section in subsection (1) of section forty of the Finance Act, 1944 (which allows from the value of the property chargeable by virtue of the said section forty-four a deduction for the deceased's annuity payments, but limits the deduction to the amount specified in the Third Schedule to that Act); and

(b) section forty of the Finance Act, 1944, shall have effect also as if for paragraph 2 of the Third Schedule to that Act there were substituted the following paragraph:—

“ 2. Where under section forty-four of the Finance Act, 1940, a deduction for partial consideration

would have been allowable in respect of the annuity or other interest if subsection (1A) of that section had not applied to the disposition and if any other consideration for the disposition had not been given, the amount allowed shall not exceed the amount of that deduction.”

PART IV
—cont.

47. In section fifty-one of the Finance Act, 1940 (which relates to the charge for estate duty under the provisions of that Act about companies, and contains provisions for preventing duplication of the charge), there shall be inserted after subsection (1) the following subsection:—

Amendment
of s. 51 of
Finance Act,
1940.

“(1A) Where the following conditions are satisfied, that is to say, that the deceased has, within five years before his death, disposed of any shares in or debentures of the company for consideration in money or money’s worth paid to him for his own use or benefit, and that any benefits accrued to the deceased from the company by virtue of those shares or debentures or by virtue of a power’s having been exercisable by him or with his consent in relation to those shares or debentures, then—

(a) if the value of the said consideration is equal to or greater than the proportion of the value of the company’s assets that corresponds to the benefits that so accrued to him, or if the Commissioners are satisfied that the said proportion would not, if fully ascertained, be found to be substantially in excess of the value of the said consideration, duty on the said proportion shall not be payable ;

(b) in any other case, the amount on which duty is to be charged in respect of the said proportion shall be reduced by the amount of the value of the said consideration :

Provided that, in the case of any shares or debentures,—

(i) this subsection shall not apply where estate duty is payable on the death on their value or any part thereof or would be so payable but for an exemption from estate duty ; and

(ii) for the purpose of determining to what extent, if any, the disposition of them satisfies the conditions of this subsection, section fifty-six of this Act (which relates to transactions through the medium of a company) shall apply as it applies for the purposes of section three of the Finance Act, 1894.”

PART IV
—cont.

Objects of
national,
scientific,
historic or
artistic
interest.

48.—(1) Subject to the next following subsection, section forty of the Finance Act, 1930 (which exempts from estate duty objects of national, scientific, historic or artistic interest), shall apply to objects which pass on a death occurring after the date of the passing of this Act only if an undertaking is given, by such person as the Treasury think appropriate in the circumstances of the case, that, until the objects again pass on a death or are sold,—

- (a) the objects will be kept permanently in the United Kingdom, and will not leave it temporarily except for a purpose and a period approved by the Treasury ; and
- (b) reasonable steps will be taken for the preservation of the objects ; and
- (c) reasonable facilities for examining the objects for the purpose of seeing the steps taken for their preservation, or for purposes of research, will be allowed to any person authorized by the Treasury so to examine them.

(2) If on a claim for exemption under the said section forty it is made to appear to the Treasury that any documents for which the exemption is claimed contain information which for personal or other reasons ought to be treated as confidential, the Treasury may exclude those documents either altogether or to such extent as they think fit from any undertaking under the foregoing subsection so far as the undertaking relates to the examination of the documents for purposes of research.

(3) Where any objects are exempted from estate duty in pursuance of an undertaking under subsection (1) of this section, and the Treasury are satisfied that at any time during the period for which the undertaking was given it has not been observed in a material respect, then estate duty shall become chargeable, on the value at that time of those objects, in respect of the death on which the exemption was given and at the rate appropriate to the principal value of the estate passing on that death upon which estate duty is leviable, and with which the objects would have been aggregated if they had not been objects to which the said section forty applies ; and any person who, if the objects were sold when the duty becomes chargeable, would be entitled to receive (whether for his own benefit or not) the proceeds of sale or any income arising therefrom shall be accountable for the duty.

(4) Where any objects are sold after becoming chargeable with estate duty under this section in respect of any death, the proceeds of sale shall not be chargeable with estate duty in respect of the same death under subsection (2) of the said section forty.

PART V

MISCELLANEOUS

49.—(1) The permanent annual charge for the National Debt for the financial year ending with the thirty-first day of March, nineteen hundred and fifty-one, shall be the sum of four hundred and ninety million pounds instead of the sum of three hundred and fifty-five million pounds.

Provisions as to permanent annual charge for the National Debt and as to the Old Sinking Fund.

(2) Any amount applied out of revenue during the said year in redeeming or paying off any description of debt shall be deemed to be expenditure within the meaning of sections four and five of the Sinking Fund Act, 1875.

50.—(1) This Act may be cited as the Finance Act, 1950.

Short title, construction, extent and repeals.

(2) Part I of this Act—

(a) so far as it relates to duties of customs, shall be construed as one with the Customs Consolidation Act, 1876, except that the expression “the United Kingdom” does not include the Isle of Man and nothing in the said Part I shall be construed as extending to the Isle of Man; and

(b) so far as it relates to duties of excise, shall be construed as one with the Acts which relate to the duties of excise and to the management of those duties; and

(c) so far as it relates to purchase tax shall be construed as one with Part V of the Finance (No. 2) Act, 1940;

and in the said Part I the expression “the Commissioners” means the Commissioners of Customs and Excise.

(3) Part II of this Act shall be construed as one with the Income Tax Acts.

(4) Part III of this Act, so far as it relates to income tax, shall be construed as one with the Income Tax Acts, and so far as it relates to other taxes, shall be construed as one with the enactments relating to those taxes respectively.

(5) Part IV of this Act shall be construed as one with Part I of the Finance Act, 1894.

(6) Any reference in this Act to any other enactment shall, except so far as the context otherwise requires, be construed as a reference to that enactment as amended by or under any other enactment, including this Act.

PART V
—*cont.*

(7) Save as otherwise expressly provided, such of the provisions of this Act as relate to matters with respect to which the Parliament of Northern Ireland has power to make laws shall not extend to Northern Ireland.

(8) The enactments specified in the Eighth Schedule to this Act are hereby repealed to the extent mentioned in the third column of that Schedule:

Provided that Part I of that Schedule (which contains enactments dealing with licences and oil rebate for agricultural tractors, &c., in Great Britain or with oil rebate for agricultural tractors, &c., in Northern Ireland) shall have effect only from the beginning of the year nineteen hundred and fifty-one.

SCHEDULES

Section 2.

FIRST SCHEDULE

HYDROCARBON OILS (EXCISE): ENACTMENTS APPLIED

1. Subsection (6) of section two of the Finance Act, 1928 (which relates to drawback).
2. Subsection (8) of section two of the Finance Act, 1928, section seven of the Finance Act, 1930, and subsection (1) of section four of the Finance Act, 1938 (which provide for repayment of duty paid in respect of oils used on fishing boats and lifeboats).
3. Subsection (2) of section three of the Finance Act, 1928 (under which the penalty for offences depends on the value of the goods, including duty).
4. Paragraph 5 of the First Schedule to the Finance Act, 1928 (which penalizes misstatements for the purpose of obtaining repayment of duty or rebate).
5. Section four of the Finance (No. 2) Act, 1931 (which prohibits the mixing with light oils of hydrocarbon oils on which rebate has been allowed).
6. Subsection (1) of section three of the Finance Act, 1934 (which relates to the measurement of artificially heated oils).
7. Section two of the Finance Act, 1935 (which disallows rebate on heavy oils used as road fuel).

SECOND SCHEDULE

Section 6.

BEER (RATES OF DUTY AND DRAWBACK)

PART I

RATE OF EXCISE DUTY

	£	s.	d.
For every 36 gallons of worts of a specific gravity of 1,030 degrees or less	7	15	4½
For every 36 gallons of worts of a specific gravity exceeding 1,030 degrees—			
For the first 1,030 degrees	7	15	4½
For every additional degree in excess of 1,030 degrees		6	7½

And so in proportion for any less number of gallons.

PART II

RATE OF EXCISE DRAWBACK

	£	s.	d.
For every 36 gallons the worts whereof were, before fermentation, of a specific gravity of 1,030 degrees or less	7	15	6½
For every 36 gallons the worts whereof were, before fermentation, of a specific gravity exceeding 1,030 degrees—			
For the first 1,030 degrees	7	15	6½
For every additional degree in excess of 1,030 degrees		6	7½

And so in proportion for any less number of gallons.

As respects beer the worts whereof were, before fermentation, of a specific gravity of less than 1,030 degrees the amount of drawback allowable shall not exceed by more than twopence for every 36 gallons the amount of duty which is shown to the satisfaction of the Commissioners to have been paid.

PART III

RATE OF CUSTOMS DUTY IN CASE OF BEER BEING AN EMPIRE PRODUCT

	£	s.	d.
For every 36 gallons the worts whereof were, before fermentation, of a specific gravity of 1,030 degrees or less	7	15	9½
For every 36 gallons the worts whereof were, before fermentation, of a specific gravity exceeding 1,030 degrees—			
For the first 1,030 degrees	7	15	9½
For every additional degree in excess of 1,030 degrees		6	7½

And so in proportion for any less number of gallons.

PART IV

RATE OF CUSTOMS DUTY IN CASE OF BEER NOT BEING AN EMPIRE PRODUCT

	£	s.	d.
For every 36 gallons the worts whereof were, before fermentation, of a specific gravity of 1,030 degrees or less	8	15	9½
For every 36 gallons the worts whereof were, before fermentation, of a specific gravity exceeding 1,030 degrees—			
For the first 1,030 degrees	8	15	9½
For every additional degree in excess of 1,030 degrees		6	7½

And so in proportion for any less number of gallons.

2ND SCH.
—cont.

PART V

RATE OF CUSTOMS DRAWBACK IN CASE OF BEER
BEING AN EMPIRE PRODUCT

	£	s.	d.
For every 36 gallons the worts whereof were, before fermentation, of a specific gravity of 1,030 degrees or less	7	15	6½
For every 36 gallons the worts whereof were, before fermentation, of a specific gravity exceeding 1,030 degrees—			
For the first 1,030 degrees	7	15	6½
For every additional degree in excess of 1,030 degrees	6	7½	
And so in proportion for any less number of gallons.			

As respects beer the worts whereof were, before fermentation, of a specific gravity of less than 1,030 degrees, the amount of drawback allowable shall not exceed the amount of duty which is shown to the satisfaction of the Commissioners to have been paid, less threepence for every 36 gallons.

PART VI

RATE OF CUSTOMS DRAWBACK IN CASE OF BEER
NOT BEING AN EMPIRE PRODUCT

	£	s.	d.
For every 36 gallons the worts whereof were, before fermentation, of a specific gravity of 1,030 degrees or less	8	15	6½
For every 36 gallons the worts whereof were, before fermentation, of a specific gravity exceeding 1,030 degrees—			
For the first 1,030 degrees	8	15	6½
For every additional degree in excess of 1,030 degrees	6	7½	
And so in proportion for any less number of gallons.			

As respects beer the worts whereof were, before fermentation, of a specific gravity of less than 1,030 degrees, the amount of drawback allowable shall not exceed the amount of duty which is shown to the satisfaction of the Commissioners to have been paid, less threepence for every 36 gallons.

Section 13.

THIRD SCHEDULE

SECTION 4 (2) OF THE VEHICLES (EXCISE) ACT, 1949, AS AMENDED

(2) This section applies to the following mechanically propelled vehicles, that is to say—

(a) locomotive ploughing engines, tractors, agricultural tractors and other agricultural engines, which are not used on public roads for hauling any objects, except as follows, that is to say—

(i) for hauling their own necessary gear, threshing appliances, farming implements, a living van for the accommodation of persons employed in connection with the vehicle, or supplies of water or fuel required for the purposes of the vehicle or for agricultural purposes;

(ii) for hauling from one part of a farm to another part of that farm, agricultural or woodland produce of, or articles required for, the farm;

3RD SCH.
—cont.

(iii) for hauling, within fifteen miles of a farm in the occupation of the person in whose name the vehicle is registered under this Act, agricultural or woodland produce of that farm, or agricultural or woodland produce of land occupied with that farm, or fuel required for any purpose on that farm or for domestic purposes by persons employed on that farm by the occupier of the farm;

(iv) for hauling articles required for a farm by the person in whose name the vehicle is registered under this Act, being either the owner or occupier of the farm or a contractor engaged to do agricultural work on the farm by the owner or occupier of the farm, or for hauling articles required by that person for land occupied by him with a farm;

(v) for hauling, within fifteen miles of a forestry estate in the occupation of the person in whose name the vehicle is registered under this Act, agricultural or woodland produce of that estate or fuel required for any purpose on that estate or for domestic purposes by persons employed on that estate by the occupier of the estate, or for hauling articles required for such a forestry estate by the occupier of the estate;

(b) vehicles designed, constructed and used for the purpose of trench digging or any kind of excavating or shovelling work, which—

(i) are used on public roads only for that purpose or for the purpose of proceeding to and from the place where they are to be used for that purpose; and

(ii) when so proceeding, neither carry nor haul any load other than such as is necessary for their propulsion or equipment;

(c) vehicles designed and constructed as mobile cranes which—

(i) are used on public roads only either as cranes in connection with work being carried on on a site in the immediate vicinity or for the purpose of proceeding to and from a place where they are to be used as cranes; and

(ii) when so proceeding neither carry nor haul any load other than such as is necessary for their propulsion or equipment;

(d) mowing machines;

(f) vehicles (other than vehicles mentioned in paragraphs (a) to (d) of this subsection) which are constructed and used on public roads for haulage solely and not for the purpose of carrying or having superimposed upon them any load except such as is necessary for their propulsion or equipment.

Section 14.

FOURTH SCHEDULE

ENTERTAINMENTS—FULL RATES OF DUTY

<i>Amount of Payment</i>		<i>Rate of Duty</i>					
Where the amount of the payment, excluding the amount of duty—							
s.	d.	s.	d.				
exceeds	7	and does not exceed	8	...	...	...	1
exceeds	8	and does not exceed	8½	...	...	...	1½
exceeds	8½	and does not exceed	9	...	...	...	3
exceeds	9	and does not exceed	10½	...	...	...	4½
exceeds	10½	and does not exceed	11½	...	...	...	6½
exceeds	11½	and does not exceed	1 0½	...	...	...	8½
exceeds	1 0½	and does not exceed	1 1	...	...	...	9
exceeds	1 1	and does not exceed	1 4½	...	...	...	10½
exceeds	1 4½	and does not exceed	1 5	...	...	...	11
exceeds	1 5	and does not exceed	1 8	...	...	1 1	1 1
exceeds	1 8	and does not exceed	1 8½	...	...	1 1	1½
exceeds	1 8½	and does not exceed	1 9	...	...	1 1	3
exceeds	1 9	and does not exceed	1 9½	...	...	1 1	3½
exceeds	1 9½	and does not exceed	2 0	...	...	1 1	6
exceeds	2 0	and does not exceed	2 0½	...	...	1 1	6½
exceeds	2 0½	and does not exceed	2 2	...	...	1 1	7
exceeds	2 2	and does not exceed	2 2½	...	...	1 1	7½
exceeds	2 2½	and does not exceed	2 6	...	...	2 0	0
exceeds	2 6	and does not exceed	2 6½	...	...	2 0	0½
exceeds	2 6½	and does not exceed	3 0	...	...	2 0	6
exceeds	3 0	and does not exceed	3 0½	...	...	2 0	6½
exceeds	3 0½	and does not exceed	3 5	...	...	2 0	7
exceeds	3 5	and does not exceed	3 5½	...	...	2 0	7½
exceeds	3 5½	and does not exceed	4 2	...	...	3 0	4
exceeds	4 2	and does not exceed	4 2½	...	...	3 0	4½
exceeds	4 2½	and does not exceed	4 11	...	...	4 0	2
exceeds	4 11	and does not exceed	5 5	...	...	4 0	7
exceeds	5 5	and does not exceed	5 11	...	...	5 0	0
exceeds	5 11	and does not exceed	6 5	...	...	5 0	2
exceeds	6 5	and does not exceed	6 11	...	...	5 0	10
exceeds	6 11	...	...	...	...	5 10	for the first 6s. 11d. and 5d. for every 6d. or part of 6d. over 6s. 11d.

FIFTH SCHEDULE

Section 18.

PURCHASE TAX: SUPPLEMENTARY PROVISIONS AS TO ROAD VEHICLE CHASSIS AND ROAD VEHICLES

PART I

PROVISIONS DEALING WITH TAX IN RESPECT OF ROAD VEHICLE CHASSIS

1.—(1) Purchase tax in respect of a road vehicle chassis shall be chargeable on the wholesale value of the chassis complete but without additions, and for the purposes of section twenty-one of the Finance (No. 2) Act, 1940 (which relates to the determination of wholesale value), any chassis in respect of which tax is chargeable shall be assumed to be in that state.

(2) The following shall be deemed to be additions to a chassis for the purposes of this paragraph, namely—

- (a) a driver's cab;
- (b) accumulators used for the purpose of the supply of power for propulsion;
- (c) in the case of a chassis for a tractor or locomotive designed for use as a component of a composite vehicle, a turntable, coupling gear or equivalent mechanism.

(3) Subject to the last foregoing sub-paragraph, it shall be for the Commissioners to determine for any chassis or type of chassis what parts and accessories are, for the purposes of this paragraph, to be deemed to belong to a complete chassis or to be additions thereto, and what type of any part or accessory deemed to belong to a complete chassis a chassis lacking that part or accessory is to be treated for those purposes as having.

(4) In exercising their powers under the last foregoing sub-paragraph, the Commissioners shall wherever practicable have regard to any standard commercial specification for the type of chassis in question.

2. The fitting to a road vehicle chassis of items deemed to be additions thereto for the purposes of the foregoing paragraph shall not be treated as the application of a chargeable process.

3.—(1) In relation to road vehicle chassis, the enactments relating to purchase tax shall have effect as if—

- (a) any dealing with a goods vehicle (and in particular any purchase, appropriation or application, or importation thereof) were a dealing with the vehicle's chassis; and
- (b) goods vehicles were chargeable goods for the purposes of any reference to a business of, or a business including, the selling, or the letting out on hire, of chargeable goods;

and the fact that a chassis forms part of a vehicle shall not affect the operation in relation to the chassis of references in the said enactments to goods resulting from the application of a process, if when the process is completed the vehicle is a goods vehicle.

5TH SCH.
—cont.

(2) In this paragraph the expression "goods vehicle" means a mechanically propelled road vehicle constructed or adapted for use for the carriage or haulage of goods or burden of any description not forming part of the vehicle or necessary for its propulsion or equipment, but does not include—

- (a) vehicles which are chargeable goods under Group 35 in Part I of the Eighth Schedule to the Finance Act, 1948;
- (b) vehicles which are constructed or adapted mainly for the carriage of passengers but are exempt from purchase tax under paragraph (c) of that Group;
- (c) vehicles of the following descriptions which are designed and permanently fitted solely or mainly for a function other than the carriage of passengers or goods—
 - (i) mobile cinemas, sound film production vehicles, television production vehicles and recording vans;
 - (ii) mobile canteens and shops, mobile clinics and travelling libraries;
 - (iii) mobile printing presses and other mobile workshops;
 - (iv) hearses;
 - (v) gully emptiers, road cleansing, road watering and refuse collecting vehicles;
 - (vi) travelling lavatories and wash places;
 - (vii) breakdown vehicles fitted with a jib crane;
 - (viii) engineering plant;
- (d) tractors and locomotives, except tractors or locomotives designed for use as components of a composite vehicle;
- (e) industrial and works trucks designed primarily for use in factories, docks, yards, railway stations or warehouses;
- (f) wheeled vehicles which drive through all road wheels and are of less than 30 cwt. unladen weight;
- (g) pedestrian controlled vehicles;
- (h) caravans.

(3) The Treasury shall have power by order to amend sub-paragraph (2) of this paragraph, and subsections (3) to (6) of section twenty-one of the Finance Act, 1948 (which provide for approval or annulment by the House of Commons and other matters in the case of orders under that section), shall apply to orders under this sub-paragraph as they apply to those orders.

4. Where the Commissioners are satisfied—

- (a) that purchase tax has become chargeable in respect of a road vehicle chassis;

- (b) that the chassis has been used for the construction of a vehicle which is neither a goods vehicle within the meaning of the last foregoing paragraph nor a vehicle falling within paragraph (a) or (d) of sub-paragraph (2) of that paragraph; and
- (c) that the chassis has not previously been used for the construction of a vehicle;

5TH SCH.
—cont.

the purchase tax chargeable in respect of the chassis shall be remitted or, if it has been paid, shall be repaid.

PART II.

PROVISIONS ADJUSTING CONTRACTUAL RIGHTS IN RELATION TO PURCHASE TAX IN RESPECT OF ROAD VEHICLES

1.—(1) This Part of this Schedule applies to vehicles of the following description, that is to say:—

road vehicles constructed or adapted for use for the carriage or haulage of goods or burden of any description not forming part of the vehicle or necessary for its propulsion or equipment, being either mechanically propelled vehicles or vehicles designed for use as components of a composite vehicle which is mechanically propelled, and not being vehicles in respect of which purchase tax has become chargeable nor vehicles of the kinds mentioned in paragraphs (b), (c), (d), (e) and (h) of sub-paragraph (2) of paragraph 3 of Part I of this Schedule;

but applies to a vehicle of that description only where purchase tax would have become chargeable in respect of it if vehicles of that description had been made chargeable goods as from the first day of May, nineteen hundred and fifty.

(2) Any reference in this Part of this Schedule to a prospective liability by virtue of this Act to purchase tax shall be taken as a reference to a prospective liability to purchase tax arising from the charge of purchase tax on certain vehicles which was provided for by a resolution passed by the Committee of Ways and Means of the House of Commons on budget day.

(3) In this Part of this Schedule, the expression “relevant vehicle” means a vehicle to which this Part of this Schedule applies, the expression “budget day” means the eighteenth day of April, nineteen hundred and fifty, and the expression “process of manufacture” has the same meaning as in section sixteen of the Finance Act, 1946.

2. Subject to paragraph 5 of this Part of this Schedule, where a relevant vehicle was sold in the course of a business under a purchase made after budget day and before the date of the passing of this Act at a price exceeding the price at which, in the ordinary course of that business, similar vehicles were sold or offered for sale immediately before budget day, the buyer shall be entitled to deduct from the price, or (if he has paid the price) to recover from the seller as money received

5TH SCH.
—cont.

by him for the use of the buyer, an amount equal to the excess, except in so far as the seller proves that the excess was included in the price by reference to matters other than—

- (a) his prospective liability by virtue of this Act to purchase tax in respect of the vehicle; or
- (b) any increase attributable to the prospective liability as aforesaid of any other person in the price charged to the seller on a contract made by him after budget day for the purchase of the vehicle or for the application of a process of manufacture resulting in the vehicle.

3. Subject as aforesaid, where a relevant vehicle was sold under a purchase made on or before budget day and was delivered under the purchase on or after the first day of May, nineteen hundred and fifty, but before the date of the passing of this Act, and the seller has recovered from the buyer, as an addition to the price, any sum fixed by reference to his prospective liability by virtue of this Act to purchase tax in respect of the vehicle, the buyer shall be entitled to recover that sum from the seller as money received by him for the use of the buyer.

4. The two last foregoing paragraphs shall apply where a contract (not being a contract of sale) was made for the application of a process of manufacture resulting in a relevant vehicle, as they would have applied if the contract had been a contract for the sale of the vehicle to the person to whose order the process is applied by the person applying it to his order, but with the substitution—

- (a) in paragraph 2 for the reference to similar vehicles being sold or offered for sale of a reference to contracts for similar operations being made or invited; and
- (b) in paragraph 3 for the reference to the vehicle being delivered of a reference to the process being completed.

5.—(1) Where, in the case of a relevant vehicle, a transaction giving rise to any such prospective liability to purchase tax as is referred to in the foregoing provisions of this Part of this Schedule was one by reason of which purchase tax is chargeable in respect of the vehicle's chassis, any amount which apart from this paragraph might be deducted or recovered under those provisions as referable to that prospective liability, or to an increase of price attributable to that prospective liability, shall be reduced by the amount of the tax so chargeable.

(2) A person shall not be entitled to recover under subsection (2) of section twenty-four of the Finance Act, 1948, any tax in respect of which he is entitled to a reduction under the foregoing sub-paragraph.

SIXTH SCHEDULE

Section 36.

DOUBLE TAXATION RELIEF

PART I

PROVISIONS FOR CREDIT BY WAY OF UNILATERAL RELIEF

1. Credit for tax paid under the law of the territory outside the United Kingdom in respect of income arising in that territory shall be allowed against any United Kingdom income tax or profits tax chargeable in respect of that income:

Provided that—

- (a) where the territory is the Isle of Man or any of the Channel Islands, the limitation to income arising in the territory shall not apply;
- (b) where arrangements with the Government of the territory are for the time being in force by virtue of Part V of the Finance (No. 2) Act, 1945, credit for tax paid under the law of the territory shall not be allowable under this paragraph in the case of any income if any credit for that tax is allowable under those arrangements in the case of that income.

2. Profits from or remuneration for personal or professional services performed in the territory shall be deemed to be income arising in the territory for the purpose of the preceding paragraph.

3. Where a dividend paid by a company resident in the territory is paid to a company resident in the United Kingdom which controls, directly or indirectly, not less than one half of the voting power in the company paying the dividend, tax paid under the law of the territory by the first mentioned company in respect of its profits shall be taken into account in considering whether any, and if so what, credit is to be allowed in respect of the dividend.

4. The following provisions shall, without prejudice to the generality of the last preceding paragraph, have effect where the territory is within the Commonwealth territories—

- (a) where the income arising in the territory is an ordinary dividend paid by a company which is resident in the territory, tax paid under the law of the territory by the company in respect of its profits shall be taken into account in considering whether any, and if so what, credit is to be allowed in respect of the dividend; and
- (b) where the income arising in the territory is a dividend paid by a company resident in the territory on participating preference shares and represents both a dividend at the fixed rate to which the shares are entitled and an additional participation in profits, sub-paragraph (a) of this paragraph shall apply in relation to so much of the dividend as represents the said additional participation in profits as if that part of the dividend were an ordinary dividend.

6TH SCH.
—cont.

PART II

AMENDMENTS OF NINTH SCHEDULE TO THE FINANCE ACT, 1947, APPLICABLE TO UNILATERAL RELIEF

1. Notwithstanding anything in paragraph 3 of Part I of the Ninth Schedule to the Finance Act, 1947 (which provides that relief by way of credit shall be given only where the person in question is resident in the United Kingdom),—

- (a) credit by way of unilateral relief for tax paid under the law of the Isle of Man or any of the Channel Islands may be allowed if the person in question is, for the chargeable accounting period or year of assessment in question, resident either in the United Kingdom or in the Isle of Man or the Channel Islands, as the case may be;
- (b) credit by way of unilateral relief for tax paid under the law of any territory in respect of income from an office or employment of profit the duties whereof are performed wholly or mainly in that territory may be allowed against income tax chargeable under Schedule E in respect of that income if the person in question is, for the year of assessment in question, resident either in the United Kingdom or that territory.

2. In sub-paragraph (3) of paragraph 7 of the said Part I (which provides that tax which can be allowed as a credit neither against income tax nor against the profits tax shall be allowed as a deduction in computing the amount of the income chargeable to the profits tax), after the words “the amount of the income,” where they last occur, there shall, in relation to credit by way of unilateral relief, be deemed to be inserted the words “of the trade or business in question for the chargeable accounting period next following the period on the income of which the foreign tax was paid.”

PART III

TRANSITIONAL PROVISIONS

1. Where tax is paid under the law of a territory outside the United Kingdom in respect of income which, for profits tax purposes, is or forms part of the profits for a chargeable accounting period ending at or before the end of March, nineteen hundred and fifty—

- (a) credit for the tax so paid shall not be allowed by way of unilateral relief against the profits tax; and
- (b) the tax so paid may be deducted in computing the amount of the profits for profits tax purposes notwithstanding that credit (being credit by way of unilateral relief) falls to be allowed therefor against income tax; and
- (c) where the income is, for income tax purposes, income of the year 1950–51, sub-paragraph (3) of paragraph 7 of Part I of the Ninth Schedule to the Finance Act, 1947, as modified by paragraph 2 of Part II of this Schedule, shall apply or not apply in relation to so much of the tax so paid as cannot

be allowed as a credit against income tax according as the next chargeable accounting period of the trade or business in question does or does not end after the said end of March:

6TH SCH
—cont.

Provided that where the said next chargeable accounting period falls partly before and partly after the said end of March, the tax which would, but for this proviso, go to reduce the amount of the profits for the said next chargeable accounting period shall be apportioned between the two parts of the said next chargeable accounting period, and so much only of that tax as is apportioned to the second part of the period shall go to reduce the profits for that period.

2. Where tax is paid under the law of a territory outside the United Kingdom in respect of income which, for profits tax purposes, is or forms part of the profits for a chargeable accounting period falling partly before and partly after the said end of March, the tax so paid shall be apportioned between the two parts of the period, and subparagraphs (a) and (b) of paragraph 1 of this Part of this Schedule shall apply in relation to the tax apportioned to the first part of the period as they apply in relation to income which, for profits tax purposes, is or forms part of the profits for a chargeable accounting period ending at or before the said end of March.

3. Profits tax for any chargeable accounting period ending at or before the said end of March shall be left out of account in ascertaining, under the proviso to subsection (2) of section thirty-six of this Act, the total amount of the credit by way of unilateral relief which may be allowed in respect of any tax.

4. Profits tax for any chargeable accounting period falling partly before and partly after the said end of March shall be apportioned between the two parts of the period and—

- (a) the credit by way of unilateral relief to be applied in reducing the amount of the profits tax for that period shall not exceed so much of the profits tax as is apportioned to the second part of the period; and
- (b) paragraph 3 of this Part of this Schedule shall apply in relation to so much of the profits tax as is apportioned to the first part of the period as it applies in relation to profits tax for a chargeable accounting period ending at or before the said end of March.

5. Any apportionment falling to be made under this Part of this Schedule of—

- (a) tax which would, but for the proviso to paragraph 1 thereof, go to reduce profits for a chargeable accounting period falling partly before and partly after the said end of March; or
 - (b) tax paid under the law of a territory outside the United Kingdom in respect of income which, for profits tax purposes, is or forms part of the profits for any such chargeable accounting period; or
 - (c) profits tax for any such chargeable accounting period,
- shall be made by reference to the number of months or fractions of a month in the two parts of the chargeable accounting period.

Section 43.

SEVENTH SCHEDULE

SECTION 43 (1) AND (2) OF THE FINANCE ACT, 1940

PART I

AMENDMENTS

1.—(1) In subsection (1), immediately before paragraph (a), there shall be inserted the words “and the disposition or determination (or any of them if there are more than one) is not excepted by subsection (2) of this section, then”.

(2) In paragraph (a) and in paragraph (b) of subsection (1) for the words “apart from the disposition or determination” there shall be substituted the words “had there been no disposition or determination as aforesaid of that interest and no disposition of any interest expectant upon or subject to that interest”.

2.—(1) In subsection (2) for the words “the relevant disposition or determination” there shall be substituted the words “a disposition or determination of an interest limited to cease on the death”.

(2) In subsection (2) for the words “the preceding subsection shall not have effect” there shall be substituted the words “the disposition or determination shall be excepted by this subsection”.

(3) In paragraph (a) of subsection (2) before the word “had” there shall be inserted the words “immediately before the disposition or determination”.

PART II

SECTION 43 (1) AND (2) AS AMENDED

(1) Subject to the provisions of this section, where an interest limited to cease on a death has been disposed of or has determined, whether by surrender, assurance, divesting, forfeiture or in any other manner (except by the expiration of a fixed period at the expiration of which the interest was limited to cease), whether wholly or partly, and whether for value or not, after becoming an interest in possession, and the disposition or determination (or any of them if there are more than one) is not excepted by subsection (2) of this section, then—

(a) if, had there been no disposition or determination as aforesaid of that interest and no disposition of any interest expectant upon or subject to that interest, the property in which the interest subsisted would have passed on the death under section one of the Finance Act, 1894, that property shall be deemed by virtue of this section to be included as to the whole thereof in the property passing on the death; or

(b) if, had there been no disposition or determination as aforesaid of that interest and no disposition of any interest expectant upon or subject to that interest, the property in which the interest subsisted would have been deemed by virtue of paragraph (b) of subsection (1) of section two of the said Act to be included to a particular extent in the property

passing on the death, the property in which the interest subsisted shall be deemed by virtue of this section to be included to that extent in the property passing on the death.

7TH SCH.
—cont.

(2) Where a disposition or determination of an interest limited to cease on the death was bona fide effected or suffered five years before the death (or, if it was effected or suffered for public or charitable purposes, one year before the death), the disposition or determination shall be excepted by this subsection—

- (a) if bona fide possession and enjoyment of the property in which the interest subsisted was assumed immediately thereafter by the person becoming entitled by virtue of or upon the disposition or determination and thenceforward retained to the entire exclusion of the person who immediately before the disposition or determination had the interest and of any benefit to him by contract or otherwise; or
- (b) in the case of a partial determination, if the conditions specified in the preceding paragraph were not satisfied by reason only of the retention or enjoyment by the deceased of possession of some part of the property, or of some benefit, by virtue of the provisions of the instrument under which he had the interest:

Provided that nothing in this subsection shall be construed as affecting any charge of estate duty arising otherwise than by virtue of the provisions of the preceding subsection.

EIGHTH SCHEDULE

Section 50.

ENACTMENTS REPEALED

PART I

REPEALS HAVING EFFECT FROM BEGINNING OF 1951

Reference	Short Title	Extent of Repeal
2 & 3 Geo. 6. c. 41.	The Finance Act, 1939 ...	Section ten.
3 & 4 Geo. 6. c. 29.	The Finance Act, 1940 ...	Section nine.
5 & 6 Geo. 6. c. 21.	The Finance Act, 1942 ...	Section eight.
6 & 7 Geo. 6. c. 28.	The Finance Act, 1943 ...	Section eight.
9 & 10 Geo. 6. c. 13.	The Finance (No. 2) Act, 1945.	Section seven.
10 & 11 Geo. 6. c. 35.	The Finance Act, 1947 ...	Subsections (2) to (4) of section eight.
12, 13 & 14 Geo. 6. c. 89.	The Vehicles (Excise) Act, 1949.	Paragraph (e) of subsection (2) of section four; subsection (4) of section thirty; paragraph 5 of the Third Schedule; paragraph 1 of the Sixth Schedule.

8TH SCH.
—cont.

PART II
MISCELLANEOUS REPEALS

Reference	Short Title	Extent of Repeal
39 & 40 Vict. c. 36.	The Customs Consolidation Act, 1876.	As from the coming into force of regulations under section twenty of this Act and subject to any transitional provisions in those regulations, sections one hundred and twenty-one to one hundred and twenty-five.
8 & 9 Geo. 5. c. 40.	The Income Tax Act, 1918.	In paragraph (c) of subsection (1) of section one hundred and three, the words "living with her husband, or a married woman whose husband is not accountable for the payment of any tax charged on her"; section one hundred and seventy-one; in section two hundred and thirty-seven, in the definition of the expression "incapacitated person" the words "married woman"; Rule 16 of the General Rules.
10 & 11 Geo. 5. c. 18.	The Finance Act, 1920 ...	Section twenty-five.
15 & 16 Geo. 5. c. 36.	The Finance Act, 1925 ...	The proviso to subsection (3) of section fifteen.
17 & 18 Geo. 5. c. 10.	The Finance Act, 1927 ...	In section forty-six, the words "twenty-five and"; and, in Part II of the Fifth Schedule, the amendments of section twenty-five of the Finance Act, 1920.
23 & 24 Geo. 5. c. 19.	The Finance Act, 1933 ...	Section ten.
25 & 26 Geo. 5. c. 24.	The Finance Act, 1935 ...	In subsection (4) of section two the words "in the case of imported oils".
1 & 2 Geo. 6. c. 46.	The Finance Act, 1938 ...	Section one.
7 & 8 Geo. 6. c. 23.	The Finance Act, 1944 ...	Subsection (2) of section two.
9 & 10 Geo. 6. c. 13.	The Finance (No. 2) Act, 1945.	Section three; paragraphs (a) and (b) of subsection (5) of section eight; the proviso to section eleven.
10 & 11 Geo. 6. c. 35.	The Finance Act, 1947 ...	Section one except subsection (3); Part II of the Fourth Schedule.
11 & 12 Geo. 6. c. 49.	The Finance Act, 1948 ...	Subsection (5) of section twenty; in Group 35 in Part I of the Eighth Schedule, sub-paragraphs (i) to (iii) of paragraph (a), except the word 'First' where last occurring.

8TH SCH.
—cont.

Reference	Short Title	Extent of Repeal
12, 13 & 14 Geo. 6. c. 47.	The Finance Act, 1949 ...	Section two and the First Schedule, except as respects any drawback to which the proviso to subsection (1) of section six of this Act applies; section nine, except as respects entertainments held before the appointed day within the meaning of section fourteen of this Act.

Table of Statutes referred to in this Act

Short Title	Session and Chapter
Sinking Fund Act, 1875	38 & 39 Vict. c. 45.
Customs Consolidation Act, 1876	39 & 40 Vict. c. 36.
Stamp Duties Management Act, 1891	54 & 55 Vict. c. 38.
Stamp Act, 1891	54 & 55 Vict. c. 39.
Finance Act, 1894	57 & 58 Vict. c. 30.
Finance Act, 1900	63 & 64 Vict. c. 7.
Finance (1909-10) Act, 1910	10 Edw. 7 & 1 Geo. 5. c. 8.
Income Tax Act, 1918	8 & 9 Geo. 5. c. 40.
Finance Act, 1920	10 & 11 Geo. 5. c. 18.
Safeguarding of Industries Act, 1921	11 & 12 Geo. 5. c. 47.
Finance Act, 1923	13 & 14 Geo. 5. c. 14.
Settled Land Act, 1925	15 & 16 Geo. 5. c. 18.
Finance Act, 1925	15 & 16 Geo. 5. c. 36.
Finance Act, 1927	17 & 18 Geo. 5. c. 10.
Finance Act, 1928	18 & 19 Geo. 5. c. 17.
Finance Act, 1930	20 & 21 Geo. 5. c. 28.
Finance (No. 2) Act, 1931	21 & 22 Geo. 5. c. 28.
Import Duties Act, 1932	22 & 23 Geo. 5. c. 8.
Finance Act, 1932	22 & 23 Geo. 5. c. 25.
Ottawa Agreements Act, 1932	22 & 23 Geo. 5. c. 53.
Finance Act, 1933	23 & 24 Geo. 5. c. 19.
Finance Act, 1934	24 & 25 Geo. 5. c. 32.
Finance Act, 1935	25 & 26 Geo. 5. c. 24.
Finance Act, 1936	26 Geo. 5 & 1 Edw. 8. c. 34.
Beef and Veal Customs Duties Act, 1937	1 Edw. 8 & 1 Geo. 6. c. 8.
Finance Act, 1937	1 Edw. 8 & 1 Geo. 6. c. 54.
Finance Act, 1938	1 & 2 Geo. 6. c. 46.
Finance Act, 1939	2 & 3 Geo. 6. c. 41.
Finance (No. 2) Act, 1939	2 & 3 Geo. 6. c. 109.
Finance Act, 1940	3 & 4 Geo. 6. c. 29.
Finance (No. 2) Act, 1940	3 & 4 Geo. 6. c. 48.
Finance Act, 1942	5 & 6 Geo. 6. c. 21.
Finance Act, 1943	6 & 7 Geo. 6. c. 28.
Finance Act, 1944	7 & 8 Geo. 6. c. 23.
Income Tax Act, 1945	8 & 9 Geo. 6. c. 32.

Short Title	Session and Chapter
Finance (No. 2) Act, 1945	9 & 10 Geo. 6. c. 13.
Finance Act, 1946	9 & 10 Geo. 6. c. 64.
Finance Act, 1947	10 & 11 Geo. 6. c. 35.
Crown Proceedings Act, 1947	10 & 11 Geo. 6. c. 44.
Finance (No. 2) Act, 1947	11 & 12 Geo. 6. c. 9.
Finance Act, 1948	11 & 12 Geo. 6. c. 49.
Finance Act, 1949	12, 13 & 14 Geo. 6. c. 47.
Distribution of German Enemy Property Act, 1949	12, 13 & 14 Geo. 6. c. 85.
Vehicles (Excise) Act, 1949	12, 13 & 14 Geo. 6. c. 89.

CHAPTER 16

Appropriation Act, 1950

An Act to apply a sum out of the Consolidated Fund to the service of the year ending on the thirty-first day of March, one thousand nine hundred and fifty-one and to appropriate the supplies granted in this Session of Parliament. [28th July, 1950.]

Most Gracious Sovereign,

WE, Your Majesty's most dutiful and loyal subjects the Commons of the United Kingdom in Parliament assembled, towards making good the supply which we have cheerfully granted to Your Majesty in this Session of Parliament, have resolved to grant unto Your Majesty the sum hereinafter mentioned; and do therefore most humbly beseech Your Majesty that it may be enacted, and be it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

GRANT OUT OF CONSOLIDATED FUND

Issue of
£1,857,265,078
out of the
Consolidated
Fund for the
service of the
year ending
31st March,
1951.

1. The Treasury may issue out of the Consolidated Fund of the United Kingdom, and apply towards making good the supply granted to His Majesty for the service of the year ending on the thirty-first day of March one thousand nine hundred and fifty-one, the sum of one thousand eight hundred and fifty-seven million, two hundred and sixty-five thousand and seventy-eight pounds.

2.—(1) The Treasury may borrow from any person, by the issue of Treasury Bills or otherwise, and the Bank of England and the Bank of Ireland may advance to the Treasury on the credit of the said sum, any sum or sums not exceeding in the whole one thousand eight hundred and fifty-seven million, two hundred and sixty-five thousand and seventy-eight pounds. Power for the Treasury to borrow.

(2) The date of payment of any Treasury Bills issued under this section shall be a date not later than the thirty-first day of March, one thousand nine hundred and fifty-one and section six of the Treasury Bills Act, 1877 (which relate to the renewal of bills), shall not apply with respect to those bills. 40 & 41 Vict. c. 2.

(3) Any money borrowed otherwise than on Treasury Bills shall be repaid, with interest not exceeding three pounds per cent. per annum, out of the growing produce of the Consolidated Fund, at any period not later than the next succeeding quarter to that in which the money was borrowed.

(4) Any money borrowed under this section shall be placed to the credit of the account of the Exchequer, and shall form part of the said Consolidated Fund, and be available in any manner in which such Fund is available.

(5) The interest on any money borrowed under this section shall be paid out of the permanent annual charge for the National Debt.

APPROPRIATION OF GRANTS

3. All sums granted by this Act and the other Act mentioned in Schedule (A) annexed to this Act out of the said Consolidated Fund towards making good the supply granted to His Majesty amounting, as appears by the said schedule, in the aggregate, to the sum of three thousand two hundred and fifty-one million, eight hundred and eighty-one thousand, one hundred and sixty-four pounds, one shilling and five pence are appropriated, and shall be deemed to have been appropriated as from the date of the passing of the Acts mentioned in the said Schedule (A), for the services and purposes expressed in Schedule (B) annexed hereto. Appropriation of sums voted for supply services.

The abstract of schedules and schedules annexed hereto, with the notes (if any) to such schedules, shall be deemed to be part of this Act in the same manner as if they had been contained in the body thereof.

In addition to the said sums granted out of the Consolidated Fund, there may be applied out of any money directed, under section two of the Public Accounts and Charges Act, 1891, to be applied as appropriations in aid of the grants for the services and purposes specified in Schedule (B) annexed hereto the sums respectively set forth in the last column of the said schedule. 54 & 55 Vict. c. 24.

Treasury may in certain cases of exigency authorise expenditure unprovided for; provided that the aggregate grants for Navy, Army and Air Services respectively be not exceeded.

4.—(1) So long as the aggregate expenditure on Navy, Army and Air Services respectively is not made to exceed the aggregate sums appropriated by this Act for those services respectively, any surplus arising on any vote for those services either by an excess of the sum realised on account of appropriations in aid of the vote over the sum which may be applied under this Act as appropriations in aid of that vote, or by saving of expenditure on that vote, may, with the sanction of the Treasury, be temporarily applied either in making up any deficiency in the sums realised on account of appropriations in aid of any other vote in the same department, or in defraying expenditure in the same department which is not provided for in the sums appropriated to the service of the department by this Act, and which it may be detrimental to the public service to postpone until provision can be made for it by Parliament in the usual course.

(2) A statement showing all cases in which the sanction of the Treasury has been given to the temporary application of a surplus under this section, and showing the circumstances in which the sanction of the Treasury has been given, shall be laid before the House of Commons with the appropriation accounts of the Navy, Army and Air Services for the year, in order that any temporary application of any surplus sanctioned by the Treasury under this section may be submitted for the sanction of Parliament.

Sanction for application of surpluses on certain Navy, Army and Air Votes for 1948-49. 11 & 12 Geo. 6. c. 50. 12 & 13 Geo. 6. c. 48.

5. Whereas under the powers given for the purpose by the Appropriation Acts, 1948 and 1949, surpluses arising on certain votes for Navy, Army and Air Services have been applied towards making good deficits on those services respectively as shown in the statements set out in Schedule (C) to this Act:

It is enacted that the application of those surpluses as shown in the said statements is hereby sanctioned.

Declaration required in certain cases before receipt of sums appropriated.

6.—(1) A person shall not receive any payment out of a grant which may be made in pursuance of this Act for half-pay or Navy, Army, Air, or Civil non-effective services, until he has subscribed such declaration as may from time to time be prescribed by a warrant of the Treasury before one of the persons prescribed by the warrant:

Provided that the Treasury may dispense with the production of a declaration under this section in respect of any payment if either—

- (a) such a declaration has been subscribed within a period of twelve calendar months preceding the date of the payment, or such longer period as the Treasury may in any particular case or class of cases allow; or
- (b) the payment is made through a banker who has entered into an undertaking in such form as may be approved

by the Treasury with respect to the notification of circumstances coming to the knowledge of the banker which might affect the right to such payments of the person to whom the payment is made.

(2) Any person who makes a declaration for the purpose of this section knowing the same to be untrue in any material particular shall be guilty of a misdemeanour.

7. This Act may be cited for all purposes as the Appropriation Short title Act, 1950.

A B S T R A C T

OF

SCHEDULES (A) and (B) to which this
Act refers.

SCHEDULE (A)

Section 3.

Grants out of the Consolidated Fund -	-	£	s.	d.
		3,251,881,164	1	5

SCHEDULE (B).—APPROPRIATIONS OF GRANTS

Section 3.

	Sums not exceeding			
	Supply Grants		Appropriations in Aid	
	£	s. d.	£	s. d.
1948-49 and 1949-50				
Part 1. Civil (Excess), 1948-49 - -	611	1 5	904	7 7
„ 2. Navy (Supple- mentary), 1949- 50 - - -	10	0 0	2,000,000	0 0
„ 3. Civil and Revenue Departments (Supplementary), 1949-50 - -	148,402,365	0 0	*—10,030,896	0 0
£	148,402,986	1 5	*—8,029,991	12 5

* Deficit.

SCHED. (B).
Appropriations
of Grants.

SCHEDULE (B).—APPROPRIATIONS OF GRANTS—*cont.*

	Sums not exceeding					
	Supply Grants			Appropriations in Aid		
	£	s.	d.	£	s.	d.
1950-51						
Part 4. Ministry of Defence	4,069,779	0	0	5,310	0	0
„ 5. Navy - - -	193,000,000	0	0	23,236,000	0	0
„ 6. Army - - -	299,000,100	0	0	42,600,000	0	0
„ 7. Air - - -	223,000,000	0	0	34,452,100	0	0
TOTAL, DEFENCE	£ 719,069,879	0	0	100,293,410	0	0
Part 8. Civil, Class I -	20,367,775	0	0	14,407,679	0	0
„ 9. Civil, Class II -	84,124,748	0	0	1,276,750	0	0
„ 10. Civil, Class III -	57,751,166	0	0	7,418,188	0	0
„ 11. Civil, Class IV -	270,051,483	0	0	13,275,560	0	0
„ 12. Civil, Class V -	845,673,199	0	0	100,823,940	0	0
„ 13. Civil, Class VI -	158,487,969	0	0	28,976,490	0	0
„ 14. Civil, Class VII	73,609,455	0	0	16,448,155	0	0
„ 15. Civil, Class VIII	96,124,500	0	0	5,082,943	0	0
„ 16. Civil, Class IX -	571,057,109	0	0	270,690,586	0	0
TOTAL, CIVIL -	£ 2,177,247,404	0	0	458,400,291	0	0
Part 17. Revenue Depart- ments -	-£ 207,160,895	0	0	14,529,885	0	0
GRAND TOTAL	£ 3,251,881,164	1	5	565,193,594	7	7

SCHED. (A).

SCHEDULE (A)

GRANTS OUT OF THE CONSOLIDATED FUND

	£	s. d.
For the service of the year ended on the 31st day of March 1949—		
Under Act 14 Geo. 6. c. 1 - - - -	611	1 5
For the service of the year ended on the 31st day of March 1950—		
Under Act 14 Geo. 6. c. 1 - - - -	148,402,375	0 0
For the service of the year ending on the 31st day of March 1951—		
Under Act 14 Geo. 6. c. 1 - - - -	1,246,213,100	0 0
Under this Act - - - - -	1,857,265,078	0 0
TOTAL - - - - -	<u>£3,251,881,164</u>	<u>1 5</u>

SCHED. (B).
PART 1.
Civil
(Excess),
1948-49.

SCHEDULE (B).—PART I

CIVIL (EXCESS), 1948-49

Vote.	CLASS VII	Sums not exceeding			
		Supply Grant		Appropriations in Aid	
		£	s. d.	£	s. d.
5.	Sum granted to make good an excess on the grant for Osborne for the year ended on the 31st day of March 1949	611	1 5	904	7 7

SCHED. (B).
PART 2.
Navy
(Supplementary),
1949-50.

SCHEDULE (B).—PART 2

NAVY (SUPPLEMENTARY), 1949-50

SCHEDULE OF SUPPLEMENTARY SUMS granted, and of the sums which may be applied as appropriations in aid in addition thereto, to meet expenditure beyond the sum already provided in the grants for Navy Services for the year ended on the 31st day of March 1950, viz.:—

Vote.		Sums not exceeding	
		Supply Grants	Appropriations in Aid
		£	£
6.	Scientific Services - - -	500,000	—
8.	Shipbuilding, Repairs, Maintenance, &c.—		
	Section I.—Personnel - - -	10	250,000
	Section II.—Matériel - - -	1,000,000	1,000,000
	Section III.—Contract work - - -	250,000	750,000
9.	Naval Armaments - - -	Cr 500,000	—
10.	Works, Buildings and Repairs at Home and Abroad - - -	Cr 800,000	—
11.	Miscellaneous Effective Services	Cr 500,000	—
14.	Merchant Shipbuilding, &c. -	50,000	—
	TOTAL, NAVY (Supplementary), 1949-50 - - -	£ 10	2,000,000

SCHEDULE (B).—PART 3

SCHED. (B).
PART 3.
Civil and
Revenue
Departments
(Supple-
mentary),
1949-50.

CIVIL AND REVENUE DEPARTMENTS (SUPPLEMENTARY), 1949-50

SCHEDULE OF SUPPLEMENTARY SUMS granted, and of the sums which may be applied as appropriations in aid in addition thereto, to defray the charges for the Services herein particularly mentioned for the year ended on the 31st day of March 1950, viz. :—

	Sums not exceeding	
	Supply Grants	Appropriations in Aid
CIVIL.	£	£
CLASS I.		
Vote.		
4. For the salaries and other expenses in the Department of His Majesty's Treasury and Subordinate Departments, including additional salary payable to the Chancellor of the Duchy of Lancaster and the salary of the Minister of State for Economic Affairs - - - - -	10	11,404
13. For the salaries and expenses of the Mint, including the expenses of coinage (Imperial, Colonial and Foreign), and the expenses of the preparation of medals and badges, dies for postage and other stamps, and His Majesty's seals - - -	10	2,892,490
23. For certain miscellaneous expenses, including certain grants in aid -	2,500,000	—
23B. For the payment of counterpart funds, in connection with technical assistance schemes and certain other schemes, into the Special Account -	300,000	—
Carried forward - -£	2,800,020	2,903,894

K 2

SCHED. (B).
PART 3.
Civil and
Revenue
Departments
(Supple-
mentary),
1949-50.

SCHEDULE (B).—PART 3—continued

		Sums not exceeding	
		Supply Grants	Appropriations in Aid
CIVIL—cont.		£	£
Brought forward - - - -		2,800,020	2,903,894
CLASS II.			
Vote.			
2.	For the expenses in connection with His Majesty's Embassies, Missions and Consular Establishments abroad; certain special grants and payments, including grants in aid; and sundry other services - - -	1,010,355	—
4.	For a contribution towards the expenses of the United Nations -	20,000	—
6.	For the salaries and expenses of the Department of His Majesty's Secretary of State for Commonwealth Relations - - - - -	19,000	2,000
7.	For sundry Commonwealth services, including certain grants in aid; the salaries and expenses of Pensions Appeal Tribunals in the Republic of Ireland; a grant in aid to the Republic of Ireland in respect of compensation to transferred officers; and certain expenditure in connection with former Burma services -	151,510	2,500
12.	For the development of the resources of colonies, protectorates, protected states and mandated territories, and the welfare of their peoples - -	5,950,000	—
13.	For the development of the resources of the South African High Commission Territories and the welfare of their peoples - - - - -	59,400	—
Carried forward - - - -		-£ 10,010,285	2,908,394

SCHEDULE (B).—PART 3—*continued*

SCHED. (B).
PART 3.
Civil and
Revenue
Departments
(Supple-
mentary),
1949-50.

	Sums not exceeding	
	Supply Grants	Appropriations in Aid
	£	£
CIVIL— <i>cont.</i>		
Brought forward - - - -	10,010,285	2,908,394
CLASS III.		
Vote. 3. For the salaries of the Commissioner and Assistant Commissioners of the Metropolitan Police, and of the Receiver for the Metropolitan Police District; the contribution towards the expenses of the Metropolitan Police; the salaries and expenses of the Inspectors of Constabulary; the cost of special services; and other grants in respect of Police expenditure, including a grant in aid of the Police Federation and a contribution towards the expenses of the International Criminal Police Commission - - - -	592,000	21,000
5. For grants in respect of the expenses of the managers of approved schools in England and Wales; grants to local authorities in respect of their expenditure in connection with the care and welfare of children and young persons; grants towards the expenses of voluntary homes; and expenses in connection with training in child care - - - -	123,000	75,000
7. For such of the salaries and expenses of the Supreme Court of Judicature and Court of Criminal Appeal as are not charged on the Consolidated Fund; the salaries and expenses of Pensions Appeal Tribunals, War Pensions (Special Review) Tribunals, the Department of the Judge Advocate General, and the Lands Tribunals; payments to jurors; and certain grants in aid - - - -	10	—
Carried forward - - - -£	10,725,295	3,004,394

SCHED. (B).
PART 3.
Civil and
Revenue
Departments
(Supple-
mentary),
1949-50.

SCHEDULE (B).—PART 3—continued

	Sums not exceeding	
	Supply Grants	Appropriations in Aid
	£	£
CIVIL—cont.		
Brought forward - - - -	10,725,295	3,004,394
CLASS III—cont.		
Vote. 12. For certain miscellaneous legal expenses, for the salaries and expenses of arbitrators, &c., in connection with the acquisition of land, for compensation for loss of office, for grants in aid of the expenses of the Law Society and of the Solicitors' Discipline (Scotland) Committee, and for the expenses of tribunals established in connection with defence compensation - - - -	10	—
14. For the salary and expenses of the Inspector of Constabulary, the cost of special services, and grants in respect of Police expenditure in Scotland, including a grant in aid of the Scottish Police Federation -	54,550	—
CLASS IV.		
1. For the salaries and expenses of the Ministry of Education, and of the various establishments connected therewith, including sundry grants in aid, grants in connection with physical training and recreation, and grants to approved associations for youth welfare - - - -	10	5,490
2. For the salaries and expenses of the British Museum, including a grant in aid - - - -	10,000	—
10. For grants in aid to certain institutions and bodies concerned with science, learning and the arts, and for other services in connection therewith -	10	—
Carried forward - - - -	£ 10,789,875	3,009,884

SCHEDULE (B).—PART 3—continued

SCHED. (B).
PART 3.
Civil and
Revenue
Departments
(Supple-
mentary),
1949-50.

	Sums not exceeding	
	Supply Grants	Appropriations in Aid
CIVIL—cont.	£	£
Brought forward - - - -	10,789,875	3,009,884
CLASS IV—cont.		
Vote. 13. For salaries and expenses in connection with the Festival of Britain, 1951, including a grant in aid - -	174,000	1,000
14. For public education in Scotland, including certain grants in aid of the Education (Scotland) Fund; for the Royal Scottish Museum, Edinburgh, including a grant in aid; and for a grant in aid of the education of Poles - - - -	10	540
CLASS V.		
2. For the provision of a comprehensive health service in England and Wales and certain other services connected therewith, including the central purchase of medical supplies and certain expenses in connection with Civil Defence - - - -	89,400,000	*—1,946,000
7. For the salaries and expenses of the Ministry of National Insurance, including sums payable by the Exchequer to the National Insurance Fund and the Industrial Injuries Fund; payments in respect of family allowances; certain expenses in connection with national insurance, industrial injuries insurance, family allowances and workmen's compensation; and sundry other services -	1,605,000	—
Carried forward - - - -	£101,968,885	1,065,424

* Deficit.

SCHED. (B).
PART 3.
Civil and
Revenue
Departments
(Supple-
mentary),
1949-50.

SCHEDULE (B).—PART 3—continued

		Sums not exceeding	
		Supply Grants	Appropriations in Aid
		£	£
CIVIL—cont.			
	Brought forward - - - -	101,968,885	1,065,424
CLASS V—cont.			
Vote.	11. For the salaries and expenses of the Ministry of Town and Country Planning, including grants to local authorities; grants to development corporations established for the purposes of new towns; salaries and expenses of the National Parks Commission; and sundry other services - - - - -	10	—
	13. For the salaries and expenses of the Department of Health for Scotland, including grants and other expenses in connection with housing, town and country planning and the creation of new towns; general health grants and services; a supplemental grant in respect of dental benefit; water and sewerage grants and services; salaries and expenses of the General Board of Control for Scotland; and certain other services	10	—
	14. For the provision of a comprehensive health service in Scotland and certain other services connected therewith, including the central purchase of medical supplies - - - - -	9,330,000	—
CLASS VI.			
	1. For the salaries and expenses of the office of the Committee of Privy Council for Trade and subordinate departments, including the cost of certain trading services; assistance and subsidies to certain industries; certain grants in aid; and other services - - - - -	10	17,190
	Carried forward - - - -	£111,298,915	1,082,614

SCHEDULE (B).—PART 3—*continued*

SCHED. (B).
PART 3.
Civil and
Revenue
Departments
(Supple-
mentary),
1949-50.

		Sums not exceeding	
		Supply Grants	Appropriations in Aid
		£	£
CIVIL— <i>cont.</i>			
	Brought forward - - - -	111,298,915	1,082,614
CLASS VI— <i>cont.</i>			
Vote.	9. For certain food production services of the Ministry of Agriculture and Fisheries - - - - -	2,600,000	* —1,650,000
	16. For the salaries and expenses of the Ministry of Civil Aviation, including certain grants and subsidies - - -	10	—
CLASS VII.			
	4. For expenditure in respect of public buildings overseas - - - - -	175,000	23,100
	7. For expenditure in respect of miscel- laneous works services, including certain grants in aid - - - - -	10	673,900
	8. For rates and contributions in lieu of rates, &c., in respect of property in the occupation of the Crown for the public service, and for rates on buildings occupied by representatives of other Commonwealth countries and of Foreign Powers; and for the salaries and expenses of the Rating of Government Property Depart- ment - - - - -	10	149,990
CLASS VIII.			
	2. For the salaries and expenses of the Ministry of Pensions; payments in respect of pensions, gratuities and allowances for disablement or death arising out of war, or out of service in the Armed Forces after 2 Septem- ber, 1939; sundry contributions in respect thereof; a grant in aid; and other services, including payment of National Service Grants and certain expenses connected with the National Health Services - - - - -	1,100,000	103,000
	Carried forward - - - -	£115,173,945	382,604

* Deficit.

K*

SCHED. (B).
PART 3.
Civil and
Revenue
Departments
(Supple-
mentary),
1949-50.

SCHEDULE (B).—PART 3—*continued*

		Sums not exceeding	
		Supply Grants	Appropriations in Aid
CIVIL— <i>cont.</i>		£	£
Brought forward - - - -		115,173,945	382,604
CLASS VIII— <i>cont.</i>			
Vote.	4. For superannuation and other non-effective annual allowances, additional allowances, gratuities, compassionate allowances, supplementary pensions and certain other expenses in connection with superannuation in respect of civil employment -	650,000	—
CLASS IX.			
1.	For the salaries and expenses of the Ministry of Supply, including the cost of trading services and of assistance to certain industries -	16,000,000	* 10,000,000
2.	For the salaries and expenses of the Ministry of Food; the cost of trading services, including certain subsidies; and sundry other services	13,880,400	* —65,500
6.	For salaries and expenses in connection with the administration of certain African territories and for meeting deficiencies on the annual accounts of such territories, including a grant in aid - - - - -	10	—
7.	For advances to the Governments of Allied, &c., Countries, including a special payment in connection with a revaluation guarantee - - -	600,000	—
Carried forward - - - -		-£146,304,355	*-9,682,896

* Deficit.

SCHEDULE (B).—PART 3—continued

SCHED. (B).
PART 3.
Civil and
Revenue
Departments
(Supple-
mentary),
1949-50.

	Sums not exceeding	
	Supply Grants	Appropriations in Aid
CIVIL—cont.	£	£
Brought forward - - - -	146,304,355	*—9,682,896
REVENUE DEPARTMENTS.		
Vote.		
1. For the salaries and expenses of the Customs and Excise Department -	98,000	83,000
2. For the salaries and expenses of the Inland Revenue Department - -	10	—
3. For the salaries and expenses of the Post Office, including telegraphs and telephones and a grant in aid - -	2,000,000	*—431,000
TOTAL, CIVIL AND REVENUE DEPARTMENTS (Supplementary), 1949-50	-£148,402,365	*—10,030,896

* Deficit.

SCHED. (B)
PART 4.
Ministry of
Defence.
1950-51.

SCHEDULE (B).—PART 4

MINISTRY OF DEFENCE

SCHEDULE OF SUM granted, and of the sum which may be applied as appropriations in aid in addition thereto, to defray the charge of the MINISTRY OF DEFENCE, which will come in course of payment during the year ending on the 31st day of March 1951, viz.:—

	Sums not exceeding	
	Supply Grant	Appropriations in Aid
	£	£
For the salaries and expenses of the Ministry of Defence; expenses in connection with International Defence Organisations, and a contribution towards certain expenses incurred in the United Kingdom by the Government of the United States of America (including a Supplementary sum of £3,249,990) - - - - -	4,069,779	5,310

SCHED. (B).
PART 5.
Navy.
1950-51.

SCHEDULE (B).—PART 5

NAVY

SCHEDULE OF SUMS granted, and of the sums which may be applied as appropriations in aid in addition thereto, to defray the charges of the NAVY SERVICES herein particularly mentioned, which will come in course of payment during the year ending on the 31st day of March 1951, including provision for officers, seamen, boys and royal marines, and members of the Women's Royal Naval Service and the Naval Nursing Service to a number not exceeding 143,000, in addition to reserve forces, viz.:—

	Sums not exceeding	
	Supply Grants	Appropriations in Aid
Vote.	£	£
1. For the pay, &c., of the Royal Navy and Royal Marines - - -	34,844,000	280,000
2. For victualling and clothing for the Navy, including the cost of victualling establishments at home and abroad - - - - -	12,083,000	3,463,000
3. For medical services, including the cost of medical establishments at home and abroad - - - - -	1,512,000	82,000
4. For civilians employed on fleet services	5,880,000	50,000
5. For educational services - - -	738,000	88,000
6. For scientific services, including a Grant in Aid to the National Institute of Oceanography - -	8,697,000	460,000
7. For the Royal Naval Reserve, the Royal Fleet Reserve and the Royal Naval Volunteer Reserve, &c. -	1,235,000	100
Carried forward - - - - -	64,989,000	4,423,100

SCHED. (B).
PART 5.
Navy.
1950-51.

SCHEDULE (B).—PART 5—*continued*

	Sums not exceeding	
	Supply Grants	Appropriations in Aid
	£	£
Vote. Brought forward - - - - -	64,989,000	4,423,100
8. Section I. For the personnel for shipbuilding, repairs, maintenance, &c., including the cost of establishments of Dockyards and Naval Yards at home and abroad - - - - -	25,768,000	446,000
„ Section II. For the matériel for shipbuilding, repairs, maintenance, &c., including the cost of establishments of Dockyards and Naval Yards at home and abroad - - - - -	24,550,000	7,593,000
„ Section III. For contract work for shipbuilding, repairs, maintenance, &c. - - - - -	31,677,000	2,627,000
9. For naval armaments - - - - -	12,061,000	3,000,000
10. For works, buildings and repairs at home and abroad, including the cost of superintendence, purchase of sites, grants and other charges connected therewith - - - - -	8,310,000	2,097,500
11. For various miscellaneous effective services - - - - -	4,963,900	2,208,300
12. For the Admiralty Office - - - - -	5,350,000	5,000
13. For non-effective services - - - - -	15,185,000	121,000
14. For merchant shipbuilding, &c. - - - - -	146,000	15,100
15. For certain additional married quarters at home - - - - -	100	700,000
TOTAL, NAVY SERVICES - - - - -	£193,000,000	23,236,000

SCHEDULE (B).—PART 6

SCHED. (B).
PART 6.
Army.
1950-51.

ARMY

SCHEDULE OF SUMS granted, and of the sums which may be applied as appropriations in aid in addition thereto, to defray the charges of the ARMY SERVICES herein particularly mentioned, which will come in course of payment during the year ending on the 31st day of March 1951, including provision for Land Forces to a number not exceeding 467,000, all ranks, in addition to the Reserve Forces, Territorial Army and Cadet Forces, viz. :—

Vote.	Sums not exceeding	
	Supply Grants	Appropriations in Aid
	£	£
1. For the pay, &c., of the Army - -	84,630,000	9,720,000
2. For the Reserve Forces (to a number not exceeding 35,000, all ranks, for the Regular Reserve and 27,000, all ranks, for the Supplementary Reserve), Territorial Army (to a number not exceeding 142,000, all ranks) and Cadet Forces - -	11,045,000	110,000
3. For the salaries, wages, &c., of civilian staff of the War Office - - -	2,295,000	52,000
4. For civilians - - - - -	44,605,000	1,330,000
5. For movements - - - - -	21,650,000	350,000
6. For supplies, &c. - - - - -	33,020,000	10,650,000
7. For stores - - - - -	57,820,000	10,400,000
8. For works, buildings and lands - -	25,345,000	3,905,000
9. For miscellaneous effective services -	2,033,000	2,110,000
10. For non-effective services - - - -	16,557,000	73,000
11. For certain additional married quarters	100	3,900,000
TOTAL, ARMY SERVICES - -	-£299,000,100	42,600,000

SCHED. (B).
PART 7.
Air.
1950-51.

SCHEDULE (B).—PART 7

AIR

SCHEDULE OF SUMS granted, and of the sums which may be applied as appropriations in aid in addition thereto, to defray the charges of the AIR SERVICES herein particularly mentioned, which will come in course of payment during the year ending on the 31st day of March 1951, including provision for officers, airmen and airwomen for Air Force Service to a number not exceeding 215,000, all ranks, in addition to reserve and auxiliary services, viz.:—

	Sums not exceeding	
	Supply Grants	Appropriations in Aid
Vote.	£	£
1. For the pay, &c., of the Air Force -	52,850,000	1,460,000
2. For reserve and auxiliary services (to a number not exceeding 56,000, all ranks, for the Royal Air Force Reserve and 20,000, all ranks, for the Royal Auxiliary Air Force) - -	1,442,900	1,100
3. For the salaries, wages, &c., of civilian staff of the Air Ministry - - -	2,858,000	118,000
4. For the salaries, wages, &c., of civilians at outstations - - - - -	19,152,000	568,000
5. For movements - - - - -	8,450,000	800,000
6. For supplies - - - - -	27,900,000	4,293,000
7. For aircraft and stores - - - -	78,000,000	17,500,000
8. For works and lands - - - - -	26,440,000	3,560,000
9. For miscellaneous effective services -	1,562,000	1,160,000
10. For non-effective services - - - -	4,345,000	92,000
11. For certain additional married quarters	100	4,900,000
TOTAL, AIR SERVICES - - - - -	£223,000,000	34,452,100

SCHEDULE (B).—PART 8

SCHED. (B).
PART 8.
Civil.
Class I.
1950-51.

CIVIL.—CLASS I

SCHEDULE OF SUMS granted, and of the sums which may be applied as appropriations in aid in addition thereto, to defray the charges of the several CIVIL SERVICES herein particularly mentioned, which will come in course of payment during the year ending on the 31st day of March 1951, viz. :—

Vote.	Sums not exceeding	
	Supply Grants	Appropriations in Aid
	£	£
1. For the salaries and expenses of the House of Lords - - - -	89,429	13,416
2. For the salaries and expenses of the House of Commons, including a grant in aid to the Kitchen Committee - - - - -	863,000	6,772
3. For expenses in respect of the registration of electors - - - -	800,000	—
4. For the salaries and other expenses in the Department of His Majesty's Treasury and subordinate departments, including additional salary payable to the Chancellor of the Duchy of Lancaster, and the salary of the Minister of State for Economic Affairs - - - - -	3,293,181	47,500
5. For the salaries and expenses of the Department of His Majesty's most Honourable Privy Council - -	29,302	1,700
6. For the salaries and expenses of the Office of the Lord Privy Seal - -	8,585	—
7. For the salaries and expenses of the Charity Commission for England and Wales - - - - -	70,602	2,250
Carried forward - - - - -	5,154,099	71,638

SCHED. (B).
PART 8.
Civil.
Class I.
1950-51.

SCHEDULE (B).—PART 8—*continued*

	Sums not exceeding	
	Supply Grants	Appropriations in Aid
	£	£
Brought forward - - - -	5,154,099	71,638
Vote.		
8. For the salaries and expenses of the Civil Service Commission - - -	506,750	53,670
9. For the salaries and expenses of the Department of the Comptroller and Auditor General - - - -	332,560	21,640
10. For the salaries and expenses of the Department of the Government Actuary - - - - -	28,523	15,420
11. For the salaries and expenses of the Department of the Government Chemist - - - - -	192,918	300
12. For a grant in aid of the Government Hospitality Fund - - - -	95,000	—
13. For the salaries and expenses of the Mint, including the purchase of metals and other expenses of coinage and of the preparation of medals and badges, dies for postage and other stamps, and His Majesty's seals -	100	13,496,674
14. For the salaries and expenses of the National Debt Office - - - -	100	33,960
15. For the salaries and expenses of the National Savings Committee - -	875,236	—
16. For payments to certain temporary Crown Servants and comparable employees in respect of overlapping Income Tax payments - - - -	50,000	—
Carried forward - - - - -£	7,235,286	13,693,302

SCHED. (B).
PART 8.
Civil.
Class I.
1950-51.

SCHEDULE (B)—PART 8—continued

	Sums not exceeding	
	Supply Grants	Appropriations in Aid
	£	£
Brought forward - - - -	7,235,286	13,693,302
Vote. 17. For the salaries and expenses of the Public Record Office and of the Office of Land Revenue Records and Inrolments - - - -	77,566	3,000
18. For the salaries of the establishment under the Public Works Loan Commission and the expenses of the Commission - - - -	100	46,541
19. For the payment due to the Local Loans Fund in respect of advances in Northern Ireland and to make good certain sums written off from the assets of the Local Loans Fund -	55,431	—
20. For the salaries and other expenses of Royal Commissions, committees, special inquiries, &c., including provision for shorthand - - -	128,000	—
21. For His Majesty's foreign and other secret services - - - -	3,000,000	—
22. For the salaries and expenses of the Tithe Redemption Commission -	100	303,000
23. For the purchase and sale of silver -	2,550,000	—
24. For the payment of counterpart funds, for colonial development and technical assistance schemes and certain other purposes, into the Special Account - - - -	5,900,000	—
Carried forward - - - -	£ 18,946,483	14,045,843

SCHED. (B).
PART 8.
Civil.
Class I.
1950-51.

SCHEDULE (B)—PART 8—*continued*

	Sums not exceeding	
	Supply Grants	Appropriations in Aid
	£	£
Brought forward - - -	18,946,483	14,045,843
Vote.		
25. For certain miscellaneous expenses, including certain grants in aid -	177,398	101,500
25A. For repayment to the Civil Contingencies Fund of certain miscellaneous advances - - - - -	31,693	—
26. For the salaries and expenses of the Office of the Secretary of State for Scotland and of the Scottish Home Department; expenses in connection with private legislation; subsidies for certain transport services; grants in connection with physical training and recreation, coast protection works, services in Development Areas, &c.; grants and expenses in connection with services relating to children and young persons and with probation services; certain grants in aid; and sundry other services -	1,189,160	253,345
27. For the salaries and expenses of the Scottish Record Office - - -	23,041	6,991
TOTAL, CIVIL, CLASS I - - -£	20,367,775	14,407,679

SCHEDULE (B).—PART 9

SCHED. (B).
PART 9.
Civil.
Class II.
1950-51.

CIVIL.—CLASS II

SCHEDULE OF SUMS granted, and of the sums which may be applied as appropriations in aid in addition thereto, to defray the charges of the several CIVIL SERVICES herein particularly mentioned, which will come in course of payment during the year ending on the 31st day of March 1951, viz.:—

Vote.	Sums not exceeding	
	Supply Grants	Appropriations in Aid
	£	£
1. For the salaries and expenses of the Department of His Majesty's Secretary of State for Foreign Affairs, including His Majesty's Missions and Consulates abroad and the salary of a Minister of State - - - -	12,526,922	797,000
2. For sundry expenses connected with His Majesty's Foreign Service; special grants, including grants in aid; and various other services (including a Supplementary sum of £1,717,000)	14,259,900	194,000
3. For a grant in aid of the British Council	2,226,000	—
4. For contributions towards the expenses of the United Nations and towards technical assistance for economic development - - - - -	2,160,000	—
5. For a contribution towards the expenses of the International Refugee Organisation - - - - -	4,794,500	—
6. For the salaries and expenses of the Department of His Majesty's Secretary of State for Commonwealth Relations, including overseas establishments - - - - -	1,544,806	135,300
Carried forward - - - - -	£ 37,512,128	1,126,300

SCHED. (B).
PART 9.
Civil.
Class II.
1950-51.

SCHEDULE (B).—PART 9—continued

	Sums not exceeding	
	Supply Grants	Appropriations in Aid
	£	£
Brought forward - - - -	37,512,128	1,126,300
Vote.		
7. For sundry Commonwealth services, including certain grants in aid; the salaries and expenses of Pensions Appeal Tribunals in the Republic of Ireland; a grant in aid to the Republic of Ireland in respect of compensation to transferred officers; and certain expenditure in connection with former Burma services (including a Supplementary sum of £28,900) -	1,315,981	4,500
8. For expenses connected with oversea settlement (including a Supplementary sum of £400,000) - - -	942,424	4,500
9. For the salaries and expenses of the Department of His Majesty's Secretary of State for the Colonies and the salary of the Minister of State for Colonial Affairs - - -	861,865	11,250
10. For sundry Colonial and Middle Eastern services under His Majesty's Secretary of State for the Colonies, including certain non-effective services and certain grants in aid (including a Supplementary sum of £1,960,000) - - - - -	21,415,770	30,200
11. For a grant in aid of a sum equivalent to accumulated funds under the West African oils and oilseeds control scheme for allocation to the Governments of the Gold Coast, Nigeria, Sierra Leone and the Gambia - - - - -	1,000,000	—
12. For the development of the resources of colonies, protectorates, protected states and mandated territories, and the welfare of their peoples - -	19,150,000	100,000
Carried forward - - - - -	82,198,168	1,276,750

SCHEDULE (B).—PART 9—*continued*

SCHED. (B).
PART 9.
Civil.
Class II.
1950-51.

	Sums not exceeding	
	Supply Grants	Appropriations in Aid
	£	£
Brought forward - - - -	82,198,168	1,276,750
Vote. 13. For the development of the resources of the South African High Commission Territories and the welfare of their peoples - - - -	358,500	—
14. For certain expenses of the Imperial War Graves Commission, including purchase of land in the United Kingdom and a grant in aid - -	1,568,080	—
TOTAL, CIVIL, CLASS II - -£	84,124,748	1,276,750

SCHED. (B).
PART 10.
Civil.
Class III.
1950-51.

SCHEDULE (B.)—PART 10

CIVIL.—CLASS III

SCHEDULE OF SUMS granted, and of the sums which may be applied as appropriations in aid in addition thereto, to defray the charges of the several CIVIL SERVICES herein particularly mentioned, which will come in course of payment during the year ending on the 31st day of March 1951, viz.:—

Vote.	Sums not exceeding	
	Supply Grants	Appropriations in Aid
	£	£
1. For the salaries and expenses of the office of His Majesty's Secretary of State for the Home Department and of subordinate offices; grants towards the expenses of the probation of offenders; a grant to the Central Committee for Refugees; certain grants in aid; and sundry services including certain services arising out of the war - - -	2,823,295	110,935
2. For grants and expenses in connection with Civil Defence, including certain expenditure arising out of the war -	6,164,270	1,807,200
3. For the salaries of the Commissioner and Assistant Commissioners of the Metropolitan Police, and of the Receiver for the Metropolitan Police District; the contribution towards the expenses of the Metropolitan Police; the salaries and expenses of the Inspectors of Constabulary; the cost of special services; and other grants in respect of Police expenditure, including a grant in aid of the Police Federation and a contribution towards the expenses of the International Criminal Police Commission	25,758,250	88,330
Carried forward - - -	£ 34,745,815	2,006,465

SCHEDULE (B).—PART 10—*continued*

SCHED. (B).
PART 10.
Civil.
Class III.
1950-51.

	Sums not exceeding	
	Supply Grants	Appropriations in Aid
	£	£
Vote. Brought forward - - - -	34,745,815	2,006,465
4. For the salaries and expenses of the office of the Prison Commissioners and of the prisons in England and Wales - - - - -	4,841,038	892,500
5. For grants in respect of the expenses of the managers of approved schools in England and Wales; grants to local authorities in respect of their expenditure in connection with the care and welfare of children and young persons; grants towards the expenses of voluntary homes; and expenses in connection with training in child care - - - - -	7,577,900	125,100
6. For expenses in connection with the fire services in England and Wales, including the cost of inspection and training, the central purchase and maintenance of equipment, certain non-effective charges, grants in respect of expenditure incurred by fire authorities and certain other expenses; and for remanet expenditure in connection with the National Fire Service, England and Wales -	3,349,230	965,500
7. For such of the salaries and expenses of the Supreme Court of Judicature and Court of Criminal Appeal as are not charged on the Consolidated Fund; the salaries and expenses of Pensions Appeal Tribunals, War Pensions (Special Review) Tribunals, the Department of the Judge Advocate General, and the Lands Tribunals; payments to jurors; and certain grants in aid - - - - -	840,600	1,263,350
Carried forward - - - - -	£ 51,354,583	5,252,915

SCHED. (B).
PART 10.
Civil.
Class III.
1950-51.

SCHEDULE (B.)—PART 10—continued

		Sums not exceeding	
		Supply Grants	Appropriations in Aid
		£	£
	Brought forward - - - -	51,354,583	5,252,915
Vote.			
8.	For salaries and expenses in connection with the County Courts, the Liabilities Adjustment Offices and the War Damage (Valuation Appeals) Tribunal - - - -	250,195	596,550
9.	For the salaries and expenses of the office of Land Registry - - -	100	367,710
10.	For the salaries and expenses of the office of Public Trustee - - -	100	372,900
11.	For the salaries and expenses of the Law Officers' Department; the salaries and expenses of the Department of His Majesty's Procurator-General and Solicitor for the Affairs of His Majesty's Treasury, and of the Department of the Director of Public Prosecutions; and the costs of prosecutions and other legal proceedings, and of Parliamentary Agency - - - -	486,858	147,000
12.	For certain miscellaneous legal expenses, for the salaries of arbiters in connection with the acquisition of land in Scotland, for grants in aid of the expenses of the Law Society and of the Solicitors' Discipline (Scotland) Committee, and for the expenses of tribunals established in connection with defence compensation - - - -	62,350	—
13.	For grants and expenses in connection with Civil Defence in Scotland, including certain expenditure arising out of the war- - - -	564,261	173,500
	Carried forward - - - -	52,718,447	6,910,575

SCHEDULE (B).—PART 10—continued

SCHED. (B).
PART 10.
Civil.
Class III.
1950-51.

	Sums not exceeding	
	Supply Grants	Appropriations in Aid
	£	£
Brought forward - - - -	52,718,447	6,910,575
Vote.		
14. For the salary and expenses of the Inspector of Constabulary, the cost of special services, and grants in respect of Police expenditure in Scotland, including a grant in aid of the Scottish Police Federation -	2,659,091	1,470
15. For salaries and expenses in connection with the administration of Scottish prisons, including the maintenance of criminal lunatics and inmates of the State Inebriate Reformatory -	466,516	103,450
16. For grants in respect of the expenses of the managers of approved schools in Scotland - - - - -	175,000	4,300
17. For expenses in connection with the fire services in Scotland, including the cost of inspection and training, the central purchase and maintenance of equipment, certain non-effective charges, grants in respect of expenditure incurred by fire authorities and joint fire committees and certain other expenses; and for remanet expenditure in connection with the National Fire Service in Scotland - - - - -	337,400	75,150
18. For the salaries and expenses of the office of the Scottish Land Court -	13,900	500
19. For the salaries and expenses of the Lord Advocate's Department and other law charges, including expenditure in connection with the provision of free legal assistance to members of the forces in certain cases; and the salaries and expenses of the Courts of Law and Justice and of Pensions Appeal Tribunals in Scotland - - - - -	146,447	192,750
Carried forward - - - - -£	56,516,801	7,288,195

SCHED. (B).
PART 10.
Civil.
Class III.
1950-51.

SCHEDULE (B).—PART 10—continued

		Sums not exceeding	
		Supply Grants	Appropriations in Aid
		£	£
	Brought forward - - - -	56,516,801	7,288,195
Vote.	20. For the salaries and expenses of the Department of the Registers of Scotland - - - -	100	102,225
	21. For such of the salaries and expenses of the Supreme Court of Judicature and Court of Criminal Appeal of Northern Ireland as are not charged on the Consolidated Fund, the salaries and expenses of Pensions Appeal Tribunals in Northern Ireland, and other expenses, including certain expenses in connection with land purchase in Northern Ireland and a grant in aid - - - -	33,205	27,668
	22. For charges in connection with land purchase in Northern Ireland, and the expenses of management of guaranteed stocks and bonds issued for the purposes of Irish land purchase - - - -	1,201,060	100
	TOTAL, CIVIL, CLASS III - - - -£	57,751,166	7,418,188

SCHEDULE (B).—PART 11.

SCHED. (B).
PART 11.
Civil.
Class IV.
1950-51.

CIVIL.—CLASS IV

SCHEDULE OF SUMS granted, and of the sums which may be applied as appropriations in aid in addition thereto, to defray the charges of the several CIVIL SERVICES herein particularly mentioned, which will come in course of payment during the year ending on the 31st day of March 1951, viz.:—

Vote.	Sums not exceeding	
	Supply Grants	Appropriations in Aid
	£	£
1. For the salaries and expenses of the Ministry of Education, and of the various establishments connected therewith, including sundry grants in aid, grants in connection with physical training and recreation, and grants to approved associations for youth welfare - - - - -	192,680,305	11,364,785
2. For the salaries and expenses of the British Museum, including a grant in aid - - - - -	302,064	32,378
3. For the salaries and expenses of the British Museum (Natural History), including a grant in aid - - - - -	212,886	3,900
4. For the salaries and expenses of the Imperial War Museum, including a grant in aid - - - - -	29,888	2,000
5. For the salaries and expenses of the London Museum, including a grant in aid - - - - -	12,880	50
6. For the salaries and expenses of the National Gallery and the Tate Gallery, Millbank, including a grant in aid - - - - -	78,695	277
7. For the salaries and expenses of the National Maritime Museum, including a grant in aid - - - - -	23,698	150
Carried forward - - - - -	£193,340,416	11,403,540

SCHEDULE (B).—PART 11—*continued.*

SCHED. (B).
PART 11.
Civil.
Class IV.
1950-51.

		Sums not exceeding	
		Supply Grants	Appropriations in Aid
		£	£
	Brought forward - - - -	193,340,416	11,403,540
Vote.	8. For the salaries and expenses of the National Portrait Gallery, including a grant in aid - - - -	17,995	2,000
	9. For the salaries and expenses of the Wallace Collection - - - -	25,621	4,000
	10. For grants in aid to certain institutions and bodies concerned with science, learning and the arts, and for other services in connection therewith -	3,869,972	3,026
	11. For grants in aid of the expenses of certain universities, colleges, &c., in Great Britain, and for certain other services, including loans for capital expenditure and the cost of certain post graduate studentships - -	23,419,060	—
	12. For grants to the British Broadcasting Corporation, including a grant in aid	17,285,000	—
	13. For salaries and expenses in connection with the Festival of Britain, 1951, including a grant in aid - -	5,262,625	25,000
	14. For public education in Scotland, including certain grants in aid of the Education (Scotland) Fund; for the Royal Scottish Museum, Edinburgh, including a grant in aid; and for a grant in aid of the education of Poles	26,788,303	1,832,477
	15. For the salaries and expenses of the National Gallery, Scotland, the Scottish National Portrait Gallery, and the National Museum of Antiquities of Scotland, including certain grants in aid - - - -	28,898	500
	16. For the salaries and expenses of the National Library, Scotland, including a grant in aid - - - -	13,593	5,017
	TOTAL, CIVIL, CLASS IV -	£270,051,483	13,275,560

SCHEDULE (B).—PART 12

CIVIL.—CLASS V.

SCHED. (B).
PART 12.
Civil.
Class V.
1950-51.

SCHEDULE OF SUMS granted, and of the sums which may be applied as appropriations in aid in addition thereto, to defray the charges of the several CIVIL SERVICES herein particularly mentioned, which will come in course of payment during the year ending on the 31st day of March 1951, viz.:—

Vote.	Sums not exceeding	
	Supply Grants	Appropriations in Aid
	£	£
1. For the salaries and expenses of the Ministry of Health, the Board of Control, Rent Control Tribunals and Local Valuation Panels and Courts; grants and other expenses in connection with water supply, sewerage, coast protection and miscellaneous health services; a supplemental grant in respect of dental benefit; remanet and sundry other services including certain expenses in connection with Civil Defence - - - -	10,355,000	881,800
2. For the provision of a comprehensive health service in England and Wales and other services connected therewith, including certain training arrangements, the central purchase of medical and other supplies necessary for the service, and certain expenses in connection with Civil Defence -	351,541,000	61,719,400
3. For grants and other payments in respect of the provision and improvement of housing accommodation in England and Wales - - -	49,750,000	8,886,500
4. For Exchequer Equalisation Grants and Exchequer Transitional Grants to local authorities in England and Wales - - - - -	48,800,000	—
5. For the salaries and expenses of the Department of the Registrar General of Births, &c. - - - -	493,586	74,200
Carried forward - - - -	-£460,939,586	71,561,900

SCHED. (B).
PART 12.
Civil.
Class V.
1950-51.

SCHEDULE (B).—PART 12—continued

	Sums not exceeding	
	Supply Grants	Appropriations in Aid
	£	£
Brought forward - - -	460,939,586	71,561,900
Vote.		
6. For the salaries and expenses of the Ministry of Labour and National Service, including grants to local authorities, associations and other bodies in respect of employment exchange and other services; expenses in connection with the inspection of factories; expenses of training, transfer, rehabilitation and resettlement; expenses in connection with national service; a contribution towards the expenses of the International Labour Organisation; expenses of the Industrial Court and the National Arbitration Tribunal; and sundry other services - - - - -	22,550,000	3,450,000
7. For grants to local authorities, &c., in respect of employment and development schemes, including adjustments of grant in certain cases - -	775,000	—
8. For the salaries and expenses of the Ministry of National Insurance, including sums payable by the Exchequer to the National Insurance Fund and the Industrial Injuries Fund; payments in respect of family allowances; certain expenses in connection with national insurance, industrial injuries insurance, family allowances and workmen's compensation; and sundry other services - - - - -	214,595,000	13,875,000
Carried forward - - -	£ 698,859,586	88,886,900

SCHEDULE (B).—PART 12—*continued.*SCHED. (B).
PART 12.
Civil.
Class V.
1950-51.

	Sums not exceeding	
	Supply Grants	Appropriations in Aid
	£	£
Brought forward - - - -	698,859,586	88,886,900
Vote. 9. For the salaries and expenses of the Department of the National Assistance Board and of certain Appeal Tribunals; non-contributory old age pensions, including pensions to blind persons; assistance grants, &c.; expenses of re-establishment centres, reception centres, &c.; and the maintenance of certain classes of Poles in Great Britain - - -	83,940,000	1,045,000
10. For the salaries and expenses of the National Insurance Audit Department - - - - -	79,710	1,030
11. For the salaries and expenses of the Registry of Friendly Societies - -	55,970	4,500
12. For the salaries and expenses of the Ministry of Town and Country Planning, including grants to local authorities, grants to development corporations established for the purposes of new towns; salaries and expenses of the National Parks Commission; and sundry other services - - - - -	1,249,000	6,000
13. For the salaries and expenses of the Central Land Board - - - -	1,486,000	100,500
14. For the salaries and expenses of the Department of Health for Scotland and the General Board of Control for Scotland; and for grants and other expenses in connection with water and sewerage services, town and country planning and the creation of new towns; and certain expenses in connection with Civil Defence and other services - -	1,725,000	53,000
Carried forward - - - -	-£787,395,266	90,096,930

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SCHED. (B).
PART 12.
Civil.
Class V.
1950-51.

SCHEDULE (B).—PART 12—*continued.*

		Sums not exceeding	
		Supply Grants	Appropriations in Aid
		£	£
Brought forward - - - -		787,395,266	90,096,930
Vote.			
15.	For the provision of a comprehensive health service in Scotland and other services connected therewith, including certain training arrangements, the central purchase of medical supplies, certain expenses in connection with Civil Defence, and sundry other services - - - -	41,394,000	9,860,000
16.	For grants and other payments in respect of the provision and improvement of housing accommodation in Scotland - - - -	11,003,000	671,000
17.	For Exchequer Equalisation Grants and certain other grants to local authorities in Scotland - - -	5,810,000	190,000
18.	For the salaries and expenses of the Department of the Registrar General of Births, &c., in Scotland - -	70,933	6,010
TOTAL, CIVIL, CLASS V - -		£845,673,199	100,823,940

SCHEDULE (B).—PART 13

CIVIL.—CLASS VI

SCHED. (B).
PART 13.
Civil.
Class VI.
1950-51.

SCHEDULE OF SUMS granted, and of the sums which may be applied as appropriations in aid in addition thereto, to defray the charges of the several CIVIL SERVICES herein particularly mentioned, which will come in course of payment during the year ending on the 31st day of March 1951, viz.:—

Vote.	Sums not exceeding	
	Supply Grants	Appropriations in Aid
	£	£
1. For the salaries and expenses of the office of the Committee of Privy Council for Trade and subordinate departments, including the cost of certain trading services; assistance and subsidies to certain industries; certain grants in aid; and other services (including a Supplementary sum of £76,010) - - - -	9,189,405	3,041,900
2. For services in Development Areas -	6,201,000	—
3. For financial assistance to industrial undertakings in Development Areas, including remanet expenditure in respect of similar assistance in former Special Areas - - - -	760,010	—
4. For the salaries and expenses of the Export Credits Guarantee Department, and for payments under guarantees given after consultation with the Export Guarantees Advisory Council - - - -	100	1,780,100
5. For payments under Special Guarantees given in the national interest by the Board of Trade on which consultation with the Export Guarantees Advisory Council is not required -	340,000	93,000
6. For the salaries and expenses of the Ministry of Fuel and Power, including assistance to gas undertakings in Development Areas - - - -	6,115,000	532,000
Carried forward - - - - -£	22,605,515	5,447,000

SCHED. (B).
PART 13.
Civil.
Class VI.
1950-51.

SCHEDULE (B).—PART 13—*continued*

	Sums not exceeding	
	Supply Grants	Appropriations in Aid
	£	£
Brought forward - - - -	22,605,515	5,447,000
Vote.		
7. For the salaries and expenses of the office of the Commissioners of Crown Lands - - - -	64,295	—
8. For the salaries and expenses of the Ministry of Agriculture and Fisheries, and of the Royal Botanic Gardens, Kew, including grants, grants in aid and expenses in respect of agricultural education and research; services in connection with live stock; land settlement; land drainage; purchase, adaptation, development and management of land; agricultural credits and marketing; the purchase and sale of home-produced wool; the prevention of food infestation; agricultural training and settlement schemes; fishery organisation, research and development; and sundry other services - - - -	16,416,290	2,263,780
9. For certain food production services of the Ministry of Agriculture and Fisheries (including a Supplementary sum of £2,430,000) - - - -	38,733,376	12,447,000
10. For the survey of Great Britain and other mapping services - - - -	2,289,380	323,250
11. For a grant in aid of the Forestry Fund	6,750,000	—
12. For a grant in aid of the Development Fund - - - - -	1,290,000	—
Carried forward - - - - -£	88,148,856	20,481,030

SCHEDULE (B).—PART 13—continued

SCHED. (B).
PART 13.
Civil.
Class VI.
1950-51.

	Sums not exceeding	
	Supply Grants	Appropriations in Aid
	£	£
Brought forward - - - -	88,148,856	20,481,030
Vote.		
13. For the salaries and expenses of the Ministry of Transport, including expenses of the Transport Tribunal, the Road and Rail Appeal Tribunal and the Transport Arbitration Tribunal, and sundry other services -	2,588,350	1,049,200
14. For a grant in aid of the Road Fund; for other expenditure in connection with roads; for payments to local authorities in reimbursement of expenses incurred in the collection of motor vehicle duties, &c., and the registration of motor vehicles; and for other services - - - -	28,834,000	400,000
15. For the salaries and expenses of the Coastguard and the cost of certain Mercantile Marine Services - -	512,100	121,340
16. For the salaries and expenses of the Ministry of Civil Aviation, including certain grants and subsidies - -	21,180,410	2,746,800
17. For grants to public utility undertakings in Great Britain - - -	2,100	—
18. For the salaries and expenses of the Department of Scientific and Industrial Research, including the Geological Survey of Great Britain and Museum of Practical Geology, and a grant in aid - - - -	5,372,384	459,321
19. For the salaries and expenses of the State Management Districts in England and Wales, including the cost of provision and management of licensed premises - - - -	100	1,230,900
Carried forward - - - -	£146,638,300	26,488,591

SCHED. (B).
PART 13.
Civil.
Class VI.
1950-51.

SCHEDULE (B).—PART 13—continued

		Sums not exceeding	
		Supply Grants	Appropriations in Aid
		£	£
	Brought forward - - - -	146,638,300	26,488,591
Vote.	20. For the salaries and expenses of the Department of Agriculture for Scotland, including grants, grants in aid and expenses in respect of prevention of food infestation; land settlement; purchase, adaptation, development and management of land; improvement of livestock; land drainage; agricultural education and research, agricultural marketing and credits; agricultural training and settlement schemes; and sundry other services - - -	3,621,000	541,988
	21. For certain food production services of the Department of Agriculture for Scotland (including a Supplementary sum of £280,000) - - -	6,399,500	1,508,935
	22. For salaries and expenses in connection with the administration of Scottish fishery services, including assistance to the near and middle distance and inshore fishing industry and to fishermen's co-operative societies, &c., and a grant in aid of piers or quays (including a Supplementary sum of £630,000) - - - - -	1,343,769	131,476
	23. For the salaries and expenses of the members of the Herring Industry Board; for grants in respect of the expenses of the Herring Industry Board, including certain advances by way of grant in aid; for a grant in aid of the Herring Marketing Fund; and for grants to herring fishermen and certain other persons for assistance in the provision of boats and equipment - - - -	485,300	—
	24. For the salaries and expenses of the State Management Districts in Scotland, including the cost of provision and management of licensed premises	100	305,500
	TOTAL, CIVIL, CLASS VI - - -	£158,487,969	28,976,490

SCHEDULE (B).—PART 14

CIVIL.—CLASS VII

SCHED. (B).
PART 14.
Civil.
Class VII.
1950-51.

SCHEDULE OF SUMS granted, and of the sums which may be applied as appropriations in aid in addition thereto, to defray the charges of the several CIVIL SERVICES herein particularly mentioned, which will come in course of payment during the year ending on the 31st day of March 1951, viz. :—

	Sums not exceeding	
	Supply Grants	Appropriations in Aid
Vote.	£	£
1. For the salaries and expenses of the Ministry of Works - - - -	7,532,470	2,810,000
2. For expenditure in respect of Houses of Parliament buildings - - -	792,500	8,750
3. For expenditure in respect of sundry public buildings in Great Britain -	34,256,350	6,558,500
3A. For the completion of a memorial to the memory of the late Earl of Oxford and Asquith - - -	3,150	—
4. For expenditure in respect of public buildings overseas - - - -	2,303,155	40,000
5. For expenditure in respect of Royal Palaces, including a grant in aid -	387,550	20,930
6. For expenditure in respect of royal parks and pleasure gardens - -	719,100	49,500
7. For expenditure in respect of miscellaneous works services, including certain grants in aid - - - -	4,782,100	2,782,800
8. For rates and contributions in lieu of rates, &c., in respect of property in the occupation of the Crown for the public service, and for rates on buildings occupied by representatives of other Commonwealth countries and of foreign powers; and for the salaries and expenses of the Rating of Government Property Department - - - -	9,644,255	376,095
Carried forward - - - -	-£ 60,420,630	12,646,575

SCHED. (B).
PART 14.
Civil.
Class VII.
1950-51.

SCHEDULE (B).—PART 14.—*continued*

	Sums not exceeding	
	Supply Grants	Appropriations in Aid
	£	£
Brought forward - - - -	60,420,630	12,646,575
Vote.		
9. For stationery, printing, paper, binding, and printed books for the public service; for the salaries and expenses of the Stationery Office; and for sundry miscellaneous services, including reports of Parliamentary Debates - - - -	10,158,135	3,510,000
10. For the salaries and expenses of the Central Office of Information - -	2,751,000	287,310
11. For the construction of a harbour of refuge at Peterhead - - -	52,000	—
12. For expenditure in respect of public works and buildings in Ireland - -	227,690	4,270
TOTAL, CIVIL, CLASS VII - -£	73,609,455	16,448,155

SCHEDULE (B).—PART 15

CIVIL.—CLASS VIII

SCHED. (B).
PART 15.
Civil.
Class VIII.
1950-51.

SCHEDULE OF SUMS granted, and of the sums which may be applied as appropriations in aid in addition thereto, to defray the charges of the several CIVIL SERVICES herein particularly mentioned, which will come in course of payment during the year ending on the 31st day of March 1951, viz.:—

Vote.	Sums not exceeding	
	Supply Grants	Appropriations in Aid
	£	£
1. For war pensions and allowances (including cost of treatment) arising out of the war of 1914-18 to merchant seamen and fishermen and their dependants - - - - -	226,500	—
2. For the salaries and expenses of the Ministry of Pensions; payments in respect of pensions, gratuities and allowances for disablement or death arising out of war or out of service in the Armed Forces after 2 September 1939; sundry contributions in respect thereof; a grant in aid; and other services, including payment of National Service Grants and certain expenses connected with the National Health Services - -	88,430,000	4,875,000
3. For pensions, compensation allowances and gratuities awarded to retired and disbanded members and staff of the Royal Irish Constabulary, and to widows of such members, including annuities to the National Debt Commissioners in respect of commutation of compensation allowances and certain extra-statutory payments -	1,110,000	—
4. For superannuation and other non-effective annual allowances, additional allowances, gratuities, compassionate allowances, supplementary pensions, and certain other expenses in connection with superannuation in respect of civil employment - - - - -	6,358,000	207,943
TOTAL, CIVIL, CLASS VIII - -£	96,124,500	5,082,943

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SCHED. (B).
PART 16.
Civil.
Class IX.
1950-51.

SCHEDULE (B).—PART 16

CIVIL.—CLASS IX

SCHEDULE OF SUMS granted, and of the sums which may be applied as appropriations in aid in addition thereto, to defray the charges of the several CIVIL SERVICES herein particularly mentioned, which will come in course of payment during the year ending on the 31st day of March, 1951, viz.:—

Vote	Sums not exceeding	
	Supply Grants	Appropriations in Aid
	£	£
1. For the salaries and expenses of the Ministry of Supply for the supply of munitions, aircraft, common - user and other articles and atomic energy and for research and development, inspection, storage, disposal and capital and ancillary services related thereto; for administrative services in connection with the iron and steel, non-ferrous and light metals and engineering industries; for the operation of the Royal Ordnance Factories and Official Car Services; and for miscellaneous supplies and services - - - - -	115,500,000	218,400,000
2. For the expenses of the Ministry of Supply on trading services, scrap metal recovery and assistance to industry - - - - -	15,238,010	242,000
3. For the salaries and expenses of the Ministry of Food; the cost of trading services, including certain subsidies; and sundry other services	402,011,635	358,600
4. For certain shipping and inland transport services, including settlement of outstanding war-time commitments - - - - -	16,158,000	17,867,000
5. For the war services and certain other temporary services of the Ministry of Fuel and Power - - - - -	400,000	30,716,000
Carried forward - - - - -	£549,307,645	267,583,600

SCHEDULE (B).—PART 16—continued

SCHED. (B).
PART 16.
Civil.
Class IX.
1950-51.

		Sums not exceeding	
		Supply Grants	Appropriations in Aid
		£	£
	Brought forward - - - -	549,307,645	267,583,600
Vote			
6.	For the salaries and expenses of the German Section of the Foreign Office, the Control Commission for Germany and the Allied Commission for Austria, including certain non-effective services, supplies and services essential to the occupation, a contribution towards the expenses of the International Authority for the Ruhr, and sundry other services (including a Supplementary sum of £2,455,000)	8,428,464	2,706,586
7.	For salaries and expenses in connection with the administration of certain African territories and for meeting deficiencies on the annual accounts of such territories, including a grant in aid - - - -	2,194,000	100
8.	For advances to the Governments of Allied, &c., Countries - - -	9,250,000	—
9.	For the salaries and expenses of the War Damage Commission - -	1,527,000	400,300
10.	For certain payments in respect of war damage to property in Burma (other than private chattels) of persons being British subjects domiciled in the United Kingdom, or companies wherever registered which are mainly owned or which are managed and controlled by British subjects so domiciled - - -	350,000	—
	TOTAL, CIVIL, CLASS IX - -	£571,057,109	270,690,586

SCHED. (B).
PART 17.
Revenue
Departments.
1950-51.

SCHEDULE (B).—PART 17

REVENUE DEPARTMENTS

SCHEDULE OF SUMS granted, and of the sums which may be applied as appropriations in aid in addition thereto, to defray the charges of the several REVENUE DEPARTMENTS herein particularly mentioned, which will come in course of payment during the year ending on the 31st day of March 1951, viz. :—

	Sums not exceeding	
	Supply Grants	Appropriations in Aid
	£	£
Vote.		
1. For the salaries and expenses of the Customs and Excise Department -	9,530,400	579,500
2. For the salaries and expenses of the Inland Revenue Department - -	24,839,495	86,600
3. For the salaries and expenses of the Post Office, including telegraphs and telephones and a grant in aid - -	172,791,000	13,863,785
TOTAL, REVENUE DEPARTMENTS	-£207,160,895	14,529,885

SCHED. (C).
PART I.
Navy Services.
1948-49.
Section 5.

SCHEDULE (C).—PART I

Navy Services, 1948-49, Votes	DEFICITS				SURPLUSES			
	Excesses of actual over estimated gross Expenditure		Deficiencies of actual as compared with estimated Receipts		Surpluses of estimated over actual gross Expenditure		Surpluses of actual as compared with estimated Receipts	
	£	s. d.	£	s. d.	£	s. d.	£	s. d.
1. Pay, &c., of the Royal Navy and Royal Marines - - -	—		—		654,390	19 4	59,108	11 3
2. Victualling and Cloth- ing for the Navy -	—		84,463	19 9	269,994	- 9	—	
3. Medical Establish- ments and Services	—		—		29,961	13 8	34,437	19 10
4. Civilians employed on Fleet Services - -	—		43,153	12 10	131,256	10 5	—	
5. Educational Services -	—		—		23,062	18 8	18,525	1 3
6. Scientific Services -	—		30,051	14 6	26,312	10 6	—	
7. Royal Naval Reserves	—		—		26,844	8 5	16	7 2
8. Shipbuilding, Repairs, Maintenance, &c. Section I.—Personnel	—		18,121	17 5	156,539	13 10	—	
Section II.—Matériel	601,830	6 6	—		—		756,326	11 4
Section III.—Con- tract Work - - -	470,167	12 7	—		—		1,975,912	8 1
9. Naval Armaments -	—		579,194	8 7	93,577	14 4	—	
10. Works, Buildings, and Repairs at Home and Abroad - - -	353,638	8 7	—		—		99,546	7 3
11. Miscellaneous Effec- tive Services - -	—		—		144,750	7 6	214,579	8 -
12. Admiralty Office -	110,888	- 8	—		—		5,079	10 4
13. Non-effective Services	—		—		75,611	7 1	1,568	17 -
14. Merchant Shipbuild- ing, &c - - -	—		42,907	11 3	79,087	10 -	—	
Balances Irrecoverable and Claims Abandoned -	58,928	16 -	—		—		—	
	1,595,453	4 4	797,893	4 4	1,711,389	14 6	3,165,101	1 6
	Total Deficits £2,393,346 8s. 8d.				Total Surpluses £4,876,490 16s.			
	Net Surplus £2,483,144 7s. 4d.							

SCHED. (C).
PART II.
Army Services.
1948-49.
Section 5.

SCHEDULE (C).—PART II

Army Services, 1948-49, Votes	DEFICITS		SURPLUSES	
	Excesses of actual over estimated gross Expenditure	Deficiencies of actual as compared with estimated Receipts	Surpluses of estimated over actual gross Expenditure	Surpluses of actual as compared with estimated Receipts
	£ s. d.	£ s. d.	£ s. d.	£ s. d.
1. Pay, &c., of the Army	—	—	3,255,718 - 6	694,592 11 2
2. Reserve Forces, Terri- torial Army and Cadet Forces -	—	—	1,014,181 11 2	11,057 15 1
3. War Office - -	246,990 15 10	—	—	4,655 9 10
4. Civilians - - -	—	172,286 3 3	2,153,463 - 4	—
5. Movements - -	—	—	976,694 17 2	72,130 17 7
6. Supplies, &c. - -	485,311 18 4	—	—	2,526,902 13 5
7. Stores - - -	—	—	961,866 - 10	620,071 10 5
8. Works, Buildings and Lands - - -	—	—	879,747 9 8	150,622 16 9
9. Miscellaneous Effic- tive Services - -	—	—	946,613 17 11	732,674 4 6
10. Non-effective Services	258,786 13 7	12,014 18 4	—	—
Balances Irrecoverable and Claims Abandoned	889,435 14 1	—	—	—
	1,880,525 1 10	184,301 1 7	10,188,284 17 7	4,812,707 18 9
	Total Deficits £2,064,826 3s. 5d.		Total Surpluses £15,000,992 16s. 4d.	
	Net Surplus £12,936,166 12s. 11d.			

SCHED. (C).
PART III.
Air Services.
1948-49.
Section 5.

SCHEDULE (C).—PART III.

Air Services, 1948-49, Votes	DEFICITS				SURPLUSES			
	Excesses of actual over estimated gross Expenditure		Deficiencies of actual as compared with estimated Receipts		Surpluses of estimated over actual gross Expenditure		Surpluses of actual as compared with estimated Receipts	
	£	s. d.	£	s. d.	£	s. d.	£	s. d.
1. Pay, &c., of the Air Force - - -	—		2,213	14 8	278,971	2 -	—	
2. Reserve and Auxiliary Services - - -	—		—		87,201	4 6	538	8 8
3. Air Ministry - -	—		—		1,402	3 3	2,952	15 5
4. Civilians at Out-stations - - -	—		—		306,180	3 11	83,318	17 -
5. Movements - -	108,220	19 -	—		—		472,328	3 11
6. Supplies - - -	293,011	5 10	—		—		923,693	14 11
7. Aircraft and Stores -	—		—		1,976,090	9 -	1,368,966	17 6
8. Works and Lands -	—		—		327,597	- 11	597,911	14 6
9. Miscellaneous Effective Services - -	321,514	14 6	—		—		189,873	7 11
10. Non-effective Services	—		—		42,654	10 7	2,903	16 1
Balances Irrecoverable and Claims Abandoned	61,831	4 4	—		—		—	
	784,578	3 8	2,213	14 8	3,020,096	14 2	3,642,487	15 11
	Total Deficits £786,791 18s. 4d.				Total Surpluses £6,662,584 10s. 1d.			
	Net Surplus £5,875,792 11s. 9d.							

Table of Statutes referred to in this Act

Short Title	Session and Chapter
Treasury Bills Act, 1877	40 & 41 Vict. c. 2.
Public Accounts and Charges Act, 1891	54 & 55 Vict. c. 24.

CHAPTER 17

Agriculture (Miscellaneous Provisions) Act, 1950

ARRANGEMENT OF SECTIONS

Grants for petrol-driven machines used for agricultural operations

Section

1. Schemes for making grants for petrol-driven machines used for agricultural operations.

Subsidies for use of fertilisers

2. Schemes for subsidising use of fertilisers.
3. Duration of schemes for subsidising use of fertilisers.

General

4. Making and alteration of schemes.
5. Expenses of administration.
6. Short title and interpretation.

An Act to authorise the payment out of moneys provided by Parliament of grants in respect of petrol-driven machines used in connection with agriculture and of contributions towards costs of providing fertilisers used for agricultural land; and for purposes connected therewith. [28th July 1950.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

Grants for petrol-driven machines used for agricultural operations

Schemes for making grants for petrol-driven machines used for agricultural operations.

1.—(1) The appropriate Minister may, in accordance with a scheme made by him with the approval of the Treasury, make out of moneys provided by Parliament grants in respect of any petrol-driven machine used for agricultural operations in the United Kingdom, payable to the owner of the machine.

(2) A scheme under this section may provide for different rates of grants in different cases and make the payment of grants subject to any conditions and, in particular, may—

- (a) specify the kinds of machines in respect of which grants may be made and make different provision for different kinds of machines;
- (b) make grants conditional upon machines being put, or not being put, to specified uses and, in particular, prohibit grants in respect of machines used in connection with land of a specified kind;

(c) provide for securing that no grant shall be made unless application therefor is made within the time and in the manner provided by the scheme.

(3) In this section the expression "petrol-driven machine" means any machine (including, in particular, an agricultural tractor) in which hydrocarbon oils (as defined in section two of the Finance Act, 1928) which are light oils (as so defined) are used either as the main fuel or as a subsidiary fuel.

(4) A person in the possession of a machine by virtue of a hire-purchase agreement (as defined in the Hire-Purchase Act, 1938) shall for the purposes of this section be treated as the owner of the machine.

In the application of this subsection to Scotland a reference to a contract to which the Hire Purchase and Small Debt (Scotland) Act, 1932, applies, or would apply if the limitation as to value contained in section one of that Act were omitted, shall be substituted for the reference to a hire-purchase agreement.

Subsidies for use of fertilisers

2.—(1) The appropriate Minister may, in accordance with a scheme made by him with the approval of the Treasury, make out of moneys provided by Parliament contributions towards the costs incurred by an occupier of agricultural land in the United Kingdom in acquiring and transporting fertilisers used on that land when—

- (a) it is under grass; or
- (b) it has been ploughed up from grass.

(2) Contributions shall not exceed—

- (a) in the case of land under grass, one-third of the said costs; and
- (b) in the case of land ploughed up from grass, two-thirds of the said costs.

(3) A scheme under this section may restrict the amount of contributions in any manner and make the payment of contributions subject to any conditions, and may, in particular—

- (a) specify the kinds of fertilisers and the kinds of agricultural land in respect of which contributions may be made, and make different provision for different kinds of fertilisers and for different kinds of agricultural land;
- (b) limit contributions to a specified sum to the acre;
- (c) provide that where, in any agricultural unit defined by the scheme, the land of a specified kind on which fertilisers are used within a specified period exceeds a specified proportion of all the land of that kind in the unit, no contribution shall be made in respect of the excess;

- (d) provide that in respect of agricultural land designated by the scheme as land where it may be doubtful whether the application of fertilisers would be satisfactory, or where the manner of applying them needs special consideration, contributions may only be made where the Minister approves of the use of fertilisers and where the fertilisers are used in a manner approved by him in advance;
 - (e) authorise the Minister to withhold contributions where in his opinion the fertilisers have not been used economically or to the best advantage;
 - (f) authorise the Minister to withhold contributions for fertilisers used on land under grass where in his opinion the occupier of the land has an excessive proportion of land under grass, having regard to local conditions and, in particular, to the type of farming carried on in the locality;
 - (g) provide that contributions shall only be made in respect of fertilisers used on land when it has been ploughed up—
 - (i) where the land was under grass for a specified period before that ploughing up;
 - (ii) where the fertilisers were used within a specified period after that ploughing up;
 - (h) provide for leaving out of account costs of transporting fertilisers in excess of rates ascertained by reference to the cost of acquiring the fertilisers or to the distance over which they were transported or ascertained in any other manner;
 - (i) prohibit contributions in respect of expenditure below a minimum ascertained in a specified manner;
 - (j) provide for securing that no contribution shall be made unless application therefor is made within the time and in the manner provided by the scheme.
- (4) A scheme under this section may provide for treating as agricultural land any land on which fertilisers are used with a view to bringing it into agricultural use.
- (5) In this section—
- “ the Minister ” means, as respects England and Wales and Northern Ireland, the Minister of Agriculture and Fisheries and, as respects Scotland, the Secretary of State;
 - references to land under grass include references to any grazing land and, in particular, to land under clover or lucerne or mixtures of clover or lucerne with grass.

3.—(1) Contributions under the last foregoing section shall be made only where the sale, and any agreement for the sale, of the fertilisers to the occupier of the land was made, and where the fertilisers were used on the land, within the period specified in this section. Duration of schemes for subsidising use of fertilisers.

(2) The said period is that beginning on the first day of July, nineteen hundred and fifty, and ending on the thirtieth day of June, nineteen hundred and fifty-three:

Provided that the said period may be extended once by an order made by the Minister of Agriculture and Fisheries and the Secretary of State acting jointly and subject to the approval of the Treasury so as to end on a date specified in the order, being a date not later than the thirtieth day of June, nineteen hundred and fifty-five.

The power of making an order under this proviso shall be exercisable by statutory instrument and no such order shall be made unless a draft thereof has been laid before Parliament and has been approved by resolution of each House of Parliament.

General

4.—(1) A scheme under this Act may be a separate scheme for England and Wales, or for Scotland or for Northern Ireland, or may be a joint scheme for all three countries or for any two of those countries. Making and alteration of schemes.

(2) The power to make a scheme under this Act shall be construed as including power to vary or revoke the scheme by a subsequent scheme.

(3) The power to make, vary or revoke a scheme under this Act shall be exercisable by statutory instrument.

(4) A statutory instrument making, varying or revoking a scheme under section one of this Act shall not be made unless a draft thereof has been laid before Parliament and has been approved by resolution of each House of Parliament.

(5) A statutory instrument making, varying or revoking a scheme under section two of this Act shall be subject to annulment in pursuance of a resolution of either House of Parliament.

5. Any expenses of administration incurred by any Minister for the purposes of any scheme under this Act shall be paid out of money provided by Parliament. Expenses of administration.

6.—(1) This Act may be cited as the Agriculture (Miscellaneous Provisions) Act, 1950. Short title and interpretation.

(2) In this Act—

“the appropriate Minister” means—

(a) in relation to a separate scheme for England and Wales or for Northern Ireland or a joint scheme for

England and Wales and Northern Ireland, the Minister of Agriculture and Fisheries;

(b) in relation to any other joint scheme, the Minister of Agriculture and Fisheries and the Secretary of State acting jointly;

(c) in relation to a separate scheme for Scotland, the Secretary of State;

except where the context otherwise requires, "specified" means specified by a scheme under this Act.

Table of Statutes referred to in this Act.

Short Title.	Session and Chapter.
Finance Act, 1928	18 & 19 Geo. 5. c. 17.
Hire Purchase and Small Debt (Scotland) Act, 1932	22 & 23 Geo. 5. c. 38.
Hire Purchase Act, 1938	1 & 2 Geo. 6. c. 53.

CHAPTER 18

An Act to amend the Cinematograph Film Production (Special Loans) Act, 1949, as respects the permitted maximum aggregate amount of principal outstanding in respect of advances made by the Board of Trade to the National Film Finance Corporation.

[28th July 1950.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

Amendment of s. 4 of the Cinematograph Film Production (Special Loans) Act, 1949. 12, 13 & 14 Geo. 6. c. 20.

1. In subsection (1) of section four of the Cinematograph Film Production (Special Loans) Act, 1949 (which makes provision for the Board of Trade, with the consent of the Treasury, to make advances to the National Film Finance Corporation within the five years beginning with the passing of that Act and limits the aggregate amount of the principal outstanding in respect of any such advances to five million pounds), for the words "five million pounds" there shall be substituted the words "six million pounds".

Short title and citation.

2.—(1) This Act may be cited as the Cinematograph Film Production (Special Loans) Act, 1950.

(2) This Act and the Cinematograph Film Production (Special Loans) Act, 1949, may be cited together as the Cinematograph Film Production (Special Loans) Acts, 1949 and 1950.

CHAPTER 19

Isle of Man (Customs) Act, 1950

ARRANGEMENT OF SECTIONS

Section

1. Hydrocarbon oils.
2. Power methylated spirits.
3. Ale and beer.
4. Annual duties (continuation).
5. Removal or reduction of additional duties in respect of iron and steel tubes, etc.
6. Repayment of customs duty where goods returned or destroyed by importer.
7. Duty free goods for H.M. ships.
8. Short title and repeal.

SCHEDULE.—Enactments repealed.

An Act to amend the law with respect to customs in the
Isle of Man. [28th July 1950.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

1.—(1) As from the twenty-second day of April, nineteen hundred and fifty, the rate both— Hydrocarbon oils.

- (a) of the duty of customs imposed on hydrocarbon oils removed or imported into the Isle of Man by section four of the Act of 1930; and
- (b) of the rebate to be allowed under subsection (2) of that section on the delivery for home consumption of any goods other than light oils;

shall, subject to the next following subsection, be eightpence a gallon (instead of ninepence a gallon as provided by subsection (1) of section two of the Act of 1938).

(2) As from the fourteenth day of July, nineteen hundred and fifty, the said section four and the enactments amending it shall apply to hydrocarbon oils manufactured or produced in Great Britain or Northern Ireland otherwise than by refining hydrocarbon oils imported into Great Britain or Northern Ireland, as they apply to other hydrocarbon oils, except that the rate of the duty and of the rebate therefrom shall be less by ninepence a gallon or such other amount per gallon as may from time to time by virtue of any order of the Treasury under section two

of the Finance Act, 1950, be the difference in Great Britain and Northern Ireland between the rate of the customs duty and that of the excise duty on hydrocarbon oils.

Any regulations of the Commissioners under the said section four which are in force at the commencement of this Act shall have effect in relation to hydrocarbon oils manufactured or produced as aforesaid as they have effect in relation to other hydrocarbon oils.

(3) For the purposes of the customs duty charged on hydrocarbon oils by the said section four, oils satisfying any of the requirements specified in the definition of light oils in paragraph (b) of subsection (5) of that section shall nevertheless be treated as not being light oils if they are for the time being so treated for the purposes of the customs and excise duties in Great Britain and Northern Ireland by virtue of a direction of the Treasury under subsection (1) of section five of the Finance Act, 1950.

**Power
methylated
spirits.**

2. As from the twenty-second day of April, nineteen hundred and fifty, the rate of the duty of customs imposed on certain methylated spirits by section three of the Act of 1938 shall be eighteenpence a gallon (instead of ninepence a gallon as provided by the said section three).

Ale and beer.

3.—(1) As from the twenty-first day of June, nineteen hundred and fifty, in lieu of the customs duties theretofore payable on ale and beer, there shall, until the first day of August, nineteen hundred and fifty-one, be payable on ale and beer removed or imported into the Isle of Man a duty of customs at the following rate:—

	£ s. d.
For every thirty-six gallons, where the worts were before fermentation of a specific gravity of one thousand and fifty-five degrees ...	8 15 0

with a proportionate increase or decrease according to the specific gravity of the worts thereof before fermentation.

(2) As from the fourteenth day of July, nineteen hundred and fifty, there shall, until the first day of August, nineteen hundred and fifty-one, be payable in addition to the duty under the foregoing subsection a duty of customs at the rate of one pound for every thirty-six gallons on all ale and beer removed or imported into the Isle of Man except ale and beer being an Empire product within the meaning of section five of the Act of 1919 as amended by any subsequent enactment.

**Annual duties
(continuation).**

4.—(1) Subject to the provisions of this section, the duties of customs imposed on goods removed or imported into the Isle of Man, being goods of the descriptions set out in the first column

of the following Table, by the respective enactments set out in the second column of that Table, shall continue to be payable until the first day of August, nineteen hundred and fifty-one:—

TABLE

Description of goods	Enactment imposing duty
Cocoa	Section four of the Act of 1924.
Hops and extracts, essences and other similar preparations (other than hop oil) made from hops.	Section five of the Act of 1925.
Hop oil	Section three of the Act of 1929.
Matches	Section four of the Act of 1949.
Mechanical lighters	Section five of the Act of 1949.
Silk and artificial silk and articles made wholly or in part of silk or artificial silk.	Section seven of the Act of 1925, as amended by section eight of the Act of 1926, section nine of the second Act of 1932, section four of the Act of 1933, section three of the Act of 1936, section three of the Act of 1937, section four of the Act of 1947 and subsection (2) of section five of the Act of 1948.
Spirits	Section two of the Act of 1948.
Sweets	Section three of the Act of 1949.
Tea	Section one of the Act of 1949.
Tobacco	Section one of the Act of 1948.
Wines	Section two of the Act of 1949.

(2) Where any enactment set out in the second column of the foregoing Table confers power on the Governor to make orders varying or repealing the duties of customs payable on the goods referred to in that enactment or imposing a new duty on such goods, the provisions of that enactment relating to the said power shall continue in force until the said first day of August, nineteen hundred and fifty-one, and the foregoing provisions of this section shall have effect subject to any orders made in pursuance of any such power (whether before or after the commencement of this Act) which are for the time being in force.

5. In section six of the Act of 1936 (which provides that orders of the Treasury under section six of the Finance Act, 1936, removing or reducing the additional duty on iron and steel goods of certain classes or descriptions shall have similar effect in the Isle of Man) any reference to the said section six of the Finance Act, 1936, shall include a reference to that section as extended by section nine of the Finance Act, 1950, in relation to tubes, pipes and pipe and tube fittings.

Removal or reduction of additional duties in respect of iron and steel tubes, etc.

Repayment
of customs
duty where
goods returned
or destroyed
by importer.

6.—(1) Subject to such conditions as the Commissioners may prescribe for the protection of the revenue, where it is shown to the satisfaction of the Commissioners—

(a) that goods were imported into the Isle of Man in pursuance of a contract of sale and that the description, quality, state or condition of the goods was not in accordance with the contract or that the goods were damaged in transit; and

(b) that the person importing the goods, with the consent of the seller, either—

(i) returned the goods unused to the seller and for that purpose entered the goods before shipment; or

(ii) destroyed the goods unused;

the person importing the goods shall be entitled to obtain from the Commissioners repayment of any duty of customs paid on the importation of the goods into the Isle of Man.

(2) Nothing in this section shall apply to goods imported on approval or on “sale or return” or other similar terms or to goods brought into the Isle of Man from Great Britain or Northern Ireland.

Duty free
goods for
H.M. ships.

7.—(1) No customs duty shall be chargeable on any goods brought into the Isle of Man from Great Britain or Northern Ireland if, in Great Britain or Northern Ireland, the goods have been exempted from customs or excise duties by virtue of section twenty of the Finance Act, 1950 (which relates to the supply of duty free goods to His Majesty’s ships and the Admiralty), or any customs or excise duty paid on the goods has been drawn back by virtue of that section.

(2) On the coming into force of the first regulations under the said section twenty, sections one hundred and twenty-one to one hundred and twenty-five of the Customs Consolidation Act, 1876 (which provide for the supply of wines and tobacco free of duty to persons serving in the navy) shall cease to have effect in so far as they extend to the Isle of Man.

Short title and
repeal.

8.—(1) This Act may be cited as the Isle of Man (Customs) Act, 1950.

(2) The enactments mentioned in the Schedule to this Act are hereby repealed to the extent specified in the third column of that Schedule.

SCHEDULE

Section 8.

ENACTMENTS REPEALED

Session and Chapter	Short Title	Extent of Repeal
39 & 40 Vict. c. 36.	The Customs Consolidation Act, 1876.	As from the coming into force of the regulations mentioned in section seven of this Act, sections one hundred and twenty-one to one hundred and twenty-five in so far as they extend to the Isle of Man.
20 & 21 Geo. 5. c. 42.	The Isle of Man (Customs) Act, 1930.	Subsection (1) of section four, from the word "not" onwards.
21 & 22 Geo. 5. c. 34.	The Isle of Man (Customs) Act, 1931.	Section one.
22 & 23 Geo. 5. c. 16.	The Isle of Man (Customs) Act, 1932.	Subsection (1) of section twenty.
23 & 24 Geo. 5. c. 40.	The Isle of Man (Customs) Act, 1933.	Section sixteen.
1 & 2 Geo. 6. c. 68.	The Isle of Man (Customs) Act, 1938.	Subsections (1) and (3) of section two.

Table of Statutes referred to in this Act

Short Title	Session and Chapter
Customs Consolidation Act, 1876	39 & 40 Vict. c. 36.
Isle of Man (Customs) Act, 1930	20 & 21 Geo. 5. c. 42.
Isle of Man (Customs) Act, 1931	21 & 22 Geo. 5. c. 34.
Isle of Man (Customs) Act, 1932	22 & 23 Geo. 5. c. 16.
Isle of Man (Customs) Act, 1933	23 & 24 Geo. 5. c. 40.
Finance Act, 1936	26 Geo. 5 & 1 Edw. 8. c. 34.
Isle of Man (Customs) Act, 1938	1 & 2 Geo. 6. c. 68.

CHAPTER 20*Colonial and Other Territories (Divorce Jurisdiction)
Act, 1950*

ARRANGEMENT OF SECTIONS

Section

1. Extension of principal Acts to persons domiciled in Northern Ireland.
2. Application of principal Acts to protectorates and trust territories.
3. Validity in United Kingdom of divorce decrees of certain protected states.
4. Minor amendment of Act of 1940.
5. Saving for legislative powers of Northern Irish Parliament.
6. Short title, citation and interpretation.

An Act to make further provision as respects matrimonial proceedings in certain courts outside the United Kingdom in cases of parties to the marriage domiciled in England, Scotland or Northern Ireland.

[28th July 1950.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

Extension of principal Acts to persons domiciled in Northern Ireland.

1. For the purpose of extending the jurisdiction exercisable by virtue of the principal Acts (which empower courts in certain colonies, in cases of English or Scottish domicile, to make decrees for the dissolution of marriage and to give incidental relief on the grounds, and according to the principles and rules, applicable in the High Court in England) to cases of domicile in Northern Ireland, the principal Acts shall be amended as follows:—

- (a) references (except in section three of the Act of 1926, which validates certain proceedings taken before the commencement of that Act) to domicile at any time in England or Scotland shall be construed as references to domicile at that time in any part of the United Kingdom;
- (b) references to the High Court in England or the Court of Session in Scotland shall be construed as references to the court of the domicile, so however that nothing in this paragraph shall be taken to affect references to the grounds on which the High Court in England grants decrees or the principles and rules on which that court acts and gives relief;

- (c) in subsection (2) of section one of the Act of 1926, as amended by the Act of 1940, (which subsection requires the proper officer of the court making a decree or order to transmit a certified copy thereof in the manner specified in paragraphs (a) and (b) of that subsection, that is to say if the parties to the marriage are domiciled in England, for registration in the High Court, and if the parties are domiciled in Scotland, for registration in the books of council and session) for paragraphs (a) and (b) there shall be substituted the words "for registration in the court of the domicile";
- (d) in subsection (4) of the said section one, in paragraph (c) for the words "England or Scotland" there shall be substituted the words "any part of the United Kingdom", and in paragraph (d) for the words "between parties domiciled" there shall be substituted the words "where the court of the domicile is";
- (e) in subsection (5) of the said section one for the words "England, Scotland" there shall be substituted the words "the United Kingdom".

2.—(1) The power of His Majesty, under section two of the Act of 1926, subject to the necessary modifications to apply to certain parts of His dominions the provisions of section one of that Act shall extend to the application as aforesaid of those provisions, as amended by the foregoing section, to any protectorate or United Kingdom trust territory.

(2) In section five of the Act of 1940 (which provides that sections one to four of that Act shall with the necessary adaptations apply in relation to any part of His Majesty's dominions to which the provisions of section one of the Act of 1926 apply by virtue of an Order under section two thereof) the references to sections one to four of the Act of 1940 shall be construed as references to those sections as amended by the foregoing section and the reference to a part of His Majesty's dominions shall include a reference to a protectorate or United Kingdom trust territory.

3.—(1) If His Majesty in Council is satisfied—

- (a) that under the law of any protected state a court of that state has the like jurisdiction to make decrees and orders in matrimonial causes, exercisable on the like grounds and in accordance with the like principles, as the jurisdiction exercisable by virtue of the principal Acts by a court in any part of His Majesty's dominions to which the provisions of section one of the Act of 1926 apply, and

Validity in
United
Kingdom of
divorce decrees
of certain
protected
states.

- (b) that under the said law provision is made for the transmission of certified copies of such decrees and orders for registration in the court of the domicile,

His Majesty may by Order in Council direct that subject to the necessary modifications the provisions of subsections (2) and (3) of section one of the Act of 1926, as amended by the Act of 1940 and section one of this Act, relating to the registration of decrees and orders and to the proceedings which may be taken thereunder shall apply to such decrees and orders as aforesaid of the court of the protected state.

(2) Where an Order in Council is in force under the last foregoing subsection as respects any court of a protected state, the decision of that court, or a decision on appeal therefrom, as to the domicile of the parties to a marriage shall for the purposes of the Order be binding on all courts in the United Kingdom.

(3) Where there is a common legislature established for two or more territories, and the territories include—

- (a) one or more protected states, and
(b) one or more territories in respect of which an Order in Council under section two of the Act of 1926, or that section as extended by the last foregoing section, has been or can be made,

the foregoing provisions of this section shall have effect in relation to the territories as a whole as they have effect in relation to a protected state; and if an Order comes into operation under subsection (1) of this section in relation to the territories as a whole and immediately before the coming into operation thereof an Order, being either—

- (i) an Order such as is mentioned in paragraph (b) of this subsection, or
(ii) an Order under subsection (1) of this section,

was in force in relation to any of the territories, the Order so in force shall thereupon cease to have effect in relation to that territory, but the Order relating to the territories as a whole may contain such transitional and saving provisions as appear to His Majesty in Council necessary or expedient in consequence of the cesser.

Minor
amendment of
Act of 1940.

4. Section five of the Act of 1940 shall have effect, and be deemed as from the passing of the Indian Independence Act, 1947, to have had effect, as if for the words “as they apply in relation to India” there were substituted the words “as they would have applied in relation to India if the Indian Independence Act, 1947, had not passed”.

5. For the purposes of section six of the Government of Ireland Act, 1920 (under which the Parliament of Northern Ireland has not power to amend an Act passed after the appointed day) this Act shall be deemed to be an Act passed before the appointed day, but nothing in this section shall be construed as extending the legislative powers of the Parliament of Northern Ireland under section four of the said Act of 1920. Saving for legislative powers of Northern Irish Parliament.

6.—(1) This Act may be cited as the Colonial and Other Territories (Divorce Jurisdiction) Act, 1950.

(2) The principal Acts, except in so far as still in force as respects decrees and orders of the courts in India, Pakistan or Ceylon, may be cited together with this Act as the Colonial and Other Territories (Divorce Jurisdiction) Acts, 1926 to 1950. Short title, citation and interpretation.

(3) In the principal Acts and this Act, according as the jurisdiction to make the decree for the dissolution of the marriage was exercisable by reason of the domicile of the parties being or having been in England, Scotland or Northern Ireland—

(a) the expression “the court of the domicile” means the High Court in England, the Court of Session in Scotland or the High Court in Northern Ireland;

(b) references to registration in the court of the domicile shall be construed as references to registration in the High Court in England, in the books of council and session or in the High Court in Northern Ireland.

(4) In this Act the following expressions have the meanings hereby assigned to them respectively, that is to say—

“Act of 1926” means the Indian and Colonial Divorce Jurisdiction Act, 1926;

“Act of 1940” means the Indian and Colonial Divorce Jurisdiction Act, 1940;

“principal Acts” means the Indian and Colonial Divorce Jurisdiction Acts, 1926 and 1940;

“protected state,” “protectorate” and “United Kingdom trust territory” have the meanings assigned to them respectively by the British Nationality Act, 1948.

Table of Statutes referred to in this Act

Short Title	Session and Chapter
Government of Ireland Act, 1920	10 & 11 Geo. 5. c. 67.
Indian and Colonial Divorce Jurisdiction Act, 1926	16 & 17 Geo. 5. c. 40
Indian and Colonial Divorce Jurisdiction Act, 1940	3 & 4 Geo. 6. c. 35.
Indian Independence Act, 1947	10 & 11 Geo. 6. c. 30.
British Nationality Act, 1948	11 & 12 Geo. 6. c. 56.

CHAPTER 21*Miscellaneous Financial Provisions Act, 1950*

ARRANGEMENT OF SECTIONS

Section

1. Temporary increase in Civil Contingencies Fund.
2. Loans to the Government of Northern Ireland.
3. Authorisation of grants in respect of police expenses.
4. Winding up of Czecho-Slovak Financial Claims Fund.
5. Short title and repeals.

SCHEDULE—Enactments Repealed.

An Act to make further provision for a temporary increase in the Civil Contingencies Fund, to authorise loans to the Government of Northern Ireland, to give statutory authority for the payment out of moneys provided by Parliament of grants in respect of the expenses of police forces in England and Wales, and to wind up the Czecho-Slovak Financial Claims Fund.

[28th July, 1950.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows—

Temporary
increase
in Civil
Contingencies
Fund.

1. In subsection (1) of section three of the *Miscellaneous Financial Provisions Act, 1946*—

(i) in proviso (a) (which requires repayment by the end of 1950 of all sums issued under that section for the temporary increase of the Civil Contingencies Fund) for the words "nineteen hundred and fifty" there shall be substituted the words "nineteen hundred and fifty-two"; and

(ii) in proviso (b) (which limits the sums so issued and outstanding at any time to two hundred and fifty million pounds) for the words "two hundred and fifty million pounds" there shall be substituted the words "one hundred and twenty-five million pounds",

and the said section three (as extended by subsection (3) of

section three of the American Aid and European Payments (Financial Provisions) Act, 1949) and subsection (1) of section one of the said Act of 1946 (which authorises the Treasury to raise money for the purposes of the said section three of the same Act) shall have effect accordingly.

2.—(1) The Treasury may for the purpose of Northern Ireland Government Loans advance to the Exchequer of Northern Ireland out of the Consolidated Fund of the United Kingdom or the growing produce thereof any sum or sums by way of loan: Loans to the Government of Northern Ireland.

Provided that the aggregate amount of the principal outstanding in respect of any advances under this subsection shall not at any time exceed fifteen million pounds.

(2) For the purpose of providing sums to be issued under the foregoing subsection the Treasury may at any time, if they think fit, raise money in any manner in which they are authorised to raise money under the National Loans Act, 1939, and any securities created and issued to raise money under this subsection shall be deemed for all purposes to have been created and issued under that Act.

(3) Any sums issued under subsection (1) of this section shall be repaid to the Exchequer of the United Kingdom within such period as the Treasury may determine, and interest thereon at such rate and at such times as the Treasury may direct shall be paid into the said Exchequer.

(4) Sums paid into the Exchequer under the last foregoing subsection shall be issued out of the Consolidated Fund of the United Kingdom or the growing produce thereof at such times as the Treasury may direct and shall be applied by the Treasury as follows:—

- (a) so much thereof as represents principal shall be applied in redeeming or paying off debt of such description as the Treasury think fit;
- (b) so much thereof as represents interest shall be applied to the payment of interest which would, apart from this paragraph, have fallen to be paid out of the permanent annual charge for the National Debt.

(5) In this section the expression “Northern Ireland Government Loans” means loans for the purposes of which the Ministry of Finance for Northern Ireland are, for the time being, empowered to advance money out of the Government Loans Fund established by an Act of the Parliament of Northern Ireland entitled “The Government Loans Act (Northern Ireland), 1939”.

Authorisation
of grants in
respect of
police
expenses.

3.—(1) The payment by the Secretary of State out of moneys provided by Parliament of grants in respect of expenses incurred for the purposes of—

- (a) any police force in England or Wales in respect of which grants out of such moneys have been made by the Secretary of State before the passing of this Act; or
- (b) any combined police force, county police force or borough police force established in England or Wales after the passing of this Act,

is hereby authorised.

(2) The grants authorised by the foregoing subsection shall be of such amounts, be payable at such times, in such manner, and subject to such conditions, and be carried to such funds, as the Secretary of State may with the approval of the Treasury by order determine.

(3) Any order under this section may be varied or revoked by a subsequent order thereunder made in the like manner and subject to the like provisions.

(4) The power to make orders conferred by this section shall be exercisable by statutory instrument; and any such statutory instrument shall be subject to annulment in pursuance of a resolution of either House of Parliament.

(5) Section six of the Metropolitan Police Act, 1839 (which provides for the payment of a yearly sum to defray certain expenses of the Metropolitan Police) and, in Schedule (B) to the Public Revenue and Consolidated Fund Charges Act, 1854 (which requires that yearly sum to be paid out of moneys provided by Parliament), the head beginning "Expenses of the mounted police, river police and police van service" shall cease to have effect.

Winding up of
Czecho-Slovak
Financial
Claims Fund.

4. The Czecho-Slovak Financial Claims Fund established by section two of the Czecho-Slovakia (Financial Claims and Refugees) Act, 1940, shall be wound up and, accordingly, the following enactments shall cease to have effect, that is to say—

- (a) subsection (2) of the said section two (which authorises the application of the moneys paid into the Fund under subsection (1) of that section in or towards satisfying certain obligations of the Government of the Republic of Czecho-Slovakia and of persons or bodies in, or incorporated under the laws of, that country and in defraying expenses); and
- (b) subsection (3) of the said section two (which requires the payment into the said Fund of any sums received by the Treasury in respect of the satisfaction of any obligations satisfied under the said subsection (2)); and

(c) so much of section four of the said Act as requires the preparation, examination and certification of yearly accounts of the said Fund, and the laying of those accounts before Parliament.

5.—(1) This Act may be cited as the Miscellaneous Financial Provisions Act, 1950. Short title
and repeals.

(2) The Acts specified in the second column of the Schedule to this Act are hereby repealed to the extent specified in the third column of that Schedule.

SCHEDULE

Section 5.

ENACTMENTS REPEALED

Session and Chapter	Short Title	Extent of Repeal
2 & 3 Vict. c. 47.	The Metropolitan Police Act, 1839.	Section six.
17 & 18 Vict. c. 94.	The Public Revenue and Consolidated Fund Charges Act, 1854.	In Schedule (B) the words "Expenses of the mounted police, river police and police van service, and superannuation of the late horse and foot patrol—2 & 3 Vict. c. 47".
3 & 4 Geo. 6. c. 4.	The Czecho-Slovakia (Financial Claims and Refugees) Act, 1940.	Section two. In section four the words "the Czecho-Slovak Financial Claims Fund and" and the word "respectively".

Table of Statutes referred to in this Act

Short Title	Session and Chapter
Metropolitan Police Act, 1839	2 & 3 Vict. c. 47.
Public Revenue and Consolidated Fund Charges Act, 1854	17 & 18 Vict. c. 94.
National Loans Act, 1939	2 & 3 Geo. 6. c. 117.
Czecho-Slovakia (Financial Claims and Refugees) Act, 1940	3 & 4 Geo. 6. c. 4.
Miscellaneous Financial Provisions Act, 1946	9 & 10 Geo. 6. c. 40.
American Aid and European Payments (Financial Provisions) Act, 1949	12, 13 & 14 Geo. 6. c. 17.

CHAPTER 22

An Act to constitute the Minister of Health the sanctioning authority for all the purposes of Part VII of the London Government Act, 1939. [28th July 1950.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

Amendment of definition of "sanctioning authority".

2 & 3 Geo. 6.
c. 40.

1.—(1) The consent required by subsection (1) of section one hundred and twenty-four of the London Government Act, 1939, for the borrowing of money by the council of a metropolitan borough shall in all cases be the consent of the Minister of Health; and accordingly for the definition of "sanctioning authority" in section one hundred and forty-five of that Act there shall be substituted the following definition:

"Sanctioning authority" means the Minister.

(2) Subsection (2) of the said section one hundred and twenty-four (which provides for appeals to the Minister of Health against the refusal or withholding by the London County Council of sanction to the borrowing of money by a metropolitan borough council) is hereby repealed.

Short title, citation and commencement.

2.—(1) This Act may be cited as the London Government Act, 1950, and the London Government Act, 1939, and this Act may be cited together as the London Government Acts, 1939 and 1950.

(2) This Act shall come into operation on the first day of October, nineteen hundred and fifty.

CHAPTER 23

Coal-Mining (Subsidence) Act, 1950

ARRANGEMENT OF SECTIONS

Section

1. Duty of National Coal Board to carry out repairs and make payments in respect of subsidence damage to dwelling-houses.
2. Nature of obligations of National Coal Board.
3. Payments in respect of buildings comprising dwelling-houses.
4. Provisions as to determination of amount of depreciation and recipients of payments.
5. Notice of subsidence damage and repairs to be given to National Coal Board.
6. Powers of National Coal Board in cases where further damage is likely.

Section

7. Further provisions when damage continues over a period.
8. Powers of National Coal Board to execute preventive works.
9. Powers of entry of National Coal Board.
10. False information.
11. Grants to National Coal Board.
12. Determination of questions.
13. Onus of proof as to cause of damage.
14. Rights conferred by Act to be alternative to other rights.
15. Contributions towards expenses of claim.
16. Regulations.
17. Interpretation.
18. Short title and extent.

SCHEDULE—Determination of amount of depreciation and recipients of payments.

An Act to provide for the carrying out of repairs and the making of payments in respect of damage affecting certain dwelling-houses and caused by subsidence resulting from the working and getting of coal and other minerals worked with coal, and for the execution of works to prevent or reduce such damage; and for purposes connected with the matters aforesaid.

[28th July 1950.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

1.—(1) The National Coal Board shall carry out such repairs and make such payments as are required under the following provisions of this Act, in respect of subsidence damage occurring on or after the first day of January, nineteen hundred and forty-seven, being subsidence damage occurring to or affecting any dwelling-house which at the time of the occurrence of the damage was a dwelling-house to which this Act applies.

Duty of National Coal Board to carry out repairs and make payments in respect of subsidence damage to dwelling-houses.

(2) This Act applies to—

- (a) a hereditament which is used wholly or mainly for the purposes of a private dwelling and has a rateable value not exceeding thirty-two pounds; and
- (b) any such separately occupied part of a hereditament as is used wholly or mainly for the purposes of a private dwelling, if the hereditament has a rateable value which, when divided by the number of parts of the hereditament which are separately occupied, does not exceed thirty-two pounds; and

- (c) such part of a hereditament, being a hereditament which is used partly (but not wholly or mainly) for the purposes of a private dwelling and has a rateable value not exceeding thirty-two pounds, as is used for the purposes of the private dwelling;

and references in this Act to a dwelling-house to which this Act applies shall be construed as references to such a hereditament as is specified in paragraph (a) of this subsection and to such part of a hereditament as is specified in paragraph (b) or paragraph (c) of this subsection:

Provided that, if it appears to the Minister of Fuel and Power that, having regard to any changes in the valuation of hereditaments for rating purposes, the aforesaid figure of thirty-two pounds ought to be altered, he may by order, made with the approval of the Treasury, amend this subsection by substituting for that figure such higher or lower figure as may be specified in the order.

An order under this subsection may be varied or revoked by a subsequent order made thereunder and the power to make orders under this subsection shall be exercisable by statutory instrument and no such order shall be made unless a draft thereof has been laid before Parliament and has been approved by resolution of each House of Parliament.

(3) For the purposes of the last preceding subsection, a hereditament or part of a hereditament shall not be deemed to have ceased to be used for the purposes of a private dwelling by reason only that it is temporarily unoccupied, or has been rendered unfit for occupation by subsidence damage and is for that reason unoccupied, or is used otherwise than for the purposes of a private dwelling while in the occupation of any authority by virtue of any powers of requisitioning exercisable by that authority under any enactment.

(4) In the application of this section to Scotland—

- (a) for the words “ thirty-two pounds ”, wherever they occur, there shall be substituted the words “ fifty-two pounds ”;
- (b) in subsection (2) there shall be added at the end of paragraph (c) the following:—

“ and

- (d) in Scotland, any part (whether separately occupied or not) of a hereditament entered in the valuation roll as agricultural lands and heritages within the

meaning of the Rating and Valuation (Apportionment) Act, 1928, being a part which is occupied wholly or mainly as a private dwelling and which would if separately valued have a rateable value not exceeding fifty-two pounds”;

- (c) in the said subsection after the words “ paragraph (c) ” there shall be added the words “ or paragraph (d) ”; and
- (d) any question arising under this section as to what would be the rateable value of any such part of a hereditament as is mentioned in paragraph (d) of subsection (2) of this section if it were separately valued shall be determined by the assessor appointed to act for the purposes of the Lands Valuation (Scotland) Act, 1854, and the Acts amending that Act in the county or burgh in which the said part is situated, and his decision shall be final.

2.—(1) Subject to the provisions of this Act, where any subsidence damage occurred or occurs on or after the first day of January, nineteen hundred and forty-seven, to any dwelling-house to which this Act applies, the National Coal Board shall either carry out as soon as possible such reasonable repairs to the dwelling-house as are required in consequence of the damage thereto or, if the Board think fit, make a payment equal to the cost reasonably incurred by any other person in carrying out such repairs.

Nature of obligations of National Coal Board.

(2) Where any reasonable repairs required in consequence of such subsidence damage as aforesaid have been carried out before the passing of this Act, the preceding subsection shall not apply to those repairs, but the National Coal Board shall, subject to the provisions of this Act, make a payment equal to the amount (if any), by which the cost reasonably incurred in carrying out those repairs exceeds five pounds.

(3) If the reasonable cost of carrying out such reasonable repairs to the dwelling-house as are required in consequence of the subsidence damage thereto exceeds or would exceed the amount of the depreciation in the value of the dwelling-house caused by the damage, the National Coal Board may, after consultation with the local authority for the area in which the dwelling-house is situated, in lieu of carrying out repairs or making any payment under the preceding provisions of this section, make a payment equal to the amount of the said depreciation.

Where a payment equal to the amount of depreciation is made under this subsection, the local authority shall not require the execution of any such works of repair to the dwelling-house as may be required in consequence of the subsidence damage thereto.

(4) Notwithstanding anything in the preceding provisions of this section, the National Coal Board shall, if works urgently required in consequence of the subsidence damage or works reasonably required for temporarily meeting the circumstances created by that damage have been executed after the passing of this Act by any other person, make a payment equal to the cost reasonably incurred in executing those works.

Payments
in respect
of buildings
comprising
dwelling-
houses.

3.—(1) Where—

- (a) a building comprises one or more dwelling-houses to which this Act applies and subsidence damage occurred or occurs on or after the first day of January, nineteen hundred and forty-seven, to a part of the building which is not comprised in such a dwelling-house; and
- (b) the damage to that part of the building also affects any such dwelling-house or dwelling-houses comprised in the building;

then, subject to the provisions of this Act and to any agreement between the National Coal Board and the owner of the building and any other interested party, the reasonable cost of carrying out such reasonable repairs to that part of the building as are required in consequence of the damage thereto shall be apportioned as between the said dwelling-house or dwelling-houses affected by the said damage and the other parts of the building so affected, in such manner as may be appropriate having regard to the extent and effect of the damage and all the circumstances of the case; and, if such repairs have been carried out to the said part by any person other than the National Coal Board, the Board shall pay an amount equal to such part of the said cost as is apportioned to the dwelling-house or dwelling-houses.

(2) Where—

- (a) a dwelling-house to which this Act applies is part only of a building and subsidence damage occurred or occurs to the building on or after the first day of January, nineteen hundred and forty-seven, and the damage affects the dwelling-house; and
- (b) the cost of carrying out such reasonable repairs to the building as are required in consequence of the damage thereto exceeds or would exceed the amount of the depreciation in the value of the building caused by the damage;

subsection (3) of the last preceding section shall not apply, but the National Coal Board may, in lieu of carrying out repairs to the dwelling-house or making a payment under subsection (1) or subsection (2) of the last preceding section and in lieu of making

any payment under the preceding subsection, make a payment equal to such part of the said depreciation in the value of the building as is apportioned to the dwelling-house.

For the purposes of this subsection, the amount of the said depreciation apportioned to the dwelling-house shall be such amount as bears to the total depreciation the same proportion as the annual value of the dwelling-house in the state in which it was immediately before the occurrence of the damage bears to the annual value of the building in the state in which it then was.

(3) In the application of the last preceding subsection to Scotland, for the words "annual value of the dwelling-house" there shall be substituted the words "gross annual value of the dwelling-house", and for the words "annual value of the building" there shall be substituted the words "aggregate gross annual value of the hereditaments comprised in the building".

4. The provisions of the Schedule to this Act shall have effect for the purpose of determining the amount of the depreciation in the value of a dwelling-house or building caused by subsidence damage, and the persons who are to receive the payments made under the two last preceding sections.

Provisions as to determination of amount of depreciation and recipients of payments.

5.—(1) The National Coal Board shall not be required to carry out any repairs or to make any payment under this Act in respect of any subsidence damage to any dwelling-house to which this Act applies or any such part of a building as is mentioned in subsection (1) of section three of this Act, unless the owner of the dwelling-house or part of the building or any other person who is liable to make good the subsidence damage in whole or in part has given notice in writing to the Board of the occurrence of the damage in such manner, within such time, and containing such particulars, as may be prescribed, and has given to the Board reasonable facilities to inspect the premises, so far as he was in a position to give such facilities.

Notice of subsidence damage and repairs to be given to National Coal Board.

(2) The National Coal Board shall not be required to make any payment under this Act in respect of any repairs which have been carried out by any other person to any such dwelling-house or any such part of a building as aforesaid after the passing of this Act, unless that person has given to the Board, not less than fourteen days before the repairs were commenced, notice in writing containing adequate particulars of the proposed repairs, and has given to the Board reasonable facilities to inspect the premises, so far as he was in a position to give such facilities:

Provided that this subsection shall not apply to any works urgently required in consequence of the subsidence damage or any works reasonably required for temporarily meeting the circumstances created by that damage.

Regulations made under section sixteen of this Act may prescribe the manner in which notice is to be given under this subsection, and the particulars to be contained in any such notice.

Powers of
National Coal
Board in cases
where further
damage is
likely.

6.—(1) Where subsidence damage has occurred on or after the first day of January, nineteen hundred and forty-seven, to any dwelling-house to which this Act applies or any building comprising such a dwelling-house, and it appears probable to the National Coal Board that further subsidence damage will occur to that dwelling-house or building within such period as would make it unreasonable that repairs, other than the works herein-after mentioned, should be carried out to that dwelling-house or building, they may give notice in writing to the owner of the dwelling-house or building to the following effect—

- (a) if the notice relates to a dwelling-house, that the Board will not carry out any repairs to the dwelling-house while the notice is in force, other than works urgently required in consequence of the subsidence damage or works reasonably required for temporarily meeting the circumstances created by that damage, or make any payment in respect of repairs carried out to the dwelling-house while the notice is in force, other than such works as aforesaid;
- (b) if the notice relates to any such building as aforesaid, that the Board will not make any payment in respect of repairs carried out thereto while the notice is in force, other than such works as aforesaid;

and the obligations of the Board under the preceding provisions of this Act shall be subject to the terms of the notice.

(2) It shall be the duty of the National Coal Board, as soon as permanent repairs to the dwelling-house or building can properly be carried out, to revoke any notice given by them under this section, and any person aggrieved by a failure of the Board to revoke the notice may apply to a county court and, if it appears to the county court in all the circumstances to be reasonable to do so, it may by order revoke the notice.

(3) A notice under this section may be served by post in a registered letter.

(4) In the application of this section to Scotland, for the words "a county court" and the words "the county court" there shall be substituted the words "the sheriff".

Further
provisions
when damage
continues
over a period.

7.—(1) Where subsidence damage (in this section referred to as "the original damage") has occurred or occurs on or after the first day of January, nineteen hundred and forty-seven, to a dwelling-house to which this Act applies or to any building

comprising such a dwelling-house, being damage in respect of which notice is given in accordance with subsection (1) of section five of this Act, and further subsidence damage has occurred or occurs to that dwelling-house or building before the end of the period mentioned in the next following subsection, the original damage and any further such damage shall be treated as one, and accordingly—

- (a) references in this Act to the time immediately before or immediately after the occurrence of the damage shall be construed as references to the time immediately before the occurrence of the original damage and the time immediately after the end of the said period respectively;
- (b) the notice given in respect of the original damage shall have effect also in respect of any such further damage occurring before the end of the said period.

(2) The period referred to in the preceding subsection is the period beginning with the occurrence of the original damage and ending—

- (a) if, before the completion of the permanent repairs to the dwelling-house or building which are required in consequence of the subsidence damage, it is finally determined (by agreement or otherwise) that a payment falls to be made under subsection (3) of section two or subsection (2) of section three of this Act, on the date on which it is so determined; and
- (b) in any other case, on the date on which the said permanent repairs to the dwelling-house or building, as the case may be, are completed.

8.—(1) Where it appears to the National Coal Board that subsidence damage is likely to occur to any dwelling-house to which this Act applies, or is likely to occur to any building comprising such a dwelling-house, and, if it occurs, to affect the dwelling-house, and that the execution of works in that dwelling-house or building would prevent the occurrence, or reduce the extent, of such damage, they may, with the consent of the owner of the dwelling-house or building, execute those works, and, if that consent is unreasonably withheld and subsidence damage subsequently occurs to the dwelling-house or building, then—

Powers of
National
Coal Board
to execute
preventive
works.

- (a) if the damage could, but for the withholding of consent, have been prevented by the execution of the works, the Board shall not be required to carry out any repairs or make any payments under this Act in respect of that damage;
- (b) if the extent of the damage could, but for the withholding of consent, have been reduced by the execution of the

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works, the Board shall not be required to carry out any repairs under this Act in respect of that damage and the amount of any payment which the Board would but for this provision have been required or authorised to make under this Act in respect of the damage shall be reduced to a corresponding extent:

Provided that, where parts of a building which comprises such a dwelling-house are in different ownership, this subsection shall not affect the carrying out of repairs to, or the making of any payment in respect of, any part of the building whose owner has not withheld, or has not unreasonably withheld, his consent under this subsection.

(2) If any person other than the owner of the dwelling-house or building is liable to make good any subsidence damage occurring to the dwelling-house or building, the reference in the preceding subsection to the owner shall be construed as a reference to the person so liable, and if there are two or more persons so liable (whether the owner is included among them or not), the said reference shall be construed as a reference to all those persons.

(3) Where two or more persons are liable as aforesaid, and it appears to a county court, on an application made by any of those persons or the National Coal Board, that any of those persons has unreasonably withheld consent to the execution of such works as aforesaid, the court may give such consent on behalf of that person.

(4) In the application of this section to Scotland, for the words "a county court" and the words "the court" there shall be substituted the words "the sheriff".

Powers of
entry of
National
Coal Board.

9.—(1) Where any dwelling-house to which this Act applies or any such part of a building as is mentioned in subsection (1) of section three of this Act is occupied under a lease or tenancy, other than a ground lease, and the landlord has, for the purpose of carrying out repairs to the dwelling-house or part of the building, any rights to enter, inspect and execute works in the dwelling-house or part of the building, the National Coal Board shall have the like rights for the purpose of carrying out repairs or executing works in the dwelling-house or part of the building which they are required or authorised to carry out or execute under any provisions of this Act.

(2) If, on a complaint made by the National Coal Board, it appears to a court of summary jurisdiction that the occupier of any such dwelling-house or part of a building has prevented the Board from exercising the powers conferred by the preceding subsection, the court may order the occupier to permit the exercise of those powers.

(3) Where any such dwelling-house or part of a building is occupied under a lease or tenancy, other than a ground lease, but subsection (1) of this section does not operate to confer powers on the National Coal Board to enter, inspect and execute works therein, a court of summary jurisdiction may, on a complaint made by the Board, confer such powers on the Board and order the occupier to permit the exercise thereof.

(4) In the application of this section to Scotland, for the words "a court of summary jurisdiction" and the words "the court" there shall be substituted the words "the sheriff".

10. If any person, for the purpose of obtaining for himself or any other person any benefit under this Act— False information.

- (a) furnishes any information which he knows to be false in a material particular, or recklessly furnishes any information which is false in a material particular; or
- (b) with intent to deceive withholds any material information, he shall be liable on summary conviction to a fine not exceeding one hundred pounds, or to imprisonment for a term not exceeding three months, or to both such fine and such imprisonment.

11. The Minister of Fuel and Power may, with the approval of the Treasury, make to the National Coal Board out of moneys provided by Parliament— Grants to National Coal Board.

- (a) in respect of the period beginning with the passing of this Act and ending with the thirty-first day of December, nineteen hundred and fifty-two, grants not exceeding the amount estimated by him to be one half of the amount of the additional expenditure incurred in that period by the National Coal Board by virtue of this Act, or one million five hundred thousand pounds, whichever is the less;
- (b) in respect of any subsequent calendar year, grants not exceeding the amount estimated by him to be one half of the additional expenditure so incurred in that year, or two hundred and fifty thousand pounds, whichever is the less.

12.—(1) Without prejudice to the jurisdiction of any other court, a county court or, in Scotland, the sheriff shall have jurisdiction to hear and determine any matter arising under this Act, and may make such orders as may be necessary to give effect to its or his determinations and in particular may by order— Determination of questions.

- (a) require the National Coal Board to carry out their obligations under this Act within such period as the court or sheriff may direct;

(b) award damages in respect of any failure of the National Coal Board to carry out their said obligations within a reasonable time.

(2) If proceedings with respect to any matter arising under this Act are brought before a county court, the powers of a county court judge of summoning one assessor under subsection (1) of section eighty-eight of the County Courts Act, 1934, may be exercised notwithstanding that no application is made in that behalf by any party to the proceedings.

(3) In proceedings with respect to any matter arising under this Act brought before any court in Scotland the court may, if it thinks fit, summon to its assistance at the proof or at any subsequent hearing, whether on reclaiming motion, appeal, or otherwise, a specially qualified assessor.

(4) Where an assessor is summoned by a judge in any proceedings by virtue of subsection (2) of this section—

(a) he may, if so directed by the judge, inspect the premises to which the proceedings relate without the judge, and report to the judge in writing thereon; and

(b) the judge may on consideration of the report and any observations of the parties thereon, give such judgment or make such order in the proceedings as may be just.

(5) In the application of the last preceding subsection to Scotland, for the words “ subsection (2) ” there shall be substituted the words “ subsection (3) ” and for the words “ a judge ” and the words “ the judge ”, wherever they occur, there shall be substituted the words “ the court ”.

(6) The remuneration of an assessor summoned as aforesaid shall be defrayed out of moneys provided by Parliament.

(7) Where in proceedings under this Act the sheriff makes a remit by virtue of rule sixty in the First Schedule to the Sheriff Courts (Scotland) Act, 1907, the expense attending the execution of such a remit shall, notwithstanding anything contained in the said rule, be defrayed out of moneys provided by Parliament.

Onus of proof as to cause of damage.

13. Where, in any proceedings under this Act, the question arises whether any structural damage to a dwelling-house to which this Act applies or to any such part of a building as is mentioned in subsection (1) of section three of this Act is subsidence damage, and it is shown that the nature of the damage and the circumstances are such as to indicate that the damage may be subsidence damage, the onus shall be on the National Coal Board to show that the damage is not subsidence damage.

Rights conferred by Act to be alternative to other rights.

14.—(1) Where any person is entitled, under the preceding provisions of this Act, to require the National Coal Board to carry out any repairs or make any payment in respect of subsidence

damage, and also has any right, apart from this Act, to claim damages or compensation from the National Coal Board in respect of that damage, he may elect whether to exercise the right conferred by this Act or the other right aforesaid, and shall be bound by his election accordingly, and, if he gives a notice under subsection (1) of section five of this Act in respect of the damage, he shall be deemed to have elected to exercise the right conferred by this Act.

(2) If the National Coal Board were under an obligation before the passing of this Act to make any payment of damages or compensation in respect of subsidence damage (other than a payment calculated by reference to the weight or area of the coal or other mineral the working of which had caused the subsidence) or to make good such damage, and before the passing of this Act made a payment or executed works in full satisfaction of that obligation, nothing in this Act shall confer on any person any right against the National Coal Board in respect of that damage.

(3) Where the National Coal Board have made before the passing of this Act, otherwise than in full satisfaction of such an obligation as aforesaid, any payment in respect of subsidence damage, then, if the person who received the payment or his successor in title would, but for this subsection, have a right to require the National Coal Board to carry out repairs or make any payment under this Act in respect of that damage, he shall not be entitled to exercise that right unless he refunds or brings into account the payment so received.

15. The National Coal Board may make such payments as may be prescribed by way of reimbursement of the expenses incurred by any person for the purpose of securing the carrying out of their obligations by the Board. Contributions towards expenses of claim.

16. The Minister of Fuel and Power may make regulations prescribing anything required by this Act to be prescribed, and that power shall be exercised by statutory instrument, and any such statutory instrument shall be subject to annulment in pursuance of a resolution of either House of Parliament. Regulations.

17.—(1) In this Act the following expressions have the meanings hereby respectively assigned to them, that is to say:— Interpretation.

“annual value”, in relation to a dwelling-house or building, means the rent at which the dwelling-house or building might reasonably be expected to let from year to year if the tenant undertook to pay all usual tenant's rates and the landlord undertook to bear the cost of the repairs and insurance, and the other expenses, if any, necessary to maintain the dwelling-house or building in a state to command that rent;

“ gross annual value ” has the same meaning as in the Rating (Scotland) Act, 1926;

“ ground lease ” means a lease at a rent (or where the rent varies, at a maximum rent) which does not substantially exceed the rent which a tenant might reasonably have been expected, at the commencement of the term created by the lease, to pay for the land comprised in the lease, excluding any buildings, for a term equal to the term created by the lease;

“ hereditament ” means—

(a) in England and Wales, a hereditament which is separately valued for rating purposes;

(b) in Scotland, lands and heritages within the meaning of the Lands Valuation (Scotland) Act, 1854, which are separately valued for rating purposes;

“ local authority ” means—

(a) in England and Wales, the local authority for the purposes of Part II of the Housing Act, 1936;

(b) in Scotland, the local authority for the purposes of the Housing (Scotland) Acts, 1925 to 1949;

“ owner ”, in relation to any premises—

(a) if the premises are held on a ground lease, means the lessee under that lease;

(b) in any other case in England and Wales, means the owner of the fee simple;

(c) in any other case in Scotland, means, if the property is feudal property, the proprietor of the dominium utile, or, if the property is not feudal property, the owner of the property;

“ prescribed ” means prescribed by regulations made under section sixteen of this Act;

“ rateable value ”, in relation to any hereditament, means the value shown in the valuation list, or, in Scotland, the valuation roll, for the time being in force as the rateable value of that hereditament or, if the rateable value differs from the net annual value of the hereditament, as the net annual value thereof;

“ structural damage ” means damage to any building or structure, or any sewers or drains, or any pipes, wires or other fixed apparatus installed for the purpose of supplying gas, electricity, water, heating or telephone services;

“ subsidence damage ” means structural damage caused by the withdrawal of support from land as the result of the

working and getting of coal or any other mineral which is worked with coal, but does not include damage caused as the result of the working and getting of coal and other minerals, if the working and getting of the coal is ancillary to the working of those other minerals.

(2) For the purposes of this Act subsidence damage shall be deemed to occur or to have occurred at the time when evidence of the damage first appears or appeared.

(3) For the purposes of this Act, a semi-detached house or a house forming part of a terrace or row of attached houses shall be deemed to be a separate building and not to form part of a building.

(4) For the purposes of this Act, any garage, outhouse, fence, or other structure situated within the curtilage of and appurtenant to another building, and any sewer, drain, pipe, wire or other fixed apparatus situated within the curtilage and installed for the purposes of a building, shall be deemed to be part of that building.

(5) In construing any reference in this Act to the state in which a dwelling-house or building was immediately after the occurrence of subsidence damage, any damage which is not structural damage caused by the subsidence shall be deemed not to have occurred.

18.—(1) This Act may be cited as the Coal-Mining (Subsidence) Act, 1950. Short title
and extent.

(2) This Act shall not extend to Northern Ireland.

SCHEDULE

Section 4.

DETERMINATION OF AMOUNT OF DEPRECIATION AND RECIPIENTS OF PAYMENTS

1. For the purposes of this Act the amount of the depreciation caused by subsidence damage in the value of a dwelling-house or building shall be the amount by which the value of the dwelling-house or building in the state in which it was immediately after the occurrence of the damage is less than the value in the state in which it was immediately before the occurrence of the damage, and the value thereof in either of the said states shall be the amount which it might have been expected to realise in that state on such a sale as is specified in paragraph 3 of this Schedule effected immediately after the subsidence damage occurred.

2. In calculating under the preceding paragraph the value of a dwelling-house or building in the state in which it was immediately after the occurrence of subsidence damage, any increase in that value due to any right arising under this Act in respect of that damage shall be disregarded.

3. The sale referred to in the preceding provisions of this Schedule shall be a sale of the fee simple in the open market and with vacant possession and free from incumbrances but subject to any easement or other restriction affecting the land at the relevant time.

4. A payment under subsection (1), subsection (2) or subsection (4) of section two or under subsection (1) of section three of this Act shall be made to the person by whom the cost of carrying out the repairs in question is incurred, or, if the cost is incurred partly by one person and partly by another, the payment shall be apportioned between them in such manner as may be determined by agreement or, in default of agreement, shall be apportioned between them in shares corresponding with their respective shares in the cost.

5. Subject to the next following paragraph, a payment under subsection (3) of section two or under subsection (2) of section three of this Act shall be made to the person who is for the time being the owner of the dwelling-house or building:

Provided that—

- (a) if any other person is liable to make good the whole of the subsidence damage to which the payment relates, the said payment shall be made to him;
- (b) if any other person is liable to make good any part of the damage, such part of the said payment shall be made to him as bears to the whole of that payment the same proportion as the cost of meeting that liability bears to the cost of making good the whole of the damage; and
- (c) if or in so far as any payment under subsection (3) of section two of this Act is in lieu of a payment under subsection (2) of that section, the payment shall be made in accordance with the last preceding paragraph.

6. Where the National Coal Board are satisfied that the interest in the dwelling-house or building of any person entitled to receive a payment under the last preceding paragraph or part of such a payment is, at the time when the payment falls to be made, subject to a mortgage, the payment or part thereof shall be made to the mortgagee, and the mortgagee shall be liable to account therefor as if the payment or part thereof had been proceeds of sale of the said interest arising under a power of sale exercised by the mortgagee at the said time, except that the mortgagee shall not be entitled to credit for any costs incurred by him in connection with the claiming, ascertainment, apportionment or making of the payment:

Provided that—

- (a) if at the time when the payment is made the debt secured by the mortgage (other than any part thereof representing costs for which the mortgagee would not be entitled to credit) has been paid in full, the payment shall be disposed of as if the said interest had not been subject to that mortgage;

- (b) if the said interest was subject to two or more successive mortgages, this paragraph shall have effect with the substitution for references to the mortgagee of references to the first mortgagee, or, if the preceding sub-paragraph has effect in relation to the first mortgage, to the second mortgagee, and so on; and
- (c) in any case this paragraph shall have effect, as regards any mortgage, subject to any agreement between the mortgagee and the person who apart from that mortgage would have been entitled to receive the payment or part thereof.

7. In the application of this Schedule to Scotland, the following expressions have the meanings hereby respectively assigned to them, that is to say—

“ fee simple ” means, in the case of feudal property, the estate or interest of the proprietor of the dominium utile, or, in the case of property other than feudal property, the estate or interest of the owner;

“ incumbrances ” means any ground annual or other incumbrance or any liability to pay feuduty;

“ easement ” means servitude;

“ mortgage ” means—

(a) a heritable security within the meaning of the Conveyancing (Scotland) Act, 1924, exclusive of a security by way of ground annual and a real burden ad factum praestandum but inclusive of a security constituted by ex facie absolute disposition; or

(b) an assignation in security of a lease recorded under the Registration of Leases (Scotland) Act, 1857;

and “ mortgagee ” shall be construed accordingly.

Table of Statutes referred to in this Act

Short Title	Session and Chapter
Lands Valuation (Scotland) Act, 1854	17 & 18 Vict. c. 91.
Registration of Leases (Scotland) Act, 1857	20 & 21 Vict. c. 26.
Sheriff Courts (Scotland) Act, 1907	7 Edw. 7. c. 51.
Conveyancing (Scotland) Act, 1924	14 & 15 Geo. 5, c. 27.
Rating (Scotland) Act, 1926	16 & 17 Geo. 5. c. 47.
Rating and Valuation (Apportionment) Act, 1928	18 & 19 Geo. 5. c. 44.
County Courts Act, 1934	24 & 25 Geo. 5. c. 53.
Housing Act, 1936	25 Geo. 5 & 1 Edw. 8. c. 51.

CHAPTER 24*Highways (Provision of Cattle-Grids) Act, 1950*

ARRANGEMENT OF SECTIONS

Section

1. Provision of cattle-grids and by-passes.
2. Removal of cattle-grids and discontinuance of by-passes.
3. Repair of cattle-grids and by-passes in England and Wales.
4. Repair of cattle-grids and by-passes in Scotland.
5. Exercise of powers by agreement between neighbouring authorities.
6. Traffic signs.
7. Supersession of gates by cattle-grids.
8. Acquisition of land.
9. Agreements for use of land for cattle-grids or by-passes.
10. Contributions towards expenditure of appropriate authorities.
11. Regulations as to construction of cattle-grids, etc.
12. Application of enactments as to persons damaging highways.
13. Delegation to local authorities of functions of Minister.
14. Provision of cattle-grids off roads.
15. Protection of bridges and railways.
16. Financial provisions.
17. Interpretation.
18. Provisions as to cattle-grids and by-passes provided before commencement of Act.
19. Short title, commencement and extent.

SCHEDULE.—Procedure for determination by appropriate authority of certain questions.

An Act to provide for cattle-grids in or in connection with highways, and for purposes connected therewith.
[28th July 1950.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

Provision of
cattle-grids
and by-passes.

1.—(1) Where, whether on the representations of owners or occupiers of agricultural land or otherwise, and after such consultation with any such owners and occupiers as the appropriate authority consider requisite, it appears to the appropriate authority for any road expedient so to do for controlling the passage of animals along the road, the authority may subject to the provisions of this Act provide for the road, and maintain, a cattle-grid in the road, or partly in the road and partly in adjoining land.

(2) Where the appropriate authority provide a cattle-grid, they shall also provide, either by means of a gate or other works on the road or by means of a by-pass, or partly by one of those means and partly by the other, and maintain, facilities for the

passage under proper control of animals and all other traffic unable to pass over the cattle-grid, being traffic entitled by law to go along the road.

(3) The powers conferred by the foregoing provisions of this section do not include power to place any part of a cattle-grid on land falling outside the road and not belonging to the appropriate authority, or to provide a by-pass over land not belonging to the appropriate authority, except in so far as is authorised by any such agreement as is provided for by section nine of this Act:

Provided that where after complying with the provisions of the Schedule to this Act the appropriate authority determine, as respects any common or waste land not forming part of the road but adjoining the road or adjacent thereto, that it is expedient so to do, the appropriate authority may place any part of a cattle-grid, or provide a by-pass, on any of that land notwithstanding that it does not form part of the road and does not belong to the authority.

(4) Without prejudice to the provisions of the last foregoing subsection, the appropriate authority shall not provide a by-pass running along any part of a way over which there is a public right of way unless, after complying with the provisions of the Schedule to this Act, the authority determine that it is expedient so to do.

(5) In this Act—

the expression “cattle-grid” means a device designed to prevent the passage of animals, or animals of any particular description, but to allow the passage of all or some other traffic, and includes any fence or other works necessary for securing the efficient operation of the said device; and

the expression “by-pass”, in relation to a cattle-grid provided for any road, means a way, over land not comprised within the limits of the road, for the traffic for which the by-pass is provided, with a public right of way thereover—

(a) for that traffic, or

(b) if any part of the by-pass is provided along a way over which there was a public right of way before the by-pass was provided, for the said traffic and for any other traffic entitled to use the way before the by-pass was provided,

subject in either case to the limitation that there may be placed thereon any such gate or other works as may be necessary for the proper control of all or any

of such traffic and the efficient operation of the cattle-grid for use in connection with which the by-pass is provided ;

and references in this Act to the provision or maintenance of a by-pass shall include references to the provision or maintenance of any such gate or other works.

(6) The appropriate authority shall have power to alter or improve any cattle-grid, by-pass or works provided in pursuance of this Act :

Provided that the appropriate authority shall not carry out any such alteration or improvement as aforesaid whereby traffic of any description which before the alteration or improvement could lawfully have gone along the road (either by passing over the cattle-grid or by going through any gate or along any by-pass provided under subsection (2) of this section) will be prevented from so going along the road.

(7) For the purposes of this Act, except in its application to Scotland, the appropriate authority—

(a) for any road repairable by the inhabitants at large shall be the highway authority ;

(b) for any other road, shall—

(i) if the road is in a rural district, be the county council,

(ii) if the road is in a non-county borough or urban district, be the borough council or urban district council, as the case may be,

(iii) if the road is in a county borough, be the county borough council.

(8) For the purposes of this Act in its application to Scotland, the appropriate authority—

(a) for any road for the maintenance and management of which a highway authority is responsible, shall be the highway authority ;

(b) for any other road—

(i) if the road is in a burgh, shall be the town council of the burgh ;

(ii) if the road is a way which a district council is empowered by section twenty-nine of the Local Government (Scotland) Act, 1894 (as read with subsection (2) of section one of the Local Government (Scotland) Act, 1929) to maintain, shall be the district council ; and

(iii) in any other case shall be the county council of the county in which the road lies.

2.—(1) Where it appears to the appropriate authority, after such consultation with such owners and occupiers of agricultural land as the appropriate authority consider requisite, that a cattle-grid provided in pursuance of this Act is no longer required, the authority may remove the cattle-grid and any gate or other works on the road which have been provided for use in connection therewith, making good the site thereof.

Removal of
cattle-grids
and
discontinuance
of by-passes.

(2) Where a by-pass has been provided for use in connection with a cattle-grid and the appropriate authority remove the cattle-grid, they may direct that the by-pass shall be discontinued ; and—

- (a) if the direction so provides, then as from such date as may be specified in the direction the public right of way over the by-pass shall be extinguished ; and
- (b) in any case where a direction is given under this subsection, the authority may remove all or any of the works provided for the purposes of the by-pass.

(3) Where a by-pass has been provided, as to the whole or any part thereof, along a way over which there was a public right of way before the by-pass was provided, the following provisions shall have effect:—

- (a) notwithstanding anything in paragraph (a) of the last foregoing subsection, a direction under that subsection shall not extinguish any right of way which existed before the by-pass was provided ;
- (b) if the cattle-grid for use in connection with which the by-pass was provided is removed, then as soon as may be thereafter the appropriate authority shall (whether or not they direct that the by-pass shall be discontinued, but without prejudice to their powers under paragraph (b) of the last foregoing subsection if they so direct) remove so much of the works provided for the purpose of the by-pass as obstructs the exercise of the right of way existing before the by-pass was provided.

3.—(1) A cattle-grid provided in pursuance of this Act for any road, any gate or other works on a road provided for use in connection with such a cattle-grid, and any works provided for the purposes of a by-pass provided in pursuance of this Act, shall be repairable by the appropriate authority ; and in a case in which the appropriate authority is also the highway authority they shall not be entitled to rely on any exemption from liability for non-repair available to a highway authority as the successor to the inhabitants at large.

Repair of
cattle-grids
and by-passes
in England
and Wales.

(2) A by-pass provided in pursuance of this Act shall, unless and until the appropriate authority give a direction discontinuing

the by-pass, in all cases be treated as a highway repairable by the inhabitants at large for which the appropriate authority are the highway authority.

(3) This section shall not apply to Scotland.

Repair of
cattle-grids and
by-passes in
Scotland.

4.—(1) For the purposes of maintenance and management (including any liability in respect of loss, injury or damage arising therefrom) any cattle-grid, by-pass, gate or other works provided in pursuance of this Act shall be deemed to be vested in the appropriate authority for the road for which it is provided.

(2) This section shall apply to Scotland only.

Exercise of
powers by
agreement
between
neighbouring
authorities.

5.—(1) In the case of a road repairable by the inhabitants at large which is intersected, joined or continued by a road for which some authority other than the highway authority for the first-mentioned road is the appropriate authority, the following provisions shall have effect.

(2) The highway authority and the other authority may enter into an agreement as to the exercise by the other authority of that authority's powers under sections one and two of this Act in relation to the road for which they are the appropriate authority ; and any such agreement may provide for the defraying by the highway authority of the whole or any part of the expenses incurred by the other authority in consequence of the agreement.

(3) The said other authority shall not unreasonably refuse to enter into an agreement under this section ; and if any question arises as to the terms (including terms as to payments) to be included in such an agreement, or if any question arises whether that authority has unreasonably refused to enter into such an agreement, the question shall be determined by arbitration.

(4) In the application of this section to Scotland for the reference to a road repairable by the inhabitants at large there shall be substituted a reference to a road for the maintenance and management of which a highway authority is responsible.

(5) Any question which is required by this section to be determined by arbitration in Scotland shall be determined by a single arbiter appointed, in default of agreement, by the Court of Session or the sheriff on the application of either party to the question ; and at any stage of the proceedings in any such arbitration the arbiter may, and shall if so directed by the Court of Session, state a case for the opinion of the Court of Session on any question of law arising in the arbitration.

Traffic signs.

6.—(1) As respects traffic signs relating to a cattle-grid provided by an appropriate authority for a road not repairable by the inhabitants at large, or to a by-pass provided for use in connection with such a cattle-grid, the expression "highway

authority” in section forty-eight of the Road Traffic Act, 1930 (which provides for the erection and control of traffic signs) shall include the appropriate authority.

(2) The power conferred on the Minister by subsection (2) of section forty-eight of the said Act of 1930 to prescribe the size, colour and type of traffic-signs shall include power to make regulations providing for the illumination of traffic-signs relating to a cattle-grid provided by an appropriate authority for any road, or to a by-pass provided for use in connection with such a cattle-grid, or for the attachment of reflectors to such signs.

(3) The Minister may give directions to a highway authority or other appropriate authority, not being in either case the Minister, as to the exercise by them, in relation to a cattle-grid or by-pass provided in pursuance of this Act, of the authority's powers of causing traffic signs to be placed on or near a road.

(4) Any directions under the last foregoing subsection shall be enforceable on the application of the Minister by mandamus.

(5) In the application of this section to Scotland—

(a) for the reference to a road not repairable by the inhabitants at large there shall be substituted a reference to a road for the maintenance and management of which no highway authority is responsible; and

(b) for the reference to enforcement on the application of the Minister by mandamus there shall be substituted a reference to enforcement by order of the Court of Session on an application by the Lord Advocate under section ninety-one of the Court of Session Act, 1868.

7.—(1) Where, after complying with the provisions of the Schedule to this Act, the appropriate authority providing or proposing to provide a cattle-grid on a road where any person has the right to instal a gate or gates determine that the purpose for which that right is exercisable will be adequately achieved by the provision of the cattle-grid, the said right shall not be exercisable, so long as the cattle-grid is provided, except with the approval of the appropriate authority, and the appropriate authority may require that any gate or gates installed in the exercise of the said right before the provision of the cattle-grid shall be removed or may themselves remove any such gate or gates.

Supersession
of gates by
cattle-grids.

(2) The appropriate authority shall on demand repay any expenses reasonably incurred in removing a gate in compliance with a requirement under this section.

(3) Where in pursuance of subsection (1) of this section a gate has been removed (whether by, or in compliance with a requirement of, the appropriate authority) and the appropriate authority subsequently remove the cattle-grid, then, if within twelve months after the removal of the cattle-grid any person reinstals

a gate in the exercise of a right of which the exercise was suspended while the cattle-grid was provided, the appropriate authority shall on demand repay the expenses reasonably incurred in reinstalling the gate.

(4) No objection shall be made or proceedings brought in respect of the purported exercise by the appropriate authority of their powers under subsection (1) of this section as respects any gate or gates on the ground that no right to instal the gate or gates existed ; but the purported exercise by the authority of their powers under the said subsection (1) shall not affect the question whether any such right existed, or prejudice the powers of the appropriate authority or any other authority or person under any enactment or rule of law to protect public rights of way or to prevent or remove obstructions.

Acquisition
of land.

8.—(1) For the purpose of providing, altering or improving a cattle-grid or by-pass in the exercise of powers conferred by this Act the appropriate authority may acquire land by agreement, whether by way of purchase, lease or otherwise, and—

- (a) where the appropriate authority is not the Minister, they may be authorised by the Minister to purchase land compulsorily for the said purpose ;
- (b) the Minister may purchase land compulsorily for the said purpose.

(2) In relation to the compulsory purchase of land under this section, the Acquisition of Land (Authorisation Procedure) Act, 1946, shall apply as if this Act had been in force immediately before the commencement of that Act and as if the last foregoing subsection were included among the enactments mentioned in paragraph (b) of subsection (1) of section one of that Act :

Provided that section two of that Act (which confers temporary powers for the speedy acquisition of land in urgent cases) shall not apply to any compulsory purchase of land under this section.

(3) In the application of this section to Scotland for references to the said Act of 1946 there shall be substituted references to the Acquisition of Land (Authorisation Procedure) (Scotland) Act, 1947.

Agreements
for use of land
for cattle-grids
or by-passes.

9.—(1) The appropriate authority may, for the purpose of providing, altering or improving a cattle-grid or by-pass, enter into an agreement under this section with persons interested in any land for the use of the land for that purpose ; and in particular there shall be exercisable by the appropriate authority and the public such rights over the land as may be specified in the agreement.

(2) An agreement under this section may contain provisions for payment to persons who are parties thereto in consideration of the use of the land or otherwise in respect of their entering into the agreement.

(3) The provisions of an agreement under this section relating to land in England or Wales shall bind the interest of any person who is a party to the agreement notwithstanding any devolution of that interest, and shall also bind any interest of any person which is thereafter created (whether immediately or not) out of that interest; but save as aforesaid an agreement under this section shall not operate so as to prejudice the rights of any person not a party thereto or confer upon any other person any right against him.

(4) As respects land in England or Wales, section two of the Forestry Act, 1947 (which empowers tenants for life and other limited owners to enter into forestry dedication covenants) shall apply to an agreement under this section as it applies to such a covenant.

(5) As soon as may be after an agreement under this section relating to land in England or Wales has become operative,—

- (a) it shall be registered in the prescribed manner in the register of local land charges by the proper officer of any county borough or county district council in whose area the land, or any part of that land, is situated;
- (b) it shall be the duty of the appropriate authority to notify the making of the agreement to the proper officer of the council by whom the agreement is required to be registered as aforesaid, and to furnish him with all necessary information relating to the agreement.

The power conferred by subsection (6) of section fifteen of the Land Charges Act, 1925, to make rules for giving effect to the provisions of that section shall be exercisable for giving effect to the provisions of this subsection, and in this subsection the expression "prescribed" means prescribed by rules made in the exercise of that power.

(6) As respects land in Scotland—

- (a) section four of the Forestry Act, 1947 (which empowers certain classes of person to enter into forestry dedication agreements) shall apply in relation to agreements under this section as it applies in relation to forestry dedication agreements; and
- (b) subsection (2) of section three of the said Act of 1947 (which relates to the enforcement of forestry dedication agreements) shall apply in relation to agreements under this section to which the owner or a limited owner of the land concerned is a party as it applies in relation to a forestry dedication agreement, but with the substitution for the reference to the Forestry Commissioners of a reference to the appropriate authority; and in this subsection in relation to any land the expression "owner" means the proprietor thereof for his own absolute use,

and the expression "limited owner" means any person empowered under paragraph (a) of this subsection to enter into an agreement under this section relating thereto.

Contributions
towards
expenditure of
appropriate
authorities.

10.—(1) The appropriate authority may enter into an agreement with any person at whose instance a cattle-grid has been or is to be provided in pursuance of this Act, or any other person willing to make a contribution towards expenses of the authority under this Act, for the making by the said person of such a contribution (whether by a single payment or by periodical payments) of such amount as may be specified in the agreement and either towards all expenditure of the authority under this Act or towards such description of such expenditure as may be so specified.

(2) An agreement under this section may contain such incidental and consequential provisions as appear to the parties thereto expedient for the purposes of the agreement, and in particular such an agreement providing for a contribution towards the cost of installing a cattle-grid may provide for repayment of the contribution, to such extent as may be specified in the agreement, in the event of the cattle-grid being removed.

(3) In determining whether or not to provide a cattle-grid in pursuance of this Act an appropriate authority shall be entitled to have regard to the extent to which persons who in the opinion of the authority will derive special benefit from the provision of the cattle-grid are willing to enter into agreements under this section.

Regulations as
to construction
of cattle-grids,
etc.

11.—(1) The Minister may make regulations as to the construction or installation of cattle-grids, the provision of by-passes, and the construction of works for the purposes of this Act, and as to the illumination of cattle-grids, by-passes and works provided for those purposes; and in the exercise of their functions under section one of this Act an appropriate authority shall comply with any regulations under this section for the time being in force.

In this subsection references to construction or provision include references to alteration and improvement and references to illumination shall include references to the provision of reflectors.

(2) The power to make regulations conferred by this section shall be exercisable by statutory instrument; and any statutory instrument under this section shall be subject to annulment in pursuance of a resolution of either House of Parliament.

Application
of enactments
as to persons
damaging
highways.

12.—(1) So much of section seventy-two of the Highway Act, 1835, as relates to the causing of injury or damage to highways and to the wilful destruction or injury of the surface of highways shall apply to any cattle-grid provided in pursuance of this Act.

any gate or other works on a road for use in connection with such a cattle-grid, and any gate or other works for the proper control of traffic passing over a by-pass for use in connection with such a cattle-grid, as it applies to a highway.

(2) Section fifty-four of the Road Traffic Act, 1930, (which enables a highway authority to recover from persons responsible for extraordinary traffic certain expenses incurred by the authority in repairing a road) shall have effect, in relation to any road to which that section applies, as if the references therein to expenses incurred by the highway authority in repairing the road included references to expenses incurred by the appropriate authority in repairing a cattle-grid provided for the road in pursuance of this Act.

(3) Nothing in the foregoing provisions of this section shall be construed as affecting the application of the said sections seventy-two and fifty-four to a by-pass.

(4) This section shall apply to Scotland with the substitution of the following subsection for subsection (1) thereof—

“(1) So much of section ninety-six of the Act of the first and second year of King William the Fourth chapter forty-three (as incorporated in the Roads and Bridges (Scotland) Act, 1878) as relates to the doing, or causing to be done, of any injury or damage to the footpaths or causeways therein mentioned shall apply to any cattle-grid provided in pursuance of this Act, any gate or other works on a road for use in connection with such a cattle-grid, and any gate or other works for the proper control of traffic passing over a by-pass for use in connection with such a cattle-grid, as it applies to any such footpath or causeway.”;

and with the substitution in subsection (3) thereof for the words “seventy-two” of the words “ninety-six”.

13. Subsections (1) to (3) of section five of the Trunk Roads Act, 1936 (which provide for delegation by the Minister to local authorities of his functions with respect to the maintenance, repair and improvement of trunk roads) shall apply, as respects trunk roads, to the functions of the Minister under the foregoing provisions of this Act, other than his functions under section six, eight or eleven thereof, and to his functions under the Schedule to this Act in so far as they are conferred on him as appropriate authority.

Delegation to local authorities of functions of Minister.

14.—(1) The Minister may make regulations authorising an appropriate authority, in any such case as may be determined by or under the regulations, to provide, for a road where (in pursuance of the regulations or otherwise) a gate is or is to be provided, a cattle-grid off the road.

Provision of cattle-grids off roads.

(2) As respects the provision of a cattle-grid as aforesaid, or any cattle-grid provided before the passing of this Act off the road for which the cattle-grid was provided, this Act shall apply subject to such exceptions, modifications and adaptations as may be provided by regulations under this section.

(3) The power to make regulations conferred by this section shall be exercisable by statutory instrument; and any statutory instrument under this section shall be subject to annulment in pursuance of a resolution of either House of Parliament.

Protection of
bridges and
railways.

15.—(1) The appropriate authority shall not, in the exercise of functions conferred by this Act, carry out any work in—

- (a) so much of a road as passes over, or is comprised within the immediate approaches to, a bridge which is repairable by a person other than the appropriate authority,
- (b) so much of a road passing under such a bridge as is within ten feet of any part of the bridge or of the foundations thereof, or
- (c) so much (if any) of a road passing above a tunnel provided for the purpose of a railway undertaking as is within ten feet of any part of the tunnel,

except with the consent of the person liable to repair the bridge or the person carrying on the railway undertaking, as the case may be:

Provided that where that consent is refused the appropriate authority may refer the matter to the Minister, and if, after affording to the appropriate authority and to the said person an opportunity of being heard by a person appointed by the Minister for the purpose, and considering his report, the Minister so directs, the work may be carried out notwithstanding that the consent has been withheld but subject to compliance with any conditions which the Minister may impose.

(2) In this section the expression “railway undertaking” means a railway undertaking carried on in the exercise of powers conferred by or under any enactment.

Financial
provisions.

16.—(1) Section eight of the Development and Road Improvement Funds Act, 1909 (which empowers the Minister with the approval of the Treasury to make advances to highway authorities in respect of the exercise of certain of their powers) shall have effect as if references to a highway authority included references to any appropriate authority and as if the exercise of powers conferred by this Act were one of the matters in respect of which the Minister may make advances under that section.

(2) All expenses incurred by the Minister under this Act with the approval of the Treasury, being expenses incurred by the Minister as highway authority, shall be defrayed out of the Road Fund.

(3) There shall be defrayed out of moneys provided by Parliament—

- (a) any increase attributable to the provisions of this Act in the sums payable out of the Road Fund ;
- (b) any increase attributable to the provisions of this Act in the sums payable out of moneys provided by Parliament under Part I or Part II of the Local Government Act, 1948.

(4) Expenditure incurred by a district council in Scotland under this Act shall not be taken into account in any calculation as to the limit imposed on the district council rate by section two hundred and twenty-six of the Local Government (Scotland) Act, 1947.

17.—(1) In this Act the following expressions have the Interpretation. meanings hereby assigned to them respectively, that is to say:—

“appropriate authority”, “by-pass” and “cattle-grid” have the meanings assigned to them respectively by section one of this Act ;

“highway authority”, in the application of this Act to Scotland, means an authority, being the Minister or the council of a county or the town council of a burgh, charged with the responsibility for the maintenance and management of any road ;

“repair” includes maintenance, and “repairable” shall be construed accordingly ;

“road” means any way along which there exists a public right of passage with vehicles, whether exercisable over the whole or a part only of the width of the way ;

“the Minister” means the Minister of Transport ;

“traffic” includes pedestrians and animals ;

“works” includes structures.

(2) In the case of a county road in an urban district which by virtue of section thirty-two of the Local Government Act, 1929 is repairable by the urban district council, references in this Act to the highway authority shall be construed as references to that council.

(3) References in this Act to driven, led or ridden animals include references to vehicles drawn by animals.

(4) References in this Act to any enactment shall be construed as references to that enactment as amended by any subsequent enactment.

Provisions as to cattle-grids and by-passes provided before commencement of Act.
11 & 12 Geo. 6. c. xliii.

18.—(1) Any cattle-grid, by-pass or works provided before the commencement of this Act under section twelve of the Cumberland County Council Act, 1948 shall be deemed to have been provided by the appropriate authority in pursuance of this Act.

(2) If as respects any other cattle-grid provided for a road, any gate or other works on a road for use in connection with such a cattle-grid, any by-pass for use in connection with such a cattle-grid, and any gate or other works for the proper control of traffic passing over such a by-pass, being a cattle-grid, works or by-pass provided before the passing of this Act, application is made to the Minister for his approval thereof and—

- (a) the Minister approves the cattle-grid, works or by-pass unconditionally, or
- (b) the Minister gives his approval subject to conditions as to the carrying out of work the conclusion of an agreement under section ten of this Act or any other matter, and those conditions have been complied with,

then as from the giving of the Minister's approval unconditionally or, as the case may be, compliance with all conditions subject to which the Minister gives his approval, the cattle-grid, works or by-pass shall be deemed to have been provided by the appropriate authority in pursuance of this Act.

(3) Where the Minister gives his approval of a cattle-grid, works or by-pass subject to conditions, the appropriate authority shall have power to carry out any work, or do any other thing, which is requisite for complying with the conditions; and in particular (but without prejudice to the generality of the foregoing provisions of this subsection) sections five, eight and nine of this Act shall apply in relation to the exercise of powers conferred by the foregoing provisions of this subsection as they apply in relation to the corresponding powers conferred by the foregoing provisions of this Act.

(4) The said section twelve of the Cumberland County Council Act, 1948 is hereby repealed.

Short title, commencement and extent.

19.—(1) This Act may be cited as the Highways (Provision of Cattle-Grids) Act, 1950.

(2) Subject as hereinafter provided, the provisions of this Act other than this section shall come into operation on such date as the Minister may by order appoint; and the power to make an order conferred by this subsection shall be exercisable by statutory instrument.

(3) Subsections (2) and (3) of the last foregoing section shall come into operation on the passing of this Act, and as respects any cattle-grid, works or by-pass to which the said subsection (2) applies the other provisions of this Act shall be deemed to have come into operation on the passing thereof.

(4) This Act shall not extend to Northern Ireland or to the administrative county of London.

SCHEDULE

Section 1.

PROCEDURE FOR DETERMINATION BY APPROPRIATE AUTHORITY OF CERTAIN QUESTIONS

1. Before determining, under the foregoing provisions of this Act, the question—

- (a) whether it is expedient to place any part of a cattle-grid, or provide a by-pass, on any such land not forming part of a road and not belonging to the appropriate authority as is mentioned in the proviso to subsection (3) of section one of this Act, or
- (b) whether it is expedient to provide a by-pass on land over which there is a public right of way, or
- (c) whether the purpose for which a right to instal gates is exercisable will be adequately achieved by the provision of a cattle-grid,

the appropriate authority shall publish in two successive weeks in one or more local newspapers circulating in the locality where the cattle-grid is to be, or has been, provided a notice stating generally the question for determination, naming a place within the said locality where a copy may be inspected at all reasonable hours of such plans or other descriptive matter as appear to the appropriate authority to be requisite for enabling the nature of the question to be understood, and specifying the time (not being less than twenty-eight days) within which and the manner in which representations may be made to the appropriate authority, and shall display a like notice in a conspicuous manner at the place where the cattle-grid is to be or has been provided.

2. Where no representation is duly made under the foregoing paragraph, or every representation so made is withdrawn, the appropriate authority may proceed to determine the question.

3.—(1) Where a representation is duly made as aforesaid and not withdrawn, the following provisions shall have effect.

(2) Where the appropriate authority is not the Minister, the authority shall forward the representation to the Minister, together with their observations thereon and their proposals, in the light of the representation, for determining the question.

(3) The Minister shall consider any representations received by him (and, where the appropriate authority is not the Minister, the authority's observations and proposals forwarded to him as aforesaid) and shall either cause a local inquiry to be held or afford to any person by whom a representation has been duly made and not withdrawn and, where the appropriate authority is not the Minister, to that authority, an opportunity of appearing before and being heard by a person appointed by the Minister for the purpose.

(4) After the Minister has considered the report of the person who held the inquiry under the last foregoing sub-paragraph, or the person appointed under that sub-paragraph, as the case may be,—

- (a) the Minister may, where he is the appropriate authority, proceed to determine the question ;
- (b) where he is not the appropriate authority, the authority may determine the question in the affirmative if the Minister consents, but not otherwise, and subject to compliance with any conditions subject to which his consent is given.

(5) Notwithstanding anything in sub-paragraph (3) of this paragraph, except where a representation is made by a highway authority other than the Minister, the Minister may, if satisfied that in the special circumstances of the case the holding of a local inquiry or the affording to the person making such representation as aforesaid of an opportunity to be heard by a person appointed by the Minister is unnecessary, proceed without compliance with the provisions of the said sub-paragraph (3).

(6) As soon as may be after the determination of the question, a notice of the determination shall be sent by the Minister to any person by whom a representation has been made under the foregoing provisions of this Schedule.

Any notice under this sub-paragraph may be sent by post.

(7) Except in Scotland, subsections (2) to (5) of section two hundred and ninety of the Local Government Act, 1933 (which relate to the giving of evidence at and defraying of costs of inquiries) shall apply to a local inquiry held in pursuance of this Act as they apply to inquiries mentioned in subsection (1) of the said section two hundred and ninety :

Provided that subsection (4) of that section (which requires the costs of the department holding the inquiry to be defrayed by the parties thereto) shall not apply in so far as the Minister is of opinion, having regard to the object and result of the inquiry, that the Minister's costs should be defrayed by him.

(8) In Scotland subsections (2) to (9) of section three hundred and fifty-five of the Local Government (Scotland) Act, 1947 (which relate to the procedure for holding local inquiries) shall apply to a local inquiry held in pursuance of this Act as they apply to the inquiries mentioned in subsection (1) of the said section three hundred and fifty-five

4. For the purpose of displaying a notice as required by paragraph 1 of this Schedule, the appropriate authority shall have power, on the road or on adjoining land (whether or not belonging to the authority), to erect and maintain posts or boards or to affix a notice to any building or structure:

Provided that the powers conferred by this paragraph shall not be exercised, on land off the road which is occupied, except with the consent of the occupier.

5.—(1) The Minister may make regulations for securing that proceedings required by the First Schedule to the Acquisition of Land (Authorisation Procedure) Act, 1946, or the First Schedule to the Acquisition of Land (Authorisation Procedure) (Scotland) Act, 1947, to be taken in respect of the compulsory acquisition of land under this Act may be taken concurrently (so far as practicable) with proceedings required to be taken under the foregoing provisions of this Schedule.

(2) The power conferred by this paragraph to make regulations shall be exercisable by statutory instrument.

6. In relation to the exercise by a local authority of functions of the Minister as appropriate authority delegated to the local authority under section thirteen of this Act, the foregoing provisions of this Schedule shall apply as if the local authority, and not the Minister, were the appropriate authority.

Table of Statutes referred to in this Act

Short Title	Session and Chapter
Highway Act, 1835	5 & 6 Will. 4. c. 50.
Court of Session Act, 1868	31 & 32 Vict. c. 100.
Roads and Bridges (Scotland) Act, 1878	41 & 42 Vict. c. 51.
Local Government (Scotland) Act, 1894	57 & 58 Vict. c. 58.
Development and Road Improvement Funds Act, 1909	9 Edw. 7. c. 47.
Land Charges Act, 1925	15 & 16 Geo. 5. c. 22.
Local Government Act, 1929	19 & 20 Geo. 5. c. 17.
Local Government (Scotland) Act, 1929	19 & 20 Geo. 5. c. 25.
Road Traffic Act, 1930	20 & 21 Geo. 5. c. 43.
Local Government Act, 1933	23 & 24 Geo. 5. c. 51.
Trunk Roads Act, 1936	1 Edw. 8 & 1 Geo. 6. c. 5.
Acquisition of Land (Authorisation Procedure) Act, 1946	9 & 10 Geo. 6. c. 49.
Forestry Act, 1947	10 & 11 Geo. 6. c. 21.
Acquisition of Land (Authorisation Procedure) (Scotland) Act, 1947	10 & 11 Geo. 6. c. 42.
Local Government (Scotland) Act, 1947	10 & 11 Geo. 6. c. 43.
Local Government Act, 1948	11 & 12 Geo. 6. c. 26.

CHAPTER 25

Matrimonial Causes Act, 1950

ARRANGEMENT OF SECTIONS

Divorce and Nullity of Marriage

Section

1. Grounds for petition for divorce.
2. Restriction on petitions for divorce during first three years after marriage.
3. Provision as to making adulterer co-respondent.
4. Duty of court on presentation of petition.
5. Dismissal of respondent or co-respondent from proceedings.
6. Relief to respondent on petition for divorce.
7. Divorce proceedings after grant of judicial separation or other relief.
8. Additional grounds for decree of nullity.
9. Legitimacy of children of voidable marriages.
10. Duties of King's Proctor.
11. Provisions as to costs where King's Proctor intervenes or shows cause.
12. Decree nisi for divorce or nullity of marriage.
13. Re-marriage of divorced persons.

Judicial Separation and Restitution of Conjugal Rights

14. Decree for judicial separation.
15. Decree for restitution of conjugal rights.

Presumption of Death and Dissolution of Marriage

16. Proceedings for decree of presumption of death and dissolution of marriage.

Declaration of Legitimacy, &c.

17. Declaration of legitimacy, &c.

Additional Jurisdiction in Proceedings by a Wife.

18. Additional jurisdiction in proceedings by a wife.

Alimony, Maintenance and Custody of Children

19. Alimony and maintenance in case of divorce and nullity of marriage.
20. Alimony in case of judicial separation.
21. Wife's property and necessaries supplied to wife in case of judicial separation.
22. Alimony and periodical payments in case of restitution of conjugal rights.
23. Additional power of court to make orders for maintenance.
24. Power of court to order settlement of wife's property.
25. Power of court to make orders as to application of settled property.
26. Custody and maintenance of children.
27. Payment of alimony and maintenance to trustees and persons having charge of respondent.
28. Variation and discharge of orders for alimony and maintenance.
29. Commencement of proceedings for maintenance, settlement of property, &c.

Miscellaneous

Section

- 30. Damages for adultery.
- 31. Power to allow intervention on terms.
- 32. Evidence.

Interpretation, Repeal and Short Title

- 33. Interpretation.
- 34. Repeal and savings.
- 35. Short title, commencement and extent.

SCHEDULE.—Enactments repealed.

An Act to consolidate certain enactments relating to matrimonial causes in the High Court in England and to declarations of legitimacy and of validity of marriage and of British nationality, with such corrections and improvements as may be authorised by the Consolidation of Enactments (Procedure) Act, 1949.

[28th July 1950.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

Divorce and Nullity of Marriage

1.—(1) Subject to the provisions of the next following section, a petition for divorce may be presented to the court either by the husband or the wife on the ground that the respondent—

Grounds for
petition for
divorce.

- (a) has since the celebration of the marriage committed adultery ; or
- (b) has deserted the petitioner without cause for a period of at least three years immediately preceding the presentation of the petition ; or
- (c) has since the celebration of the marriage treated the petitioner with cruelty ; or
- (d) is incurably of unsound mind and has been continuously under care and treatment for a period of at least five years immediately preceding the presentation of the petition ;

and by the wife on the ground that her husband has, since the celebration of the marriage, been guilty of rape, sodomy or bestiality.

(2) For the purposes of this section a person of unsound mind shall be deemed to be under care and treatment—

- (a) while he is detained in pursuance of any order or inquisition under the Lunacy and Mental Treatment Acts,

1890 to 1930, or of any order or warrant under the Army Act, the Air Force Act, the Naval Discipline Act, the Naval Enlistment Act, 1884, or the Yarmouth Naval Hospital Act, 1931, or is being detained as a Broadmoor patient or in pursuance of an order made under the Criminal Lunatics Act, 1884 ;

- (b) while he is detained in pursuance of any order or warrant for his detention or custody as a lunatic under the Lunacy (Scotland) Acts, 1857 to 1919 ;
- (c) while he is detained in pursuance of any order for his detention or treatment as a person of unsound mind or a person suffering from mental illness made under any law for the time being in force in Northern Ireland, the Isle of Man or any of the Channel Islands (including any such law relating to criminal lunatics) ;
- (d) while he is receiving treatment as a voluntary patient under the Mental Treatment Act, 1930, or under any such law as is mentioned in paragraph (c) of this subsection, being treatment which follows without any interval a period during which he was detained as mentioned in paragraph (a), paragraph (b) or paragraph (c) of this subsection ;

and not otherwise.

Restriction
on petitions
for divorce
during first
three years
after marriage.

2.—(1) No petition for divorce shall be presented to the court unless at the date of the presentation of the petition three years have passed since the date of the marriage :

Provided that a judge of the court may, upon application being made to him in accordance with rules of court, allow a petition to be presented before three years have passed on the ground that the case is one of exceptional hardship suffered by the petitioner or of exceptional depravity on the part of the respondent, but if it appears to the court at the hearing of the petition that the petitioner obtained leave to present the petition by any misrepresentation or concealment of the nature of the case, the court may, if it pronounces a decree nisi, do so subject to the condition that no application to make the decree absolute shall be made until after the expiration of three years from the date of the marriage, or may dismiss the petition, without prejudice to any petition which may be brought after the expiration of the said three years upon the same, or substantially the same, facts as those proved in support of the petition so dismissed.

(2) In determining any application under this section for leave to present a petition before the expiration of three years from the date of the marriage, the judge shall have regard to the interests

of any children of the marriage and to the question whether there is reasonable probability of a reconciliation between the parties before the expiration of the said three years.

(3) Nothing in this section shall be deemed to prohibit the presentation of a petition based upon matters which have occurred before the expiration of three years from the date of the marriage.

(4) This section shall not apply in the case of marriages to which section one of the Matrimonial Causes (War Marriages) Act, 1944, applies (being certain marriages celebrated on or after the third day of September, nineteen hundred and thirty-nine, and before the first day of June, nineteen hundred and fifty).

3.—(1) On a petition for divorce presented by the husband on the ground of adultery or in the answer of a husband praying for divorce on the said ground, the petitioner or respondent, as the case may be, shall make the alleged adulterer a co-respondent unless he is excused by the court on special grounds from so doing.

Provision as to making adulterer co-respondent.

(2) On a petition for divorce presented by the wife on the ground of adultery the court may, if it thinks fit, direct that the person with whom the husband is alleged to have committed adultery be made a respondent.

4.—(1) On a petition for divorce it shall be the duty of the court to inquire, so far as it reasonably can, into the facts alleged and whether there has been any connivance or condonation on the part of the petitioner and whether any collusion exists between the parties, and also to inquire into any countercharge which is made against the petitioner.

Duty of court on presentation of petition.

(2) If the court is satisfied on the evidence that—

- (a) the case for the petition has been proved ; and
- (b) where the ground of the petition is adultery, the petitioner has not in any manner been accessory to, or connived at, or condoned, the adultery, or, where the ground of the petition is cruelty, the petitioner has not in any manner condoned the cruelty ; and
- (c) the petition is not presented or prosecuted in collusion with the respondent or either of the respondents ;

the court shall pronounce a decree of divorce, but if the court is not satisfied with respect to any of the aforesaid matters, it shall dismiss the petition :

Provided that the court shall not be bound to pronounce a decree of divorce and may dismiss the petition if it finds that

the petitioner has during the marriage been guilty of adultery or if, in the opinion of the court, the petitioner has been guilty—

- (i) of unreasonable delay in presenting or prosecuting the petition : or
- (ii) of cruelty towards the other party to the marriage ; or
- (iii) where the ground of the petition is adultery or cruelty, of having without reasonable excuse deserted, or having without reasonable excuse wilfully separated himself or herself from, the other party before the adultery or cruelty complained of ; or
- (iv) where the ground of the petition is adultery or unsoundness of mind or desertion, of such wilful neglect or misconduct as has conduced to the adultery or unsoundness of mind or desertion.

Dismissal of respondent or co-respondent from proceedings.

5. In any case in which, on the petition of a husband for divorce on the ground of adultery, the alleged adulterer is made a co-respondent or in which, on the petition of a wife for divorce on the ground of adultery, the person with whom the husband is alleged to have committed adultery is made a respondent, the court may, after the close of the evidence on the part of the petitioner, direct the co-respondent or the respondent, as the case may be, to be dismissed from the proceedings if the court is of opinion that there is not sufficient evidence against him or her.

Relief to respondent on petition for divorce.

6. If in any proceedings for divorce the respondent opposes the relief sought on the ground of the petitioner's adultery, cruelty or desertion, the court may give to the respondent the same relief to which he or she would have been entitled if he or she had presented a petition seeking such relief.

Divorce proceedings after grant of judicial separation or other relief.

7.—(1) A person shall not be prevented from presenting a petition for divorce, or the court from pronouncing a decree of divorce, by reason only that the petitioner has at any time been granted a judicial separation or an order under the Summary Jurisdiction (Separation and Maintenance) Acts, 1895 to 1949, upon the same or substantially the same facts as those proved in support of the petition for divorce.

(2) On any such petition for divorce, the court may treat the decree of judicial separation or the said order as sufficient proof of the adultery, desertion, or other ground on which it was granted, but the court shall not pronounce a decree of divorce without receiving evidence from the petitioner.

(3) For the purposes of any such petition for divorce, a period of desertion immediately preceding the institution of proceedings for a decree of judicial separation or an order under the said Acts having the effect of such a decree shall, if the parties have not resumed cohabitation and the decree or order has been continuously in force since the granting thereof, be deemed immediately to precede the presentation of the petition for divorce.

8.—(1) In addition to any other grounds on which a marriage is by law void or voidable, a marriage shall be voidable on the ground—

Additional grounds for decree of nullity.

- (a) that the marriage has not been consummated owing to the wilful refusal of the respondent to consummate the marriage; or
- (b) that either party to the marriage was at the time of the marriage of unsound mind or a mental defective within the meaning of the Mental Deficiency Acts, 1913 to 1938, or subject to recurrent fits of insanity or epilepsy; or
- (c) that the respondent was at the time of the marriage suffering from venereal disease in a communicable form; or
- (d) that the respondent was at the time of the marriage pregnant by some person other than the petitioner:

Provided that, in the cases specified in paragraphs (b), (c) and (d) of this subsection, the court shall not grant a decree unless it is satisfied—

- (i) that the petitioner was at the time of the marriage ignorant of the facts alleged;
- (ii) that proceedings were instituted within a year from the date of the marriage; and
- (iii) that marital intercourse with the consent of the petitioner has not taken place since the discovery by the petitioner of the existence of the grounds for a decree.

(2) Nothing in this section shall be construed as validating any marriage which is by law void, but with respect to which a decree of nullity has not been granted.

9. Where a decree of nullity is granted in respect of a voidable marriage, any child who would have been the legitimate child of the parties to the marriage if it had been dissolved, instead of being annulled, at the date of the decree shall be deemed to be their legitimate child notwithstanding the annulment.

Legitimacy of children of voidable marriages.

Duties of King's Proctor. 10. In the case of any petition for divorce or for nullity of marriage—

- (1) the court may, if it thinks fit, direct all necessary papers in the matter to be sent to His Majesty's Proctor, who shall under the directions of the Attorney-General instruct counsel to argue before the court any question in relation to the matter which the court deems to be necessary or expedient to have fully argued, and His Majesty's Proctor shall be entitled to charge the costs of the proceedings as part of the expenses of his office ;
- (2) any person may at any time during the progress of the proceedings or before the decree nisi is made absolute give information to His Majesty's Proctor of any matter material to the due decision of the case, and His Majesty's Proctor may thereupon take such steps as the Attorney-General considers necessary or expedient ;
- (3) if in consequence of any such information or otherwise His Majesty's Proctor suspects that any parties to the petition are or have been acting in collusion for the purpose of obtaining a decree contrary to the justice of the case, he may, under the direction of the Attorney-General, after obtaining the leave of the court, intervene and retain counsel and subpoena witnesses to prove the alleged collusion.

Provisions as to costs where King's Proctor intervenes or shows cause.

11.—(1) Where His Majesty's Proctor intervenes or shows cause against a decree nisi in any proceedings for divorce or for nullity of marriage, the court may make such order as to the payment by other parties to the proceedings of the costs incurred by him in so doing or as to the payment by him of any costs incurred by any of the said parties by reason of his so doing, as may seem just.

(2) So far as the reasonable costs incurred by His Majesty's Proctor in so intervening or showing cause are not fully satisfied by any order made under this section for the payment of his costs, he shall be entitled to charge the difference as part of the expenses of his office, and the Treasury may, if they think fit, order that any costs which under any order made by the court under this section His Majesty's Proctor pays to any parties shall be deemed to be part of the expenses of his office.

Decree nisi for divorce or nullity of marriage.

12.—(1) Every decree for a divorce or for nullity of marriage shall, in the first instance, be a decree nisi not to be made absolute until after the expiration of six months from the pronouncing thereof, unless the court by general or special order from time to time fixes a shorter time.

(2) After the pronouncing of the decree nisi and before the decree is made absolute, any person may, in the prescribed manner, show cause why the decree should not be made absolute by reason of the decree having been obtained by collusion or by reason of material facts not having been brought before the court, and in any such case the court may make the decree absolute, reverse the decree nisi, require further inquiry or otherwise deal with the case as the court thinks fit.

(3) Where a decree nisi has been obtained and no application for the decree to be made absolute has been made by the party who obtained the decree, then, at any time after the expiration of three months from the earliest date on which that party could have made such an application, the party against whom the decree nisi has been granted shall be at liberty to apply to the court and the court shall, on such application, have power to make the decree absolute, reverse the decree nisi, require further inquiry or otherwise deal with the case as the court thinks fit.

13.—(1) Where a decree of divorce has been made absolute and either there is no right of appeal against the decree absolute or, if there is such a right of appeal, the time for appealing has expired without an appeal having been presented or an appeal has been presented but has been dismissed, either party to the marriage may marry again. Re-marriage
of divorced
persons.

(2) No clergyman of the Church of England or of the Church in Wales shall be compelled to solemnize the marriage of any person whose former marriage has been dissolved on any ground and whose former husband or wife is still living, or to permit the marriage of any such person to be solemnized in the Church or Chapel of which he is the minister.

Judicial Separation and Restitution of Conjugal Rights.

14.—(1) A petition for judicial separation may be presented to the court either by the husband or the wife on any grounds on which a petition for divorce might have been presented, or on the ground of failure to comply with a decree for restitution of conjugal rights, or on any ground on which a decree for divorce a mensa et thoro might have been pronounced immediately before the commencement of the Matrimonial Causes Act, 1857, and the foregoing provisions of this Act relating to the duty of the court on the presentation of a petition for divorce, and the circumstances in which such a petition shall or may be granted or dismissed, shall apply in like manner to a petition for judicial separation. Decree for
judicial
separation.

(2) Where the court in accordance with the said provisions grants a decree for judicial separation, it shall no longer be obligatory for the petitioner to cohabit with the respondent.

(3) The court may, on the application by petition of the husband or wife against whom a decree for judicial separation has been made, and on being satisfied that the allegations contained in the petition are true, reverse the decree at any time after the making thereof, on the ground that it was obtained in the absence of the person making the application, or, if desertion was the ground of the decree, that there was reasonable cause for the alleged desertion.

Decree for
restitution
of conjugal
rights.

15.—(1) A petition for restitution of conjugal rights may be presented to the court either by the husband or the wife, and the court, on being satisfied that the allegations contained in the petition are true, and that there is no legal ground why a decree for restitution of conjugal rights should not be granted, may make the decree accordingly.

(2) A decree for restitution of conjugal rights shall not be enforced by attachment.

Presumption of death and dissolution of marriage

Proceedings
for decree of
presumption
of death and
dissolution
of marriage.

16.—(1) Any married person who alleges that reasonable grounds exist for supposing that the other party to the marriage is dead may, if he is domiciled in England, present a petition to the court to have it presumed that the other party is dead and to have the marriage dissolved, and the court, if satisfied that such reasonable grounds exist, may make a decree of presumption of death and of dissolution of the marriage.

(2) In any such proceedings the fact that for a period of seven years or upwards the other party to the marriage has been continually absent from the petitioner, and the petitioner has no reason to believe that the other party has been living within that time, shall be evidence that he or she is dead until the contrary is proved.

(3) Sections ten to thirteen of this Act shall apply to a petition and a decree under this section as they apply to a petition for divorce and a decree of divorce respectively.

(4) In determining for the purposes of this section whether a woman is domiciled in England, her husband shall be treated as having died immediately after the last occasion on which she knew or had reason to believe him to be living.

Declaration of Legitimacy, &c.

17.—(1) Any person who is a British subject, or whose right to be deemed a British subject depends wholly or in part on his legitimacy or on the validity of any marriage, may, if he is domiciled in England or Northern Ireland or claims any real or personal estate situate in England, apply by petition to the court for a decree declaring that the petitioner is the legitimate child of his parents, and that the marriage of his father and mother or of his grandfather and grandmother was a valid marriage or that his own marriage was a valid marriage. Declaration of legitimacy, &c.

(2) Any person claiming that he or his parent or any remoter ancestor became or has become a legitimated person may apply by petition to the court for a decree declaring that he or his parent or remoter ancestor, as the case may be, became or has become a legitimated person.

In this subsection the expression “legitimated person” means a person legitimated by the Legitimacy Act, 1926, and includes a person recognised under section eight of that Act as legitimated.

(3) A petition under the last foregoing subsection may be presented to a county court instead of to the High Court:

Provided that, where a petition is presented to a county court, the county court, if it considers that the case is one which owing to the value of the property involved or otherwise ought to be dealt with by the High Court, may, and if so ordered by the High Court shall, transfer the matter to the High Court, and on such transfer the proceeding shall be continued in the High Court as if it had been originally commenced therein.

(4) Any person who is domiciled in England or Northern Ireland or claims any real or personal estate situate in England may apply to the court for a decree declaring his right to be deemed a British subject.

(5) Applications to the court (but not to a county court) under the foregoing provisions of this section may be included in the same petition, and on any application under the foregoing provisions of this section (including an application to a county court) the court shall make such decree as the court thinks just, and the decree shall be binding on His Majesty and all other persons whatsoever:

Provided that the decree of the court shall not prejudice any person—

- (a) if it is subsequently proved to have been obtained by fraud or collusion; or
- (b) unless that person has been cited or made a party to the proceedings or claims through a person so cited or made a party.

(6) A copy of every petition under this section and of any affidavit accompanying the petition shall be delivered to the Attorney-General at least one month before the petition is presented, and the Attorney-General shall be a respondent on the hearing of the petition and on any subsequent proceedings relating thereto.

(7) In any application under this section such persons shall, subject to rules of court, be cited to see proceedings or otherwise summoned as the court shall think fit, and any such persons may be permitted to become parties to the proceedings and to oppose the application.

(8) No proceedings under this section shall affect any final judgment or decree already pronounced or made by any court of competent jurisdiction.

Additional jurisdiction in proceedings by a wife

Additional
jurisdiction in
proceedings
by a wife.

18.—(1) Without prejudice to any jurisdiction exercisable by the court apart from this section, the court shall by virtue of this section have jurisdiction to entertain proceedings by a wife in any of the following cases, notwithstanding that the husband is not domiciled in England, that is to say:—

(a) in the case of any proceedings under this Act other than proceedings for presumption of death and dissolution of marriage, if the wife has been deserted by her husband, or the husband has been deported from the United Kingdom under any law for the time being in force relating to the deportation of aliens, and the husband was immediately before the desertion or deportation domiciled in England;

(b) in the case of proceedings for divorce or nullity of marriage, if the wife is resident in England and has been ordinarily resident there for a period of three years immediately preceding the commencement of the proceedings, and the husband is not domiciled in any other part of the United Kingdom or in the Channel Islands or the Isle of Man.

(2) Without prejudice to the jurisdiction of the court to entertain proceedings under section sixteen of this Act in cases where the petitioner is domiciled in England, the court shall by virtue of this section have jurisdiction to entertain any such proceedings brought by a wife, if the wife is resident in England and has been ordinarily resident there for a period of three years immediately preceding the commencement of the proceedings.

(3) In any proceedings in which the court has jurisdiction by virtue of this section, the issues shall be determined in accordance with the law which would be applicable thereto if both parties were domiciled in England at the time of the proceedings.

Alimony, Maintenance and Custody of Children

19.—(1) On any petition for divorce or nullity of marriage, the court may make such interim orders for the payment of alimony to the wife as the court thinks just.

Alimony and maintenance in case of divorce and nullity of marriage.

(2) On any decree for divorce or nullity of marriage, the court may, if it thinks fit, order that the husband shall, to the satisfaction of the court, secure to the wife such gross sum of money or annual sum of money for any term, not exceeding her life, as, having regard to her fortune, if any, to the ability of her husband and to the conduct of the parties, the court may deem to be reasonable; and the court may for that purpose order that it shall be referred to one of the conveyancing counsel of the court to settle and approve a proper deed or instrument to be executed by all the necessary parties, and may, if it thinks fit, suspend the pronouncing of the decree until the deed or instrument has been duly executed.

(3) On any decree for divorce or nullity of marriage, the court may, if it thinks fit, by order direct the husband to pay to the wife, during their joint lives, such monthly or weekly sum for the maintenance and support of the wife as the court may think reasonable, and any such order may either be in addition to or be instead of an order made under the last foregoing subsection.

(4) The foregoing provisions of this section shall have effect, in any case where a petition for divorce is presented by a wife on the ground of her husband's insanity, as if for the references to the husband there were substituted references to the wife, and for the references to the wife there were substituted references to the husband.

20.—(1) On any petition for judicial separation, the court may make such interim orders for the payment of alimony to the wife as the court thinks just.

Alimony in case of judicial separation.

(2) On any decree for judicial separation, the court may make such order for the payment of alimony to the wife as the court thinks just.

(3) The foregoing provisions of this section shall have effect, in any case where a petition for judicial separation is presented by a wife on the ground of her husband's insanity, as if for the references to the wife there were substituted references to the husband.

21.—(1) In every case of judicial separation—

(a) any property which is acquired by or devolves upon the wife on or after the date of the decree whilst the separation continues shall, if she dies intestate, devolve as if her husband had been then dead;

Wife's property and necessities supplied to wife in case of judicial separation.

(b) if alimony has been ordered to be paid and has not been duly paid by the husband, he shall be liable for necessities supplied for the use of the wife.

(2) In any case where the decree for judicial separation is obtained by the wife, any property to which she is entitled for an estate in remainder or reversion at the date of the decree shall be deemed to be property to which this section applies.

Alimony and periodical payments in case of restitution of conjugal rights.

22.—(1) On any petition for restitution of conjugal rights, the court may make such interim order for the payment of alimony to the wife as the court thinks just.

(2) Where any decree for restitution of conjugal rights is made on the application of the wife, the court may make such order for the payment of alimony to the wife as the court thinks just.

(3) Where any decree for restitution of conjugal rights is made on the application of the wife, the court, at the time of the making of the decree or at any time afterwards may, in the event of the decree not being complied with within any time limited in that behalf by the court, order the respondent to make to the petitioner such periodical payments as the court thinks just, and the order may be enforced in the same manner as an order for alimony.

(4) Where the court makes an order under the last foregoing subsection, the court may, if it thinks fit, order that the husband shall, to the satisfaction of the court, secure to the wife the periodical payments, and for that purpose may direct that it shall be referred to one of the conveyancing counsel of the court to settle and approve a proper deed or instrument to be executed by all the necessary parties.

Additional power of court to make orders for maintenance.

23.—(1) Where a husband has been guilty of wilful neglect to provide reasonable maintenance for his wife or the infant children of the marriage, the court, if it would have jurisdiction to entertain proceedings by the wife for judicial separation, may, on the application of the wife, order the husband to make to her such periodical payments as may be just; and the order may be enforced in the same manner as an order for alimony in proceedings for judicial separation.

(2) Where the court makes an order under this section for periodical payments it may, if it thinks fit, order that the husband shall, to the satisfaction of the court, secure to the wife the periodical payments, and for that purpose may direct that a proper deed or instrument to be executed by all necessary parties shall be settled and approved by one of the conveyancing counsel of the court.

24.—(1) If it appears to the court in any case in which the court pronounces a decree for divorce or for judicial separation by reason of the adultery, desertion or cruelty of the wife that the wife is entitled to any property either in possession or reversion, the court may, if it thinks fit, order such settlement as it thinks reasonable to be made of the property, or any part thereof, for the benefit of the innocent party, and of the children of the marriage or either or any of them.

Power of court to order settlement of wife's property.

(2) Where a decree for restitution of conjugal rights is made on the application of the husband, and it appears to the court that the wife is entitled to any property, either in possession or reversion, or is in receipt of any profits of trade or earnings, the court may, if it thinks fit, order a settlement to be made to the satisfaction of the court of the property or any part thereof for the benefit of the petitioner and of the children of the marriage or either or any of them, or may order such part of the profits of trade or earnings as the court thinks reasonable to be periodically paid by the respondent to the petitioner for his own benefit, or to the petitioner or any other person for the benefit of the children of the marriage or either or any of them.

25. The court may after pronouncing a decree for divorce or for nullity of marriage enquire into the existence of ante-nuptial or post-nuptial settlements made on the parties whose marriage is the subject of the decree, and may make such orders with reference to the application of the whole or any part of the property settled either for the benefit of the children of the marriage or of the parties to the marriage, as the court thinks fit, and the court may exercise the powers conferred by this section notwithstanding that there are no children of the marriage.

Power of court to make orders as to application of settled property.

26.—(1) In any proceedings for divorce or nullity of marriage or judicial separation, the court may from time to time, either before or by or after the final decree, make such provision as appears just with respect to the custody, maintenance and education of the children the marriage of whose parents is the subject of the proceedings, or, if it thinks fit, direct proper proceedings to be taken for placing the children under the protection of the court.

Custody and maintenance of children.

(2) On an application made in that behalf, the court may, in any proceedings for restitution of conjugal rights, at any time before final decree, or, if the respondent fails to comply therewith, after final decree, make from time to time all such orders and provisions with respect to the custody, maintenance and education of the children of the petitioner and respondent as might have been made by interim orders if proceedings for judicial separation had been pending between the same parties.

(3) On any decree of divorce or nullity of marriage, the court shall have power to order the husband, and on a decree of divorce made on the ground of the husband's insanity, shall also have power to order the wife, to secure for the benefit of the children such gross sum of money or annual sum of money as the court may deem reasonable, and the court may for that purpose order that it shall be referred to one of the conveyancing counsel of the court to settle and approve a proper deed or instrument to be executed by all necessary parties :

Provided that the term for which any sum of money is secured for the benefit of a child shall not extend beyond the date when the child will attain twenty-one years of age.

Payment of alimony and maintenance to trustees and persons having charge of respondent.

27.—(1) In any case where the court makes an order for alimony, the court may direct the alimony to be paid either to the wife or the husband, as the case may be, or to a trustee approved by the court on her or his behalf, and may impose such terms or restrictions as the court thinks expedient, and may from time to time appoint a new trustee if for any reason it appears to the court expedient so to do.

(2) In any case where—

- (a) a petition for divorce or judicial separation is presented by a wife on the ground of her husband's insanity ; or
- (b) a petition for divorce, nullity or judicial separation is presented by a husband on the ground of his wife's insanity or mental deficiency,

and the court orders payments of alimony or maintenance under section nineteen or section twenty of this Act in favour of the respondent, the court may order the payments to be made to such persons having charge of the respondent as the court may direct.

Variation and discharge of orders for alimony and maintenance.

28.—(1) Where the court has made an order under section nineteen, section twenty, section twenty-two, section twenty-three or subsection (2) of section twenty-four of this Act, the court shall have power to discharge or vary the order or to suspend any provision thereof temporarily and to revive the operation of any provisions so suspended :

Provided that in relation to an order made before the sixteenth day of December, nineteen hundred and forty-nine, being an order which, by virtue of subsection (2) of section thirty-four of this Act, is deemed to have been made under subsection (2) of section nineteen of this Act, the powers conferred by this section shall not be exercised unless the court is satisfied that the case is one of exceptional hardship which cannot be met by the discharge, variation or suspension of any order made, or deemed as aforesaid to have been made, under subsection (3) of the said section nineteen.

(2) The powers exercisable by the court under this section in relation to any order shall be exercisable also in relation to any deed or other instrument executed in pursuance of the order.

(3) In exercising the powers conferred by this section, the court shall have regard to all the circumstances of the case, including any increase or decrease in the means of either of the parties to the marriage.

29. When a petition for divorce or nullity of marriage has been presented, proceedings under section nineteen, twenty-four, twenty-five or subsection (3) of section twenty-six of this Act may, subject to and in accordance with rules of court, be commenced at any time after the presentation of the petition :

Commencement of proceedings for maintenance, settlement of property, &c.

Provided that no order under any of the said sections or under the said subsection (other than an interim order for the payment of alimony under section nineteen) shall be made unless and until a decree nisi has been pronounced, and no such order, save in so far as it relates to the preparation, execution, or approval of a deed or instrument, and no settlement made in pursuance of any such order, shall take effect unless and until the decree is made absolute.

Miscellaneous

30.—(1) A husband may, on a petition for divorce or for judicial separation or for damages only, claim damages from any person on the ground of adultery with the wife of the petitioner.

Damages for adultery.

(2) A claim for damages on the ground of adultery shall, subject to the provisions of any enactment relating to trial by jury in the court, be tried on the same principles and in the same manner as actions for criminal conversation were tried immediately before the commencement of the Matrimonial Causes Act, 1857, and the provisions of this Act with reference to the hearing and decision of petitions shall so far as may be necessary apply to the hearing and decision of petitions on which damages are claimed.

(3) The court may direct in what manner the damages recovered on any such petition are to be paid or applied, and may direct the whole or any part of the damages to be settled for the benefit of the children, if any, of the marriage, or as a provision for the maintenance of the wife.

31. In every case in which any person is charged with adultery with any party to a suit or in which the court may consider, in the interest of any person not already a party to the suit, that that person should be made a party to the suit, the court may, if it thinks fit, allow that person to intervene upon such terms, if any, as the court thinks just.

Power to allow intervention on terms.

Evidence.

32.—(1) Notwithstanding any rule of law, the evidence of a husband or wife shall be admissible in any proceedings to prove that marital intercourse did or did not take place between them during any period.

(2) Notwithstanding anything in this section or any rule of law, a husband or wife shall not be compellable in any proceedings to give evidence of the matters aforesaid.

(3) The parties to any proceedings instituted in consequence of adultery and the husbands and wives of the parties shall be competent to give evidence in the proceedings, but no witness in any such proceedings, whether a party thereto or not, shall be liable to be asked or be bound to answer any question tending to show that he or she has been guilty of adultery unless he or she has already given evidence in the same proceedings in disproof of the alleged adultery.

(4) In any proceedings for nullity of marriage, evidence on the question of sexual capacity shall be heard in camera unless in any case the judge is satisfied that in the interests of justice any such evidence ought to be heard in open court.

Interpretation, Repeal and Short Title

Interpretation.

33. In this Act the expression "the court" means the High Court, except that in section seventeen, where the context so requires, it means or includes a county court, and the expression "prescribed" means prescribed by rules of court.

Repeal and savings.

34.—(1) The enactments set out in the Schedule to this Act are hereby repealed to the extent specified in the third column of that Schedule.

(2) Without prejudice to the provisions of section thirty-eight of the Interpretation Act, 1889—

- (a) nothing in this repeal shall affect any order made, direction given or thing done, under any enactment repealed by this Act or the Supreme Court of Judicature (Consolidation) Act, 1925, or deemed to have been made, given or done respectively under any such enactment, and every such order, direction or thing shall if in force at the commencement of this Act continue in force, and, so far as it could have been made, given or done under this Act, shall be deemed to have been made, given or done under the corresponding provision of this Act ;
- (b) any other order in force at the commencement of this Act which could have been made under any provision of this Act shall be deemed to have been so made ;
- (c) any document referring to any Act or enactment repealed by this Act or the said Act of 1925 shall be construed as referring to this Act or to the corresponding enactment in this Act ;

(d) for the purposes of the India (Consequential Provision) Act, 1949 this Act shall be deemed to have been in force on the twenty-sixth day of January, nineteen hundred and fifty.

35.—(1) This Act may be cited as the Matrimonial Causes Act, 1950. Short title,
commencement
and extent.

(2) This Act shall come into operation on the first day of January, nineteen hundred and fifty-one.

(3) This Act shall not extend to Scotland or Northern Ireland.

SCHEDULE

ENACTMENTS REPEALED

Session and Chapter	Short Title	Extent of Repeal
15 & 16 Geo. 5. c. 49.	The Supreme Court of Judicature (Consolidation) Act, 1925.	Sections one hundred and seventy-six to one hundred and ninety-eight A.
16 & 17 Geo. 5. c. 60.	The Legitimacy Act, 1926.	Section two.
18 & 19 Geo. 5. c. 26.	The Administration of Justice Act, 1928.	Subsection (3) of section nineteen, and Part III of the First Schedule.
21 & 22 Geo. 5. c. 31.	The Marriage (Prohibited Degrees of Relationship) Act, 1931.	The whole Act.
25 & 26 Geo. 5. c. 2.	The Supreme Court of Judicature (Amendment) Act, 1935.	Section four.
25 & 26 Geo. 5. c. 30.	The Law Reform (Married Women and Tortfeasors) Act, 1935.	The First Schedule, so far as it relates to the Supreme Court of Judicature (Consolidation) Act, 1925.
1 Edw. 8. & 1 Geo. 6. c. 57.	The Matrimonial Causes Act, 1937.	The whole Act, except section eleven.
1 & 2 Geo. 6. c. 63.	The Administration of Justice (Miscellaneous Provisions) Act, 1938.	Section fourteen.
7 & 8 Geo. 6. c. 43.	The Matrimonial Causes (War Marriages) Act, 1944.	In section one, paragraph (b) of subsection (1).
12, 13 & 14 Geo. 6. c. 78.	The Married Women (Restraint upon Anticipation) Act, 1949.	The First Schedule, so far as it relates to the Supreme Court of Judicature (Consolidation) Act, 1925.
12, 13 & 14 Geo. 6. c. 100.	The Law Reform (Miscellaneous Provisions) Act, 1949.	Section one, except so much of subsection (4) as relates to the Matrimonial Causes (War Marriages) Act, 1944; sections three to seven.

Table of Statutes referred to in this Act

Short Title	Session and Chapter
Matrimonial Causes Act, 1857	20 & 21 Vict. c. 85.
Naval Enlistment Act, 1884	47 & 48 Vict. c. 46.
Criminal Lunatics Act, 1884	47 & 48 Vict. c. 64.
Interpretation Act, 1889	52 & 53 Vict. c. 63.
Supreme Court of Judicature (Consolidation) Act, 1925	15 & 16 Geo. 5. c. 49.
Legitimacy Act, 1926	16 & 17 Geo. 5. c. 60.
Administration of Justice Act, 1928	18 & 19 Geo. 5. c. 26.
Mental Treatment Act, 1930	20 & 21 Geo. 5. c. 23.
Marriage (Prohibited Degrees of Relationship) Act, 1931	21 & 22 Geo. 5. c. 31.
Supreme Court of Judicature (Amendment) Act, 1935	25 & 26 Geo. 5. c. 2.
Law Reform (Married Women and Tortfeasors) Act, 1935	25 & 26 Geo. 5. c. 30.
Matrimonial Causes Act, 1937	1 Edw. 8 & 1 Geo. 6. c. 57.
Administration of Justice (Miscellaneous Provisions) Act, 1938	1 & 2 Geo. 6. c. 63.
Matrimonial Causes (War Marriages) Act, 1944 ...	7 & 8 Geo. 6. c. 43.
Consolidation of Enactments (Procedure) Act, 1949	12 & 13 Geo. 6. c. 33.
Married Women (Restraint upon Anticipation) Act, 1949	12, 13 & 14 Geo. 6. c. 78.
Law Reform (Miscellaneous Provisions) Act, 1949	12, 13 & 14 Geo. 6. c. 100.

CHAPTER 26*Adoption Act, 1950*

ARRANGEMENT OF SECTIONS

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2. Restrictions on making adoption orders.
3. Consent to adoption.
4. Evidence of consent of parent or guardian.
5. Functions of court as to adoption orders.
6. Interim orders.
7. Adoption order in respect of infants previously adopted.
8. Jurisdiction and procedure in England.
9. Jurisdiction and procedure in Scotland.

Effects of adoption orders

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17. Adopted Children Register (England).
18. Registration of English adoptions.
19. Adopted Children Register (Scotland).
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21. Amendment of orders and rectification of Registers.

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Second Schedule.—Form of entry in Adopted Children Register in Scotland.

Third Schedule.—Purposes for which adoption societies regulations may be made.

Fourth Schedule.—Enactments repealed.

Fifth Schedule.—Transitional provisions.

An Act to consolidate the enactments relating to the adoption of children with such corrections and improvements as may be authorised under the Consolidation of Enactments (Procedure) Act, 1949.
[28th July 1950.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

PART I

ADOPTION ORDERS

Making of adoption orders

Power to make adoption orders.

1.—(1) Subject to the provisions of this Act, the court may, upon an application made in the prescribed manner by a person domiciled in England or Scotland, make an order (in this Act referred to as an adoption order) authorising the applicant to adopt an infant.

(2) An adoption order may be made on the application of two spouses authorising them jointly to adopt an infant.

(3) An adoption order may be made authorising the adoption of an infant by the mother or father of the infant, either alone or jointly with her or his spouse.

Restrictions on making adoption orders.

2.—(1) An adoption order shall not be made in respect of an infant unless the applicant or, in the case of a joint application, one of the applicants—

- (a) has attained the age of twenty-five and is at least twenty-one years older than the infant ; or
- (b) has attained the age of twenty-one and is a relative of the infant ; or
- (c) is the mother or father of the infant.

(2) An adoption order shall not be made in respect of an infant who is a female in favour of a sole applicant who is a male, unless the court is satisfied that there are special circumstances which justify as an exceptional measure the making of an adoption order.

(3) Except as provided by subsection (2) of section one of this Act, an adoption order shall not be made authorising more than one person to adopt an infant.

(4) Subject to the provisions of section three of this Act, an adoption order shall not be made—

- (a) in any case, except with the consent of every person or body who is a parent or guardian of the infant or who

is liable by virtue of any order or agreement to contribute to the maintenance of the infant ;

PART I
—*cont.*

(b) on the application of one of two spouses, except with the consent of the other spouse,

and shall not be made in Scotland in respect of an infant who is a minor except with the consent of the infant.

(5) An adoption order shall not be made in England unless the applicant and the infant reside in England, and shall not be made in Scotland unless the applicant and the infant reside in Scotland.

(6) An adoption order shall not be made in respect of any infant unless—

(a) the infant has been continuously in the care and possession of the applicant for at least three consecutive months immediately preceding the date of the order ; and

(b) the applicant has, at least three months before the date of the order, notified the welfare authority within whose area he is for the time being resident of his intention to apply for an adoption order in respect of the infant.

3.—(1) The court may dispense with any consent required by paragraph (a) of subsection (4) of section two of this Act if it is satisfied— **Consent to adoption.**

(a) in the case of a parent or guardian of the infant, that he has abandoned, neglected or persistently ill-treated the infant ;

(b) in the case of a person liable by virtue of an order or agreement to contribute to the maintenance of the infant, that he has persistently neglected or refused so to contribute ;

(c) in any case, that the person whose consent is required cannot be found or is incapable of giving his consent or that his consent is unreasonably withheld.

(2) The court may dispense with the consent of the spouse of an applicant for an adoption order if satisfied that the person whose consent is to be dispensed with cannot be found or is incapable of giving the consent or that the spouses have separated and are living apart and that the separation is likely to be permanent.

(3) The consent of any person to the making of an adoption order in pursuance of an application (not being the consent of the infant) may be given (either unconditionally or subject to conditions with respect to the religious persuasion in which the infant is to be brought up) without knowing the identity of the applicant for the order ; and where consent so given

PART I
—*cont.*

by any person is subsequently withdrawn on the ground only that he does not know the identity of the applicant, his consent shall be deemed for the purposes of this section to be unreasonably withheld.

(4) While an application for an adoption order in respect of an infant is pending in any court, any parent or guardian of the infant who has signified his consent to the making of an adoption order in pursuance of the application shall not be entitled, except with the leave of the court, to remove the infant from the care and possession of the applicant; and in considering whether to grant or refuse such leave the court shall have regard to the welfare of the infant.

**Evidence of
consent of
parent or
guardian.**

4.—(1) Where any person whose consent to the making of an adoption order is required by paragraph (a) of subsection (4) of section two of this Act does not attend in the proceedings for the purpose of giving it, then, subject to the provisions of subsection (3) of this section, a document signifying his consent to the making of such an order shall, if the person in whose favour the order is to be made is named in the document or (where the identity of that person is not known to the consenting party) is distinguished therein in the prescribed manner, be admissible as evidence of that consent, whether the document is executed before or after the commencement of the proceedings.

(2) Where any such document is attested by a justice of the peace (or, if executed outside the United Kingdom, by a person of any such class as may be prescribed), the document shall be admissible as aforesaid without further proof of the signature of the person by whom it is executed; and for the purposes of this subsection, a document purporting to be attested as aforesaid shall be deemed to be so attested, and to be executed and attested on the date and at the place specified therein, unless the contrary is proved.

(3) A document signifying the consent of the mother of an infant shall not be admissible under this section unless—

- (a) the infant is at least six weeks old on the date of the execution of the document; and
- (b) the document is attested on that date by a justice of the peace or, as the case may be, by a person of a class prescribed for the purposes of subsection (2) of this section.

(4) In the application of this section to Scotland, for the words “admissible as evidence” and the word “admissible” there shall be substituted the words “sufficient evidence”, and references to a justice of the peace shall include references to the sheriff.

5.—(1) The court before making an adoption order shall be satisfied—

PART I
—cont.

Functions of
court as to
adoption
orders.

- (a) that every person whose consent is necessary under this Act, and whose consent is not dispensed with, has consented to and understands the nature and effect of the adoption order for which application is made, and in particular in the case of any parent understands that the effect of the adoption order will be permanently to deprive him or her of his or her parental rights ;
- (b) that the order if made will be for the welfare of the infant, due consideration being for this purpose given to the wishes of the infant, having regard to the age and understanding of the infant ; and
- (c) that the applicant has not received or agreed to receive, and that no person has made or given or agreed to make or give to the applicant, any payment or other reward in consideration of the adoption except such as the court may sanction.

(2) The court in an adoption order may impose such terms and conditions as the court may think fit, and in particular may require the adopter by bond or otherwise to make for the infant such provision (if any) as in the opinion of the court is just and expedient.

6.—(1) Subject to the provisions of this section, the court may, upon any application for an adoption order, postpone the determination of the application and make an interim order giving the custody of the infant to the applicant for a period not exceeding two years by way of a probationary period upon such terms as regards provision for the maintenance and education and supervision of the welfare of the infant and otherwise as the court may think fit.

Interim orders.

(2) All such consents as are required to an adoption order shall be necessary to an interim order but subject to a like power on the part of the court to dispense with any such consent.

(3) An interim order shall not be made in any case where the making of an adoption order would be unlawful by virtue of subsection (6) of section two of this Act.

(4) An interim order shall not be deemed to be an adoption order within the meaning of this Act.

7.—(1) An adoption order or an interim order may be made in respect of an infant who has already been the subject of an adoption order under this Act or under the Adoption of Children Act, 1926, or the Adoption of Children (Scotland) Act, 1930.

Adoption
order in
respect of
infants
previously
adopted.

(2) In relation to an application for an adoption order in respect of such an infant, the adopter or adopters under the previous or last previous adoption order shall be deemed to be the parent or parents of the infant for all the purposes of this Act.

PART I
—*cont.*

**Jurisdiction
and procedure
in England.**

8.—(1) An application for an adoption order may be made in England to the High Court or, at the option of the applicant but subject to any rules made under this section, to any county court or court of summary jurisdiction within the jurisdiction of which the applicant or the infant resides at the date of the application.

(2) Rules in regard to any matter to be prescribed under this Part of this Act and dealing generally with all matters of procedure and incidental matters arising out of this Part of this Act and for carrying this Part of this Act into effect shall be made in England by the Lord Chancellor.

(3) Such rules may provide for applications for adoption orders being heard and determined otherwise than in open court, and, where the application is made to a court of summary jurisdiction, for the hearing and determination of the application in a juvenile court.

(4) For the purpose of any application in England for an adoption order, the court shall, subject to any rules under this section, appoint some person or body to act as guardian ad litem of the infant upon the hearing of the application with the duty of safeguarding the interests of the infant before the court.

(5) Where the body so appointed is a local authority the court may authorise the authority to incur any necessary expenditure; but nothing in this section shall be deemed to authorise the court to appoint a local authority to act as guardian ad litem except with the consent of that authority.

**Jurisdiction
and procedure
in Scotland.**

9.—(1) An application for an adoption order may be made in Scotland to the Court of Session or to the sheriff court or juvenile court within whose jurisdiction the applicant or the infant resides at the date of the application.

(2) In Scotland, provision shall be made by act of sederunt with regard to any matter to be prescribed under this Part of this Act, and generally with regard to all matters of procedure and incidental matters arising out of this Part of this Act and for carrying this Part of this Act into effect.

(3) Any such act of sederunt may provide for applications for adoption orders being heard and determined otherwise than in open court.

(4) For the purpose of any application in Scotland for an adoption order, the court shall, subject to any act of sederunt under this section, appoint some person to act as curator ad litem of the infant upon the hearing of the application with the duty of safeguarding the interests of the infant before the court.

(5) Where the person so appointed is an officer or servant of a local authority and appointed as such, the court may authorise the authority to incur any necessary expenditure;

but nothing in this section shall be deemed to authorise the court to appoint an officer or servant of a local authority to act as curator ad litem of an infant except with the consent of that authority.

PART I
—cont.

Effects of adoption orders

10.—(1) Upon an adoption order being made, all rights, duties, obligations and liabilities of the parents or guardians of the infant in relation to the future custody, maintenance and education of the infant, including all rights to appoint a guardian and (in England) to consent or give notice of dissent to marriage, shall be extinguished, and all such rights, duties, obligations and liabilities shall vest in and be exercisable by and enforceable against the adopter as if the infant were a child born to the adopter in lawful wedlock; and in respect of the matters aforesaid (and, in Scotland, in respect of the liability of a child to maintain his parents) the infant shall stand to the adopter exclusively in the position of a child born to the adopter in lawful wedlock.

Rights and duties of parents and capacity to marry.

(2) In any case where two spouses are the adopters, the spouses shall in respect of the matters aforesaid, and for the purpose of the jurisdiction of any court to make orders as to the custody and maintenance of and right of access to children, stand to each other and to the infant in the same relation as they would have stood if they had been the lawful father and mother of the infant and the infant shall stand to them respectively in the same relation as to a lawful father and mother respectively.

(3) For the purpose of the law relating to marriage, an adopter and the person whom he has been authorised to adopt under an adoption order shall be deemed to be within the prohibited degrees of consanguinity; and the provisions of this subsection shall continue to have effect notwithstanding that some person other than the adopter is authorised by a subsequent order to adopt the same infant.

(4) The references in subsection (3) of this section to an adoption order include references to an order authorising an adoption made after the commencement of this Act under the Adoption of Children Act (Northern Ireland), 1929, or any enactment of the Parliament of Northern Ireland for the time being in force.

11.—(1) For the purposes of the enactments for the time being in force relating to friendly societies, collecting societies and industrial insurance companies, which enable such societies and companies to insure money to be paid for funeral expenses and which restrict the persons to whom money may be paid on the death of a child under the age of ten, an adopter shall be deemed to be the parent of the infant whom he is authorised to adopt under an adoption order.

Industrial insurance, etc.

PART I
—*cont.*

(2) Where, before the making of an adoption order in respect of an infant, any such insurance has been effected by the natural parent of the infant, the rights and liabilities under the policy shall by virtue of the adoption order be transferred to the adopter, and the adopter shall, for the purposes of the said enactments, be treated as the person who took out the policy.

**Affiliation
orders, etc.**

12.—(1) Where an adoption order is made in respect of an infant who is illegitimate, then, subject to the provisions of this section, any affiliation order or decree of affiliation and aliment in force with respect to the infant, and any agreement whereby the father of the infant has undertaken to make payments specifically for the benefit of the infant, shall cease to have effect, but without prejudice to the recovery of any arrears which are due under the order, decree or agreement at the date of the adoption order.

(2) Where an infant to whom any such order, decree or agreement as aforesaid relates is adopted by his mother, and the mother is a single woman, the order, decree or agreement shall not cease to have effect by virtue of the foregoing subsection upon the making of the adoption order, but shall cease to have effect if she subsequently marries.

(3) Where an adoption order is made in respect of an infant committed to the care of a fit person by an order in force under the Children and Young Persons Act, 1933, or the Children and Young Persons (Scotland) Act, 1937, the last mentioned order shall cease to have effect.

(4) Where an adoption order is made in respect of an infant in respect of whom a resolution is in force under section two of the Children Act, 1948 (which provides for the assumption by local authorities of parental rights in certain circumstances), the resolution shall cease to have effect.

(5) The references in this section to an adoption order include references to an order authorising an adoption made after the commencement of this Act under the Adoption of Children Act (Northern Ireland), 1929, or any enactment of the Parliament of Northern Ireland for the time being in force.

**English
intestacies,
wills and
settlements.**

13.—(1) Where, at any time after the making of an adoption order, the adopter or the adopted person or any other person dies intestate in respect of any real or personal property (other than property subject to an entailed interest under a disposition made before the date of the adoption order), that property shall devolve in all respects as if the adopted person were the child of the adopter born in lawful wedlock and were not the child of any other person.

(2) In any disposition of real or personal property made, whether by instrument inter vivos or by will (including codicil), after the date of an adoption order—

- (a) any reference (whether express or implied) to the child or children of the adopter shall, unless the contrary intention appears, be construed as, or as including, a reference to the adopted person ;
- (b) any reference (whether express or implied) to the child or children of the adopted person's natural parents or either of them shall, unless the contrary intention appears, be construed as not being, or as not including, a reference to the adopted person ; and
- (c) any reference (whether express or implied) to a person related to the adopted person in any degree shall, unless the contrary intention appears, be construed as a reference to the person who would be related to him in that degree if he were the child of the adopter born in lawful wedlock and were not the child of any other person.

(3) Where under any disposition any real or personal property or any interest in such property is limited (whether subject to any preceding limitation or charge or not) in such a way that it would, apart from this section, devolve (as nearly as the law permits) along with a dignity or title of honour, then, whether or not the disposition contains an express reference to the dignity or title of honour, and whether or not the property or some interest in the property may in some event become severed therefrom, nothing in this section shall operate to sever the property or any interest therein from the dignity, but the property or interest shall devolve in all respects as if this section had not been enacted.

(4) The references in this section to an adoption order include references to an order authorising an adoption made after the commencement of this Act under the Adoption of Children Act (Northern Ireland), 1929, or any enactment of the Parliament of Northern Ireland for the time being in force.

14.—(1) For the purposes of the application of the Provisions Administration of Estates Act, 1925, to the devolution of any supplementary property in accordance with the provisions of the last foregoing section, and for the purposes of the construction of any such supplementary to s. 13. disposition as is mentioned in that section, an adopted person shall be deemed to be related to any other person being the child or adopted child of the adopter or (in the case of a joint adoption) of either of the adopters—

- (a) where he or she was adopted by two spouses jointly, and that other person is the child or adopted child of both of them, as brother or sister of the whole blood ;
- (b) in any other case, as brother or sister of the half-blood.

PART I
—*cont.*

(2) Notwithstanding any rule of law, a disposition made by will or codicil executed before the date of an adoption order shall not be treated for the purposes of the last foregoing section as made after that date by reason only that the will or codicil is confirmed by a codicil executed after that date.

(3) Notwithstanding anything in the last foregoing section, trustees or personal representatives may convey or distribute any real or personal property to or among the persons entitled thereto without having ascertained that no adoption order has been made by virtue of which any person is or may be entitled to any interest therein, and shall not be liable to any such person of whose claim they have not had notice at the time of the conveyance or distribution; but nothing in this subsection shall prejudice the right of any such person to follow the property, or any property representing it, into the hands of any person, other than a purchaser, who may have received it.

(4) Where an adoption order is made in respect of a person who has been previously adopted, the previous adoption shall be disregarded for the purposes of the last foregoing section in relation to the devolution of any property on the death of a person dying intestate after the date of the subsequent adoption order and in relation to any disposition of property made after that date.

(5) The references in this section to an adoption order shall be construed in accordance with subsection (4) of the last foregoing section.

**Scottish
intestacies,
etc.**

15.—(1) Sections thirteen and fourteen of this Act shall not affect the law of Scotland relating to the distribution of the moveable estate of a person dying domiciled in Scotland, the devolution of heritable property situated in Scotland or the disposal of any property by instrument inter vivos.

(2) An adoption order shall not deprive the adopted person of any legal rights competent to him in the estate of his parents or of any right to or interest in property to which, but for the order, he would have been entitled under any intestacy or disposition, whether occurring or made before or after the making of the adoption order, or confer on him any right to or interest in property as a child of the adopter; and the expressions “child”, “children” and “issue”, where used in relation to any person in any disposition, shall not, unless the contrary intention appears, include a person or persons adopted by that person, or the issue of a person so adopted.

(3) In this section the expression “disposition” means a deed, instrument or writing whether inter vivos or mortis causa whereby property is conveyed or under which a succession arises.

(4) This section extends to Scotland only, and references therein to an adoption order and to an adopter and an adopted

person shall be construed as references to an adoption order made in Scotland and to an adopter and a person adopted in pursuance of such an order.

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—cont.

16.—(1) Where an adoption order is made in respect of an infant who is not a citizen of the United Kingdom and Colonies, then, if the adopter, or in the case of a joint adoption the male adopter, is a citizen of the United Kingdom and Colonies, the infant shall be a citizen of the United Kingdom and Colonies as from the date of the order. Citizenship.

(2) The references in this section to an adoption order include references to an order authorising an adoption under the Adoption of Children Act (Northern Ireland), 1929, or any enactment of the Parliament of Northern Ireland for the time being in force.

Registration of adoption orders

17.—(1) The Registrar General shall maintain at the General Register Office a register, to be called the Adopted Children Register, in which shall be made such entries as may be directed to be made therein by adoption orders, but no other entries. Adopted Children Register (England).

(2) In England, a certified copy of any entry in the Adopted Children Register, if purporting to be sealed or stamped with the seal of the General Register Office, shall, without any further or other proof of that entry, be received as evidence of the adoption to which it relates and, where the entry contains a record of the date of the birth or the country of the birth of the adopted person, shall also be received as aforesaid as evidence of that date or country in all respects as if the copy were a certified copy of an entry in the Registers of Births.

(3) The Registrar General shall cause an index of the Adopted Children Register to be made and kept in the General Register Office; and every person shall be entitled to search that index and to have a certified copy of any entry in the Adopted Children Register in all respects upon and subject to the same terms, conditions and regulations as to payment of fees and otherwise as are applicable under the Births and Deaths Registration Acts, 1836 to 1947, in respect of searches in other indexes kept in the General Register Office and in respect of the supply from that office of certified copies of entries in the certified copies of the Registers of Births, Deaths and Marriages.

(4) The Registrar General shall, in addition to the Adopted Children Register and the index thereof, keep such other registers and books, and make such entries therein, as may be necessary to record and make traceable the connexion between any entry in the Registers of Births which has been marked "Adopted" pursuant to the next following section, section eleven of the Adoption of Children Act, 1926, or section twelve of the

PART I
—cont.

Adoption of Children Act, 1949, and any corresponding entry in the Adopted Children Register; but the registers and books kept under this subsection shall not be, nor shall any index thereof be, open to public inspection or search, nor, except under an order of a court of competent jurisdiction, shall the Registrar General furnish any person with any information contained in or with any copy or extract from any such registers or books.

(5) Regulations made by the Registrar General under the Births and Deaths Registration Acts, 1836 to 1947, may make provision as to the duties to be performed by Superintendent Registrars and Registrars of Births and Deaths in the execution of this and the next following section.

**Registration of
English
adoptions.**

18.—(1) Every adoption order made by a court in England shall contain a direction to the Registrar General to make in the Adopted Children Register an entry in the form set out in the First Schedule to this Act, and (subject to the provisions of the next following subsection) shall specify the particulars to be entered under the headings in columns 2 to 6 of that Schedule.

(2) For the purposes of compliance with the requirements of the last foregoing subsection—

- (a) where the precise date of the infant's birth is not proved to the satisfaction of the court, the court shall determine the probable date of his birth and the date so determined shall be specified in the order as the date of his birth;
- (b) where the name or surname which the infant is to bear after the adoption differs from his original name or surname, the new name or surname shall be specified in the order instead of the original;

and where the country of birth of the infant is not proved to the satisfaction of the court, the particulars of that country may, notwithstanding anything in that subsection, be omitted from the order and from the entry in the Adopted Children Register.

(3) Where upon any application to a court in England for an adoption order in respect of an infant (not being an infant who has previously been the subject of an adoption order made by a court in England under this Act or the Adoption of Children Act, 1926) there is proved to the satisfaction of the court the identity of the infant with a child to whom an entry in the Registers of Births relates, any adoption order made in pursuance of the application shall contain a direction to the Registrar General to cause the entry in the Registers of Births to be marked with the word "Adopted".

(4) Where an adoption order is made by a court in England in respect of an infant who has previously been the subject of an adoption order made by such a court under this Act or the

Adoption of Children Act, 1926, the order shall contain a direction to the Registrar General to cause the previous entry in the Adopted Children Register to be marked with the word "Re-adopted".

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—cont.

(5) Where an adoption order is made by a court in England, the prescribed officer of the court shall cause the order to be communicated in the prescribed manner to the Registrar General, and upon receipt of such communication the Registrar General shall cause compliance to be made with the directions contained in the order both in regard to marking any entry in the Registers of Births with the word "Adopted" and in regard to making the appropriate entry in the Adopted Children Register.

19.—(1) The Registrar General for Scotland shall maintain at the General Registry Office a register, to be called the Adopted Children Register, in which shall be made such entries as may be directed to be made therein by adoption orders, but no other entries. Adopted Children Register (Scotland).

(2) In Scotland, an extract of any entry in the Adopted Children Register maintained under this section, if purporting to be sealed or stamped with the seal of the General Registry Office, shall, without any further or other proof of the entry, be received as evidence of the adoption to which it relates and, where the entry contains a record of the date of the birth or the country of the birth of the adopted person, shall also be received as aforesaid as evidence of that date or country in all respects as if the extract were an extract of an entry in the Register of Births.

(3) The Registrar General for Scotland shall cause an index of the Adopted Children Register maintained under this section to be made and kept in the General Registry Office; and every person shall be entitled to search that index and to have an extract of any entry in the said register in all respects upon and subject to the same terms, conditions and regulations as to payment of fees and otherwise as are applicable under the Registration of Births, Deaths and Marriages (Scotland) Acts, 1854 to 1938, in respect of searches in other indexes kept in the General Registry Office and in respect of the supply from that office of extracts of entries in the Registers of Births, Deaths and Marriages.

(4) The Registrar General for Scotland shall, in addition to the Adopted Children Register and the index thereto, keep such other registers and books, and make such entries therein, as may be necessary to record and make traceable the connection between any entry in the Register of Births which has been marked "Adopted" pursuant to the next following section, section eleven of the Adoption of Children (Scotland) Act, 1930, or section twelve of the Adoption of Children Act, 1949, in the

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PART I
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application of that Act to Scotland, and any corresponding entry in the Adopted Children Register maintained under this section ; but the registers and books kept under this subsection shall not be, nor shall any index thereof be, open to public inspection or search, nor, except under an order of the Court of Session or a sheriff, shall the Registrar General furnish any information contained in or any copy or extract from any such registers or books to any person other than an adopted person who has attained the age of seventeen years and to whom that information, copy or extract relates.

(5) Regulations made under the Registration of Births, Deaths and Marriages (Scotland) Acts, 1854 to 1938, may make provision as to the duties to be performed by Registrars of Births, Deaths and Marriages in the execution of this and the next following section.

(6) The provisions of the Registration of Births, Deaths and Marriages (Scotland) Acts, 1854 to 1938, with regard to the registration of names given in baptism or without baptism after registration of birth and with regard to the alteration of erroneous entries shall apply to the Adopted Children Register maintained by the Registrar General for Scotland and to registration therein in like manner as they apply to any register of births and to registration therein.

**Registration of
Scottish
adoptions.**

20.—(1) Every adoption order made by a court in Scotland shall contain a direction to the Registrar General for Scotland to make in the Adopted Children Register maintained by him an entry recording the adoption in the form set out in the Second Schedule to this Act.

(2) For the purpose of compliance with the requirements of the foregoing subsection, where the precise date of the infant's birth is not proved to the satisfaction of the court, the court shall determine the probable date of his birth, and the date so determined shall be specified in the order as the date of his birth ; and where the country of the birth of the infant is not proved to the satisfaction of the court, the particulars of that country may, notwithstanding anything in that subsection, be omitted from the order and from the entry in the Adopted Children Register.

(3) There shall be produced with every application to a court in Scotland for an adoption order in respect of an infant whose birth has been registered under the Registration of Births, Deaths and Marriages (Scotland) Acts, 1854 to 1938, an extract of the entry of the birth.

(4) Where upon any application to a court in Scotland for an adoption order in respect of an infant (not being an infant who has previously been the subject of an adoption order made by

a court in Scotland under this Act or under the Adoption of Children (Scotland) Act, 1930) there is proved to the satisfaction of the court the identity of the infant with a child to which an entry in the Register of Births relates, any adoption order made in pursuance of the application shall contain a direction to the Registrar General for Scotland to cause the entry in that register to be marked with the word "Adopted".

(5) Where an adoption order is made by a court in Scotland in respect of an infant who has previously been the subject of an adoption order made by such a court under this Act or the Adoption of Children (Scotland) Act, 1930, the order shall contain a direction to the Registrar General for Scotland to cause the previous entry in the Adopted Children Register maintained by him to be marked with the word "Re-adopted".

(6) Where an adoption order is made by a court in Scotland, the clerk of the court shall cause the order to be communicated to the Registrar General for Scotland, and upon receipt of such communication the Registrar General shall cause compliance to be made with the directions contained in the order both in regard to marking any entry in the Register of Births with the word "Adopted" and in regard to making the appropriate entry in the Adopted Children Register maintained by him.

21.—(1) The court by which an adoption order has been made under this Act or the Adoption of Children Act, 1926, or the Adoption of Children (Scotland) Act, 1930, may, on the application of the adopter or of the adopted person, amend the order by the correction of any error in the particulars contained therein; and where an adoption order is so amended, the prescribed officer of the court or, in Scotland, the clerk of the court, shall cause the amendment to be communicated in the prescribed manner to the Registrar General or the Registrar General for Scotland, as the case may be; and any necessary correction of or addition to the Adopted Children Register shall be made accordingly.

Amendment
of orders and
rectification
of Registers.

(2) Where the adoption order was made before the first day of January, nineteen hundred and fifty, the power of the court under the foregoing subsection shall include power to amend the order—

- (a) by the insertion of the country of the adopted person's birth;
- (b) (where the order does not specify a precise date as the date of the adopted person's birth) by the insertion of the date which appears to the court to be the date or probable date of his birth;

and the provisions of that subsection shall have effect accordingly.

PART I
—cont.

(3) Where an adoption order is quashed or an appeal against an adoption order allowed, the court which made the order shall give directions to the Registrar General or the Registrar General for Scotland to cancel any marking of an entry in the Registers of Births or, as the case may be, in the Register of Births, and any entry in the Adopted Children Register, which was effected in pursuance of the order.

(4) Where the Registrar General is notified by the Registrar General for Scotland that an adoption order has been made by a court in Scotland under this Act or the Adoption of Children (Scotland) Act, 1930, in respect of an infant to whom an entry in the Registers of Births or the Adopted Children Register relates, the Registrar General shall cause the entry to be marked "Adopted (Scotland)", or, as the case may be, "Re-adopted (Scotland)"; and where, after an entry has been marked in pursuance of this subsection or subsection (6) of section twelve of the Adoption of Children Act, 1949, the Registrar General is notified as aforesaid that the adoption order has been quashed, or that an appeal against an adoption order has been allowed, he shall cause the marking to be cancelled.

(5) Where the Registrar General for Scotland is notified by the Registrar General that an adoption order has been made by a court in England under this Act or the Adoption of Children Act, 1926, in respect of an infant to whom an entry in the Register of Births or the Adopted Children Register maintained by the Registrar General for Scotland relates, the Registrar General for Scotland shall cause the entry to be marked "Adopted (England)" or, as the case may be, "Re-adopted (England)"; and where after an entry has been marked in pursuance of this subsection or of subsection (6) of section twelve of the Adoption of Children Act, 1949, in the application of that Act to Scotland, the Registrar General for Scotland is notified that the adoption order has been quashed, or that an appeal against the adoption order has been allowed, he shall cause the marking to be cancelled.

(6) A copy or extract of an entry in any register, being an entry the marking of which is cancelled under this section, shall be deemed to be an accurate copy if and only if both the marking and the cancellation are omitted therefrom.

(7) In relation to an adoption order made by a court of summary jurisdiction, the reference in subsection (1) of this section to the court by which the order has been made includes a reference to a court acting for the same petty sessional division or place.

PART II

ADOPTION SOCIETIES

22.—(1) It shall not be lawful for any body of persons to make any arrangements for the adoption of an infant unless that body is a registered adoption society or a local authority. Restriction on making arrangements for adoption.

(2) If any person takes any part in the management or control of a body of persons which exists wholly or in part for the purpose of making arrangements for the adoption of infants and which is not a registered adoption society or a local authority, he shall, on summary conviction, be liable to imprisonment for a term not exceeding six months or to a fine not exceeding two hundred pounds or to both.

(3) In any proceedings under this section, proof of things done or of words written, spoken or published (whether or not in the presence of any party to the proceedings) by any person taking part in the management or control of a body of persons, or in making arrangements for the adoption of infants on behalf of the body, shall be admissible as evidence of the purpose for which that body exists.

23.—(1) Subject to the following provisions of this Part of this Act, where application is made in the prescribed manner by or on behalf of an adoption society to the local authority in whose area the administrative centre of the society is situated and there is furnished therewith the prescribed information relating to the activities of the society, the local authority shall, on payment by the society of such fee (not exceeding one pound) as may be prescribed, register the society under this Part of this Act. Registration of adoption societies.

(2) Any question where the administrative centre of an adoption society is situated shall be determined by the Secretary of State, whose determination shall be final.

(3) A local authority shall not register an adoption society under this Part of this Act unless the authority are satisfied, by such evidence as the authority may reasonably require, that the society are a charitable association.

(4) A local authority may refuse to register an adoption society under this Part of this Act, if it appears to the authority—

(a) that the activities of the society are not controlled by a committee of members of the society who are responsible to the members of the society ;

PART II
—*cont.*

- (b) that any person proposed to be employed, or employed, by the society for the purpose of making any arrangements for the adoption of children on behalf of the society is not a fit and proper person to be so employed ;
- (c) that the number of competent persons proposed to be employed, or employed, by the society for the purpose aforesaid is, in the opinion of the authority, insufficient having regard to the extent of the activities of the society in connection with that purpose ; or
- (d) that any person taking part in the management or control of the society or any member of the society has been convicted of an offence under this Part of this Act or under the Adoption of Children (Regulation) Act, 1939, or of a breach of any regulations made under this Part of this Act or under that Act.

(5) A local authority may at any time cancel the registration of an adoption society on any ground which would entitle the authority to refuse an application for the registration of the society, or on the ground that the society are no longer a charitable association, or on the ground that the administrative centre of the society is no longer situated in the area of the authority.

**Procedure and
right of appeal.**

24.—(1) Where a local authority propose to refuse an application for registration made to them by or on behalf of an adoption society or to cancel the registration of an adoption society, the local authority shall give to the society not less than fourteen days' notice in writing of their intention so to do.

(2) Every such notice shall state the grounds on which the authority intend to refuse the application or to cancel the registration, as the case may be, and shall contain an intimation that, if within fourteen days after the receipt of the notice the society inform the authority in writing that they desire so to do, the authority will, before refusing the application or cancelling the registration, as the case may be, give to the society an opportunity of causing representations to be made to the authority by or on behalf of the society.

(3) If the local authority, after giving to the society an opportunity of causing such representations as aforesaid to be made, decide to refuse the application for registration or to cancel the registration, as the case may be, they shall give to the society notice in writing of their decision.

(4) Any adoption society aggrieved by the refusal of an application for registration, or by the cancellation of their registration, by a local authority may—

- (a) in England, appeal to quarter sessions by a notice of appeal given within twenty-one days after notice in writing of the decision has been given to the society;
- (b) in Scotland, appeal to the sheriff within whose jurisdiction the administrative centre of the society is situated within the said twenty-one days.

(5) Section thirty-one of the Summary Jurisdiction Act, 1879 (which relates to appeals from courts of summary jurisdiction to courts of quarter sessions), shall, with the necessary modifications, apply in relation to an appeal in England under this section as if the decision of the local authority were an order of a court of summary jurisdiction.

(6) Where the registration of an adoption society is cancelled by a local authority, the adoption society shall, for the purposes of this Part of this Act, be deemed to be registered under this Part of this Act during the period within which an appeal against the cancellation may be brought under this section and, if such an appeal is brought, until the determination or abandonment of the appeal.

25.—(1) The Secretary of State may make regulations for any of the purposes set out in the Third Schedule to this Act and for prescribing anything which by this Part of this Act (including that Schedule) is authorised or required to be prescribed.

Adoption societies regulations.

(2) Any person who contravenes or fails to comply with the provisions of a regulation made under this section shall be liable on summary conviction to a fine not exceeding twenty-five pounds and, in the case of a second or subsequent conviction, to a fine not exceeding fifty pounds.

26.—(1) A local authority may at any time give notice in writing to any registered adoption society which has been registered by the authority under this Part of this Act, or to any officer of such a society, requiring that society or officer to produce to the authority such books, accounts and other documents relating to the performance by the society of the function of making arrangements for the adoption of infants as the authority may consider necessary for the exercise of the powers conferred on the authority by subsection (5) of section twenty-three of this Act.

Inspection of books, etc., of registered adoption societies.

PART II
—cont.

(2) Any such notice may contain a requirement that any information to be furnished in accordance with the notice shall be verified by statutory declaration.

(3) Any person who fails to comply with the requirements of a notice under this section shall be liable on summary conviction to imprisonment for a term not exceeding three months or to a fine not exceeding fifty pounds or to both.

**Arrangements
by adoption
societies for
adoption.**

27.—(1) It shall not be lawful for a registered adoption society by whom arrangements are made for the adoption of an infant—

- (a) to place the infant in the care and possession of a person resident in Great Britain who proposes to adopt him, whether in pursuance of an adoption order or otherwise, if an adoption order in respect of the infant could not lawfully be made in favour of that person ;
- (b) to place the infant in the care and possession of a person resident abroad, unless a licence has been granted in respect of the infant under section forty of this Act.

(2) At any time within three months from the date on which an infant is delivered into the care and possession of a person resident in Great Britain in pursuance of arrangements made by a registered adoption society for the adoption of the infant by that person—

- (a) that person may give notice in writing to the society of his intention not to adopt the infant ; or
- (b) the society may cause notice in writing to be given to that person of their intention not to allow the infant to remain in his care and possession.

(3) If at the expiration of the period of three months mentioned in subsection (2) of this section no such notice as is mentioned in that subsection has been given, the person into whose care and possession the infant was delivered shall, within six months after the expiration of that period, either—

- (a) apply to the court for an adoption order in respect of the infant ; or
- (b) give notice in writing to the society of his intention not to apply for such an order.

(4) Where any notice is given to a registered adoption society by any person, or by such a society to any person, under subsection (2) or subsection (3) of this section or where an application for an adoption order made by any person pur-

suant to the said subsection (3) is refused by the court, that person shall, within seven days after the date on which the notice was given or the application refused, as the case may be, cause the infant to be returned to the society, and the society shall receive the infant accordingly :

PART II
—cont.

Provided that it shall be sufficient compliance with the requirements of this subsection if the infant is delivered by the said person to, and is received by, a suitable person nominated for the purpose by the society.

(5) Any person who contravenes the provisions of this section shall be liable on summary conviction to imprisonment for a term not exceeding six months or to a fine not exceeding fifty pounds or to both ; and the court by which the offender is convicted may order any infant in respect of whom the offence is committed to be returned to his parents or guardian or to the registered adoption society.

PART III

SUPERVISION BY WELFARE AUTHORITIES

28.—(1) Subject to the provisions of the next following section, this Part of this Act shall have effect where— Application of Part III.

- (a) arrangements are made for the placing of an infant who is below the upper limit of the compulsory school age in the care and possession of a person who is resident in Great Britain and is not the parent or guardian or a relative of the infant ; and
- (b) any person, not being the parent or guardian of the infant or the person in whose care and possession he is to be placed, participates in the making of the arrangements.

(2) For the purposes of this Part of this Act, a person shall be deemed to participate in the making of arrangements for the placing of an infant in the care and possession of another person—

- (a) if he enters into or makes any agreement or arrangement for, or for facilitating, the placing of the infant in the care and possession of that other person ; or
- (b) if he initiates or takes part in any negotiations of which the purpose or effect is the conclusion of any agreement or the making of any arrangements therefor,

or if he causes another to do so.

O*

PART III
—*cont.*

(3) Notwithstanding anything in the next following section, this Part of this Act (except section thirty-one) shall have effect where notice of intention to apply for an adoption order in respect of an infant who is below the upper limit of the compulsory school age is given pursuant to subsection (6) of section two of this Act.

(4) The person in whose care and possession an infant is or is to be placed in pursuance of such arrangements as aforesaid, or by whom such a notice as aforesaid is given in respect of an infant, is in this Part of this Act referred to as the custodian of the infant.

**Exemptions
from Part III.**

29.—(1) This Part of this Act shall not have effect by virtue of subsection (1) of the last foregoing section where the person participating in the arrangements is a registered adoption society or a local authority, and shall not have effect as aforesaid in relation to any arrangements in which the Minister of Pensions participates or in relation to arrangements for the boarding out of a child within the meaning of the Children Act, 1948, by a voluntary organisation within the meaning of that Act.

(2) This Part of this Act shall not have effect by virtue of subsection (1) of the last foregoing section where possession of an infant is or is proposed to be taken—

- (a) by any person for a temporary purpose only ; or
- (b) by a registered adoption society ; or
- (c) by a person who has undertaken the nursing and maintenance of the infant under Part VII of the Public Health Act, 1936, Part XIII of the Public Health (London) Act, 1936, or Part I of the Children and Young Persons (Scotland) Act, 1937, or a person who undertakes the nursing and maintenance of children boarded out by a local authority under Part II of the Children Act, 1948 ; or
- (d) by a school, hospital, convalescent home, voluntary home within the meaning of the Children and Young Persons Act, 1933, or the Children and Young Persons (Scotland) Act, 1937, or other similar institution ; or
- (e) by an institution, house or home certified or approved by the Minister of Health under the Mental Deficiency Acts, 1913 to 1938, or by the General Board of Control for Scotland under the Mental Deficiency and Lunacy (Scotland) Act, 1913, being an institution, house or home in which no children below the upper limit of the compulsory school age who are not mental defectives within the meaning of those Acts are received.

(3) This Part of this Act shall not have effect by virtue of subsection (1) of the last foregoing section in relation to an infant who is a mental defective under care elsewhere than in a certified institution, certified house or approved home—

PART III
—cont.

- (a) if he is so under care with the consent of the Board of Control under the Mental Deficiency Acts, 1913 to 1938, or with the consent of the General Board of Control for Scotland under the Mental Deficiency and Lunacy (Scotland) Act, 1913 ; or
- (b) if notice in respect of him has been given to the Board of Control in accordance with subsection (2) of section fifty-one of the Mental Deficiency Act, 1913, or to the General Board of Control for Scotland in accordance with Regulation one hundred and forty-eight of the Mental Deficiency and Lunacy (Scotland) Act (General Board's) Regulations, 1914.

(4) This Part of this Act shall not have effect by virtue of subsection (1) of the last foregoing section in relation to a child within the meaning of the Children Act, 1948, on whom a requirement as to residence is imposed by a supervision order or probation order.

30. Where this Part of this Act has taken effect in relation to an infant, it shall cease to have effect—

Duration of application of Part III.

- (a) if an adoption order or an interim order is made in respect of him, upon the making of that order ;
- (b) if no such order has been made, on the date on which he attains the age of eighteen or ceases to live apart from his parents with the person with whom he was living when he ceased to be of compulsory school age, whichever first occurs.

31.—(1) Not less than seven days before possession is taken of an infant pursuant to any arrangements by virtue of which this Part of this Act has effect in relation to the infant, any person who participates in the arrangements, not being the parent or guardian of the infant or the custodian of the infant, shall give notice in writing of the arrangements to the welfare authority for the area in which the custodian resides.

Notification of taking possession of infant.

(2) The notice required by this section shall state the name and sex of the infant, the date and place of the infant's birth, and the name and address of the custodian of the infant.

32.—(1) Where the custodian of an infant in relation to whom this Part of this Act has effect changes his residence while the infant is in his care and possession, he shall give to the welfare authority notice of the change at least seven days before doing so.

Notification of change of residence, etc.

PART III
—cont.

(2) Where the residence to which the custodian of the infant moves is situated in the area of another welfare authority, he shall, at least seven days before moving there, give to that welfare authority the like notice as is required by the last foregoing section.

(3) Where an immediate change of residence is necessitated by any emergency, the foregoing provisions of this section shall be deemed to have been complied with if any notice required thereunder is given at any time within forty-eight hours after the change of residence.

(4) If an infant in relation to whom this Part of this Act has effect dies while in the care and possession of his custodian—

(a) the custodian shall, within twenty-four hours of the death, give notice in writing of the death to the welfare authority and to the coroner of the district in which the body of the infant lies ; and

(b) the coroner shall hold an inquest thereon unless there is produced to him a certificate of a registered medical practitioner certifying that that practitioner has personally attended the infant during his last illness and certifying also the cause of death, and the coroner is satisfied that there is no ground for holding an inquest.

(5) In the application of subsection (4) of this section to Scotland, for references to the coroner and to an inquest there shall be substituted references to the procurator-fiscal and to an inquiry by him into the cause of death.

Summary orders for removal of infants subject to Part III.

33.—(1) If an infant in relation to whom this Part of this Act has effect—

(a) is about to be received or is being kept by any person in any premises which are overcrowded, insanitary or dangerous, or in an environment which is detrimental to the infant ; or

(b) is in the care and possession of a custodian who, by reason of old age, infirmity, ill-health, ignorance, negligence, inebriety, immorality or criminal conduct, or for any other reason, is unfit to have care of the infant, a court of summary jurisdiction may, on the application of the welfare authority, make an order for the removal of the infant to a place of safety until he can be restored to his parents or guardian or until other arrangements can be made for him.

(2) Upon proof that there is imminent danger to the health or well-being of the infant concerned, a justice of the peace (acting, if he deems it necessary, *ex parte*) may exercise the like power on the application of a child protection visitor.

(3) An order made under this section may be enforced by a child protection visitor ; and any person who refuses to comply

with such an order upon its being produced, or who obstructs any such visitor in the enforcement of the order, shall be guilty of an offence.

PART III
—cont.

(4) Any jurisdiction conferred on a justice of the peace by this section shall in Scotland be exercisable also by the sheriff.

34.—(1) It shall be the duty of child protection visitors of welfare authorities to visit and examine infants in relation to whom this Part of this Act has effect who are in the care and possession of custodians residing in the areas of those authorities, and the premises in which those infants are being kept.

(2) If any such visitor is refused admission to any premises in which he has reason to believe that an infant in relation to whom this Part of this Act has effect is being kept, he may apply to a justice of the peace; and the justice, if satisfied on sworn information in writing that admission has been refused and that there is reasonable ground for believing that such an infant is being kept on the premises, may grant a warrant authorising the visitor to enter the premises.

(3) Any person who refuses to allow a child protection visitor to make a visit or examination in accordance with subsection (1) of this section, or who obstructs any such visitor acting in pursuance of a warrant granted under subsection (2) of this section, shall be guilty of an offence.

(4) Any jurisdiction conferred on a justice of the peace by this section shall in Scotland be exercisable also by the sheriff.

35. Any person who fails to comply with any of the requirements of this Part of this Act, or who commits any other offence thereunder, shall be liable on summary conviction to imprisonment for a term not exceeding six months or to a fine not exceeding fifty pounds or to both; and the court may order any infant in respect of whom the offence was committed to be removed to a place of safety until he can be restored to his parents or guardian or until other arrangements can be made for him.

36. In the administrative county of London, the functions conferred by this Part of this Act on welfare authorities and on child protection visitors shall be performed respectively by the London County Council and by such persons as may be appointed by that Council to perform the functions of child protection visitors for the purposes of this Part of this Act.

PART IV

MISCELLANEOUS AND GENERAL

37.—(1) It shall not be lawful for an adopter, or for a parent or guardian of an infant, to receive, except with the sanction of the court, any payment or other reward in consideration of the adoption of the infant under this Act, or for any person to make or give or agree to make or give to an adopter, parent or

Prohibition
of certain
payments.

PART IV
—*cont.*

guardian any payment or reward the receipt of which is prohibited by this subsection.

(2) Any person who, in connection with arrangements by virtue of which Part III of this Act has effect in relation to an infant, gives or receives, or agrees to give or receive, any remuneration or reward whatsoever shall be guilty of an offence under Part III of this Act.

(3) Subject to the provisions of the next following subsection, any person (not being a local authority) who makes arrangements for the adoption of an infant and receives or makes, or agrees to receive or make, any payment or reward whatsoever in connection with the making of the arrangements shall be liable on summary conviction to imprisonment for a term not exceeding six months or to a fine not exceeding two hundred pounds or to both.

(4) The provisions of subsection (3) of this section shall not apply—

- (a) to any payments the making or receipt of which is sanctioned by the court to which an application for an adoption order in respect of an infant is made ;
- (b) to any payments the making or receipt of which is authorised by a licensing authority under subsection (3) of section forty of this Act ;
- (c) to any payments made by or on behalf of a registered adoption society in respect of the maintenance of an infant who has been placed at the disposition of the society ;
- (d) to any payments made to a registered adoption society by the parent or guardian of an infant or by any other person in respect of the maintenance of the infant so long as the infant is not in the care and possession of a person who has adopted or proposes to adopt him, whether under an adoption order or otherwise, being payments made weekly and at a rate not exceeding such rate as may be prescribed.

Restriction
upon
advertisements.

38.—(1) It shall not be lawful for any advertisement to be published indicating—

- (a) that the parent or guardian of an infant desires to cause the infant to be adopted ; or
- (b) that a person desires to adopt an infant ; or
- (c) that any person (not being a registered adoption society or a local authority) is willing to make arrangements for the adoption of an infant.

(2) Any person who causes to be published or knowingly publishes an advertisement in contravention of the provisions of this section shall be liable on summary conviction to a fine not exceeding fifty pounds.

39.—(1) It shall not be lawful for any person, in connection with any arrangements made for the adoption of an infant who is a British subject, to permit, or to cause or procure, the care and possession of the infant to be transferred to a person who is not a British subject or the guardian or a relative of the infant and who is resident abroad.

PART IV
—cont.

Restriction
on sending
infants abroad
for adoption.

(2) It shall not be lawful for any person, in connection with any such arrangements as aforesaid, to permit, or to cause or procure, the care and possession of such an infant as aforesaid to be transferred to a person who is a British subject resident abroad and who is not the guardian or a relative of the infant, unless a licence has been granted in respect of the infant under the next following section.

(3) Any person who contravenes the provisions of this section shall be liable on summary conviction to imprisonment for a term not exceeding six months or to a fine not exceeding fifty pounds or to both.

(4) In any proceedings under this section, a report by a British consular officer or a deposition made before a British consular officer and authenticated under the signature of that officer shall, upon proof that the officer or deponent cannot be found in the United Kingdom, be admissible in evidence, and it shall not be necessary to prove the signature or official character of the person who appears to have signed any such report or deposition.

40.—(1) A licensing authority within the meaning of this section may grant a licence in the prescribed form, and subject to such conditions and restrictions as the licensing authority thinks fit, authorising the care and possession of an infant for whose adoption arrangements have been made to be transferred to a British subject resident abroad ; but subject to the provisions of this section no such licence shall be granted unless the authority—

Licence to send
infant abroad
for adoption.

- (a) is satisfied that the application is made by or with the consent of every person or body who is a parent or guardian of the infant in question, or who has the actual custody of the infant, or who is liable to contribute to the support of the infant ; and
- (b) is satisfied by a report of a British consular officer or any other person who appears to the authority to be trustworthy that the person to whom the care and possession of the infant is proposed to be transferred is a suitable person to be entrusted therewith, and that the transfer is likely to be for the welfare of the infant, due consideration being for this purpose given to the wishes of the infant, having regard to the age and understanding of the infant.

PART IV
—cont.

(2) The licensing authority may dispense with any consent required by paragraph (a) of the foregoing subsection if satisfied that the person whose consent is to be dispensed with has abandoned or deserted the infant or cannot be found or is incapable of giving such consent or, being a person liable to contribute to the support of the infant, either has persistently neglected or refused to contribute to such support or is a person whose consent ought, in the opinion of the authority and in all the circumstances of the case, to be dispensed with.

(3) Where a licensing authority grants a licence under this section, the authority may authorise the making or receipt by any person of any payments in consideration of the transfer of the care and possession of the infant in respect of whom the licence is granted.

(4) The Lord Chancellor may make rules with respect to the application for and grant of licences under this section in England; and provision may be made by act of sederunt in respect to the like matters in Scotland.

(5) In any proceedings under this section, a report by a British consular officer or a deposition made before a British consular officer and authenticated under the signature of that officer shall, upon proof that the officer or deponent cannot be found in the United Kingdom, be admissible in evidence, and it shall not be necessary to prove the signature or official character of the person who appears to have signed any such report or deposition.

(6) For the purposes of this section, the licensing authorities in England shall be—

- (a) the chief magistrate of the metropolitan police courts;
or
- (b) any magistrate of the metropolitan police court in Bow Street; or
- (c) any magistrate of the metropolitan police courts appointed by the Secretary of State to exercise jurisdiction under this section,

and the powers conferred by this section on a licensing authority shall in every case be exercisable by any such magistrate as aforesaid.

(7) For the purposes of this section, the licensing authority in Scotland shall be the sheriff within whose jurisdiction the infant in respect of whom the application for a licence is made resides.

Offences under
Parts II, III
and IV.

41.—(1) Where any offence under Part II, Part III or Part IV of this Act committed by a body corporate is proved to have been committed with the consent or connivance of, or to be

attributable to any neglect on the part of, any director, manager, member of the committee, secretary or other officer of the body, he, as well as the body, shall be deemed to be guilty of that offence and shall be liable to be proceeded against and punished accordingly.

PART IV
—cont.

(2) Proceedings for an offence under Part II, Part III or Part IV of this Act may, in England, be taken by a local authority.

42. Any notice under this Act may be served by post.

Service of
notices.

43.—(1) Every local authority within the meaning of this Act have power, in connection with their functions under any enactment relating to children, to make and participate in arrangements for the adoption of children.

Functions of
local
authorities.

(2) Where any such local authority have established a children's committee, subsections (2) and (3) of section thirty-nine of the Children Act, 1948 (which provide for the discharge by local authorities of certain of their functions through children's committees), shall apply in relation to any exercise of the power mentioned in the last foregoing subsection as they apply in relation to the discharge of the functions specified in subsection (1) of the said section thirty-nine.

44.—(1) Any power to make rules or regulations conferred by this Act on the Lord Chancellor or the Secretary of State or the Court of Session shall be exercisable by statutory instrument.

Rules and
regulations.

(2) The Statutory Instruments Act, 1946, shall apply to a statutory instrument containing an act of sederunt made for the purposes of this Act as if the act of sederunt had been made by a Minister of the Crown.

45.—(1) In this Act, unless the context otherwise requires, the following expressions have the meanings hereby respectively assigned to them, that is to say—

Interpretation.

“abroad” means outside Great Britain ;

“adoption order” has the meaning assigned to it by section one of this Act ;

“adoption society” means a body of persons whose functions consist of or include the making of arrangements for the adoption of children ;

“body of persons” means any body of persons, whether incorporated or unincorporated ;

“charitable association” means a body of persons which exists only for the purpose of promoting a charitable, benevolent or philanthropic object, whether or not the object is charitable within the meaning of any rule of

PART IV
—cont.

law, and which applies the whole of its profits (if any) or other income in promoting the object for which it exists ;

“ child protection visitor ” means a person appointed by a welfare authority to be a child protection visitor for the purposes of section two hundred and nine of the Public Health Act, 1936, or section two of the Children and Young Persons (Scotland) Act, 1937, and includes any person appointed under those sections to exercise the powers of a child protection visitor ;

“ compulsory school age ” in relation to England has the same meaning as in the Education Act, 1944, and in relation to Scotland means school age as defined in the Education (Scotland) Act, 1946 ;

“ court ” means a court having jurisdiction to make adoption orders under this Act ;

“ custodian ” has the meaning assigned to it by subsection (4) of section twenty-eight of this Act ;

“ England ” includes Wales ;

“ father ”, in relation to an illegitimate infant, means the natural father ;

“ guardian ”, in relation to an infant, means a person appointed by deed or will in accordance with the provisions of the Guardianship of Infants Acts, 1886 and 1925, or by a court of competent jurisdiction to be the guardian of the infant ;

“ infant ” means a person under twenty-one years of age, but does not include a person who is or has been married ;

“ interim order ” means an order under section six of this Act ;

“ local authority ” means in England the council of a county or county borough, and in Scotland the council of a county or a large burgh within the meaning of the Local Government (Scotland) Act, 1947 ; and for the purposes of this Act any small burgh within the meaning of that Act shall be included in the county in which it is situated ;

“ place of safety ” in England has the same meaning as in Part VII of the Public Health Act, 1936, and in Scotland has the same meaning as in the Children and Young Persons (Scotland) Act, 1937 ;

“ prescribed ”, in Part I of this Act, means prescribed by rules or an act of sederunt under section eight or section nine of this Act, and except in Part I of this Act, means prescribed by regulations made by the Secretary of State ;

“registered adoption society” means an adoption society registered under Part II of this Act ;

“Registrar General for Scotland” means the Registrar General of Births, Deaths and Marriages in Scotland ;

“relative”, in relation to an infant, means a grandparent, brother, sister, uncle or aunt, whether of the full blood, of the half-blood or by affinity, and includes—

(a) where an adoption order has been made in respect of the infant or any other person under this Act or under the Adoption of Children Act, 1926, the Adoption of Children (Scotland) Act, 1930, or the Adoption of Children Act (Northern Ireland), 1929, or any enactment of the Parliament of Northern Ireland for the time being in force, any person who would be a relative of the infant within the meaning of this definition if the adopted person were the child of the adopter born in lawful wedlock ;

(b) where the infant is illegitimate, the father of the infant and any person who would be a relative of the infant within the meaning of this definition if the infant were the legitimate child of his mother and father ;

“welfare authority” means in England a welfare authority for the purposes of the provisions relating to child life protection of Part VII of the Public Health Act, 1936, and in Scotland a local authority for the purposes of Part I of the Children and Young Persons (Scotland) Act, 1937.

(2) For the purposes of this Act, a person shall be deemed to make arrangements for the adoption of an infant if, not being a parent or guardian of the infant, he enters into or makes any agreement or arrangement for, or for facilitating, the adoption of the infant by any other person, whether the adoption is effected, or is intended to be effected, in pursuance of an adoption order or otherwise, or if he initiates or takes part in any negotiations of which the purpose or effect is the conclusion of any agreement or the making of any arrangement therefor, or if he causes another to do so.

(3) This Act shall apply to citizens of the Republic of Ireland as it applies to British subjects, and references in this Act to British subjects shall be construed accordingly.

(4) Any reference in this Act to any other enactment shall be construed as a reference to that enactment as amended by any subsequent enactment.

PART IV
—*cont.*
Repeals and
transitional
provisions.

46.—(1) The enactments mentioned in the first and second columns of the Fourth Schedule to this Act are hereby repealed to the extent specified in the third column of that Schedule.

(2) Without prejudice to the application of section thirty-eight of the Interpretation Act, 1889 (which relates to the effect of repeals), the provisions of the Fifth Schedule to this Act shall have effect in relation to the enactments repealed by this section.

(3) Any reference in any enactment to an adopted child within the meaning of the Adoption of Children Act, 1926, or the Adoption of Children (Scotland) Act, 1930, or to an adopter within the meaning of those Acts, shall be construed as including a reference to an infant adopted under this Act, or to the person by whom an infant is so adopted, as the case may be.

Short title,
extent and
commence-
ment.

47.—(1) This Act may be cited as the Adoption Act, 1950.

(2) This Act (except section sixteen, and except section forty-six so far as it relates to section eight of the Adoption of Children Act, 1949) shall not extend to Northern Ireland.

(3) This Act shall come into force on the first day of October, nineteen hundred and fifty.

SCHEDULES

FIRST SCHEDULE

Section 18.

FORM OF ENTRY IN ADOPTED CHILDREN REGISTER IN ENGLAND

1	2	3	4	5	6	7	8
No. of entry	Date and country of birth of child	Name and surname of child	Sex of child	Name and surname, address and occupation of adopter or adopters	Date of adoption order and description of court by which made	Date of entry	Signature of officer deputed by Registrar General to attest the entry

SECOND SCHEDULE

FORM OF ENTRY IN ADOPTED CHILDREN REGISTER
IN SCOTLAND

Section 20.

1	2	3	4	5	6	
No. of Entry	Name and surname of adopted child	Date and country of birth	Sex	Name and surname, occupation and address of adopter or adopters	Date of adoption order and description of court by which made	Date of registration and signature of Registrar General

THIRD SCHEDULE

PURPOSES FOR WHICH ADOPTION SOCIETIES
REGULATIONS MAY BE MADE

Section 25.

1. For regulating the conduct of negotiations entered into by or on behalf of registered adoption societies with persons who, having the care and possession of infants, are desirous of causing the infants to be adopted, and in particular for securing—

- (a) that, where the parent or guardian of an infant proposes to place the infant at the disposition of the society with a view to the infant being adopted, he shall be furnished with a memorandum in the prescribed form explaining, in ordinary language, the effect, in relation to his rights as a parent or guardian, of the making of an adoption order in respect of the infant, and calling attention to the provisions of this Act and of any rules made thereunder relating to the consent of a parent or guardian to the making of such an order, and to the provisions of this Act relating to the transfer of the care and possession of infants to persons resident abroad; and
- (b) that, before so placing the infant at the disposition of the society, the parent or guardian shall sign a document in the prescribed form certifying that he has read and understood the said memorandum.

2. For requiring that the case of every infant proposed to be delivered by or on behalf of a registered adoption society into the care and possession of a person proposing to adopt him shall be considered by a committee (to be called a "case committee") appointed by the society for the purpose and consisting of not less than three persons.

3. For prescribing, in the case of every such infant as aforesaid, the inquiries which must be made and the reports which must be obtained by the society in relation to the infant and the person proposing to adopt him for the purpose of ensuring, so far as may be, the suitability of the infant and the person proposing to adopt him respectively, and, in particular, for requiring that a report on the health of the infant signed by a duly qualified medical practitioner must be obtained by the society.

4. For securing that no such infant shall be delivered into the care and possession of a person proposing to adopt him by or on behalf of the society until that person has been interviewed by the case committee or by some person on their behalf, until a representative of the committee has inspected any premises in Great Britain in which the person proposing to adopt the infant intends that the infant should reside permanently, and until the committee have considered the prescribed reports.

5. For requiring a registered adoption society to furnish to the registration authority by whom the society was registered the prescribed accounts and the prescribed information relating to the activities of the society.

6. For making provision for the care and supervision of infants who have been placed by their parents or guardians at the disposition of adoption societies.

FOURTH SCHEDULE

ENACTMENTS REPEALED

Section 46.

Session and Chapter	Short title	Extent of Repeal
16 & 17 Geo. 5. c. 29.	The Adoption of Children Act, 1926.	The whole Act except subsections (3) and (4) of section five and section ten.
20 & 21 Geo. 5. c. 37.	The Adoption of Children (Scotland) Act, 1930.	The whole Act except subsections (4) and (5) of section five and section ten.
1 Edw. 8. & 1 Geo. 6. c. 37.	The Children and Young Persons (Scotland) Act, 1937.	Subsection (3) of section fifty.
2 & 3 Geo. 6. c. 27.	The Adoption of Children (Regulation) Act, 1939.	The whole Act.
3 & 4 Geo. 6. c. 2.	The Postponement of Enactments (Miscellaneous Provisions) Act, 1939.	Section two.
9 & 10 Geo. 6. c. 81.	The National Health Service Act, 1946.	So much of the Tenth Schedule as amends the Adoption of Children (Regulation) Act, 1939.
11 & 12 Geo. 6. c. 39.	The Industrial Assurance and Friendly Societies Act, 1948.	Subsection (3) of section twenty-three.
11 & 12 Geo. 6. c. 43.	The Children Act, 1948.	Sections thirty-five and thirty-six so far as they relate to section seven of the Adoption of Children (Regulation) Act, 1939; subsection (4) of section thirty-seven; and so much of the Third Schedule as amends the Adoption of Children (Regulation) Act, 1939.
12, 13 & 14 Geo. 6. c. 98.	The Adoption of Children Act, 1949.	The whole Act except section thirteen; and in subsection (2) of section thirteen the words "subsection (2) of section sixteen of the Act of 1939".
12, 13 & 14 Geo. 6. c. 100.	The Law Reform (Miscellaneous Provisions) Act, 1949.	Subsection (3) of section seven.

FIFTH SCHEDULE

TRANSITIONAL PROVISIONS

Section 46.

1. Subsection (3) of section ten of this Act shall apply in relation to an adoption order made under the Adoption of Children Act, 1926, or the Adoption of Children (Scotland) Act, 1930, or made before the commencement of this Act under the Adoption of Children Act (Northern Ireland), 1929, as if it were an adoption order within the meaning of that subsection:

Provided that nothing in this paragraph shall invalidate a marriage solemnised before the first day of January, nineteen hundred and fifty.

2. Section eleven of this Act shall apply in relation to an adoption order made under the Adoption of Children Act, 1926, or the Adoption of Children (Scotland) Act, 1930, as if it were an adoption order within the meaning of this Act.

3. So much of subsection (2) of section twelve of this Act as provides for the cesser of an affiliation order, decree or agreement upon the marriage of a woman who has adopted an infant under an adoption order shall apply in relation to an adoption order made after the thirty-first day of December, nineteen hundred and forty-nine, under the Adoption of Children Act, 1926, or the Adoption of Children (Scotland) Act, 1930, or made after that date and before the commencement of this Act under the Adoption of Children Act (Northern Ireland), 1929, as if it were an adoption order within the meaning of that section.

4. Sections thirteen to fifteen of this Act shall apply in relation to an adoption order made under the Adoption of Children Act, 1926, or the Adoption of Children (Scotland) Act, 1930, or made before the commencement of this Act under the Adoption of Children Act (Northern Ireland), 1929, as if it were an adoption order within the meaning of those sections respectively:

Provided that nothing in section thirteen of this Act shall affect the devolution of any property on the intestacy of a person who died before the first day of January, nineteen hundred and fifty, or any disposition made before that date.

5. Section sixteen of this Act shall apply to any person who, immediately before the commencement of this Act, was a citizen of the United Kingdom and Colonies by virtue of section eight of the Adoption of Children Act, 1949, as it applies to persons who become such citizens by virtue of an adoption order within the meaning of the said section sixteen.

6. Any register kept under any enactment repealed by this Act, and any index to such a register, shall be deemed to be part of the register or index kept under the corresponding enactment of this Act.

7. The provisions of this Act shall have effect in relation to an adoption society registered under the Adoption of Children (Regulation) Act, 1939, as if it were registered under Part II of this Act.

8. Part III of this Act shall, subject to the provisions thereof, have effect in relation to any infant in relation to whom section seven of the Adoption of Children (Regulation) Act, 1939, had effect immediately before the commencement of this Act.

5TH SCH.
—cont.

9. Any order made under subsection (6) of section seven of the Adoption of Children (Regulation) Act, 1939, shall have effect and may be enforced as if it were an order made under subsection (1) of section thirty-three of this Act.

10. Subsection (1) of section thirty-seven of this Act shall apply in relation to the adoption of an infant under the Adoption of Children Act, 1926, or the Adoption of Children (Scotland) Act, 1930, as it applies in relation to the adoption of an infant under this Act.

11. Any rules, regulations or act of sederunt made under any enactment repealed by this Act shall continue in force and have effect as if made under the corresponding enactment of this Act.

12. Any reference in any enactment or document, whether express or implied, to any enactment repealed by this Act shall be construed as a reference to the corresponding enactment of this Act.

13. Any proceedings pending at the commencement of this Act under any enactment repealed by this Act may be continued under the corresponding enactment of this Act.

Table of Statutes referred to in this Act

Short Title	Session and Chapter
Summary Jurisdiction Act, 1879	42 & 43 Vict. c. 49.
Interpretation Act, 1889	52 & 53 Vict. c. 63.
Mental Deficiency Act, 1913	3 & 4 Geo. 5. c. 28.
Mental Deficiency and Lunacy (Scotland) Act, 1913	3 & 4 Geo. 5. c. 38.
Administration of Estates Act, 1925	15 & 16 Geo. 5. c. 23.
Adoption of Children Act, 1926	16 & 17 Geo. 5. c. 29.
Adoption of Children (Scotland) Act, 1930	20 & 21 Geo. 5. c. 37.
Children and Young Persons Act, 1933	23 Geo. 5. c. 12.
Public Health Act, 1936	26 Geo. 5. & 1 Edw. 8. c. 49.
Public Health (London) Act, 1936	26 Geo. 5. & 1 Edw. 8. c. 50.
Children and Young Persons (Scotland) Act, 1937	1 Edw. 8. & 1 Geo. 6. c. 37.
Adoption of Children (Regulation) Act, 1939	2 & 3 Geo. 6. c. 27.
Postponement of Enactments (Miscellaneous Provisions) Act, 1939	3 & 4 Geo. 6. c. 2.
Education Act, 1944	7 & 8 Geo. 6. c. 31.
Statutory Instruments Act, 1946	9 & 10 Geo. 6. c. 36.
Education (Scotland) Act, 1946	9 & 10 Geo. 6. c. 72.
National Health Service Act, 1946	9 & 10 Geo. 6. c. 81.
Local Government (Scotland) Act, 1947... ..	10 & 11 Geo. 6. c. 43.
Industrial Assurance and Friendly Societies Act, 1948	11 & 12 Geo. 6. c. 39.
Children Act, 1948	11 & 12 Geo. 6. c. 43.
Adoption of Children Act, 1949	12, 13 & 14 Geo. 6. c. 98.
Law Reform (Miscellaneous Provisions) Act, 1949	12, 13 & 14 Geo. 6. c. 100.

CHAPTER 27

Arbitration Act, 1950

ARRANGEMENT OF SECTIONS

PART I

GENERAL PROVISIONS AS TO ARBITRATION

Effect of Arbitration Agreements, &c.

Section

1. Authority of arbitrators and umpires to be irrevocable.
2. Death of party.
3. Bankruptcy.
4. Staying court proceedings where there is submission to arbitration.
5. Reference of interpleader issues to arbitration.

Arbitrators and Umpires

6. When reference is to a single arbitrator.
7. Power of parties in certain cases to supply vacancy.
8. Umpires.
9. Agreements for reference to three arbitrators.
10. Power of court in certain cases to appoint an arbitrator or umpire.
11. Reference to official referee.

Conduct of Proceedings, Witnesses, &c.

12. Conduct of proceedings, witnesses, &c.

Provisions as to Awards

13. Time for making award.
14. Interim awards.
15. Specific performance.
16. Awards to be final.
17. Power to correct slips.

Costs, Fees and Interest

18. Costs.
19. Taxation of arbitrator's or umpire's fees.
20. Interest on awards.

Special Cases, Remission and Setting aside of Awards, &c.

21. Statement of case.
22. Power to remit award.
23. Removal of arbitrator and setting aside of award.
24. Power of court to give relief where arbitrator is not impartial or the dispute involves question of fraud.
25. Power of court where arbitrator is removed or authority of arbitrator is revoked.

Enforcement of Award

26. Enforcement of award.

Miscellaneous

27. Power of court to extend time for commencing arbitration proceedings.
28. Terms as to costs, &c.
29. Extension of s. 496 of the Merchant Shipping Act, 1894.
30. Crown to be bound.
31. Application of Part I to statutory arbitrations.
32. Meaning of "arbitration agreement".
33. Operation of Part I.
34. Extent of Part I.

PART II

ENFORCEMENT OF CERTAIN FOREIGN AWARDS

Section

35. Awards to which Part II applies.
36. Effect of foreign awards.
37. Conditions for enforcement of foreign awards.
38. Evidence.
39. Meaning of "final award".
40. Saving for other rights, &c.
41. Application of Part II to Scotland.
42. Application of Part II to Northern Ireland.
43. Saving for pending proceedings.

PART III

GENERAL

44. Short title, commencement and repeal.

SCHEDULES :

First Schedule.—Protocol on Arbitration Clauses signed on behalf of His Majesty at a Meeting of the Assembly of the League of Nations held on the twenty-fourth day of September, nineteen hundred and twenty-three.

Second Schedule.—Convention on the Execution of Foreign Arbitral Awards signed at Geneva on behalf of His Majesty on the twenty-sixth day of September, nineteen hundred and twenty-seven.

An Act to consolidate the Arbitration Acts, 1889 to 1934.
[28th July 1950.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

PART I

GENERAL PROVISIONS AS TO ARBITRATION

Effect of Arbitration Agreements, &c.

Authority of arbitrators and umpires to be irrevocable.

1. The authority of an arbitrator or umpire appointed by or by virtue of an arbitration agreement shall, unless a contrary intention is expressed in the agreement, be irrevocable except by leave of the High Court or a judge thereof.

Death of party.

2.—(1) An arbitration agreement shall not be discharged by the death of any party thereto, either as respects the deceased or any other party, but shall in such an event be enforceable by or against the personal representative of the deceased.

(2) The authority of an arbitrator shall not be revoked by the death of any party by whom he was appointed.

(3) Nothing in this section shall be taken to affect the operation of any enactment or rule of law by virtue of which any right of action is extinguished by the death of a person.

3.—(1) Where it is provided by a term in a contract to which a bankrupt is a party that any differences arising thereout or in connection therewith shall be referred to arbitration, the said term shall, if the trustee in bankruptcy adopts the contract, be enforceable by or against him so far as relates to any such differences.

PART I
—cont.
Bankruptcy.

(2) Where a person who has been adjudged bankrupt had, before the commencement of the bankruptcy, become a party to an arbitration agreement, and any matter to which the agreement applies requires to be determined in connection with or for the purposes of the bankruptcy proceedings, then, if the case is one to which subsection (1) of this section does not apply, any other party to the agreement or, with the consent of the committee of inspection, the trustee in bankruptcy, may apply to the court having jurisdiction in the bankruptcy proceedings for an order directing that the matter in question shall be referred to arbitration in accordance with the agreement, and that court may, if it is of opinion that, having regard to all the circumstances of the case, the matter ought to be determined by arbitration, make an order accordingly.

4.—(1) If any party to an arbitration agreement, or any person claiming through or under him, commences any legal proceedings in any court against any other party to the agreement, or any person claiming through or under him, in respect of any matter agreed to be referred, any party to those legal proceedings may at any time after appearance, and before delivering any pleadings or taking any other steps in the proceedings, apply to that court to stay the proceedings, and that court or a judge thereof, if satisfied that there is no sufficient reason why the matter should not be referred in accordance with the agreement, and that the applicant was, at the time when the proceedings were commenced, and still remains, ready and willing to do all things necessary to the proper conduct of the arbitration, may make an order staying the proceedings.

Staying court proceedings where there is submission to arbitration.

(2) Notwithstanding anything in this Part of this Act, if any party to a submission to arbitration made in pursuance of an agreement to which the protocol set out in the First Schedule to this Act applies, or any person claiming through or under him, commences any legal proceedings in any court against any other party to the submission, or any person claiming through or under him, in respect of any matter agreed to be referred, any party to those legal proceedings may at any time after appearance, and before delivering any pleadings or taking any other steps in the proceedings, apply to that court to stay the proceedings, and that court or a judge thereof, unless satisfied that the agreement or arbitration has become inoperative or cannot proceed or that there is not in fact any dispute between the parties with regard to the matter agreed to be referred, shall make an order staying the proceedings.

PART I
—*cont.*

Reference of
interpleader
issues to
arbitration.

5. Where relief by way of interpleader is granted and it appears to the High Court that the claims in question are matters to which an arbitration agreement, to which the claimants are parties, applies, the High Court may direct the issue between the claimants to be determined in accordance with the agreement.

Arbitrators and Umpires

When reference
is to a single
arbitrator.

6. Unless a contrary intention is expressed therein, every arbitration agreement shall, if no other mode of reference is provided, be deemed to include a provision that the reference shall be to a single arbitrator.

Power of
parties in
certain cases
to supply
vacancy.

7. Where an arbitration agreement provides that the reference shall be to two arbitrators, one to be appointed by each party, then, unless a contrary intention is expressed therein—

- (a) if either of the appointed arbitrators refuses to act, or is incapable of acting, or dies, the party who appointed him may appoint a new arbitrator in his place ;
- (b) if, on such a reference, one party fails to appoint an arbitrator, either originally, or by way of substitution as aforesaid, for seven clear days after the other party, having appointed his arbitrator, has served the party making default with notice to make the appointment, the party who has appointed an arbitrator may appoint that arbitrator to act as sole arbitrator in the reference and his award shall be binding on both parties as if he had been appointed by consent :

Provided that the High Court or a judge thereof may set aside any appointment made in pursuance of this section.

Umpires.

8.—(1) Unless a contrary intention is expressed therein, every arbitration agreement shall, where the reference is to two arbitrators, be deemed to include a provision that the two arbitrators shall appoint an umpire immediately after they are themselves appointed.

(2) Unless a contrary intention is expressed therein, every arbitration agreement shall, where such a provision is applicable to the reference, be deemed to include a provision that if the arbitrators have delivered to any party to the arbitration agreement, or to the umpire, a notice in writing stating that they cannot agree, the umpire may forthwith enter on the reference in lieu of the arbitrators.

(3) At any time after the appointment of an umpire, however appointed, the High Court may, on the application of any party to the reference and notwithstanding anything to the contrary in the arbitration agreement, order that the umpire shall enter upon the reference in lieu of the arbitrators and as if he were a sole arbitrator.

9.—(1) Where an arbitration agreement provides that the reference shall be to three arbitrators, one to be appointed by each party and the third to be appointed by the two appointed by the parties, the agreement shall have effect as if it provided for the appointment of an umpire, and not for the appointment of a third arbitrator, by the two arbitrators appointed by the parties.

PART I
—cont.
Agreements for reference to three arbitrators.

(2) Where an arbitration agreement provides that the reference shall be to three arbitrators to be appointed otherwise than as mentioned in subsection (1) of this section, the award of any two of the arbitrators shall be binding.

10. In any of the following cases—

Power of court in certain cases to appoint an arbitrator or umpire.

- (a) where an arbitration agreement provides that the reference shall be to a single arbitrator, and all the parties do not, after differences have arisen, concur in the appointment of an arbitrator ;
- (b) if an appointed arbitrator refuses to act, or is incapable of acting, or dies, and the arbitration agreement does not show that it was intended that the vacancy should not be supplied and the parties do not supply the vacancy ;
- (c) where the parties or two arbitrators are at liberty to appoint an umpire or third arbitrator and do not appoint him, or where two arbitrators are required to appoint an umpire and do not appoint him ;
- (d) where an appointed umpire or third arbitrator refuses to act, or is incapable of acting, or dies, and the arbitration agreement does not show that it was intended that the vacancy should not be supplied, and the parties or arbitrators do not supply the vacancy ;

any party may serve the other parties or the arbitrators, as the case may be, with a written notice to appoint or, as the case may be, concur in appointing, an arbitrator, umpire or third arbitrator, and if the appointment is not made within seven clear days after the service of the notice, the High Court or a judge thereof may, on application by the party who gave the notice, appoint an arbitrator, umpire or third arbitrator who shall have the like powers to act in the reference and make an award as if he had been appointed by consent of all parties.

11. Where an arbitration agreement provides that the reference shall be to an official referee, any official referee to whom application is made shall, subject to any order of the High Court or a judge thereof as to transfer or otherwise, hear and determine the matters agreed to be referred.

Reference to official referee.

Conduct of Proceedings, Witnesses, &c.

12.—(1) Unless a contrary intention is expressed therein, every arbitration agreement shall, where such a provision is applicable

Conduct of proceedings, witnesses, &c.

PART I
—cont.

to the reference, be deemed to contain a provision that the parties to the reference, and all persons claiming through them respectively, shall, subject to any legal objection, submit to be examined by the arbitrator or umpire, on oath or affirmation, in relation to the matters in dispute, and shall, subject as aforesaid, produce before the arbitrator or umpire all documents within their possession or power respectively which may be required or called for, and do all other things which during the proceedings on the reference the arbitrator or umpire may require.

(2) Unless a contrary intention is expressed therein, every arbitration agreement shall, where such a provision is applicable to the reference, be deemed to contain a provision that the witnesses on the reference shall, if the arbitrator or umpire thinks fit, be examined on oath or affirmation.

(3) An arbitrator or umpire shall, unless a contrary intention is expressed in the arbitration agreement, have power to administer oaths to, or take the affirmations of, the parties to and witnesses on a reference under the agreement.

(4) Any party to a reference under an arbitration agreement may sue out a writ of subpoena ad testificandum or a writ of subpoena duces tecum, but no person shall be compelled under any such writ to produce any document which he could not be compelled to produce on the trial of an action, and the High Court or a judge thereof may order that a writ of subpoena ad testificandum or of subpoena duces tecum shall issue to compel the attendance before an arbitrator or umpire of a witness wherever he may be within the United Kingdom.

(5) The High Court or a judge thereof may also order that a writ of habeas corpus ad testificandum shall issue to bring up a prisoner for examination before an arbitrator or umpire.

(6) The High Court shall have, for the purpose of and in relation to a reference, the same power of making orders in respect of—

- (a) security for costs ;
- (b) discovery of documents and interrogatories ;
- (c) the giving of evidence by affidavit ;
- (d) examination on oath of any witness before an officer of the High Court or any other person, and the issue of a commission or request for the examination of a witness out of the jurisdiction ;
- (e) the preservation, interim custody or sale of any goods which are the subject matter of the reference ;
- (f) securing the amount in dispute in the reference ;
- (g) the detention, preservation or inspection of any property or thing which is the subject of the reference or as to which any question may arise therein, and authorising for any of the purposes aforesaid any persons to enter

upon or into any land or building in the possession of any party to the reference, or authorising any samples to be taken or any observation to be made or experiment to be tried which may be necessary or expedient for the purpose of obtaining full information or evidence ; and

(h) interim injunctions or the appointment of a receiver ;

as it has for the purpose of and in relation to an action or matter in the High Court :

Provided that nothing in this subsection shall be taken to prejudice any power which may be vested in an arbitrator or umpire of making orders with respect to any of the matters aforesaid.

Provisions as to Awards

13.—(1) Subject to the provisions of subsection (2) of section twenty-two of this Act, and anything to the contrary in the arbitration agreement, an arbitrator or umpire shall have power to make an award at any time. Time for making award.

(2) The time, if any, limited for making an award, whether under this Act or otherwise, may from time to time be enlarged by order of the High Court or a judge thereof, whether that time has expired or not.

(3) The High Court may, on the application of any party to a reference, remove an arbitrator or umpire who fails to use all reasonable dispatch in entering on and proceeding with the reference and making an award, and an arbitrator or umpire who is removed by the High Court under this subsection shall not be entitled to receive any remuneration in respect of his services.

For the purposes of this subsection, the expression “proceeding with a reference” includes, in a case where two arbitrators are unable to agree, giving notice of that fact to the parties and to the umpire.

14. Unless a contrary intention is expressed therein, every arbitration agreement shall, where such a provision is applicable to the reference, be deemed to contain a provision that the arbitrator or umpire may, if he thinks fit, make an interim award, and any reference in this Part of this Act to an award includes a reference to an interim award. Interim awards.

15. Unless a contrary intention is expressed therein, every arbitration agreement shall, where such a provision is applicable to the reference, be deemed to contain a provision that the arbitrator or umpire shall have the same power as the High Court to order specific performance of any contract other than a contract relating to land or any interest in land. Specific performance.

PART I
—cont.Awards to be
final.

16. Unless a contrary intention is expressed therein, every arbitration agreement shall, where such a provision is applicable to the reference, be deemed to contain a provision that the award to be made by the arbitrator or umpire shall be final and binding on the parties and the persons claiming under them respectively.

Power to
correct slips.

17. Unless a contrary intention is expressed in the arbitration agreement, the arbitrator or umpire shall have power to correct in an award any clerical mistake or error arising from any accidental slip or omission.

Costs, Fees and Interest

Costs.

18.—(1) Unless a contrary intention is expressed therein, every arbitration agreement shall be deemed to include a provision that the costs of the reference and award shall be in the discretion of the arbitrator or umpire, who may direct to and by whom and in what manner those costs or any part thereof shall be paid, and may tax or settle the amount of costs to be so paid or any part thereof, and may award costs to be paid as between solicitor and client.

(2) Any costs directed by an award to be paid shall, unless the award otherwise directs, be taxable in the High Court.

(3) Any provision in an arbitration agreement to the effect that the parties or any party thereto shall in any event pay their or his own costs of the reference or award or any part thereof shall be void, and this Part of this Act shall, in the case of an arbitration agreement containing any such provision, have effect as if that provision were not contained therein :

Provided that nothing in this subsection shall invalidate such a provision when it is a part of an agreement to submit to arbitration a dispute which has arisen before the making of that agreement.

(4) If no provision is made by an award with respect to the costs of the reference, any party to the reference may, within fourteen days of the publication of the award or such further time as the High Court or a judge thereof may direct, apply to the arbitrator for an order directing by and to whom those costs shall be paid, and thereupon the arbitrator shall, after hearing any party who may desire to be heard, amend his award by adding thereto such directions as he may think proper with respect to the payment of the costs of the reference.

(5) Section sixty-nine of the Solicitors Act, 1932 (which empowers a court before which any proceeding is being heard or is pending to charge property recovered or preserved in the

proceeding with the payment of solicitors' costs) shall apply as if an arbitration were a proceeding in the High Court, and the High Court may make declarations and orders accordingly.

PART I
—cont.

19.—(1) If in any case an arbitrator or umpire refuses to deliver his award except on payment of the fees demanded by him, the High Court may, on an application for the purpose, order that the arbitrator or umpire shall deliver the award to the applicant on payment into court by the applicant of the fees demanded, and further that the fees demanded shall be taxed by the taxing officer and that out of the money paid into court there shall be paid out to the arbitrator or umpire by way of fees such sum as may be found reasonable on taxation and that the balance of the money, if any, shall be paid out to the applicant.

Taxation of arbitrator's or umpire's fees.

(2) An application for the purposes of this section may be made by any party to the reference unless the fees demanded have been fixed by a written agreement between him and the arbitrator or umpire.

(3) A taxation of fees under this section may be reviewed in the same manner as a taxation of costs.

(4) The arbitrator or umpire shall be entitled to appear and be heard on any taxation or review of taxation under this section.

20. A sum directed to be paid by an award shall, unless the award otherwise directs, carry interest as from the date of the award and at the same rate as a judgment debt.

Interest on awards.

Special Cases, Remission and Setting aside of Awards, &c.

21.—(1) An arbitrator or umpire may, and shall if so directed by the High Court, state—

Statement of case.

(a) any question of law arising in the course of the reference; or

(b) an award or any part of an award,

in the form of a special case for the decision of the High Court.

(2) A special case with respect to an interim award or with respect to a question of law arising in the course of a reference may be stated, or may be directed by the High Court to be stated, notwithstanding that proceedings under the reference are still pending.

(3) A decision of the High Court under this section shall be deemed to be a judgment of the Court within the meaning of section twenty-seven of the Supreme Court of Judicature (Consolidation) Act, 1925 (which relates to the jurisdiction of the Court of Appeal to hear and determine appeals from any judgment of the High Court), but no appeal shall lie from the

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PART I
—*cont.*

decision of the High Court on any case stated under paragraph (a) of subsection (1) of this section without the leave of the High Court or of the Court of Appeal.

**Power to
remit award.**

22.—(1) In all cases of reference to arbitration the High Court or a judge thereof may from time to time remit the matters referred, or any of them, to the reconsideration of the arbitrator or umpire.

(2) Where an award is remitted, the arbitrator or umpire shall, unless the order otherwise directs, make his award within three months after the date of the order.

**Removal of
arbitrator and
setting aside
of award.**

23.—(1) Where an arbitrator or umpire has misconducted himself or the proceedings, the High Court may remove him.

(2) Where an arbitrator or umpire has misconducted himself or the proceedings, or an arbitration or award has been improperly procured, the High Court may set the award aside.

(3) Where an application is made to set aside an award, the High Court may order that any money made payable by the award shall be brought into court or otherwise secured pending the determination of the application.

**Power of
court to give
relief where
arbitrator is
not impartial
or the dispute
involves
question of
fraud.**

24.—(1) Where an agreement between any parties provides that disputes which may arise in the future between them shall be referred to an arbitrator named or designated in the agreement, and after a dispute has arisen any party applies, on the ground that the arbitrator so named or designated is not or may not be impartial, for leave to revoke the authority of the arbitrator or for an injunction to restrain any other party or the arbitrator from proceeding with the arbitration, it shall not be a ground for refusing the application that the said party at the time when he made the agreement knew, or ought to have known, that the arbitrator, by reason of his relation towards any other party to the agreement or of his connection with the subject referred, might not be capable of impartiality.

(2) Where an agreement between any parties provides that disputes which may arise in the future between them shall be referred to arbitration, and a dispute which so arises involves the question whether any such party has been guilty of fraud, the High Court shall, so far as may be necessary to enable that question to be determined by the High Court, have power to order that the agreement shall cease to have effect and power to give leave to revoke the authority of any arbitrator or umpire appointed by or by virtue of the agreement.

(3) In any case where by virtue of this section the High Court has power to order that an arbitration agreement shall cease to have effect or to give leave to revoke the authority of an arbitrator or umpire, the High Court may refuse to stay any action brought in breach of the agreement.

25.—(1) Where an arbitrator (not being a sole arbitrator), or two or more arbitrators (not being all the arbitrators) or an umpire who has not entered on the reference is or are removed by the High Court, the High Court may, on the application of any party to the arbitration agreement, appoint a person or persons to act as arbitrator or arbitrators or umpire in place of the person or persons so removed.

PART I
—cont.

Power of court where arbitrator is removed or authority of arbitrator is revoked.

(2) Where the authority of an arbitrator or arbitrators or umpire is revoked by leave of the High Court, or a sole arbitrator or all the arbitrators or an umpire who has entered on the reference is or are removed by the High Court, the High Court may, on the application of any party to the arbitration agreement, either—

- (a) appoint a person to act as sole arbitrator in place of the person or persons removed ; or
- (b) order that the arbitration agreement shall cease to have effect with respect to the dispute referred.

(3) A person appointed under this section by the High Court as an arbitrator or umpire shall have the like power to act in the reference and to make an award as if he had been appointed in accordance with the terms of the arbitration agreement.

(4) Where it is provided (whether by means of a provision in the arbitration agreement or otherwise) that an award under an arbitration agreement shall be a condition precedent to the bringing of an action with respect to any matter to which the agreement applies, the High Court, if it orders (whether under this section or under any other enactment) that the agreement shall cease to have effect as regards any particular dispute, may further order that the provision making an award a condition precedent to the bringing of an action shall also cease to have effect as regards that dispute.

Enforcement of Award

26. An award on an arbitration agreement may, by leave of the High Court or a judge thereof, be enforced in the same manner as a judgment or order to the same effect, and where leave is so given, judgment may be entered in terms of the award.

Enforcement of award.

Miscellaneous

27. Where the terms of an agreement to refer future disputes to arbitration provide that any claims to which the agreement applies shall be barred unless notice to appoint an arbitrator is given or an arbitrator is appointed or some other step to commence arbitration proceedings is taken within a time fixed by the agreement, and a dispute arises to which the agreement applies, the High Court, if it is of opinion that in the circumstances of the case undue hardship would otherwise be caused,

Power of court to extend time for commencing arbitration proceedings.

PART I
—*cont.*

and notwithstanding that the time so fixed has expired, may, on such terms, if any, as the justice of the case may require, but without prejudice to the provisions of any enactment limiting the time for the commencement of arbitration proceedings, extend the time for such period as it thinks proper.

Terms as to costs, &c.

28. Any order made under this Part of this Act may be made on such terms as to costs or otherwise as the authority making the order thinks just:

Provided that this section shall not apply to any order made under subsection (2) of section four of this Act.

Extension of s. 496 of the Merchant Shipping Act, 1894.

29.—(1) In subsection (3) of section four hundred and ninety-six of the Merchant Shipping Act, 1894 (which requires a sum deposited with a wharfinger by an owner of goods to be repaid unless legal proceedings are instituted by the shipowner), the expression “legal proceedings” shall be deemed to include arbitration.

(2) For the purposes of the said section four hundred and ninety-six, as amended by this section, an arbitration shall be deemed to be commenced when one party to the arbitration agreement serves on the other party or parties a notice requiring him or them to appoint or concur in appointing an arbitrator, or, where the arbitration agreement provides that the reference shall be to a person named or designated in the agreement, requiring him or them to submit the dispute to the person so named or designated.

(3) Any such notice as is mentioned in subsection (2) of this section may be served either—

- (a) by delivering it to the person on whom it is to be served ; or
- (b) by leaving it at the usual or last known place of abode in England of that person ; or
- (c) by sending it by post in a registered letter addressed to that person at his usual or last known place of abode in England ;

as well as in any other manner provided in the arbitration agreement ; and where a notice is sent by post in manner prescribed by paragraph (c) of this subsection, service thereof shall, unless the contrary is proved, be deemed to have been effected at the time at which the letter would have been delivered in the ordinary course of post.

Crown to be bound.

30. This Part of this Act (except the provisions of subsection (2) of section four thereof) shall apply to any arbitration to which His Majesty, either in right of the Crown or of the Duchy of Lancaster or otherwise, or the Duke of Cornwall, is a party.

31.—(1) Subject to the provisions of section thirty-three of this Act, this Part of this Act, except the provisions thereof specified in subsection (2) of this section, shall apply to every arbitration under any other Act (whether passed before or after the commencement of this Act) as if the arbitration were pursuant to an arbitration agreement and as if that other Act were an arbitration agreement, except in so far as this Act is inconsistent with that other Act or with any rules or procedure authorised or recognised thereby.

PART I
—cont.

Application of Part I to statutory arbitrations.

(2) The provisions referred to in subsection (1) of this section are subsection (1) of section two, section three, subsection (2) of section four, section five, subsection (3) of section eighteen and sections twenty-four, twenty-five, twenty-seven and twenty-nine.

32. In this Part of this Act, unless the context otherwise requires, the expression “arbitration agreement” means a written agreement to submit present or future differences to arbitration, whether an arbitrator is named therein or not.

Meaning of “arbitration agreement”.

33. This Part of this Act shall not affect any arbitration commenced (within the meaning of subsection (2) of section twenty-nine of this Act) before the commencement of this Act, but shall apply to an arbitration so commenced after the commencement of this Act under an agreement made before the commencement of this Act.

Operation of Part I.

34. Subsection (2) of section four of this Act shall—

Extent of Part I.

- (a) extend to Scotland, with the omission of the words “Notwithstanding anything in this Part of this Act” and with the substitution, for references to staying proceedings, of references to sisting proceedings; and
- (b) extend to Northern Ireland, with the omission of the words “Notwithstanding anything in this Part of this Act”;

but, save as aforesaid, none of the provisions of this Part of this Act shall extend to Scotland or Northern Ireland.

PART II

ENFORCEMENT OF CERTAIN FOREIGN AWARDS

35.—(1) This Part of this Act applies to any award made after the twenty-eighth day of July, nineteen hundred and twenty-four—

Awards to which Part II applies.

- (a) in pursuance of an agreement for arbitration to which the protocol set out in the First Schedule to this Act applies; and
- (b) between persons of whom one is subject to the jurisdiction of some one of such Powers as His Majesty, being satisfied that reciprocal provisions have been

PART II
—*cont.*

- made, may by Order in Council declare to be parties to the convention set out in the Second Schedule to this Act, and of whom the other is subject to the jurisdiction of some other of the Powers aforesaid ; and
- (c) in one of such territories as His Majesty, being satisfied that reciprocal provisions have been made, may by Order in Council declare to be territories to which the the said convention applies ;

and an award to which this Part of this Act applies is in this Part of this Act referred to as “ a foreign award ”.

(2) His Majesty may by a subsequent Order in Council vary or revoke any Order previously made under this section.

(3) Any Order in Council under section one of the Arbitration (Foreign Awards) Act, 1930, which is in force at the commencement of this Act shall have effect as if it had been made under this section.

Effect of
foreign awards.

36.—(1) A foreign award shall, subject to the provisions of this Part of this Act, be enforceable in England either by action or in the same manner as the award of an arbitrator is enforceable by virtue of section twenty-six of this Act.

(2) Any foreign award which would be enforceable under this Part of this Act shall be treated as binding for all purposes on the persons as between whom it was made, and may accordingly be relied on by any of those persons by way of defence, set off or otherwise in any legal proceedings in England, and any references in this Part of this Act to enforcing a foreign award shall be construed as including references to relying on an award.

Conditions for
enforcement
of foreign
awards.

37.—(1) In order that a foreign award may be enforceable under this Part of this Act it must have—

- (a) been made in pursuance of an agreement for arbitration which was valid under the law by which it was governed ;
- (b) been made by the tribunal provided for in the agreement or constituted in manner agreed upon by the parties ;
- (c) been made in conformity with the law governing the arbitration procedure ;
- (d) become final in the country in which it was made ;
- (e) been in respect of a matter which may lawfully be referred to arbitration under the law of England ;

and the enforcement thereof must not be contrary to the public policy or the law of England.

(2) Subject to the provisions of this subsection, a foreign award shall not be enforceable under this Part of this Act if the court dealing with the case is satisfied that—

- (a) the award has been annulled in the country in which it was made ; or

- (b) the party against whom it is sought to enforce the award was not given notice of the arbitration proceedings in sufficient time to enable him to present his case, or was under some legal incapacity and was not properly represented ; or
- (c) the award does not deal with all the questions referred or contains decisions on matters beyond the scope of the agreement for arbitration :

Provided that, if the award does not deal with all the questions referred, the court may, if it thinks fit, either postpone the enforcement of the award or order its enforcement subject to the giving of such security by the person seeking to enforce it as the court may think fit.

(3) If a party seeking to resist the enforcement of a foreign award proves that there is any ground other than the non-existence of the conditions specified in paragraphs (a), (b) and (c) of subsection (1) of this section, or the existence of the conditions specified in paragraphs (b) and (c) of subsection (2) of this section, entitling him to contest the validity of the award, the court may, if it thinks fit, either refuse to enforce the award or adjourn the hearing until after the expiration of such period as appears to the court to be reasonably sufficient to enable that party to take the necessary steps to have the award annulled by the competent tribunal.

38.—(1) The party seeking to enforce a foreign award must Evidence. produce—

- (a) the original award or a copy thereof duly authenticated in manner required by the law of the country in which it was made ; and
- (b) evidence proving that the award has become final ; and
- (c) such evidence as may be necessary to prove that the award is a foreign award and that the conditions mentioned in paragraphs (a), (b) and (c) of subsection (1) of the last foregoing section are satisfied.

(2) In any case where any document required to be produced under subsection (1) of this section is in a foreign language, it shall be the duty of the party seeking to enforce the award to produce a translation certified as correct by a diplomatic or consular agent of the country to which that party belongs, or certified as correct in such other manner as may be sufficient according to the law of England.

(3) Subject to the provisions of this section, rules of court may be made under section ninety-nine of the Supreme Court of Judicature (Consolidation) Act, 1925, with respect to the evidence which must be furnished by a party seeking to enforce an award under this Part of this Act.

PART II
—*cont.*
Meaning of
“final award”.

39. For the purposes of this Part of this Act, an award shall not be deemed final if any proceedings for the purpose of contesting the validity of the award are pending in the country in which it was made.

Saving for
other rights,
&c.

40. Nothing in this Part of this Act shall—

- (a) prejudice any rights which any person would have had of enforcing in England any award or of availing himself in England of any award if neither this Part of this Act nor Part I of the Arbitration (Foreign Awards) Act, 1930, had been enacted ; or
- (b) apply to any award made on an arbitration agreement governed by the law of England.

Application of
Part II to
Scotland.

41.—(1) The following provisions of this section shall have effect for the purpose of the application of this Part of this Act to Scotland.

(2) For the references to England there shall be substituted references to Scotland.

(3) For subsection (1) of section thirty-six there shall be substituted the following subsection :—

“ (1) A foreign award shall, subject to the provisions of this Part of this Act, be enforceable by action, or, if the agreement for arbitration contains consent to the registration of the award in the Books of Council and Session for execution and the award is so registered, it shall, subject as aforesaid, be enforceable by summary diligence ”.

(4) For subsection (3) of section thirty-eight there shall be substituted the following subsection :—

“ (3) The Court of Session shall, subject to the provisions of this section, have power, exercisable by statutory instrument, to make provision by Act of Sederunt with respect to the evidence which must be furnished by a party seeking to enforce in Scotland an award under this Part of this Act, and the Statutory Instruments Act, 1946, shall apply to a statutory instrument containing an Act of Sederunt made under this subsection as if the Act of Sederunt had been made by a Minister of the Crown ”.

Application of
Part II to
Northern
Ireland.

42.—(1) The following provisions of this section shall have effect for the purpose of the application of this Part of this Act to Northern Ireland.

(2) For the references to England there shall be substituted references to Northern Ireland.

(3) For subsection (1) of section thirty-six there shall be substituted the following subsection :—

“ (1) A foreign award shall, subject to the provisions of this Part of this Act, be enforceable either by action or in

the same manner as the award of an arbitrator under the provisions of the Common Law Procedure Amendment Act (Ireland), 1856, was enforceable at the date of the passing of the Arbitration (Foreign Awards) Act, 1930 ”.

PART II
—cont.

(4) For the reference, in subsection (3) of section thirty-eight, to section ninety-nine of the Supreme Court of Judicature (Consolidation) Act, 1925, there shall be substituted a reference to section sixty-one of the Supreme Court of Judicature (Ireland) Act, 1877, as amended by any subsequent enactment.

43. Any proceedings instituted under Part I of the Arbitration (Foreign Awards) Act, 1930, which are uncompleted at the commencement of this Act may be carried on and completed under this Part of this Act as if they had been instituted thereunder. Saving for pending proceedings.

PART III

GENERAL

44.—(1) This Act may be cited as the Arbitration Act, 1950. Short title, commencement and repeal.

(2) This Act shall come into operation on the first day of September, nineteen hundred and fifty.

(3) The Arbitration Act, 1889, the Arbitration Clauses (Protocol) Act, 1924, and the Arbitration Act, 1934, are hereby repealed except in relation to arbitrations commenced (within the meaning of subsection (2) of section twenty-nine of this Act) before the commencement of this Act, and the Arbitration (Foreign Awards) Act, 1930, is hereby repealed ; and any reference in any Act or other document to any enactment hereby repealed shall be construed as including a reference to the corresponding provision of this Act.

SCHEDULES

FIRST SCHEDULE

Sections 4, 35.

PROTOCOL ON ARBITRATION CLAUSES SIGNED ON BEHALF OF HIS MAJESTY AT A MEETING OF THE ASSEMBLY OF THE LEAGUE OF NATIONS HELD ON THE TWENTY-FOURTH DAY OF SEPTEMBER, NINETEEN HUNDRED AND TWENTY-THREE

The undersigned, being duly authorised, declare that they accept, on behalf of the countries which they represent, the following provisions :—

1. Each of the Contracting States recognises the validity of an agreement whether relating to existing or future differences between parties, subject respectively to the jurisdiction of different Contracting States by which the parties to a contract agree to submit to arbitration all or any differences that may arise in connection with such contract

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relating to commercial matters or to any other matter capable of settlement by arbitration, whether or not the arbitration is to take place in a country to whose jurisdiction none of the parties is subject.

Each Contracting State reserves the right to limit the obligation mentioned above to contracts which are considered as commercial under its national law. Any Contracting State which avails itself of this right will notify the Secretary-General of the League of Nations, in order that the other Contracting States may be so informed.

2. The arbitral procedure, including the constitution of the arbitral tribunal, shall be governed by the will of the parties and by the law of the country in whose territory the arbitration takes place.

The Contracting States agree to facilitate all steps in the procedure which require to be taken in their own territories, in accordance with the provisions of their law governing arbitral procedure applicable to existing differences.

3. Each Contracting State undertakes to ensure the execution by its authorities and in accordance with the provisions of its national laws of arbitral awards made in its own territory under the preceding articles.

4. The tribunals of the Contracting Parties, on being seized of a dispute regarding a contract made between persons to whom Article 1 applies and including an arbitration agreement whether referring to present or future differences which is valid in virtue of the said article and capable of being carried into effect, shall refer the parties on the application of either of them to the decision of the arbitrators.

Such reference shall not prejudice the competence of the judicial tribunals in case the agreement or the arbitration cannot proceed or become inoperative.

5. The present Protocol, which shall remain open for signature by all States, shall be ratified. The ratifications shall be deposited as soon as possible with the Secretary-General of the League of Nations, who shall notify such deposit to all the signatory States.

6. The present Protocol shall come into force as soon as two ratifications have been deposited. Thereafter it will take effect, in the case of each Contracting State, one month after the notification by the Secretary-General of the deposit of its ratification.

7. The present Protocol may be denounced by any Contracting State on giving one year's notice. Denunciation shall be effected by a notification addressed to the Secretary-General of the League, who will immediately transmit copies of such notification to all the other signatory States and inform them of the date of which it was received. The denunciation shall take effect one year after the date on which it was notified to the Secretary-General, and shall operate only in respect of the notifying State.

8. The Contracting States may declare that their acceptance of the present Protocol does not include any or all of the under-mentioned territories: that is to say, their colonies, overseas possessions or territories, protectorates or the territories over which they exercise a mandate.

The said States may subsequently adhere separately on behalf of any territory thus excluded. The Secretary-General of the League of Nations shall be informed as soon as possible of such adhesions. He shall notify such adhesions to all signatory States. They will take effect one month after the notification by the Secretary-General to all signatory States.

The Contracting States may also denounce the Protocol separately on behalf of any of the territories referred to above. Article 7 applies to such denunciation.

1ST SCH.
—cont.

SECOND SCHEDULE

Section 35.

CONVENTION ON THE EXECUTION OF FOREIGN ARBITRAL AWARDS SIGNED AT GENEVA ON BEHALF OF HIS MAJESTY ON THE TWENTY- SIXTH DAY OF SEPTEMBER, NINETEEN HUNDRED AND TWENTY- SEVEN

ARTICLE I

In the territories of any High Contracting Party to which the present Convention applies, an arbitral award made in pursuance of an agreement, whether relating to existing or future differences (herein-after called "a submission to arbitration") covered by the Protocol on Arbitration Clauses, opened at Geneva on September 24, 1923, shall be recognised as binding and shall be enforced in accordance with the rules of the procedure of the territory where the award is relied upon, provided that the said award has been made in a territory of one of the High Contracting Parties to which the present Convention applies and between persons who are subject to the jurisdiction of one of the High Contracting Parties.

To obtain such recognition or enforcement, it shall, further, be necessary:—

- (a) That the award has been made in pursuance of a submission to arbitration which is valid under the law applicable thereto;
- (b) That the subject-matter of the award is capable of settlement by arbitration under the law of the country in which the award is sought to be relied upon;
- (c) That the award has been made by the Arbitral Tribunal provided for in the submission to arbitration or constituted in the manner agreed upon by the parties and in conformity with the law governing the arbitration procedure;
- (d) That the award has become final in the country in which it has been made, in the sense that it will not be considered as such if it is open to *opposition*, *appel* or *pourvoi en cassation* (in the countries where such forms of procedure exist) or if it is proved that any proceedings for the purpose of contesting the validity of the award are pending;
- (e) That the recognition or enforcement of the award is not contrary to the public policy or to the principles of the law of the country in which it is sought to be relied upon.

2ND SCH.
—cont.

ARTICLE 2

Even if the conditions laid down in Article 1 hereof are fulfilled, recognition and enforcement of the award shall be refused if the Court is satisfied:—

- (a) That the award has been annulled in the country in which it was made ;
- (b) That the party against whom it is sought to use the award was not given notice of the arbitration proceedings in sufficient time to enable him to present his case ; or that, being under a legal incapacity, he was not properly represented ;
- (c) That the award does not deal with the differences contemplated by or falling within the terms of the submission to arbitration or that it contains decisions on matters beyond the scope of the submission to arbitration.

If the award has not covered all the questions submitted to the arbitral tribunal, the competent authority of the country where recognition or enforcement of the award is sought can, if it think fit, postpone such recognition or enforcement or grant it subject to such guarantee as that authority may decide.

ARTICLE 3

If the party against whom the award has been made proves that, under the law governing the arbitration procedure, there is a ground, other than the grounds referred to in Article 1 (a) and (c), and Article 2 (b) and (c), entitling him to contest the validity of the award in a Court of Law, the Court may, if it thinks fit, either refuse recognition or enforcement of the award or adjourn the consideration thereof, giving such party a reasonable time within which to have the award annulled by the competent tribunal.

ARTICLE 4

The party relying upon an award or claiming its enforcement must supply, in particular:—

- (1) The original award or a copy thereof duly authenticated, according to the requirements of the law of the country in which it was made ;
- (2) Documentary or other evidence to prove that the award has become final, in the sense defined in Article 1 (d), in the country in which it was made ;
- (3) When necessary, documentary or other evidence to prove that the conditions laid down in Article 1, paragraph 1 and paragraph 2 (a) and (c), have been fulfilled.

A translation of the award and of the other documents mentioned in this Article into the official language of the country where the award is sought to be relied upon may be demanded. Such translation must be certified correct by a diplomatic or consular agent of the country to which the party who seeks to rely upon the award belongs or by a sworn translator of the country where the award is sought to be relied upon.

ARTICLE 5

The provisions of the above Articles shall not deprive any interested party of the right of availing himself of an arbitral award in the manner and to the extent allowed by the law or the treaties of the country where such award is sought to be relied upon.

2ND SCH.
—cont.

ARTICLE 6

The present Convention applies only to arbitral awards made after the coming into force of the Protocol on Arbitration Clauses, opened at Geneva on September 24th, 1923.

ARTICLE 7

The present Convention, which will remain open to the signature of all the signatories of the Protocol of 1923 on Arbitration Clauses, shall be ratified.

It may be ratified only on behalf of those Members of the League of Nations and non-Member States on whose behalf the Protocol of 1923 shall have been ratified.

Ratifications shall be deposited as soon as possible with the Secretary-General of the League of Nations, who will notify such deposit to all the signatories.

ARTICLE 8

The present Convention shall come into force three months after it shall have been ratified on behalf of two High Contracting Parties. Thereafter, it shall take effect, in the case of each High Contracting Party, three months after the deposit of the ratification on its behalf with the Secretary-General of the League of Nations.

ARTICLE 9

The present Convention may be denounced on behalf of any Member of the League or non-Member State. Denunciation shall be notified in writing to the Secretary-General of the League of Nations, who will immediately send a copy thereof, certified to be in conformity with the notification, to all the other Contracting Parties, at the same time informing them of the date on which he received it.

The denunciation shall come into force only in respect of the High Contracting Party which shall have notified it and one year after such notification shall have reached the Secretary-General of the League of Nations.

The denunciation of the Protocol on Arbitration Clauses shall entail, ipso facto, the denunciation of the present Convention.

ARTICLE 10

The present Convention does not apply to the Colonies, Protectorates or territories under suzerainty or mandate of any High Contracting Party unless they are specially mentioned.

The application of this Convention to one or more of such Colonies, Protectorates or territories to which the Protocol on Arbitration Clauses, opened at Geneva on September 24th, 1923, applies, can be

2ND SCH.
—cont.

effected at any time by means of a declaration addressed to the Secretary-General of the League of Nations by one of the High Contracting Parties.

Such declaration shall take effect three months after the deposit thereof.

The High Contracting Parties can at any time denounce the Convention for all or any of the Colonies, Protectorates or territories referred to above. Article 9 hereof applies to such denunciation.

ARTICLE 11

A certified copy of the present Convention shall be transmitted by the Secretary-General of the League of Nations to every Member of the League of Nations and to every non-Member State which signs the same.

Table of Statutes referred to in this Act

Short Title	Session and Chapter
Common Law Procedure Amendment Act (Ireland), 1856	19 & 20 Vict. c. 102.
Supreme Court of Judicature (Ireland) Act, 1877	40 & 41 Vict. c. 57.
Arbitration Act, 1889	52 & 53 Vict. c. 49.
Merchant Shipping Act, 1894	57 & 58 Vict. c. 60.
Arbitration Clauses (Protocol) Act, 1924	14 & 15 Geo. 5. c. 39.
Supreme Court of Judicature (Consolidation) Act, 1925	15 & 16 Geo. 5. c. 49.
Arbitration (Foreign Awards) Act, 1930	20 Geo. 5. c. 15.
Arbitration Act, 1934	24 & 25 Geo. 5. c. 14.
Statutory Instruments Act, 1946	9 & 10 Geo. 6. c. 36.

CHAPTER 28

Shops Act, 1950

ARRANGEMENT OF SECTIONS

PART I

HOURS OF CLOSING

Early closing days

Section

1. Closing of shops on weekly half-holiday.

General closing hours

2. General closing hours.
3. The late day.
4. Special provision for tobacco and smokers' requisites.
5. Special provision for newspapers and periodicals.
6. Special provision for confectionery.
7. Certain provisions as to general closing hours to be temporary.

Closing orders

Section

8. Closing orders.
9. Procedure for making closing orders.
10. Local inquiries for the purpose of promoting and facilitating early closing.
11. Revocation of closing orders.

Trading outside shops and shops with several trades

12. Trading elsewhere than in shops.
13. Shops where more than one trade or business is carried on.

Supplemental

14. Offences under Part I.
15. Expenses of Secretary of State.
16. Local inquiries.

PART II

CONDITIONS OF EMPLOYMENT

Statutory half-holiday and meal-times

17. Statutory half-holiday for shop assistants.
18. Modifications in application of s. 17 to young persons.
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An Act to consolidate the Shops Acts, 1912 to 1938, and certain other enactments relating to shops.
[28th July 1950.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

PART I

HOURS OF CLOSING

Early closing days

1.—(1) Every shop shall be closed for the serving of customers not later than one o'clock in the afternoon on one week day in every week. Closing of shops on weekly half-holiday.

(2) The local authority may, by order, fix the day on which a shop is to be so closed (in this Act referred to as "the weekly half-holiday"), and any such order may either fix the same day for all shops, or may fix—

- (a) different days for different classes of shops ; or
- (b) different days for different parts of the district ; or
- (c) different days for different periods of the year :

Provided that—

- (i) where the day fixed is a day other than Saturday, the order shall provide for enabling Saturday to be substituted for such other day as respects any shop in which notice to that effect is affixed by the occupier ;

PART I
—cont.

- (ii) where the day fixed is Saturday, the order shall provide for enabling some other day specified in the order to be substituted for Saturday as respects any shop in which notice to that effect is affixed by the occupier ;
- (iii) no order shall be made under this section unless the local authority, after making such inquiry as may be prescribed, are satisfied that the occupiers of a majority of each of the several classes of shops affected by the order approve the order.

(3) Unless and until an order is made under this section affecting a shop, the weekly half-holiday as respects the shop shall be such day as the occupier may specify in a notice affixed in the shop, but it shall not be lawful for the occupier of the shop to change the day oftener than once in any period of three months.

(4) Where the local authority have reason to believe that a majority of the occupiers of shops of any particular class in any area are in favour of being exempted from the provisions of this section, either wholly or by fixing as the closing hour instead of one o'clock some other hour not later than two o'clock, the local authority, unless they consider that the area in question is unreasonably small, shall take steps to ascertain the wishes of such occupiers.

If the local authority are satisfied that a majority of the occupiers of such shops are in favour of the exemption, or, in the case of a vote being taken, that at least one half of the votes recorded by the occupiers of shops within the area of the class in question are in favour of the exemption, the local authority shall make an order exempting the shops of that class within the area from the provisions of this section either wholly or to such extent as aforesaid.

(5) Where a shop is closed during the whole day on the occasion of a bank holiday, and that day is not the day fixed for the weekly half-holiday, it shall be lawful for the occupier of the shop to keep the shop open for the serving of customers after the hour at which it is required under this section to be closed either on the half-holiday immediately preceding, or on the half-holiday immediately succeeding, the bank holiday.

(6) This section shall not apply to any shop in which the only trade or business carried on is trade or business of any of the classes mentioned in the First Schedule to this Act, but the local authority may, by order made and revocable in the manner hereinafter provided with respect to closing orders, extend the provisions of this section to shops of any class exempted under

this subsection if satisfied that the occupiers of at least two-thirds of the shops of that class approve the order.

PART I
—cont.

(7) Nothing in this section shall prevent the serving of a customer at any time at which the shop is required to be closed under this section if it is proved either that the customer was in the shop before the time when the shop was required to be closed, or that there was reasonable ground for believing that the article supplied to the customer was required in the case of illness.

(8) Nothing in this section shall prevent customers from being served at a time when the shop in which they are served is required to be closed with victuals, stores, or other necessaries for a ship, on her arrival at, or immediately before her departure from, a port.

General closing hours

2.—(1) Every shop shall be closed for the serving of ^{General} customers— ^{closing hours.}

- (a) as respects the winter months, not later than half-past seven o'clock in the evening on the late day and six o'clock in the evening on any other day of the week ; and
- (b) where the foregoing paragraph does not apply, not later than nine o'clock in the evening on the late day and eight o'clock in the evening on any other day of the week :

Provided that a local authority may, by order, substitute other hours (whether earlier or later) for the hours fixed by paragraph (a) of this subsection so, however, that the substituted hours shall not be later than seven o'clock in the evening except on not more than two days (one of which shall be the late day) when the substituted hours may be not later than eight o'clock in the evening.

(2) Before making any order under the foregoing subsection the local authority shall take such steps, whether by consultation with representative associations or otherwise, as appear to the authority to be most appropriate for ascertaining the views of occupiers of shops and shop assistants affected by the order, and any such order—

- (a) may be made so as to apply to the whole or any part of the area of the local authority ;
- (b) may be made so as to apply to all trades or businesses or to any specified trade or business ;
- (c) may fix different hours for different days of the week and for different trades or businesses ; and

PART I
—cont.

(d) may contain such incidental and supplemental provisions as appear to the local authority to be necessary or expedient for the purposes of the order.

(3) Nothing in this section shall prevent—

(a) the serving of a customer where it is proved that the customer was in the shop before the closing hour, or that reasonable grounds existed for believing that the article supplied after the closing hour to a customer was required in the case of illness ; or

(b) any transaction mentioned in the Second Schedule to this Act.

(4) In this Act the expression “ the winter months ” means the period beginning with the first Sunday in November in any year and ending with the day before the first Sunday in March in the succeeding year.

The late day.

3. The late day referred to in the last foregoing section shall be Saturday unless the local authority by order fix some other day as the late day, and any such order may fix the same day for all shops or may fix—

(a) different days for different classes of shops ;

(b) different days for different parts of their area ; or

(c) different days for different periods of the year :

Provided that where the local authority have under this Act fixed any day as the weekly half-holiday for any class of shop, or for any part of their area, or for any period of the year, they shall, as respects that class, part or period, fix some other day as the late day.

Special provision for tobacco and smokers' requisites.

4. As respects the trade or business of selling tobacco and smokers' requisites—

(a) paragraph (a) of, and the proviso to, subsection (1) of section two of this Act and subsection (2) of that section shall not apply ; and

(b) a local authority may, in their area, or in any part thereof, by order substitute for the hours fixed by paragraph (b) of the said subsection (1) later hours, not being later than ten o'clock in the evening on the late day or half past nine o'clock in the evening on any other day, if they are satisfied that such an order is desired by the occupiers of at least two-thirds in number of the shops to be affected by the order.

Special provision for newspapers and periodicals.

5. As respects the trade or business of selling newspapers and periodicals, paragraph (a) of, and the proviso to, subsection (1) of section two of this Act and subsection (2) of that section shall not apply.

6. As respects the trade or business of selling table waters, sweets, chocolates or other sugar confectionery or ice cream, the following hours shall be substituted for those set out in subsection (1) of section two of this Act, that is to say—

PART I
—cont.

Special provision for confectionery.

(a) as respects the winter months, nine o'clock in the evening on the late day and eight o'clock in the evening on any other day ; and

(b) where the foregoing paragraph does not apply, ten o'clock in the evening on the late day and half past nine o'clock in the evening on any other day :

Provided that a local authority may in their area or any part thereof by order substitute for either of the hours mentioned in paragraph (b) of this subsection an earlier hour, not being earlier than eight o'clock in the evening, if they are satisfied that such an order is desired by the occupiers of a majority of the shops to be affected by the order.

7.—(1) The provisions of this Act relating to general closing hours which have effect only as respects the winter months shall expire on the tenth day of December, nineteen hundred and fifty :

Certain provisions as to general closing hours to be temporary.

Provided that—

(a) His Majesty may at any time by Order in Council revoke the said provisions either in whole or in part and any such Order in Council shall be subject to annulment in pursuance of a resolution of either House of Parliament ;

(b) if at any time while the said provisions are in force, an Address is presented to His Majesty by each House of Parliament praying that those provisions should be continued in force for a further period not exceeding one year from the time at which they would otherwise expire, His Majesty may by Order in Council direct that those provisions shall continue in force for that further period.

(2) The Supplies and Services (Transitional Powers) Act, 1945, shall apply as if the said provisions were a Defence Regulation to which section one of that Act applies.

(3) Subsection (2) of section thirty-eight of the Interpretation Act, 1889, shall apply upon the expiry of the said provisions as if they were an Act of Parliament and had then been repealed.

Closing orders

8.—(1) An order (in this Act referred to as “ a closing order ”) made by a local authority, and confirmed by the Secretary of State in manner provided by this Act, may fix the hours on the

Closing orders.

PART I
—cont.

several days of the week at which, either throughout the area of the local authority or in any specified part thereof, all shops or shops of any specified class are to be closed for serving customers.

(2) The hour fixed by a closing order shall not be earlier than seven o'clock in the evening on any day of the week.

(3) The order may—

- (a) define the shops and trades to which the order applies; and
- (b) authorise sales after the closing hour fixed by the order in cases of emergency and in such other circumstances as may be specified or indicated in the order; and
- (c) contain any incidental, supplemental, or consequential provisions which may appear necessary or proper.

(4) Nothing in the foregoing provisions of this Act relating to general closing hours shall affect the power of a local authority by a closing order under this section to fix closing hours earlier than the general closing hours fixed by or under this Act:

Provided that any closing order shall be of no effect in so far as it authorises sales after the general closing hours fixed by or under this Act or contains provisions inconsistent with the provisions of this Act relating to general closing hours.

(5) Nothing in any closing order shall prevent—

- (a) the serving of a customer where it is proved that the customer was in the shop before the closing hour fixed by the order, or that reasonable grounds existed for believing that the article supplied after that hour was required in the case of illness; or
- (b) any transaction mentioned in the Second Schedule to this Act.

(6) In the case of a shop as respects which a closing order is in force on the first Sunday in November in any year, the foregoing provisions of this Act as to general closing hours in the winter months shall not be construed as making later the hours at which the shop is required to be closed while the order remains in force.

Procedure
for making
closing orders.

9.—(1) Whenever a local authority are satisfied that a *prima facie* case is made out for making a closing order, the authority shall give public notice in the prescribed manner and in the prescribed form of their intention to make an order, specifying therein a period (not being less than the prescribed period) within which objections may be made to the making of the proposed order, and, if after taking into consideration any objections they may have received the local authority are satisfied that

it is expedient to make the order and that the occupiers of at least two-thirds in number of the shops to be affected by the order approve the order, they may make the order.

PART I
—cont.

(2) Notice of the provisions of the order shall be given, and copies thereof shall be supplied, in the prescribed manner, and the order shall be submitted to the Secretary of State and the Secretary of State shall consider any objections to the order, and may either disallow the order or confirm the order with or without amendments.

His power of confirmation shall be exercisable by statutory instrument.

(3) As soon as the Secretary of State has confirmed any order, the order shall become final and have the effect of an Act of Parliament:

Provided that every statutory instrument confirming a closing order shall be subject to annulment in pursuance of a resolution of either House of Parliament.

10.—(1) Where it appears to the Secretary of State, on the representation of the local authority or a joint representation from a substantial number of occupiers of shops and shop assistants in the area of the local authority, that it is expedient to ascertain the extent to which there is a demand for early closing in any locality, and to promote and facilitate the making of a closing order therein, the Secretary of State may appoint a competent person to hold a local inquiry.

Local inquiries for the purpose of promoting and facilitating early closing.

(2) If, after holding such an inquiry and conferring with the local authority, it appears to the person holding the inquiry that it is expedient that a closing order should be made, he shall prepare a draft order and submit it to the Secretary of State together with his report thereon.

(3) If the Secretary of State, after considering the draft order and report, and any representations which the local authority may have made in respect thereof, is of opinion that it is desirable that a closing order should be made, he may communicate his decision to the local authority, and thereupon there shall be deemed to be a *prima facie* case for making a closing order in accordance with the terms of the draft order, subject to such modifications (if any) as the Secretary of State may think fit.

(4) The person who held the inquiry shall, if so directed by the Secretary of State on the application of the local authority, assist and co-operate with the local authority in taking the steps preliminary to making the order.

11. The Secretary of State may, at any time on the application of the local authority, revoke a closing order either absolutely or so far as it affects any particular class of shops, and, if at any

Revocation of closing orders.

PART I
—*cont.*

time it is made to appear to the satisfaction of the local authority that the occupiers of a majority of any class of shops to which a closing order applies are opposed to the continuance of the order, the local authority shall apply to the Secretary of State to revoke the order in so far as it affects that class of shops, but any such revocation shall be without prejudice to the making of any new closing order.

The power of the Secretary of State to revoke a closing order shall be exercisable by statutory instrument.

Trading outside shops and shops with several trades

Trading
elsewhere
than in shops.

12. It shall not be lawful in any locality to carry on in any place not being a shop retail trade or business of any class at any time when it would be unlawful in that locality to keep a shop open for the purposes of retail trade or business of that class, and, if any person carries on any trade or business in contravention of this section, this Part of this Act and the provisions in Part V for the enforcement of this Act shall apply as if he were the occupier of a shop and the shop were being kept open in contravention of this Part of this Act:

Provided that—

- (a) the prohibition imposed by this section shall, as respects any day other than the weekly half-holiday, be subject, in so far as the prohibition is affected by any closing order, to such exemptions and conditions, if any, as may be contained in the order; and
- (b) nothing in this section shall be construed as preventing a barber or hairdresser from attending a customer in the customer's residence, or the holding of an auction sale of private effects in a private dwelling-house; and
- (c) nothing in this section shall apply to the sale of newspapers.

Shops where
more than
one trade or
business is
carried on.

13.—(1) Where several trades or businesses are carried on in the same shop, and any of those trades or businesses is of such a nature that, if it were the only trade or business carried on in the shop, the shop would be exempt from the obligation to be closed on the weekly half-holiday, the exemption shall apply to the shop so far as the carrying on of that trade or business is concerned, subject, however, to such conditions as may be prescribed.

(2) Where several trades or businesses are carried on in the same shop and any of those trades or businesses consists only of transactions of such a nature that, if they were the only transactions carried on in the shop, the provisions of this Act

relating to general closing hours would not apply to the shop, the shop may be kept open after the general closing hours for the purposes of those transactions alone, subject, however, to such conditions as may be prescribed.

PART I
—cont.

(3) Where several trades or businesses are carried on in the same shop and any of those trades or businesses is of such a nature that if it were the only trade or business carried on in the shop a closing order would not apply to the shop, the shop may be kept open for the purposes of that trade and business alone after the closing hour fixed by the closing order, but on such terms and under such conditions as may be specified in the order.

(4) Where several trades or businesses are carried on in the same shop, the local authority may require the occupier of the shop to specify which trade or business he considers to be his principal trade or business, and no trade or business other than that so specified shall, for the purpose of determining a majority or any proportion or number of occupiers or of shops for the purposes of this Part of this Act, be considered as carried on in the shop unless the occupier of the shop satisfies the local authority that it forms a substantial part of the business carried on in the shop.

Supplemental

14.—(1) In the case of any contravention of any of the Offences under provisions of section one of this Act, the occupier of the shop Part I. shall be liable to a fine not exceeding—

- (a) in the case of a first offence, one pound ;
- (b) in the case of a second offence, five pounds ; and
- (c) in the case of a third or subsequent offence, ten pounds.

(2) In the case of any contravention of any provisions of this Part of this Act not punishable under the foregoing subsection, or of any contravention of a closing order, or of any breach of a condition imposed by any order made under subsection (2) of section two of this Act, the occupier of the shop shall be liable to a fine not exceeding—

- (a) in the case of a first offence, five pounds ;
- (b) in the case of a second or subsequent offence, twenty pounds.

In considering for the purposes of this subsection whether an offence is or is not a first offence, any offence under subsection (3) of section forty-one or subsection (3) of section forty-two of this Act shall be treated as if it were an offence under this subsection.

PART I
—*cont.*

Expenses of
Secretary of
State.

15. Any expenses incurred by the Secretary of State under this Part of this Act, including the remuneration of any person holding a local inquiry under section ten of this Act, shall, to such extent as may be sanctioned by the Treasury, be paid out of moneys provided by Parliament.

Local
inquiries.

16. In addition to the local inquiries which the Secretary of State is empowered to hold under section ten of this Act, the Secretary of State may cause a local inquiry to be held for the purposes of any of his powers and duties under this Part of this Act, and, save in Scotland, the costs incurred in relation to any such last-mentioned inquiry, including the salary of any officer engaged in the inquiry, not exceeding three guineas a day, shall be paid by the local authority concerned, and the Secretary of State may certify the amount of the costs incurred.

Any sums so certified shall be a debt to the Crown from the local authority.

PART II

CONDITIONS OF EMPLOYMENT

Statutory half-holiday and meal times

Statutory
half-holiday
for shop-
assistants.

17.—(1) Subject to the provisions of this Part of this Act, on at least one week day in each week a shop assistant shall not be employed about the business of a shop after half-past one o'clock in the afternoon :

Provided that this provision shall not apply to the week preceding a bank holiday if the shop assistant is not employed on the bank holiday, and if on one week day in the following week in addition to the bank holiday the employment of the shop assistant ceases not later than half-past one o'clock in the afternoon.

(2) The occupier of a shop shall fix, and shall specify in a notice in the prescribed form, which must be affixed in the shop in such manner and at such time as may be prescribed, the day of the week on which his shop assistants are not employed after half-past one o'clock and may fix different days for different shop assistants.

(3) In the case of any contravention of this section, the occupier of the shop shall be liable to a fine not exceeding—

(a) in the case of a first offence, one pound ;

(b) in the case of a second offence, five pounds ; and

(c) in the case of a third or subsequent offence, ten pounds—

unless, in the case of a shop assistant employed after half-past one o'clock in contravention of this section, he proves that the

shop assistant was employed merely for the purpose of serving a customer whom he was serving at that time, or, where the time for closing the shop was also half-past one o'clock, that the shop assistant was employed merely for the purpose of serving customers who were in the shop at that time.

In considering for the purposes of this subsection whether an offence is a first, second or subsequent offence, any offence under subsection (2) of section nineteen of this Act shall be treated as if it were an offence under this subsection.

18.—(1) For the purposes of the last foregoing section every young person who is wholly or mainly employed about the business of a shop shall be deemed to be a “shop assistant” : Modifications
in application
of s. 17 to
young persons.

Provided that this subsection shall not apply to any person employed in a residential hotel.

(2) The last foregoing section shall not apply to any young person in any week unless he is employed as a shop assistant for more than twenty-five hours in that week and shall not apply to the employment of any young person in a theatre in any week (notwithstanding that he may be employed as a shop assistant for more than twenty-five hours in that week) if he is not employed in the theatre before midday on any day in that week.

(3) If in any proceedings against any person in respect of a contravention of the last foregoing section in relation to any young person it is shown that the young person was not so employed by him in the week in which the contravention occurred so as to render that section applicable to the young person, it shall be a defence to prove that he did not know, and could not with reasonable diligence have ascertained, that the young person was also employed in that week as a shop assistant by some other employer.

(4) For the purposes of the last foregoing section, every young person who is wholly or mainly employed in connection with any retail trade or business carried on in any place not being a shop shall be deemed to be a “shop assistant” and in the application of that section to persons employed in connection with such a retail trade or business—

- (a) subsection (2) shall not apply ;
- (b) references to “employment about the business of a shop” shall be deemed to include references to employment in connection with any retail trade or business carried on in any place not being a shop ;
- (c) references to “a shop” shall be deemed to include references to the place in or from which the retail trade or business is carried on ; and

PART II
—*cont.*

(d) references to “the occupier of a shop” shall be deemed to include references to the person by whom the retail trade or business is carried on.

(5) Nothing in this section shall apply with respect to the employment of persons whose hours of employment are regulated by or under the Factories Acts, 1937 and 1948.

For the purposes of this subsection, employment wholly or mainly outside a factory in collecting, carrying or delivering goods, carrying messages or running errands, being employment for the purposes of retail trade or business carried on from the factory, shall be deemed not to be employment in the business of the factory.

(6) For the purposes of this section, a person who works about the business of a shop for the occupier thereof or in connection with any retail trade or business for the person by whom it is carried on shall be deemed to be employed, notwithstanding that he receives no reward for his labour.

(7) In the application of the last foregoing section to young persons, and in this section, the expression “shop” includes any wholesale shop and any warehouse occupied for the purposes of his trade by any person carrying on any retail trade or business or by any wholesale dealer or merchant.

(8) For the purposes of this section, employment in connection with a wholesale shop or a warehouse occupied by a wholesale dealer or merchant which is neither—

(a) employment within the premises; nor

(b) employment in the collection or delivery of goods or in attendance upon customers or in carrying messages or running errands,

shall not be deemed to be employment about the business of a shop; but, save as aforesaid, any employment in the service of the occupier of the shop upon any work, whether within the shop or outside it, which is ancillary to the business carried on at the shop shall be deemed to be employment about the business of the shop, and that expression shall be construed accordingly.

Meal times.

19.—(1) Intervals for meals shall be allowed to each shop assistant in accordance with Part I of the Third Schedule to this Act:

Provided that this section shall not apply to a shop if the only persons employed as shop assistants are members of the family of the occupier of the shop, maintained by him and dwelling in his house.

(2) In the case of any contravention of the provisions of this section, the occupier of a shop shall be liable to a fine not exceeding—

PART II
—cont.

- (a) in the case of a first offence, one pound ;
- (b) in the case of a second offence, five pounds ; and
- (c) in the case of a third or subsequent offence, ten pounds.

In considering for the purposes of this subsection whether an offence is a first, second or subsequent offence, any offence under subsection (3) of section seventeen of this Act shall be treated as if it were an offence under this subsection.

20.—(1) In the application of the last foregoing section and of the Third Schedule to this Act to young persons, the provisions of Part I of the said Schedule shall have effect subject to Part II of that Schedule. Modifications in application of s. 19 to young persons.

(2) For the purposes of the last foregoing section and the said Schedule, every young person who is wholly or mainly employed about the business of a shop shall be deemed to be a “shop assistant”.

(3) For the purposes of the last foregoing section and the said Schedule, every young person who is wholly or mainly employed in connection with any retail trade or business carried on in any place not being a shop shall be deemed to be a “shop assistant”, and in the application of that section to persons employed in connection with such a retail trade or business—

- (a) references to “a shop” shall be deemed to include references to the place in or from which the retail trade or business is carried on ; and
- (b) references to “the occupier of a shop” shall be deemed to include references to the person by whom the retail trade or business is carried on.

(4) This section shall not apply to any person employed in a residential hotel who is not a shop assistant within the meaning of section seventy-four of this Act or, in the case of a person employed at premises to which the provisions of the next following section apply, is not wholly or mainly employed there in connection with the business of selling intoxicating liquors or refreshments for consumption on the premises.

(5) Nothing in this section shall apply with respect to the employment of persons whose hours of employment are regulated by or under the Factories Acts, 1937 and 1948.

For the purposes of this subsection, employment wholly or mainly outside a factory in collecting, carrying or delivering goods, carrying messages or running errands, being employment

PART II
—*cont.*

for the purposes of retail trade or business carried on from the factory, shall be deemed not to be employment in the business of the factory.

(6) For the purposes of this section, a person who works about the business of a shop for the occupier thereof or in connection with any retail trade or business for the person by whom it is carried on, shall be deemed to be employed, notwithstanding that he receives no reward for his labour.

(7) In the application of the last foregoing section and of the Third Schedule to this Act to young persons, and in this section, the expression "shop" includes any wholesale shop and any warehouse occupied for the purposes of his trade by any person carrying on any retail trade or business or by any wholesale dealer or merchant.

(8) For the purposes of this section, employment in connection with a wholesale shop or a warehouse occupied by a wholesale dealer or merchant which is neither—

(a) employment within the premises; nor

(b) employment in the collection or delivery of goods or in attendance upon customers or in carrying messages or running errands,

shall not be deemed to be employment about the business of a shop; but, save as aforesaid, any employment in the service of the occupier of the shop upon any work, whether within the shop or outside it, which is ancillary to the business carried on at the shop shall be deemed to be employment about the business of the shop, and that expression shall be construed accordingly.

Application of foregoing provisions to premises for the sale of refreshments.

21.—(1) This section applies to shop assistants employed in any premises for the sale of refreshments, whether licensed for the sale of intoxicating liquor or not, if their employment is wholly or mainly in connection with the sale of intoxicating liquors or refreshments for consumption on the premises.

(2) The foregoing sections of this Part of this Act shall not apply to shop assistants to whom this section applies if the occupier of the premises in which they are employed, by such a notice as is hereinafter mentioned, signifies that he elects that, instead of those provisions, the following provisions shall apply.

(3) The said provisions are—

(a) that no assistant to whom this section applies shall be employed for more than sixty-five hours in any week exclusive of meal times;

(b) that provision shall be made for securing to every assistant to whom this section applies—

(i) thirty-two whole holidays on a week day in every year of which at least two shall be given within

the currency of each month and which shall comprise a holiday on full pay of not less than six consecutive days so, however, that two half holidays on a week day shall be deemed equivalent to one whole holiday on a week day ;

(ii) twenty-six whole holidays on Sunday in every year, so distributed that at least one out of every three consecutive Sundays shall be a whole holiday ;

(c) that unless the only persons employed as shop assistants are members of the family of the occupier of the premises maintained by him and dwelling in his house—

(i) intervals for meals shall be allowed to every assistant to whom this section applies amounting on a half holiday to not less than three-quarters of an hour, and on every other day to not less than two hours, and

(ii) no assistant shall be employed for more than six hours without being allowed an interval of at least half an hour ;

(d) that the occupier shall affix and constantly maintain in a conspicuous position in the premises a notice in the prescribed form referring to the provisions of this section, and stating the steps taken with a view to compliance therewith.

(4) Paragraph (a) of the last foregoing subsection shall not apply to any young person whose hours of employment are regulated under sections twenty-four to thirty-one of this Act.

(5) Where the occupier of any premises has signified as aforesaid that he elects that the foregoing provisions of this section shall apply, and any of those provisions are not complied with, the occupier of the premises shall be liable to a fine not exceeding—

(a) in the case of a first offence, one pound ; and

(b) in the case of a second offence, five pounds ; and

(c) in the case of a third or subsequent offence, ten pounds.

(6) For the purposes of this section, the expression “ half holiday ” means a day on which the employment of an assistant ceases not later than three o'clock in the afternoon and on which he is not employed for more than six hours including meal-time.

(7) A notice under this section may be withdrawn by the occupier of the shop at the expiration of a year from the date when it was given, and thereafter at the expiration of any succeeding year, and upon any such withdrawal the foregoing sections of this Part of this Act shall apply to the shop in like manner as before the notice was given.

PART II
—*cont.*

(8) The foregoing sections of this Part of this Act and Part III of this Act shall, in their application to any premises in respect to which a notice under this section is in force, have effect as though the expression “shop assistant” included all persons wholly or mainly employed in any capacity at the premises in connection with the business there carried on.

Sunday Employment in England and Wales

**Sunday
employment.**

22.—(1) No person shall be employed on Sunday about the business of a shop which is open for the serving of customers on that day unless the following requirements are complied with—

(a) in the case of a person so employed for more than four hours on any Sunday, that person shall—

(i) receive in respect of his employment on that Sunday a whole holiday on a day other than that of his statutory half-holiday, if any, and that whole holiday shall be on a weekday of the week beginning with that Sunday unless he has, in respect of his employment on that Sunday, already received such a holiday on a weekday of the previous week ;

(ii) not be employed about the business of a shop on more than two other Sundays in the same month ;

(b) in the case of a person not so employed for more than four hours on a Sunday in any month, that person shall receive in respect of his employment on any Sunday in the month a half-holiday in addition to his statutory half-holiday, if any, and that additional half-holiday shall be on a weekday of the week beginning with that Sunday unless he has, in respect of his employment on that Sunday, already received such a half-holiday on a weekday of the previous week :

Provided that this subsection shall not apply—

(i) to any person employed wholly or mainly in connection with the sale of intoxicating liquor ; or

(ii) to any shop assistant employed in any premises for the sale of refreshments to whom the provisions of paragraphs (a), (b), (c) and (d) of subsection (3) of the last foregoing section apply by virtue of an election made under that section by the occupier of the premises ; or

(iii) to any person employed wholly or mainly as a milk roundsman ; or

(iv) to any person wholly employed in the transaction of post office business ; or

(v) to any registered pharmacist within the meaning of the Pharmacy and Poisons Act, 1933, employed in connection with the sale or supply of medicines or medical or surgical appliances in any premises required to be kept open on Sunday for the serving of customers in pursuance of a contract between the occupier of the premises and an Executive Council—

(a) if he is not employed for more than two hours on that Sunday, and has not been employed on the previous Sunday, and

(b) if on a weekday (other than the day of the statutory half-holiday) of the previous week or of the week commencing with the Sunday on which he is so employed, either he has not been, or will not be, employed before half-past ten o'clock in the morning, or has not been, or will not be, employed after six o'clock in the afternoon.

(2) For the purposes of this section—

(a) a person who works about the business of a shop for the occupier thereof shall be deemed to be employed notwithstanding that he receives no reward for his labour ;

(b) in relation to any person employed about the business of a shop the following expressions have the meanings hereby respectively assigned to them, that is to say,

“ whole holiday ” means a day on which that person is not employed about the business of that shop ;

“ statutory half-holiday ” means a day on which under section seventeen of this Act he is not employed about the business of that shop after half-past one o'clock in the afternoon ;

“ half-holiday ” means a day on which he is either not employed before, or not employed after, half-past one o'clock in the afternoon of that day about the business of that shop.

(3) The occupier of any shop which by virtue of any provision of Part IV of this Act, other than section sixty-two, is open for the serving of customers on Sunday shall keep in the prescribed form and in the prescribed manner a record of the names of and the hours worked by all the persons employed about the business of the shop on Sunday who are entitled to any holidays prescribed by this section, and of the respective days of the week upon which those persons receive those holidays.

(4) Nothing in this section shall authorise the employment of any person at any time when it would under any other provision of this Act or under the Sunday Entertainments Act, 1932, be unlawful for him to be so employed.

Q

PART II
—cont.

(5) Nothing in this section shall apply to the carrying on on Sunday of the business of a retail dealer in butchers' meat.

(6) In the case of any contravention of this section, the occupier of the shop shall be liable to a fine not exceeding—

(a) in the case of a first offence, five pounds ;

(b) in the case of a second or subsequent offence, twenty pounds.

In considering for the purposes of this subsection whether an offence is or is not a first offence, any offence under subsection (1) of section fifty-nine of this Act shall be treated as if it were an offence under this subsection.

(7) This section shall not extend to Scotland.

Sunday
employment
in retail
trading
elsewhere
than in shops.

23. The last foregoing section shall extend to any place outside Scotland where any retail trade or business is carried on as if that place were a shop, and as if in relation to any such place the person by whom the retail trade or business is carried on were the occupier of a shop, but as so extended shall apply only to persons wholly or mainly employed in connection with the retail trade or business carried on at that place.

Hours of Employment of Young Persons

Hours of
employment
of persons
between
16 and 18.

24.—(1) Subject to the following provisions of this Part of this Act, no young person between the ages of sixteen and eighteen years shall be employed about the business of a shop for more than the normal maximum working hours, that is to say, forty-eight working hours in any week.

(2) On occasions of seasonal or exceptional pressure of work at any shop, young persons between the ages of sixteen and eighteen years may, subject as hereinafter provided, and subject to the provisions of any other enactment, be employed about the business of the shop overtime, that is to say, in excess of the normal maximum working hours:

Provided that in the case of any shop—

(a) when in any year there have been six weeks (whether consecutive or not) in which young persons have been employed overtime about the business of the shop, no young person shall be so employed during the remainder of that year ;

(b) no young person shall be employed overtime about the business of the shop—

(i) in any year after he has been employed overtime about the business of the shop for fifty working hours in that year ;

(ii) in any week after he has been employed overtime about the business of the shop for twelve working hours in that week.

(3) In the case of any contravention of the provisions of this section, the occupier of the shop shall be liable to a fine not exceeding ten pounds for every person in respect of whom the contravention occurs.

(4) In this section—

“shop” includes any wholesale shop and any warehouse occupied for the purposes of his trade by any person carrying on any retail trade or business or by any wholesale dealer or merchant;

“year” means the period between midnight on the last Saturday night in the month of December and midnight on the last Saturday night in the next month of December.

25.—(1) The occupier of any shop in which there is carried on the business of serving meals, intoxicating liquors, or refreshments to customers for consumption on the premises may, by exhibiting a notice to that effect, secure that the provisions of this subsection will, during a period of two consecutive weeks specified in the notice, be applicable to that shop, and when such a notice has been duly exhibited in the prescribed form and in the prescribed manner and at such time before the period therein specified as may be prescribed, then—

Hours of
employment
of persons
between
16 and 18 in
catering trade.

- (a) a young person between the ages of sixteen and eighteen years whose employment is wholly or mainly in connection with the said business, shall be deemed, for the purposes of the last foregoing section, not to be employed about the business of the shop in excess of the normal maximum working hours in either week of the period specified in the notice, if he is employed about the business thereof neither for more than sixty working hours in either week nor for more than ninety-six hours throughout the period; and
- (b) the provisions of the last foregoing section permitting employment overtime shall not apply during the period specified in the notice in relation to young persons whose employment is such as aforesaid:

Provided that, after the provisions of this subsection have been applicable to any shop during twelve such periods beginning in any calendar year, the said provisions shall not again be applicable to the shop in that year.

(2) If the occupier of any shop gives notice that he elects that the provisions of this subsection shall not be applicable to that shop, then, unless and until the notice is withdrawn, the said provisions shall not be applicable thereto, but as respects business carried on at any shop to which the said provisions are not so rendered inapplicable—

- (a) proviso (a) to subsection (2) of the last foregoing section shall not apply to the overtime employment of persons

PART II
—cont.

whose employment is wholly or mainly in connection with the business of serving meals, intoxicating liquors, or refreshments to customers for consumption on the premises, and

- (b) if other business is carried on in the shop, the overtime employment of persons in relation to whom this subsection applies shall not be taken into account for the purposes of the application of the said proviso in relation to other young persons :

Provided that, while the provisions of this subsection are applicable to a shop, the last foregoing section shall, in relation to any young persons so employed in connection with the business aforesaid, have effect as if in proviso (b) to subsection (2) thereof there were inserted the following additional paragraph, that is to say—

- (iii) in any period of two consecutive weeks so that he is employed overtime about the business of the shop for more than eight working hours in that period.

(3) A notice given under the last foregoing subsection with respect to any shop, and a notice withdrawing any such notice as aforesaid, shall be given in such form, in such manner, and subject to such conditions as may be prescribed, to the local authority whose duty it is to enforce this section within the district in which the shop is situated, and any such notice shall take effect on such date after it is given as may be prescribed.

Hours of
employment
of persons
between
16 and 18
selling
accessories
for aircraft,
motor vehicles
and cycles.

26.—(1) If the occupier of any shop in which there is carried on the business of serving customers with supplies or accessories for aircraft, motor vehicles, or cycles sold for immediate use gives notice that he elects that the provisions of this subsection shall be applicable to that shop, then, unless and until the notice is withdrawn, in relation to young persons between the ages of sixteen and eighteen years employed in connection with the business aforesaid, the normal maximum working hours shall, instead of being forty-eight working hours in any week, be such number of hours, being neither more than fifty-four in any week nor more than one hundred and forty-four in any period of three consecutive weeks, as may be specified in the notice, and section twenty-four of this Act shall have effect accordingly :

Provided that, while the provisions of this subsection are applicable to a shop, section twenty-four of this Act shall in relation to any young person employed in connection with the business aforesaid have effect as if in proviso (b) to subsection (2) thereof there were inserted the following additional paragraphs, that is to say—

- (iii) (a) in any week after he has been employed about the business of the shop for fifty-four working hours in that week ;

- (iii) (b) in any period of three consecutive weeks so that he is employed overtime about the business of the shop for more than twelve working hours in that period.

(2) If the occupier of any shop gives notice that he elects that the provisions of this subsection shall not be applicable to that shop then, unless and until the notice is withdrawn, the said provisions shall not be applicable thereto, but as respects business carried on at any shop to which the said provisions are not so rendered inapplicable—

- (a) proviso (a) to subsection (2) of section twenty-four of this Act shall not apply to the employment of persons employed in connection with the business of serving customers with supplies or accessories for aircraft, motor vehicles or cycles sold for immediate use, and
- (b) if other business is carried on in the shop, the overtime employment of persons in relation to whom this subsection applies shall not be taken into account for the purposes of the application of the said proviso in relation to any other young persons :

Provided that, while the provisions of this subsection are applicable to a shop, section twenty-four of this Act shall, in relation to any young person employed in connection with the business aforesaid, have effect as if in proviso (b) to subsection (2) thereof there were inserted the following additional paragraph, that is to say—

- (iii) (b) in any period of three consecutive weeks so that he is employed overtime about the business of the shop for more than twelve working hours in that period.

(3) A notice given under subsection (1) or under subsection (2) of this section with respect to any shop and a notice withdrawing any such notice as aforesaid shall be given in such form, in such manner and subject to such conditions as may be prescribed to the local authority whose duty it is to enforce this section within the district in which the shop is situated, and any such notice shall take effect on such date after it is given as may be prescribed.

(4) Where two or more retail trades or businesses are carried on in the same shop, and the business of serving customers with supplies or accessories for aircraft, motor vehicles, or cycles sold for immediate use is not the principal retail trade or business carried on in the shop, the provisions of this section shall apply only in relation to young persons employed about the business of the shop who are wholly or mainly employed in connection with the business of serving customers with such supplies or accessories as aforesaid.

PART II
—cont.

(5) In this section the expression “shop” includes any wholesale shop and any warehouse occupied for the purposes of his trade by any person carrying on any retail trade or business or by any wholesale dealer or merchant.

**Hours of
employment
of persons
under 16.**

27.—(1) Subject to the provisions of this section, no person who has not attained the age of sixteen years shall be employed about the business of a shop for more than the normal maximum working hours, that is to say, forty-four working hours in any week.

(2) The occupier of a shop may, by exhibiting a notice to that effect, secure that the next following subsection shall be applicable to the shop during the week within which Christmas Day falls and either the week before or the week after that week, as may be specified in the notice.

(3) When such a notice has been duly exhibited in the prescribed form and in the prescribed manner and at such time before the period therein specified as may be prescribed, then, in relation to a young person employed about the business of the shop who has not attained the age of sixteen years, the normal maximum working hours shall, as respects the period specified in the notice, be neither more than forty-eight in either week of that period nor more than eighty-eight throughout that period.

(4) In the case of any contravention of the provisions of this section, the occupier of the shop shall be liable to a fine not exceeding ten pounds for every person in respect of whom the contravention occurs.

(5) In this section the expression “shop” includes any wholesale shop and any warehouse occupied for the purposes of his trade by any person carrying on any retail trade or business or by any wholesale dealer or merchant.

**Employment
partly in
factory and
partly in shop.**

28.—(1) No young person who has to the knowledge of the occupier of a shop been previously employed on any day in a factory shall be employed on that day about the business of the shop for a longer period than will, together with the time during which he has been previously employed on that day in the factory, complete the number of hours permitted by the Factories Acts, 1937 and 1948.

(2) In the case of any contravention of the provisions of this section, the occupier of the shop shall be liable to a fine not exceeding ten pounds for every person in respect of whom the contravention occurs.

(3) In this section the expression “shop” includes any wholesale shop and any warehouse occupied for the purposes of his trade by any person carrying on any retail trade or business or by any wholesale dealer or merchant.

29.—(1) In determining for the purposes of this Part of this Act the number of working hours for which a young person has in any week or period of two or three consecutive weeks been employed about the business of any shop, he shall be deemed to have been also employed about the business thereof during any time during which he was in that week or period employed—

PART II
—*cont.*

Method of
computing
hours of
employment.

- (a) about the business of any other shop ;
- (b) in a factory ;
- (c) in or in connection with any process (not being a process to which section one hundred and six of the Factories Act, 1937, applies) carried on at any dock, wharf or quay to which section one hundred and five of the Factories Act, 1937, applies or any warehouse (except a warehouse which forms part of a factory or a warehouse occupied for the purposes of his trade by any person carrying on any retail trade or business or by any wholesale dealer or merchant) and by a person having the use or occupation of the dock, wharf, quay or warehouse or of premises within it or forming part of it ;
- (d) in or in connection with the processes of loading, unloading or coaling any ship in any dock, harbour or canal ;
- (e) in the collection or delivery of goods, or in any carrying, loading or unloading of goods incidental to the collection or delivery thereof ;
- (f) in connection with a business carried on at any premises in carrying messages or running errands, being employment wholly or mainly outside the premises ;
- (g) in collecting, carrying or delivering goods, carrying messages or running errands, being employed in connection with any business carried on at such a dock, wharf, quay or warehouse as is mentioned in paragraph (c) of this subsection and by a person having such use or occupation as is therein mentioned ;
- (h) at a residential hotel or club in carrying messages or running errands, or in connection with the reception of guests or members thereat ;
- (i) in connection with the business carried on at any premises where a newspaper is published, in carrying messages or running errands ;
- (j) at a place of public entertainment or amusement, or at a public swimming-bath, bathing place or turkish bath, for carrying messages or running errands, or in the reception of or attendance upon persons resorting thereto ;

PART II
—cont.

- (k) elsewhere than in a private dwelling-house, in the operation of a hoist or lift connected with mechanical power ;
- (l) in, or in connection with, the operation of cinematograph apparatus ;
- (m) at any premises occupied for the purposes of a laundry, dyeing or cleaning works or other factory, in receiving or despatching goods.

(2) If in any proceedings against the occupier of a shop in respect of a contravention of the provisions of this Part of this Act it is shown that the contravention occurred only by reason of time during which a young person was employed by another employer being deemed, in accordance with the provisions of this section, to be time during which he was employed about the business of that shop, it shall be a defence to prove that the occupier did not know and could not with reasonable diligence have ascertained that the young person was employed for that time by the other employer.

(3) In this section the expression "shop" includes any wholesale shop and any warehouse occupied for the purposes of his trade by any person carrying on any retail trade or business or by any wholesale dealer or merchant, and for the purposes of subsection (1) of this section—

- (a) the expression "premises" means, in relation to a young person, premises occupied by his employer for the purposes of the business in connection with which that person is employed ; and
- (b) the carrying on of a club shall be deemed to be a business notwithstanding that the club is not carried on for the purposes of profit :

Provided that, for the purposes of paragraphs (c), (d) and (g) of that subsection, the foregoing provisions of this subsection shall not apply but section one hundred and fifty-two of the Factories Act, 1937, shall apply for the interpretation of those paragraphs.

Power to regulate employment in spells.

30.—(1) If the Secretary of State is satisfied that it is necessary to make provision for preventing the hours of employment of young persons from being so divided into spells as to deprive them of reasonable opportunities for instruction and recreation, he may make regulations directing that, subject to such exceptions and modifications as may be provided by the regulations, the working hours of a young person employed shall (notwithstanding anything in the definition of the expression "working hours" contained in this Act) be deemed, for the purposes of this Part of this Act, to include the period from the time at which that

person first begins on any day to be employed about the business of a shop until the time at which he last ceases on that day to be so employed, exclusive only—

(a) of such intervals, whether for rest or meals or otherwise ; and

(b) of time allowed for attendance at such instructional courses,

as may be specified in the regulations.

(2) The power under this section to make regulations shall be exercisable by statutory instrument, and any such statutory instrument shall be subject to annulment in pursuance of a resolution of either House of Parliament.

(3) In this section the expression “ shop ” includes any wholesale shop and any warehouse occupied for the purposes of his trade by any person carrying on any retail trade or business or by any wholesale dealer or merchant.

31.—(1) A young person who is employed about the business of a shop shall in every period of twenty-four hours between mid-day on one day and midday on the next day be allowed an interval of at least eleven consecutive hours, which shall include the hours from ten o'clock in the evening until six o'clock in the morning : Night employment.

Provided that the said interval of eleven consecutive hours need not include the hour between five and six o'clock in the morning in the case of male persons between the ages of sixteen and eighteen years who are employed during that hour in connection with the collection or delivery of milk or bread or newspapers.

(2) As respects male persons between the ages of sixteen and eighteen years whose employment is wholly or mainly in connection with the business of serving meals to customers for consumption on the premises, the interval of at least eleven consecutive hours required by this section need not include any time between ten o'clock in the evening and midnight during which they are wholly employed in connection with that business.

(3) As respects young persons between the ages of sixteen and eighteen employed wholly or mainly in connection with any retail trade or business carried on in a theatre where a performance is taking place which begins before and ends after ten o'clock in the evening, the interval of at least eleven consecutive hours required by this section need not include any time between ten o'clock in the evening and the time at which the performance ends.

(4) In the case of any contravention of the provisions of this section, the occupier of the shop shall be liable to a fine not exceeding ten pounds for every person in respect of whom the contravention occurs.

Q*

PART II
—*cont.*

(5) In this section the expression “shop” includes any wholesale shop and any warehouse occupied for the purposes of his trade by any person carrying on any retail trade or business or by any wholesale dealer or merchant.

Records.

32.—(1) Subject to the provisions of this section, the occupier of any shop about the business of which young persons are employed shall in the prescribed form and in the prescribed manner keep a record of the hours worked by, and of the intervals allowed for rest and meals to, every young person employed about the business of the shop, and particulars of all employment overtime shall be separately entered in the record.

(2) If the occupier of any shop keeps exhibited in the prescribed manner in the shop or in any department thereof notices in the prescribed form specifying the daily hours to be worked by, and intervals for rest and meals to be allowed to, young persons employed about the business of the shop or of the department, as the case may be, he need only enter in the said record any time during which any such person is employed about the business of the shop or department outside the daily hours so specified or during the intervals so specified:

Provided that any such time shall be entered as, and shall be deemed to be, overtime, unless the time was worked by that person in lieu of time not worked by him during the same week within the specified daily hours, and both the time not so worked and the time worked in lieu thereof are entered in the record.

(3) The occupier of any shop about the business of which young persons are employed shall in the prescribed form and in the prescribed manner keep exhibited in the shop notices setting forth the number of hours in the week during which young persons may in accordance with the provisions of this Act be employed about the business of the shop and such other particulars as may be prescribed.

(4) The provisions of the last foregoing subsection shall not apply as respects any place in which retail trade or business is carried on, not being a shop.

(5) In the case of any contravention of the foregoing provisions of this section, the occupier of the shop shall be liable to a fine not exceeding five pounds for every day on which the contravention occurs or continues.

(6) If any person with intent to deceive makes, or causes or allows to be made, in any such record or notice as aforesaid an entry which is to his knowledge false in any material particular, or wilfully omits or causes or allows to be omitted from any such record or notice an entry required to be made therein, he shall be liable to imprisonment for a term not exceeding three months or to a fine not exceeding twenty pounds, or to both such imprisonment and fine.

(7) In this section the expression “shop” includes any wholesale shop and any warehouse occupied for the purposes of his trade by any person carrying on any retail trade or business or by any wholesale dealer or merchant.

33. The provisions of section twenty-four and sections twenty-seven to thirty-two of this Act shall extend to the employment of young persons in connection with any retail trade or business carried on in any place not being a shop, and accordingly—

Extension of foregoing provisions as to young persons to retail trading elsewhere than in shops.

(a) in those provisions references to employment about the business of a shop shall be deemed to include references to such employment as aforesaid, and

(b) for the purposes of the application of those provisions to such employment, references in this Act to a shop shall be deemed to include references to the place in or from which the retail trade or business is carried on, and references to the occupier of a shop shall be deemed to include references to the person by whom the retail trade or business is carried on.

34.—(1) Sections twenty-four to thirty-three of this Act shall not apply to—

Cases where foregoing provisions as to employment of young persons do not apply.

(a) any person employed in a residential hotel who is not a shop assistant within the meaning of section seventy-four of this Act, or, in the case of a person employed at premises to which the provisions of section twenty-one of this Act apply, is not wholly or mainly employed there in connection with the business of selling intoxicating liquors or refreshments for consumption on the premises ;

(b) the employment of persons in or about a theatre except in relation to young persons employed wholly or mainly in connection with any retail trade or business carried on in the theatre.

(2) Sections twenty-four to thirty-three of this Act, except for the provisions of sections twenty-eight and twenty-nine in so far as they relate to employment in a factory, shall not apply with respect to the employment of persons whose hours of employment are regulated by or under the Factories Acts, 1937 and 1948.

For the purposes of this subsection, employment wholly or mainly outside a factory in collecting, carrying or delivering goods, carrying messages or running errands, being employment for the purposes of retail trade or business carried on from the factory, shall be deemed not to be employment in the business of the factory.

PART II

—cont.

Birth
certificates.

35.—(1) Where the age of any person is required to be ascertained or proved for the purposes of this Part of this Act, any person shall, on presenting a written requisition in such form and containing such particulars as may be from time to time directed by the Registrar-General and on payment of a fee of sixpence, be entitled to obtain a certified copy under the hand of a registrar or superintendent registrar of the entry in the register under the Births and Deaths Registration Acts, 1836 to 1929, of the birth of that person; and such a form of requisition shall on request be supplied without charge by every registrar and superintendent registrar of births, deaths and marriages.

(2) This section shall have effect in Scotland as if for references to the Registrar-General and the Births and Deaths Registration Acts, 1836 to 1929, there were respectively substituted references to the Registrar-General of Births, Deaths and Marriages in Scotland and the Registration of Births, Deaths and Marriages (Scotland) Acts, 1854 to 1938, and as if any reference to a superintendent registrar were omitted.

Interpretation
of provisions
as to employ-
ment of
young
persons.

36.—(1) For the purposes of sections twenty-four to thirty-five of this Act, a person who works about the business of a shop for the occupier thereof, or in connection with any retail trade or business for the person by whom it is carried on, shall be deemed to be employed, notwithstanding that he receives no reward for his labour.

(2) For the purposes of the said sections, employment in connection with a wholesale shop or a warehouse occupied by a wholesale dealer or merchant which is neither—

(a) employment within the premises; nor

(b) employment in the collection or delivery of goods or in attendance upon customers or in carrying messages or running errands,

shall not be deemed to be employment about the business of a shop; but, save as aforesaid, any employment in the service of the occupier of the shop upon any work, whether within the shop or outside it, which is ancillary to the business carried on at the shop shall be deemed to be employment about the business of the shop, and that expression shall be construed accordingly.

*Arrangements for health and comfort of shop-workers*Seats for
female shop
workers.

37.—(1) In all rooms of a shop where female shop assistants are employed in the serving of customers, the employer shall provide seats behind the counter, or in such other position as may be suitable for the purpose, and such seats shall be in the proportion of not less than one seat to every three female shop assistants employed in each room.

(2) It shall be the duty of the occupier of the shop to permit the female shop assistants to make use of such seats whenever

the use thereof does not interfere with their work, and the occupier shall in the prescribed manner and in the prescribed form give notice informing the shop assistants that they are intended to do so.

PART II
—*cont.*

(3) Any person failing to comply with the provisions of this section shall be liable—

- (a) for a first offence to a fine not exceeding three pounds ; and
- (b) for a second or subsequent offence to a fine of not less than one pound and not exceeding five pounds.

38.—(1) In every part of a shop in which persons are employed about the business of the shop—

Sanitary
and other
arrangements
in shops.

- (a) suitable and sufficient means of ventilation shall be provided and suitable and sufficient ventilation shall be maintained ;
- (b) suitable and sufficient means shall be provided to maintain a reasonable temperature and a reasonable temperature shall be maintained.

(2) In every shop, not being a shop exempted from the provisions of this subsection, there shall be provided and maintained suitable and sufficient sanitary conveniences available for the use of persons employed in or about the shop.

(3) In every part of a shop in which persons are employed about the business of the shop, suitable and sufficient means of lighting shall be provided, and every such part of a shop shall be kept suitably and sufficiently lighted.

(4) In every shop, not being a shop exempted from the provisions of this subsection, there shall be provided and maintained suitable and sufficient washing facilities available for the use of persons employed in or about the shop.

(5) Where persons employed about the business of a shop take any meals in the shop, there shall be provided and maintained suitable and sufficient facilities for the taking of those meals.

(6) A shop shall be exempted from the provisions of subsection (2) or of subsection (4) of this section if there is in force a certificate exempting that shop therefrom granted by the authority whose duty it is to enforce those provisions respectively.

Any such certificate shall remain in force until it is withdrawn by the authority, but no such certificate shall be granted with respect to any shop unless the authority are satisfied that by reason of restricted accommodation or other special circumstances affecting the shop it is reasonable that such a certificate should be in force with respect thereto, and that suitable and sufficient sanitary conveniences or washing facilities, as the case

PART II
—*cont.*

may be, are otherwise conveniently available, and, subject as hereinafter provided, a certificate in force with respect to any shop shall be withdrawn if the authority at any time cease to be so satisfied as aforesaid :

Provided that, if the occupier of a shop is aggrieved by the withdrawal of such a certificate, he may appeal to the county court for the district in which the shop is situated and that court may make such order concerning the certificate as appears to the court, having regard to the matters aforesaid, to be just and equitable.

(7) If it appears to the authority whose duty it is to enforce any provision of this section that there has been, in the case of any shop, a contravention of that provision, the authority shall, by notice served on the owner or occupier of the shop, require him to take, within such time as may be limited by the notice, such action as may be specified in the notice for the purpose of securing compliance with the said provision.

If any person served with such a notice fails to comply with the requirements thereof, he shall be liable—

- (a) to a fine not exceeding twenty pounds, or
- (b) in the case of a second or subsequent conviction in respect of the same requirement, to a fine not exceeding fifty pounds or five pounds for every day since the first conviction in respect of that requirement, whichever is the greater :

Provided that it shall be a defence to any proceedings under this subsection to prove that there was no contravention of the provisions of this section, or that the requirements of any such notice as aforesaid were, within a reasonable time after service of the notice, complied with in so far as they were necessary to secure compliance with the provisions of this section.

(8) In this section—

“ shop ” includes any wholesale shop and any warehouse occupied for the purposes of his trade by any person carrying on any retail trade or business or by any wholesale dealer or merchant ;

“ suitable and sufficient ” means, in relation to any shop or part of a shop, suitable and sufficient having regard to the circumstances and conditions affecting that shop or part.

(9) For the purposes of this section, a person who works about the business of a shop for the occupier thereof, or in connection with any retail trade or business for the person by whom it is carried on, shall be deemed to be employed, notwithstanding that he receives no reward for his labour.

(10) For the purposes of this section, employment in connection with a wholesale shop or a warehouse occupied by a wholesale dealer or merchant which is neither—

PART II
—cont.

- (a) employment within the premises ; nor
- (b) employment in the collection or delivery of goods or in attendance upon customers or in carrying messages or running errands,

shall not be deemed to be employment about the business of a shop ; but, save as aforesaid, any employment in the service of the occupier of a shop upon any work, whether within the shop or outside it, which is ancillary to the business carried on at the shop shall be deemed to be employment about the business of a shop, and that expression shall be construed accordingly.

39.—(1) If any person, being either the owner or the occupier of a shop, who has incurred or is about to incur any expense for the purpose of securing that the requirements of the last foregoing section are complied with with respect to the shop, alleges that the whole or any part of the expense ought to be borne by any other person having an interest in the premises, he may apply to the county court for the district in which the shop is situated and that court may make such order concerning the expenses or their apportionment as appears to the court, having regard to all the circumstances of the case, including the terms of any contract between the parties, to be just and equitable, and any order made under this section may direct that any such contract as aforesaid shall cease to have effect in so far as it is inconsistent with the terms of the order.

Apportionment of expenses under last section.

(2) In this section the expression “ shop ” includes any wholesale shop and any warehouse occupied for the purposes of his trade by any person carrying on any retail trade or business or by any wholesale dealer or merchant.

PART III

MODIFICATIONS OF PARTS I AND II IN SPECIAL CASES

40.—(1) In places frequented as holiday resorts during certain seasons of the year the local authority may by order suspend, for such period or periods as may be specified in the order, not exceeding in the aggregate four months in any year, the obligation imposed by this Act to close shops on the weekly half-holiday.

Suspension of weekly half-holiday in holiday resorts.

(2) Any order made under this section may be made so as to apply to the whole or to any part of the area of the local authority, and to all shops, or to shops of any class, within that area or part.

(3) Where the occupier of any shop in any place in which any such order of suspension is in force satisfies the local authority that it is the practice to allow all his shop assistants a holiday

PART III
—cont.

on full pay of not less than two weeks in every year, and keeps affixed in his shop a notice to that effect, the requirement that on one day in each week a shop assistant shall not be employed after half-past one o'clock shall not apply to the shop during such period or periods as aforesaid.

Alteration of
general closing
hours in
holiday resorts
and sea fishing
centres.

41.—(1) In places frequented as holiday resorts during certain seasons of the year, and in places where sea fishing is principally carried on during certain seasons of the year, the local authority shall by order, during such period as may be specified in the order, substitute for the general closing hours fixed by or under this Act such later hours as they may think fit if, upon application being made to them for an order under this section, they are satisfied that such an order is desired by the occupiers of a majority of the shops to be affected by the order:

Provided that the local authority shall not in any year by orders under this subsection substitute later hours for the general closing hours fixed by this Act for periods exceeding four months in the aggregate in that year.

(2) Any order under this section—

- (a) may be made so as to apply to the whole or to any part of the area of the local authority, and to all shops, or to shops of any class, within that area or part; and
- (b) shall be made subject to such conditions as the local authority may consider necessary for securing that shop assistants affected by the order shall not be employed in or about the business of a shop for more than such number of hours as may be specified by the order; and
- (c) may suspend the operation of any closing order which is for the time being in force in the area of the local authority.

(3) In the case of any breach of a condition imposed by any order made under this section, the occupier of the shop shall be liable to a fine not exceeding—

- (a) in the case of a first offence, five pounds;
- (b) in the case of a second or subsequent offence, twenty pounds.

In considering for the purposes of this subsection whether an offence is or is not a first offence, any offence under subsection (2) of section fourteen or subsection (3) of section forty-two of this Act shall be treated as if it were an offence under this subsection.

(4) If, while orders made under this section are in force, any shop assistant affected by any order under this section is, in any year, employed in or about the business of a shop for extra hours, he shall, subject to the provisions of the Fourth Schedule to this Act, be entitled to corresponding holidays, calculated in accordance with the provisions of that Schedule, with full wages.

If at the date of the termination of his employment or at the end of the year, whichever first occurs, default has been made in granting to him any holiday or wages to which he is entitled under this subsection, the shop assistant may recover as a debt due from the employer for every day's holiday in respect of which such default has been made a sum equal to one-sixth of the highest weekly rate of wages paid to him in respect of his employment in or about the business of the shop during the year or the part thereof during which he has been employed therein.

(5) For the purposes of this section and the said Fourth Schedule—

“extra hours” means, in relation to any shop assistant, hours in excess of the customary working day, being hours after the general closing hours fixed by or under this Act otherwise than by an order made under this section ;

“customary working day” means, in relation to any shop assistant, the daily number of hours during which shop assistants of his class are, while unaffected by any order made under this section, customarily employed in or about the business of the shop in which he is employed ;

“full wages” means, in relation to any holiday granted to a shop assistant, wages at a rate equivalent to the rate of wages to which he was entitled immediately before the holiday.

(6) In the case of a shop as respects which an order under this section is in force on the first Sunday in November in any year, the provisions of Part I of this Act as to general closing hours in the winter months shall not be construed as making earlier the hours at which the shop is required to be closed while the order remains in force.

42.—(1) As respects any retail trade or business carried on at an exhibition or show within the area of a local authority, the local authority may by order substitute for the general closing hours fixed by or under this Act, or for any closing hour fixed by a closing order, later hours, not being later than ten o'clock in the evening, if they are satisfied that the retail trade or business so carried on is subsidiary or ancillary only to the main purpose of the exhibition or show.

Alteration of
general closing
hours and
closing orders
for exhibitions.

(2) Any order under this section shall be made subject to such conditions as the local authority may consider necessary for securing that shop assistants affected by the order shall not be employed in or about the retail trade or business to which the order relates for more than such number of hours as may be specified by the order.

PART III
—*cont.*

(3) In the case of any breach of a condition imposed by any order made under this section, the occupier of the shop shall be liable to a fine not exceeding—

(a) in the case of a first offence, five pounds ;

(b) in the case of a second or subsequent offence, twenty pounds.

In considering for the purposes of this subsection whether an offence is or is not a first offence, any offence under subsection (2) of section fourteen or subsection (3) of section forty-one of this Act shall be treated as if it were an offence under this subsection.

(4) In the case of a shop as respects which an order under this section is in force on the first Sunday in November in any year, the provisions of Part I of this Act as to general closing hours in the winter months shall not be construed as making earlier the hours at which the shop is required to be closed while the order remains in force.

Suspension
of general
closing hours
and closing
orders on
special
occasions.

43.—(1) The Secretary of State may by order for such periods as he thinks fit suspend the operation of the provisions of this Act relating to general closing hours during the Christmas season or in connection with any other special occasion, and while any order made under this subsection is in force the provisions of any closing order shall be deemed to be suspended except in so far as may be otherwise directed by the order of the Secretary of State.

The power of making orders under this subsection shall be exercisable by statutory instrument.

(2) A local authority may, in connection with any special occasion, by order suspend the operation of the provisions of this Act relating to general closing hours and the provisions of any closing order made by them for such period as they may think fit:

Provided that a local authority shall not in any year by orders under this subsection suspend the operation of the said provisions for more than seven days in the aggregate in that year.

(3) The Secretary of State may cause a local enquiry to be held for the purposes of any of his powers and duties under this section, and section sixteen of this Act shall apply in relation to any such local enquiry.

Exemptions for
post office
business.

44.—(1) Where post office business is carried on in any shop in addition to any other business, this Act shall apply to that shop subject to the following modifications:—

(a) if the shop is a telegraph office, the obligation to close on the weekly half-holiday shall not apply to the shop so far as relates to the transaction of post office business thereat ;

(b) where the Postmaster-General certifies that the exigencies of the postal service require that post office business should be transacted in any such shop at times when under the provisions of this Act relating to the weekly half-holiday the shop would be required to be closed, or under conditions not authorised by sections seventeen to twenty of this Act, the shop shall, for the purpose of the transaction of post office business, be exempted from the provisions of Part I and sections seventeen to twenty of this Act to such extent as the Postmaster-General may certify to be necessary for the purpose:

Provided that in such cases the Postmaster-General shall make the best arrangements that the exigencies of the postal service allow with a view to the conditions of employment of the persons employed being on the whole not less favourable than those secured by Part I and sections seventeen to twenty of this Act:

(2) Save as aforesaid, nothing in Part I or sections seventeen to twenty of this Act shall apply to post office business, or to any premises in which post office business is transacted.

45. Nothing in Part I or sections seventeen to twenty-one or section thirty-seven of this Act shall apply—

Exemption for
fairs, etc.,
and non-
profit-making
libraries.

(a) to any fair lawfully held or any bazaar or sale of work for charitable or other purposes from which no private profit is derived; or

(b) to any library at which the business of lending books or periodicals is not carried on for purposes of gain other than that of making profits for some philanthropic or charitable object (including any religious or educational object), or for any club or institution which is not itself carried on for purposes of gain.

46. Nothing in the provisions of Part I or II of this Act other than those relating to Sunday employment shall apply to any library which, on the first day of January, nineteen hundred and thirty-six, was carried on by a society registered under the Industrial and Provident Societies Acts, 1893 to 1928, mainly for the purpose of affording to its members means of education or recreation, so long as the following conditions are complied with, that is to say—

Exemption for
Industrial
and Provident
Societies'
libraries.

(a) that the library continues to be carried on by the society mainly for the purpose aforesaid;

(b) that no pecuniary profit is directly derived from the lending of books or periodicals at or from the library;

(c) that no person employed about the business of any shop occupied by the society is engaged about the business of the library.

PART IV
SUNDAY TRADING

General provisions in England and Wales

Closing of shops on Sunday.

47. Every shop shall, save as otherwise provided by this Part of this Act, be closed for the serving of customers on Sunday:

Provided that a shop may be open for the serving of customers on Sunday for the purposes of any transaction mentioned in the Fifth Schedule to this Act.

Partial exemption orders.

48.—(1) The local authority may by order (in this Part of this Act referred to as a “partial exemption order”) made in accordance with the provisions of this Part of this Act provide that shops situated in their area or in such part thereof as is specified in the order may for the purposes of such of the transactions mentioned in the Sixth Schedule to this Act as may be so specified be open for the serving of customers on Sunday subject to the limitations hereafter provided.

(2) A partial exemption order shall not authorise a shop to be open for the serving of customers after ten o'clock on Sunday morning:

Provided that an order may authorise the serving of customers after ten o'clock on Sunday morning in shops to which the order applies in cases of emergency and in such other cases as may be specified in the order.

(3) A partial exemption order may contain such incidental, supplemental or consequential provisions as may appear to the local authority necessary or proper.

Sale of meals and refreshments off the premises.

49.—(1) As respects shops which, by virtue of the provisions of this Part of this Act, may be open for the serving of customers on Sunday for the purpose of the sale of meals or refreshments for consumption elsewhere than at the shop at which they are sold, the local authority may by order made in accordance with the provisions of this Part of this Act provide that those shops or any class of those shops specified in the order, being shops situated in their area or in such part thereof as may be so specified, shall cease to be entitled to be open for the serving of customers on Sunday for that purpose:

Provided that no order made under this section shall—

- (a) apply to shops in which the sale of meals or refreshments for consumption at the shop forms a substantial part of the business carried on therein; or
- (b) prevent the sale on Sunday of meals and refreshments elsewhere than at a shop except to such extent and subject to such conditions as may be specified in the order.

(2) An order under this section may provide for the provisions thereof being in force throughout the year or during such periods as may be specified in the order, and may be made subject to such conditions as may be so specified.

PART IV
—cont.

50. Where several trades or businesses are carried on in the same shop and any of those trades or businesses consist only of transactions of such a nature that, if they were the only transactions carried on in the shop, the provisions of this Part of this Act requiring the shop to be closed for the serving of customers for the whole or any part of Sunday would not apply to the shop, the shop may be kept open for the whole or any part of Sunday, as the case may be, for the purposes of those transactions alone, subject, however, to such conditions as may be prescribed.

Shops where several trades or businesses are carried on.

51. Where the area or any part of the area of a local authority is a district which is frequented as a holiday resort during certain seasons of the year, the local authority may by order provide that on such Sundays as may be specified in the order shops or any class of shops, being shops situated in the district or in such part thereof as may be so specified, may, subject to such conditions and during such hours as may be so specified, be open for the serving of customers for the purpose of any of the transactions specified in the Seventh Schedule to this Act or such of them as may be specified in the order:

Holiday resorts.

Provided that the Sundays specified in any such order shall not be more than eighteen in any year.

52.—(1) The local authority shall, before making any order under the foregoing provisions of this Part of this Act, give public notice in the prescribed manner of their intention to make the order, specifying in the notice a period (not being less than the prescribed period) within which objections may be made to the making of the proposed order, and, if after taking into consideration any objections they have received the local authority are satisfied that it is expedient to make the order and that the occupiers of not less than two-thirds in number of the shops or classes of shops to be affected by the order approve the order, they may make the order.

Making and revocation of orders.

(2) Where several trades or businesses are carried on in the same shop, the local authority may require the occupier of the shop to specify which trade or business he considers to be his principal trade or business, and no trade or business other than that so specified shall, for the purpose of determining whether the occupiers of not less than two-thirds in number of the shops to be affected by any order approve the order, be considered

PART IV
—*cont.*

as carried on in the shop, unless the occupier thereof satisfies the local authority that it forms a substantial part of the business carried on in the shop.

**Persons
observing
the Jewish
Sabbath.**

53.—(1) Subject to the provisions of this section, the occupier of any shop who is a person of the Jewish religion shall be entitled, upon making to the local authority an application in accordance with the provisions of this section, to have the shop registered under this section by the local authority, and so long as the shop is so registered then—

- (a) the shop shall be closed for all purposes connected with trade or business on Saturday ; and
- (b) the provisions of this Part of this Act requiring the shop to be closed for the serving of customers on Sunday shall not apply until two o'clock in the afternoon ; and
- (c) there shall be kept conspicuously placed in the shop a notice stating that it will be closed on Saturday and, if the shop will be open for the serving of customers on Sunday after two o'clock in the afternoon for the purposes of any transaction for which it is permitted under this Part of this Act to be so open, specifying the hours during which, and the purposes for which, it will be so open.

(2) Any application for the registration of a shop under this section shall be in the prescribed form and shall be accompanied—

- (a) by a statutory declaration made by the occupier of the shop in such form as may be prescribed declaring that he conscientiously objects on religious grounds to carrying on trade or business on the Jewish Sabbath ; and
- (b) by such further statutory or other declarations and certificates, if any, made by such persons, and in such form, as may be prescribed.

(3) For the purposes of this section, a shop occupied by a partnership or company shall be deemed to be occupied by a person of the Jewish religion if the majority of partners or of the directors, as the case may be, are persons of that religion, but not otherwise, and such a shop shall not be registered under this section unless the statutory declaration required by paragraph (a) of the last foregoing subsection is made by the majority of partners or directors and specifies the names and addresses of all the other partners or directors.

(4) If for the purpose of procuring the registration of any shop under this section any person knowingly or recklessly makes an untrue statement or untrue representation, he shall be

liable, on summary conviction, to imprisonment for a term not exceeding three months or to a fine not exceeding fifty pounds, or to both such imprisonment and fine.

(5) So long as a shop is registered under this section—

- (a) no other shop occupied by the same occupier shall be kept open for any purpose connected with trade or business on Saturday ;
- (b) no person by whom the statutory declaration aforesaid has been made in connection with the application for the registration of the shop shall be employed or engaged on the Jewish Sabbath about the business of any shop or shall so employ, or be directly concerned in the control or management of any partnership or company which so employs, any person.

(6) Where any person is convicted of a contravention of this section, the court may, in addition to any other penalty, order the registration of any shops occupied by him or by any partnership or company in the control or management of which he is directly concerned to be revoked :

Provided that the court shall not order the registration of any shop not occupied, or not occupied solely, by the person convicted to be revoked except after affording an opportunity to the occupier or to the other occupiers, as the case may be, to appear and be heard.

(7) If upon representations made to them it appears to the local authority that there is reason to believe—

- (a) that the occupier of any shop registered under this section is not a person of the Jewish religion ; or
- (b) that a conscientious objection on religious grounds to carrying on business on the Jewish Sabbath is not genuinely held by the occupier of the shop, or in the case of a shop occupied by a partnership or company by the majority of the partners or of the directors, as the case may be,

the local authority may furnish particulars of the case to such tribunal as may, after consultation with the London Committee of Deputies of the British Jews, be prescribed, and if that tribunal, after considering the case in accordance with such rules as may be prescribed, report to the local authority that in their opinion the occupier of the shop is not a person of the Jewish religion or that such a conscientious objection is not so held as aforesaid, the local authority shall revoke the registration of the shop, and upon the revocation thereof the registration under this section of all other shops occupied by the same occupier, whether in the area of that local authority or elsewhere, shall be deemed to be also revoked.

PART IV
—cont.

(8) In the event of any change in the occupation of a shop registered under this section, it shall be the duty of the person who becomes the occupier to serve on the local authority notice of the change, and in the event of any change in any partnership or among the directors of any company by which such a shop is occupied, it shall be the duty of the partnership, or of the company, as the case may be, to serve on the local authority a notice giving particulars of the change, and, whether or not such a notice is served, the registration of the shop shall, upon the expiration of a period of fourteen days from the date on which the change occurred, be deemed to be cancelled, unless within that period, or within such further time as may be allowed by the local authority, a fresh application under this section is made in respect of the shop:

Provided that, where such a fresh application is made by reason of a change in any partnership or among the directors of any company by which the shop is occupied, the local authority may dispense with the statutory or other declaration or certificates required by paragraph (a) of subsection (2) and by subsection (3) of this section in the case of any person who has made such a declaration in connection with a former application in respect of that shop or any other shop in the area of the local authority.

(9) The registration of any shop under this section shall be cancelled upon application in that behalf being made to the local authority by the occupier of the shop, but shall not be so cancelled during the period of twelve months from the date on which an application for registration of the shop was last made.

(10) Where an application is made to a local authority in accordance with the provisions of this section for the registration of a shop under this section—

- (a) the local authority shall refuse to register the shop if the registration of that shop has been revoked or has been cancelled under the last foregoing subsection while the shop was in the occupation of the applicant; and
- (b) the local authority may refuse to register the shop if the registration of that shop or of any other shop occupied or formerly occupied by the applicant, or by any partnership or company of which he was a partner or director, has been revoked or cancelled.

(11) Where the local authority refuse to register a shop in accordance with the provisions of paragraph (b) of the last foregoing subsection, they shall serve notice of their refusal upon the applicant, and, if the applicant is aggrieved by such refusal, he may, within twenty-one days of the date when the notice

was so served upon him, appeal against such refusal to a court of summary jurisdiction for the petty sessional division in which the shop is situated, and the appellant or the local authority, if aggrieved by the order made by the court of summary jurisdiction, may appeal against that order to quarter sessions.

(12) This section shall apply to persons who are members of any religious body regularly observing the Jewish Sabbath as it applies to persons of the Jewish religion, and references therein to persons of the Jewish religion shall be construed accordingly as including any person who is a member of such a body, and in the application of this section to such persons this section shall have effect as if for the reference therein to the London Committee of Deputies of the British Jews there were substituted a reference to such body as appears to the Secretary of State to represent such persons.

(13) As respects any shop which is for the time being registered under this section, this Act shall have effect as if—

- (a) in subsection (1) of section one and subsection (1) of section seventeen, the references to weekdays were construed as references to weekdays other than Saturdays ;
- (b) throughout subsection (2) of section one “ Friday ” were substituted for “ Saturday ”.

54.—(1) If the Common Council of the City of London or the London County Council are satisfied that any part of their respective areas—

Special provisions for London.

- (a) is a district in which it was, before the first day of January, nineteen hundred and thirty-six, customary to hold street markets on Sunday ; or
- (b) is a district, being a district within the City of London or the metropolitan boroughs of Bethnal Green, Shoreditch, or Stepney, in which it was customary before the said date for the majority of the shops in the district to be kept open on Sunday and that, having regard to the character and habits of the population in the district, the application of the provisions of this Part of this Act requiring shops to be closed on Sunday would cause undue hardship,

they may, by order made in accordance with the provisions of this section, authorise such shops or classes of shops as may be specified in the order, being shops situated in the district or in such parts of the district as may be so specified, to be open for the serving of customers on Sunday until two o'clock on Sunday afternoon subject to the conditions hereinafter mentioned :

Provided that, before making an order applying to any district referred to in paragraph (b) of this subsection,

PART IV
—cont.

the council shall take steps to ascertain the wishes of the occupiers of such shops as appear to them to be likely to be affected, and, if they are satisfied that the occupiers of a majority of any class of such shops are opposed to the making of the order, the council shall exclude that class of shops from the operation of the order.

(2) Any order made under this section authorising shops to be kept open for the serving of customers on Sunday shall fix a week-day upon which such shops must be closed (in this section referred to as “the closing day”), and may fix different days for different classes of shops, and the occupier of a shop who intends to keep open the shop on Sunday in pursuance of the order shall give notice in writing to the Common Council of the City of London or to the London County Council, as the case may be, of his intention so to do, and he shall not keep open the shop on Sunday unless such notice has been given and the shop has been closed on the closing day in the preceding week in like manner and for the like purposes as it would, but for the order, have been required by this Part of this Act to be closed on Sunday:

Provided that—

- (a) the closing day so fixed shall be a day other than the day fixed for the weekly half-holiday by an order made under section one of this Act, and the occupier of a shop shall not be entitled to keep his shop closed for the purposes of the weekly half-holiday required by the provisions of that section on the closing day:
 - (b) where the closing day so fixed is a day other than Saturday, the order shall provide for enabling Saturday to be substituted as the closing day as respects any shop.
- (3) Any order made under this section shall contain such provisions as may be necessary or expedient to secure—
- (a) that where a notice has been given under the last foregoing subsection to the Common Council of the City of London or to the London County Council by the occupier of a shop, the shop shall not be kept open on the closing day during a period of not less than six months from the date when the notice was given; and
 - (b) that so long as the shop is kept open on Sunday in pursuance of the order, such notices as the Common Council of the City of London or the London County Council, as the case may be, may require, shall be kept exhibited in the shop.
- (4) The Common Council of the City of London or the London County Council shall, before making any order under

this section, give public notice of their intention to make the order, defining by reference to a map the district or parts of the district to which the order is to apply and the times and places at which the map may be inspected, and specifying a period (not being less than four weeks) within which objections may be made to the making of the proposed order, and if, after taking into consideration any objections they have received, the Common Council of the City of London or the London County Council are satisfied that it is expedient to make the order, they may make the order, and the provisions of subsections (2) and (3) of section nine and the provisions of section sixteen of this Act shall have effect as if any such order, or any order varying or revoking such an order, were a closing order.

PART IV
—cont.

55. Goods sold retail to a customer shall not be delivered or **Delivery** dispatched for delivery from a shop at any time when under the **of goods.** provisions of this Part of this Act a customer could not be served with those goods in that shop:

Provided that this section shall not apply—

- (a) on any Sunday being also Christmas Day ; or
- (b) on any Sunday when the succeeding Monday is Christmas Day.

56.—(1) Nothing in this Part of this Act shall prevent— **Savings.**

- (a) the sale, dispatch or delivery of victuals, stores or other necessaries required by any person for a ship or aircraft on her arrival at, or immediately before her departure from, a port or aerodrome ;
- (b) the sale, dispatch or delivery of goods to a club for the purposes of the club ;
- (c) the cooking on Sunday, before half-past one o'clock in the afternoon, at any shop of any food brought to that shop by a customer and required by him for consumption on that day, or the dispatch or delivery not later than the hour aforesaid of any such food so cooked.

(2) Where any person is charged with keeping open a shop for the serving of customers, or with dispatching or delivering goods, in contravention of this Part of this Act, it shall be a good defence to prove that reasonable grounds existed for believing that the goods supplied, dispatched or delivered were required in the case of illness.

(3) Where any person is charged with keeping open for the serving of customers in contravention of this Part of this Act a shop which is permitted to be open until a certain hour by reason of his having served a customer after that hour, it shall be

PART IV
—cont.

a good defence to prove that the customer was in the shop before that hour and left the shop not later than half-an-hour after that hour.

(4) Notwithstanding anything in section forty-seven of this Act, any person carrying on or employed in the business of a hairdresser or barber may, at any time, for the purposes of that business attend any person—

- (a) in any place, if such attendance is necessary by reason of the bodily or mental infirmity of that person ; or
- (b) in any hotel or club, if that person is resident therein.

(5) If the local authority are satisfied that any person engaged in handicraft at his home is dependent for his livelihood upon the sale on Sunday of articles produced by him in the course of his handicraft to such extent that the prohibition of such sale would involve substantial hardship, they may grant to him a certificate exempting him during such period as may be specified in the certificate from any of the foregoing provisions of this Part of this Act in respect of the sale of those articles during such hours and subject to such conditions as may be so specified.

(6) The foregoing provisions of this Part of this Act shall not apply to any sea-going ship.

Notices.

57. The occupier of any shop which by virtue of the foregoing provisions of this Part of this Act is open for the serving of customers on Sundays shall cause to be kept conspicuously posted in the shop a notice in the prescribed form stating the terms of any order applying to the shop.

**Extension of
foregoing
provisions of
Part IV to
retail trading
elsewhere
than in shops.**

58. The foregoing provisions of this Part of this Act except—

- (a) those provisions of section fifty-two and section fifty-four which relate to the approval by occupiers of shops of orders made under those sections ; and
- (b) paragraph (c) of subsection (1) of section fifty-three ; and
- (c) the last foregoing section,

shall extend to any place where any retail trade or business is carried on as if that place were a shop, and as if in relation to any such place the person by whom the retail trade or business is carried on were the occupier of a shop :

Provided that the provisions of section forty-seven of this Act shall, as applied by this section, have effect as if there were included in the Fifth Schedule to this Act the sale by fishermen of freshly caught fish (including shellfish) and the sale at a farm, smallholding, allotment or similar place, of produce produced thereon.

59.—(1) In the case of any contravention of any of the foregoing provisions of this Part of this Act, the occupier of the shop shall be liable to a fine not exceeding—

PART IV
—cont.

Offences connected with Sunday trading.

- (a) in the case of a first offence, five pounds ;
- (b) in the case of a second or subsequent offence, twenty pounds.

In considering for the purposes of this subsection whether an offence is or is not a first offence, any offence under subsection (6) of section twenty-two of this Act shall be treated as if it were an offence under this subsection.

(2) A person who carries on the business of a shop, or carries on retail trade or business at any place not being a shop, on Sunday in accordance with the foregoing provisions of this Part of this Act, shall not be deemed to commit an offence against any of the following enactments, namely—

- (a) the Sunday Fairs Act, 1448 ; or
- (b) the Act of the third year of His late Majesty King Charles the First, chapter three, for the further reformation of sundry abuses committed on the Lord's Day commonly called Sunday ; or
- (c) the Sunday Observance Act, 1677.

Retail meat dealers' shops in England and Wales

60. Nothing in the foregoing provisions of this Part of this Act shall apply to the carrying on on Sunday of the business of a retail dealer in butchers' meat.

Exclusion of foregoing provisions as to Sunday trading in the case of retail meat dealers.

61. Subject to the following provisions of this Part of this Act, it shall not be lawful for any person to carry on the business of a retail dealer in butchers' meat on Sunday, and, where the business is carried on in a shop, the shop shall for the purposes of that business be closed for the serving of customers on Sunday.

Business of retail dealer in meat not to be carried on on Sunday.

62.—(1) Notwithstanding anything in this or any other Act prohibiting the carrying on of business on Sunday, any person of the Jewish religion may carry on the business of a retail dealer in Kosher meat and may keep open a shop for the serving of customers for the purposes of that business on Sunday, on condition that he complies with the following provisions, that is to say—

Exemption as respects Jewish retail dealers in meat.

- (a) he must be licensed for the sale of Kosher meat by the local Board of Shechita, or in the absence of any such

PART IV
—cont.

Board by a committee appointed for the purpose by the local Jewish congregation established in accordance with Jewish law ;

- (b) he shall not carry on the business either of a retail dealer in Kosher meat or of a retail dealer in butchers' meat on Saturday and, if he carries on the business in a shop, he shall not keep open the shop for the purpose of the business on Saturday ;
- (c) he shall previously give notice to the local authority of his intention to carry on the business of a retail dealer in Kosher meat on Sunday ; and
- (d) if he carries on the business in any shop, he shall cause to be kept conspicuously posted in the shop a notice stating that it is open on Sunday for the purposes of retail dealing in Kosher meat, but is not open on Saturday.

(2) As respects any shop in which any such person carries on the said business on Sunday in compliance with the provisions of this section, this Act shall have effect as if—

- (a) in subsection (1) of section one and subsection (1) of section seventeen, the references to weekdays were construed as references to weekdays other than Saturdays ;
- (b) throughout subsection (2) of section one " Friday " were substituted for " Saturday ".

**Delivery
of meat.**

63. It shall not be lawful to dispatch any butchers' meat from a shop or to deliver any butchers' meat so dispatched at any time when under the two last foregoing sections the shop may not be open for the serving of customers :

Provided that this section shall not apply—

- (a) on any Sunday being also Christmas Day ; or
- (b) on any Sunday when the succeeding Monday is Christmas Day.

**Offences
related to
dealing in
butchers' meat
on Sundays.**

64. Any person who contravenes any of the provisions of the three last foregoing sections shall be liable to a penalty not exceeding—

- (a) in the case of a first offence, five pounds ; and
- (b) in the case of a second or subsequent offence, twenty pounds.

**Saving for
ships and
aircraft.**

65. Nothing in this Part of this Act shall prevent the sale, dispatch, or delivery of butchers' meat required by any person for a ship or aircraft on her arrival at, or immediately before her departure from, a port or aerodome.

*Foregoing provisions of Part IV not to extend to Scotland*PART IV
—cont.

66. The foregoing provisions of this Part of this Act shall not extend to Scotland.

Foregoing provisions of Part IV not to extend to Scotland.

Barbers and hairdressers in Scotland

67.—(1) Subject to the provisions of this section, it shall not be lawful for any person in Scotland to carry on the business of a hairdresser or barber on Sunday.

Business of hairdresser or barber not to be carried on on Sunday.

(2) Notwithstanding anything in this or any other Act, any person carrying on the business of a hairdresser or barber in Scotland may at any time for the purposes of that business attend any person—

- (a) in any place if that person is unable, by reason of bodily or mental infirmity, to go to the place where such business as aforesaid is carried on ; or
- (b) in any hotel if that person is resident therein ; or
- (c) in any sea-going ship :

Provided that nothing in this subsection shall authorise the employment of any shop assistant in or about the business of a shop at any time when it would, under this Act, be unlawful for him to be so employed.

(3) Notwithstanding anything in this or any other Act, any person of the Jewish religion may carry on the business of a hairdresser or barber in Scotland on Sunday on condition that he complies with the following provisions, that is to say—

- (a) he shall not carry on the business on Saturday ; and
- (b) he shall previously give notice to the local authority of his intention to carry on the business on Sunday ; and
- (c) if he carries on the business in any shop, he shall cause to be kept conspicuously posted in the shop a notice stating that it is open on Sunday for the purposes of the business, but is not open on Saturday for those purposes.

(4) As respects any shop in which any such person carries on the said business on Sunday in compliance with the provisions of the last foregoing subsection, this Act shall have effect as if—

- (a) in subsection (1) of section one and subsection (1) of section seventeen, the references to weekdays were

PART IV
—*cont.*

construed as references to weekdays other than Saturdays ;

(b) throughout subsection (2) of section one " Friday " were substituted for " Saturday " .

(5) Any person who contravenes the provisions of this section shall be liable to a penalty not exceeding—

(a) in the case of a first offence, two pounds ; and

(b) in the case of a second or subsequent offence, twenty pounds.

PART V
GENERAL

Option to apply either this Act or the Young Persons (Employment) Act, 1938, in certain cases.

68.—(1) An employer who employs young persons at, or in connection with the business carried on at, a residential hotel, a place of public entertainment or amusement, or a public swimming bath, bathing place or turkish bath, being young persons to whom apart from this section the provisions of this Act or the provisions of Part I of the Young Persons (Employment) Act, 1938, would apply, may give notice that he elects that the provisions of this Act shall apply to all such young persons as aforesaid for the time being so employed by him as aforesaid, or may give notice that he elects that the provisions of Part I of the Young Persons (Employment) Act, 1938, shall apply to all of them.

(2) When a notice given under the foregoing subsection has taken effect, then, until another notice withdrawing that notice takes effect, the provisions of this Act or of Part I of the Young Persons (Employment) Act, 1938, as the case may be, shall apply to all the young persons aforesaid, and, in the case of young persons to whom apart from this section those provisions would not have applied, shall apply to them subject to the prescribed adaptations and to the exclusion of the provisions of the said Part I of the Act of 1938 or of this Act, as the case may be :

Provided that, where the provisions that are to apply are the provisions of this Act—

(a) those provisions shall have effect with the substitution in section seventeen of, and Part II of the Third Schedule to, this Act for references to half-past one o'clock of references to one o'clock ; and

(b) section twenty-five of this Act shall have effect only in the case of young persons employed at, or in connection with the business carried on at, a residential hotel, and in the case of those persons shall have effect notwithstanding anything in subsection (1) of section thirty-four of this Act.

(3) A notice to be given under subsection (1) of this section and a notice withdrawing such a notice shall be given to the local authority in such form, in such manner and subject to such

conditions as may be prescribed, and any such notice shall have effect as from such date after it is given as may be prescribed.

PART V
—cont.

(4) In this section the expression “prescribed” means prescribed by order of the Secretary of State which may be varied or revoked by a subsequent order, and the power of making orders under this subsection shall be exercisable by statutory instrument.

(5) For the purposes of this section—

(a) the carrying on of a club shall be deemed to be a business notwithstanding that the club is not carried on for the purpose of profit ;

(b) a young person shall be deemed to be employed by the person for whom he works notwithstanding that he receives no wages for his work.

69.—(1) The Secretary of State may make regulations— Regulations.

(a) for prescribing anything which under this Act is to be prescribed by regulations ; and

(b) as to the mode of ascertaining the opinion of occupiers of shops ; and

(c) as to conduct of local inquiries and matters incidental thereto ; and

(d) as to the procedure for obtaining the revocation of a closing order ; and

(e) generally for carrying into effect the following provisions of this Act, that is to say, Part I, in Part II sections seventeen to twenty-one and section thirty-seven, Part III and, so far as it applies in relation to those provisions, Part V.

(2) The power of making regulations under this section shall be exercisable by statutory instrument.

70.—(1) Any order made by a local authority under Parts I or III of this Act may be proved by the production of a copy thereof certified to be a true copy by a person purporting to be the clerk of the local authority by whom the order was made. Proof and revocation of orders of local authorities.

(2) Any order made by a local authority under this Act may, unless some other method of revocation is provided by this Act, be revoked by an order made in the like manner and subject to the like approval, if any, as the original order.

71.—(1) It shall be the duty of every local authority to enforce within their district the provisions of this Act and of the orders made under those provisions, and for that purpose to institute and carry on such proceedings in respect of contraventions of the said provisions and such orders as aforesaid as may be necessary to secure observance thereof. Enforcement.

R

PART V
—*cont.*

(2) For the purpose of their duties under the foregoing subsection, it shall be the duty of every local authority to appoint inspectors, and an inspector so appointed shall, for the purposes of his powers and duties, have in relation to shops all the powers conferred in relation to factories on inspectors by section one hundred and twenty-three of the Factories Act, 1937, and that section and section one hundred and twenty-five of the same Act shall apply accordingly.

An inspector may, if so authorised by the local authority, institute and carry on any proceedings under this Act on behalf of the authority.

(3) The following enactments in the Factories Act, 1937, that is to say—

subsection (1) of section one hundred and forty (which provides for the summary prosecution of offences),

subsection (2) of section one hundred and forty (which relates to the terms of an information in proceedings under the Act),

subsection (7) of section one hundred and forty (which disqualifies certain interested persons from acting as members of a court trying an offence),

section one hundred and forty-one (which provides for an appeal from an order made by a court of summary jurisdiction in England or Wales),

subsection (2) of section one hundred and forty-two (which in proceedings with respect to a young person imposes on the defendant the onus of proving that the young person is not below a given age),

subsection (7) of section one hundred and fifty-six (which confers on certain courts in Scotland power to deal with minor offences under the Act),

subsection (9) of section one hundred and fifty-six (which enables a prosecutor in Scotland to give evidence in the proceedings), and

subsection (10) of section one hundred and fifty-six (which renders a person convicted in Scotland of an offence against the Act liable in expenses),

shall, so far as they are applicable, have effect as if re-enacted in this Act and in terms made applicable thereto.

(4) All fines imposed in any proceedings instituted by or on behalf of a local authority in pursuance of their powers and duties under this Act shall be paid to the local authority:

Provided that in England and Wales this subsection shall cease to have effect upon the coming into operation of section twenty-seven of the Justices of the Peace Act, 1949.

(5) Where an offence for which the occupier of a shop is liable under this Act has, in fact, been committed by some manager.

agent, servant or other person, the manager, agent, servant or other person shall be liable to the like penalty as if he were the occupier.

PART V
—cont.

(6) Where the occupier of a shop is charged with an offence under this Act, he shall be entitled upon information duly laid by him to have any other person whom he charges as the actual offender brought before the court at the time appointed for hearing the charge; and if, after the commission of the offence has been proved, he proves to the satisfaction of the court that he has used due diligence to enforce the execution of this Act and that the said other person has committed the offence in question without his knowledge, consent or connivance, the said other person shall be summarily convicted of such offence, and the occupier shall be exempt from any fine.

(7) The expression “shop” in this section—

(a) so far as it relates to the enforcement of any other provision of this Act, has the same meaning as in that other provision; and

(b) so far as it relates to the enforcement of any provision in Part II or Part IV of this Act which applies to retail trade or business carried on at any place not being a shop, includes a reference to any such place.

72.—(1) It shall be the duty of the local authority having power under the Children and Young Persons Act, 1933, to enforce the provisions of that Act as to street trading, to enforce as part of their duties under that Act the provisions of Part II of this Act (other than section twenty-two) in their application to street trading, and the last foregoing section shall not apply with respect to the provisions to be enforced under this subsection, except that offences under those provisions shall be punishable on summary conviction. Further provision for enforcement.

(2) It shall be the duty of the sanitary authority for every district, as part of their duties under the Public Health Acts, to enforce the provisions of section thirty-eight of this Act which relate to ventilation and temperature of shops and to sanitary conveniences, and the last foregoing section shall not apply with respect to the said provisions, except that offences under those provisions shall be punishable on summary conviction.

Any inspector appointed by such a sanitary authority as aforesaid shall, for the purposes of his powers and duties, have in relation to shops (within the meaning assigned to that word by the said section thirty-eight) all the powers conferred in relation to factories on inspectors by section one hundred and twenty-three of the Factories Act, 1937, and that section and section one hundred and twenty-five of the same Act shall apply accordingly.

PART V
—*cont.*

(3) Notwithstanding that certain provisions of section thirty-eight of this Act are not enforceable by local authorities under the last foregoing section, it shall, nevertheless, be the duty of inspectors appointed under this Act to take note of and if necessary report to the sanitary authority for the district any contravention of the said provisions of section thirty-eight, and for that purpose subsection (2) of the last foregoing section shall apply accordingly.

(4) In the application of this section to Scotland—

(a) subsection (1) shall have effect as if for the local authority and the provisions of the Children and Young Persons Act, 1933, therein mentioned there were respectively substituted references to the local authority for the purposes of this Act, and the provisions of this Act, and the last foregoing section shall apply accordingly ;

(b) subsections (2) and (3) shall have effect as if for references to the Public Health Acts and the sanitary authority there were respectively substituted references to the Public Health (Scotland) Acts, 1897 to 1907, and the local authority for the purposes of this Act.

**Local
authorities.**

73.—(1) In this Act the expression “ local authority ” means—
as respects the city of London, the common council ;
as respects any municipal borough, the council of the borough ;
as respects any urban district with a population according to the returns of the last published census for the time being of twenty thousand or upward, the district council ;
elsewhere, the county council.

(2) A county council may, with the approval of the Secretary of State, make arrangements with the council of an urban district in the county with a population of less than twenty thousand, or with the council of a rural district, for the exercise by the council of that district as agents for the county council, on such terms and subject to such conditions as may be agreed on, of any powers of the county council under this Act within the district, and the council of the district may, as part of the agreement, undertake to pay the whole or any part of the expenses incurred in connection with the exercise of the powers delegated to them ; and the London County Council may, with the like approval, make similar arrangements with the council of any metropolitan borough.

(3) The expenses of a county council under this Act shall be defrayed as expenses for special county purposes.

(4) In Scotland, the foregoing provisions of this section shall not apply ; and the expression " local authority " in the application of this Act to Scotland means a county or town council.

PART V
—cont.

74.—(1) In this Act, save where the context otherwise requires— Interpretation.

" bank holiday " includes any public holiday or day of public rejoicing or mourning ;

" butcher's meat " means beef, mutton, veal, lamb or pork (including livers, heads, feet, hearts, lights, kidneys or sweetbreads), whether fresh, chilled, frozen or salted, and includes Kosher meat ;

" closing order " has the meaning assigned to it by section eight of this Act ;

" contravention ", in relation to any provision, includes any failure to comply with that provision ;

" enactment " includes any Act, and any rule, regulation, bye-law or order made under any Act ;

" factory " has the same meaning as in the Factories Act, 1937 ;

" general closing hours " means the hours fixed by or under section two of this Act or the hours substituted therefor by or under any other provision of this Act ;

" Kosher meat " means butchers' meat killed and prepared by the Jewish ritual method ;

" local authority " has the meaning assigned to it by the last foregoing section ;

" owner ", in relation to any premises, has the same meaning as in the Public Health Act, 1936 ;

" prescribed " means prescribed by regulations made under section sixty-nine of this Act ;

" Public Health Acts " means the Public Health Act, 1936, or the Public Health (London) Act, 1936, as the case may be ;

" residential hotel " means premises used for the reception of guests and travellers desirous of dwelling or sleeping therein ;

" retail trade or business " includes the business of a barber or hairdresser, the sale of refreshments or intoxicating liquors, the business of lending books or periodicals when carried on for purposes of gain, and retail sales by auction, but does not include the sale of programmes and catalogues and other similar sales at theatres and places of amusement ;

PART V
—*cont.*

- “sanitary authority” means, save as respects London, the council of a borough or urban or rural district, and as respects London, the sanitary authority for the purposes of the Public Health (London) Act, 1936 ;
- “shop” includes any premises where any retail trade or business is carried on ;
- “shop assistant” means any person wholly or mainly employed in a shop in connection with the serving of customers or the receipt of orders or the despatch of goods ;
- “theatre” includes any place used for the exhibition of pictures or other optical effects by means of a cinematograph or other suitable apparatus and any music hall or other similar place of entertainment ; and “performance” has a corresponding meaning ;
- “week” means the period between midnight on Saturday night and midnight on the succeeding Saturday night ;
- “weekly half-holiday” has the meaning assigned to it by section one of this Act ;
- “wholesale shop” means premises occupied by a wholesale dealer or merchant where goods are kept for sale wholesale to customers resorting to the premises ;
- “the winter months” means the period beginning with the first Sunday in November in any year and ending with the day before the first Sunday in March in the succeeding year ;
- “working hours” means the time during which the persons employed are at the disposal of the employer, exclusive of any intervals allowed for rest and meals ; and “hours worked” has a corresponding meaning ;
- “young person” does not include a child whose employment is regulated by section eighteen of the Children and Young Persons Act, 1933, or section twenty-eight of the Children and Young Persons (Scotland) Act, 1937, but save as aforesaid means a person who has not attained the age of eighteen years.

(2) For the purposes of this Act, a person shall be deemed to be between any two ages therein mentioned if he has attained the first-mentioned age but has not attained the second-mentioned age.

(3) Any reference in this Act to any enactment shall, except where the context otherwise requires, be construed as a reference to that enactment as amended by any subsequent enactment.

75. In the application of this Act to Scotland—

for any reference to a county court there shall be substituted a reference to the sheriff ;

for any reference to intoxicating liquor there shall be substituted a reference to exciseable liquor ;

for any reference to the Public Health Act, 1936, there shall be substituted a reference to the Public Health (Scotland) Act, 1897.

PART V
—*cont.*
General
application
to Scotland.

76.—(1) The enactments set out in the Eighth Schedule to this Act are hereby repealed to the extent specified in the third column of that Schedule. Repeal.

(2) Nothing in this repeal shall affect any instrument made or other thing whatsoever done under any enactment repealed by this Act or under any enactment repealed by the Shops Act, 1912, and every such instrument or other thing shall continue in force and, so far as it could have been made or done under this Act, shall have effect as if made or done under the corresponding provision of this Act.

(3) Any document referring to any Act or enactment repealed by this Act shall be construed as referring to this Act or the corresponding enactment in this Act.

(4) Where under any Act passed before this Act there is power to affect Acts passed or in force before a particular time and that power would, but for the passing of this Act, have included power to change the law which is reproduced in this Act, then that power shall include power to make such provision as will secure the like change in the law as reproduced in this Act notwithstanding that this Act is not an Act passed or in force before that time and notwithstanding that the terms of this Act, apart from this subsection, are not such as to render that power applicable.

(5) The mention of particular matters in this section shall not be held to prejudice or affect the general application of section thirty-eight of the Interpretation Act, 1889, with regard to the effect of repeals.

77.—(1) This Act may be cited as the Shops Act, 1950.

(2) This Act shall not extend to Northern Ireland.

(3) This Act shall come into operation on the first day of October, nineteen hundred and fifty.

Short title,
extent and
commence-
ment.

SCHEDULES

Section 1.

FIRST SCHEDULE

TRADES AND BUSINESSES EXEMPTED FROM THE PROVISIONS AS TO WEEKLY HALF-HOLIDAY

The sale by retail of intoxicating liquors.

The sale of refreshments, including the business carried on at a railway refreshment room.

The sale of motor, cycle, and air-craft supplies and accessories to travellers.

The sale of newspapers and periodicals.

The sale of meat, fish, milk, cream, bread, confectionery, fruit, vegetables, flowers, and other articles of a perishable nature.

The sale of tobacco and smokers' requisites.

The business carried on at a railway bookstall on or adjoining a railway platform.

The sale of medicines and medical and surgical appliances.

Retail trade carried on at an exhibition or show, if the local authority certify that such retail trade is subsidiary or ancillary only to the main purpose of the exhibition or show.

Sections 2 and 8.

SECOND SCHEDULE

TRANSACTIONS NOT AFFECTED BY GENERAL CLOSING HOURS OR BY CLOSING ORDERS

1. The sale of—

- (a) meals or refreshments (including table waters, sweets, chocolates, sugar confectionery, and ice cream), for consumption on the premises, or (in the case of meals or refreshments sold on railway premises) for consumption on the trains:

Provided that—

(i) in the case of canteens attached to and situated within or in the immediate vicinity of any works, if persons are employed at such works after the closing hour, and the canteen is kept open only for the use of such persons, meals or refreshments may be sold after the closing hour for consumption anywhere within the works premises ; and

(ii) for the purposes of the foregoing provisions, tobacco supplied at a meal for immediate consumption shall be deemed to form part of the meal ;

- (b) newly cooked provisions and cooked or partly cooked tripe to be consumed off the premises ;

2ND SCH.
—cont.

- (c) intoxicating liquors to be consumed on or off the premises ;
 - (d) tobacco, table waters or matches on licensed premises during the hours during which intoxicating liquor is permitted by law to be sold on the premises ;
 - (e) tobacco, matches, table waters, sweets, chocolates, or other sugar confectionery or ice cream at any time during the performance in any theatre, cinema, music hall, or other similar place of entertainment so long as the sale is to a bonâ fide member of the audience and in a part of the building to which no other members of the public have access ;
 - (f) medicine or medical or surgical appliances, so long as the shop is kept open only for such time as is necessary for serving the customer ;
 - (g) newspapers, periodicals and books from the bookstalls of such terminal and main line stations as may be approved by the Secretary of State ;
 - (h) aircraft, motor, or cycle supplies or accessories for immediate use, so long as the shop is kept open only for such time as is necessary for serving the customer ;
 - (i) victuals, stores, or other necessaries required by any naval, military or air force authority for His Majesty's forces or required for any ship on her arrival at or immediately before her departure from a port, so long as the shop is kept open only for such time as is necessary for serving the customer.
2. The transaction of any post office business.

THIRD SCHEDULE

Section 19.

INTERVALS FOR MEALS

PART I

Intervals for meals shall be arranged so as to secure that no person shall be employed for more than six hours without an interval of at least twenty minutes being allowed during the course thereof.

Without prejudice to the foregoing provision—

- (1) where the hours of employment include the hours from 11.30 a.m. to 2.30 p.m., an interval of not less than three-quarters of an hour shall be allowed between those hours for dinner ; and
- (2) where the hours of employment include the hours from 4 p.m. to 7 p.m., an interval of not less than half-an-hour shall be allowed between those hours for tea,

and the interval for dinner shall be increased to one hour in cases where that meal is not taken in the shop, or in a building of which the shop forms part or to which the shop is attached :

Provided that an assistant employed in the sale of refreshments or in the sale by retail of intoxicating liquors need not be allowed

R*

3RD SCH.
—cont.

the interval for dinner between 11.30 a.m. and 2.30 p.m. if he is allowed the same interval so arranged as either to end not earlier than 11.30 a.m. or to commence not later than 2.30 p.m., and the same exemption shall apply to assistants employed in any shop on the market day in any town in which a market is held not oftener than once a week, or on a day on which an annual fair is held.

PART II

Part I of this Schedule shall, in its application to young persons to whom subsection (1) of section twenty of this Act applies, have effect as if for the words "six hours" there were substituted the words "five hours or, on the day of the week on which he is not to be employed after half-past one o'clock, five and a half hours".

Section 41.

FOURTH SCHEDULE

METHOD OF CALCULATING THE HOLIDAYS TO WHICH ANY SHOP ASSISTANT IS ENTITLED UNDER SECTION FORTY-ONE OF THIS ACT

1. The number of extra hours for which a shop assistant has been employed in or about the business of the shop while any one or more orders have been in force under section forty-one of this Act shall be added together, any fraction of an hour not exceeding half being treated as half an hour, and any fraction of an hour exceeding half being treated as an hour.

2. For the purposes of this Schedule the number of hours comprised in the customary working day on days other than half holidays shall be taken as the standard unit.

3. The aggregate number of the extra hours, as calculated in accordance with the provisions of paragraph 1 of this Schedule, shall be divided by the standard unit, and the quotient, fractions thereof being disregarded, shall be the number of the days' holiday to which the shop assistant shall be entitled.

Section 47.

FIFTH SCHEDULE

TRANSACTIONS FOR THE PURPOSES OF WHICH A SHOP MAY BE OPEN IN ENGLAND AND WALES FOR THE SERVING OF CUSTOMERS ON SUNDAY

1. The sale of—

- (a) intoxicating liquors;
- (b) meals or refreshments whether or not for consumption at the shop at which they are sold, but not including the sale of fried fish and chips at a fried fish and chip shop;
- (c) newly cooked provisions and cooked or partly cooked tripe;
- (d) table waters, sweets, chocolates, sugar confectionery and ice-cream (including wafers and edible containers);
- (e) flowers, fruit and vegetables (including mushrooms) other than tinned or bottled fruit or vegetables;
- (f) milk and cream, not including tinned or dried milk or cream, but including clotted cream whether sold in tins or otherwise;

5TH SCH.
—cont.

- (g) medicines and medical and surgical appliances—
- (i) at any premises registered under section twelve of the Pharmacy and Poisons Act, 1933 ; or
- (ii) by any person who has entered into a contract with an Executive Council for the supply of drugs and appliances ;
- (h) aircraft, motor, or cycle supplies or accessories ;
- (i) tobacco and smokers' requisites ;
- (j) newspapers, periodicals and magazines ;
- (k) books and stationery from the bookstalls of such terminal and main line railway or omnibus stations, or at such aerodromes as may be approved by the Secretary of State ;
- (l) guide books, postcards, photographs, reproductions, photographic films and plates, and souvenirs—
- (i) at any gallery, museum, garden, park or ancient monument under the control of a public authority or university ; or
- (ii) at any other gallery or museum, or any place of natural beauty or historic interest, or any zoological, botanical or horticultural gardens, or aquarium, if and to the extent that the local authority certify that such sale is desirable in the interests of the public ; or
- (iii) in any passenger vessel within the meaning of Part II of the Finance (1909-1910) Act, 1910, while engaged in carrying passengers ;
- (m) photographs for passports ;
- (n) requisites for any game or sport at any premises or place where that game or sport is played or carried on ;
- (o) fodder for horses, mules, ponies and donkeys at any farm, stables, hotel or inn.

2. The transaction of—

- (a) post office business ;
- (b) the business carried on by a funeral undertaker.

SIXTH SCHEDULE

Section 48.

TRANSACTIONS IN RESPECT OF WHICH A PARTIAL EXEMPTION ORDER
MAY BE MADE UNDER SECTION FORTY-EIGHT OF THIS ACT

The sale of—

- (a) bread and flour confectionery, including rolls and fancy bread ;
- (b) fish (including shell-fish) ;
- (c) groceries and other provisions commonly sold in grocers shops,

in so far as such sales are not included amongst the transactions mentioned in the Fifth Schedule to this Act.

Section 51.

SEVENTH SCHEDULE

TRANSACTIONS IN RESPECT OF WHICH AN ORDER MAY BE MADE UNDER SECTION FIFTY-ONE OF THIS ACT

The sale of—

- (a) any articles required for the purposes of bathing or fishing ;
- (b) photographic requisites ;
- (c) toys, souvenirs and fancy goods ;
- (d) books, stationery, photographs, reproductions and post-cards ;
- (e) any article of food.

Section 77.

EIGHTH SCHEDULE

ENACTMENTS REPEALED

Session and Chapter	Short Title	Extent of Repeal
2 & 3 Geo. 5. c. 3.	The Shops Act, 1912 ...	The whole Act.
2 & 3 Geo. 5. c. 24.	The Shops Act, 1913 ...	The whole Act.
18 & 19 Geo. 5. c. 33.	The Shops (Hours of Closing) Act, 1928.	The whole Act.
20 & 21 Geo. 5. c. 35.	The Hairdressers' and Barbers' Shops (Sunday Closing) Act, 1930.	The whole Act.
24 & 25 Geo. 5. c. 42.	The Shops Act, 1934 ...	The whole Act.
26 Geo. 5 & 1 Edw. 8. c. 28.	The Shops Act, 1936 ...	The whole Act.
26 Geo. 5 & 1 Edw. 8. c. 30.	The Retail Meat Dealers' Shops (Sunday Closing) Act, 1936.	The whole Act.
26 Geo. 5 & 1 Edw. 8. c. 53.	The Shops (Sunday Trading Restriction) Act, 1936.	The whole Act.
1 Edw. 8 & 1 Geo. 6. c. 67.	The Factories Act, 1937 ...	In section ninety-eight, sub-section (6).
1 & 2 Geo. 6. c. 69.	The Young Persons (Employment) Act, 1938.	Sections eight, eleven, twelve and thirteen.
9 & 10 Geo. 6. c. 81.	The National Health Service Act, 1946.	In the Tenth Schedule, the amendments of the Shops (Sunday Trading Restriction) Act, 1936.
	<i>Defence Regulation</i>	
	The Defence (General) Regulations, 1939.	Regulation sixty AB.

Table of Statutes referred to in this Act

Short Title	Session and Chapter
Sunday Fairs Act, 1448	27 Hen. 6. c. 5.
Sunday Observance Act, 1677	29 Cha. 2. c. 7.
Interpretation Act, 1889	52 & 53 Vict. c. 63.
Public Health (Scotland) Act, 1897	60 & 61 Vict. c. 38.
Finance (1909-1910) Act, 1910	10 Edw. 7. & 1 Geo. 5. c. 8.
Shops Act, 1912	2 & 3 Geo. 5. c. 3.
Shops Act, 1913	2 & 3 Geo. 5. c. 24.
Shops (Hours of Closing) Act, 1928	18 & 19 Geo. 5. c. 38.
Hairdressers' and Barbers' Shops (Sunday Closing) Act, 1930	20 & 21 Geo. 5. c. 35.
Sunday Entertainments Act, 1932	22 & 23 Geo. 5. c. 51.
Children and Young Persons Act, 1933	23 & 24 Geo. 5. c. 12.
Pharmacy and Poisons Act, 1933	23 & 24 Geo. 5. c. 25.
Shops Act, 1934	24 & 25 Geo. 5. c. 42.
Shops Act, 1936	26 Geo. 5. & 1 Edw. 8. c. 28.
Retail Meat Dealers' Shops (Sunday Closing) Act, 1936	26 Geo. 5. & 1 Edw. 8. c. 30.
Public Health Act, 1936	26 Geo. 5. & 1 Edw. 8. c. 49.
Public Health (London) Act, 1936	26 Geo. 5. & 1 Edw. 8. c. 50.
Shops (Sunday Trading Restriction) Act, 1936	26 Geo. 5. & 1 Edw. 8. c. 53.
Children and Young Persons (Scotland) Act, 1937	1 Edw. 8. & 1 Geo. 6. c. 37.
Factories Act, 1937	1 Edw. 8. & 1 Geo. 6. c. 67.
Young Persons (Employment) Act, 1938	1 & 2 Geo. 6. c. 69.
Supplies and Services (Transitional Powers) Act, 1945	9 & 10 Geo. 6. c. 10.
National Health Service Act, 1946	9 & 10 Geo. 6. c. 81.
Justices of the Peace Act, 1949	12, 13 & 14 Geo. 6. c. 101.

CHAPTER 29

Medical Act, 1950

ARRANGEMENT OF SECTIONS

Experience required for registration

Section

1. Full registration in medical register not to be granted without proof of experience.
2. Certificate of experience in approved hospital.
3. Special provisions as to employment in Health Centres.
4. Experience required for holders of Commonwealth or foreign diplomas.

Section

5. Replacement, in cases of physical disability, of surgical experience by additional medical experience.
6. Provisional registration.
7. Special provisions as to holders of diplomas granted in Republic of Ireland.

Provisions relating to Council

8. Amendments as to members of Council nominated by His Majesty.
9. Amendments as to members of Council chosen by Universities, Colleges, etc.
10. Increase in number of elected members of Council and revocation of S.R. & O. 1909 No. 916 and S.R. & O. 1931 No. 719.
11. Term of office of elected members of Council.
12. Members of Parliament not to be remunerated as members of Council.
13. Name of Council.

Disciplinary provisions

14. Medical Disciplinary Committee.
15. Constitution of Medical Disciplinary Committee.
16. Procedure of Medical Disciplinary Committee.
17. Assessor to Medical Disciplinary Committee.
18. Amendments as to striking off register under s. 29 of Medical Act, 1858.
19. Provisions where University or College strike name of member from list.
20. Appeal against striking off register.
21. Restoration of names to medical register.

Miscellaneous

22. Appointment of visitors of medical schools.
23. The British Pharmacopoeia.
24. Registration fees.
25. Declaration of law as to reciprocal arrangements.
26. Amendment as to joint qualifying examinations.
27. Registration of Commonwealth diplomas in public health, etc.
28. Amendment of s. 40 of Medical Act, 1858.
29. Restoration of names of licentiates of Apothecaries Society.
30. Subsistence allowances for members of Council.
31. Extension of 11 & 12 Geo. 6. c. 11.

Supplementary

32. Validity of proceedings of Council and Disciplinary Committee.
33. Exercise of powers of privy Council.
34. Rules and orders.
35. Construction of references to registrar and registration.
36. Interpretation.
37. Application to Northern Ireland.
38. Short title and citation.

SCHEDULES :

First Schedule.—Enactments applicable to provisional registration.

Second Schedule.—Amendment of references to registration.

An Act to amend the Medical Acts, and for purposes connected therewith. [28th July 1950.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

Experience required for registration

1. On or after the appointed day a person shall not become registered, otherwise than in pursuance of the Medical Practitioners and Pharmacists Act, 1947, or by way of provisional registration, unless—

Full registration in medical register not to be granted without proof of experience.

(a) in the case of a person claiming registration by virtue of a qualifying diploma other than a Commonwealth or foreign diploma, it is certified under the next following section that he has had the experience specified in that section, or

(b) in the case of a person claiming registration by virtue of a Commonwealth or foreign diploma, the Council are satisfied that he has had such experience as is specified in section four of this Act.

2.—(1) A certificate for the purposes of paragraph (a) of the foregoing section shall not be granted in respect of any person unless after passing a qualifying examination he has been engaged in employment in a resident medical capacity in one or more approved hospitals or approved institutions for such period as may be prescribed by regulations of the Council approved by order of the Privy Council.

Certificate of experience in approved hospital.

(2) A person satisfying the condition specified in the last foregoing subsection may apply for a certificate under this section to the body granting the qualifying diploma by virtue of which he claims registration, and if that body are satisfied—

(a) that during the time the applicant has been so employed as aforesaid he has been engaged for such period or minimum period as may be prescribed by regulations of the Council be prescribed in medicine, and for such period or minimum period as may be so prescribed in surgery; and

(b) that his service while so employed has been satisfactory, they shall grant, in such form as may be so prescribed, a certificate that they are so satisfied.

(3) Time during which an applicant, while employed as mentioned in subsection (1) of this section, has been engaged in midwifery, not exceeding such period as may be prescribed by

regulations of the Council, shall be counted for the purposes of paragraph (a) of the last foregoing subsection either as time spent in medicine or as time spent in surgery, as the applicant may elect.

(4) Where during any period of such employment as is referred to in subsection (1) of this section an applicant who has been engaged in medicine has also been engaged in surgery or in midwifery or both, or an applicant who has been engaged in surgery has also been engaged in midwifery, the period shall be apportioned for the purposes of the foregoing provisions of this section in such manner as may be determined by the body granting the qualifying diploma by virtue of which the applicant claims registration.

(5) In this section—

the expression “approved”, in relation to a hospital or institution, means approved for the time being for the purposes of this section by any university or other corporation empowered to grant a qualifying diploma, not being a Commonwealth or foreign diploma, and

references to employment in a resident medical capacity shall be construed as references to employment in the practice of medicine, surgery or midwifery, where the person in question is resident in the hospital or institution where he is employed or conveniently near thereto, and is by the terms of his employment required to be so resident.

(6) In relation to a person claiming registration by virtue of a diploma granted on passing a qualifying examination held by two or more bodies jointly, the references in this section to the body granting the qualifying diploma shall be construed as references to the bodies by whom the qualifying examination was held, acting jointly.

(7) Subject to the provisions of the last foregoing subsection, a person holding two or more qualifying diplomas shall be treated for the purposes of this section as claiming registration by virtue of such one of those diplomas as he may choose.

Special provisions as to employment in Health Centres.

3.—(1) For the purposes of the last foregoing section the expression “institution” includes a health centre if, and only if, it is a centre provided under section twenty-one of the National Health Service Act, 1946, section fifteen of the National Health Service (Scotland) Act, 1947, or section seventeen of the Health Services Act (Northern Ireland), 1948.

(2) Employment in such a centre shall not be treated as employment for the purposes of the last foregoing section unless it is either—

(a) employment by a registered medical practitioner in the provision of general medical services under Part IV

of the said Act of 1946, Part IV of the said Act of 1947 or Part II of the said Act of 1948, or

- (b) employment in the provision of such out-patient services as are mentioned in paragraph (e) of subsection (1) of section twenty-one of the said Act of 1946 or paragraph (d) of subsection (1) of section fifteen of the said Act of 1947, or such out-patient services, other than supplementary eye services, as are mentioned in paragraph (b) of subsection (1) of section seventeen of the said Act of 1948.

(3) The Council may by regulations provide that the period of employment in a health centre which may be reckoned towards the completion of any of the periods mentioned in paragraph (a) of subsection (2) of the last foregoing section shall not exceed such period as may be specified in the regulations.

4. The matters as to which the Council must be satisfied for the purposes of paragraph (b) of section one of this Act are—

Experience required for holders of Commonwealth or foreign diplomas.

- (a) that the person claiming registration has been employed as mentioned in subsection (1) of section two of this Act and has satisfied the conditions specified in paragraphs (a) and (b) of subsection (2) thereof; or

- (b) that the said person has rendered satisfactory service in an appointment or appointments (whether within or outside His Majesty's dominions) such as in the opinion of the Council confer experience of the practice of medicine and surgery, or medicine, surgery and midwifery, not less extensive than that required for a certificate under section two of this Act; or

- (c) that the said person has otherwise acquired such experience as aforesaid.

5.—(1) Where on an application in that behalf a person satisfies the Council that by reason of lasting physical disability he will be or has been prevented from embarking on, or completing, any period of experience of the practice of surgery or midwifery required for the purposes of any of the foregoing provisions of this Act, the Council may if they think fit direct that the applicant may for those purposes count in lieu thereof experience of the practice of medicine (in addition to what would otherwise be required in his case by the said provisions) acquired in the like manner and for the like period or, as the case may be, for so much of that period as will have remained uncompleted.

Replacement, in cases of physical disability, of surgical experience by additional medical experience.

(2) Where the Council give a direction under this section they shall give notice of the direction to the body granting the qualifying diploma to the person to whom the direction relates.

(3) Subsections (6) and (7) of section two of this Act shall apply for the purposes of this section as they apply for the purposes of that section.

Provisional
registration.

6.—(1) The following provisions shall have effect for enabling persons desirous of obtaining certificates under section two of this Act, or of satisfying the Council of the matters specified in paragraph (a) of section four of this Act, to be employed as mentioned in subsection (1) of the said section two.

(2) Any person who applies to the appropriate registrar shall, if apart from this Act he would be entitled to be registered and he produces evidence satisfactory to the registrar that he has been selected for such employment as is mentioned in subsection (1) of section two of this Act, be entitled on payment of the appropriate fee to be provisionally registered.

(3) Persons provisionally registered shall be deemed to be registered so far as is necessary—

- (a) to enable them to be employed as mentioned in subsection (1) of section two of this Act,
- (b) in order that the provisions of this Act relating expressly to provisional registration and the provisions specified in the First Schedule to this Act may be applicable in their case, and
- (c) for the purpose of any such enactment or instrument, or such other purposes, as the Privy Council may by order prescribe,

but not further.

(4) In section forty of the Medical Act, 1858 (which among other things makes it an offence falsely to pretend to be registered) for the words “under this Act” there shall be substituted the words “under the Medical Acts or provisionally so registered by virtue of section six of the Medical Act, 1950”.

(5) The Council shall so exercise their power of making orders for regulating the registers to be kept under the Medical Acts as to secure that persons provisionally registered shall be registered in separate parts of those registers, and that on a person's becoming registered otherwise than provisionally his name shall be removed from the separate part of the register.

(6) The Council may if they think fit direct that in addition to the annual publication of the register directed by section twenty-seven of the Medical Act, 1858, the registrar of the Council shall at such time or times during a year as the Council may direct cause to be printed, published and sold, under the direction of the Council, a register relating only to persons provisionally registered, to be called “The Register of Provisional Medical Registrations,” in the like form and containing

the like particulars as the Medical Register, but compiled by reference to such date or dates in the year as the Council may direct; and the provisions of the said section twenty-seven relating to evidence shall apply to the Register of Provisional Medical Registrations as they apply to the Medical Register.

(7) For the purposes of subsection (2) of this section the appropriate registrar—

- (a) in the case of a person claiming provisional registration by virtue of a Commonwealth or foreign diploma, shall be the registrar of the Council;
- (b) in any other case, shall be the registrar of any of the Branch Councils,

and the register in which provisional registration is to be effected shall be determined accordingly.

7.—(1) The following provisions shall have effect as respects any person holding a qualifying diploma granted by a university or other corporation having its seat in the Republic of Ireland. Special provisions as to holders of diplomas granted in Republic of Ireland.

(2) If by the law of the Republic of Ireland provision is made for purposes similar to those of the last foregoing section, no such person shall, after the date of the coming into operation of the said provision of the law of the Republic of Ireland, become provisionally registered unless he is registered by virtue of the said provision of the law of the Republic of Ireland.

(3) In the case of any such person registered by virtue of the said provision of the law of the Republic of Ireland, no fee shall be chargeable for provisional registration.

(4) In relation to any such person as is mentioned in subsection (1) of this section, the definition of “ approved ” in subsection (5) of section two of this Act shall have effect with the substitution for the reference to a university or other corporation such as is mentioned in that subsection of a reference to the Medical Registration Council constituted under the law of the Republic of Ireland or a body acting on behalf of that Council.

(5) In relation to any such person as is mentioned in subsection (1) of this section—

- (a) subsection (1) of section three of this Act shall have effect as if the reference in that subsection to centres provided under the enactments specified therein included a reference to health centres provided under the law of the Republic of Ireland, and
- (b) subsection (2) of the said section three shall have effect, in relation to a health centre provided under the said law, as if for the employment specified in paragraphs (a) and (b) of the said subsection (2) there were substituted employment certified by the said Medical Registration Council or a body acting on behalf of that Council to correspond to the employment specified as aforesaid.

(6) Section one of this Act shall not apply to any such person as is mentioned in subsection (1) of this section if he was before the appointed day registered in the register kept in pursuance of the provisions of the law of the Republic of Ireland known as the Medical Practitioners Act, 1927, is for the time being so registered, and apart from this Act would be entitled to be registered under the Medical Acts.

Provisions relating to Council

Amendments
as to members
of Council
nominated by
His Majesty.

8.—(1) A person shall not after the passing of this Act be nominated by His Majesty to be a member of the Council in pursuance of section seven of the Medical Act, 1886, unless he is a registered medical practitioner.

(2) In addition to the five members of the Council nominated as aforesaid there shall be three members nominated from time to time by His Majesty with the advice of his Privy Council, and of those three members—

(a) none shall be a registered medical practitioner or the holder of a qualifying diploma;

(b) two shall be nominated for England and Wales, and one shall be nominated for Scotland.

(3) Any person nominated as aforesaid before the passing of this Act who is neither a registered medical practitioner nor the holder of a qualifying diploma shall be deemed as from the passing of this Act to have been nominated in pursuance of the last foregoing subsection and not in pursuance of section seven of the Medical Act, 1886.

Amendments
as to members
of Council
chosen by
Universities,
Colleges, etc.

9.—(1) In section seven of the Medical Act, 1858 (which provides that members of the Council representing the medical corporations must be qualified to be registered under that Act) for the words “qualified to be registered under this Act” there shall be substituted the words “registered under the Medical Acts”.

(2) So much of subsection (1) of section seven of the Medical Act, 1886, as provides that the Council shall include one person chosen from time to time by each of certain specified bodies shall have effect as if among those bodies there were included the Royal College of Obstetricians and Gynaecologists.

Increase in
number of
elected
members of
Council and
revocation of
S.R. & O.
1909 No. 916
and S.R. & O.
1931 No. 719.

10.—(1) The number of persons to be elected from time to time to the Council under subsection (1) of section seven of the Medical Act, 1886, by medical practitioners resident—

(a) in England and Wales, shall be increased to eight, and

(b) in Scotland, shall be increased to two;

and without prejudice to the provisions of section ten of that Act (which among other things enable His Majesty by Order in Council to provide for the election of additional members to the

Council) the two Orders in Council made under the said section ten and dated respectively the tenth day of August, nineteen hundred and nine, and the eleventh day of August, nineteen hundred and thirty-one, are hereby revoked.

(2) Of the persons elected in pursuance of paragraph (a) of the last foregoing subsection, one shall be elected as a person resident in Wales; and regulations of the Privy Council under subsection (4) of section eight of the Medical Act, 1886 (which provides that elections of direct representatives shall be conducted in such manner as may be provided by such regulations) shall make provision for the separate election of the said one person and otherwise for giving effect to the provisions of this subsection.

(3) In subsection (6) of section eight of the Medical Act, 1886 (which provides for the time at which direct representatives are to come into office) for the words "to fill a vacancy caused by the death or resignation of any such representative" there shall be substituted the words "in any other circumstances".

(4) The foregoing provisions of this section shall not have effect as respects the election of persons for a term of office beginning before the appointed day.

11.—(1) The term of office of each of the elected members of the Council holding office at the passing of this Act shall be extended or reduced, as the case may require, so as to expire on the appointed day. Term of office of elected members of Council.

(2) Any person elected (whether before or after the appointed day) in the place of an elected member of the Council whose office is vacated otherwise than by effluxion of time shall hold office for the residue of the term for which his predecessor might have held office, and (unless re-elected) no longer.

(3) Where (whether before or after the appointed day) an elected member of the Council vacates office before, but less than twelve months before, the end of his full term of office, the vacancy shall not be filled until the end of his full term of office.

(4) In subsection (3) of section eight of the Medical Act, 1886, for the words from "and such returning officer" to the end of the subsection (which require the returning officer, not less than six weeks nor more than two months before the day on which a vacancy occurs, or, in the case of a casual vacancy, as soon as conveniently may be after the occurrence thereof, to issue a precept requiring an election to be held within twenty-one days) there shall be substituted the words "and—

(a) not more than three months nor less than two months before the day by which any vacancy in the office of direct representative for any part of the United Kingdom

will require to be filled, either by reason of the effluxion of time or by reason of an increase in the number of direct representatives, or

- (b) as soon as conveniently may be after the occurrence of such a vacancy arising by death or resignation, not being a vacancy to which subsection (3) of section eleven of the Medical Act, 1950, applies,

the returning officer shall issue his precept to the branch council for the said part of the United Kingdom, requiring that council to cause an election for filling the vacancy to be held within forty days after the receipt of the precept of the returning officer ”.

Members of Parliament not to be remunerated as members of Council.

12. No person shall be disqualified for being elected to, or sitting or voting as a member of, the House of Commons by reason of being a member of the Council; but in relation to a member of the Council who is a member of the House of Commons section twelve of the Medical Act, 1858 (which provides that members of the Council shall be paid such fees for attendance and such reasonable travelling expenses as are fixed under that section) shall have effect as if the words “such fees for attendance and ” were omitted.

Name of Council.

13. As from the appointed day, the Council shall be called the General Medical Council, and not (as heretofore) the General Council of Medical Education and Registration of the United Kingdom; and references in any enactment, instrument or other document passed or made before the appointed day shall be construed accordingly.

Disciplinary provisions

Medical Disciplinary Committee.

14.—(1) As from the appointed day the functions of the Council or a Branch Council under sections twenty-six and twenty-nine of the Medical Act, 1858, are hereby transferred to and shall be exercisable by a committee, to be known as the Medical Disciplinary Committee, constituted in accordance with the following provisions of this Act in that behalf; and references in Part I of the Schedule to the Medical and Dentists Acts Amendment Act, 1927, to the Council or a Branch Council shall be construed accordingly.

(2) Notwithstanding the provisions of the last foregoing subsection, any proceedings in which the hearing before the Council has been begun before the appointed day under either of the said sections twenty-six and twenty-nine shall be continued and determined as if this section had not been passed.

Constitution of Medical Disciplinary Committee.

15.—(1) The Medical Disciplinary Committee (hereinafter referred to as “the Committee”) shall consist of the President and eighteen other members of the Council, of whom at least six shall be elected members of the Council and at least two shall be persons who are neither registered medical practitioners nor the holders of qualifying diplomas.

(2) The members of the Committee shall be appointed by the Council, and shall hold office for such term as may be prescribed by regulations of the Council.

(3) At any meeting of the Committee the President of the Council, or in his absence such member as the Committee may choose, shall be chairman.

(4) The quorum of the Committee shall be five; and the Committee shall make arrangements for securing that, except where it appears to the President or a member of the Committee authorised by him to act on his behalf that there are circumstances requiring the presence of a greater number of members of the Committee, not more than nine members of the Committee shall attend for the hearing of any case, but that at any such hearing at least one of the members who are neither registered medical practitioners nor the holders of qualifying diplomas, and at least two of the members who are elected members of the Council, shall be eligible to attend.

(5) All acts of the Committee shall be decided by the votes of a majority of the members present at any meeting.

16.—(1) For the purpose of proceedings before the Committee the Committee may administer oaths, and any party to the proceedings may sue out writs of sub poena ad testificandum and duces tecum, but no person shall be compelled under any such writ to produce any document which he could not be compelled to produce on the trial of an action; and section forty-nine of the Supreme Court of Judicature (Consolidation) Act, 1925 (which provides a special procedure for the issue of such writs so as to be in force throughout the United Kingdom) shall apply in relation to proceedings before the Committee as it applies in relation to causes or matters in the High Court.

Procedure of
Medical
Disciplinary
Committee.

(2) Subject to the provisions of this Act, the Committee shall make rules as to the times and places of the meetings of the Committee and the mode of summoning the members, and as to the procedure to be followed and rules of evidence to be observed in proceedings before the Committee, and in particular—

(a) for requiring that before any matters are referred to the Committee they shall, in such manner as may be provided by the rules, have been brought before and investigated by a Committee of the Council constituted in accordance with the rules, and for securing that a person, other than the President of the Council, who has acted in relation to any matter as a member of the Committee constituted as aforesaid shall not act in relation to that matter as a member of the Medical Disciplinary Committee;

(b) for securing that notice that the proceedings are to be brought shall be given, at such time and in such manner

as may be specified in the rules, to the person to whose registration or provisional registration the proceedings relate;

- (c) for securing that any party to the proceedings shall, if he so requires, be entitled to be heard by the Committee;
- (d) for enabling any party to the proceedings to be represented by counsel or solicitor, or (if the rules so provide and the party so elects) by a person of such other description as may be specified in the rules;
- (e) for requiring proceedings before the Committee to be held in public except in so far as may be provided by the rules;
- (f) for requiring in cases where it is alleged that a registered medical practitioner has been guilty of infamous conduct in any professional respect that where the Committee judge that the allegation has not been proved they shall record a finding that the practitioner is not guilty of such conduct in respect of the matters to which the allegation relates.

(3) Before making rules under the last foregoing subsection the Committee shall consult with such bodies of persons representing medical practitioners, or medical practitioners of any description, as appear to the Committee requisite to be consulted.

(4) Rules under this section shall not come into force until approved by order of the Privy Council, and the Privy Council may approve such rules either as submitted to them or subject to such modifications as appear to them requisite:

Provided that where the Privy Council propose to approve any rules subject to modifications they shall notify to the Committee the modifications they propose to make and consider any observations of the Committee thereon.

Assessor
to Medical
Disciplinary
Committee.

17.—(1) For the purpose of advising the Committee on questions of law arising in proceedings before them, there shall in all such proceedings be an assessor to the Committee who shall be appointed by the Council and shall be a barrister, advocate or solicitor of not less than ten years' standing.

(2) The Lord Chancellor may make rules as to the functions of assessors appointed under this section, and in particular rules under this subsection may contain such provisions for securing—

- (a) that where an assessor advises the Committee on any question of law as to evidence, procedure or any other matters specified in the rules, he shall do so in the presence of every party, or person representing a party, to the proceedings who appears thereat or, if the advice is tendered after the Committee have begun to deliberate

as to their findings, that every such party or person as aforesaid shall be informed what advice the assessor has tendered,

- (b) that every such party or person as aforesaid shall be informed if in any case the Committee do not accept the advice of the assessor on any such question as aforesaid,

and such incidental and supplementary provisions, as appear to the Lord Chancellor expedient.

(3) Any assessor under this section may be appointed either generally or for any particular proceedings or class of proceedings, and subject to the provisions of this section shall hold and vacate office in accordance with the terms of the instrument under which he is appointed.

(4) The Council may pay to persons appointed to act as assessors such remuneration, to be paid as part of the expenses of the Council, as the Council with the approval of the Privy Council may determine.

18.—(1) Section twenty-nine of the Medical Act, 1858 (which provides, among other things, for the erasure of the name of a medical practitioner from the register on conviction) shall have effect as if for the words from “in England” to “crime or offence” there were substituted the words “by any court in the United Kingdom or the Republic of Ireland of any felony, misdemeanour, crime or offence”.

Amendments
as to striking
off register
under s. 29
of Medical
Act, 1858.

(2) In any inquiry under the said section twenty-nine whether a person has been guilty of infamous conduct in any professional respect, any finding of fact which is shown to have been made in any matrimonial proceedings in the United Kingdom or the Republic of Ireland, being proceedings in the High Court or the Court of Session or on appeal from a decision in such proceedings, shall be conclusive evidence of the fact found.

19.—(1) Section twenty eight of the Medical Act, 1858, is hereby repealed, and the following provisions shall have effect in substitution therefor.

Provisions
where
University or
College strike
name of mem-
ber from list.

(2) If any body, having granted a qualifying diploma, exercise any power conferred by law of striking off the name of the person to whom the diploma was granted, and notify to the Council the fact of the striking-off, then if he is registered, whether provisionally or otherwise,—

- (a) the registrar shall make a note of the fact in the register;
- (b) if the said body notify to the Council the findings of fact on which the decision to strike off the name was based, then for the purposes of any inquiry under section twenty-nine of the Medical Act, 1858, whether the person to whom the decision relates has been guilty of

infamous conduct in any professional respect the findings may, if the Committee think fit, be treated as conclusive of the facts found.

In the application of this subsection to an inquiry under the said section twenty-nine begun before the appointed day, for the reference to the Committee there shall be substituted a reference to the Council.

Appeal against striking off register.

20.—(1) Where in the case of a person registered, whether provisionally or otherwise, the Committee determine that his name shall be erased from the register on any ground specified in section twenty-six or twenty-nine of the Medical Act, 1858, the registrar shall serve on him a notification of the determination of the Committee.

(2) Any notification required to be served by the last foregoing subsection may be served by post in a registered letter addressed to the person on whom it is to be served at his address on the register or at his last known address, if that address differs from his address on the register and it appears to the registrar that such service will be more effective.

(3) At any time within twenty-eight days of the service of a notification under subsection (1) of this section, the person on whom it was served may, in accordance with such rules as His Majesty in Council may by Order provide for the purposes of this section, appeal to His Majesty in Council; and the Judicial Committee Act, 1833, shall apply in relation to the Medical Disciplinary Committee as it applies to such courts as are mentioned in section three of that Act (which provides for the reference to the Judicial Committee of the Privy Council of appeals to His Majesty in Council).

(4) The Council may appear as respondent on any such appeal; and for the purpose of enabling directions to be given as to the costs of any such appeal the Council shall be deemed to be a party thereto, whether they appear on the hearing of the appeal or not.

(5) Where no appeal is brought against a determination such as is mentioned in subsection (1) of this section, or where such an appeal is brought but withdrawn or struck out for want of prosecution, the determination shall take effect on the expiration of the time for appealing or, as the case may be, on the withdrawal or striking out of the appeal.

(6) Subject as aforesaid, where an appeal is brought against such a determination the determination shall take effect if and when the appeal is dismissed and not otherwise.

Restoration of names to medical register.

21.—(1) Where the name of a person has been erased from the register under section twenty-eight or section twenty-nine of the Medical Act, 1858, the Committee may if they think fit at any time direct the registrar to restore his name to the register.

(2) Nothing in the Medical Act, 1858, shall be construed as preventing a person's being registered by reason only that his name has been erased under section twenty-six of that Act on the ground of fraud or error:

Provided that where a person's name has been so erased on the ground of fraud he shall not be registered except on an application in that behalf to the Committee, and on any such application the Committee may if they think fit direct that he shall not be registered, or shall not be registered until the expiration of such period as may be specified in the direction.

(3) An application for the restoration of a name to the register shall not be made to the Committee—

(a) before the expiration of eleven months from the date of erasure, or

(b) in any period of eleven months in which such an application has already been made by or on behalf of the person whose name has been erased.

(4) Subsection (2) of section sixteen of this Act shall not apply to proceedings under this section; but the Committee may for the purposes of such proceedings make rules as to any of the matters mentioned in the said subsection (2), and subsections (3) and (4) of the said section sixteen shall apply to rules under this section as they apply to rules under the said subsection (2).

(5) Subsections (1) to (3) of this section shall apply in relation to provisional registration as they apply in relation to other registration, so however that in relation to a person who before the erasure of his name was provisionally registered a direction under subsection (1) of this section shall be a direction that his name be restored by way of provisional registration.

(6) Section one of this Act shall not apply to registration in pursuance of a direction under subsection (1) of this section or, if on an application in that behalf the Committee so direct, to registration of a person whose name has been erased under section twenty-six of the Medical Act, 1858, on the ground of fraud or error.

(7) In relation to any period before the appointed day, the foregoing provisions of this section shall have effect with the substitution of references to the Council for references to the Committee.

Miscellaneous

22.—(1) The Council may appoint persons, not being members of the Council, to visit, subject to any directions which the Privy Council may deem it expedient to give and to compliance with any conditions specified in such directions, places where instruction is given to medical students under the direction of any body having power to grant a qualifying diploma, not being a Commonwealth or foreign diploma.

Appointment
of visitors
of medical
schools.

(2) It shall be the duty of visitors appointed under this section to report to the Council as to the sufficiency of the instruction given in the places which they visit and as to any other matters relating to such instruction which may be specified by the Council either generally or in any particular case; but no visitor shall interfere with the giving of any instruction.

(3) On the receipt of any report of a visitor under this section the Council shall send a copy of the report to the body in question, and on the receipt of any such copy the body may, within such period (not being less than one month) as the Council may have specified at the time they sent the copy of the report, make to the Council observations on the report or objections thereto.

(4) As soon as may be after the expiration of the period specified under the last foregoing subsection the Council shall send a copy of any such report as is therein referred to and of any observations thereon or objections thereto duly made, together with the Council's comments on the report and on any such observations or objections, to the Privy Council.

(5) The Council may pay to visitors appointed under this section such remuneration, to be paid as part of the expenses of the Council, as the Council with the approval of the Privy Council may determine.

The British
Pharmacopoeia.

23.—(1) The Council shall, at such intervals as they may determine, cause to be published under their direction new editions of the British Pharmacopoeia, containing such descriptions of and standards for, and such notes and other matter relating to, medicines, preparations, materials and articles used in the practice of medicine, surgery or midwifery as the Council may direct.

(2) The Council may, if they think fit, cause to be published, between any two editions of the British Pharmacopoeia, amendments of the current edition.

(3) In connection with the publication of any new edition of the British Pharmacopoeia or of any amendment of the current edition the Council shall fix a date as from which the new edition or the amendment, as the case may be, is to have effect, and shall cause to be inserted in every copy of the new edition or of the document containing the amendment, as the case may be, a statement of the date so fixed.

(4) Sections two and three of the Medical Council Act, 1862, (which vest in the Council the exclusive right of publishing and printing the British Pharmacopoeia and of selling it at a price fixed by the Treasury, and provide for giving notice of its publication and for proof of its contents) shall apply to documents containing amendments of the Pharmacopoeia as they apply to

the Pharmacopoeia; and a copy of the Pharmacopoeia or of any such document as aforesaid, being a copy purporting to be printed as mentioned in the said section three, shall be evidence that the date stated therein for the coming into effect thereof is the date fixed in that behalf by the Council.

(5) In section three of the Medical Council Act, 1862, in the second paragraph (which among other things provides that a copy of the British Pharmacopoeia printed as therein mentioned shall be admitted in evidence), for the word "printed" there shall be substituted the words "purporting to be printed".

(6) Section fifty-four of the Medical Act, 1858 (which provided for the original publication of the British Pharmacopoeia and for its periodical republication) is hereby repealed; and references in sections eleven and twelve of the Pharmacy and Medicines Act, 1941 to the edition of the British Pharmacopoeia last published before a given date shall be construed—

- (a) if that date falls after the time at which any edition of the British Pharmacopoeia has taken effect in accordance with this section, as references to the latest edition which has so taken effect before the said date, as affected by any amendments which have so taken effect before that date;
- (b) if that date falls before the said time but after the time at which any amendment has taken effect in accordance with this section, as references to the latest edition published before the said date as affected by any amendments which have so taken effect before that date.

(7) In this section references to amendments of the British Pharmacopoeia shall be construed as including references to additions thereto and to deletions therefrom.

24.—(1) Subject to the provisions of this section, the amount of any fee payable on provisional registration and, as from the date of the first determination of the Council under this subsection, the amount of any fee payable on registration shall be such as may be determined by the Council.

(2) Subject to the provisions of this section, the fee payable on provisional registration shall not exceed five guineas.

(3) Subject as aforesaid, the fee payable on registration shall—

- (a) not exceed six guineas in the case of a person provisionally registered or registered by virtue of any such provision of the law of the Republic of Ireland as is referred to in subsection (2) of section seven of this Act,
- (b) not exceed eleven guineas in the case of any other person.

(4) The Privy Council may by order direct that, as respects any fee payable after the coming into operation of the order, all or any of the limits specified in the two last foregoing subsections shall be increased or decreased to such extent as may be provided by the order.

Declaration of law as to reciprocal arrangements.

25.—(1) For the removal of doubt it is hereby declared that in section seventeen of the Medical Act, 1886 (which relates to reciprocal arrangements with countries affording privileges to registered medical practitioners of the United Kingdom) the reference to the registered medical practitioners of the United Kingdom does not include a reference to persons registered as Commonwealth or foreign practitioners.

(2) In Article 4 of Part I of the Schedule to the Medical and Dentists Acts Amendment Act, 1927, the reference to registration in the general register shall not include a reference to registration therein as a Commonwealth or foreign practitioner.

Amendment as to joint qualifying examinations.

26. The Royal College of Obstetricians and Gynaecologists may join with any one or more bodies in England or Wales, being either universities or medical corporations, or with any one or more such bodies in Scotland, in holding a joint qualifying examination for the purposes of section two of the Medical Act, 1886, so long as one at least of the other bodies is capable of granting a qualifying diploma in respect of medicine and one at least is capable of granting a qualifying diploma in respect of surgery; and accordingly for the purposes of paragraphs (b) and (c) of subsection (1) of section three of the said Act of 1886 (which provide for combinations of universities and medical corporations in the same part of the United Kingdom for the purposes of holding joint examinations) the said College shall be deemed to be a medical corporation within the meaning of that Act and to be situated in the same part of the United Kingdom as the other body or bodies in question.

Registration of Commonwealth diplomas in public health, etc.

27. Section twenty-one of the Medical Act, 1886 (which provides for the registration of diplomas for proficiency in sanitary science, public health or state medicine granted by certain bodies in the United Kingdom) shall have effect as if the reference therein to the United Kingdom included a reference to any area as respects which, by virtue of an Order in Council under section seventeen of the Medical Act, 1886, section eleven of that Act (which relates to the registration of practitioners with Commonwealth diplomas) is for the time being in force.

Amendment of s. 40 of Medical Act, 1858.

28. Section forty of the Medical Act, 1858 (which provides for the imposition of a penalty upon any person falsely pretending to be a registered person) shall have effect as if for the word "twenty" therein there were substituted the words "five hundred".

29. In section six of the Apothecaries Act, 1907 (which empowers the Apothecaries Society of London, with the consent in writing of the Council, to restore to the list of licentiates of the Society the names of persons whose names have been struck off the list) the words " with the consent in writing of the General Council " are hereby repealed.

Restoration of names of licentiates of Apothecaries Society.

30. Section twelve of the Medical Act, 1858, and subsection (2) of section eight of the Medical Act, 1886 (which provide that members of the Council shall be paid such fees for attendance and such reasonable travelling expenses as are fixed under the said section twelve) shall have effect, and be deemed always to have had effect, as if the references to travelling expenses included references to subsistence allowances.

Subsistence allowances for members of Council.

31.—(1) The power conferred by section one of the Medical Practitioners and Pharmacists Act, 1947, to direct that persons of certain descriptions shall be registered as Commonwealth or foreign practitioners shall be extended in accordance with the following provisions of this section.

Extension of 11 & 12 Geo. 6. c.11.

(2) Subsection (5) of the said section one (which provides that a direction under that section shall be given only in the case of a person resident in the United Kingdom, and so resident otherwise than for a temporary purpose) shall not apply in the case of a person who, on an application in that behalf under this section, satisfies the Council that at the time of the application he was employed in a medical capacity in the medical service of any colony, protectorate, protected state or United Kingdom trust territory.

(3) Section three of the said Act of 1947 (which provides for the registration of persons who have served in a medical capacity in His Majesty's forces overseas) shall have effect in the case of a person who on an application in that behalf under this section satisfies the Council—

- (a) that at the date of the application he was employed as mentioned in the last foregoing subsection, and
- (b) that he has been so employed, or partly so employed and partly employed in such service as is mentioned in subsection (1) of the said section three, continuously since a time before the eighteenth day of December, nineteen hundred and forty-eight,

as if he were included among the persons specified in the said subsection (1).

(4) Subject to the provisions of section five of the Act of 1947 (which relate to applications made out of time), the time for application for a direction under section one of the said Act of 1947, in the case of a person as respects whom such a direction may be given by virtue of this section, shall be a period of six months beginning with the passing of this Act.

(5) This section shall be construed as one with the said Act of 1947; and expressions used in this section and in the British Nationality Act, 1948, have the same meanings in this section as are assigned to them respectively by the last-mentioned Act.

Supplementary

Validity of proceedings of Council and Disciplinary Committee.

32. The validity of any proceeding of the Council or the Medical Disciplinary Committee shall not be affected by any vacancy among the members thereof or by any defect in the appointment of a member thereof.

Exercise of powers of Privy Council.

33. Section twenty-two of the Medical Act, 1886 (which provides for the manner of exercise of the powers of the Privy Council under that Act) shall have effect as if references in the said section twenty-two to that Act included references to this Act.

Rules and orders.

34.—(1) The powers conferred by this Act on the Lord Chancellor to make rules and on the Privy Council to make orders shall be exercisable by statutory instrument; and the Statutory Instruments Act, 1946, shall apply to all such powers and to instruments made thereunder.

(2) No order shall be made under subsection (1) of section two of this Act unless a draft thereof has been laid before Parliament and has been approved by resolution of each House of Parliament.

(3) Any statutory instrument made in the exercise of the powers conferred by this Act, other than the power conferred by the said subsection (1) or powers to make orders appointing a day, shall be subject to annulment in pursuance of a resolution of either House of Parliament.

(4) Any power conferred by this Act to make an order, other than a power to make an order appointing a day, shall include power to vary or revoke the order by a subsequent order made in the like manner and subject to the like provisions.

Construction of references to registrar and registration.

35.—(1) References in section twenty-nine of the Medical Act, 1858, and sections nineteen to twenty-one of this Act to the registrar shall be construed as references to the registrar of the Council, and references therein to the register shall be construed as references to the general register.

(2) Where, in the case of a person registered or provisionally registered in the local register for Scotland or Ireland, the registrar of the Council makes any note in the general register or erases his name from or restores his name to the general register, the registrar shall forthwith send to the registrar of the Branch Council for Scotland or Ireland, as the case may be,

particulars of the note, erasure or entry for that branch registrar to make forthwith in the local register such amendment as may be required to bring it into conformity with the general register.

(3) Where, in the case of a person registered or provisionally registered in the local register for England, the registrar of the Council makes a note in, erases his name from or restores his name to the general register, the registrar shall forthwith make in the local register for England such amendment as aforesaid.

(4) References in this Act to registration shall, except where the context otherwise requires, be construed as references to registration under the Medical Acts; and for the purpose of assimilating the wording of references in those Acts to registration, the enactments specified in the Second Schedule to this Act shall be amended in manner specified in the second column of that Schedule:

Provided that (without prejudice to the provisions of section thirty-eight of the Interpretation Act, 1889, which relates to the effect of repeals) nothing in that Schedule shall prejudice the effect of any registration made before the passing of this Act, or any right or liability arising (whether before or after the passing of this Act) by reason of any such registration.

36.—(1) In this Act the following expressions have the Interpretation. meanings hereby assigned to them respectively, that is to say—

- “ appointed day ” means such day as the Privy Council may by order appoint, and different days may be appointed for the purposes of different provisions of this Act or for the purposes of the application of any such provision to different classes of case;
- “ Branch Council ” means any of the branch councils constituted by section six of the Medical Act, 1858;
- “ Commonwealth or foreign diploma ” means such a diploma as is mentioned in section eleven or twelve of the Medical Act, 1886;
- “ the Council ” means the council established under section three of the Medical Act, 1858;
- “ diploma ” has the same meaning as in the Medical Act, 1886;
- “ party ”, in relation to proceedings before the Medical Disciplinary Committee, means any person to whose registration the proceedings relate, or any person on whose complaint the proceedings are brought, or the Solicitor to the Council;

“provisional registration” means registration by virtue of section six of this Act, and “provisionally registered” shall be construed accordingly;

“qualifying diploma” means a diploma conferring, subject to compliance with the provisions of section two of the Medical Act, 1886, where that section applies, and in any case with the provisions of this Act, the right of registration;

“qualifying examination” means such an examination as is required by section two of the Medical Act, 1886.

(2) In this Act references to Wales shall be construed as including, and references to England shall be construed as not including, the county of Monmouth.

(3) References in this Act to any enactment shall, except where the context otherwise requires, be construed as references to that enactment as amended by any subsequent enactment, including this Act.

(4) References in any enactment to any provision amended by this Act shall, except where the context otherwise requires, be construed as references to that provision as so amended.

Application
to Northern
Ireland.

37.—(1) For the avoidance of doubt it is hereby declared that this Act extends to Northern Ireland.

(2) For the purposes of section six of the Government of Ireland Act, 1920, this Act shall be deemed to be an Act passed before the appointed day for the purposes of that Act, but nothing in this subsection shall be construed as extending the legislative powers of the Parliament of Northern Ireland under section four of the said Act of 1920.

(3) Without prejudice to the provisions of subsection (2) of section eighteen of the said Act of 1920 (which provides that the law for the time being in force as to the disqualification of members of the House of Commons shall apply to the Senate and House of Commons of Northern Ireland) so much of section twelve of this Act as amends section twelve of the Medical Act, 1858, in relation to members of the Council who are members of the House of Commons shall apply also in relation to members of the Council who are members of the Senate or House of Commons of Northern Ireland.

Short title
and citation.

38.—(1) This Act may be cited as the Medical Act, 1950.

(2) This Act and so much of the Medical Practitioners and Pharmacists Act, 1947, as affects the Medical Acts shall be included among the Acts which together may be cited as the Medical Acts.

SCHEDULES

FIRST SCHEDULE

Section 6.

ENACTMENTS APPLICABLE TO PROVISIONAL REGISTRATION

<i>Enactment applicable</i>	<i>Subject of enactment</i>
Medical Act, 1858 (21 & 22 Vict. c. 90)—	
s. 14 	Duty of registrar to keep the register correct.
s. 26 	Evidence of qualification.
s. 27 	Publication of register.
s. 29 	Removal from register of persons guilty of offences.
s. 35 	Exemption from jury service.
s. 38 	Penalty for falsification.

SECOND SCHEDULE

Section 35.

AMENDMENT OF REFERENCES TO REGISTRATION

<i>Enactment amended</i>	<i>Amendment</i>
The Medical Act, 1858 21 & 22 Vict. c. 90. ...	In section fourteen, for the words " under this Act " there shall be substituted the words " under the Medical Acts "; in section fifteen, after the words " to be registered " where they first occur there shall be inserted the words " under the Medical Acts," and for the words " under this Act " there shall be substituted the words " under the Medical Acts "; in sections twenty-one, twenty-two, twenty-three and twenty-five, for the words " under this Act " there shall be substituted the words " under the Medical Acts "; in section twenty-seven, for the words " according to the provisions of this Act," in each place where they occur, and for the words " under the provisions of this Act " there shall be substituted the words " under the Medical Acts "; in sections thirty, thirty-two and thirty-four, for the words " under this Act " there shall be substituted the words " under the Medical Acts "; in section thirty-five, for the words " under the provisions of this Act " there shall be substituted the words " under the Medical Acts "; in sections thirty-six and thirty-seven, for the words " under this Act " there shall be substituted the words " under the Medical Acts ".

2ND SCH.
—cont.

Enactment amended

Amendment

The Medical Acts Amend-
ment Act, 1860.
23 & 24 Vict. c. 7.

In section one, for the words “ under the provisions of the said first-recited Act ” there shall be substituted the words “ under the Medical Acts ”.

The Medical Act, 1886 ...
49 & 50 Vict. c. 48.

In section eleven, for the words from “ registered ” to “ medical register,” there shall be substituted the words “ registered under the Medical Acts as a Commonwealth practitioner ”; in section twelve, for the words from “ registered ” to “ medical register,” there shall be substituted the words “ registered under the Medical Acts as a foreign practitioner ”; for section fourteen, there shall be substituted—

“ 14.—(1) Persons registered by virtue of this Part of this Act shall be registered in the general register, and that register shall contain a separate list of the names and addresses of the Commonwealth practitioners, and also a separate list of the names and addresses of the foreign practitioners, registered by virtue of this Part of this Act.

(2) Each of the said lists shall be made out alphabetically according to the surnames ”;

In section fifteen, the word “ medical,” where it last occurs, is hereby repealed;

In section twenty-one, the word “ medical”, where it last occurs, and the word “ said ” are hereby repealed.

The Medical Practitioners
and Pharmacists Act,
1947.

11 & 12 Geo. 6. c. 11.

In section one, in subsection (1) for the words “ in the medical register under this section ” there shall be substituted the words “ under the Medical Acts by virtue of this section,” in subsection (2) for the words “ in the medical register ” there shall be substituted the words “ under the Medical Acts,” in subsection (3) after the words “ shall be ” there shall be inserted the words “ in the general register, and shall be,” and subsection (4) is hereby repealed; in subsection (6) of section two, in section five, in section six and in subsection (1) of section seven for the words “ under section one of this Act ” there shall be substituted the words “ by virtue of section one of this Act,” and in section six, for the words “ under

Enactment amended

The Medical Practitioners and Pharmacists Act, 1947—*cont.*

Amendment

section eleven" there shall be substituted the words "by virtue of section eleven"; in section eight, in subsection (1) for the words "in the medical register" in each place in which they occur there shall be substituted the words "under the Medical Acts," and for the words "under this section" there shall be substituted the words "by virtue of this section," in subsections (2), (3) and (4) for the word "under" in each place in which it occurs there shall be substituted the words "by virtue of," in subsection (4) after the words "shall be" there shall be inserted the words "in the general register, and shall be," and in subsection (5) for the words from the beginning to "in relation" there shall be substituted the words "Registration by virtue of this section shall have effect," and for the word "under" there shall be substituted the words "by virtue of".

2ND SCH.
—*cont.*

Table of Statutes referred to in this Act.

Short Title	Session and Chapter
Judicial Committee Act, 1833	3 & 4 Will. 4. c. 41.
Medical Act, 1858	21 & 22 Vict. c. 90.
Medical Acts Amendment Act, 1860	23 & 24 Vict. c. 7.
Medical Council Act, 1862	25 & 26 Vict. c. 91.
Medical Act, 1886	49 & 50 Vict. c. 48.
Interpretation Act, 1889	52 & 53 Vict. c. 63.
Apothecaries Act, 1907	7 Edw. 7. cxxii.
Government of Ireland Act, 1920	10 & 11 Geo. 5. c. 67.
Supreme Court of Judicature (Consolidation) Act, 1925	15 & 16 Geo. 5. c. 49.
Medical and Dentists Acts Amendment Act, 1927	17 & 18 Geo. 5. c. 39.
Pharmacy and Medicines Act, 1941	4 & 5 Geo. 6. c. 42.
Statutory Instruments Act, 1946	9 & 10 Geo. 6. c. 36.
National Health Service Act, 1946	9 & 10 Geo. 6. c. 81.
National Health Service (Scotland) Act, 1947	10 & 11 Geo. 6. c. 27.
Medical Practitioners and Pharmacists Act, 1947	11 & 12 Geo. 6. c. 11.
British Nationality Act, 1948	11 & 12 Geo. 6. c. 56.

CHAPTER 30

National Service Act, 1950

An Act to substitute twenty-four months for eighteen months as the term of whole-time service under the National Service Acts, 1948, and for purposes connected therewith. [18th September 1950.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

Extension
of period of
whole-time
service.
12 & 13 Geo. 6.
c. 6.

1.—(1) Subject to the provisions of this section, the National Service Acts, 1948, shall have effect and be deemed always to have had effect as if, in the National Service (Amendment) Act, 1948, the words “twenty-four months” were substituted for the words “eighteen months” wherever those words occur, and any notice served, order made, direction given or thing done before the passing of this Act shall have effect accordingly.

(2) Subsection (1) of this section shall not apply and shall be deemed never to have applied to any person—

- (a) in whose case the period of eighteen months referred to in paragraph 1 of the Second Schedule to the principal Act has come to an end before the first day of October, nineteen hundred and fifty (due regard being had to proviso (b) to the said paragraph 1), or whose whole-time service falls to be treated as completed before the said first day of October by virtue of a direction under paragraph 2 of that Schedule; or
- (b) who is, on the said first day of October, conditionally registered in the register of conscientious objectors by virtue of an order made at least eighteen months before that date; or
- (c) who, apart from this Act, would fall to be treated, under section twenty-three of the principal Act, as having completed his whole-time service, or terms of service equivalent thereto, before the said first day of October; or
- (d) who, apart from this Act, would fall to be treated, under section twenty-four of the principal Act, as having completed the term of eighteen months referred to in subsection (1) of that section before the said first day of October.

(3) The Service Authorities shall, by regulations under subsection (2) of section twenty-three of the principal Act, make such further provision for the purposes mentioned in that subsection as may be necessary or expedient having regard to the

provisions of this section, and section fifty-eight of the principal Act (which empowers His Majesty to direct that the principal Act shall extend to the Isle of Man) shall apply in relation to this section as it applies in relation to the principal Act.

(4) Any increase attributable to the passing of this Act in the expenses directed to be defrayed out of moneys provided by Parliament by section fifty-five of the principal Act shall be defrayed out of moneys so provided.

(5) In this section, the expression "the principal Act" means 11 & 12 Geo. 6. the National Service Act, 1948, as amended by the National ^{c. 64.} Service (Amendment) Act, 1948.

2.—(1) This Act may be cited as the National Service Act, 1950. Short title, construction and citation.

(2) This Act and the National Service Acts, 1948, shall be construed as one, and may be cited together as the National Service Acts, 1948 to 1950.

CHAPTER 31

Allotments Act, 1950

ARRANGEMENT OF SECTIONS

Allotments

Section

1. Extension of length of notices to quit allotment gardens.
2. Cesser of restrictions on right of tenant of an allotment garden to compensation for crops and manure.
3. Compensation to tenant of an allotment garden for disturbance.
4. Right of landlord of an allotment garden to compensation for deterioration.
5. Set-off of compensation against rent, &c.
6. Exclusion of cottage holdings, and provisions as to war-time allotments.
7. Application of provisions of the Allotments Act, 1922, for purposes of preceding sections.
8. Amendment of s. 1 (4) of the Allotments Act, 1922.
9. Restriction of obligations of local authorities to provide allotments.
10. Rents to be charged for allotments let by local authorities.
11. Expenditure by local authorities on allotments.

Abolition of contractual restrictions on keeping hens and rabbits

12. Abolition of contractual restrictions on keeping hens and rabbits.

Supplementary

13. Expenses and receipts.
14. Interpretation.
15. Short title, citation, extent and repeal.

SCHEDULE.—Enactments Repealed.

An Act to amend the law relating to allotments and to abolish restrictions on the keeping of hens and rabbits.
[26th October 1950.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

Allotments

Extension of length of notices to quit allotment gardens.

1.—(1) Paragraph (a) of subsection (1) of section one of the Allotments Act, 1922 (which specifies, as the only kind of notice to quit that may be given by a landlord in respect of land let on a tenancy for use by the tenant as an allotment garden or let to a local authority or association for the purpose of being sub-let for such use, a six months' or longer notice expiring on or before the sixth day of April or on or after the twenty-ninth day of September in any year) shall have effect with the substitution, for the reference to six months, of a reference to twelve months.

(2) This section shall not affect the operation of a notice to quit given before the passing of this Act.

Cesser of restrictions on right of tenant of an allotment garden to compensation for crops and manure.

2.—(1) For subsection (2) of section two of the Allotments Act, 1922 (which restricts the right conferred by that section on the tenant of an allotment garden to recover compensation from his landlord on the termination of the tenancy to a case where the tenancy is terminated by the landlord and is so terminated between the sixth day of April and the twenty-ninth day of September or by re-entry at any time under paragraph (b), (c) or (d) of subsection (1) of section one of that Act) there shall be substituted the following subsection:—

“(2) Subject to the provisions of this section, compensation shall be recoverable under this section only if the tenancy is terminated by the landlord by notice to quit or by re-entry under paragraph (b), (c) or (d) of subsection (1) of the last preceding section”.

(2) This section shall not have effect in relation to a tenancy terminated by virtue of a notice to quit given before the passing of this Act.

Compensation to tenant of an allotment garden for disturbance.

3.—(1) Where a tenancy under which land let, whether before or after the passing of this Act, for use by the tenant as an allotment garden or to a local authority or association for the purpose of being sub-let for such use is terminated, as to the whole or any part of the land comprised in the tenancy—

(a) by re-entry under paragraph (b), (c) or (d) of subsection (1) of section one of the Allotments Act, 1922; or

- (b) where the landlord is himself a tenant, by the termination of his tenancy ; or
- (c) where the landlord is a local authority who have let the land under section ten of the Allotments Act, 1922, by the termination of the right of occupation of the authority ;

the tenant shall, notwithstanding any agreement to the contrary, be entitled, on quitting the land or that part thereof, as the case may be, to recover from the landlord compensation for the disturbance of an amount determined in accordance with subsection (2) of this section.

(2) The amount of any compensation recoverable under this section shall be—

- (a) where the tenancy terminates as to the whole of the land, an amount equal to one year's rent of the land at the rate at which rent was payable immediately before the termination of the tenancy ;
- (b) where the tenancy terminates as to part of the land, an amount bearing to the amount mentioned in the foregoing paragraph the same proportion that the area of that part bears to the area of the whole of the land.

(3) Compensation under this section shall be in addition to any compensation to which the tenant may be entitled under the Allotments Act, 1922.

(4) Subsection (2) of section four of the Allotments Act, 1922 (which enables the tenant of an allotment garden to recover compensation from a mortgagee who deprives him of possession) shall apply to compensation under this section as it applies to compensation under that Act.

(5) This section shall not have effect in relation to a tenancy which has terminated before the date of the passing of this Act or terminates after that date in consequence of a notice given or of legal proceedings commenced before that date.

4.—(1) Where the tenant of land let, whether before or after the passing of this Act, on a tenancy for use by the tenant as an allotment garden quits the land on the termination of the tenancy, the landlord shall, notwithstanding any agreement to the contrary, be entitled to recover from the tenant compensation in respect of any deterioration of the land caused by failure of the tenant to maintain it clean and in a good state of cultivation and fertility.

Right of landlord of an allotment garden to compensation for deterioration.

(2) The amount of any compensation recoverable under this section shall be the cost, as at the date of the tenant's quitting the land, of making good the deterioration.

(3) Where the tenant of land let on a tenancy for use by him as an allotment garden has remained therein during two or more tenancies, his landlord shall not be deprived of his right to compensation under this section in respect of deterioration of the

land by reason only that the tenancy during which an act or omission occurred which in whole or in part caused the deterioration was a tenancy other than the tenancy at the termination of which the tenant quits the land.

(4) This section shall not have effect in relation to a tenancy which has terminated before the date of the passing of this Act or terminates after that date in consequence of a notice given or of legal proceedings commenced before that date.

Set-off of compensation against rent, &c.

5.—(1) Out of any money payable to a tenant by way of compensation under section two of the Allotments Act, 1922, or section three of this Act, the landlord shall be entitled to deduct any sum due to him from the tenant under or in respect of the tenancy (including any sum due by way of compensation under section four of this Act).

(2) Out of any money due to the landlord from the tenant under or in respect of the tenancy (including any money due by way of compensation under section four of this Act), the tenant shall be entitled to deduct any sum payable to him by the landlord by way of compensation under section two of the Allotments Act, 1922, or section three of this Act.

Exclusion of cottage holdings, and provisions as to war-time allotments.

6. The foregoing provisions of this Act shall not apply to any parcel of land attached to a cottage, and the said provisions, other than those of section two, shall not apply to land let by a local authority under Regulation sixty-two A of the Defence (General) Regulations, 1939; and in any document embodying an arrangement for the cultivation or use of land made in pursuance of the Cultivation of Lands (Allotments) Order, 1939, as originally made, or of that order as amended by the Cultivation of Lands (Allotments) Order, 1941, any reference to compensation to which a person would have been entitled if the arrangement had been a letting under a contract of tenancy of the land for use as an allotment garden or for sub-letting in allotment gardens shall be construed in like manner as if this Act apart from section two thereof had not passed.

Application of provisions of the Allotments Act, 1922, for purposes of preceding sections.

7. Section six of the Allotments Act, 1922 (which relates to the determination and recovery of compensation under the foregoing provisions of that Act) and section seven of that Act (which provides for the application of those provisions to Crown lands) shall have effect as if the references to those provisions included references to the foregoing provisions of this Act, and subsection (4) of section twenty-two of that Act (which provides, amongst other things, that, for the purposes of that Act, where land is used by the tenant thereof as an allotment garden, it shall, unless the contrary is proved, be deemed to have been let to him to be used as an allotment garden) shall have effect as if the reference to that Act included a reference to this Act.

8. Subsection (4) of section one of the Allotments Act, 1922 (which excludes from the operation of that section land held by or on behalf of the Admiralty, War Department or Air Council, and let as mentioned in subsection (1) of that section, when possession of the land is required for naval, military or air force purposes) shall have effect—

Amendment
of s. 1 (4)
of the
Allotments
Act, 1922.

- (a) with the substitution, for the words “or Air Council”, of the words “Air Council or Minister of Supply”; and
- (b) with the addition, at the end thereof, of the words “or for purposes of the Ministry of Supply, as the case may be”.

9. The obligation under the Allotments Acts, 1908 to 1931, of the council of a borough, urban district or parish and of the parish meeting of a rural parish not having a parish council to provide allotments shall—

Restriction of
obligations of
local
authorities
to provide
allotments.

- (a) except in the case of the council of a borough or urban district the population whereof is, according to the last published census for the time being, ten thousand or upwards, be limited to the provision of allotment gardens; and
- (b) in the said excepted case, be limited to the provision of allotment gardens not exceeding twenty poles in extent.

10.—(1) Land let by a council under the Allotments Acts, 1908 to 1931, for use as an allotment shall be let at such rent as a tenant may reasonably be expected to pay for the land if let for such use on the terms (other than terms as to rent) on which it is in fact let:

Rents to be
charged for
allotments let
by local
authorities.

Provided that land may be let by a council as aforesaid to a person at a less rent if the council are satisfied that there exist special circumstances affecting that person which render it proper for them to let the land to him at a less rent.

(2) Not more than a quarter's rent for land let by a council as mentioned in subsection (1) of this section shall be required to be paid in advance:

Provided that this subsection shall not apply where the yearly rent is twenty-five shillings or less.

(3) In this section the references to a council shall be construed as including references to the parish meeting of a rural parish not having a parish council.

11.—(1) In subsection (1) of section sixteen of the Allotments Act, 1922 (which prohibits a council from taking proceedings under the provisions of the Allotments Acts unless in the opinion of the council their expenses under those provisions may reasonably be expected to be defrayed out of their receipts under those

Expenditure by
local
authorities on
allotments.

provisions) for the words "to be defrayed out of the receipts of the council under those provisions", there shall be substituted the words "to exceed the receipts of the council under those provisions by no greater amount than would be produced by a rate of two pence in the pound"; and section seventy-five of the Local Government Act, 1929 (which increases such statutory limits upon local authorities' expenditure as are imposed by reference to specified rate poundages) shall not apply to the said section sixteen as amended by this subsection.

(2) Any expenditure incurred under the Allotments Acts, 1908 to 1931, or this Act by a parish council or the parish meeting of a rural parish not having a parish council shall be left out of account for the purposes of subsections (3) and (5) of section one hundred and ninety-three of the Local Government Act, 1933 (which subsections limit the sums which may be required to be raised in any financial year to meet the expenses of parish councils and meetings).

Abolition of contractual restrictions on keeping hens and rabbits

Abolition of contractual restrictions on keeping hens and rabbits.

12.—(1) Notwithstanding any provision to the contrary in any lease or tenancy or in any covenant, contract or undertaking relating to the use to be made of any land, it shall be lawful for the occupier of any land to keep, otherwise than by way of trade or business, hens or rabbits in any place on the land and to erect or place and maintain such buildings or structures on the land as are reasonably necessary for that purpose:

Provided that nothing in this subsection shall authorise any hens or rabbits to be kept in such a place or in such a manner as to be prejudicial to health or a nuisance or affect the operation of any enactment.

(2) This section shall have effect as from the time when Regulation sixty-two B of the Defence (General) Regulations, 1939, ceases to have effect as respects England and Wales.

Supplementary

Expenses and receipts.

13.—(1) Any expenses incurred by a Minister of the Crown or by any government department (other than the Commissioners of Crown Lands) in paying compensation under this Act shall be defrayed out of moneys provided by Parliament, and any sums received by a Minister of the Crown or by any government department (other than the Commissioners of Crown Lands) by way of compensation under this Act shall be paid into the Exchequer.

(2) Any increase attributable to the passing of this Act in the sums which, under any other enactment, are payable out of moneys provided by Parliament shall be defrayed out of moneys so provided.

14.—(1) In this Act the expressions “ allotment garden ” and “ landlord ” have the same meanings as they have for the purposes of the Allotments Act, 1922, and the provisions of subsection (1) of section twenty-two of that Act relating to the continued application to parties of the designations of landlord and tenant shall apply for the purposes of this Act as they apply for the purposes of that Act.

(2) References in this Act to any other enactment shall, except so far as the context otherwise requires, be construed as references to that enactment as amended by any subsequent enactment, including this Act.

15.—(1) This Act may be cited as the Allotments Act, 1950, and the Allotments Acts, 1908 to 1931, and this Act may be cited together as the Allotments Acts, 1908 to 1950.

Short title,
citation,
extent and
repeal.

(2) This Act shall not extend to Scotland or Northern Ireland.

(3) The enactments mentioned in the first and second columns of the Schedule to this Act are hereby repealed to the extent specified in the third column of that Schedule.

SCHEDULE

ENACTMENTS REPEALED

Session and Chapter	Short Title	Extent of Repeal
8 Edw. 7. c. 36	The Small Holdings and Allotments Act, 1908.	In section twenty-three, subsection (4).
12 & 13 Geo. 5. c. 51.	The Allotments Act, 1922.	In section two, subsection (5). Section thirteen. In section sixteen, subsection (3).
15 & 16 Geo. 5. c. 61.	The Allotments Act, 1925.	Section four.

Table of Statutes referred to in this Act

Short Title	Session and Chapter
Allotments Act, 1922	12 & 13 Geo. 5. c. 51.
Local Government Act, 1929	19 & 20 Geo. 5. c. 17.
Local Government Act, 1933	23 & 24 Geo. 5. c. 51.

CHAPTER 32*Army Reserve Act, 1950***ARRANGEMENT OF SECTIONS****Section**

1. The army reserve.
2. Service as a militiaman.
3. Procedure and term of service on enlistment or re-engagement.
4. Calling out for annual training, special courses, etc.
5. Calling out on permanent service by proclamation.
6. Calling out on permanent service for home defence and overseas service.
7. Men called out on permanent service to form part of regular forces.
8. Duration of service of men called out on permanent service.
9. Directions for calling out on permanent service.
10. Calling out in aid of the civil power.
11. Government, discipline and pay of army reserve.
12. Transfer outside United Kingdom.
13. Enlistment and residence outside United Kingdom.
14. Punishment for failure to attend for permanent service, annual training, etc.
15. Punishment for inducing man of army reserve to desert or absent himself.
16. False pretence of desertion, etc.
17. Punishment of offences against orders and regulations.
18. Trial of offences.
19. Provisions as to offences triable both by court-martial and by court of summary jurisdiction.
20. Record of illegal absence.
21. Application of provisions of Army Act as to evidence.
22. Application of enactments respecting exemptions from tolls and conveyance of regular forces.
23. Payment and management of army reserve pensions.
24. Exercise of powers vested in holder of military office.
25. Exemption from parish offices, etc.
26. Service of notices.
27. Orders and regulations.
28. Interpretation.
29. Repeals, transitional provisions and savings.
30. Short title and commencement.

SCHEDULES :

First Schedule—Transitional provisions as to calling out on permanent service of certain men of army reserve.

Second Schedule—Territories in which men may not be enlisted into army reserve.

Third Schedule—Enactments repealed.

An Act to consolidate certain enactments relating to
the army reserve. [26th October 1950.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

1.—(1) It shall be lawful for His Majesty to keep up a force The army in the United Kingdom called the army reserve, to consist of two reserve. classes.

(2) The classes of the army reserve shall be constituted as follows:—

Class 1.—The first class shall consist of—

- (a) men transferred (whether before or after the commencement of this Act) to the army reserve in pursuance of the Army Act,
- (b) men serving in the army reserve for a term of part-time service within the meaning of Part I of the Act of 1948, and
- (c) men enlisted or re-engaged in pursuance of this Act for service in the said class.

Class 2.—The second class shall consist of men who—

- (a) being out-pensioners of Chelsea hospital, or
 - (b) having served in any of the regular forces for not less than the full term of their original enlistment,
- may be enlisted or re-engaged therein in pursuance of this Act.

(3) In the last foregoing subsection the expression “out-pensioners of Chelsea hospital” includes all persons whose claims for prospective or deferred pension have been registered in virtue of any warrant of His Majesty.

(4) For the purpose of establishing a supplemental reserve, it shall be lawful for His Majesty to direct that the first class of the army reserve shall consist of two divisions.

(5) Each class of the army reserve shall consist of such number of men as may from time to time be provided by Parliament for that class.

2.—(1) Where a man who has never served in the regular Service as a forces is enlisted into the first class of the army reserve, he shall militiaman. serve therein as a militiaman.

(2) Where a man who has been discharged from the regular forces becomes a man of the first class of the army reserve otherwise than by transfer in pursuance of the Army Act, he may, if

it is so prescribed by regulations made under this Act and subject to the conditions (if any) which may be so prescribed, serve in the army reserve as a militiaman.

(3) A militiaman may be re-engaged, and when re-engaged shall continue subject to the terms of service applicable to militiamen.

(4) Subject to the provisions of this Act, orders or regulations made thereunder may provide for the formation of militiamen into regiments, battalions or other military bodies, and for appointing, transferring or attaching militiamen to corps, and for posting, attaching or otherwise dealing with militiamen within corps.

(5) A militiaman who enlists into the regular forces shall upon such enlistment be deemed to be discharged from the army reserve.

Procedure and term of service on enlistment or re-engagement.

3.—(1) Every man who becomes a man of the army reserve by being enlisted or re-engaged in pursuance of this Act shall be enlisted or re-engaged, as the case may be, in such manner, and for a term of such length and to begin on such date, as may be prescribed.

(2) Subject to the provisions of this Act, and save as is otherwise prescribed, a man enlisting in the army reserve shall be attested in the same manner as a recruit in the regular forces, and the following sections of the Army Act, that is to say,—

- (a) section eighty (which relates to the mode of enlistment and attestation);
- (b) section ninety-eight (which imposes a fine for unlawful recruiting);
- (c) section ninety-nine (which makes recruits punishable for false answers);
- (d) section one hundred (which relates to the validity of attestation and enlistment or re-engagement); and
- (e) so much of section one hundred and sixty-three as relates to an attestation paper, or a copy thereof, or a declaration, being evidence,

shall apply in like manner as if they were re-enacted in this Act, with the substitution for the expression “soldier” of the expression “man” or, if the context so requires, “man of the army reserve”, and for the expression “regular forces” of the expression “army reserve”.

(3) A man enlisting in the army reserve may be attested by a regular officer, and the sections of the Army Act specified in the last foregoing subsection together also with section thirty-three

of that Act (which relates to false answers on enlistment) shall, in their application to the army reserve, be construed as if the expressions "justice" and "justice of the peace" included such an officer.

4.—(1) Subject to the provisions of this section, all or any of the men of the army reserve may be called out for annual training at such time or times, and at such place or places within the United Kingdom, and for such period or periods, as may be prescribed: Calling out for annual training, special courses, etc.

Provided that a man of the army reserve not being a militiaman shall not be liable to be called out under this subsection in any one year for more than twelve days or twenty drills.

(2) Subject to the provisions of this section, a militiaman may, in addition to being called out for annual training, be called out for a special course or special courses of training at such place or places within the United Kingdom or the Isle of Man, at such time or times, and for such period or periods, not exceeding in the whole six months, as may be prescribed, in like manner and subject to the like conditions as he may be called out for annual training.

(3) Where one of the conditions on which a militiaman was enlisted or re-engaged is that he shall not be called out for training, whether special or annual, for a longer period than the period specified in his attestation paper, he shall not be liable under the foregoing provisions of this section to be called out for any longer period.

(4) The foregoing provisions of this section shall not apply to men serving in the army reserve for a term of part-time service within the meaning of Part I of the Act of 1948, but such men shall perform such training as they may be required to undergo under the said Part I.

(5) A man of the army reserve may, during any period of training for which he may be called out or which he may be required to undergo as aforesaid, be attached to and trained with any body of the regular or auxiliary forces or, if he is a militiaman called out for a special course of training under subsection (2) of this section, with any other body of His Majesty's forces.

5.—(1) In case of imminent national danger or of great emergency it shall be lawful for His Majesty in Council by proclamation to order that the army reserve shall be called out on permanent service; and any man called out in pursuance of a proclamation under this subsection shall,— Calling out on permanent service by proclamation.

(a) if he belongs to the first class of the army reserve, be liable while so called out to serve either in the United Kingdom or elsewhere;

- (b) if he belongs to the second class of the army reserve, be liable while so called out to serve in the United Kingdom only.

(2) Before a proclamation is issued under the last foregoing subsection the occasion thereof shall be communicated to Parliament, if Parliament be then sitting; and if Parliament be not then sitting—

- (a) the occasion of the proclamation shall be declared in Council and notified by the proclamation, and
- (b) if Parliament be then separated by such an adjournment or prorogation as will not expire within ten days, a proclamation shall be issued for the meeting of Parliament within ten days, and Parliament shall accordingly meet and sit on the day appointed by the proclamation and shall continue to sit and act in like manner as if it had stood adjourned or prorogued to that day.

(3) Where a proclamation under subsection (1) of this section has been issued, it shall be lawful for His Majesty at any time thereafter by proclamation to order that all militiamen shall cease to be called out on permanent service.

Calling out on permanent service for home defence and overseas service.

6.—(1) Without prejudice to the provisions of the last foregoing section, but subject to the provisions of this section,—

- (a) any man of the army reserve (whether he entered the reserve on transfer or re-engagement or on being enlisted or on being deemed to be enlisted) shall during the whole of his service therein be liable to be called out on permanent service for home defence service;
- (b) any man who has been transferred to the army reserve in pursuance of the Army Act shall, if on his transfer he was designated by the competent military authority as a man to whom this paragraph applies, be liable to be called out on permanent service for overseas service at any time during the first year of his service in the first class of the army reserve;
- (c) without prejudice to the provisions of the last foregoing paragraph, any man of the first class of the army reserve (whether he entered that class on transfer or re-engagement or on being enlisted or on being deemed to be enlisted) shall, if he has entered into an agreement in writing to be so liable at the time in question, be liable at any time during his service in the said first class to be called out on permanent service for overseas service.

Any exercise of the power of calling out men under paragraphs (b) and (c) of this subsection shall be reported to Parliament as soon as may be.

(2) A man called out on permanent service under any paragraph of the last foregoing subsection may, while on permanent service, be employed in any service for which, if not previously called out, he could have been called out under that subsection.

(3) The following limits of number shall have effect as respects the calling out of men under this section, that is to say:—

(a) the number of men liable to be called out by virtue of agreements made for the purposes of paragraph (c) of subsection (1) of this section, being either militiamen or other men who—

(i) are deemed to be enlisted in the army reserve for a term of part-time service within the meaning of Part I of the Act of 1948, or

(ii) have been enlisted in the army reserve (whether in pursuance of section two of the Act of 1948 or otherwise) for service in lieu of such part-time service as aforesaid,

shall not at any time exceed fifteen thousand;

(b) the aggregate number of men for the time being designated under paragraph (b) of subsection (1) of this section and men (other than those falling within the last foregoing paragraph) for the time being liable to be called out by virtue of agreements made for the purposes of paragraph (c) of the said subsection (1) shall not exceed thirty thousand.

(4) The number of men for the time being called out under any of the provisions of this section shall not be reckoned in the numbers for the time being authorised by Parliament for the regular forces.

(5) An agreement made for the purposes of paragraph (c) of subsection (1) of this section may be revoked by three months' notice in writing.

(6) In this section—

(a) the expression “home defence service” means service at any place in the United Kingdom in defence of the United Kingdom against actual or apprehended attack, and service on any flight of which the points of departure and intended return are within the boundaries of the United Kingdom or of the territorial waters thereof shall be deemed for the purposes of this section to be service in the United Kingdom notwithstanding that the flight may in its course extend beyond those boundaries; and

(b) the expression “overseas service” means service when the men in question are required for service outside the United Kingdom when warlike operations are in preparation or in progress,

and references in paragraphs (a) and (b) of this subsection to the United Kingdom shall be construed as if that expression included the Channel Islands and the Isle of Man.

(7) Nothing in the foregoing provisions of this section—

- (a) shall apply to a man who was a man of the army reserve on the sixteenth day of December, nineteen hundred and forty-nine, not being a man who has re-engaged or enlisted therein after that date;
- (b) in the case of a man who, being a soldier of the regular forces at the said date, has thereafter been transferred to the army reserve in pursuance of the Army Act, shall apply to him during his service therein as a man so transferred;

but the provisions of the First Schedule to this Act shall have effect in cases where, by virtue of this subsection, the operation of the foregoing provisions of this section is excluded.

Men called out on permanent service to form part of regular forces.

7.—(1) A man of the army reserve while called out on permanent service shall form part of the regular forces.

(2) The competent military authority may—

- (a) if it seems proper appoint any such man so called out to any corps as a soldier of the regular forces, and
- (b) within three months after any such appointment transfer him to any other corps.

(3) Nothing in this section shall render a man of the second class of the army reserve liable to serve outside the United Kingdom; and any such man may from time to time be transferred from one corps to another for the purpose of securing that he shall not be liable to serve outside the United Kingdom.

(4) Nothing in this section shall prejudice the provisions of paragraph (2) of section eighty-three of the Army Act (which relates to the transfer of soldiers of the regular forces).

Duration of service of men called out on permanent service.

8.—(1) Subject to the provisions of this section and of the First Schedule to this Act, a man of the army reserve when called out on permanent service shall be liable to serve until His Majesty no longer requires his services.

(2) A man shall not without his consent in writing be liable to serve under paragraph (b) or (c) of subsection (1) of section six of this Act for a period which, together with any previous period for which he was called out under either of those paragraphs, exceeds twelve months:

Provided that in the case of a man who, having been called out under the said subsection (1), is on permanent service when the army reserve is called out under section five of this Act, any

period thereafter during which he remains on permanent service shall not be treated for the purposes of this subsection as a period of service under the said paragraph (b) or (c).

(3) No man called out on permanent service shall be required to serve for a period exceeding in the whole the remainder unexpired of his term of service in the army reserve and any further period not exceeding twelve months during which, as a soldier of the regular forces, he can under section eighty-seven of the Army Act be detained in service after the time at which he would otherwise be entitled to be discharged:

Provided that a Secretary of State may, by regulations made under this Act, authorise any militiaman having the qualifications prescribed by those regulations to agree in writing that, if the time at which he would otherwise be entitled to be discharged from the army reserve occurs when he is called out on permanent service, he will continue to serve therein until the expiration of such period, whether definite or indefinite, as may be specified in the agreement; and if any man who enters into such an agreement is called out on permanent service, he shall be liable to be detained in service for the period specified in his agreement in the same manner in all respects as if his term of service were still unexpired.

9.—(1) A proclamation under subsection (1) of section five of this Act may order a Secretary of State from time to time to give, and when given to revoke or vary, such directions as may seem necessary or proper for calling out under that section the army reserve or all or any of the men belonging thereto. Directions for calling out on permanent service.

(2) It shall be lawful for a Secretary of State, at any time when it appears to him that the occasion so requires, to give, and when given to revoke or vary, such directions as he may think fit for calling out on permanent service in accordance with the provisions of subsection (1) of section six of this Act any man who by virtue of those provisions is liable to be so called out.

(3) Every man for the time being called out by any such directions as aforesaid shall attend at the time and place fixed by those directions, and shall be deemed at and after that time to be called out on permanent service.

(4) Where a Secretary of State has given any directions under the last foregoing subsection, he may at any time thereafter give such directions as he may think fit for terminating the service under subsection (1) of section six of this Act of men called out by the directions under the last foregoing subsection, but without prejudice to the power of the Secretary of State by further directions given under the last foregoing subsection to call out for further service any man whose service has been terminated by directions given under this subsection.

(5) Upon the making of a proclamation under subsection (3) of section five of this Act a Secretary of State shall give such directions as may seem necessary or proper for carrying the said proclamation into effect.

Calling out
in aid of the
civil power.

10.—(1) It shall be lawful for a Secretary of State, at any time when occasion appears to require, to call out the whole or so many as he thinks necessary of the men of the army reserve, to aid the civil power in the preservation of the public peace.

(2) It shall be lawful for any officer commanding His Majesty's forces in any town or district, on the requisition in writing of any justice of the peace, to call out for the purpose aforesaid the men of the army reserve who are resident in the town or district or so many of them as he may think necessary.

(3) Any power by this section vested in a Secretary of State may, as regards men resident in Northern Ireland, be exercised also by the Governor of Northern Ireland.

Government,
discipline and
pay.

11. Subject to the provisions of this Act, orders or regulations made thereunder may make provision with respect to the government, discipline and pay of the army reserve, and with respect to other matters and things relating to the army reserve:

Provided that no such order or regulation shall render a man who entered the army reserve before the date of the order or regulation liable without his consent to be appointed, transferred or attached to any military body to which he could not, without his consent, have been appointed, transferred or attached if the order or regulation had not been made.

Transfer
outside
United
Kingdom.

12.—(1) Where a soldier of the regular forces is serving outside the United Kingdom at the time when he is entitled to be transferred to the army reserve, he may, at his own request, be so transferred without being required to return to the United Kingdom, subject however to such conditions as to residence, as to liability to be called out for annual training or on permanent service or in aid of the civil power, or as to any other matters, as may be prescribed by regulations made under this Act.

(2) The provisions of this Act shall apply to a man transferred to the army reserve in pursuance of this section subject to such adaptations as may be so prescribed as aforesaid.

Enlistment
and residence
outside
United
Kingdom.

13.—(1) Men may be enlisted into the army reserve in any of the territories to which this section applies, not being territories specified in the Second Schedule to this Act, subject however to such conditions as may be prescribed by regulations made under this Act.

(2) A man of the army reserve may, if so authorised by or under the directions of a Secretary of State, reside in any of the territories to which this section applies, subject however to such conditions as may be so prescribed as aforesaid.

(3) This section applies to the following territories, that is to say, to any part of His Majesty's dominions outside the United Kingdom and to any British protectorate.

(4) The provisions of this Act shall apply—

(a) to any enlistment under subsection (1) of this section, and

(b) to a man of the army reserve during such time as he resides outside the United Kingdom in pursuance of an authorisation of the Secretary of State under subsection (2) of this section,

subject in either case to such adaptations as may be prescribed by regulations made under this Act, being adaptations necessary for the purpose of adapting those provisions to the circumstances of the several territories to which this section applies.

(5) His Majesty may by Order in Council make provision for including among the territories specified in the Second Schedule to this Act any part of His dominions outside the United Kingdom, the Channel Islands and the Isle of Man, being a part of His dominions to which responsible government has been granted since the twentieth day of July, nineteen hundred and six and not being a Dominion other than Ceylon.

14.—(1) Any man of the army reserve who, being called out on permanent service or in aid of the civil power, fails, without leave lawfully granted or such sickness or other reasonable excuse as may be allowed in the prescribed manner, to appear at any time and place at which he is required on being so called out to attend, shall be guilty, according to the circumstances, of desertion or absence without leave, and on conviction by court-martial shall be punishable as for an offence under section twelve or, as the case may be, section fifteen of the Army Act.

Punishment for failure to attend for permanent service, annual training, etc.

(2) Any man of the army reserve who, being called out for annual training, fails without such leave or excuse as aforesaid to appear at any time and place at which he is required on being so called out to attend, shall be guilty of absence without leave, and on conviction by court-martial shall be punishable as for an offence under the said section fifteen.

(3) Any man of the army reserve who commits an offence under section twelve or section fifteen of the Army Act may be tried, convicted and punished under that Act whether or not otherwise subject to military law.

(4) Without prejudice to the foregoing provisions of this section, but subject as hereinafter provided, any man of the army reserve who—

- (a) commits an offence contrary to subsection (1) or subsection (2) of this section, or section twelve or section fifteen of the Army Act, or
- (b) being a man serving in the army reserve for a term of part-time service within the meaning of Part I of the Act of 1948, fails without reasonable excuse to attend at any time and place appointed for training under the said Part I, or to perform such training for the period, and in accordance with the other conditions, laid down in respect thereof under the said Part I,

shall be liable on summary conviction to a fine of not less than forty shillings and not more than twenty-five pounds, and in default of payment of the fine to imprisonment for any term not less than seven days and not more than the maximum term allowed by law for non-payment of the fine, and may in any case be taken into military custody.

(5) Section one hundred and fifty-four of the Army Act shall apply to a deserter or absentee without leave as it applies to a deserter or absentee without leave within the meaning of that Act, so however that the delivery of a man of the army reserve into military custody under that section, or his committal thereunder for the purpose of being so delivered, shall not prevent his subsequently being tried as provided by the last foregoing subsection.

(6) Nothing in paragraph (b) of subsection (4) of this section shall apply in the case of a man who fails to comply with a training notice served upon him under section five of the Act of 1948, or affect the provisions of Part I of that Act relating to the punishment of a man for that offence.

**Punishment
for inducing
man of army
reserve to
desert or
absent himself.**

15.—(1) Any person who, in the United Kingdom or elsewhere, by any means whatsoever—

- (a) procures or persuades any man of the army reserve to commit an offence of desertion, or attempts to procure or persuade any such man to commit such an offence, or
- (b) knowing that any such man is about to commit such an offence aids or assists him in so doing, or
- (c) knowing any such man to be a deserter conceals the man, or aids or assists him in concealing himself, or employs or continues to employ him or aids or assists in his rescue,

shall be liable on summary conviction to a fine not exceeding thirty pounds or to imprisonment for a term not exceeding six months.

(2) The last foregoing subsection shall apply to absence without leave and absentees without leave as it applies to desertion and deserters, but with the substitution for the reference to such a fine or imprisonment as is therein specified of a reference to a fine not exceeding twenty pounds.

(3) Any person who, knowing any man of the army reserve to be a deserter within the meaning of the Army Act, employs or continues to employ the man, shall be deemed to aid him in concealing himself within the meaning of paragraph (3) of section one hundred and fifty-three of the Army Act (which provides, among other things, for the punishment of persons concealing deserters from the regular forces).

16. Any person who falsely represents himself to be a deserter or absentee without leave from the army reserve shall be liable, on summary conviction, to imprisonment for a term not exceeding three months. False pretence of desertion, etc.

17.—(1) Any man of the army reserve who—

Punishment of offences against orders and regulations.

- (a) fails without reasonable excuse on two consecutive occasions to comply with the orders or regulations made under this Act respecting the payment of the army reserve; or
- (b) when required by or in pursuance of the orders or regulations made under this Act to attend at any place, fails without reasonable excuse to attend in accordance with the requirement; or
- (c) uses threatening or insulting language or behaves in an insubordinate manner to any officer or warrant or non-commissioned officer who in pursuance of the orders or regulations made under this Act is acting in the execution of his office, and who would be the superior officer of the offender if he were subject to military law; or
- (d) by any fraudulent means obtains or is an accessory to the obtaining of any pay or other sum contrary to the orders or regulations made under this Act; or
- (e) fails without reasonable excuse to comply with the orders or regulations made under this Act,

shall be guilty of an offence under this section.

(2) Any man of the army reserve who commits an offence under this section, whether otherwise subject to military law or not, shall be liable—

- (a) on conviction by court-martial to suffer imprisonment, or such less punishment as is mentioned in the Army Act; or

- (b) on summary conviction to a fine of not less than forty shillings and not more than twenty-five pounds, and in default of payment of the fine to imprisonment for any term not less than seven days and not more than the maximum term allowed by law for non-payment of the fine;

and may in any case be taken into military custody.

(3) A certificate purporting to be signed by an officer who is therein mentioned as an officer appointed to pay a man of the army reserve and stating that the man has failed on two consecutive occasions to comply with the orders or regulations made under this Act respecting the payment of the army reserve shall, without proof of the signature or appointment of the officer, be evidence of the failure.

Where a person other than an officer is appointed to pay men of the army reserve, this subsection shall apply to certificates purporting to be signed by him as it applies to certificates purporting to be signed by an officer in the like behalf.

(4) Where a man of the army reserve is required by or in pursuance of the orders or regulations made under this Act to attend at any place, a certificate purporting to be signed by an officer or person who is therein mentioned as being appointed to be present at that place for the purpose of inspecting men of the army reserve, or for any other purpose connected with the army reserve, and stating that the man failed to attend in accordance with the said requirement shall, without proof of the signature or appointment of the officer or person, be evidence of the failure.

Trial of offences.

18.—(1) Any offence which under this Act is punishable on conviction by court-martial shall, for all purposes of and incidental to the arrest, trial and punishment of the offender, including the summary disposal of the case by his commanding officer, be deemed to be an offence under the Army Act, so however that references in that Act to forfeitures and stoppages shall be construed in relation to any such offence as references to such forfeitures and stoppages as may be prescribed.

(2) Any offence which under this Act is punishable on summary conviction may be prosecuted, and any fine recoverable on such conviction may be recovered, in manner provided by sections one hundred and sixty-six to one hundred and sixty-eight of the Army Act in like manner as if those sections were herein re-enacted and in terms made applicable to proceedings under this Act.

(3) Save as provided by the said section one hundred and sixty-six, the minimum fixed by this Act for the amount of any fine or for the term of any imprisonment shall be duly observed

by courts of summary jurisdiction and shall, notwithstanding anything contained in any other Act, not be reduced by way of mitigation or otherwise.

(4) Where a man of the army reserve commits in the presence of an officer an offence under the last foregoing section, or an offence under subsection (2) or subsection (3) of section one hundred and forty-two of the Army Act (which relates to the offence of personation), that officer may, if he thinks fit, order the offender, in lieu of being taken into military custody, to be taken into custody by any constable and to be brought before a court of summary jurisdiction for the purpose of being dealt with by that court.

(5) For all purposes in relation to the arrest, trial and punishment of a person for any offence punishable under this Act, including the summary disposal of the case by the commanding officer, this Act shall extend to the Channel Islands and the Isle of Man.

19. The following provisions shall have effect as respects the trial and punishment of men charged with offences which in pursuance of this Act are cognizable both by a court-martial and by a court of summary jurisdiction:—

- Provisions as to offences triable both by court-martial and by court of summary jurisdiction.
- (a) a man so charged shall not be liable to be tried in both of the following ways, that is to say, on the one hand by court-martial or by the case being disposed of summarily by his commanding officer and on the other hand by a court of summary jurisdiction, but shall be proceeded against in one or other of those ways according as may be prescribed;
- (b) proceedings against a man so charged, before either a court-martial, or his commanding officer, or a court of summary jurisdiction, may be instituted whether or not the term of the man's service in the army reserve has expired;
- (c) any such proceedings may, notwithstanding anything in any other Act, be instituted within two months after whichever of the following times is the later, that is to say—
- (i) the time at which the offence becomes known to an officer who by orders or regulations made under this Act has power to direct the way in which the offender is to be tried; or
 - (ii) the time at which the offender is apprehended, whether by a civil or a military authority;
- (d) nothing in any other Act which provides for a period of limitation respecting the time for hearing and determining offences shall apply in the case of any proceedings so instituted as aforesaid.

Record of
illegal absence.

20.—(1) Where a man of the army reserve is subject to military law, and is unlawfully absent from his duty, a court of inquiry under section seventy-two of the Army Act may be assembled after the expiration of twenty-one days from the date of the man's absence, notwithstanding that the period during which the man was subject to military law is less than twenty-one days, or has expired before the expiration of twenty-one days; and the record mentioned in that section may be entered in manner thereby provided, or in such regimental books and by such officer as may be prescribed.

(2) Where a man of the army reserve fails to appear at the time and place at which he is required upon being called out for annual training or on permanent service to attend, and his absence continues for not less than fourteen days, an entry of the man's absence shall be made by the prescribed officer in the prescribed manner and in the prescribed regimental books and the entry shall be conclusive evidence of the fact of the man's absence.

Application of
provisions of
Army Act as
to evidence.

21.—(1) Section one hundred and sixty-three of the Army Act (which relates to evidence generally) shall apply to all proceedings under this Act.

(2) Section one hundred and sixty-four of the Army Act (which relates to evidence of the civil conviction or acquittal of a person subject to military law) shall apply in the case of a man of the army reserve who is tried by a civil court, whether or not he is at the time of the trial subject to military law.

Application of
enactments
respecting
exemptions
from tolls and
conveyance of
regular forces.

22.—(1) For the purposes of section one hundred and forty-three of the Army Act, and all other enactments relating to the duties, tolls and ferries which are mentioned in that section, officers and men of the army reserve, when going to or returning from any place at which they are required to attend, and for non-attendance at which they are liable to be punished, shall be deemed to be officers and soldiers of the regular forces on duty.

(2) All enactments for the time being in force concerning the conveyance by railway or otherwise of any part of the regular forces, and their baggage, stores, arms, ammunition and other necessaries and things, shall apply as if the army reserve were such a part of the regular forces.

Payment and
management of
army reserve
pensions.

23. Where, either before or after the passing of this Act, a man of the army reserve has been called out on permanent service and, having after the termination of that service continued as a man of the army reserve, has become entitled to pension under any order or regulation made under this Act, all powers exercisable for the award and payment of the pension and otherwise in relation thereto shall be exercisable by the like authority as if he were a man discharged from the army on reduction.

24.—(1) Any power or jurisdiction given to, and any act or thing to be done by, to or before, any person holding any military office may in relation to the army reserve be exercised by or done by, to, or before any other person for the time being authorised in that behalf according to the custom of the service. Exercise of powers vested in holder of military office.

(2) Where by this Act, or by any order or regulation made under this Act, any order is authorised to be made by any military authority, the order may be signified by an order, instruction or letter under the hand of any officer authorised to issue orders on behalf of the said military authority, and an order, instruction or letter purporting to be signed by any officer appearing therein to be so authorised shall be evidence of his being so authorised.

25. A man of the army reserve shall not be liable to serve the office of constable, or any other parochial, township or borough office. Exemption from parish offices, etc.

26. The following provisions shall have effect with respect to notices required in pursuance of orders or regulations made under this Act to be given to men of the army reserve:— Service of notices.

(a) a notice may be served on any such man either by being sent by post to his last registered place of abode or by being served in the prescribed manner;

(b) evidence of the delivery at the last registered place of abode of a man of the army reserve of a notice, or of a letter addressed to the man containing a notice, shall be evidence that the notice was brought to the man's knowledge;

(c) the publication of a notice in the prescribed manner in the parish in which the last registered place of abode of a man of the army reserve is situate shall be sufficient notice to him, notwithstanding that a copy of the notice is not served on him;

(d) every constable, and—

(i) as respects things to be done in an urban parish, the clerk to the rating authority,

(ii) as respects things to be done in a rural parish having a parish council, the chairman of the parish council, and

(iii) as respects things to be done in any other rural parish, the chairman of the parish meeting,

shall, when so required by or on behalf of a Secretary of State, conform with the orders and regulations made

under this Act as respects the publication and service of notices, and in default shall be liable on summary conviction to a fine not exceeding twenty pounds.

Orders and regulations.

27.—(1) Where by this Act power is conferred to make provision with respect to any matter by orders or regulations made under this Act,—

- (a) it shall be lawful for His Majesty, by order signified under the hand of a Secretary of State, to make orders with respect to the matter in question, and any such order may be varied or revoked by a subsequent order made in the like manner;
- (b) subject to the provisions of any such order, a Secretary of State may make general or special regulations with respect to the said matter.

(2) Where by this Act power is conferred to make provision with respect to any matter by regulations made under this Act, a Secretary of State may make general or special regulations with respect to the said matter.

(3) All orders and general regulations made in accordance with this section shall be laid before both Houses of Parliament as soon as practicable after they are made, if Parliament be then sitting, or, if Parliament be not sitting, then as soon as practicable after the beginning of the then next session of Parliament.

(4) For the purposes of the Statutory Instruments Act, 1946, this Act shall be deemed to be an Act passed before the commencement of that Act, and any reference in regulations made under subsection (1) of section eight of that Act to any provision of the Reserve Forces Act, 1882 shall, without prejudice to any power to vary or revoke the said regulations, be construed as a reference to the corresponding provision of this Act.

Interpretation.

28.—(1) In this Act, except where the context otherwise requires, the following expressions have the meanings hereby assigned to them respectively, that is to say:—

“ absence without leave ” and “ desertion ” mean respectively absence without leave contrary to subsection (1) or subsection (2) of section fourteen of this Act and desertion contrary to the said subsection (1), and “ absentee without leave ” and “ deserter ” shall be construed accordingly;

“ the Act of 1948 ” means the National Service Act, 1948;

“ competent military authority ” has the same meaning as in Part II of the Army Act;

“ man ” includes a warrant officer and a non-commissioned officer;

“ militiaman ” means a man of the army reserve who is serving therein as a militiaman pursuant to section two of this Act;

“ prescribed ” means prescribed by orders or regulations made under this Act;

other expressions have the same meaning as they have in the Army Act.

(2) This Act shall apply in relation to women as it applies in relation to men.

(3) In section one hundred and ninety of the Army Act, after paragraph (9) there shall be inserted the following paragraph:—

“ (10) the expression ‘ army reserve force ’ means the army reserve ”.

29.—(1) The enactments specified in the Third Schedule to this Act are hereby repealed to the extent specified in the third column of that Schedule. Repeals, transitional provisions and savings.

(2) Paragraphs 1 to 5 of Part II of the Schedule to the National Service (Adaptation of Enactments) (Military and Air Forces) Order, 1949, shall cease to have effect.

(3) Subsection (1) of section two of the Recall of Army and Air Force Pensioners Act, 1948 (which provides that army pensioners may be recalled under that Act at any time when men of the army reserve are or are deemed to be called out on permanent service under the Reserve Forces Act, 1882) shall have effect in relation to the army reserve as if the words “ or are deemed to be ” and the words “ under the Reserve Forces Act, 1882 ” were omitted and as if at the end of the subsection there were inserted the following paragraph:—

“ In this subsection the expression ‘ called out on permanent service ’ means called out on permanent service under section five of the Army Reserve Act, 1950 or paragraph (a) of subsection (1) of section six thereof ”.

(4) Nothing in this Act shall affect any order, regulation, transfer, requisition, posting, appointment, designation, agreement, record, entry, attachment or certificate made, or direction or notice given, enlistment, re-engagement or attestation effected, proceedings taken, or any other thing done in the exercise of any power or jurisdiction under or by virtue of any enactment repealed by this Act, but any such order, regulation, transfer, requisition, posting, appointment, designation, agreement, record,

entry, attachment, certificate, direction, notice, enlistment, re-engagement, attestation, proceedings or thing shall, if in force at the commencement of this Act and so far as it or they could have been made, given, effected, taken or done under or by virtue of this Act, have effect as if made, given, effected, taken or done under or by virtue of this Act.

(5) This Act, except the following provisions thereof, that is to say—

section six,

subsection (2) of section eight,

subsections (2) and (4) of section nine,

subsection (3) of section nine so far as it relates to men called out under the said section six, and

subsection (3) of this section,

shall be included among the enactments in relation to which His Majesty has power to make Orders in Council under subsection (1) of section twenty-six and subsection (1) of section thirty-two of the Act of 1948 (which provide for the making of Orders in Council modifying enactments relating to the length or conditions of service of men in the armed forces of the Crown in the application of such enactments to men called up under that Act, and for the making of Orders in Council modifying enactments relating to consequential matters).

(6) For the purposes of the India (Consequential Provision) Act, 1949, an enactment in this Act reproducing any provision of the law hereby repealed shall be deemed to have been passed at the date of the making of that provision.

(7) Nothing in the foregoing provisions of this section shall be taken as prejudicing the operation of section thirty-eight of the Interpretation Act, 1889 (which relates to the effect of repeals).

(8) The provisions of this Act as to the term of service of men of the army reserve shall have effect subject to the provisions of the Military and Air Forces (Prolongation of Service) Act, 1939, so long as that Act is in operation.

(9) The repeals effected by this Act relate only to the army reserve, and accordingly nothing in this Act shall affect any power to apply in relation to the air force reserve or the officers or men thereof any of the enactments specified in the Third Schedule to this Act or the operation of any of those enactments as so applied.

Short title and commencement.

30.—(1) This Act may be cited as the *Army Reserve Act, 1950*.

(2) This Act shall come into operation on the first day of January, nineteen hundred and fifty-one.

SCHEDULES

FIRST SCHEDULE

Sections 6, 8.

TRANSITIONAL PROVISIONS AS TO CALLING OUT ON PERMANENT SERVICE OF CERTAIN MEN OF ARMY RESERVE

1.—(1) Subject to the provisions of this paragraph, a man of the army reserve who is serving therein as a man transferred thereto in pursuance of the Army Act and who—

(a) was on the sixteenth day of December, nineteen hundred and forty-nine so serving, or

(b) having been a soldier of the regular forces on the date aforesaid has been so transferred to the army reserve after that date,

being in either case a man whose character on transfer to the army reserve was good, shall, if he so agrees in writing, be liable during the first five years of his service as a man so transferred or during the residue unexpired of the term of his original enlistment, whichever is the less, to be called out on permanent service under this paragraph:

Provided that—

(i) the number of men so liable shall not at any one time exceed six thousand, and

(ii) a man called out under this paragraph shall not be liable to serve more than twelve months.

(2) Any agreement under this paragraph may be revoked by three months' notice in writing.

(3) The power of calling out men under this paragraph shall not be exercised except when they are required for service outside the United Kingdom when warlike operations are in preparation or in progress.

2.—(1) Subject to the provisions of this paragraph, a militiaman who was on the sixteenth day of December, nineteen hundred and forty-nine, serving in the army reserve shall be liable, during the whole of his service therein, or during such part of that service as he so agrees, to be called out on permanent service under this paragraph:

Provided that the number of men so liable shall not at any one time exceed four thousand.

(2) Any agreement under this paragraph may provide for the revocation thereof by such notice in writing as may be therein stated.

(3) The power of calling out men under this paragraph shall not be exercised except when they are required for service outside the United Kingdom and the Isle of Man when warlike operations are in preparation or in progress.

3. Any exercise of the power of calling out men under paragraph 1 or paragraph 2 of this Schedule shall be reported to Parliament as soon as may be.

4. The numbers of men for the time being called out under paragraph 1 or paragraph 2 of this Schedule shall not be reckoned in the numbers for the time being authorised by Parliament for the regular forces.

T

Section 13.

SECOND SCHEDULE

TERRITORIES IN WHICH MEN MAY NOT BE ENLISTED INTO
ARMY RESERVE

Canada.

Australia.

New Zealand.

Union of South Africa.

Section 29.

THIRD SCHEDULE

ENACTMENTS REPEALED

Session and chapter	Short title	Extent of Repeal
	The Army Act	In section eighty-eight, subsection (4); in section ninety-two, subsection(3).
45 & 46 Vict. c. 48.	The Reserve Forces Act, 1882	The whole Act, so far as still in force.
61 & 62 Vict. c. 9.	The Reserve Forces and Militia Act, 1898.	The whole Act, so far as still in force.
62 & 63 Vict. c. 40.	The Reserve Forces Act, 1899	The whole Act.
63 & 64 Vict. c. 42.	The Reserve Forces Act, 1900	The whole Act, so far as still in force.
6 Edw. 7. c. 11.	The Reserve Forces Act, 1906	The whole Act.
7 Edw. 7. c. 9.	The Territorial and Reserve Forces Act, 1907.	Sections thirty to thirty-three and thirty-five, so much of sections thirty-eight to forty as relates to the army reserve, and in section forty-one the words from "and so far" to the end.
8 Edw. 7. c. 2.	The Army (Annual) Act, 1908	Section four.
11 & 12 Geo. 5. c. 37.	The Territorial Army and Militia Act, 1921.	Section two.
1 Edw. 8 & 1 Geo. 6. c. 17.	The Reserve Forces Act, 1937	The whole Act.
12, 13 & 14 Geo. 6. c. 96.	The Auxiliary and Reserve Forces Act, 1949.	Sections twelve and thirteen; section seventeen so far as it relates to the army reserve; and in section eighteen, subsection (3).

Table of Statutes referred to in this Act.

Short Title	Session and Chapter
Reserve Forces Act, 1882	45 & 46 Vict. c. 48.
Interpretation Act, 1889	52 & 53 Vict. c. 63.
Reserve Forces and Militia Act, 1898	61 & 62 Vict. c. 9.
Reserve Forces Act, 1899	62 & 63 Vict. c. 40.
Reserve Forces Act, 1900	63 & 64 Vict. c. 42.
Reserve Forces Act, 1906	6 Edw. 7. c. 11.
Territorial and Reserve Forces Act, 1907	7 Edw. 7. c. 9.
Army (Annual) Act, 1908	8 Edw. 7. c. 2.
Territorial Army and Militia Act, 1921	11 & 12 Geo. 5. c. 37.
Reserve Forces Act, 1937	1 Edw. 8. & 1 Geo. 6. c. 17.
Military and Air Forces (Prolongation of Service) Act, 1939	2 & 3 Geo. 6. c. 90.
Statutory Instruments Act, 1946	9 & 10 Geo. 6. c. 36.
National Service Act, 1948	11 & 12 Geo. 6. c. 64.
Recall of Army and Air Force Pensioners Act, 1948	12 & 13 Geo. 6. c. 8.
India (Consequential Provision) Act, 1949	12, 13 & 14 Geo. 6. c. 92.
Auxiliary and Reserve Forces Act, 1949	12, 13 & 14 Geo. 6. c. 96.

CHAPTER 33

Air Force Reserve Act, 1950

ARRANGEMENT OF SECTIONS

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Section

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An Act to consolidate certain enactments and Orders in Council relating to the air force reserve.
[26th October 1950.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

The air force
reserve.

1. It shall be lawful for His Majesty to maintain an air force reserve, which shall consist of such number of officers as may from time to time be provided by Parliament and of such number of men as may be so provided, being either—

- (a) men transferred (whether before or after the commencement of this Act) to the air force reserve in pursuance of the Air Force Act, or
- (b) men serving in the said reserve for a term of part-time service within the meaning of Part I of the Act of 1948.
or
- (c) men enlisted or re-engaged therein in pursuance of this Act.

Service as a
special
reservist.

2.—(1) A man enlisted into the air force reserve may, whether or not he has previously served in the regular air force, be enlisted in the said reserve for service as a special reservist.

(2) A special reservist may be re-engaged, and when re-engaged shall continue subject to the terms of service applicable to special reservists.

(3) A man may be enlisted in the air force reserve for service as a special reservist with a liability to serve only within the limits of the United Kingdom, the Channel Islands and the Isle of Man.

(4) Subject to the provisions of this Act, orders or regulations made thereunder may provide for the formation of special reservists into squadrons or other air force units, and for the formation of such squadrons or other air force units into wings, groups or other formations, either alone or jointly with any other part of His Majesty's air force, and for appointing, transferring or attaching special reservists to such units or formations and for posting, attaching or otherwise dealing with special reservists within such units or formations.

(5) A special reservist who enlists into the regular air force shall upon such enlistment be deemed to be discharged from the air force reserve.

(6) Nothing in this Act shall be construed as affecting the meaning of the expression "air force reserve" in paragraph (c) of subsection (3) of section one of the Act of 1948 (which subsection provides that where a man's last service during his period of whole-time service under that Act was in the regular air force, he shall be deemed after the completion of that term to be enlisted for service in the air force reserve for a term of part-time service).

3.—(1) Every man who becomes a man of the air force reserve by being enlisted or re-engaged in pursuance of this Act shall be enlisted or re-engaged, as the case may be, in such manner, and for a term of such length and to begin on such date, as may be prescribed.

Procedure and term of service on enlistment or re-engagement.

(2) Subject to the provisions of this Act, and save as is otherwise prescribed, a man enlisting in the air force reserve shall be attested in the same manner as a recruit in the regular air force, and the following sections of the Air Force Act, that is to say—

- (a) section eighty (which relates to the mode of enlistment and attestation);
- (b) section ninety-eight (which imposes a fine for unlawful recruiting);
- (c) section ninety-nine (which makes recruits punishable for false answers);
- (d) section one hundred (which relates to the validity of attestation and enlistment or re-engagement); and
- (e) so much of section one hundred and sixty-three as relates to an attestation paper, or a copy thereof, or a declaration, being evidence,

shall apply in like manner as if they were re-enacted in this Act, with the substitution for the expression "airman" of the expression "man" or, if the context so requires, "man of the air force reserve", and for the expression "regular air force" of the expression "air force reserve".

(3) A man enlisting in the air force reserve may be attested by a regular officer, and the sections of the Air Force Act specified in the last foregoing subsection together also with section thirty-three of that Act (which relates to false answers on enlistment) shall, in their application to the air force reserve, be construed as if the expressions "justice" and "justice of the peace" included such an officer.

Calling out
for annual
training,
special courses,
etc.

4.—(1) Subject to the provisions of this section, all or any of the men of the air force reserve may be called out for annual training at such time or times, and at such place or places in the United Kingdom and for such period or periods as may be prescribed:

Provided that the period or periods so prescribed shall not, except as respects special reservists, exceed in any one year—

- (i) twenty-four days in the case of a man who is serving as a qualified pilot or as a qualified observer;
- (ii) six months in the case of a man who is undergoing instruction with a view to his qualifying for service as a pilot or observer;
- (iii) twelve days or twenty drills or instructional parades in the case of any other man.

In this subsection "observer" includes navigator, and "qualified" means qualified in accordance with orders or regulations made under this Act.

(2) Subject to the provisions of this section, a special reservist may, in addition to being called out for annual training, be called out for a special course or special courses of training at such place or places in the United Kingdom or the Isle of Man, at such time or times, and for such period or periods, not exceeding in the whole six months, as may be prescribed, in like manner and subject to the like conditions as he may be called out for annual training.

(3) Where one of the conditions on which a special reservist was enlisted or re-engaged is that he shall not be called out for training, whether special or annual, for a longer period than the period specified in his attestation paper, he shall not be liable under the foregoing provisions of this section to be called out for any longer period.

(4) The foregoing provisions of this section shall not apply to men serving in the air force reserve for a term of part-time

service within the meaning of Part I of the Act of 1948, but such men shall perform such training as they may be required to undergo under the said Part I.

(5) A man of the air force reserve may, during any period of training for which he may be called out or which he may be required to undergo as aforesaid, be attached to and trained with any body of the regular or auxiliary air force.

5.—(1) In case of imminent national danger or of great emergency it shall be lawful for His Majesty in Council by proclamation to order that the air force reserve shall be called out on permanent service.

Calling out on permanent service by proclamation.

(2) Before a proclamation is issued under the last foregoing subsection the occasion thereof shall be communicated to Parliament, if Parliament be then sitting; and if Parliament be not then sitting—

- (a) the occasion of the proclamation shall be declared in Council and notified by the proclamation, and
- (b) if Parliament be then separated by such an adjournment or prorogation as will not expire within ten days, a proclamation shall be issued for the meeting of Parliament within ten days, and Parliament shall accordingly meet and sit on the day appointed by the proclamation and shall continue to sit and act as if it had stood adjourned or prorogued to that day.

(3) Where a proclamation under subsection (1) of this section has been issued, it shall be lawful for His Majesty at any time thereafter by proclamation to order that all special reservists shall cease to be called out on permanent service.

6.—(1) Without prejudice to the provisions of the last foregoing section but subject to the provisions of this section,—

Calling out on permanent service for home defence and overseas service.

- (a) any man of the air force reserve (whether he entered the reserve on transfer or re-engagement or on being enlisted or on being deemed to be enlisted) shall during the whole of his service therein be liable to be called out on permanent service for home defence service;
- (b) any man who has been transferred to the air force reserve in pursuance of the Air Force Act shall, if on his transfer he was designated by the competent air force authority as a man to whom this paragraph applies, be liable to be called out on permanent service for overseas service at any time during the first year of his service therein;
- (c) without prejudice to the provisions of the last foregoing paragraph, any man of the air force reserve (whether he entered the reserve on transfer or re-engagement or on being enlisted or on being deemed

to be enlisted) shall, if he has entered into an agreement in writing to be so liable at the time in question, be liable at any time during his service in the said reserve to be called out on permanent service for overseas service.

Any exercise of the power of calling out men under paragraphs (b) and (c) of this subsection shall be reported to Parliament as soon as may be.

(2) A man called out on permanent service under any paragraph of the last foregoing subsection may, while on permanent service, be employed in any service for which, if not previously called out, he could have been called out under that subsection.

(3) The following limits of number shall have effect as respects the calling out of men under this section, that is to say:—

(a) the number of men liable to be called out by virtue of agreements made for the purposes of paragraph (c) of subsection (1) of this section, being either special reservists or other men who—

(i) are deemed to be enlisted in the air force reserve for a term of part-time service within the meaning of Part I of the Act of 1948, or

(ii) have been enlisted in the air force reserve (whether in pursuance of section two of the said Act of 1948 or otherwise) for service in lieu of such part-time service as aforesaid,

shall not at any time exceed fifteen thousand ;

(b) the aggregate number of men for the time being designated under paragraph (b) of subsection (1) of this section and men (other than those falling within the last foregoing paragraph) for the time being liable to be called out by virtue of agreements made for the purposes of paragraph (c) of the said subsection (1) shall not exceed thirty thousand.

(4) The number of men for the time being called out under any of the provisions of this section shall not be reckoned in the numbers for the time being authorised by Parliament for the regular air force.

(5) An agreement made for the purposes of paragraph (c) of subsection (1) of this section may be revoked by three months' notice in writing.

(6) In this section—

(a) the expression “home defence service” means service at any place in the United Kingdom in defence of the United Kingdom against actual or apprehended attack; and

(b) the expression "overseas service" means service when the men in question are required for service outside the United Kingdom when warlike operations are in preparation or in progress,

and references in paragraphs (a) and (b) of this subsection to the United Kingdom shall be construed as if that expression included the Channel Islands and the Isle of Man.

(7) Nothing in the foregoing provisions of this section—

(a) shall apply to a man who was a man of the air force reserve on the twenty-sixth day of May, nineteen hundred and fifty, not being a man who has re-engaged or enlisted therein after that date ;

(b) in the case of a man who, being an airman of the regular air force on the date aforesaid, has thereafter been transferred to the air force reserve in pursuance of the Air Force Act, shall apply to him during his service therein as a man so transferred ;

but the provisions of the First Schedule to this Act shall have effect as respects such men as are referred to in that Schedule.

7. A man of the air force reserve while called out on permanent service shall form part of the regular air force. Status of men on permanent service.

8.—(1) Subject to the provisions of this section and of the First Schedule to this Act, a man of the air force reserve when called out on permanent service shall be liable to serve until His Majesty no longer requires his services. Duration of service of men called out on permanent service.

(2) A man shall not without his consent in writing be liable to serve under paragraph (b) or (c) of subsection (1) of section six of this Act for a period which, together with any previous period for which he was called out under either of those paragraphs, exceeds twelve months :

Provided that in the case of a man who, having been called out under the said subsection (1), is on permanent service when the air force reserve is called out under section five of this Act, any period thereafter during which he remains on permanent service shall not be treated for the purposes of this subsection as a period of service under the said paragraph (b) or (c).

(3) No man called out on permanent service shall be required to serve for a period exceeding in the whole the remainder unexpired of his term of service in the air force reserve and any further period not exceeding twelve months during which, as

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an airman of the regular air force, he can under section eighty-seven of the Air Force Act be detained in service after the time at which he would otherwise be entitled to be discharged:

Provided that a Secretary of State may, by regulations made under this Act, authorise any special reservist having the qualifications prescribed by those regulations to agree in writing that, if the time at which he would otherwise be entitled to be discharged from the air force reserve occurs when he is called out on permanent service, he will continue to serve therein until the expiration of such period, whether definite or indefinite, as may be specified in the agreement; and if any man who enters into such an agreement is called out on permanent service, he shall be liable to be detained in service for the period specified in his agreement in the same manner in all respects as if his term of service were still unexpired.

Directions for calling out on permanent service.

9.—(1) A proclamation under subsection (1) of section five of this Act may order a Secretary of State from time to time to give, and when given to revoke or vary, such directions as may seem necessary or proper for calling out the air force reserve or all or any of the men belonging thereto.

(2) It shall be lawful for a Secretary of State, at any time when it appears to him that the occasion so requires, to give, and when given to revoke or vary, such directions as he may think fit for calling out on permanent service in accordance with the provisions of subsection (1) of section six of this Act any man who by virtue of those provisions is liable to be so called out.

(3) Every man for the time being called out by any such directions as aforesaid shall attend at the time and place appointed by those directions, and at and after that time shall be deemed to be called out on permanent service.

(4) Where a Secretary of State has given any directions under the last but one foregoing subsection, he may at any time thereafter give such directions as he may think fit for terminating the service under subsection (1) of section six of this Act of men called out by the directions under the last but one foregoing subsection, but without prejudice to the power of the Secretary of State by further directions given under the last but one foregoing subsection to call out for further service any man whose service has been terminated by directions given under this subsection.

(5) Upon the making of a proclamation under subsection (3) of section five of this Act a Secretary of State shall give such directions as may seem necessary or proper for carrying the said proclamation into effect.

10.—(1) It shall be lawful for a Secretary of State, at any time when occasion appears to require, to call out the whole or so many as he thinks necessary of the men of the air force reserve, to aid the civil power in the preservation of the public peace. Calling out in aid of the civil power.

(2) It shall be lawful for any officer commanding the regular air force in any town or district, on the requisition in writing of any justice of the peace, to call out for the purpose aforesaid the men of the air force reserve who are resident in the town or district, or so many of them as he may think necessary.

(3) Any power by this section vested in a Secretary of State may, as regards men resident in Northern Ireland, be exercised also by the Governor of Northern Ireland.

11. Subject to the provisions of this Act, orders and regulations made thereunder may make provision with respect to the government, discipline and pay of the air force reserve, and with respect to other matters and things relating to the air force reserve. Government, discipline and pay.

12.—(1) Where an airman of the regular air force is serving outside the United Kingdom at the time when he is entitled to be transferred to the air force reserve, he may, at his own request, be so transferred without being required to return to the United Kingdom, subject however to such conditions as to residence, as to liability to be called out for annual training or on permanent service or in aid of the civil power, or as to any other matters, as may be prescribed by regulations made under this Act. Transfer outside United Kingdom.

(2) The provisions of this Act shall apply to a man transferred to the air force reserve in pursuance of this section subject to such adaptations as may be so prescribed as aforesaid.

13.—(1) Men may be enlisted into the air force reserve in any of the territories to which this section applies, not being territories specified in the Second Schedule to this Act, subject however to such conditions as may be prescribed by regulations made under this Act. Enlistment and residence outside United Kingdom.

(2) A man of the air force reserve may, if so authorised by or under the directions of the Secretary of State who is President of the Air Council, reside in any of the territories to which this section applies, subject however to such conditions as may be so prescribed as aforesaid.

(3) This section applies to the following territories, that is to say, to any part of His Majesty's dominions outside the United Kingdom and to any British protectorate.

(4) The provisions of this Act shall apply—

- (a) to any enlistment under subsection (1) of this section, and
- (b) to a man of the air force reserve during such time as he resides outside the United Kingdom in pursuance of an authorisation of the said Secretary of State under subsection (2) of this section,

subject in either case to such adaptations as may be prescribed by regulations made under this Act, being adaptations necessary for the purpose of adapting those provisions to the circumstances of the several territories to which this section applies.

(5) His Majesty may by Order in Council make provision for including among the territories specified in the Second Schedule to this Act any part of His dominions outside the United Kingdom, the Channel Islands and the Isle of Man, being a part of His dominions to which responsible government has been granted since the twentieth day of July, nineteen hundred and six and not being a Dominion other than Ceylon.

Punishment
for failure to
attend for
permanent
service, annual
training, etc.

14.—(1) Any man of the air force reserve who, being called out on permanent service or in aid of the civil power, fails, without leave lawfully granted, or such sickness or other reasonable excuse as may be allowed in the prescribed manner, to appear at any time and place at which he is required on being so called out to attend, shall be guilty, according to the circumstances, of desertion or absence without leave, and on conviction by court-martial shall be punishable as for an offence under section twelve or, as the case may be, section fifteen of the Air Force Act.

(2) Any man of the air force reserve who, being called out for annual training, fails without such leave or excuse as aforesaid to appear at any time and place at which he is required on being so called out to attend, shall be guilty of absence without leave, and on conviction by court-martial shall be punishable as for an offence under the said section fifteen.

(3) Any man of the air force reserve who commits an offence under section twelve or section fifteen of the Air Force Act may be tried, convicted and punished under that Act whether or not otherwise subject thereto.

(4) Without prejudice to the foregoing provisions of this section, but subject as hereinafter provided, any man who—

- (a) commits an offence contrary to subsection (1) or subsection (2) of this section, or section twelve or section fifteen of the Air Force Act, or

- (b) being a man serving in the air force reserve for a term of part-time service within the meaning of Part I of the Act of 1948, fails without reasonable excuse to attend at any time and place appointed for training under the said Part I, or to perform such training for the period, and in accordance with the other conditions, laid down in respect thereof under the said Part I,

shall be liable on summary conviction to a fine of not less than forty shillings and not more than twenty-five pounds, and in default of payment of the fine to imprisonment for any term not less than seven days and not more than the maximum term allowed by law for non-payment of the fine, and may in any case be taken into air force custody.

(5) Section one hundred and fifty-four of the Air Force Act shall apply to a deserter or absentee without leave as it applies to a deserter or absentee without leave within the meaning of that Act, so however that the delivery of a man of the air force reserve into air force custody under that section, or his committal thereunder for the purpose of being so delivered, shall not prevent his subsequently being tried as provided by the last foregoing subsection.

(6) Nothing in paragraph (b) of subsection (4) of this section shall apply in the case of a man who fails to comply with a training notice served upon him under section five of the Act of 1948, or affect the provisions of Part I of that Act relating to the punishment of a man for that offence.

- 15.—(1) Any person who, in the United Kingdom or elsewhere, by any means whatsoever—
- (a) procures or persuades any man of the air force reserve to commit an offence of desertion, or attempts to procure or persuade any such man to commit such an offence, or
 - (b) knowing that any such man is about to commit such an offence aids or assists him in so doing, or
 - (c) knowing any such man to be a deserter conceals the man, or aids or assists him in concealing himself, or employs or continues to employ him, or aids or assists in his rescue,

Punishment for inducing man of air force reserve to desert or absent himself.

shall be liable on summary conviction to a fine not exceeding thirty pounds, or to imprisonment for a term not exceeding six months.

(2) The last foregoing subsection shall apply to absence without leave and absentees without leave as it applies to desertion and deserters, but with the substitution for the reference to such a fine or imprisonment as is therein specified of a reference to a fine not exceeding twenty pounds.

(3) Any person who, knowing any man of the air force reserve to be a deserter within the meaning of the Air Force Act, employs or continues to employ the man, shall be deemed to aid him in concealing himself within the meaning of paragraph (3) of section one hundred and fifty-three of the Air Force Act (which provides, among other things, for the punishment of persons concealing deserters from the regular air force).

False pretence
of desertion,
etc.

16. Any person who falsely represents himself to be a deserter or absentee without leave from the air force reserve shall be liable, on summary conviction, to imprisonment for a term not exceeding three months.

Punishment
of offences
against orders
and
regulations.

17.—(1) Any man of the air force reserve who—

- (a) fails without reasonable excuse on two consecutive occasions to comply with the orders or regulations made under this Act respecting the payment of the air force reserve ; or
- (b) when required by or in pursuance of the orders or regulations made under this Act to attend at any place, fails without reasonable excuse to attend in accordance with the requirement ; or
- (c) uses threatening or insulting language or behaves in an insubordinate manner to any officer or warrant or non-commissioned officer who in pursuance of the orders or regulations made under this Act is acting in the execution of his office, and who would be the superior officer of the offender if he were subject to the Air Force Act ; or
- (d) by any fraudulent means obtains or is an accessory to the obtaining of any pay or other sum contrary to the orders or regulations made under this Act ; or
- (e) fails without reasonable excuse to comply with the orders or regulations in force under this Act,

shall be guilty of an offence under this section.

(2) Any man of the air force reserve who commits an offence under this section, whether otherwise subject to the Air Force Act or not, shall be liable—

- (a) on conviction by court-martial to suffer imprisonment, or such less punishment as is mentioned in the Air Force Act ; or
- (b) on summary conviction to a fine of not less than forty shillings and not more than twenty-five pounds, and in default of payment of the fine to imprisonment for any term not less than seven days and not more than the maximum term allowed by law for non-payment of the fine ;

and may in any case be taken into air force custody.

(3) A certificate purporting to be signed by an officer who is therein mentioned as an officer appointed to pay a man of the air force reserve, and stating that the man has failed on two consecutive occasions to comply with the orders or regulations made under this Act respecting the payment of the air force reserve, shall, without proof of the signature or appointment of the officer, be evidence of the failure.

Where a person other than an officer is appointed to pay men of the air force reserve, this subsection shall apply to certificates purporting to be signed by him as it applies to certificates purporting to be signed by an officer appointed in the like behalf.

(4) Where a man of the air force reserve is required by or in pursuance of the orders or regulations made under this Act to attend at any place, a certificate purporting to be signed by an officer or person who is therein mentioned as being appointed to be present at that place for the purpose of inspecting men of the air force reserve, or for any other purpose connected with the air force reserve, and stating that the man failed to attend in accordance with the said requirement, shall, without proof of the signature or appointment of the officer or person, be evidence of the failure.

18.—(1) Any offence which under this Act is punishable on conviction by court-martial shall, for all purposes of and incidental to the arrest, trial and punishment of the offender, including the summary disposal of the case by his commanding officer, be deemed to be an offence under the Air Force Act, so however that references in that Act to forfeitures and stoppages shall be construed in relation to any such offence as references to such forfeitures and stoppages as may be prescribed. Trial of offences.

(2) Any offence which under this Act is punishable on summary conviction may be prosecuted, and any fine recoverable on such conviction may be recovered, in manner provided by sections one hundred and sixty-six to one hundred and sixty-eight of the Air Force Act in like manner as if those sections were herein re-enacted and in terms made applicable to proceedings under this Act.

(3) Save as provided by the said section one hundred and sixty-six, the minimum fixed by this Act for the amount of any fine or for the term of any imprisonment shall be duly observed by courts of summary jurisdiction and shall, notwithstanding anything contained in any other Act, not be reduced by way of mitigation or otherwise.

(4) Where a man of the air force reserve commits in the presence of any officer an offence under the last foregoing section, or an offence under subsection (2) or subsection (3) of

section one hundred and forty-two of the Air Force Act (which relates to the offence of personation), that officer may, if he thinks fit, order the offender, in lieu of being taken into air force custody, to be taken into custody by any constable and to be brought before a court of summary jurisdiction for the purpose of being dealt with by that court.

(5) For all purposes in relation to the arrest, trial and punishment of a person for any offence punishable under this Act, including the summary disposal of the case by the commanding officer, this Act shall extend to the Channel Islands and the Isle of Man.

Provisions as to offences triable both by court-martial and by court of summary jurisdiction.

19. The following provisions shall have effect as respects the trial and punishment of men charged with offences which in pursuance of this Act are cognizable both by a court-martial and by a court of summary jurisdiction :—

(a) a man so charged shall not be liable to be tried in both of the following ways, that is to say, on the one hand by court-martial or by the case being disposed of summarily by his commanding officer and on the other hand by a court of summary jurisdiction, but shall be proceeded against in one or other of those ways according as may be prescribed ;

(b) proceedings against a man so charged, before either a court-martial, or his commanding officer, or a court of summary jurisdiction, may be instituted whether or not the term of the man's service in the air force reserve has expired ;

(c) any such proceedings may, notwithstanding anything in any other Act, be instituted within two months after whichever of the following times is the later, that is to say—

(i) the time at which the offence becomes known to an officer who by orders or regulations made under this Act has power to direct the offender to be tried by court-martial or by a court of summary jurisdiction ; or

(ii) the time at which the offender is apprehended, whether by a civil or an air force authority ;

(d) nothing in any other Act which provides for a period of limitation respecting the time for hearing and determining offences shall apply in the case of any proceedings so instituted as aforesaid.

Record of illegal absence.

20.—(1) Where a man of the air force reserve is subject to the Air Force Act, and is unlawfully absent from his duty, a court of inquiry under section seventy-two of the Air Force Act may be assembled after the expiration of twenty-one days from

the date of the man's absence, notwithstanding that the period during which the man was subject to the Air Force Act is less than twenty-one days, or has expired before the expiration of twenty-one days; and the record mentioned in that section may be entered in manner thereby provided, or in such service books and by such officer as may be prescribed.

(2) Where a man of the air force reserve fails to appear at the time and place at which he is required upon being called out for annual training or on permanent service to attend, and his absence continues for not less than fourteen days, an entry of the man's absence shall be made by the prescribed officer in the prescribed manner and in the prescribed service books and the entry shall be conclusive evidence of the fact of the man's absence.

21.—(1) Section one hundred and sixty-three of the Air Force Act (which relates to evidence generally) shall apply to all proceedings under this Act. Application of provisions of Air Force Act as to evidence.

(2) Section one hundred and sixty-four of the Air Force Act (which relates to evidence of the civil conviction or acquittal of a person subject to that Act) shall apply in the case of a man of the air force reserve who is tried by a civil court, whether or not he is at the time of the trial subject to the said Act.

22.—(1) For the purposes of section one hundred and forty-three of the Air Force Act, and all other enactments relating to the duties, tolls and ferries which are mentioned in that section, officers and men of the air force reserve, when going to or returning from any place at which they are required to attend, and for non-attendance at which they are liable to be punished, shall be deemed to be officers and airmen of the regular air force on duty. Application of enactments respecting exemptions from tolls and conveyance of regular air force.

(2) All enactments for the time being in force concerning the conveyance by railway or otherwise of any part of the regular air force, and their baggage, stores, arms, ammunition and other necessaries and things, shall apply as if the air force reserve were such a part of the regular air force.

23.—(1) Any power or jurisdiction given to, and any act or thing to be done by, to or before, any person holding any air force office may, in relation to the air force reserve, be exercised by or done by, to, or before any other person for the time being authorised in that behalf according to the custom of the service. Exercise of powers vested in holder of air force office.

(2) Where by this Act, or by any order or regulation made under this Act, any order is authorised to be made by any air force authority, the order may be signified by an order,

instruction or letter under the hand of any officer authorised to issue orders on behalf of the said air force authority, and an order, instruction or letter purporting to be signed by any officer appearing therein to be so authorised shall be evidence of his being so authorised.

Exemption
from parish
offices, etc.

24. A man of the air force reserve shall not be liable to serve the office of constable, or any other parochial, township or borough office.

Service of
notices.

25. The following provisions shall have effect with respect to notices required in pursuance of orders or regulations made under this Act to be given to men of the air force reserve:—

- (a) a notice may be served on any such man either by being sent by post to his last registered place of abode or by being served in the prescribed manner ;
- (b) evidence of the delivery at the last registered place of abode of a man of the air force reserve of a notice, or of a letter addressed to the man containing a notice, shall be evidence that the notice was brought to the man's knowledge ;
- (c) the publication of a notice in the prescribed manner in the parish in which the last registered place of abode of a man of the air force reserve is situate shall be sufficient notice to him, notwithstanding that a copy of the notice is not served on him ;
- (d) every constable and—
 - (i) as respects things to be done in an urban parish, the clerk to the rating authority,
 - (ii) as respects things to be done in a rural parish having a parish council, the chairman of the parish council, and
 - (iii) as respects things to be done in any other rural parish, the chairman of the parish meeting,
 shall, when so required by or on behalf of a Secretary of State, conform with the orders and regulations made under this Act as respects the publication and service of notices, and in default shall be liable on summary conviction to a fine not exceeding twenty pounds.

Orders and
regulations.

26.—(1) Where by this Act power is conferred to make provision with respect to any matter by orders or regulations made under this Act,—

- (a) it shall be lawful for His Majesty, by order signified under the hand of a Secretary of State, to make orders with respect to the matter in question, and any such order may be varied or revoked by a subsequent order made in the like manner ;

(b) subject to the provisions of any such order, a Secretary of State may make general or special regulations with respect to the said matter.

(2) Where by this Act power is conferred to make provision with respect to any matter by regulations made under this Act, a Secretary of State may make general or special regulations with respect to the said matter.

(3) All orders and general regulations made in accordance with this section shall be laid before both Houses of Parliament as soon as practicable after they are made, if Parliament be then sitting, or, if Parliament be not then sitting, as soon as practicable after the beginning of the then next session of Parliament.

(4) For the purposes of the Statutory Instruments Act, 1946, this Act shall be deemed to be an Act passed before the commencement of that Act, and any reference in regulations made under subsection (1) of section eight of that Act to any provision of the Reserve Forces Act, 1882, as applied to the air force reserve by the Air Force Reserve Order, 1924, shall, without prejudice to any power to vary or revoke the said regulations, be construed as a reference to the corresponding provision of this Act.

27.—(1) In this Act, except where the context otherwise requires, the following expressions have the meanings hereby assigned to them respectively, that is to say:— Interpretation.

“absence without leave” and “desertion” mean respectively absence without leave contrary to subsection (1) or subsection (2) of section fourteen of this Act and desertion contrary to the said subsection (1), and “absentee without leave” and “deserter” shall be construed accordingly;

“the Act of 1948” means the National Service Act, 1948;

“competent air force authority” has the same meaning as in Part II of the Air Force Act;

“man” includes a warrant officer and a non-commissioned officer;

“prescribed” means prescribed by orders or regulations made under this Act;

“special reservist” means a man of the air force reserve who is serving therein as a special reservist pursuant to section two of this Act; and

other expressions have the same meanings as they have in the Air Force Act.

(2) For the purposes of subsection (3) of section two and subsection (6) of section six of this Act, and of paragraph 4 of the First Schedule thereto, service on any flight of which the point

of departure is within the boundaries of the United Kingdom, the Channel Islands or the Isle of Man or the territorial waters of the United Kingdom or of any of those islands and of which the point of intended return is within the said boundaries shall be deemed to be service within the limits of the United Kingdom, the Channel Islands and the Isle of Man notwithstanding that the flight may in its course extend beyond those boundaries.

(3) This Act shall apply in relation to women as it applies in relation to men.

(4) In section one hundred and ninety of the Air Force Act, after paragraph (9) there shall be inserted the following paragraph:—

“(10) the expression ‘air force reserve force’ means the air force reserve”.

Repeals and
revocation of
Orders in
Council.

28.—(1) The enactments specified in the second column of the First Part of the Third Schedule to this Act (being enactments applied to the air force reserve by the Orders in Council specified in the third column of that Part of that Schedule) are hereby repealed so far as they are applicable to the air force reserve.

(2) The enactments specified in the second column of the Second Part of the said Schedule are hereby repealed to the extent specified in the third column of that Part of that Schedule.

(3) The Orders in Council specified in the second column of the Third Part of the said Schedule shall, to the extent specified in the third column of that Part of that Schedule, cease to have effect.

Savings for
power to make
Orders in
Council.

29.—(1) The foregoing provisions of this Act shall not affect the power of His Majesty, under the enactments to which this section applies, by Order in Council to apply with adaptations and modifications to the air force reserve or the officers and men thereof enactments relating to the army reserve or the officers and men thereof, or to make by any such Order in Council such supplemental and consequential provisions as are authorised by the enactments to which this section applies.

(2) The said power shall be exercisable as well in relation to any Act of the present Session to consolidate certain enactments relating to the army reserve as but for this Act it would have been exercisable in relation to the enactments repealed by that Act.

(3) Any Order in Council made under the said power may vary or revoke any provision of this Act, being a provision reproduced from any of the Orders revoked by subsection (3) of the last foregoing section, to the like extent as if that provision were contained in an Order in Council made under the said power.

(4) This section applies to the following enactments, that is to say:—

- subsection (2) of section six of the Air Force (Constitution) Act, 1917, so far as it relates to the air force reserve ;
- section three of the Auxiliary Air Force and Air Force Reserve Act, 1924, and section four of that Act so far as it relates to the air force reserve ;
- the Air Force Reserve (Pilots and Observers) Act, 1934 ;
- and
- sections fourteen and fifteen of the Auxiliary and Reserve Forces Act, 1949, and subsection (1) of section sixteen of that Act so far as it relates to the air force reserve.

30.—(1) Nothing in paragraph (i) or paragraph (ii) of the proviso to subsection (1) of section four of this Act shall apply to or affect any man who was a man of the air force reserve on the twenty-eighth day of March, nineteen hundred and thirty-four, or who was an airman of the regular air force on that date and has subsequently been transferred to the air force reserve, except in so far as he has agreed in writing to accept such obligations as are imposed by the paragraph in question in lieu of his obligations under paragraph (iii) of the said proviso. Transitional provisions and general savings.

(2) Subsection (1) of section two of the Recall of Army and Air Force Pensioners Act, 1948 (which provides that air force pensioners may be recalled under that Act at any time when men of the air force reserve are or are deemed to be called out on permanent service under the Reserve Forces Act, 1882) shall have effect in relation to the air force reserve as if the words “ or are deemed to be ” and the words “ under the Reserve Forces Act, 1882 ” were omitted and as if at the end of the subsection there were inserted the following paragraph:—

“ In this subsection the expression ‘ called out on permanent service ’ means called out on permanent service under section five of the Air Force Reserve Act, 1950, or paragraph (a) of subsection (1) of section six thereof or paragraph 4 of the First Schedule thereto.”

(3) Without prejudice to the provisions of the last foregoing section, for the purposes of the India (Consequential Provision) Act, 1949, an enactment in this Act reproducing any provision of the law hereby repealed shall be deemed to have been passed at the date of the making of that provision.

(4) Nothing in this Act shall affect any order, regulation, transfer, requisition, posting, appointment, designation, agreement, record, entry, attachment or certificate made, or direction or notice given, enlistment, re-engagement or attestation effected, proceedings taken, or any other thing done in the exercise of any power or jurisdiction under or by virtue of any enactment repealed by this Act, but any such order, regulation,

transfer, requisition, posting, appointment, designation, agreement, record, entry, attachment, certificate, direction, notice, enlistment, re-engagement, attestation, proceedings or thing shall, if in force at the commencement of this Act, and so far as it or they could have been made, given, effected, taken or done under or by virtue of this Act have effect as if made, given, effected, taken or done under or by virtue of this Act.

(5) Nothing in the foregoing provisions of this section shall be taken as prejudicing the operation of section thirty-eight of the Interpretation Act, 1889 (which relates to the effect of repeals).

(6) The provisions of this Act as to the term of service of men of the air force reserve shall have effect subject to the provisions of the Military and Air Forces (Prolongation of Service) Act, 1939, so long as that Act is in operation.

Short title and commencement.

31.—(1) This Act may be cited as the Air Force Reserve Act, 1950.

(2) This Act shall come into operation on the first day of January, nineteen hundred and fifty-one.

Sections 6, 8, 27.

SCHEDULES

FIRST SCHEDULE

TRANSITIONAL PROVISIONS AS TO CALLING OUT ON PERMANENT SERVICE OF CERTAIN MEN OF AIR FORCE RESERVE

1.—(1) Subject to the provisions of this Schedule a man of the air force reserve who is serving therein as a man transferred thereto in pursuance of the Air Force Act and who—

- (a) was on the twenty-sixth day of May, nineteen hundred and fifty, so serving, or
- (b) having been an airman of the regular air force on the date aforesaid, has been so transferred to the air force reserve after that date,

being in either case a man whose character on transfer to the air force reserve was good, shall, if he so agrees in writing, be liable during the first two years of such service to be called out on permanent service under this paragraph:

Provided that—

- (i) the number of men so liable shall not at any one time exceed six thousand, and
- (ii) a man called out under this paragraph shall not be liable to serve more than twelve months.

(2) Any agreement under this paragraph may be revoked by three months' notice in writing.

(3) The power of calling men out under this paragraph shall not be exercised except when the men so called out are required for service outside the United Kingdom when warlike operations are in preparation or in progress.

1st SCH.
—cont.

2.—(1) Subject to the provisions of this Schedule, a special reservist who was on the twenty-sixth day of May, nineteen hundred and fifty serving as such in the air force reserve shall, if he so agrees in writing, be liable during the whole of his service in the air force reserve, or during such part of that service as he so agrees, to be called out on permanent service under this paragraph:

Provided that the number of men so liable shall not at any one time exceed four thousand.

(2) Any agreement under this paragraph may provide for the revocation thereof by such notice in writing as may be therein stated.

(3) The power of calling men out under this paragraph shall not be exercised except when they are required for service outside the United Kingdom and the Isle of Man when warlike operations are in preparation or in progress.

3. The following provisions shall have effect as respects the power of calling men out on permanent service under either of the last two foregoing paragraphs:—

- (a) any exercise of the said power shall be reported to Parliament as soon as may be;
- (b) the number of men for the time being called out under either of the said paragraphs shall not be reckoned in the numbers for the time being authorised by Parliament for the regular air force.

4.—(1) It shall be lawful for His Majesty by Order in Council declaring that a state of emergency exists, to order a Secretary of State to give, and when given to revoke or vary, such directions as may seem necessary or proper for calling out to serve in the United Kingdom in defence of the United Kingdom against actual or apprehended attack all or any of the men of the air force reserve liable to be called out and to serve under this paragraph.

(2) The men liable to be called out and to serve under this paragraph are men who were on the twenty-sixth day of May, nineteen hundred and fifty men of the air force reserve, having entered that reserve by enlistment after the twenty-fifth day of July, nineteen hundred and twenty-four, or by transfer in pursuance of the Air Force Act where the original term of enlistment began after the said twenty-fifth day of July and not having re-engaged therein after the said twenty-sixth day of May.

(3) Every man for the time being called out by directions under this paragraph shall attend at the place and time fixed by those directions and shall, when so called out, be deemed to have been called out on permanent service.

(4) It shall be lawful for His Majesty by Order in Council to declare that a state of emergency no longer exists, and thereupon the Secretary of State shall give such directions as may seem necessary or proper for terminating the service under this paragraph of the men of the air force reserve called out thereunder.

(5) Until any such Order in Council as is mentioned in the last preceding sub-paragraph has been made, the Secretary of State may from time to time, as he may think expedient for the public service,

1st Sch.
—cont.

give such directions as may seem necessary or proper for dispensing with the service under this paragraph of any men of the air force reserve and for calling out any men of that reserve to serve under this paragraph whether or not their service under this paragraph has been previously dispensed with.

(6) References in sub-paragraph (1) of this paragraph to the United Kingdom shall be construed as if that expression included the Channel Islands and the Isle of Man.

Section 13.

SECOND SCHEDULE

TERRITORIES IN WHICH MEN MAY NOT BE ENLISTED INTO AIR FORCE RESERVE

Canada.

Australia.

New Zealand.

Union of South Africa.

Section 28.

THIRD SCHEDULE

REPEALS

PART I

Repeal of enactments as applicable to air force reserve by Orders in Council.

Session and Chapter	Short title	Order in Council applying enactment wholly or in part to the air force reserve
45 & 46 Vict. c. 48.	The Reserve Forces Act, 1882.	The Air Force Reserve Order, 1924; the Air Force Reserve (Pilots and Observers) Order, 1934.
61 & 62 Vict. c. 9.	The Reserve Forces and Militia Act, 1898.	The Air Force Reserve (Application of Enactments) (No. 1) Order, 1918.
62 & 63 Vict. c. 40.	The Reserve Forces Act, 1899.	The Air Force Reserve (Application of Enactments) (No. 1) Order, 1918.
6 Edw. 7. c. 11.	The Reserve Forces Act, 1906.	The Air Force Reserve (Application of Enactments) (No. 1) Order, 1918.
7 Edw. 7. c. 9.	The Territorial and Reserve Forces Act, 1907, except section thirty-six thereof.	The Air Force Reserve Order, 1924.
12, 13 & 14 Geo. 6. c. 96.	The Auxiliary and Reserve Forces Act, 1949.	The Air Force Reserve Order, 1950.

PART II

*Other enactments repealed*3RD SCH.
—cont.

Session and Chapter	Short title	Extent of repeal
7 & 8 Geo. 5. c. 51.	The Air Force (Constitution) Act, 1917.	In section six, subsection (1), so far as it relates to the raising and maintenance of an air force reserve.
	The Air Force Act ...	In section eighty-eight, subsection (4).
14 & 15 Geo. 5. c. 15.	The Auxiliary Air Force and Air Force Reserve Act, 1924.	Section five, so far as it relates to the air force reserve.

PART III

Orders in Council revoked

Reference	Citation	Extent of revocation
S.R. & O. 1918 No. 1064.	The Air Force Reserve (Application of Enactments) (No. 1) Order, 1918.	The whole Order, except so far as it applies the Reserve Forces Act, 1890 to the air force reserve.
S.R. & O. 1924 No. 1213.	The Air Force Reserve Order, 1924.	The whole Order, except so far as it applies section thirty-six of the Territorial and Reserve Forces Act, 1907 to the air force reserve.
S.R. & O. 1934 No. 692.	The Air Force Reserve (Pilots and Observers) Order, 1934.	The whole Order.
S.I. 1949 No. 1844.	The National Service (Adaptation of Enactments) (Military and Air Forces) Order, 1949.	In Part II of the Schedule to the Order, paragraphs 6 to 10.
S.I. 1950 No. 835.	The Air Force Reserve Order, 1950.	The whole Order.

Table of Statutes referred to in this Act

Short Title	Session and Chapter
Reserve Forces Act, 1882	45 & 46 Vict. c. 48.
Interpretation Act, 1889	52 & 53 Vict. c. 63.
Reserve Forces and Militia Act, 1898	61 & 62 Vict. c. 9.
Reserve Forces Act, 1899	62 & 63 Vict. c. 40.
Reserve Forces Act, 1906	6 Edw. 7. c. 11.
Territorial & Reserve Forces Act, 1907	7 Edw. 7. c. 9.
Air Force (Constitution) Act, 1917	7 & 8 Geo. 5. c. 51.
Auxiliary Air Force and Air Force Reserve Act, 1924	14 & 15 Geo. 5. c. 15.
Air Force Reserve (Pilots and Observers) Act, 1934	24 & 25 Geo. 5. c. 5.
Military and Air Forces (Prolongation of Service) Act, 1939	2 & 3 Geo. 6. c. 90.
Statutory Instruments Act, 1946	9 & 10 Geo. 6. c. 36.
National Service Act, 1948	11 & 12 Geo. 6. c. 64.
Recall of Army and Air Force Pensioners Act, 1948	12 & 13 Geo. 6. c. 8.
India (Consequential Provision) Act, 1949	12, 13 & 14 Geo. 6. c. 92.
Auxiliary and Reserve Forces Act, 1949	12, 13 & 14 Geo. 6. c. 96.

CHAPTER 34

Housing (Scotland) Act, 1950

ARRANGEMENT OF SECTIONS

PART I

LOCAL AUTHORITIES FOR PURPOSES OF THIS ACT

Section

1. Local authorities for purposes of this Act.
2. Power of local authority to appoint committees.

PART II

PROVISIONS FOR SECURING THE REPAIR, MAINTENANCE AND SANITARY CONDITION OF HOUSES

Obligations as to repair of houses

3. Conditions to be implied on letting houses for human habitation.
4. Application of s. 3 to houses occupied by workmen engaged in agriculture.
5. Duty of county councils to require provision of waterclosets or earthclosets.

Duty of local authority in regard to inspection of houses

6. Duty of local authority to inspect their district and to keep records.
- ##### *Repair, demolition and closing of insanitary houses*
7. Power of local authority to order execution of works on insanitary house.
 8. Enforcement of notice requiring execution of works.
 9. Power of local authority to order demolition or closing of insanitary house.

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10. Substitution of order under s. 9 (4) for notice under s. 7 (1) in certain cases.
11. Power to make closing orders with respect to underground rooms.
12. Powers of local authority in relation to buildings consisting wholly of closed houses.
13. Provisions as to houses subject to building preservation orders.
14. Procedure where demolition order made.
15. Penalty for use of premises in contravention of closing order or of an undertaking.
16. Appeals, and date of operation of certain notices, orders, etc.
17. Power of local authority to acquire and execute works on certain houses.
18. Power of local authority to cleanse from vermin house to which demolition order applies.

General

19. Provisions for protection of superiors of lands and owners of houses.
20. Power of local authority to make charging order in favour of owner on completion of works.
21. Provisions as to charging orders.
22. Power of local authority to make charging order in favour of themselves.
23. Prohibition of back-to-back houses.
24. Application of certain provisions of Part II to temporary shelters and to premises occupied by agricultural workers.

PART III**PROVISIONS AS TO CLEARANCE AREAS***Clearance areas*

25. Power to declare an area to be a clearance area.
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27. Purchase by local authority of land surrounded by or adjoining clearance area.
28. Provisions with respect to property belonging to a local authority within or adjacent to a clearance area.
29. Purchase of land in or adjoining a clearance area.
30. Treatment of a clearance area.
31. Arrangements where acquisition of land in clearance area found to be unnecessary.
32. Power of local authority to purchase cleared land which owners have failed to redevelop.

Provisions as to acquisition, etc., of land under Part III

33. Provisions as to commons and open spaces.
34. Provisions as to land in neighbourhood of royal palaces or parks.
35. Saving for sites of ancient monuments, etc.
36. Assessment of compensation in respect of land compulsorily acquired under Part III.
37. Compensation in respect of sanitary premises required to be demolished.

General provisions as to clearance, etc.

38. Power of entry on land acquired under Part III.
39. Obligation of Secretary of State to state reasons for deciding that a building is unfit for human habitation.
40. Payments in respect of well-maintained houses.
41. Provisions as to expenses incurred in relation to orders under Part III.

Section

42. Obligations of local authority with respect to rehousing.
43. Extinction of rights of way, servitudes, etc., over land purchased under Part III.
44. Provisions as to apparatus of public undertakers in land dealt with by local authority.
45. Protection for superiors of, and holders of heritable securities over, subjects included in clearance order or compulsory purchase order under Part III.

Demolition of obstructive buildings

46. Power of local authority to secure demolition of obstructive building.
47. Effect of resolution for demolition of obstructive building.

PART IV

PREVENTION OF OVERCROWDING

48. Duty of local authority to inspect and to make reports and proposals as to overcrowding.
49. Definition of overcrowding.
50. Offences in relation to overcrowding.
51. Power of Secretary of State to increase the permitted number temporarily to meet exceptional conditions.
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55. Recovery of possession of overcrowded house.
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61. Mode of provision of housing accommodation.
62. Purposes for which land may be acquired by a local authority.
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65. Powers of dealing with land acquired or appropriated for purposes of Part V.
66. Power of local authorities to provide shops, etc. in connection with housing accommodation.
67. Power of local authority to provide board and laundry facilities.
68. Power of local authority to sell furniture to persons housed by, or by arrangement with, them.
69. Execution of works, etc., by local authority outside their own district.
70. Adjustment of differences between local authorities as to carrying out of proposals.

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- 71. Management and inspection of local authority's houses.
- 72. Byelaws for regulation of local authority's houses.
- 73. Conditions to be observed in management of local authority's houses.
- 74. Conditions on sale of local authority's houses.

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- 75. Power of local authority to make advances for purpose of increasing housing accommodation.
- 76. Additional provisions with respect to advances made under s. 75.
- 77. Power of local authority to guarantee repayment of advances by building societies.
- 78. Loans by Public Works Loan Commissioners to housing associations, etc.

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- 86. Additional Exchequer contributions for housing schemes involving expenditure on rights of support, etc.
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- 100. Schemes for replacing unsatisfactory houses.
- 101. Conditions applying to houses in respect of which assistance has been given under s. 100.
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- 103. Provisions supplementary to ss. 100 to 102.
- 104. Exchequer contributions to expenses of local authorities under schemes of assistance.

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- 105. Exchequer contributions towards losses incurred by local authorities in improving housing accommodation.
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- 114. Conditions to be observed with respect to dwellings.
- 115. Repayment of improvement grants.
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- 119. Provision as to dwellings improved under Housing (Rural Workers) Act, 1926.
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- 157. Recovery of possession of buildings subject to clearance, demolition or closing order, etc.
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An Act to consolidate the Housing (Scotland) Acts, 1925 to 1949, and certain other enactments relating to housing in Scotland. [26th October 1950.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

PART I

LOCAL AUTHORITIES FOR PURPOSES OF THIS ACT

1. For the purposes of this Act the local authority shall be—
 (a) in the case of a burgh, the town council, and
 (b) in the case of a county, the county council ;
 and the district of the local authority shall be the burgh or the county (excluding all burghs therein), as the case may be.

Local authorities for purposes of this Act.

U

Power of local authority to appoint committees.

2. A local authority may appoint a committee consisting of so many persons as they may think fit, for any purposes of this Act which in the opinion of the local authority would be better regulated and managed by means of a committee:

Provided that a committee so appointed shall consist as to a majority of its members of members of the appointing local authority, shall in no case be authorised to raise any money by rate or loan, and shall be subject to any regulations and restrictions which may be imposed by the appointing local authority.

PART II

PROVISIONS FOR SECURING THE REPAIR, MAINTENANCE AND SANITARY CONDITION OF HOUSES

Obligations as to repair of houses

Conditions to be implied on letting houses for human habitation.

3.—(1) In any contract for letting for human habitation a house at a rent not exceeding twenty-six pounds there shall, notwithstanding any stipulation to the contrary, be implied a condition that the house is at the commencement of the tenancy, and an undertaking that the house will be kept by the landlord during the tenancy, in all respects reasonably fit for human habitation:

Provided that the condition and the undertaking aforesaid shall not be implied when a house is let for a period of not less than three years upon the terms that it will be put by the lessee into a condition in all respects reasonably fit for human habitation, and the lease is not determinable at the option of either party before the expiration of three years.

(2) The landlord, or any person authorised by him in writing, may at reasonable times of the day, on giving twenty-four hours' notice in writing to the tenant or occupier, enter any premises to which this section applies for the purpose of viewing the state and condition thereof.

(3) In this section the expression "landlord" means any person who lets to a tenant for human habitation any house under any contract referred to in this section, and includes his successors in title; and the expression "house" includes part of a house.

(4) This section shall apply whether the contract was entered into before or after the commencement of this Act:

Provided that in the case of a house the rent whereof exceeds sixteen pounds this section shall not apply if the contract was entered into before the thirty-first day of July, nineteen hundred and twenty-three.

4.—(1) Notwithstanding any agreement to the contrary, where under any contract of employment of a workman employed in agriculture the provision of a house, or part of a house, for the occupation of the workman forms part of the remuneration of the workman, and the provisions of the foregoing section are inapplicable by reason only of the house or part of the house not being let to the workman, there shall be implied as part of the contract of employment the like condition and undertaking as would be implied under those provisions if the house or part of the house were so let, and those provisions shall apply accordingly as if incorporated in this section, with the substitution of “employer” for “landlord” and such other modifications as may be necessary:

PART II
—cont.
Application
of s. 3 to
houses
occupied by
workmen
engaged in
agriculture.

Provided that this section shall not affect the obligation of any person other than the employer to repair a house to which this section applies or any remedy for enforcing any such obligation.

(2) This section shall apply whether the contract of employment was entered into before or after the commencement of this Act.

5.—(1) Without prejudice to the provisions of the Public Health (Scotland) Act, 1897, relating to sewers and drains, every local authority being a county council shall require the owner of every occupied house or part of a house occupied by a separate family within their district to provide for each such house or part of a house a sufficient watercloset wherever it is reasonably practicable so to do, and, where that is not so practicable, a sufficient earthcloset; and if the owner fails to carry out such requirement within three months after intimation thereof, the local authority may themselves execute the necessary work, and the expenses incurred by them in so doing may be recovered by them from the owner.

Duty of county
councils to
require
provision of
waterclosets or
earthclosets.

(2) Any watercloset provided under this section shall, where it is reasonably practicable, be provided inside the house or part thereof for which it is provided, or, where that is not reasonably practicable, in a position readily accessible therefrom.

(3) Any question which may arise under this section as to what is reasonably practicable shall be determined summarily by the sheriff who shall have regard to all the circumstances of the case, including the expense involved, and his decision shall be final.

(4) The provisions of subsection (4) of section eight of this Act (which relate to the recovery of certain expenses by instalments) shall apply to the recovery of expenses incurred by a local authority in themselves executing works under this section in like manner as they apply to the recovery of expenses incurred under subsection (1) of the said section eight.

PART II
—cont.

(5) In this section the expression “owner” has the like meaning as in the Public Health (Scotland) Act, 1897, and for the purposes of this section a landholder shall be deemed to be the owner of any house on his holding in respect of which he would, on the termination of his tenancy, be entitled to compensation under the Small Landholders (Scotland) Acts, 1886 to 1931, as for an improvement.

Duty of local authority in regard to inspection of houses

Duty of local authority to inspect their district and to keep records.

6. It shall be the duty of every local authority to cause an inspection of their district to be made from time to time with a view to ascertaining whether any house therein is unfit for human habitation, and for that purpose it shall be the duty of the local authority, and of every officer of the local authority, to comply with such regulations and to keep such records as the Secretary of State may prescribe.

Repair, demolition and closing of insanitary houses

Power of local authority to order execution of works on insanitary house.

7.—(1) Where a local authority, on consideration of an official representation or a report by their sanitary inspector or other information in their possession, are satisfied that any house is in any respect unfit for human habitation but is capable at a reasonable expense of being rendered fit for human habitation, they shall serve upon the person having control of the house a notice requiring him, within such reasonable time, not being less than twenty-one days, as may be specified in the notice, to execute the works specified in the notice and stating that, in the opinion of the authority, those works will render the house fit for human habitation.

(2) In determining for the purposes of this Part of this Act whether a house can be rendered fit for human habitation at a reasonable expense, regard shall be had to the estimated cost of the works necessary to render it so fit and the value which it is estimated that the house will have when the works are completed.

(3) For the purposes of this Part of this Act the person who for the time being is entitled to receive, or would, if the same were let, be entitled to receive, the rent of the house, including a trustee, tutor, curator, factor or agent, shall be deemed to be the person having control of the house; and a landholder shall be deemed to be the owner and the person having control of any house on his holding in respect of which he would, on the termination of his tenancy, be entitled to compensation under the Small Landholders (Scotland) Acts, 1886 to 1931, as for an improvement.

Enforcement of notice requiring execution of works.

8.—(1) If a notice under the last foregoing section requiring the person having control of a house to execute works is not complied with, then, after the expiration of the time specified in the notice or, if an appeal has been made against the notice and

the sheriff upon that appeal has confirmed the notice with or without variation, after the expiration of twenty-one days from the determination of the appeal or of such longer period as the sheriff in determining the appeal may fix, the local authority may themselves do the work required to be done by the notice or by the notice as varied by the sheriff, as the case may be.

(2) In addition the local authority may execute any further works which are found to be necessary for the purpose of rendering the house fit for human habitation, but which could not reasonably have been ascertained to be required at the examination prior to the service of the aforesaid notice. Any question as to whether further works are necessary or could not have been reasonably ascertained as aforesaid shall be determined by the sheriff, whose decision shall be final.

(3) Any expenses incurred by the local authority under this section, together with interest, at such rate as the Secretary of State may, with the approval of the Treasury, from time to time by order fix, from the date when a demand for the expenses is served until payment, may, subject as hereinafter provided, be recovered by the authority from the person having control of the house or, if he receives the rent of the house as trustee, tutor, curator, factor or agent for some other person, then either from him or from that other person, or in part from him and as to the remainder from that other person :

Provided that if the person having control of the house proves—

- (i) that he is receiving the rent merely as trustee, tutor, curator, factor or agent for some other person ; and
- (ii) that he has not, and since the date of the service on him of the demand has not had, in his hands on behalf of that other person sufficient money to discharge the whole demand of the authority,

his liability shall be limited to the total amount of the money which he has, or has had, in his hands as aforesaid.

(4) The local authority may by order declare any such expenses to be payable by weekly, monthly, half-yearly or annual instalments within a period not exceeding thirty years with interest, at such rate as the Secretary of State may, with the approval of the Treasury, from time to time by order fix, from the date of the service of the demand until the whole amount is paid, and any such instalments and interest, or any part thereof, may be recovered from any owner or occupier of the house, and, if recovered from an occupier, may be deducted by him from the rent of the house.

(5) No action taken under this or the last foregoing section shall prejudice or affect any other powers of the local authority or any remedy available to the tenant of a house against his landlord, either at common law or otherwise.

PART II
—cont.

Power of local
authority
to order
demolition or
closing of
insanitary
house.

9.—(1) Where a local authority, on consideration of an official representation or a report by their sanitary inspector or other information in their possession, are satisfied that any house is unfit for human habitation and is not capable at a reasonable expense of being rendered so fit, they shall serve upon the person having the control of the house and also upon any other person who is an owner thereof notice of the time (being some time not less than twenty-one days after the service of the notice) and place at which the condition of the house and any offer with respect to the carrying out of works, or the future use of the house, which he may wish to submit will be considered by them; and every person upon whom such a notice is served and any other person who is the holder of a heritable security over the house shall be entitled to be heard when the matter is so taken into consideration.

(2) The local authority may, if, after consultation with any owner or holder of a heritable security, they think fit so to do, accept an undertaking from him, either that he will within a specified period carry out such works as will in the opinion of the authority render the house fit for human habitation, or that it shall not be used for human habitation until the authority, on being satisfied that it has been rendered fit for that purpose, cancel the undertaking.

(3) Where, in pursuance of the last foregoing subsection, the local authority have accepted an undertaking that a house shall not be used for human habitation until the authority, on being satisfied that it has been rendered fit for that purpose, cancel the undertaking, and the house has not been so rendered fit to the satisfaction of the authority within a period of three years from the date of the acceptance of the undertaking, or from the first day of January, nineteen hundred and forty-nine, whichever is the later, the undertaking shall, if the authority so resolve, be deemed, for the purposes of the next following subsection, to have been broken, and the provisions of that subsection shall apply accordingly.

(4) If no such undertaking as is mentioned in subsection (2) of this section is accepted by the authority or if any such undertaking accepted by them is broken, the authority shall forthwith make a demolition order requiring that the house shall be vacated within a period to be specified in the order, not being less than twenty-eight days from the date on which the order becomes operative, and that it shall be demolished within three months after the expiration of that period or, if the house is not vacated before the expiration of that period, within three months after the date on which it is vacated, and shall serve

the order upon every person upon whom they would be required by subsection (1) of this section to serve a notice issued by them under that subsection :

PART II
—cont.

Provided that, where the house forms only part of a building, then, unless the building belongs wholly to the same owner and consists wholly of houses which are unfit for human habitation and are not capable at a reasonable expense of being rendered so fit, the authority, instead of making and serving a demolition order, shall make and serve a closing order prohibiting the use of the house for human habitation as from such date as may be specified in the order, not being less than twenty-eight days from the date on which the order becomes operative, so, however, that the authority shall at any time, on the application of the owner of the house, determine a closing order so made by them if they are satisfied that the house has been rendered fit for human habitation.

10. Where a local authority have served a notice under subsection (1) of section seven of this Act requiring the execution of works for the purpose of rendering a house fit for human habitation, any person on whom such a notice was served or any other person who is an owner of the house may apply in writing to the authority to substitute for the notice so served an order under subsection (4) of section nine of this Act, and where the authority are satisfied that it is reasonable to do so, having regard to the estimated cost of the foresaid works, the financial circumstances of the person at whose expense the works would have been carried out and the other circumstances of the case, including the need for housing accommodation in the area, the authority shall serve an order under the said subsection (4), and such order shall have effect notwithstanding that a notice has not been served with respect to the house under subsection (1) of the said section nine:

Substitution of order under s. 9 (4) for notice under s. 7 (1) in certain cases.

Provided that a local authority shall not unreasonably refuse to substitute such an order as aforesaid for the notice so served, and if any question arises as to whether any such refusal has been unreasonable the question shall be determined by the sheriff.

11.—(1) The provisions of section nine of this Act with respect to the making of a closing order shall, subject to the necessary modifications, apply in relation to any underground room habitually used as a sleeping place which is for the purposes of this Part of this Act to be deemed to be a house unfit for human habitation.

Power to make closing orders with respect to underground rooms.

(2) A room habitually used as a sleeping place, the surface of the floor of which is more than three feet below the surface of the part of the street adjoining or nearest to the room, shall,

PART II
—cont.

for the purposes of this Part of this Act, be deemed to be a house unfit for human habitation, if the room either—

- (a) is not on an average at least seven feet in height from floor to ceiling ; or
- (b) does not comply with such regulations as the local authority may with the consent of the Secretary of State make for securing the proper ventilation and lighting of such rooms, and the protection thereof against dampness, effluvia or exhalation :

Provided that, if the local authority, after being required to do so by the Secretary of State, fail to make such regulations, or such regulations as the Secretary of State approves, the Secretary of State may himself make them, and the regulations so made shall have effect as if they had been made by the local authority with the consent of the Secretary of State.

Powers of local authority in relation to buildings consisting wholly of closed houses.

12.—(1) Where a building consists wholly of houses with respect to which closing orders have been made under this Part of this Act and such orders have not been determined, then,—

- (a) the local authority may, in the case of each of such houses, recall the closing order and shall have the like power to make a demolition order as they have under subsection (4) of section nine of this Act in the absence or on the breach of such an undertaking as is therein mentioned, and the provisions of this Part of this Act shall apply accordingly to any such demolition order ; or
- (b) the Secretary of State may, on the application of the local authority, make an order authorising them to acquire the land, and thereupon, subject to the provisions of this section, this Act shall apply as if the said land were land authorised to be acquired compulsorily by a compulsory purchase order under Part III of this Act.

(2) The compensation to be paid for land purchased compulsorily under this section shall be the value, at the time when the valuation is made, of the site as a cleared site available for development in accordance with the building regulations for the time being in force in the district, and, subject as aforesaid, shall be assessed by the Lands Tribunal in accordance with the Acquisition of Land (Assessment of Compensation) Act, 1919.

(3) Where a local authority acquire land by virtue of this section, the provisions of section thirty of this Act shall apply as if the land had been acquired in connection with a clearance area.

PART II
—*cont.*

13.—(1) Where apart from this section a local authority would be under a duty to make a demolition order under this Part of this Act with respect to a house in relation to which a building preservation order under section twenty-seven of the Town and Country Planning (Scotland) Act, 1947, is in force, they shall instead make a closing order prohibiting the use of the house for human habitation, and shall serve a copy of the order on the person having the control of the house and also on any other person who is an owner thereof.

Provisions as to houses subject to building preservation orders.

(2) Where a building preservation order under the said section twenty-seven takes effect in relation to a house to which a demolition order made under this Part of this Act by a local authority applies (whether or not that order has become operative), the local authority shall determine the demolition order and make a closing order prohibiting the use of the house for human habitation, and shall serve on every such person as aforesaid notice that the demolition order has been determined and a copy of the closing order.

(3) A local authority by whom a closing order is made under this section shall determine the order on being satisfied that the house to which it relates has been rendered fit for human habitation.

14.—(1) When a demolition order under this Part of this Act has become operative, the owner of the house to which it applies shall demolish the house within the time limited in that behalf by the order; and, if the house is not demolished within that time, the local authority may enter and demolish the house and sell the materials thereof.

Procedure where demolition order made.

(2) Any expenses incurred by the local authority under the foregoing subsection, after giving credit for any amount realised by the sale of materials, may be recovered by them from the owner of the house, and any surplus in the hands of the authority shall be paid by them to the owner of the house.

15. If any person—

- (a) knowing that a closing order under this Part of this Act has become operative and applies to any premises, uses those premises or permits those premises to be used for any purpose unless he shall previously have obtained the consent of the local authority to the purpose for which the premises are proposed to be used; or
- (b) knowing that an undertaking has been given under this Part of this Act that any premises shall not be used for human habitation, uses those premises for human habitation or permits them to be so used;

Penalty for use of premises in contravention of closing order or of an undertaking.

he shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding twenty pounds and to a further fine of five pounds for every day or part of a day on which he so uses them or permits them to be so used after conviction.

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PART II
—*cont.*
Appeals, and
date of
operation of
certain notices,
orders, etc.

16.—(1) Subject to the provisions of subsections (1), (2) and (4) of section one hundred and sixty-six of this Act (which relate to procedure in appeals to the sheriff), any person aggrieved by—

- (a) a notice under this Part of this Act requiring the execution of works ;
- (b) a demand for the recovery of expenses incurred by a local authority in executing works ;
- (c) an order made by a local authority with respect to any such expenses ;
- (d) a demolition order made under this Part of this Act ;
- (e) a closing order so made or a refusal to determine a closing order ;

may appeal to the sheriff by giving notice of appeal within twenty-one days after the date of the service of the notice, demand or order, or after the refusal, as the case may be ; and no proceedings shall be taken by the local authority to enforce any notice, demand or order whilst an appeal against it is pending :

Provided that—

- (i) on an appeal under paragraph (b) or paragraph (c) of this subsection, no question shall be raised which might have been raised on an appeal against the original notice requiring the execution of the works ;
 - (ii) no appeal shall lie under paragraph (d) or paragraph (e) of this subsection at the instance of a person who is in occupation of the premises to which the order relates under a lease or agreement, the unexpired term of which does not exceed six months ; and
 - (iii) a person who has been served with a notice under subsection (1) of section nine of this Act shall not be entitled to raise any question on an appeal under paragraph (d) or paragraph (e) of this subsection against a demolition order or a closing order, if the question is one which was not raised by him at the consideration of the matter by the local authority, and which, if it had then been raised, could have been dealt with by means of such an undertaking as is mentioned in subsection (2) of the said section nine.
- (2) Upon the hearing of an appeal under this section—
- (i) the sheriff may, if he thinks fit, accept from an appellant any such undertaking as might have been accepted by the local authority, and any undertaking so accepted shall have the like effect as if it had been given to and accepted by the authority under this Part of this Act ; and
 - (ii) where the sheriff allows an appeal against a notice requiring the execution of works to a house, he shall, if requested by the authority so to do, include in his

determination a finding whether the house can or cannot be rendered fit for human habitation at a reasonable expense.

PART II
—cont.

(3) Any notice, demand or order against which an appeal might be brought under this section shall, if no such appeal is brought, become operative on the expiration of the period of twenty-one days above-mentioned and shall be final and conclusive as to any matters which could have been raised on such an appeal, and any such notice, demand or order against which an appeal is brought shall, if and so far as it is confirmed by the sheriff, become operative as from the date of the determination of the appeal.

17.—(1) Where any person has appealed to the sheriff against a notice under this Part of this Act requiring the execution of works to a house, and the sheriff in allowing the appeal has found that the house cannot be rendered fit for human habitation at a reasonable expense, the local authority may purchase that house by agreement, or may, subject to the provisions of this section, be authorised by the Secretary of State to purchase it compulsorily; and, if they purchase the house compulsorily, they shall forthwith execute all such works as were specified in the notice against which the appeal was brought.

Power of local authority to acquire and execute works on certain houses.

(2) The provisions of the Acquisition of Land (Authorisation Procedure) (Scotland) Act, 1947, shall apply in relation to the compulsory purchase of a house under the foregoing subsection as if that subsection had been in force immediately before the commencement of that Act.

(3) A local authority shall not be authorised to purchase a house compulsorily under subsection (1) of this section unless a compulsory purchase order authorising the purchase is made and submitted in accordance with the said Act of 1947 by the local authority to the Secretary of State within six months after the determination of the appeal; and if any person being an owner of, or the holder of a heritable security over, the house undertakes to carry out to the satisfaction of the Secretary of State, and within such period as the Secretary of State may fix, the works specified in the notice against which the appeal was brought, the Secretary of State shall not confirm the compulsory purchase order unless that person has failed to fulfil his undertaking.

(4) The compensation to be paid for any house purchased compulsorily under subsection (1) of this section shall be the value, at the time when the valuation is made, of the site as a cleared site available for development in accordance with the requirements of the building regulations for the time being in force in the district and, subject as aforesaid, shall be assessed by the Lands Tribunal in accordance with the Acquisition of Land (Assessment of Compensation) Act, 1919.

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PART II
—cont.

Power of local authority to cleanse from vermin house to which demolition order applies.

18.—(1) If it appears to the local authority that a house to which a demolition order made under this Part of this Act applies requires to be cleansed from vermin, the authority may, at any time after the order is made, serve notice in writing on the owner or owners of the house that the authority intend to cleanse it before it is demolished.

(2) A local authority who have served a notice under the foregoing subsection may, at any time after the order has become operative in relation to the house and it has been vacated, enter and carry out such work as they may think requisite for the purpose of destroying or removing vermin, and the demolition of the house shall not be begun or continued by any owner after service of the notice on him until the authority have served on him a further notice authorising him to proceed with the demolition:

Provided that an owner upon whom a notice has been served under the foregoing subsection may, at any time after the house has been vacated, serve notice in writing on the authority requiring them to carry out the work within fourteen days from receipt of the notice served by him, and at the expiration of that period shall be at liberty to proceed with the demolition of the house whether the work has then been completed or not.

(3) Where a local authority serve a notice under subsection (1) of this section, subsection (1) of section fourteen of this Act shall have effect in relation to the house subject to the proviso that the local authority shall not be entitled to take action thereunder until the expiration of three months from the date on which the owner or owners become entitled by virtue of subsection (2) of this section to proceed with the demolition.

General

Provisions for protection of superiors of lands and owners of houses.

19.—(1) If the superior of any lands and heritages gives notice to the local authority of his right of superiority the authority shall give to him notice of any proceedings taken by them in pursuance of this Part of this Act in relation to the lands and heritages.

(2) Nothing in this Part of this Act shall prejudice or interfere with the rights or remedies of any owner for the breach, non-observance or non-performance of any contract or obligation entered into by a tenant or lessee with reference to any house in respect of which an order is made, or a notice requiring the execution of works is served, by a local authority under this Part of this Act; and if any owner is obliged to take possession of any house in order to comply with any such order or notice, the taking possession shall not affect his right to avail himself of any such breach, non-observance or non-performance which may have occurred before he so took possession.

20.—(1) Where any owner has completed in respect of any house any works required to be executed by a notice of a local authority under this Part of this Act, he may apply to the local authority for a charging order.

PART II
—*cont.*

Power of local authority to make charging order in favour of owner on completion of works.

(2) An owner applying for a charging order under this section shall produce to the local authority the certificate of their surveyor or engineer that the works have been executed to his satisfaction, and also the accounts of and vouchers for the costs, charges and expenses of the works, and the local authority, when satisfied that the owner has duly executed such works and of the amount of such costs, charges and expenses, and of the expenses of obtaining the charging order which have been properly incurred, shall make an order providing and declaring that the house is thereby charged and burdened with an annuity to repay the amount.

(3) The annuity charged shall be a sum of six pounds for every one hundred pounds of the said amount and so in proportion for any less sum, and shall commence from the date of the order and be payable for a term of thirty years to the owner named in such order, his executors or assignees.

(4) Any person aggrieved by a charging order made under this section may appeal to the sheriff on giving notice of appeal within one month after notice of the order has been served on him.

21.—(1) A charging order shall be in such form as the Secretary of State may prescribe, and shall be recorded in the appropriate Register of Sasines.

Provisions as to charging orders.

(2) Every annuity constituted a charge by a charging order, duly recorded in the appropriate Register of Sasines, shall be a charge on the premises specified in the order, having priority over all existing and future estates, interests and incumbrances, with the exception of—

- (a) feuduties and teinds ; and
- (b) any charges on the premises created or arising under any provision of the Public Health (Scotland) Act, 1897, or any Act amending that Act, or under any provision in any local Act authorising a charge for recovery of expenses incurred by a local authority ; and
- (c) any charge created under any Act authorising advances of public money ;

and where more annuities than one are charged under this Part of this Act on any premises such annuities shall, as between themselves, take order and preference according to the respective dates of the charging orders being recorded in the appropriate Register of Sasines.

(3) A charging order, duly recorded in the appropriate Register of Sasines, shall be conclusive evidence that all notices, acts

PART II
—cont.

and proceedings by this Part of this Act directed with reference to or consequent on the obtaining of such an order or the making of such a charge, have been duly served, done and taken, and that the charge has been duly created, and that it is a valid charge on the premises declared to be subject thereto.

(4) Every annuity charged by any such charging order may be recovered by the person for the time being entitled to it by the same means and in the like manner in all respects as if it were a rentcharge secured upon the premises by absolute order made under and in terms of the Improvement of Land Act, 1864.

(5) A charging order and all sums payable thereunder may be from time to time transferred in like manner as a bond and disposition in security or rentcharge may be transferred.

(6) Any owner of or other person interested in premises on which an annuity has been charged by any such charging order shall at any time be at liberty to redeem the annuity on payment to the person entitled to the annuity of such sum as may be agreed upon or in default of agreement determined by the Secretary of State.

Power of local authority to make charging order in favour of themselves.

22. Where under section five or section eight of this Act a local authority have themselves incurred expenses in the execution of works, it shall be competent for them to make a charging order in favour of themselves in respect of such expenses, and the provisions of sections twenty and twenty-one of this Act shall, subject to any necessary modifications, apply to a charging order so made in like manner as they apply to a charging order made under the said section twenty.

Prohibition of back-to-back houses.

23.—(1) Notwithstanding anything in any local Act or by-laws in force in any district, it shall not be lawful to erect any back-to-back houses intended to be used as dwellings, and any such house shall for the purposes of this Act be deemed to be unfit for human habitation :

Provided that nothing in this section shall prevent the erection or use of a house containing several dwellings in which the dwellings are placed back-to-back if the medical officer of health for the district certifies that the several dwellings are so constructed and arranged as to secure effective ventilation of all habitable rooms in every dwelling.

(2) This section shall apply to any house commenced to be erected after the third day of December, nineteen hundred and nine, except that it shall not apply to houses abutting on any streets, the plans whereof were approved by the local authority before the first day of May, nineteen hundred and nine, in any district in which, on the third day of December, nineteen hundred and nine, any local Act or byelaws were in force permitting the erection of back-to-back houses.

24.—(1) In sections seven to eighteen of this Act references to a house include a reference to a hut, tent, caravan or other temporary or movable form of shelter which is used for human habitation and has been on the same site or on a site in the immediate vicinity for a period of two years next before action is taken under those sections.

PART II
—*cont.*
Application of certain provisions of Part II to temporary shelters and to premises occupied by agricultural workers.

(2) In the said sections seven to eighteen references to a house include also a reference to premises occupied by agricultural workers notwithstanding that such premises are used for sleeping purposes only.

PART III

PROVISIONS AS TO CLEARANCE AREAS

Clearance Areas

25.—(1) Where a local authority, on consideration of an official representation or other information in their possession, are satisfied as respects any area in their district that—

Power to declare an area to be a clearance area.

- (i) the houses in that area or the greater part of those houses are by reason of disrepair or sanitary defects unfit for human habitation, or are by reason of their bad arrangement or the narrowness or bad arrangement of the streets injurious or dangerous to the health of the inhabitants of the area ; and
- (ii) that the most satisfactory method of dealing with the foresaid conditions is the demolition of all the buildings in the area ;

the authority shall cause that area to be defined on a map and shall pass a resolution (in this Act referred to as a “clearance resolution”) declaring the area so defined to be a clearance area, that is to say, an area all the buildings in which are to be demolished in accordance with the provisions hereinafter contained :

Provided that—

- (a) a clearance area shall not include the site of a building unless at least part of the building consists of houses which are unfit for human habitation or injurious or dangerous to health or of other premises which are injurious or dangerous to health ; and
- (b) before passing a clearance resolution, the authority shall satisfy themselves that accommodation available for the persons who will be displaced by the demolition of buildings in the area exists, or can be provided by the authority in advance of the displacements which will

PART III
—cont.

from time to time become necessary as the demolition proceeds, and that the resources of the authority are sufficient for the purpose of carrying the resolution into effect.

(2) A local authority shall forthwith transmit to the Secretary of State a copy of any resolution passed by them under this section, together with a statement of the number of persons who, on a day specified in the statement, being a day within two months immediately preceding the date of the resolution, were ordinarily occupying the buildings comprised in the clearance area.

(3) So soon as may be after a local authority have passed a clearance resolution, but subject always to the provisions of section forty-two of this Act, they shall proceed to secure the demolition of the buildings in the clearance area in one or other of the following ways, or partly in one of those ways and partly in the other of them, that is to say—

- (i) by ordering the demolition of buildings in the area ; or
- (ii) by purchasing land within the area and themselves undertaking, or otherwise securing, the demolition of the buildings.

Clearance
orders.

26.—(1) Where as respects any area declared by them to be a clearance area a local authority determine to order any buildings within the area to be demolished, they shall make and submit to the Secretary of State, for confirmation by him, an order (in this Act referred to as a “clearance order”) ordering the demolition of each of those buildings.

(2) The provisions of the First Schedule to this Act shall have effect with respect to the making, submission and confirmation of clearance orders, and the provisions of the Second Schedule to this Act shall have effect with respect to the validity and date of operation of such orders.

(3) When a clearance order has become operative, the owner of any building to which the order applies shall demolish that building before the expiration of three months from the date on which the building is required by the order to be vacated or, if it is not vacated until after that date, before the expiration of three months from the date on which it is vacated ; and, if the building is not demolished before the expiration of that period, the local authority may enter and demolish the building and sell the materials thereof.

(4) When a clearance order has become operative, no land to which the order applies shall be used for building purposes (which expression includes the erection or placing on the land of a hut, tent, caravan or other temporary or movable form of

shelter), or otherwise developed, except subject to such restrictions and conditions, if any, as the local authority may think fit to impose:

PART III
—*cont.*

Provided that an owner who is aggrieved by a restriction or condition so imposed on the use of his land (not being a restriction or condition relating exclusively to the erection or placing on the land of huts, tents, caravans, or other temporary or movable forms of shelter) may, at any time within three months after the restriction or condition is imposed, require the authority to purchase the land at a price to be assessed, failing agreement, as if it were compensation for a compulsory purchase by the Lands Tribunal in accordance with the provisions of section thirty-six of this Act.

(5) A person who commences, or causes to be commenced, any work in contravention of a restriction or condition imposed under the last foregoing subsection shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding two pounds and to a further fine not exceeding ten pounds in respect of each day during which the work exists in such a form and state as to contravene the restriction or condition after conviction.

(6) Any expenses reasonably and necessarily incurred by the authority under subsection (3) of this section, after giving credit for any amount realised by the sale of materials, may be recovered by them from the owner of the building, and any surplus in the hands of the authority shall be paid by them to the owner of the building:

Provided that, where the building belongs to more than one owner any sum recoverable or payable by the authority under this subsection shall be recoverable from or payable to the several owners in such proportions as the owners may agree or, failing agreement, as shall be determined by an arbiter nominated by the owners or, failing such nomination, nominated on the application of the authority or any of the owners by the sheriff.

(7) The provisions of section eighteen of this Act relating to the cleansing of houses from vermin shall have effect in relation to a building to which a clearance order applies as they have effect in relation to a house to which a demolition order made under Part II of this Act applies with the substitution for the reference to the date on which the demolition order is made of a reference to the date on which the clearance order is made, and for the reference to subsection (1) of section fourteen of this Act of a reference to subsection (3) of this section.

(8) In the provisions of this Part of this Act relating to buildings included in an area to which a clearance order applies references to a building shall include references to a hut, tent, caravan or other temporary or movable form of shelter which

PART III
—*cont.*

is used for human habitation and has been on the same site or a site in the immediate vicinity for a period of two years next before action is taken under those provisions.

Purchase by local authority of land surrounded by or adjoining clearance area.

27. Where as respects any area declared by them to be a clearance area a local authority determine to purchase any land comprised in the clearance area, they may purchase also any land which is surrounded by the clearance area and the acquisition of which is reasonably necessary for the purpose of securing an area of convenient shape and dimensions, and any adjoining land the acquisition of which is reasonably necessary for the satisfactory development or use of the clearance area.

Provisions with respect to property belonging to a local authority within or adjacent to a clearance area.

28. Subject to the provisions of this section, a local authority may include in a clearance area any land belonging to them which they might have included in such an area if it had not belonged to them; and where any land belonging to a local authority is included in a clearance area, or where any land belonging to a local authority is surrounded by or adjoins a clearance area and might have been purchased by the authority under the last foregoing section had it not been previously acquired by them, the provisions of this Act shall apply in relation to any such land as if it had been purchased compulsorily by the authority as being land comprised in the clearance area or, as the case may be, as being land surrounded by or adjoining the clearance area:

Provided that the foregoing provisions of this section shall not apply in the case of any land being dwellings which were acquired by the local authority under any such Act or order as is mentioned in section one hundred and forty-four of this Act and in such circumstances that the provisions of paragraph 1 of the Fifth Schedule to the Housing (Scotland) Act, 1925, or, in the case of land acquired after the commencement of this Act, the provisions of paragraph 1 of the Twelfth Schedule to this Act, took effect in relation thereto.

Purchase of land in or adjoining a clearance area.

29.—(1) Where a local authority have determined to purchase under this Part of this Act land comprised in, or surrounded by or adjoining, a clearance area, they may purchase the land by agreement or they may be authorised to purchase the land compulsorily by a compulsory purchase order made and submitted to the Secretary of State and confirmed by him in accordance with the provisions of the Third Schedule to this Act.

(2) An order authorising the compulsory purchase of land comprised in a clearance area shall be submitted to the Secretary of State within six months, and an order authorising the compulsory purchase of land surrounded by or adjoining a clearance area shall be submitted to the Secretary of State within twelve

months, after the date of the clearance resolution or within such longer period as the Secretary of State may, in the circumstances of the particular case, allow.

PART III
—cont.

(3) The provisions of the Second Schedule to this Act shall have effect with respect to the validity and the date of operation of a compulsory purchase order made under this section.

30.—(1) A local authority who have under this Part of this Act purchased any land comprised in, or surrounded by or adjoining, a clearance area shall, as soon as may be, cause every building thereon to be vacated and, subject to compliance with any provision contained in a compulsory purchase order with respect to the carrying out of rehousing operations, shall deal with the land in one or other of the following ways, or partly in one of those ways and partly in the other of them, that is to say—

Treatment of a
clearance area.

- (a) they shall, so soon as may be, demolish the buildings thereon and thereafter may sell or let the land subject to such restrictions and conditions, if any, as they think fit, or may, in accordance with the provisions of section one hundred and sixty-three of the Local Government (Scotland) Act, 1947, appropriate the land for any purpose for which they are authorised to acquire land; or
- (b) they shall, so soon as may be, sell or let the land subject to a condition that the buildings thereon shall be demolished forthwith and subject to such restrictions and conditions, if any, as they think fit:

Provided that, in lieu of selling the land, the authority may, where the owner of other land (being land which the authority have power to acquire) is willing to take the land in exchange for that other land, excamb it for that other land either with or without paying or receiving money for equality of exchange, and in relation to any such exchange the like provisions shall have effect as respects the land to be excambed by the local authority as have effect by virtue of this subsection as respects land sold thereunder.

(2) For the purposes of this section, “sell” includes sell in consideration of a ground annual or other similar periodical payment.

31. Where a local authority have submitted to the Secretary of State an order for the compulsory purchase of land in a clearance area and the Secretary of State, on an application for an authorisation under this section being made to him by the owner of the land and the authority, is satisfied that the owner

Arrangements
where
acquisition of
land in
clearance area
found to be
unnecessary.

PART III
—cont.

of the land, with the concurrence of any heritable creditor, agrees to the demolition of the buildings thereon and that the authority can secure the proper clearance of the area without acquiring the land, the Secretary of State may—

- (a) in a case where the order has not been confirmed, authorise the authority to submit, forthwith and without any previous publication or service, a clearance order with respect to the buildings, and upon their so doing may modify the compulsory purchase order by excluding the land therefrom and confirm the clearance order without causing an inquiry to be held ; or
- (b) in a case where the compulsory purchase order has been confirmed but the land has not become vested in the authority, authorise them to discontinue proceedings for the purchase of the land on their being satisfied that such agreements have been or will be entered into by all necessary parties as may be requisite for securing that the buildings shall be demolished in like manner, and the land become subject to the like restrictions and conditions, as if the authority had dealt with the land in accordance with the provisions of the last foregoing section of this Act.

Power of local authority to purchase cleared land which owners have failed to redevelop.

32.—(1) Where land has been cleared of buildings in accordance with a clearance order made under this Part of this Act the local authority may, at any time after the expiration of eighteen months from the date on which the clearance order became operative, by resolution determine to purchase any part of that land which, at the date of the passing of their resolution, has not been or is not in process of being used for building purposes or otherwise developed by the owner thereof.

(2) Where a local authority have determined to purchase land under this section, they may purchase the land by agreement or they may be authorised to purchase the land compulsorily by a compulsory purchase order made and submitted to the Secretary of State and confirmed by him in accordance with the provisions of the Third Schedule to this Act.

(3) The provisions of the Second Schedule to this Act shall have effect with respect to the validity and the date of operation of a compulsory purchase order made under this section.

(4) A local authority shall deal with any land purchased by them under this section by sale, letting or appropriation in accordance with the provisions of section thirty of this Act.

Provisions as to acquisition, etc., of land under Part III

33.—(1) Where an order under this Part of this Act authorises the acquisition of land forming part of a common or open space, the order, so far as it relates to the acquisition of such land, shall be subject to special parliamentary procedure except where the order provides for giving in exchange for such land other land, not being less in area, certified by the Secretary of State to be equally advantageous to the persons, if any, entitled to common or other rights and to the public.

(2) Before giving any such certificate the Secretary of State shall give public notice of the proposed exchange and shall afford opportunities to all persons interested to make representations and objections in relation thereto, and shall, if necessary, hold a local inquiry on the subject.

(3) Where any such order authorises such an exchange, the order shall provide for vesting the land given in exchange in the persons in whom the common or open space was vested, subject to the same rights, trusts and incidents as attached to the common or open space, and for discharging the part of the common or open space acquired from all rights, trusts and incidents to which it was previously subject.

(4) Any inquiry required by this Act in connection with any such order as is mentioned in subsection (1) of this section shall, if the Secretary of State so directs, be held by Commissioners under the Private Legislation Procedure (Scotland) Act, 1936 ; and any direction so given shall be deemed to have been given under section two, as read with section ten, of the Statutory Orders (Special Procedure) Act, 1945.

(5) Where any such direction as is mentioned in the last foregoing subsection is given, paragraph 5 of the Third Schedule to this Act shall have effect as if for references to a public local inquiry and to the person who held the inquiry there were substituted respectively references to an inquiry by the Commissioners aforesaid and to those Commissioners.

(6) The publication of a notice in accordance with the provisions of paragraph 4 of the Third Schedule to this Act in connection with any such order as is mentioned in subsection (1) of this section shall be deemed to be a sufficient compliance with the requirements of the Statutory Orders (Special Procedure) Act, 1945, with respect to the giving of notice by advertisement.

34.—(1) Where any land proposed to be acquired under this Part of this Act is situate within the prescribed distance from any of the royal palaces or parks, the local authority shall communicate with the Minister of Works, and the Secretary of State

PART III

—cont.

Provisions as to
commons and
open spaces.

Provisions
as to land in
neighbourhood
of royal palaces
or parks.

PART III
—cont.

shall, before authorising the acquisition of the land or the raising of any loan for the purpose, take into consideration any recommendations he may have received from the Minister of Works with reference to the proposal.

(2) For the purposes of this section “prescribed” means prescribed by regulations made by the Secretary of State after consultation with the Minister of Works.

Saving for sites of ancient monuments, etc.

35. Nothing in this Part of this Act shall authorise the acquisition for the purposes of this Act of any land which is the site of an ancient monument or other object of archaeological interest.

Assessment of compensation in respect of land compulsorily acquired under Part III.

36.—(1) Where land is purchased compulsorily by a local authority under this Part of this Act, the compensation payable in respect thereof shall be assessed by the Lands Tribunal in accordance with the Acquisition of Land (Assessment of Compensation) Act, 1919, subject to the following provisions of this section.

(2) The compensation to be paid for a house which is specified in a compulsory purchase order as unfit for human habitation shall be such amount as represents the value at the time the valuation is made of the site of the house as a cleared site available for development in accordance with the requirements of the building regulations for the time being in force in the district:

Provided that this subsection shall not have effect in the case of a house or other premises properly included in a clearance area only on the ground that, by reason of their bad arrangement in relation to other buildings or the narrowness or bad arrangement of the streets, they are injurious or dangerous to the health of the inhabitants of the area.

(3) In the case of land purchased as aforesaid, other than land in respect of which the provisions of the last foregoing subsection have effect, the rules contained in the Fourth Schedule to this Act shall be observed.

Compensation in respect of sanitary premises required to be demolished.

37. Where in pursuance of a clearance order any premises (other than a house specified in the order as unfit for human habitation) are required by a local authority to be demolished by the owner, the authority shall pay to the owner in respect of the demolition by way of compensation a sum representing the difference between—

(i) the sum which would have been payable as compensation if the premises had been acquired by the authority under a compulsory purchase order; and

- (ii) the sum which would have been so payable if the premises had been a house specified in a compulsory purchase order as unfit for human habitation.

PART III
—cont.

Subject to the provisions of this section the compensation payable under this section shall be assessed by the Lands Tribunal in accordance with the Acquisition of Land (Assessment of Compensation) Act, 1919, subject to the necessary modifications, as if it were compensation in respect of land compulsorily acquired by the local authority.

General provisions as to clearance, etc.

38.—(1) Where a local authority are by an order made and confirmed under this Part of this Act authorised to purchase land compulsorily for the purposes of this Part of this Act, then, at any time after notice to treat has been served, the authority may, after giving to the owner and occupier of the land not less than twenty-eight days' notice, enter on and take possession of the land or such part thereof as is specified in the notice without previous consent or compliance with the provisions of sections eighty-three to eighty-eight of the Lands Clauses Consolidation (Scotland) Act, 1845, but subject to the payment of the like compensation for the land of which possession is taken, and interest on the compensation awarded, as would have been payable if those provisions had been complied with.

Power of entry
on land
acquired under
Part III.

(2) Where a local authority have agreed to purchase, or have determined to appropriate, land for the purposes of this Part of this Act, subject to the interest of the person in possession thereof, and that interest is not greater than that of a tenant for a year or from year to year, then, at any time after such agreement has been made, or such appropriation takes effect, the authority may, after giving to the person so in possession not less than twenty-eight days' notice, enter on and take possession of the land or such part thereof as is specified in the notice without previous consent, but subject to the payment to the person so in possession of the like compensation, with such interest thereon as aforesaid, as if the local authority had been authorised to purchase the land compulsorily and such person had in pursuance of such power been required to give up possession before the expiration of his term or interest in the land, but without the necessity of compliance with sections eighty-three to eighty-eight of the Lands Clauses Consolidation (Scotland) Act, 1845.

39. Any person who objects to a clearance order on the ground that a building included therein, being a building in which he is interested, is not unfit for human habitation, or who objects on the like ground to a compulsory purchase order made under this Part of this Act, and who appears at the public local inquiry in support of his objection, shall, if the building is included in the order as confirmed as being unfit for human

Obligation of
Secretary of
State
to state reasons
for deciding
that a building
is unfit for
human
habitation.

PART III
—cont.

habitation, be entitled on making a request in writing to be furnished by the Secretary of State with a statement in writing of his reasons for deciding that the building is so unfit.

Payments in respect of well-maintained houses.

40.—(1) Where as respects a house which is made the subject of a compulsory purchase order under this Part of this Act as being unfit for human habitation, or which is made the subject of a clearance order as being so unfit (being, in either case, an order made on or after the twentieth day of December, nineteen hundred and thirty-four) the Secretary of State is satisfied, after causing the house to be inspected by one of his officers, that, notwithstanding its sanitary defects, it has been well maintained, the Secretary of State may give directions for the making by the local authority of a payment under this section in respect of the house.

(2) A payment under this section shall be of an amount equal either—

- (a) to the amount by which the aggregate expenditure which is shown to the satisfaction of the local authority to have been incurred in maintaining the house during the five years immediately before the date on which the order was made exceeds an amount equal to the rateable value of the house ; or
- (b) to one and one-fifth times (or, if at that date the house is occupied by an owner thereof and has been owned and occupied by him or by a member of his family continuously during the three years immediately before that date, two and two-fifths times) the rateable value of the house ;

whichever is the greater.

(3) A payment under this section shall be made—

- (a) if the house is occupied by an owner thereof, to him ; or
- (b) if the house is not so occupied, to the person or persons liable to maintain and repair the house, and, if more than one person is so liable, in such shares as the authority think equitable in the circumstances :

Provided that, if any other person satisfies the local authority that the good maintenance of the house is attributable to a material extent to work carried out by him or at his expense, the local authority may, if it appears to them to be equitable in the circumstances, make the payment, in whole or in part, to him.

(4) In this section the expression “ rateable value ” means the rateable value entered in the valuation roll last authenticated prior to the date on which the order was made.

41.—(1) The Secretary of State may make such order as he thinks fit in favour of any owner or lessee of any lands included in a clearance order or a compulsory purchase order made under this Part of this Act, or any superior of or any holder of a heritable security over such lands, for the allowance of the reasonable expenses properly incurred by him in opposing such clearance order or compulsory purchase order.

PART III
—*cont.*
Provisions as to expenses incurred in relation to orders under Part III.

(2) All expenses incurred by the Secretary of State in relation to any such clearance order or compulsory purchase order as aforesaid, to such amount as the Secretary of State thinks proper to direct, and all expenses of any person to such amount as may be allowed to him by the Secretary of State in exercise of the aforesaid power, shall be deemed to be expenses incurred by the local authority under this Act, and shall be paid to the Secretary of State and to that person respectively in such manner and at such times and either in one sum or by instalments as the Secretary of State may order; and the Secretary of State may direct interest to be paid at such rate not exceeding five pounds per centum per annum as he may determine upon any sum for the time being due in respect of such expenses as aforesaid.

(3) Where any such order with respect to expenses is made by the Secretary of State in pursuance of this section, the Court of Session may, on the application of the Lord Advocate on behalf of the Secretary of State, or on the application of any person interested, interpone their authority to the order and grant decree conform thereto upon which execution and diligence may proceed in common form.

(4) Nothing in the foregoing provisions of this section shall have effect in relation to any compulsory purchase of land for the purposes of Part V of this Act.

42. A local authority who have passed a clearance resolution shall, before taking any action under that resolution which will necessitate the displacement of any persons, undertake to carry out such rehousing operations, if any, within such period as the Secretary of State may consider to be reasonably necessary.

Obligations of local authority with respect to rehousing.

43.—(1) A local authority may, with the approval of the Secretary of State, by order extinguish any public right of way over any land purchased by them under this Part of this Act or provide for the closing or diversion of any street in connection with the development of a clearance area, but an order made by an authority under this subsection shall be published in the prescribed manner, and if any objection thereto is made to the Secretary of State before the expiration of two months from

Extinction of rights of way, servitudes, etc., over land purchased under Part III.

PART III
—cont.

the publication thereof, the Secretary of State shall not approve the order until he has caused a public local inquiry to be held into the matter.

(2) Where a local authority have resolved to purchase under this Part of this Act land over which a public right of way exists, it shall be lawful under the foregoing subsection for the authority to make and the Secretary of State to approve, in advance of the purchase, an order extinguishing that right as from the date on which the buildings on the land are vacated, or at the expiration of such period after that date as may be specified in the order or as the Secretary of State in approving the order may direct.

(3) Upon the completion by a local authority of the purchase by them of any land under this Part of this Act, all private rights of way and all rights of laying down, erecting, continuing or maintaining any apparatus on, under or over that land, and all other rights or servitudes in or relating to that land, shall be extinguished, and any such apparatus shall vest in the local authority; and any person who suffers loss by the extinction or vesting of any such right or apparatus as aforesaid shall be entitled to be paid by the local authority compensation to be determined by the Lands Tribunal in accordance with the Acquisition of Land (Assessment of Compensation) Act, 1919:

Provided that this subsection shall not apply to any right vested in public undertakers of laying down, erecting, continuing or maintaining any apparatus or to any apparatus belonging to public undertakers, and shall have effect as respects other matters subject to any agreement which may be made between the local authority and the person in or to whom the right or apparatus in question is vested or belongs.

Provisions as to apparatus of public undertakers in land dealt with by local authority.

44.—(1) Where the removal or alteration of apparatus belonging to public undertakers on, under or over land purchased by a local authority under this Part of this Act or on, under or over a street running over or through or adjoining any such land is reasonably necessary for the purpose of enabling the authority to exercise any of the powers conferred upon them by this Part of this Act, the local authority shall have power to execute works for the removal or alteration of the apparatus subject to and in accordance with the provisions of this section.

(2) A local authority who intend to remove or alter any apparatus under the powers conferred by the foregoing subsection shall serve on the undertakers notice in writing of their intention, with particulars of the proposed works and of the manner in which they are to be executed and plans and sections thereof, and shall not commence any works until the expiration of a period of twenty-eight days from the date of service

of the notice, and the undertakers may within that period by notice in writing served on the authority—

PART III
—cont.

- (a) object to the execution of the works or any of them on the ground that they are not necessary for the purpose aforesaid ; or
- (b) state requirements to which in their opinion effect ought to be given as to the manner of, or the observance of conditions in, the execution of the works, as to the execution of other works for the protection of other apparatus belonging to the undertakers, or as to the execution of other works for the provision of substituted apparatus whether permanent or temporary ;

and—

- (i) if objection is so made to any works and not withdrawn, the local authority shall not execute the works unless they are determined by arbitration to be so necessary ;
- (ii) if any such requirement as aforesaid is so made and not withdrawn, the local authority shall give effect thereto unless it is determined by arbitration to be unreasonable.

(3) A local authority shall make to public undertakers reasonable compensation for any damage which is sustained by them by reason of the execution by the authority of any works under subsection (1) of this section and which is not made good by the provision of substituted apparatus. Any question as to the right of undertakers to recover compensation under this subsection or as to the amount thereof shall be determined by arbitration.

(4) Where the removal or alteration of apparatus belonging to public undertakers or the execution of works for the provision of substituted apparatus whether permanent or temporary is reasonably necessary for the purposes of their undertaking by reason of the stopping up, diversion or alteration of the level or width of a street by a local authority under powers exercisable by virtue of this Act, they may, by notice in writing served on the authority, require them at the expense of the authority to remove or alter the apparatus or to execute the works, and where any such requirement is so made and not withdrawn, the local authority shall give effect thereto unless they serve notice in writing on the undertakers of their objection to the requirement within twenty-eight days from the date of service of the notice upon them and the requirement is determined by arbitration to be unreasonable.

(5) At least seven days before commencing any works which they are authorised or required under the foregoing provisions

PART III
—cont.

of this section to execute, the local authority shall, except in case of emergency, serve on the undertakers notice in writing of their intention so to do, and the works shall be executed by the authority under the superintendence (at the expense of the authority) and to the reasonable satisfaction of the undertakers:

Provided that, if within seven days from the date of service on them of notice under this subsection the undertakers so elect, they shall themselves execute the works in accordance with the reasonable directions and to the reasonable satisfaction of the authority, and the reasonable costs thereof shall be repaid to the undertakers by the authority.

- (6) Any difference arising between public undertakers and a local authority under the last foregoing subsection and any matter which is by virtue of the foregoing provisions of this section to be determined by arbitration shall—

- (a) in the case of a question arising under subsection (3) of this section be referred to and determined by the Lands Tribunal;

- (b) in any other case be referred to and determined by an arbiter to be appointed, in default of agreement, by the Secretary of State.

(7) In this section references to the alteration of apparatus include references to diversion and to alterations of position or level.

Protection for
superiors of,
and holders of
heritable
securities over,
subjects
included in
clearance order
or compulsory
purchase
order under
Part III.

45.—(1) Before submitting to the Secretary of State for confirmation a clearance order, or a compulsory purchase order for the purposes of this Part of this Act, the local authority shall require the owner of any subjects to which the order relates to furnish a written statement specifying the name and address of the superior of, and the holder of any heritable security over, such subjects.

(2) A local authority to whom the name and address of any person has been furnished in pursuance of the foregoing subsection by the owner of any subjects shall serve on that person the like notice as they are required to serve on the owner.

(3) If any person fails to give to the local authority any information required by them under subsection (1) of this section, or knowingly makes any misstatement with reference thereto, he shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding five pounds.

*Demolition of obstructive buildings*PART III
—cont.

46.—(1) A local authority may serve upon the owner or owners of a building which appears to the authority to be an obstructive building notice of the time (being some time not less than one month after the service of the notice) and place at which the question of demolishing the building will be considered by the authority. Power of local authority to secure demolition of obstructive building.

(2) Where a local authority serve a notice under the foregoing subsection on an owner of a building, they shall at the same time require him to furnish within two weeks thereafter a written statement specifying the name and address of the superior of whom such owner holds, and of the holder of any heritable security over the owner's interest in the building, and the local authority shall, as soon as may be after receipt of such statement, serve on any person whose name is included therein notice of the time and place at which the question of demolishing the building will be considered.

(3) Any person on whom a notice is served in pursuance of the foregoing provisions of this section shall be entitled to be heard when the question of demolishing the building to which the notice relates is taken into consideration.

(4) If, after so taking the matter into consideration, the authority are satisfied that the building is an obstructive building and that the building or any part thereof ought to be demolished, they may pass a resolution that the building or that part thereof shall be demolished, and may, by such resolution, require that the building, or such part thereof as is required to be vacated for the purposes of the demolition, shall be vacated within two months from the date on which the resolution becomes operative, and, if they do so, shall serve a copy of the resolution upon the owner or owners of the building.

(5) If any person fails to give to the local authority any information required by them under subsection (2) of this section or knowingly makes any misstatement with reference thereto, he shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding five pounds.

(6) In this section the expression "obstructive building" means a building which, by reason only of its contact with, or proximity to, other buildings, is injurious or dangerous to health.

(7) This section shall not apply to a building which is the property of public undertakers, unless it is used for the purposes of a dwelling, showroom or office, or which is the property of a local authority.

PART III
—cont.

Effect of
resolution for
demolition of
obstructive
building.

47.—(1) If, before the expiration of the period within which a building in respect of which a resolution is passed under the last foregoing section is thereby required to be vacated, any owner or owners whose estate or interest, or whose combined estates or interests, in the building and the site thereof is or are such that the acquisition thereof by the local authority would enable the authority to carry out the demolition without having passed such a resolution as aforesaid, make to the authority an offer for the sale of that estate or interest, or of those estates or interests, to the authority at a price to be assessed, as if it were compensation for a compulsory purchase, by the Lands Tribunal in accordance with the Acquisition of Land (Assessment of Compensation) Act, 1919, subject to observance of the rules contained in the Fourth Schedule to this Act, the authority shall accept the offer and shall, as soon as possible after obtaining possession, carry out the demolition.

(2) If no such offer as is mentioned in the foregoing subsection is made before the expiration of the said period, the local authority shall, as soon as may be thereafter, carry out the demolition and shall have the like right to sell the materials rendered available thereby as if they had purchased the building.

(3) Where the demolition of a building is carried out under the last foregoing subsection, compensation shall be paid by the authority to the owner or owners in respect of loss arising from the demolition, and that compensation shall, notwithstanding that no land is acquired compulsorily by the local authority, be assessed by the Lands Tribunal in accordance with the Acquisition of Land (Assessment of Compensation) Act, 1919, subject to observance of the rules contained in the Fourth Schedule to this Act, except that paragraphs (2) to (6) of section two of that Act shall not apply and that paragraph (1) of the said section two shall have effect with the substitution, for the reference to acquisition, of a reference to demolition.

(4) Sections sixteen and nineteen of this Act shall have effect in relation to a resolution passed under the last foregoing section and to a building or part of a building to which such a resolution applies as they have effect in relation to a demolition order under Part II of this Act and to a house or building to which such an order applies, as if the references therein to a demolition order included references to such a resolution as aforesaid and the references therein to Part II of this Act included references to the last foregoing section and this section.

PART IV

PREVENTION OF OVERCROWDING

48.—(1) If at any time or times it appears to a local authority that occasion has arisen therefor, or if the Secretary of State so directs, it shall be the duty of the authority to cause an inspection of their district, or of any part thereof, to be made with a view to ascertaining what houses therein are overcrowded, and to prepare and submit to the Secretary of State a report showing in such detail as he may direct the result of the inspection and the additional housing accommodation required in order to put an end to overcrowding in their district or in that part, and, unless they satisfy the Secretary of State that the additional accommodation required will be otherwise provided, to prepare and submit to him proposals for the provision thereof. Where the Secretary of State gives a direction under this subsection, he may fix dates before which the performance of the said duties is to be completed.

Duty of local authority to inspect and to make reports and proposals as to overcrowding.

(2) Any proposals under this section for the provision of additional housing accommodation shall be accompanied by a statement of the steps which the local authority propose to take to secure that the rehousing of families living under the worst conditions as regards overcrowding or otherwise living under unsatisfactory housing conditions is provided for first.

49.—(1) A house shall be deemed for the purposes of this Act to be overcrowded at any time when the number of persons sleeping in the house either—

Definition of overcrowding.

(a) is such that any two of those persons, being persons ten years old or more of opposite sexes and not being persons living together as husband and wife, must sleep in the same room ; or

(b) is, in relation to the number and floor area of the rooms of which the house consists, in excess of the permitted number of persons as defined in the Fifth Schedule to this Act.

(2) In computing for the purposes of this section the number of persons sleeping in a house, no account shall be taken of a child under one year old, and a child who has attained one year and is under ten years old shall be reckoned as one half of a unit.

PART IV
—*cont.*
Offences in
relation to
overcrowding.

50.—(1) Subject to the provisions of this Part of this Act, if after the appointed day the occupier of a house causes or permits it to be overcrowded, he shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding twenty shillings.

(2) The occupier of an overcrowded house shall not, unless he has failed to accept an offer of suitable alternative accommodation or to secure the removal of any person living in the house who is not a member of his family and whose removal is reasonably practicable, be guilty of an offence under this section in respect of the overcrowding of the house if—

(i) the house was overcrowded on the appointed day, or became overcrowded on a subsequent day by reason of a child attaining one of the ages referred to in the last foregoing section ; and

(ii) all the persons sleeping in the house are either—

(a) persons who were living there on the appointed day or on such subsequent day, as the case may be, and have continuously thereafter lived there ; or

(b) children of any of those persons born thereafter :

Provided that, where the occupier of the house is an owner thereof who acquired his title prior to the second day of August, nineteen hundred and thirty-five, the provision with regard to failure to accept an offer of suitable alternative accommodation shall not apply if acceptance of the offer would cause such occupier serious hardship in connection with the disposal of the house.

(3) The occupier of a house shall not be guilty of an offence under this section in respect of any overcrowding thereof which is occasioned by the residence therein for a period not exceeding sixteen days of a person to whom lodging is afforded by the occupier otherwise than for gain.

Power of
Secretary
of State to
increase the
permitted
number
temporarily
to meet
exceptional
conditions.

51.—(1) Where, on the representation of a local authority and after consultation with the Scottish Housing Advisory Committee appointed under this Act, the Secretary of State is satisfied that houses consisting of few rooms, or comprising rooms of exceptional floor area, constitute so large a proportion of the housing accommodation in the district of the authority, or in any part thereof, that the application of the provisions of the Fifth Schedule to this Act throughout the district, or that part thereof, immediately after the appointed day would be impracticable, he may by order direct that, in relation to those houses or to such of them as are of a specified class, the said provisions shall, during such period not exceeding three years from the

coming into operation of the order as may be specified therein and any extension of that period which the Secretary of State, upon application by the local authority, may allow, have effect subject to such modifications for increasing the permitted number of persons as may be specified therein, and the order may specify different modifications in relation to different classes of houses.

PART IV
—cont.

(2) After consultation with the local authority and the said Committee, the Secretary of State may by order revoke any such order as aforesaid or vary the provisions of any such order either as respects the modifications specified therein or as respects the houses to which the modifications apply or as respects both.

52.—(1) Where it appears to a local authority, having regard to the existence of exceptional circumstances, to be expedient so to do, they may, on the application of the occupier or intending occupier of a house in their district, grant him a licence authorising him to permit such number of persons in excess of the permitted number as may be specified in the licence to sleep in the house.

Power of local authority to authorise the temporary use of a house by persons in excess of the permitted number.

(2) A licence granted under this section shall be in the prescribed form and may be granted either unconditionally or subject to any conditions specified therein.

(3) A licence granted under this section shall, unless previously revoked, continue in force for such period (not exceeding twelve months) as may be specified therein, but may be revoked by the local authority at their discretion by means of a notice in writing served upon the occupier and specifying a period (not being less than one month from the date of the service of the notice) at the expiration of which the licence is to cease to be in force.

(4) A copy of any licence granted under this section, and of any notice served thereunder, shall be served on the landlord, if any, of the house to which it relates within seven days after the issue of the licence or the service of the notice on the occupier, as the case may be.

(5) The occupier of a house shall not be guilty of an offence under section fifty of this Act by reason of anything done by him under the authority of, and in accordance with any conditions specified in, a licence in force under this section.

53.—(1) With a view to making provision for any seasonal influx of holiday visitors into their district, it shall be lawful for a local authority, with the approval of the Secretary of State, to pass a resolution authorising, subject to such conditions as may

Provision for seasonal influx of holiday visitors.

PART IV
—*cont.*

be specified therein, the occupiers of houses generally or of houses of any specified class in the authority's district, or in any specified part thereof, to permit during any period for which the resolution is in force such number of persons in excess of the permitted number to sleep in the said houses as may be specified in the resolution.

(2) A resolution under the foregoing subsection shall remain in force during the year in which it is passed for such period or periods not exceeding sixteen weeks in the aggregate as may be specified in the resolution.

(3) The occupier of a house shall not be guilty of an offence under section fifty of this Act by reason of anything done by him in accordance with any resolution under subsection (1) of this section.

Information with respect to the permitted number and certification of number and floor areas of rooms.

54.—(1) The landlord of a house shall not, after the appointed day, let or agree to let it to any person unless he has furnished to him a written statement in the prescribed form of the permitted number of persons in relation to the house and has obtained from him a written acknowledgment in the prescribed form, which acknowledgment the landlord shall be bound to exhibit to the local authority on demand by them; and any person who contravenes or fails to comply with this subsection shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding two pounds.

(2) It shall be the duty of the local authority, as soon as may be after they have ascertained the floor area of the rooms of a house, to inform the landlord and the occupier thereof in writing of the permitted number of persons in relation to the house, and, on application by the landlord or the occupier of any house, to give him the like information in relation thereto. A statement furnished to the occupier of a house in pursuance of the foregoing subsection shall be deemed to be a sufficient and correct statement if it agrees with information given under this subsection.

(3) The Secretary of State shall prescribe the manner in which the floor area of a room is to be ascertained for the purposes of the Fifth Schedule to this Act, and the regulations may provide for the exclusion from computation, or for the bringing into computation at a reduced figure, of floor space in any part of a room which is of less than a specified height.

(4) A certificate of the local authority stating the number and floor areas of the rooms in a house, and that the floor areas thereof have been ascertained in the prescribed manner, shall, for the purposes of any legal proceedings, be evidence of the facts stated therein.

55.—(1) Where a house is overcrowded in such circumstances as to render the occupier thereof guilty of an offence, nothing in the Rent and Mortgage Interest Restrictions Acts, 1920 to 1939, shall prevent the landlord from obtaining possession of the house.

PART IV
—*cont.*
Recovery of possession of overcrowded house.

(2) Where a house is overcrowded in such circumstances as to render the occupier guilty of an offence, it shall be lawful for the local authority, after giving to the landlord written notice of their intention so to do, to take any such steps for the termination of the occupier's tenancy or for his removal or ejection from the house as the landlord could take.

(3) Where, before the appointed day, any house is overcrowded and has been overcrowded for at least six months, nothing in the Rent and Mortgage Interest Restrictions Acts, 1920 to 1939, shall prevent the making of an order for the recovery of possession of the house or for the removal or ejection of the occupier, if the court is satisfied that it is reasonable to make such an order and that suitable alternative accommodation has been offered to and is available for the occupier; and in the case of any such house it shall be lawful for the local authority to take any such steps for the termination of the occupier's tenancy or for his removal or ejection as the landlord could take:

Provided that no order for the removal or ejection of the occupier of a house to which the aforesaid Acts do not apply shall be made on the application of the local authority unless the court is satisfied as aforesaid.

56.—(1) It shall be the duty of a local authority to enforce the foregoing provisions of this Part of this Act as respects houses in their district.

Enforcement of Part IV.

(2) For the purpose of enabling them to discharge their duties under the foregoing provisions of this Part of this Act, the local authority may serve notice on the occupier of a house requiring him to furnish them within fourteen days with a statement in writing of the number, ages and sexes of the persons sleeping in the house, and if the occupier makes default in complying with the requirement, or furnishes a statement which to his knowledge is false in any material particular, he shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding twenty shillings.

57. A local authority shall have power to publish information for the assistance of landlords and occupiers of houses as to their rights and duties under the provisions of this Part of this Act relating to overcrowding, and as to the enforcement thereof.

Power of local authority to publish information as to rights and duties as respects overcrowding.

PART IV
—cont.

Duty of
medical officers
to furnish
particulars of
overcrowding.

58.—(1) It shall be the duty of the medical officer of health for any district to furnish annually to the Secretary of State and to the local authority, in accordance with regulations to be made by the Secretary of State, particulars with respect to the condition of the district in relation to overcrowding and in particular with respect to any cases in which houses in respect of which the local authority have taken steps for putting an end to overcrowding have again become overcrowded.

(2) Before furnishing particulars under the foregoing subsection, the medical officer of health shall consult with, or obtain a report from, the sanitary inspector of the authority.

Definitions for
purposes of
Part IV.

59. In this Part of this Act, and in the Fifth Schedule to this Act, except where the context otherwise requires, the following expressions have the meanings hereby respectively assigned to them—

“appointed day” means in relation to any locality for which a day has been appointed under section eighty-six of the Housing (Scotland) Act, 1935, by the Department of Health for Scotland or the Secretary of State, that day, and in relation to any other locality means such day as the Secretary of State may appoint, and the Secretary of State may appoint different days for different localities, so however that he shall not appoint a day for any locality until he is satisfied that the greater part of the additional housing accommodation shown by the report made under subsection (1) of section one of the Housing (Scotland) Act, 1935, to be required in the locality has been provided;

“house” means any premises used or intended to be used as a separate dwelling, not being premises which are entered in the valuation roll last authenticated at a rateable value exceeding forty-five pounds;

“landlord” means, in relation to any house, the person from whom the occupier derives his right to occupy it;

“room” does not include any room of a type not normally used in the locality either as a living room or as a bedroom;

“suitable alternative accommodation” means, in relation to the occupier of a house, a house in which the occupier and his family can live without causing it to be overcrowded, being a house which the local authority certify to be suitable to the needs of the occupier and his family as respects security of tenure and proximity to place of work and to be suitable in relation to his means.

PART V

PROVISION OF HOUSING ACCOMMODATION

General powers and duties of local authorities

60. It shall be the duty of every local authority to consider the housing conditions in their district and the needs of the district with respect to the provision of further housing accommodation and for that purpose to review the information which has been brought to their notice, either as a result of the inspections and surveys carried out under section six of this Act or otherwise, and as often as occasion arises, or within three months after notice has been given to them by the Secretary of State, to prepare and submit to the Secretary of State proposals for the provision of new houses, distinguishing those houses which the authority propose to provide for the purpose of rendering accommodation available for persons to be displaced by, or in consequence of, action taken by the authorities under Part II or Part III of this Act or under paragraph (d) of subsection (1) of the next following section.

Duty of local authorities to review housing conditions in their districts and to frame proposals.

61.—(1) A local authority may provide housing accommodation—

- (a) by the erection of houses on any land acquired or appropriated by them ;
- (b) by the conversion of any buildings into houses ;
- (c) by acquiring houses ;
- (d) by altering, enlarging, repairing or improving any houses or other buildings which have, or a right or interest in which has, been acquired by the local authority.

Mode of provision of housing accommodation.

Any such powers as aforesaid may, for supplying the needs of the district, be exercised outside the district of the local authority.

(2) The local authority may alter, enlarge, repair or improve any house so erected, converted or acquired, and may fit out, furnish and supply any such house with all requisite furniture, fittings and conveniences.

(3) For the purposes of this Part of this Act, the provision of housing accommodation includes the provision of a cottage with a garden of not more than one acre.

62. A local authority shall have power under this Part of this Act—

- (a) to acquire any land as a site for the erection of houses ;
- (b) to acquire
 - (i) houses, and
 - (ii) buildings other than houses, being buildings which may be made suitable as houses,

Purposes for which land may be acquired by a local authority.

PART V
—cont.

together with any lands occupied with the houses or buildings or any right or interest in houses or in such buildings as are mentioned in sub-paragraph (ii) of this paragraph ;

(c) to acquire land for the purpose of—

(i) selling or leasing the land under the powers conferred by this Act, with a view to the erection thereon of houses by persons other than the local authority ;

(ii) selling or leasing, under the powers conferred by this Act, any part of the land acquired with a view to the use thereof for purposes which in the opinion of the local authority are necessary or desirable for or incidental to the development of the land as a building estate ;

(iii) carrying out thereon works for the purpose of, or connected with, the alteration, enlargement, repair or improvement of an adjoining house ;

(iv) selling or leasing the land under the powers conferred by this Act with a view to the carrying out on the land by a person other than the local authority of such works as are mentioned in the last foregoing sub-paragraph :

Provided that nothing in paragraph (b) of this subsection shall authorise a local authority to acquire otherwise than by agreement any house or other building which is situated on land entered in the valuation roll as agricultural lands and heritages and is required for the purposes for which such land is used.

Acquisition of
land by
agreement for
purposes of
Part V.

63.—(1) Land for the purposes of this Part of this Act may be acquired by a local authority by agreement in like manner as if those purposes were purposes of the Public Health (Scotland) Act, 1897, and section one hundred and forty-four of that Act, so far as relating to the purchase of land by agreement, shall apply accordingly.

(2) Where a local authority have agreed to purchase, or have determined to appropriate, land for the purposes of this Part of this Act, subject to the interest of the person in possession thereof, they shall have the like right to enter on and take possession of that land as they have to enter on and take possession of land which they have agreed to purchase, or have determined to appropriate, for the purposes of Part III of this Act, and the provisions of subsection (2) of section thirty-eight of this Act shall apply accordingly, with the substitution, however, for the reference to Part III of this Act of a reference to this Part of this Act, and for the reference to twenty-eight days' notice of a reference to fourteen days' notice.

64.—(1) A local authority may be authorised by the Secretary of State to purchase land compulsorily for the purposes of this Part of this Act, and the Acquisition of Land (Authorisation Procedure) (Scotland) Act, 1947, shall apply in relation to any such compulsory purchase as if this Act had been in force immediately before the commencement of that Act.

PART V
—cont.

Compulsory
acquisition of
land for
purposes of
Part V.

(2) A local authority may, with the consent of and subject to any conditions imposed by the Secretary of State acquire land by agreement, or may be authorised by the Secretary of State to purchase land compulsorily, for the purposes of this Part of this Act, notwithstanding that the land is not immediately required for those purposes.

(3) Where land is purchased compulsorily by a local authority for the purposes of this Part of this Act, the compensation payable in respect thereof shall be assessed by the Lands Tribunal in accordance with the Acquisition of Land (Assessment of Compensation) Act, 1919, subject to observance of the rules contained in the Fourth Schedule to this Act.

65.—(1) Where a local authority have acquired or appropriated any land for the purposes of this Part of this Act, then, without prejudice to any of their other powers under this Act, the local authority may—

Powers of
dealing with
land acquired
or appropriated
for purposes of
Part V.

- (a) lay out and construct public streets or roads and open spaces on the land ;
- (b) with the consent of the Secretary of State, sell or lease the land or part thereof to any person under the condition that that person will erect thereon in accordance with plans approved by the local authority, and maintain, such number of houses of such types as may be specified by the local authority, and when necessary will lay out and construct public streets or roads and open spaces on the land, or use the land for purposes which, in the opinion of the local authority, are necessary or desirable for or incidental to the development of the land as a building estate in accordance with plans approved by the local authority ;
- (c) with the consent of the Secretary of State, sell or lease the land or excamb it for land better adapted for those purposes, either with or without paying or receiving any money for equality of exchange ;
- (d) with the consent of the Secretary of State, sell or lease any houses on the land or erected by them on the land, subject to such conditions, restrictions and stipulations as they may think fit to impose in regard to the use

PART V
—cont.

of the houses, and on any such sale they may agree to the price being paid by instalments or to payment of part of the price being secured by bond and disposition in security or otherwise upon the subjects sold.

(2) Where a local authority acquire any land for the purposes of sub-paragraph (iv) of paragraph (c) of section sixty-two of this Act, they may, with the consent of the Secretary of State, sell or lease the land to any person for the purpose and under the condition that that person will carry out thereon, in accordance with plans approved by the authority, the works with a view to the carrying out of which the land was acquired.

(3) Where a local authority have acquired a building which may be made suitable as a house, or a right or interest in such a building, they shall forthwith proceed to secure that it is so made suitable either by themselves executing any necessary work or by selling or leasing it to some person subject to conditions for securing that he will so make it suitable.

(4) Where under subsection (1) of this section a local authority sell or lease land, they may contribute or agree to contribute towards the expenses of the development of the land and the laying out and construction of streets or roads thereon, subject to the condition that the streets or roads are dedicated to the public use.

Power of local authority to provide shops, etc., in connection with housing accommodation.

66.—(1) The power of a local authority under this Part of this Act to provide housing accommodation shall include power to provide and maintain, with the consent of the Secretary of State, and, if desired, jointly with any other person, in connection with any such housing accommodation, any building adapted for use as a shop, any recreation grounds, or other buildings or land which in the opinion of the Secretary of State will serve a beneficial purpose in connection with the requirements of the persons for whom the housing accommodation is provided.

(2) The Secretary of State may, in giving his consent to the provision of any land or building under this section, by order apply, with any necessary modifications, to such land or building any statutory provisions which would have been applicable thereto if the land or building had been provided under any enactment giving any local authority powers for the purpose.

Power of local authority to provide board and laundry facilities.

67.—(1) The power of a local authority under this Part of this Act to provide housing accommodation shall include power to provide, in connection with the provision of such accommodation for any persons, such facilities for obtaining meals and such laundry facilities and services as accord with the needs of those persons.

(2) A local authority may make such reasonable charges for meals provided by them by virtue of this section and to persons availing themselves of laundry facilities or services so provided as the authority may determine.

(3) This section shall not authorise the grant of a certificate under the Licensing (Scotland) Acts, 1903 to 1934, for the sale of exciseable liquor in connection with the provision under this section of facilities for obtaining meals.

68.—(1) Without prejudice to their powers under subsection (2) of section sixty-one of this Act, a local authority shall have power, and shall be deemed always to have had power, to sell, or to supply under a hire-purchase agreement, furniture to the occupants of houses provided by the authority or by a housing association under arrangements made with the authority, and, for that purpose, to buy furniture.

Power of local authorities to sell furniture to persons housed by, or by arrangement with, them.

(2) In this section the expression "hire-purchase agreement" means a contract to which the Hire Purchase and Small Debt (Scotland) Act, 1932, applies or would apply if the limitation as to value contained in section one of that Act were omitted.

69. Where any housing operations under this Part of this Act are being carried out by a local authority outside their own district, that authority shall, subject to the approval of the Secretary of State, have power to execute any works which are necessary for the purposes, or are incidental to the carrying out of the operations, subject to entering into an agreement with the local authority of the district in which the operations are being carried out as to the terms and conditions on which any such works are to be executed.

Execution of works, etc., by local authority outside their own district.

70. Where the Secretary of State approves the proposals of a local authority in relation to the provision of houses, whether under this Act or under any other Act, in the district of another local authority, any difference arising between those authorities with respect to the carrying out of the proposals may be referred by either authority to the Secretary of State, whose decision shall be final and binding on the authorities.

Adjustment of differences between local authorities as to carrying out of proposals.

Management, etc., of local authority's houses

71.—(1) The general management, regulation and control of houses provided by a local authority under this Part of this Act, or in respect of which contributions are payable under section thirty-five of the Housing (Scotland) Act, 1935, shall be vested in and exercised by the authority; and the authority may make such reasonable charges as they may determine for the tenancy or occupation of such houses.

Management and inspection of local authority's houses.

PART V
—cont.

(2) A house provided by a local authority under this Part of this Act shall be at all times open to inspection by the local authority of the district in which it is situated or of any officer duly authorised by them.

Byelaws for
regulation of
local
authority's
houses.

72.—(1) A local authority may make byelaws for the management, use and regulation of houses provided by them.

(2) Any fine for the breach of any such byelaw shall be paid to the credit of the fund out of which the expenses of this Part of this Act are defrayed.

Conditions to
be observed in
management
of local
authority's
houses.

73.—(1) A local authority shall, in relation to all houses in respect of which they are required to keep a housing revenue account, observe the requirements specified in the following provisions of this section.

(2) The authority shall secure that in the selection of their tenants a reasonable preference is given to persons who are occupying insanitary or overcrowded houses, have large families, or are living under unsatisfactory housing conditions.

(3) Except in so far as the Secretary of State may otherwise sanction, the authority shall secure, in accordance with any directions that may be given to them by the Secretary of State—

(a) that a number of houses equal to the number in respect of which the Secretary of State has undertaken to make a contribution under any of the following enactments, namely, subsection (3) of section one of the Housing &c. Act, 1923, the Housing (Scotland) Act, 1930, the Housing (Rural Authorities) Act, 1931, section one of the Housing (Financial Provisions) (Scotland) Act, 1933, section thirty of the Housing (Scotland) Act, 1935, or section one of the Housing (Financial Provisions) (Scotland) Act, 1938, are reserved for low wage earners or persons of a like economic condition ;

(b) that a number of houses equal to the number in respect of which the Secretary of State has undertaken to make a contribution under section one of the Housing (Agricultural Population) (Scotland) Act, 1938, or section eighty-five of this Act, are reserved for the agricultural population except in so far as the demand for housing accommodation in the district on the part of members of the agricultural population can be satisfied without such reservation ; and

(c) that a number of houses equal to the number in respect of which the Secretary of State has undertaken to make a contribution to the authority under section thirty-five of the Housing (Scotland) Act, 1935, are reserved for such persons as are mentioned in paragraph (a) of subsection (1) of section three of the Housing (Rural Workers) Act, 1926.

(4) The authority may grant to any tenant such rebates from rent subject to such terms and conditions as they may think fit.

(5) The authority shall from time to time review rents and make such changes either of rents generally or of particular rents and rebates as circumstances may require.

(6) For the purposes of any enactment relating to valuation or rating, the gross annual value of any house to which this section applies shall not exceed the rent (exclusive of occupier's rates) fixed in pursuance of this Part of this Act, and no account shall be taken of any rebate from the rent so fixed.

(7) The authority shall make it a condition of every let that the tenant shall not assign, sub-let or otherwise part with the possession of the premises or any part thereof, except with the consent in writing of the authority. In determining whether to give or withhold such consent, the authority shall comply with any directions that may be given to them by the Secretary of State, and they shall not in any case give such consent unless it is shown to their satisfaction that no payment other than a rent which is in their opinion a reasonable rent has been, or is to be, received by the tenant in consideration of the assignation, sub-letting or other transaction.

(8) The conditions contained in section three of the Housing (Rural Workers) Act, 1926, shall not have effect in relation to houses to which the requirements of this section apply.

74. If any house, building, land or dwelling in respect of which a local authority are required to keep a housing revenue account is sold by the authority with the consent of the Secretary of State, the Secretary of State may in giving consent impose such conditions, and may reduce the amount of any Exchequer contribution payable to the authority, or of any of the contributions referred to in the Eighth Schedule to this Act payable by the authority, as the Secretary of State thinks just.

Conditions on
sale of local
authority's
houses.

Advances and guarantees for provision of houses

75.—(1) A local authority may, subject to such conditions as may be approved by the Secretary of State, advance money, subject to the provisions hereinafter contained, to any person for the purpose of—

Power of local
authority to
make advances
for purpose of
increasing
housing accom-
modation.

(a) acquiring houses ;

PART V
—cont.

- (b) constructing houses ;
- (c) converting into houses buildings which have been acquired by that person or acquiring buildings and converting them into houses ; or
- (d) altering, enlarging, repairing or improving houses ; whether the houses or buildings are within or outside the district of the authority.

(2) Before advancing money under this section for the purpose specified in paragraph (a) of the foregoing subsection the local authority shall satisfy themselves that the house or houses to be acquired is or are, or will be made, in all respects fit for human habitation, and before so advancing money for any of the purposes specified in paragraphs (b) to (d) of that subsection the local authority shall satisfy themselves that the house or houses to be constructed, altered, enlarged, repaired or improved or into which the building or buildings is or are to be converted, as the case may be, will, when the construction, alteration, enlargement, improvement, repair or conversion has been completed, be in all respects so fit.

(3) The following provisions shall have effect with respect to an advance under this section :—

- (a) the advance, together with interest thereon, shall be secured by a bond and disposition in security of lands the subject of the carrying out of the purpose for which the advance is made or by an assignation in security of such a lease of those lands as is mentioned in paragraph (f) of this subsection ;
- (b) the amount of the principal of the advance shall not exceed, in the case of a house or houses to be acquired, nine-tenths of the value of the subjects disposed or assigned in security, and, in any other case, nine-tenths of the value which it is estimated the subjects disposed or assigned in security will bear when the construction, alteration, enlargement, improvement, repair or conversion has been carried out ;
- (c) the bond and disposition or assignation in security may provide for repayment being made either by instalments of principal or by an annuity of principal and interest combined, so, however, that in the event of any of the conditions subject to which the advance is made not being complied with, the balance for the time being unpaid shall become repayable on demand by the local authority and that the said balance may, in any event, be repaid at any term of Whitsunday or Martinmas by the debtor after one month's written notice of intention to repay has been given to the local authority ;

- (d) where the advance is for any of the purposes specified in paragraphs (b) to (d) of subsection (1) of this section it may be made by instalments from time to time as the works of construction, conversion, alteration, enlargement, improvement or repair progress ;
- (e) the advance shall not be made except after a valuation duly made on behalf of the local authority ; and
- (f) no advance shall be made unless the estate in the lands proposed to be disposed or assigned in security is either ownership or a lease of which a period of not less than ten years in excess of the period fixed for the repayment of the advance remains unexpired on the date on which the assignation in security is granted.

(4) An advance under this section shall not be made in respect of any house if the estimated value thereof subject to feu duty, ground annual or other burden incident to tenure but free from other incumbrances exceeds five thousand pounds, but such an advance may be made in addition to assistance given by the local authority in respect of the same house under any other Act or any other provision of this Act. In the case of an advance for the construction of one or more structurally separate and self-contained flats the estimated value for the purposes of the foregoing limitation shall as respects any flat be the estimated value of the flat.

76.—(1) Where under the last foregoing section of this Act a local authority advance money to any person constructing a house in respect of which they have undertaken to give assistance under section one hundred of this Act, being a person entitled to grant a heritable security over the house, then, subject to the provisions of this section and to such conditions as may be approved by the Secretary of State, the advance may, in lieu of being secured by bond and disposition in security or other deed of security, be secured by a charging order made by the local authority providing and declaring the house, or the house and such other subjects belonging to the person receiving the advance as the local authority and such person may agree, to be charged and burdened with an annuity to repay the amount of the advance.

Additional provisions with respect to advances made under s. 75.

(2) The annuity charged shall commence from the date of the order, and shall be a sum of such amount and shall be payable to the local authority or their assignees for such period of years, not exceeding thirty, as the local authority and the person receiving the advance may agree.

(3) A local authority shall not make a charging order under this section, and a charging order so made shall not be effectual, unless—

- (a) the authority have served on every person appearing in the Register of Sasines as the proprietor of, or as

PART V
—cont.

holding a heritable security over, the subjects or any part thereof to be charged and burdened with the said annuity, notice that if no objection is intimated to them in writing by such person within twenty-one days from the date of service of the notice, they intend to make such charging order ; and

(b) no objection has been so intimated by any person on whom notice has been so served.

(4) The provisions of section twenty-one of this Act shall apply to a charging order made under this section in like manner as they apply to a charging order made under section twenty thereof. subject to the following and any other necessary modifications—

(a) subsection (2) shall apply as if after the words “advances of public money” there were inserted the words—

“ (d) any rentcharge secured on the premises by absolute order made under and in terms of the Improvement of Land Act, 1864, or the Lands Improvement Company’s Acts, 1853 to 1920 ;

(e) any loan made for agricultural purposes in pursuance of the Agricultural Credits (Scotland) Act, 1929, by any company incorporated for the purposes of that Act, where such loan has been secured on the premises by a bond and disposition in security or other deed of security duly recorded in the appropriate Register of Sasines ; and

(f) any charge on the premises created under any provision in any Act authorising a charge for recovery of expenses incurred by a local authority under section one hundred and twenty-five of the Public Health (Scotland) Act, 1897, or section five or eight of this Act or by an owner under Part II thereof.” ;

(b) subsection (3) shall not apply.

(5) For the purpose of this section, a notice may be served by delivering it to the person on whom it is required to be served or by sending it by registered letter to such person at his usual or last known address or, if such person cannot be found, to the Extractor of the Court of Session ; and an acknowledgment endorsed on such notice or a copy thereof by such person, or, where the notice is sent by registered letter, a certificate subscribed by the clerk to the local authority that such notice was duly posted and having the Post Office receipt for the registered letter attached, shall be conclusive evidence that such notice was duly served on the date stated in the acknowledgment or Post Office receipt.

77.—(1) A local authority may, in accordance with proposals in that behalf made by them and approved by the Secretary of State, guarantee the repayment to a society incorporated under the Building Societies Acts, 1874 to 1939, or the Industrial and Provident Societies Acts, 1893 to 1928, of any advances, with interest thereon, made by the society to any of its members for the purpose of enabling them to build or acquire houses, whether within or outside the district of the authority.

PART V
—cont.

Power of local authority to guarantee repayment of advances by building societies.

(2) Where, on the submission to the Secretary of State by a local authority of proposals under this section, the Secretary of State is satisfied that the proposed guarantee extends only to the principal of, and interest on, the amount by which the sum to be advanced by the society in question exceeds the sum which would normally be advanced by it without the guarantee of the local authority, and that the liability under the guarantee of the local authority cannot be greater than two-thirds of that principal and interest, the Secretary of State, if he approves the proposals, may, with the consent of the Treasury, undertake to reimburse to the local authority not more than one-half of any loss sustained by them under the terms of the guarantee.

(3) Paragraph 3 of Part I of the Schedule to the Building Societies Act, 1939 (which paragraph specifies, as one of the classes of additional security which may be taken into account in determining the amount of advances by building societies to their members, a guarantee given by a local authority under paragraph (b) of subsection (1) of section seventy-five of the Housing (Scotland) Act, 1925), shall have effect as if after the words “the Housing (Scotland) Act, 1925” there were added the words “or section thirty of the Housing (Scotland) Act, 1949, or section seventy-seven of the Housing (Scotland) Act, 1950”.

78.—(1) The Public Works Loan Commissioners may, subject as hereinafter provided, lend to any housing association or to any person entitled to any land either as owner or as lessee under a lease of which a period of not less than fifty years remains unexpired at the date of the loan, moneys for the purpose of constructing or improving, or facilitating or encouraging the construction or improvement of, houses, and in the case of a housing association for the purchase of houses and for the purchase and development of land, and any such association or person may borrow from the Public Works Loan Commissioners such moneys as may be required for the purposes aforesaid.

Loans by Public Works Loan Commissioners to housing associations, etc.

(2) A loan for any of the purposes specified in the foregoing subsection shall be secured with interest by a heritable security over the land and houses in respect of which that purpose is to be carried out and over such other land and houses, if any, as may be offered as security for the loan.

PART V
—cont.

(3) Any such loan may be made whether the association or person receiving the loan has or has not power to borrow on bond and disposition in security or otherwise, independently of this Act, but nothing in this Act shall affect any regulation, statutory or otherwise, whereby any company may be restricted from borrowing until a definite portion of capital is subscribed for, taken or paid up.

(4) The following conditions shall apply in the case of any such loan :—

- (a) the period for repayment shall not exceed forty years ;
- (b) no moneys shall be lent on the security of any land or houses unless the estate or interest therein proposed to be burdened is either ownership or a lease of which a period of not less than fifty years remains unexpired at the date of the loan ;
- (c) the moneys lent shall not exceed such proportion as is hereinafter authorised of the value, to be ascertained to the satisfaction of the Public Works Loan Commissioners, of the estate or interest in such land or houses proposed to be burdened in pursuance of subsection (2) of this section ; but loans may be made by instalments from time to time as the building of houses or other work on the land so burdened progresses, so, however, that the total loans do not at any time exceed the amount aforesaid ; and the heritable security may be accordingly granted to secure such loans so to be made from time to time :

Provided that where a loan is made under this section to a housing association for the purpose of carrying out a scheme for the provision of houses approved by the Secretary of State—

- (i) the maximum period for the repayment of the loan shall be fifty instead of forty years ;
- (ii) moneys may be lent on heritable security over a lease recorded under the Registration of Leases (Scotland) Act, 1857, whereof a period not less than ten years in excess of the period fixed for the repayment of the sums lent remains unexpired at the date of the loan.

(5) The proportion of such value as aforesaid authorised for the purpose of the loan shall be three-fourths :

Provided that—

- (a) if the loan is to be made to a housing association and payment of the principal of and interest on the loan is guaranteed by a local authority, the said proportion shall be nine-tenths ;

(b) in any other case, if the loan exceeds two-thirds of such value as aforesaid, the Public Works Loan Commissioners shall require, in addition to such a heritable security as is mentioned in subsection (2) of this section, such further security as they may think fit.

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—cont.

Housing associations

79.—(1) A local authority may promote the formation or extension of, or subject to the provisions of this Act, assist, a housing association whose objects include the erection, improvement or management of housing accommodation.

Power of local authority to promote and assist housing associations.

(2) A local authority, with the consent of and subject to any regulations or conditions which may be made or imposed by the Secretary of State, may, for the assistance of such an association,—

- (a) make grants or loans to the association ;
- (b) subscribe for any share or loan capital of the association ;
- (c) guarantee or join in guaranteeing the payment of the principal of and interest on any moneys borrowed by the association (including moneys borrowed by an issue of loan capital) or of interest on any share capital issued by the association ;

on such terms and conditions as to rate of interest and repayment or otherwise, and on such security as the local authority think fit ; and, notwithstanding the provisions of section four of the Industrial and Provident Societies Act, 1893, where a local authority assist such an association under this subsection, the local authority shall not be prevented from having or claiming an interest in the shares of the association exceeding two hundred pounds.

80.—(1) A local authority may, with the approval of the Secretary of State, make arrangements with a housing association for the purpose of enabling the association to provide any housing accommodation which the local authority are empowered under this Part of this Act to provide.

Power of local authority to make arrangements with housing associations.

(2) Arrangements made under this section shall include such terms with regard to such matters, including the types of houses to be provided and the rents at which the houses provided are to be let, as may appear to the local authority to be expedient in view of the needs of their district in relation to housing and as may be approved by the Secretary of State.

(3) If a housing association represent to the Secretary of State that they have submitted to the local authority proposals for

PART V
—cont.

arrangements under this section and that the local authority have unreasonably refused to make arrangements in accordance with the proposals, the Secretary of State may require the authority to furnish him with a report as to the matter stating the reasons for their refusal.

Unification of conditions affecting housing association's houses.

81. Where the Secretary of State has undertaken to make in respect of any houses under the management of a housing association contributions under more than one enactment and the association are required to observe in the management of the houses varying special conditions or terms imposed by those enactments, the Secretary of State may, on the application of the association and after consultation with any local authority who are under obligation to make grants or contributions in respect of any of the houses, make a scheme specifying, as conditions to be observed in the management of all the houses in substitution for the conditions or terms imposed as aforesaid, such conditions as he thinks fit, and in specifying the conditions to be so observed the Secretary of State shall have regard to the provisions of this Part of this Act with respect to the conditions which a local authority are required to observe in relation to their houses.

Power of Secretary of State to recognise central association.

82.—(1) If a central association or other body has at the date of the commencement of this Act been established or is thereafter established for the purpose of promoting the formation and extension of housing associations and of giving them advice and assistance, the Secretary of State may, if he thinks fit, recognise such association or body for the purpose of this section.

(2) The Secretary of State may, in any of the five years next following the date on which he recognises the said central association or body, make a grant in aid of the expenses thereof of such amount as he may, with the approval of the Treasury, determine.

Development corporations

Development corporations to be deemed to be housing associations.

83. A development corporation shall be deemed to be a housing association within the meaning of this Act, and accordingly arrangements may be made under section eighty of this Act for the provision by such a corporation of any housing accommodation which a local authority are empowered under this Part of this Act to provide.

PART VI

FINANCIAL PROVISIONS IN RESPECT OF NEW HOUSES

Exchequer contributions

84.—(1) Subject to the provisions of this Part of this Act, the Secretary of State shall undertake to make, and make, in respect of each new house completed after the seventh day of March, nineteen hundred and forty-four, by way of housing accommodation provided by a local authority in accordance with proposals approved by the Secretary of State, payment to that local authority of an annual contribution for a period of sixty years.

Exchequer contributions in respect of housing accommodation provided by local authorities.

(2) An annual contribution under this section shall be—

- (a) in respect of a house of three apartments the sum of twenty-one pounds ten shillings ;
- (b) in respect of a house of four apartments the sum of twenty-three pounds ; and
- (c) in respect of a house of five apartments the sum of twenty-five pounds ten shillings.

(3) Where the Secretary of State is satisfied that by reason of—

- (a) the purchase under Part III of this Act, or the payment of compensation thereunder in respect of the demolition, of houses or other premises which are neither unfit for human habitation nor injurious or dangerous to health and which are included in, or adjoin, or are surrounded by, a clearance area ; or
- (b) the costliness of the provision by a local authority, being the town council of a large burgh, of housing accommodation on a central site ;

the total annual expenditure likely to be incurred by the local authority in providing housing accommodation to which this section applies is substantially greater than the aggregate of the appropriate annual contributions payable by the Secretary of State under the foregoing provisions and the provisions of subsection (7) of this section and the corresponding annual contributions payable by the local authority under section ninety-seven of this Act, the Secretary of State may, with the sanction of the Treasury, undertake to make, and make, in addition to the appropriate annual contribution aforesaid, payment to the local authority for a period of sixty years of an annual contribution of such amount not exceeding twenty pounds in respect of each house provided by way of such housing accommodation in the clearance area or on land adjoining or surrounded by the clearance area and acquired in connection therewith, or on the central site as the case may be, as seems to the Secretary of State just and reasonable.

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—*cont.*

(4) Where housing accommodation is provided by a local authority, being the town council of a large burgh, in a block of flats, the whole or any part of which is of at least four storeys (inclusive of any storey constructed for use for purposes other than those of a dwelling), and expenditure has been incurred in installing lifts in the block of flats, the Secretary of State may, in respect of each of such number of the flats in the block of flats as he may think fit, undertake to make, and make, for a period of sixty years an annual contribution of seven pounds in addition to any annual contribution which he may undertake to make, and make, under the foregoing provisions of this section.

(5) Where the Secretary of State is satisfied that the total annual expenditure likely to be incurred by a local authority not being the town council of a large burgh in providing housing accommodation to which this section applies is substantially greater than the aggregate aforesaid in consequence of the remoteness of the sites of any houses in which such accommodation is provided from centres of supply of building labour and material, and the impracticability of obtaining for such houses higher rents than are ordinarily payable by persons employed in agriculture or fishing or by persons of the like economic condition, the Secretary of State may, with the sanction of the Treasury, undertake to make, and make, in addition to the appropriate annual contribution aforesaid payment to the local authority for a period of sixty years of an annual contribution of such amount in respect of such of the houses so provided as seems to the Secretary of State just and reasonable.

(6) For the purposes of this section and of section ninety-seven of this Act, a house of less than three apartments shall be deemed to be a house of three apartments and a house of more than five apartments shall be deemed to be a house of five apartments.

(7) Where a local authority, in accordance with proposals approved by the Secretary of State, provide housing accommodation for single persons in a hostel completed after the seventh day of March, nineteen hundred and forty-four, then, subject to the authority complying with such conditions, if any, as the Secretary of State may impose, each part of the hostel designed for separate occupation by such persons shall be deemed to be a new house in respect of which the Secretary of State must undertake to make, and make, an annual contribution under this section, so, however, that the amount of the annual contribution shall be eleven pounds.

In this section the expression "hostel" means a building providing residential accommodation for single persons consisting of separate and self-contained dwellings for each of such persons, together with other accommodation available for all of such persons whether or not services (including board and laundry or other facilities or services) are provided.

(8) No contribution shall be payable under this section in respect of any house in respect of which a contribution is payable under the next succeeding section of this Act.

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—cont.

85.—(1) Subject to the provisions of this Act, the Secretary of State shall undertake to make, and make, in respect of each new house completed after the seventh day of March, nineteen hundred and forty-four, by way of housing accommodation for the agricultural population provided by a local authority under Part V of this Act in accordance with proposals approved by the Secretary of State, payment to that local authority of an annual contribution for a period of sixty years.

Exchequer contributions in respect of housing accommodation provided by local authorities for agricultural population.

(2) An annual contribution under this section shall be of such amount as the Secretary of State may, with the sanction of the Treasury, determine, so, however, that subject as after-mentioned the annual contribution shall not be less than twenty-one pounds ten shillings or exceed thirty-five pounds; and in determining the amount of the annual contribution payable by him under this section the Secretary of State shall take into consideration the cost of providing the house, the rent which it will be practicable to obtain therefor, the expenditure already incurred or to be incurred by the local authority under the enactments relating to housing, and the general financial resources of the local authority.

(3) Where the Secretary of State is satisfied that the annual expenditure likely to be incurred by the local authority in respect of any house is, in consequence of the remoteness of the site thereof from centres of supply of building labour and material, substantially greater than the equivalent of forty-one pounds ten shillings per annum for sixty years, the annual contribution payable by him under this section shall be of such greater amount as the Secretary of State may, with the sanction of the Treasury, determine.

(4) No contribution shall be payable under this section in respect of any house in respect of which a contribution is payable under the last foregoing section of this Act.

86. Where, on an application made to him by a local authority with respect to any house, or accommodation deemed to be a new house, which the authority have provided or intend to provide, the Secretary of State is satisfied that the cost of providing the house or accommodation has been or will be substantially enhanced by expenses attributable to the acquisition of rights of support, or otherwise attributable to measures taken by the authority for securing protection against the consequences of a subsidence of the site, he may undertake to make, and make, in respect of the house or accommodation, in addition

Additional Exchequer contributions for housing schemes involving expenditure on rights of support, etc.

PART VI
—cont.

to the appropriate annual contribution payable under section eighty-four or section eighty-five of this Act, payment to the local authority for a period of sixty years of an annual contribution of such amount not exceeding two pounds as he may determine.

Exchequer contributions in respect of housing accommodation provided by housing associations and development corporations.

87.—(1) The like contribution, if any, shall be payable by the Secretary of State in respect of housing accommodation provided by a housing association under arrangements made under section eighty of this Act as would be payable if the housing accommodation had been provided by the local authority, and shall be paid by the Secretary of State to the authority, who shall pay to the association by way of annual grant an amount not less than the contribution :

Provided that—

- (a) if the Secretary of State is satisfied that the association have made default in giving effect to the terms of any arrangements so made, he may reduce the amount of any contribution payable to the local authority under this subsection, or suspend or discontinue the payment thereof, as he thinks just ; and
- (b) if the Secretary of State reduces, or suspends or discontinues the payment of, the contribution, the local authority may reduce to a proportionate or any less extent the annual grant payable by them to the association, or may suspend the payment thereof for a corresponding period, or may discontinue the payment thereof, as the case may be.

(2) Where a house which has been provided by a housing association under arrangements made with a local authority under section eighty of this Act becomes vested in that authority—

- (a) no further sums shall, after the time of the vesting, become payable by the Secretary of State or by the authority in respect of the house under subsection (1) of this section ; but
- (b) the Secretary of State may, if he thinks fit, pay to the authority sums equivalent to any contributions which would, after the said time, have become payable to the authority in respect of the house under the said subsection (1) if all conditions precedent to the payment of that contribution had been at all material times observed.

(3) For the purposes of this Part of this Act, the Secretary of State may approve any housing accommodation provided by a development corporation otherwise than in pursuance of arrangements made under section eighty of this Act as if it

were housing accommodation provided by a local authority, and in respect of any housing accommodation so approved may, if he thinks fit, pay to the corporation sums not exceeding the annual Exchequer contributions which would be payable under the three last foregoing sections of this Act if the housing accommodation had been provided by a local authority; and where additional contributions would be payable under subsection (3) or subsection (4) of section eighty-four of this Act if the housing accommodation had been provided by a local authority being the town council of a large burgh, sums not exceeding those additional contributions shall also be payable under this subsection to the corporation.

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—cont.

(4) Where in pursuance of an agreement or order made under the New Towns Act, 1946, housing accommodation provided by a development corporation, being housing accommodation in respect of which sums are for the time being payable under the last foregoing subsection, is transferred to a local authority, then—

- (a) no further sums shall, after the time of the transfer, be payable under the said subsection; but
- (b) the Secretary of State may, if he thinks fit, pay to the authority sums not exceeding the sums which would, after that time, have become payable by him in respect of the housing accommodation if it had not been so transferred.

88.—(1) Where, on an application made to him by a local authority with respect to a house which the authority have provided or intend to provide, the Secretary of State is satisfied that the cost of providing the house has been or will be substantially enhanced by expenses attributable to measures taken with his consent by the authority in the construction of the house (whether by the use of stone or other special material or otherwise howsoever) in order to preserve the character of the surroundings, then, if the house is or becomes one in respect of which an annual Exchequer contribution is payable under this Part of this Act, the Secretary of State may, if he thinks fit, undertake to make, and make, in respect of the house, in addition to the appropriate annual contribution under section eighty-four or section eighty-five of this Act, payment to the local authority for a period of sixty years of an annual contribution of such amount not exceeding five pounds as he may determine.

Additional
Exchequer
contribution
for houses
constructed
to preserve
character of
surroundings.

(2) This section shall not apply to a house completed before the thirtieth day of July, nineteen hundred and forty-nine.

89.—(1) In respect of a new building provided, or a building converted, by a local authority or a development corporation for use as a hostel, being a building approved for the purposes

Exchequer
contribution
for hostels.

PART VI
—cont.

of this subsection by the Secretary of State, the Secretary of State shall make to the authority or corporation a contribution—

- (a) payable annually for such number of financial years, not exceeding sixty, as he may determine, being years beginning with the year in which the building was, or, as the case may be, the works of conversion were, completed ;
- (b) of such amount, not exceeding the sum produced by multiplying seven pounds by the number of bedrooms contained in the building, as he may determine having regard to the standard of construction and amenity of the building.

(2) The like contribution, if any, shall be payable in respect of a building which, under arrangements made under section eighty of this Act by a local authority with a housing association or a development corporation, has been provided or converted by that association or corporation for use as a hostel as would be payable if the building had been provided or converted by the local authority for such use, and shall be paid by the Secretary of State to the authority, who shall pay to the association or corporation by way of annual grant an amount not less than the contribution :

Provided that—

- (a) if the Secretary of State is satisfied that the association or the corporation have made default in giving effect to the terms of the arrangements so made, he may reduce the amount of any contribution payable to the local authority under this subsection, or suspend or discontinue the payment thereof, as he thinks just ; and
- (b) if the Secretary of State reduces, or suspends or discontinues the payment of, the contribution, the local authority may reduce to a proportionate or any less extent the annual grant payable by them to the association or corporation, or may suspend the payment thereof for a corresponding period, or may discontinue the payment thereof, as the case may be.

(3) Where, in pursuance of an agreement or order made under the New Towns Act, 1946, a building provided or converted by a development corporation for use as a hostel, being a building in respect of which a contribution is for the time being payable under subsection (1) or (2) of this section, is transferred to a local authority, then—

- (a) no further sums shall, after the time of the transfer, be payable under the said subsection (1) or the said subsection (2), as the case may be ; but

(b) the Secretary of State may, if he thinks fit, pay to the authority sums not exceeding any sums which would, after that time, have become payable by him under the said subsection (1) or the said subsection (2), as the case may be, in respect of the building if all conditions precedent to the payment of the sums had been fulfilled.

(4) Where a building which, under arrangements made by a local authority under section eighty of this Act, has been provided or converted by a housing association for use as a hostel becomes vested in the local authority, and at the time of the vesting the building is one in respect of which a contribution is payable under subsection (2) of this section, then—

(a) no further sums shall, after the time of the vesting, be payable under that subsection ; but

(b) the Secretary of State may, if he thinks fit, pay to the authority sums not exceeding any sums which would, after that time, have become payable by him under that subsection in respect of the building if all conditions precedent to the payment of the sums had been fulfilled.

(5) A building approved for the purposes of subsection (1) of this section shall not be included amongst the buildings an account of the income and expenditure of a local authority in respect whereof the authority are required by section one hundred and thirty-seven of this Act to keep:

Provided that if at any time the Secretary of State is satisfied that the building has ceased to be used as a hostel he may direct that it shall be so included.

(6) This section shall not apply to a new building completed or a building converted before the thirtieth day of July, nineteen hundred and forty-nine, or to any premises provided for the purpose of Part III of the National Assistance Act, 1948, by a local authority or to any housing accommodation for single persons in a hostel to which subsection (7) of section eighty-four of this Act applies.

(7) In this section the expression “hostel” means a building wherein is provided, for persons generally or for any class or classes of persons, residential accommodation (otherwise than in separate and self-contained dwellings) and board.

90. Where—

(a) the Secretary of State is satisfied on an application made to him by a local authority or by the Scottish Special Housing Association or by a development corporation

Exchequer
contribution
for building
experiments

PART VI
—cont.

with respect to a house which they have provided that the cost of providing the house has been substantially enhanced by reason of either or both of the following matters, namely,—

(i) that, with his consent, the house has been constructed in whole or in part by an experimental method ;

(ii) that, with his consent, materials have, for the purposes of experiment, been used in the construction of the house or equipment or fittings have, for those purposes, been installed in the house in the course of the construction thereof ; or

(b) with the consent of the Secretary of State, expense is incurred by a local authority or by the Scottish Special Housing Association or by a development corporation in incorporating or installing in a house, otherwise than in the course of the construction thereof, materials, equipment or fittings for the purposes of experiment ;

then, subject to such conditions (if any) as the Treasury may determine, the Secretary of State may make to the authority or the Association or the corporation a contribution of such amount and payable in such manner as he may determine.

Contributions
in respect of
certain houses
provided by
local
authorities
since 1940.

91.—(1) The provisions of this section shall have effect in relation to any house or accommodation deemed to be a new house which—

(a) is provided by a local authority in accordance with proposals approved by the Secretary of State on or after the first day of January, nineteen hundred and forty, for the purposes of section one of the Housing (Agricultural Population) (Scotland) Act, 1938, or of section one of the Housing (Financial Provisions) (Scotland) Act, 1938 ; and

(b) is not a house or accommodation in respect of which contributions are payable under section eighty-four, eighty-five or eighty-six of this Act.

(2) If the Secretary of State, with the consent of the Treasury, so determines, there shall, subject to the provisions of this section, be payable in respect of any such house or accommodation the like annual Exchequer contributions and the like annual contributions by the local authority as would have been payable if the house or accommodation had been approved by him for the purposes of this Part of this Act and had been completed after the seventh day of March, nineteen hundred and forty-four.

(3) Where contributions are payable in respect of a house or accommodation under the last preceding subsection, the Secretary of State shall have power to give such directions for all or any of the following purposes as he thinks appropriate having regard to the circumstances, and, in particular, having regard to the cost of the house or accommodation and to any payments which have been made in respect thereof out of moneys provided by Parliament—

- (a) for reducing the amount of any such contribution ;
- (b) for reducing the number of such contributions ;
- (c) for altering the period in respect of which any such contribution is payable.

(4) No contributions shall, after the commencement of this Act, be paid under the Housing (Agricultural Population) (Scotland) Act, 1938, or under the Housing (Financial Provisions) (Scotland) Act, 1938, in respect of any house or accommodation in respect of which the Secretary of State has determined that contributions are to be paid under this section.

92.—(1) Where a local authority have (whether before or after the commencement of this Act), for the purpose of discharging any of their duties under Part III of the Housing (Scotland) Act, 1925, or Part V of this Act, acquired the right to use any government war buildings, and the Secretary of State has approved for the purposes of section eight of the Housing (Financial Provisions) (Scotland) Act, 1946, or of this section arrangements made by the authority for using those buildings, whether with or without alterations, for providing temporary housing accommodation, then—

Contributions
in respect of
temporary
housing accom-
modation
provided in
certain war
buildings.

- (a) if the Secretary of State estimates that the authority will incur a loss in any year in respect of the provision of housing accommodation in pursuance of the arrangements, he shall make to the authority a contribution for that year of a sum equivalent to the estimated loss ; and
- (b) if the Secretary of State estimates that the authority will make a profit in any year in respect of the provision of housing accommodation in pursuance of the arrangements, the authority shall pay to him in respect of that year a sum equivalent to the estimated profit.

(2) For the purposes of any such estimate there shall be deemed to accrue to a local authority, in respect of each house provided by the authority in pursuance of any such arrangements as aforesaid, in addition to any other income accruing from the house—

- (a) where the authority are the council of a county in which the density of the population does not exceed

PART VI
—cont.

one hundred per square mile, or are the council of a burgh of which the population does not exceed two thousand, the sum of six pounds a year; and

(b) in any other case, the sum of eight pounds a year.

(3) Where any buildings are demolished by a local authority upon ceasing to be used for the purpose of providing housing accommodation in pursuance of such arrangements as aforesaid, then—

(a) the Secretary of State shall pay to the authority the cost of demolition; and

(b) any sums realised by the authority by the disposal of materials derived from the demolished buildings shall be paid by the authority to the Secretary of State.

(4) Any sums paid to the Secretary of State under this section shall be paid into the Exchequer.

(5) In this section the expression “government war building” means any building which constitutes government war works as defined by section fifty-nine of the Requisitioned Land and War Works Act, 1945, and the expression “alterations” includes adaptations, enlargements and improvements.

Grants to
Scottish
Special
Housing
Association.

93.—(1) With a view to increasing the provision of houses in districts where the need for houses is greatest, the Secretary of State may, with the consent of the Treasury, make to the Scottish Special Housing Association (being the association approved for the purposes of section two of the Housing (Financial Provisions) (Scotland) Act, 1938) payments in respect of such number of houses provided by the Association in such districts as he may determine.

(2) A payment under the foregoing subsection shall consist in respect of any house completed after the seventh day of March, nineteen hundred and forty-four, of an annual contribution for a period of sixty years equivalent to the sum of the annual contributions which would have been payable in any year under sections eighty-four, eighty-six, ninety-seven, and subsection (1) of section ninety-nine, and (in the case of a house completed on or after the thirtieth day of July, nineteen hundred and forty-nine) section eighty-eight and subsection (2) of section ninety-nine of this Act, if the house had been a house provided by a local authority to which those sections applied.

(3) Where the Secretary of State is satisfied that the total net annual expenditure calculated in accordance with rules made by

the Secretary of State and necessarily incurred by the Association in respect of houses provided under this section is greater than the payments in respect thereof under subsection (2) of this section, the Secretary of State may, with the approval of the Treasury, make such further contribution to the Association as he may determine.

PART VI
—cont.

94.—(1) The Secretary of State may make advances to the Scottish Special Housing Association—

Advances to
the Scottish
Special
Housing
Association.

(a) for the purpose of enabling or assisting the provision by the Association of houses under the last foregoing section ; or

(b) where he has, after consultation with, or on the application of, a local authority, made arrangements with the Association for the execution by them on behalf of the local authority of work for the provision of any housing accommodation which the local authority are empowered under Part V of this Act to provide ;

and advances so made shall be of such amounts and repayable over such periods and on such terms as may be approved by the Treasury.

(2) The Treasury may issue to the Secretary of State out of the Consolidated Fund or the growing produce thereof such sums as are necessary to enable the Secretary of State to make advances under subsection (1) of this section.

(3) For the purpose of providing the sums to be issued under subsection (2) of this section, the Treasury may at any time, if they think fit, raise money in any manner in which they are authorised to raise money under the National Loans Act, 1939 ; and any securities created and issued to raise money under this subsection shall be deemed for all purposes to have been created and issued under that Act.

(4) The Secretary of State shall pay into the Exchequer any sums received by him from the Association by way of interest on or repayment of the sums advanced by him under subsection (1) of this section.

(5) Of any sums received into the Exchequer under subsection (4) of this section, so much as represents interest on the advances shall be issued out of the Consolidated Fund and applied in payment of an equivalent amount of interest which would, but for this provision, have been paid out of the permanent annual charge for the National Debt ; and so much as represents repayment of the advances shall be issued out of the Consolidated

PART VI
—*cont.*

Fund and applied in redeeming or paying off debt of such description as the Treasury think fit.

Transitional provisions relating to contributions.

95.—(1) After the commencement of this Act no contribution shall be payable under section one of the Housing (Agricultural Population) (Scotland) Act, 1938, or section one of the Housing (Financial Provisions) (Scotland) Act, 1938, in respect of a new house or any accommodation deemed to be a new house completed after the seventh day of March, nineteen hundred and forty-four.

(2) Where in accordance with proposals approved by the Secretary of State for the purposes of section one of the Housing (Agricultural Population) (Scotland) Act, 1938, or of section one of the Housing (Financial Provisions) (Scotland) Act, 1938, a house or any accommodation deemed to be a new house has been completed after the seventh day of March, nineteen hundred and forty-four, then—

- (a) this Act shall, for the purposes of the payment of contributions in respect of the house or accommodation, be deemed to have come into operation immediately before the completion of the house or accommodation ;
- (b) if the house has been provided for the agricultural population it shall be deemed to have been approved by the Secretary of State for the purposes of section eighty-five of this Act, and in any other case the house or accommodation shall be deemed to have been approved for the purposes of section eighty-four of this Act ; and
- (c) any sums which have before the commencement of this Act been paid out of moneys provided by Parliament in respect of the house or accommodation on account of contributions under either of the said Acts of 1938 or otherwise shall be applied in or towards the satisfaction of any contributions which become payable in respect of the house or accommodation by virtue of this Part of this Act.

Modification of Acts of 1919 and 1923 as to certain Exchequer contributions.

96. The provisions of the Seventh Schedule to this Act shall have effect for the purpose of determining the amount of the following contributions which the Secretary of State is required or authorised to make to a local authority, that is to say,—

- (a) contributions payable under section five of the Housing, Town Planning, &c. (Scotland) Act, 1919, other than contributions in respect of schemes for the provision of houses for persons in the employment of, or paid by, a local authority ; and
- (b) contributions payable under subsection (3) of section one of the Housing, &c. Act, 1923.

*Local authorities' contributions*PART VI
—cont.

97.—(1) A local authority to whom the Secretary of State has, under section eighty-four of this Act, undertaken to make a contribution in respect of any house or any accommodation which is deemed for the purposes of that section to be a new house shall make in respect thereof an annual contribution for a period of sixty years from the date of the completion of the house or accommodation.

Local authorities' contributions in respect of housing accommodation provided by them.

(2) An annual contribution under this section shall be—

- (a) in respect of a house of three apartments, the sum of six pounds ten shillings ;
- (b) in respect of a house of four apartments, the sum of seven pounds ; and
- (c) in respect of a house of five apartments, the sum of seven pounds ten shillings ;

together with in every case an additional sum equal to one-half of any additional contributions which the Secretary of State has undertaken to make under subsection (3) and subsection (4) of the said section eighty-four ; and

- (d) in respect of accommodation deemed to be a new house in respect of which the Secretary of State has undertaken to make a contribution under subsection (7) of the said section eighty-four, the sum of five pounds.

98. A local authority to whom the Secretary of State has, under section eighty-five of this Act, undertaken to make a contribution in respect of any house shall make in respect thereof an annual contribution of six pounds ten shillings for a period of sixty years from the date of the completion of the house.

Local authorities' contributions in respect of housing accommodation provided by them for agricultural population.

99.—(1) A local authority to whom the Secretary of State has, under section eighty-six of this Act, undertaken to make a contribution in respect of a house or accommodation deemed to be a new house, the cost of which has been or will be substantially enhanced by expenditure on acquiring rights of support or on measures against subsidence, shall make, in addition to the contribution payable by them under section ninety-seven or section ninety-eight of this Act, an annual contribution for the period of sixty years of an amount equal to one-half of the contribution which the Secretary of State has undertaken as aforesaid to make.

Local authorities' contributions in respect of expenditure incurred in securing rights of support, etc., or in special construction.

(2) A local authority to whom the Secretary of State has, under section eighty-eight of this Act, undertaken to make a contribution in respect of a house, the cost of which has been or

PART VI
—cont.

will be substantially enhanced by expenditure in the construction in order to preserve the character of the surroundings, shall make, in addition to the contribution payable by them under section ninety-seven or section ninety-eight of this Act, an annual contribution for the period of sixty years of an amount equal to one-half of the contribution which the Secretary of State has undertaken as aforesaid to make.

*Local authority schemes for assisting replacement of
unsatisfactory houses occupied by agricultural
workers and others*

Schemes for
replacing
unsatisfactory
houses.

100.—(1) A local authority may, and if so required by the Secretary of State shall, submit to the Secretary of State a scheme or schemes for assisting the provision of housing accommodation in new houses in replacement of—

(a) houses or other premises which, being unfit for human habitation and not capable at a reasonable expense of being rendered so fit, are to be demolished or closed under Part II of this Act, and which come within any of the following descriptions, that is to say:—

(i) houses, bothies or chaumers or similar premises situated on a farm and occupied in accordance with their contracts of service by agricultural workers employed thereon;

(ii) houses occupied by persons who, being owner occupiers of farms which either do not exceed fifty acres in area or are entered in the valuation roll at a gross annual value not exceeding fifty pounds, are of substantially the same economic condition as agricultural workers;

(iii) houses occupied by statutory small tenants;

(iv) houses occupied by landholders;

(v) houses in the Highlands and Islands occupied by members of the agricultural population who are of substantially the same economic condition as landholders;

(b) houses, bothies or chaumers or similar premises situated on a farm and occupied in accordance with their contracts of service by agricultural workers employed thereon, which are not in all respects fit for human habitation or are overcrowded, and which by the execution of the works of reconstruction hereinafter mentioned will be combined with adjoining occupied houses or premises and will cease to be occupied as separate houses or premises;

and on approval by the Secretary of State of any scheme so submitted, a local authority may in accordance therewith give assistance in the manner hereinafter provided.

(2) Assistance under this section in pursuance of an application made to a local authority on or after the sixth day of June, nineteen hundred and forty-six, shall be given by way of payment on the completion of the house of a lump sum not exceeding either—

- (a) one half of the cost of the house ; or
- (b) two hundred and forty pounds in the case of a house containing three apartments, or three hundred pounds in the case of a house containing more than three apartments.

For the purpose of this subsection, the reasonable cost of obtaining a title to land on which there is to be erected a house in replacement of any house such as is mentioned in sub-paragraph (v) of paragraph (a) of subsection (1) of this section shall be deemed to form part of the cost of the house.

Where assistance is given under this section in pursuance of an application made to a local authority before the said sixth day of June, this subsection shall have effect with the substitution for the sums of two hundred and forty pounds and three hundred pounds of the sums of one hundred and sixty pounds and two hundred pounds respectively.

(3) No assistance under this section shall be given in respect of any house unless—

- (a) the application for assistance is made to the local authority before the thirteenth day of July, nineteen hundred and fifty-three ;
- (b) the house contains at least three apartments of superficial areas not less than such areas as may be specified in the scheme of assistance ;
- (c) the house contains a watercloset, a scullery with a sink and drainage therefor, a fixed bath in a bathroom and such other conveniences as may be specified in the scheme of assistance :

Provided that, where it is not reasonably practicable to provide a watercloset, the local authority may, with the approval of the Secretary of State, and subject to such conditions as he may impose, dispense with the provision thereof.

(4) Without prejudice to the provisions of the last foregoing subsection, no assistance under this section shall be given in respect of the replacement of any house or other premises such as are mentioned—

- (a) in paragraph (a) of subsection (1) of this section, unless such action has been taken under Part II of this Act as will secure that the house or premises will be demolished on the completion of the house provided in replacement thereof or will not thereafter be used for human habitation ;

PART VI
—cont.

- (b) in paragraph (b) of the said subsection (1), unless the local authority are satisfied that such works of reconstruction will be executed, in accordance with plans approved by them, as will combine the house or premises with an adjoining occupied house or premises and will convert both houses or premises into a single house in all respects fit for human habitation and containing, unless the local authority with the approval of the Secretary of State otherwise permit, at least three apartments of such superficial areas as may be specified in the scheme of assistance, a scullery with a sink and drainage therefor, a fixed bath in a bathroom and such other conveniences as may be specified in the said scheme and where reasonably practicable a water-closet ;
- (c) in sub-paragraph (i) of paragraph (a), or in paragraph (b), of the said subsection (1), unless the house provided in replacement is required for the accommodation of an agricultural worker employed on the farm and accommodation suitable to the requirements of the worker and of his employment is not available in the locality and it is not practicable for the local authority to provide such accommodation under a scheme for the provision of housing accommodation for the agricultural population of the locality.
- (5) The rules contained in the Ninth Schedule to this Act shall apply with respect to applications for, and the giving of, assistance under this section.
- (6) Where assistance is given under this section in respect of the replacement of a house or premises and an undertaking has been given that the house or premises will not be used for human habitation or a closing order has been made with respect thereto, then, notwithstanding anything in Part II of this Act, it shall not be competent for such undertaking to be cancelled or for such closing order to be determined.
- (7) A local authority may in any case refuse to give assistance under this section on any grounds which seem to them sufficient.
- (8) No assistance shall be given under this section in respect of any house in respect of which a grant has been made under section seventy-seven of the Agriculture (Scotland) Act, 1948.
- (9) Subject to the provisions of any amending scheme made after the commencement of this Act by a local authority with the approval of the Secretary of State, so much of any scheme in force at the commencement of this Act under section four of the Housing (Agricultural Population) (Scotland) Act, 1938, as specifies the date before which applications for assistance must be received by the local authority, and any reference in any such scheme to the maximum amount of any assistance which

may be given thereunder, shall have effect subject to such modifications as may be required in order to give effect to the provisions of subsection (2) and of paragraph (a) of subsection (3) of this section.

PART VI
—cont.

101.—(1) The conditions specified in this section shall, in so far as they apply to any house and subject as hereinafter provided, apply in relation to the house for a period of forty years from the date of its completion and shall, so long as they continue to have effect, be deemed to be part of the terms of any lease or tenancy of the house granted by the owner thereof, and shall be enforceable accordingly.

Conditions applying to houses in respect of which assistance has been given under s. 100.

(2) It shall be a condition applicable in relation to every house in respect of which assistance has been given under section one hundred of this Act—

- (a) that the house shall during the said period of forty years be so maintained as to be in all respects fit for human habitation ; and
- (b) that the owner of the house shall from time to time, on being so required by the local authority, furnish to the authority a certificate to the effect that the conditions applicable in relation to the house are being complied with, and any tenant of the house shall, on being so required in writing by the owner, furnish to him such information as he may reasonably require for the purpose of enabling him to comply with this condition.

(3) It shall also be a condition applicable in relation to any house in respect of which assistance has been so given as being a house provided in replacement of any house or other premises such as are mentioned in—

- (a) sub-paragraph (i) of paragraph (a), or paragraph (b), of subsection (1) of the said section one hundred, that if at any time within the said period of forty years it is not required for the accommodation of an agricultural worker employed by the person who pays occupier's rates in respect thereof, it shall not be let otherwise than to a member of the agricultural population and at such rent as the local authority may approve ;
- (b) sub-paragraphs (ii) and (iii) of paragraph (a) of the said subsection (1), that if at any time within the said period of forty years it is not required for the accommodation of the person working the farm or holding on which it is situated, it shall not be let otherwise than to a member of the agricultural population and at such rent as the local authority may approve ;

PART VI
—cont.

- (c) sub-paragraph (iv) of paragraph (a) of the said sub-section (1), that if at any time within the said period of forty years the holding on which it is situated ceases to be subject to the provisions of the Small Landholders (Scotland) Acts, 1886 to 1931, the house shall not be let otherwise than to a member of the agricultural population and at such rent as the local authority may approve ;
- (d) sub-paragraph (v) of paragraph (a) of the said sub-section (1), that it shall not at any time within the said period of forty years be let otherwise than to a member of the agricultural population and at such rent as the local authority may approve.

(4) In the event of a breach of any of the conditions which apply by virtue of this section in relation to any house in respect of which assistance has been given, the owner for the time being of the house shall forthwith become liable to repay to the local authority a sum bearing the same proportion to the sum paid by way of assistance as the period between the date when the said breach occurred and the expiration of the period of forty years during which the condition is applicable bears to the said period of forty years, together with compound interest thereon as from the date on which assistance was given, calculated at the prescribed rate and with yearly rests ; and on repayment being so made the conditions aforesaid shall cease to apply in relation to the house :

Provided that, if the local authority in any such case are satisfied that the breach was not due to the act, default or connivance of the owner, the authority may, with the consent of the Secretary of State and subject to such conditions, if any, as the Secretary of State may approve, waive the liability of the owner to make repayment under the foregoing provision, and in the case of a continuing breach may, with the like consent and subject to such conditions as aforesaid, suspend the enforcement of that liability for such period as appears to them to be necessary for enabling the owner to remedy the breach.

**Right of
owners
to repay
assistance
given under
s. 100.**

102. The owner of a house in respect of which assistance has been given under section one hundred of this Act may at any time within the period of forty years during which conditions apply by virtue of the last foregoing section in relation to the house pay to the local authority a sum bearing the same proportion to the sum paid by way of assistance as the period between the date on which such payment is made and the expiration of the said period of forty years bears to the said period of forty years, together with compound interest thereon as from the date on which assistance was given, calculated at the prescribed rate and with yearly rests, and thereupon the conditions aforesaid shall cease to apply in relation to the house.

103.—(1) Where under section one hundred of this Act assistance is given to a landholder or a statutory small tenant in respect of a house on his holding, the local authority shall forthwith intimate to the landlord of the holding that assistance has been so given and shall inform him of the amount thereof.

PART VI
—cont.
Provisions
supplementary
to ss. 100 to
102.

(2) If at any time within the period of forty years during which conditions apply by virtue of section one hundred and one of this Act in relation to a house provided on a farm or holding otherwise than by the landlord thereof compensation becomes payable in respect of the house as for an improvement under the Agricultural Holdings (Scotland) Act, 1949, or the Small Landholders (Scotland) Acts, 1886 to 1931, so much of the value of the house as is attributable to the sum paid by way of assistance under section one hundred of this Act shall be taken into account in assessing the compensation so payable and shall be deducted therefrom.

(3) The landlord of a farm or a holding on which there is a house in relation to which conditions apply by virtue of section one hundred and one of this Act shall not at any time within the period during which the conditions apply be entitled to obtain any consideration by way of rent or otherwise in respect of so much of the value of the house as is attributable to the sum paid by way of assistance under section one hundred of this Act.

(4) A tenant, landholder or statutory small tenant shall for the purposes of sections one hundred to one hundred and two of this Act be deemed to be the owner of any house on his farm or holding in respect of which he would, on the termination of his tenancy, be entitled to compensation under the Agricultural Holdings (Scotland) Act, 1949, or the Small Landholders (Scotland) Acts, 1886 to 1931, as for an improvement.

(5) In sections one hundred and one and one hundred and two of this Act the expression “prescribed rate” means such rate as may be prescribed by the Secretary of State with the approval of the Treasury.

104.—(1) The Secretary of State shall, subject to the provisions of this Act, make or undertake to make contributions towards any expenses incurred by a local authority in giving assistance under section one hundred of this Act.

Exchequer
contributions
to expenses
of local
authorities
under schemes
of assistance.

(2) Any such contributions shall be made by way of annual payments for a period of forty years from the completion of the house in respect of which assistance is given, and shall be of an amount equal—

(a) in any case where assistance is given in respect of a house provided in replacement of any such house as is mentioned in sub-paragraphs (ii), (iii), (iv) or (v) of

PART VI
—cont.

paragraph (a) of subsection (1) of section one hundred of this Act which is situated in the Highlands and Islands, to seven-eighths, and

(b) in any other case in which assistance is given under the said section, to three-quarters,

of the estimated average annual payments falling to be made by the local authority in respect of the charges on account of loans raised by them for the purposes of payments made under the said section, or which would have fallen to be made if the sums so expended by them had been raised by means of loans.

(3) In the event of a breach of any condition applicable by virtue of section one hundred and one of this Act in relation to a house, the local authority shall be liable to repay to the Secretary of State in respect of each payment already made by him a sum bearing the same proportion to the amount of the payment as the sum (excluding interest) repayable to the local authority by the owner of the house under subsection (4) of that section bears to the sum paid by them by way of assistance, together with compound interest thereon as from the date on which the payment was made, calculated at such rate as may be prescribed by the Secretary of State with the approval of the Treasury and with yearly rests:

Provided that—

(a) the provisions of this subsection shall not apply if the liability of the owner to make repayment in respect of the breach of the condition has been duly waived in accordance with the provisions of the said subsection (4), or if and so long as the enforcement of that liability is duly suspended in accordance with those provisions; and

(b) if the local authority show to the satisfaction of the Secretary of State that, notwithstanding that they have taken all practicable steps for the purpose, they have been unable to recover the whole or some part of any sum repayable to them by reason of the breach of the condition, the Secretary of State may remit the repayment of the whole or any part of the sum repayable to him under this subsection.

(4) Where under section one hundred and two of this Act any sum is repaid to the local authority in respect of any house, the local authority shall be liable to repay to the Secretary of State in respect of each payment already made by him a sum bearing the same proportion to the amount of the payment as the sum (excluding interest) repaid to the local authority bears to the sum paid by them by way of assistance, together with interest as aforesaid.

(5) Where a house the provision of which has been assisted by a local authority under section one hundred of this Act becomes vested in that authority—

PART VI
—cont.

- (a) no further contribution shall after the time of the vesting become payable by the Secretary of State in respect of the house under this section ; but
- (b) whether the conditions which by virtue of section one hundred and one of this Act apply in relation to the house are observed or not, the Secretary of State may, if he thinks fit, pay to the authority a sum equivalent to any contribution which would, after the said time, have become payable by him to the authority in respect of the house if all conditions precedent to the payment of that contribution had been at all material times observed.

PART VII

FINANCIAL PROVISIONS IN RESPECT OF IMPROVEMENT OF HOUSING ACCOMMODATION

Exchequer contributions for improvement of housing accommodation by local authorities

105.—(1) The Secretary of State may approve proposals (hereafter in this Part of this Act referred to as “improvement proposals”) submitted to him by a local authority for—

(a) the provision of dwellings by the authority by means of the conversion of houses or other buildings ;

(b) the improvement of dwellings by the authority ;

and may, subject to and in accordance with the provisions of this Part of this Act, make contributions towards the annual loss likely to be incurred by a local authority as a result of giving effect to approved improvement proposals.

Exchequer contributions towards losses incurred by local authorities in improving housing accommodation.

(2) Before approving any improvement proposals the Secretary of State shall satisfy himself as to the following requirements, that is to say,—

- (a) that, as respects dwellings to be provided in accordance with the proposals, the dwellings will provide satisfactory housing accommodation for a period of not less than thirty years from the completion of the works necessary for the conversion of the buildings in question, and, as respects dwellings to be improved in accordance with the proposals, that the dwellings as so improved will provide such accommodation for a period of not less than thirty years from the completion of the improvements ; and
- (b) that all such dwellings as aforesaid will conform with such requirements with respect to their construction

PART VII
—cont.

and physical condition, and the provision of services and amenities, as may be specified for the purposes of this section by the Secretary of State:

Provided that—

- (i) if in relation to all or any of the said dwellings the Secretary of State is of opinion that the period mentioned in paragraph (a) of this subsection is likely to be less than thirty years, he may, notwithstanding that fact, approve the proposals if he considers it expedient in all the circumstances to do so and if he is satisfied that the said period is likely to be more than ten years; and
- (ii) if in relation to all or any of the said dwellings the Secretary of State is not satisfied that the dwellings or dwelling will conform with a particular requirement specified under paragraph (b) of this subsection, he may, notwithstanding that fact, approve the proposals if he is satisfied that, in all the circumstances of the case, conformity with that requirement would be not practicable at a reasonable expense.

Nature and
amounts of
contributions.

106.—(1) A contribution under the last foregoing section towards the annual loss likely to be incurred by a local authority as a result of giving effect to approved improvement proposals shall be a sum equal to three-quarters of that loss, payable annually for the period of twenty financial years beginning with the year in which the carrying out of the proposals was completed.

(2) The foregoing subsection shall in relation to a local authority for any area in the Highlands and Islands have effect with the substitution for the words “three-quarters” of the words “seven-eighths”.

Determination
of annual loss.

107.—(1) For the purposes of this Part of this Act the amount of the annual loss likely to be incurred by a local authority as a result of giving effect to approved improvement proposals shall be determined by the Secretary of State.

(2) For the purpose of a determination under the foregoing subsection regard shall be had to expense proposed to be incurred by the local authority in acquiring interests in land for the purpose of giving effect to the proposals, the estimated cost of executing works of conversion or improvement in accordance with the proposals, the annual income which, if effect were not given to the proposals, might reasonably be expected to accrue to the authority from interests owned by them in buildings proposed to be converted or dwellings proposed to be improved, and the annual income which may reasonably be expected to

accrue to the authority from the dwellings provided or improved as a result of giving effect to the proposals, and to any other matter which appears to the Secretary of State to be relevant.

PART VII
—cont.

(3) It shall be the duty of a local authority by whom improvement proposals are submitted to the Secretary of State to furnish to him such estimates and such particulars with respect to the proposals as he may require for the purposes of this section.

108. A local authority by whom dwellings have been provided or improved in accordance with approved improvement proposals shall make, for each financial year for which a contribution is payable under section one hundred and five of this Act by the Secretary of State towards the annual loss likely to be incurred by the authority as a result of giving effect to those proposals, a contribution equal to the difference between the amount of that loss and the amount of the contribution payable as aforesaid by the Secretary of State.

Local
authorities'
contributions.

109.—(1) It shall be the duty of every local authority within three months or such other period as the Secretary of State may specify after receipt by them of a notice by the Secretary of State requiring them so to do to prepare and submit to him such particulars as may be specified in the notice of houses and other buildings to be included in improvement proposals under section one hundred and five of this Act.

Duty of local
authority
to submit
particulars of
properties to be
included in
improvement
proposals.

(2) A notice given under the foregoing subsection may relate to the whole or to one or more parts of the local authority's district.

(3) It shall be the duty of a local authority by whom particulars have been submitted in pursuance of a notice given under subsection (1) of this section to prepare and submit to the Secretary of State, within three months after being required by him so to do, improvement proposals relating to any or all of the houses or buildings specified in the said notice.

*Exchequer contributions for improvement of housing
accommodation by development corporations*

110. The Secretary of State may approve any proposals for the provision or improvement of dwellings submitted to him by a development corporation which he would have power to approve under the foregoing provisions of this Part of this Act if they were submitted to him by a local authority, and the like contribution shall be made by the Secretary of State to a development corporation towards the annual loss likely to be incurred by the corporation as a result of giving effect to proposals approved under this section as would have been made by him had the proposals been submitted by a local authority.

Exchequer
contributions
towards losses
incurred by
development
corporations
in improving
housing accom-
modation.

Y*

PART VII
—cont.

Grants to persons other than local authorities for improvement of housing accommodation.

Grants by local authorities for improvement of housing accommodation by persons other than local authorities

111.—(1) Subject to the provisions of this Part of this Act, a local authority may give assistance in respect of—

(a) the provision of dwellings by a person other than the authority by means of the conversion of houses or other buildings ;

(b) the improvement of dwellings by such a person ;

by way of making a grant (hereafter in this Part of this Act referred to as an “improvement grant”) in respect of expenses incurred for the purpose of the execution of the works of conversion or improvement (hereafter in this Part of this Act referred to as “improvement works”) if, before the improvement works are begun, an application in that behalf is made to the authority by that person (hereafter in this Part of this Act referred to as “the applicant”) and approved by them.

(2) An application under this section for an improvement grant must contain full particulars of the improvement works proposed to be carried out and of the land on which those works are proposed to be carried out, together with plans and specifications of the works and an estimate of the expenses to be incurred for the purposes of the execution thereof, and, where the application relates to the provision or improvement of more than one dwelling, the said estimate must specify the proportion of the estimated expenses that is attributable to each dwelling proposed to be provided or improved.

(3) Before approving an application under this section for an improvement grant the local authority shall satisfy themselves as to the following requirements, that is to say,—

(a) that, as respects dwellings to be provided by means of the improvement works, the dwellings will provide satisfactory housing accommodation for a period of not less than thirty years from the completion of the works, and, as respects dwellings to be improved by means of the improvement works, the dwellings as so improved will provide such accommodation for a period of not less than thirty years from the completion of the works ;

(b) that all such dwellings as aforesaid will conform with such requirements with respect to their construction and physical condition and the provision of services and amenities as may be specified for the purposes of this section by the Secretary of State ;

(c) that the applicant is, in respect of every parcel of land on which improvement works are proposed to be carried out (other than land proposed to be sold or leased to him under subsection (2) of section sixty-five

of this Act), either the owner or the lessee under a lease of which a period of not less than thirty years remains unexpired at the date of the application :

PART VII
—cont.

Provided that—

- (i) if in relation to all or any of the said dwellings the local authority are of opinion that the period mentioned in paragraph (a) of this subsection is likely to be less than thirty years, they may, notwithstanding that fact, approve the application if they consider it expedient in all the circumstances to do so and if they are satisfied that the said period is likely to be more than ten years ; and
- (ii) if in relation to all or any of the said dwellings the local authority are not satisfied that the dwellings or dwelling will conform with a particular requirement specified under paragraph (b) of this subsection, they may, notwithstanding that fact, approve the application if they are satisfied that, in all the circumstances of the case, conformity with that requirement would be not practicable at a reasonable expense.

(4) No application under this section for an improvement grant shall be entertained unless—

- (a) in a case where the application relates only to the provision or improvement of a single dwelling, the amount of the expenses estimated to be incurred for the purposes of the execution of the improvement works ; or
- (b) in any other case, the proportion of those expenses attributable to each dwelling proposed to be provided or improved ;

is neither less than one hundred pounds or such other amount as may for the time being be prescribed nor more than six hundred pounds or such other amount as may for the time being be prescribed :

Provided that where, in a case falling within paragraph (a) of this subsection, the amount of the expenses estimated to be incurred exceeds six hundred pounds or, as the case may be, the maximum amount for the time being prescribed under this subsection or, in a case falling within paragraph (b) of this subsection, all or any of the proportions of those expenses attributable to the several dwellings exceeds that amount, the local authority may, with the consent of the Secretary of State, entertain the application if they are satisfied that, in all the circumstances of the case, there is good reason so to do.

(5) Where a local authority approve an application under this section they shall notify the applicant of the amount approved by them as being the amount of the expenses which,

PART VII
—cont.

in their opinion, are properly ascribable to the execution of the improvement works and, where the application relates to the provision or improvement of more than one dwelling, of the proportion of that amount approved by them as being attributable to each dwelling proposed to be provided or improved.

The said amount is hereafter in this Part of this Act referred to, in relation to improvement works, as the “approved expense” of executing those works, and the proportion of that amount approved under this subsection as being attributable to a dwelling is so referred to, in relation to that dwelling, as the “approved proportion” of the approved expense.

(6) A local authority may in any case refuse to approve an application under this section on any grounds that seem to them sufficient, and shall refuse to approve any such application in respect of any dwelling to be provided or improved by means of improvement works if assistance has been given in respect of that dwelling under any of the following enactments, that is to say—

- (a) paragraph (b) of subsection (1) of section one hundred of this Act ;
- (b) section one of the Hill Farming Act, 1946 ;
- (c) section seventy-seven of the Agriculture (Scotland) Act, 1948.

(7) The Secretary of State may give directions to any local authority or to local authorities generally requiring that any application under this section or all such applications of any class specified in the directions shall not be approved except with the consent of the Secretary of State (which may be granted subject to conditions), and it shall be the duty of any local authority to whom such directions are issued to comply therewith.

Amounts, and
payment, of
improvement
grants.

112.—(1) The amount which may be paid by way of an improvement grant in respect of expenses incurred for the purpose of the execution of any improvement works shall be such fraction of the approved expense of executing those works, not exceeding one-half thereof, as may be determined by the local authority when they approve the application for the grant:

Provided that where—

- (a) the application for the improvement grant could not have been entertained but for the proviso to subsection (4) of the last foregoing section ; and
- (b) the local authority are satisfied that the expense of executing the improvement works was materially enhanced by reason of measures taken to preserve the

architectural or historic interest of the house or building to which the application relates ;

PART VII
—cont.

the amount of the improvement grant may be such fraction of the approved expense of executing the works, in excess of one-half thereof, as may, with the consent of the Secretary of State, be determined as aforesaid.

(2) An improvement grant in respect of expenses incurred for the purpose of the execution of improvement works may be paid either after completion of the works or partly in instalments from time to time as the works progress and as to the balance after the completion of the works :

Provided that where the grant is to be paid partly in instalments, the aggregate of the instalments paid shall not at any time before the completion of the works exceed one-half of the aggregate cost of the works executed up to that time.

(3) The payment of an improvement grant or of an instalment or the balance thereof shall be conditional on the works or, as the case may be, the part of the works which the applicant considers will entitle him to payment of the instalment or balance, being executed to the satisfaction of the local authority.

113. It shall be the duty of a local authority, at the time at which they approve an application under this Part of this Act for an improvement grant in respect of expenses incurred for the purpose of the execution of any improvement works, to fix, for the purposes of this Part of this Act, with respect to—

Duty of local authority to fix rents.

- (a) every dwelling to be provided by means of the works ; and
- (b) every dwelling to be improved by means of the works, being a dwelling which the authority are satisfied has not been let as a dwelling at any time during the period of five years immediately preceding the date of the application ;

the maximum rent that may be paid in respect of the dwelling.

114.—(1) In the case of a dwelling in respect of the provision or improvement of which assistance has been given under section one hundred and eleven of this Act, the following conditions shall, subject to the provisions of this Part of this Act, be observed with respect to the dwelling for a period of twenty years beginning with the day on which in the opinion of the local authority it first becomes fit for occupation after the completion of the improvement works, and shall, so long as they are required to be so observed, be deemed to be part of the terms of any lease or tenancy of the dwelling, and shall be enforceable accordingly :—

Conditions to be observed with respect to dwellings.

- (a) the dwelling shall not be used for purposes other than those of a private dwelling-house ;

PART VII
—cont.

- (b) the dwelling shall not be occupied except by the owner thereof or a tenant ;
- (c) the rent payable by a tenant of the dwelling shall not exceed—

(i) in a case where a maximum rent with respect to the dwelling has been fixed under the last foregoing section, the amount thereof ; or

(ii) in any other case, an amount equal to the aggregate of the rent at which the dwelling was last let before the improvement works were begun and a sum calculated at a rate per annum not exceeding six per cent. of the fraction of the approved expense of executing those works or the approved proportion of that expense (according as the works were for the improvement of a single dwelling or of two or more dwellings) that fell to be borne by the applicant for the improvement grant ;

and no fine, premium or other like sum shall be taken in addition to the rent ;

- (d) the owner of the dwelling shall, on being required so to do by the local authority, certify that the conditions specified in the foregoing paragraphs are being observed with respect to the dwelling, and any tenant of the dwelling shall, on being so required in writing by the owner, furnish to him such information as he may reasonably require for the purpose of enabling him to comply with this condition ;
- (e) all reasonable steps shall be taken to secure the maintenance of the dwelling so as to be in all respects fit for human habitation ;
- (f) in the event of a tenant assigning his interest in, or otherwise parting with the possession of, the dwelling, it shall not be lawful for any person in consideration thereof to make any payment other than rent or for the tenant to receive, directly or indirectly, any such payment.

(2) In the event of a breach of any of the conditions specified in the last foregoing subsection during the period during which they are required by that subsection to be observed with respect to a dwelling, or in the event of the voluntary alienation of a dwelling by the owner thereof during the said period, the following provisions shall have effect :—

- (a) where the improvement works by means of which the dwelling was provided or improved were works only for the provision or improvement of that dwelling, the appropriate proportion of any sums paid by the local authority by way of improvement grant in respect of

the expenses incurred for the purpose of executing those works, together, in the case of each such sum, with compound interest on that proportion thereof as from the date of payment of the sum, calculated at the prescribed rate and with yearly rests, shall, on being demanded by the local authority, forthwith become payable to them by the owner for the time being of the dwelling :

- (b) in any other case, the appropriate proportion of a part of any such sums as aforesaid bearing to the whole thereof the same proportion that the approved proportion of the approved expense of executing the improvement works bears to the whole of the approved expense of executing those works, together, in the case of each part of a sum, with compound interest on the appropriate proportion thereof as from the date of payment of the sum, calculated at the prescribed rate and with yearly rests, shall become payable as aforesaid :

Provided that—

- (i) if the local authority are satisfied that the breach is capable of being remedied, they may, with the consent of the Secretary of State, and subject to such conditions (if any) as he may approve, direct that the operation of the foregoing provisions of this subsection shall, in relation to the breach, be suspended for such period as appears to them to be necessary for enabling the breach to be remedied and, if the breach is remedied within that period, may direct that the said provisions shall not have effect in relation to the breach ; and
- (ii) if the local authority are satisfied that the breach, although not capable of being remedied, was not due to the act, default or connivance of the owner of the dwelling, they may, with the like consent and subject to such conditions as aforesaid, direct that the said provisions shall not have effect in relation to the breach.

In this subsection the expression “ the appropriate proportion ”, in relation to a sum or part of a sum, means a part thereof proportionate to the extent to which the period during which conditions are required by subsection (1) of this section to be observed with respect to the dwelling remains unexpired at the date of the occurrence of the breach of conditions or of the voluntary alienation of the dwelling, as the case may be.

(3) Upon satisfaction of a liability of an owner of a dwelling to make payment under the last foregoing subsection to a local authority, observance, with respect to the dwelling, of the conditions specified in subsection (1) of this section shall cease to be requisite.

PART VII
—cont.

(4) The sheriff within whose jurisdiction is situate any such dwelling as is mentioned in subsection (1) of this section may, on the application of the local authority, whether or not any other relief is claimed, grant an interdict restraining a breach or apprehended breach, in relation to the dwelling, of any of the conditions specified in that subsection other than the condition specified in paragraph (d) thereof.

(5) Where a local authority pay an improvement grant or the first instalment of an improvement grant in respect of a dwelling, they shall cause to be recorded in the appropriate Register of Sasines a notice in the prescribed form specifying—

- (a) the conditions required by this section to be observed with respect to the dwelling ; and
- (b) the provision of subsection (2) of this section whereby on a breach of any of the aforesaid conditions or on a voluntary alienation of the dwelling within the period during which the aforesaid conditions are required to be observed the owner for the time being becomes liable to repay to the local authority the amount set forth in that subsection ;

and the cost of such recording shall be repaid to the local authority by the owner for the time being of the dwelling.

(6) In the event of a breach of any of the aforesaid conditions with respect to a dwelling or of a voluntary alienation of the dwelling during the period aforesaid it shall be competent to the local authority to make a charging order in favour of themselves for the amount that becomes payable to them as aforesaid, and the provisions of section twenty-one of this Act shall, with any necessary modifications, apply to any such charging order in like manner as they apply to a charging order made under section twenty thereof.

(7) In any case where, in pursuance of subsection (3) of this section, observance of the conditions specified in subsection (1) thereof ceases to be requisite with respect to a dwelling, the local authority shall cause to be recorded in the appropriate Register of Sasines a notice in the prescribed form stating that the said conditions no longer apply to the dwelling, and the cost of such recording shall be repaid to the local authority by the owner for the time being of the dwelling.

(8) The provisions of this section (other than paragraph (c) of subsection (1)) shall apply to a dwelling used as a residence by a minister or full-time lay missionary of any religious denomination by virtue of his office as such minister or missionary in like manner as if he were a tenant of the dwelling.

PART VII
—cont.Repayment of
improvement
grants.

115.—(1) The owner of a dwelling in respect of the provision or improvement of which assistance has been given under section one hundred and eleven of this Act or the holder of a heritable security over the dwelling, being a heritable creditor entitled to exercise his power of sale, may, at any time during the period during which the conditions specified in subsection (1) of the last foregoing section are required by that subsection to be observed with respect to the dwelling, pay to the local authority the like amount as would become payable to them under subsection (2) of that section in the event of a breach at that time of any of those conditions, and on the making of the payment observance, with respect to the dwelling, of those conditions shall cease to be requisite.

(2) A sum paid under the last foregoing subsection by a heritable creditor shall be treated as part of the sum secured by the heritable security.

(3) In any case where, in pursuance of subsection (1) of this section, observance of the conditions therein referred to ceases to be requisite with respect to a dwelling, subsection (7) of the last foregoing section shall apply in like manner as it applies in the case therein mentioned.

116.—(1) The Secretary of State may make a contribution towards the expense incurred by a local authority in making an improvement grant.

Exchequer
contributions
towards
improvement
grants.

(2) A contribution under the last foregoing subsection shall be a sum equal to three-quarters of the annual loan charges referable to the amount of the grant payable annually for the period of twenty financial years beginning with the year in which were completed the improvement works in respect of the expenses incurred for the purpose of the execution of which the grant was made.

(3) For the purposes of this section, the annual loan charges referable to the amount of an improvement grant shall (whatever may be the manner in which the local authority have provided or intend to provide the money requisite for making the grant) be the annual sum that, in the opinion of the Secretary of State, would fall to be provided by the local authority for the payment of interest on, and the repayment of, an amount, equal to the amount of the grant, of borrowed money the period for the repayment of which is twenty years.

(4) A local authority shall pay to the Secretary of State three-quarters of any sum recovered by them by virtue of subsection (2) of section one hundred and fourteen of this Act or paid

PART VII
—cont.

to them under the last foregoing section, and any sum received by the Secretary of State under this section shall be paid into the Exchequer.

(5) Subsections (2) and (4) of this section shall, in the case of a local authority for any area in the Highlands and Islands, have effect with the substitution for the words “three-quarters” of the words “seven-eighths”.

Provisions as
to further
improvement
grants.

117.—(1) No assistance shall be given under section one hundred and eleven of this Act in respect of the provision of dwellings by means of the conversion of dwellings in relation to which the conditions specified in subsection (1) of section one hundred and fourteen of this Act for the time being apply.

(2) Where by virtue of the giving on any occasion of assistance under section one hundred and eleven of this Act in respect of the improvement of a dwelling the conditions specified in subsection (1) of section one hundred and fourteen of this Act are required to be observed with respect to the dwelling before the observance thereof by virtue of the giving of assistance on a previous occasion has ceased to be requisite, the provisions of sections one hundred and fourteen and one hundred and fifteen of this Act and of subsections (4) and (5) of section one hundred and sixteen thereof shall apply in relation to the dwelling as regards each occasion on which assistance is so given as if it were the only occasion on which it were so given:

Provided that in relation to any period during which the said conditions are simultaneously required to be observed by virtue of the giving of assistance on more than one occasion, the condition as to rent applicable by reason of the giving of assistance on the last occasion shall be deemed to be the condition as to rent also by reason of the giving of assistance on any previous occasion.

Power to
increase rent
under Part VII
in certain cases.

118. If, in the case of a dwelling in respect of the provision or improvement of which assistance has been given under section one hundred and eleven of this Act, being a dwelling to which works (other than works for the purposes of the execution of which assistance has been so given) have been executed at a time when the conditions specified in subsection (1) of section one hundred and fourteen of this Act are required to be observed with respect to the dwelling, an application in that behalf is made to the local authority, they may direct that for the purposes of this Part of this Act the maximum amount of the rent payable by the tenant of the dwelling shall be increased by such amount as may be specified in the direction, not exceeding an amount calculated at a rate per annum of eight per cent. of

the cost of executing the works ; and where a direction is given under this section in relation to a dwelling on any occasion—

PART VII
—cont.

(a) references in paragraph (c) of the said subsection (1) to the amount which the rent payable by the tenant of the dwelling is not to exceed shall, as respects any period after the giving of the direction and before a subsequent direction is given under this section in relation to the dwelling or the direction is superseded by reason of the application of the said conditions by virtue of the giving of further assistance under the said section one hundred and eleven, whichever event first occurs, be construed in relation to the dwelling, for the purposes of this Part of this Act and, where subsection (2) of section one hundred and nineteen of this Act applies, for the purposes of the Housing (Rural Workers) Acts, 1926 to 1942, as references to that amount as increased in accordance with the direction given on that occasion and with any direction given under this section in relation to the dwelling on a previous occasion which has not been superseded as aforesaid ; and

(b) the local authority shall cause to be recorded in the appropriate Register of Sasines a notice in the prescribed form setting forth the effect of the direction, and the cost of such recording shall be repaid to the local authority by the owner for the time being of the dwelling.

119.—(1) No assistance shall be given under section one hundred and eleven of this Act in respect of the provision of dwellings by means of the conversion of dwellings in relation to which the conditions specified in section three of the Housing (Rural Workers) Act, 1926, for the time being apply.

Provision as to
dwellings
improved
under Housing
(Rural
Workers) Act,
1926.

(2) Where assistance is given under the said section one hundred and eleven in respect of the improvement of a dwelling in relation to which the conditions aforesaid apply at the time when assistance is so given, the Housing (Rural Workers) Acts, 1926 to 1942, shall have effect in relation to the dwelling as if the conditions specified in subsection (1) of section one hundred and fourteen of this Act were contained in, and applicable by virtue of, subsection (1) of section three of the Housing (Rural Workers) Act, 1926, in lieu of the conditions specified therein and in sections five and six of the Housing (Rural Workers) Amendment Act, 1938, and anything which would, or would not, constitute for the purposes of this Part of this Act a breach of the conditions specified in subsection (1) of the said section one hundred and fourteen shall be treated as constituting, or, as the case may be, not constituting, a breach of those conditions for the purposes of the Housing (Rural Workers) Acts, 1926 to 1942.

PART VII
—cont.
Provisions as
to security of
tenure of
tenants.

120. Where a dwelling in respect of the provision or improvement of which assistance has been given under section one hundred and eleven of this Act is, during the period during which conditions are required by subsection (1) of section one hundred and fourteen of this Act to be observed with respect to the dwelling, let to a person in consequence of his employment by the lessor, the operation of section three of the Rent and Mortgage Interest Restrictions (Amendment) Act, 1933 (which restricts the right of a landlord to possession of a dwelling) shall not be excluded by reason of the letting being otherwise than at a rent of two-thirds or more of the rateable value of the dwelling.

Arrangements by local authorities with housing associations and development corporations for improvement of housing accommodation

Arrangements
by local
authorities with
housing asso-
ciations and
development
corporations
for improve-
ment of
housing accom-
modation.

121.—(1) A local authority may, with the approval of the Secretary of State, make arrangements with a housing association or development corporation for—

- (a) the provision of dwellings by the association or corporation by means of the conversion of houses or other buildings ;
- (b) the improvement of dwellings by the association or corporation.

(2) Arrangements made under this section shall include such terms with regard to such matters, including the rents at which the dwellings to be provided or improved in accordance with the arrangements are to be let, as may appear to the local authority to be expedient in view of the needs of their district in relation to housing and as may be approved by the Secretary of State.

(3) Where arrangements are made under this section by a local authority with a housing association or development corporation, the Secretary of State shall make to the local authority a contribution of a sum, payable annually for the period of twenty financial years beginning with the year in which the carrying out of the arrangements is completed, equal to three-quarters of the annual loss determined by the local authority, with the approval of the Secretary of State, to be likely to be incurred by the association or corporation in carrying out the arrangements, and the local authority shall pay to the association or corporation for that period annual grants each of an amount not less than the said sum :

Provided that—

- (a) if the Secretary of State is satisfied that the association or corporation have made default in giving effect to

the terms of the arrangements, he may reduce the amount of the contribution payable to the local authority under this subsection, or suspend or discontinue the payment thereof, as he thinks just; and

- (b) if the Secretary of State reduces, or suspends or discontinues the payment of, the contribution, the local authority may reduce to a proportionate or any less extent the annual grant payable by them to the association or corporation, or may suspend the payment thereof for a corresponding period, or may discontinue the payment thereof, as the case may be.

(4) Subsection (2) of section one hundred and seven of this Act shall have effect in relation to a determination under the last foregoing subsection of the amount of the annual loss likely to be incurred by a housing association or development corporation in carrying out arrangements made under this section as it has effect in relation to a determination of the annual loss likely to be incurred by a local authority as a result of giving effect to approved improvement proposals with the substitution, for references to the local authority, of references to the association or corporation, for references to the proposals, of references to the arrangements, and, for the reference to the Secretary of State, of a reference to the local authority.

(5) Subsection (3) of this section shall in relation to a local authority for any area in the Highlands and Islands have effect with the substitution for the words "three-quarters" of the words "seven-eighths".

Supplementary provisions

122. The Secretary of State may, with the consent of the Treasury, make regulations prescribing anything required or authorised by this Part of this Act to be prescribed. Provisions as to regulations under Part VII.

123. A dwelling which has been provided or improved—

- (a) in giving effect to approved improvement proposals or arrangements with a housing association or development corporation; or
- (b) by improvement works under this Part of this Act;

shall not, by reason only of such provision or improvement, be deemed to be a new house within the meaning of any local Act notwithstanding anything contained in such Act.

124. A dwelling which has been provided or improved—

- (a) by means of improvement works in respect of which an improvement grant has been made; or
 - (b) in pursuance of arrangements made under this Part of this Act by a local authority with a housing association or development corporation;
- Valuation of dwellings provided or improved under Part VII.

PART VII
—cont.

shall not, so long as the conditions set forth in subsection (1) of section one hundred and fourteen of this Act apply to the dwelling, or so long as contributions are payable in respect of the dwelling under subsection (3) of section one hundred and twenty-one of this Act, as the case may be, be entered in the valuation roll at a gross amount exceeding the maximum rent (exclusive of occupier's rates) payable under the said subsection (1) or the rent (exclusive of occupier's rates) approved under subsection (2) of the said section one hundred and twenty-one, as the case may be.

**Application
of Rent
Restrictions
Acts to
dwellings
provided or
improved
under Part VII.**

125. For removal of doubt it is hereby declared that nothing in this Part of this Act excludes the application of the Rent and Mortgage Interest Restrictions Acts, 1920 to 1939, to a dwelling provided or improved—

- (a) by means of improvement works in respect of which an improvement grant has been made; or
- (b) in pursuance of arrangements made under this Part of this Act by a local authority with a housing association or development corporation:

Provided that in their application to any such dwelling the said Acts shall have effect subject to the following modifications—

- (i) the provisions thereof with regard to standard rent and permitted increases of rent shall not apply during the period during which the conditions set forth in subsection (1) of section one hundred and fourteen of this Act are required to be observed with respect to the dwelling or, as the case may be, contributions are payable in respect of the dwelling under subsection (3) of section one hundred and twenty-one of this Act; and
- (ii) the rent under the first tenancy of the dwelling granted after the expiry of the aforesaid period shall be deemed to be the standard rent for the purposes of the said Acts.

**Interpretation
of Part VII.**

126.—(1) In this Part of this Act, unless the context otherwise requires, the following expressions have the meanings hereby respectively assigned to them, that is to say—

- “owner”, in relation to a dwelling, means the person who is for the time being entitled to receive the rent of the dwelling or who, if the dwelling were let, would be so entitled, and includes such a lessee as is mentioned in paragraph (c) of subsection (3) of section one hundred and eleven of this Act;
- “voluntary alienation” includes alienation by sale, gift, or other transaction or transactions whereby the right or

interest of the owner is transferred to another person, and the granting of a lease for a period of thirty years or upwards, but does not include a transfer by operation of law.

PART VII
—cont.

(2) References in this Part of this Act to the improvement of dwellings shall be construed as including references to the alteration or enlargement thereof and to the execution of works of repair thereto, not being works of ordinary repair, and as including also references to the execution of works of ordinary repair thereto so far, but so far only, as the execution thereof is incidental to or connected with the execution of works of improvement, alteration or enlargement or of works of repair not being works of ordinary repair, and in this Part of this Act the expression "improved" shall be construed accordingly.

(3) A dwelling shall not be deemed for the purposes of this Part of this Act to be used for purposes other than those of a private dwelling-house by reason only that part thereof is used as a shop or office, or for business, trade or professional purposes.

(4) In determining for the purposes of this Part of this Act whether, as regards a dwelling provided or improved by means of improvement works in respect of the provision or improvement of which assistance has been given under section one hundred and eleven of this Act, a breach has occurred of the condition required by this Part of this Act to be observed as to the rent payable by a tenant of the dwelling, any property which, in the absence of express provision, would pass upon a conveyance in common form of the dwelling, and any yard, garden, outhouse and pertinents belonging to or usually enjoyed with the dwelling, shall be deemed to form part of the dwelling.

PART VIII

FINANCIAL PROVISIONS—GENERAL

Exchequer and local authority contributions

127.—(1) Subject to the provisions of this section, the Secretary of State may from time to time by order provide for the review and variation of the contributions hereafter in this section mentioned. Review of contributions.

(2) An order made by the Secretary of State under this section may provide in relation to new houses completed after such date as may be specified in the order—

(a) for reducing the amounts of all or any of the annual Exchequer contributions payable under sections eighty-four, eighty-five or eighty-six of this Act ;

PART VIII
—*cont.*

- (b) for reducing the amounts of all or any of the annual contributions which the local authority are required to make under sections ninety-seven, ninety-eight or ninety-nine of this Act ;
- (c) for reducing the number of years for which any such contributions are to be paid.

(3) An order made by the Secretary of State under this section may provide—

- (a) as respects proposals approved by him under section one hundred and five or section one hundred and ten of this Act after such date as may be specified in the order, for reducing the proportion of the annual loss likely to be incurred by a local authority or development corporation by reference to which the amount of a contribution by him under either of those sections is to be computed ;
- (b) as respects improvement grants made in pursuance of applications approved by local authorities after that date, for reducing the proportion of the annual loan charges referable to the amount of any such grant by reference to which the amount of a contribution by him under section one hundred and sixteen of this Act is to be computed ;
- (c) as respects arrangements made after that date under section one hundred and twenty-one of this Act, for reducing the proportion of the annual loss likely to be incurred by a housing association or development corporation by reference to which the amount of a contribution by him under subsection (3) of that section is to be computed :

Provided that none of the said proportions shall be reduced to less than two-thirds.

(4) Any such order providing for reducing the proportion of the annual loan charges referred to in paragraph (b) of the last foregoing subsection shall provide for reducing to a corresponding extent, in relation to improvement grants made as mentioned in that paragraph, the proportion of any sum required by subsection (4) of section one hundred and sixteen of this Act to be paid to the Secretary of State.

(5) The power to make an order under this section shall be exercisable by statutory instrument, and before any such instrument is made, a draft of the order shall be laid before the Commons House of Parliament, and the instrument shall not be made unless that House, within the period of forty days beginning with the day on which the draft is laid before it, passes a resolution approving the draft.

In reckoning any such period of forty days, no account shall be taken of any time during which Parliament is dissolved or prorogued or during which the Commons House is adjourned for more than four days.

PART VIII
—cont.

(6) Before laying before the Commons House of Parliament a draft of an order under this section, the Secretary of State shall consult with such associations of local authorities as appear to him to be concerned and with any local authority with whom consultation appears to him to be desirable.

128.—(1) The sums required for the making of any contribution or payment which the Secretary of State is required or authorised under this Act to make shall be provided out of moneys provided by Parliament. Provisions as to payment of Exchequer contributions.

(2) Contributions to be made by the Secretary of State to a local authority under any enactment in the Acts specified in Part II of the Sixth Schedule to this Act, or in this Act, and payments to be made by the Secretary of State to the Scottish Special Housing Association under section ninety-three of this Act, shall be, and shall be deemed always to have been, payable at such times and in such manner as the Treasury may direct and subject to such conditions as to records, certificates, audit or otherwise as the Secretary of State may, with the approval of the Treasury, impose.

(3) It shall be a condition of the right of a local authority to receive any Exchequer contribution that the authority shall make the contributions specified in the Eighth Schedule to this Act.

129. If at any time the Secretary of State is satisfied that a local authority have— Power to withhold Exchequer contributions in the event of default.

- (a) failed to discharge any of the duties imposed on them by virtue of the Acts specified in Part II of the Sixth Schedule to this Act, or this Act; or
- (b) failed to exercise any of their powers under the aforesaid Acts in any case where these powers ought to have been exercised; or
- (c) failed to observe any condition subject to which they are entitled to receive an Exchequer contribution;

the Secretary of State may reduce the amount of any Exchequer contribution payable to the authority, or suspend or discontinue the payment of any such contribution, as he thinks just.

PART VIII
—cont.

Effect on certain contributions of a house ceasing to be available as such.

130.—(1) Where under any of the provisions specified in the Tenth Schedule to this Act (being provisions in pursuance of which payments may be made by the Secretary of State or by local authorities by way of financial assistance in connection with the provision or improvement of housing accommodation) a periodical payment would, apart from this section, have fallen to be made after the commencement of this Act in respect of a house to any person other than a local authority, that payment shall not be made if, before the making thereof, the Secretary of State is satisfied that, during the whole or the greater part of the period to which the payment is referable, the house has not been available as a dwelling fit for human habitation:

Provided that nothing in this subsection shall prevent the making of a periodical payment in respect of any house if the Secretary of State is satisfied that the house could not with reasonable diligence have been made available, during the whole or the greater part of the period to which the payment is referable, as a dwelling fit for human habitation.

Any question as to the period to which any payment is referable shall be determined for the purposes of this subsection by the Secretary of State.

(2) Where the power or duty of a local authority to make any payment is wholly or partly discharged by virtue of the preceding subsection, the Secretary of State may make such consequential reductions as he thinks appropriate in any sum payable by him to the authority.

Power of local authority to pay removal and other allowances to certain persons displaced.

131.—(1) A local authority may pay to any person displaced from a house or building—

- (a) to which a clearance order or a demolition order or a closing order (including a closing order made under section thirteen of this Act) applies; or
- (b) which has been purchased by the local authority under Part III or Part V of this Act; or
- (c) which is to be demolished by the owner in accordance with an agreement made with the local authority under Part II of this Act;

such reasonable allowance as they think fit towards his expenses in removing, and to any person carrying on any trade or business in any such house or building they may pay also such reasonable allowance as they think fit towards the loss which, in their opinion, he will sustain by reason of the disturbance of his trade or business consequent on his having to quit the house or building, and in estimating that loss they shall have regard to the

period for which the premises occupied by him might reasonably have been expected to be available for the purpose of his trade or business and the availability of other premises suitable for that purpose.

PART VIII
—cont.

(2) The power conferred on a local authority by the foregoing subsection to make allowances towards the expenses incurred in removing by persons displaced in consequence of the exercise by the authority of their powers shall include power to make allowances to persons so displaced temporarily in respect of expenses incurred by them in storage of furniture.

(3) Where, as a result of action taken by a local authority under Part III of this Act, the population of the locality is materially decreased, the authority may pay to any person carrying on a retail shop in the locality such reasonable allowance as they may think fit towards any loss which, in their opinion, he will thereby sustain, but in estimating any such loss they shall have regard to the probable future development of the locality.

Borrowing by local authorities, etc.

132. Without prejudice to any power of borrowing conferred on them by any other enactment, a local authority may borrow money—

Power of local authority to borrow for purposes of Act.

(a) for the purposes of Parts V and VII of this Act,

(b) for the purposes of sections one hundred and one hundred and four, and section one hundred and thirty-one of this Act.

133.—(1) Where housing operations under Part V of this Act are being carried out by a local authority outside their own district, that local authority shall have power to borrow money for the purpose of defraying any expenses (including, if the Treasury so approve, interest payable in respect of any period before the completion of the operations or a period of five years from the date of borrowing, whichever period is the shorter, on money borrowed under this section) incurred by them in connection with any works necessary for the purposes of or incidental to the carrying out of the operations.

Power of local authority to borrow in connection with operations carried out by them outside their district.

(2) The local authority of any district in which operations are being carried out as aforesaid by the local authority of another district shall have power to borrow money for the purposes of any agreement entered into by them with that other local authority under Part V of this Act, and that in the same manner as if such works as aforesaid had been executed by them.

PART VIII
—cont.

Power of local authority carrying out operations outside their district to lend money to other authority concerned.

134. Where housing operations under Part V of this Act are being carried out by a local authority outside their own district, that local authority shall have power to advance to the local authority of the district in which the operations are being carried out such sums as may, by reason of any agreement made with the last-mentioned local authority under Part V of this Act, be required by the last-mentioned local authority in connection with the construction by them of any works necessary for the purposes of or incidental to the carrying out of the operations.

Provisions as to loans to local authorities by Public Works Loan Commissioners.

135.—(1) The Public Works Loan Commissioners may make loans to any local authority for any of the purposes of this Act for which the authority have power to borrow by virtue of any enactment.

(2) Where a loan is made by the Public Works Loan Commissioners for any of the purposes aforesaid—

- (a) the loan shall be made at the minimum rate applicable for the time being to the period for which the loan is made for loans out of the Local Loans Fund ; and
- (b) the period for which the loan is made may exceed the period allowed under any enactment limiting the period for which loans may be made by the Commissioners, but shall not exceed eighty years.

Power of local authority to issue local bonds.

136.—(1) Without prejudice to any other powers of borrowing, a local authority may borrow any sums which they have power to borrow for any of the purposes mentioned in the last foregoing section by the issue of bonds (in this Act referred to as “local bonds”) in accordance with the provisions of this Act.

(2) The provisions set out in the Eleventh Schedule to this Act shall have effect with respect to local bonds.

(3) Where, on an application made by two or more local authorities, the Secretary of State is satisfied that it is expedient that those authorities should have power to make a joint issue of local bonds, the Secretary of State may by order make such provision as appears to him necessary for the purpose, and any such order shall provide for the securing of the bonds issued upon the joint rates, property and revenues of the authorities.

The provisions of an order so made shall be binding and conclusive in respect of the matters to which the order relates.

(4) A local authority by whom any local bonds have been issued may borrow for the purpose of redeeming those bonds.

(5) Subject to the provisions of paragraph 6 of the Eleventh Schedule to this Act and save as otherwise expressly provided, nothing in Part XII of the Local Government (Scotland) Act, 1947, shall apply to or affect the power of a local authority to issue local bonds under this Act or apply to any local bond issued under this Act.

PART VIII
—cont.

Accounts

137.—(1) Every local authority shall keep an account (to be called “the housing revenue account”) of the income and expenditure of the authority in respect of—

Obligation to
keep housing
revenue
account.

- (a) all houses and other buildings which have been provided at any time after the twelfth day of February, nineteen hundred and nineteen, under Part III of the Housing (Scotland) Act, 1925, or under any enactment relating to the provision of housing accommodation for the working classes repealed by that Act, or under Part V of this Act ;
- (b) all land which at any time after the said date has been acquired or appropriated for the purposes of Part V of this Act or of Part III of the said Act of 1925, or of any enactment relating to the provision of housing accommodation for the working classes repealed by that Act, or is deemed to have been acquired under the said Part III by virtue of subsection (4) of section fifteen of the Housing (Scotland) Act, 1935 ;
- (c) all dwellings in respect of which the Secretary of State has undertaken to make a contribution to the authority under section thirty-five of the Housing (Scotland) Act, 1935 ;
- (d) all dwellings provided or improved by the authority in accordance with approved improvement proposals and all land acquired or appropriated by the authority for the purpose of carrying out such proposals ; and
- (e) such other houses as the authority with the consent of the Secretary of State may from time to time determine.

(2) Where a house is for the time being vested in a local authority by reason of the default of any person in carrying out the terms of any arrangements under which assistance in respect of the provision, reconstruction or improvement of the house has been given under any enactment relating to housing, the house shall be deemed for the purposes of the foregoing subsection to be a house which has been provided by the authority under Part V of this Act.

PART VIII
—*cont.*
Credits and
debts in
housing
revenue
account.

138.—(1) In each financial year a local authority shall carry to the credit of the housing revenue account kept by them under the last foregoing section amounts equal to—

- (a) the income receivable by the authority for that year from rents and feu duties in respect of such houses, buildings, land and dwellings as are mentioned in the last foregoing section ;
- (b) the Exchequer contributions, if any, payable to the authority for that year ; and
- (c) the authority's contributions referred to in the Eighth Schedule to this Act for that year ;

and shall debit to the account amounts equal to—

- (i) the loan charges which the local authority are liable to pay for that year in respect of moneys borrowed by a local authority for the purpose of the provision by them after the twelfth day of February, nineteen hundred and nineteen, of housing accommodation under Part V of this Act or under Part III of the Housing (Scotland) Act, 1925, or under any enactment relating to the provision of housing accommodation for the working classes repealed by that Act, or for the purpose of the execution of works in respect of which the Secretary of State has undertaken to make a contribution under section thirty-five of the Housing (Scotland) Act, 1935, or for the purpose of the provision or improvement by them of dwellings in accordance with approved improvement proposals ;
- (ii) the taxes, rates, feu duties, rents and other charges which the authority are liable to pay for that year in respect of such houses, buildings, land and dwellings as are mentioned in the last foregoing section ;
- (iii) the expenditure incurred by the authority for that year in respect of the supervision and management of such houses, buildings, land and dwellings as are mentioned in the last foregoing section ;
- (iv) the arrears of rent which have been written off in that year as irrecoverable (other than arrears of rent in respect of any period prior to the sixteenth day of May, nineteen hundred and thirty-five) ;
- (v) the contribution, if any, required to be made by the authority for that year to a housing repairs account kept in accordance with the subsequent provisions of this Part of this Act ; and
- (vi) if the authority keep a housing equalisation account in accordance with the subsequent provisions of this Part of this Act, the contribution, if any, required to be made by the authority for that year to that account.

(2) Where any such house, building, land or dwelling as is mentioned in the last foregoing section has been sold or otherwise disposed of, whether before or after the commencement of this Act, an amount equal to any income of the authority arising from the investment or other use of capital money received by the authority in respect of the transaction shall, unless the Secretary of State otherwise directs as respects the whole or any part of such income, be carried to the credit of the housing revenue account in like manner as if it had been income from rents.

(3) An amount equal to the income (if any) of the authority arising from an investment or other use of borrowed moneys in respect of which the authority are required to debit loan charges to the housing revenue account shall be carried to the credit of that account in like manner as if it had been income from rents.

(4) Where it appears to the Secretary of State that amounts in respect of any incomings or outgoings other than as aforesaid ought properly to be credited or debited to a housing revenue account, or that amounts in respect of any of the incomings and outgoings aforesaid which ought properly to have been credited or debited thereto have not been so credited or debited, or that any amounts have been improperly credited or debited to that account, he may, after consultation with the local authority, give directions for the appropriate credits or debits to be made or for the rectification of the account, as the case may require.

139.—(1) Where any surplus is shown in a housing revenue account at the end of any financial year, the local authority shall have power to apply that surplus, in whole or in part, to any purpose which the Secretary of State may approve, being a purpose connected with the provision of housing accommodation. Disposal of
balances in
housing
revenue
account.

(2) Subject to the provisions of subsection (3) of this section, so much of any such surplus as remains after effect has been given to the provisions of the foregoing subsection shall, subject to application, if the local authority so determine, in repaying any additional contributions made in any of the four last preceding financial years, be carried forward in the account to the next financial year.

(3) So much as remains as aforesaid of any surplus shown on the fifteenth day of May in the year nineteen hundred and fifty, or any fifth succeeding year, and is not required for application in pursuance of the last foregoing subsection may, as the local authority with the consent of the Secretary of State may determine, be applied in whole or in part, in either of the following ways or partly in one of those ways and partly in the other, that is to say,—

(a) by transferring it to the housing repairs account; or

PART VIII
—cont.

(b) by carrying it forward in the housing revenue account to the next financial year ;

and, in so far as not so applied, shall be divided into two parts in proportion to the amount credited to the housing revenue account under the last foregoing section during the period of five years ending on the date on which the surplus is shown in respect of Exchequer contributions on the one hand, and the amount so credited in respect of the contributions specified in the Eighth Schedule to this Act, less any amounts repaid under the last foregoing subsection, on the other hand, and an amount equal to the first of those parts shall be paid to the Secretary of State and an amount equal to the other part shall be applied towards meeting expenditure chargeable to the fund out of which the contributions specified as aforesaid were made.

Housing
repairs
account.

140.—(1) Subject to the provisions of this section, every local authority shall for the purpose of equalising so far as practicable the annual charge to their revenue in respect of the repair, improvement and maintenance of houses, buildings and dwellings in respect of which that account is to be kept, keep an account (to be called “the housing repairs account”) and shall, in each financial year, carry to the credit of that account from the housing revenue account in respect of each house, building and dwelling such amount as they may think proper, not being less than four pounds, and such amount, if any, as may be necessary to make good any deficit shown in the housing repairs account at the end of the last preceding financial year.

(2) Subject to the provisions of this Part of this Act, moneys standing to the credit of the housing repairs account shall be applied only in meeting expenses incurred in respect of the repair, improvement, and maintenance of the houses, buildings and dwellings in respect of which the housing revenue account is to be kept.

(3) If at any time it appears to the Secretary of State, after consultation with the local authority, that the moneys standing to the credit of a housing repairs account are more than sufficient for the purposes for which the account is to be kept or that it is no longer necessary for the account to be kept, he may give such directions as he thinks proper for the reduction of the amounts to be credited to the account or the suspension of the carrying of credits thereto, or for the closing of the account and the application of any moneys standing to the credit thereof, as the case may be.

Housing
equalisation
account.

141.—(1) Every local authority shall, if they think it desirable for the purpose of equalising the income of the housing revenue account derived from Exchequer contributions over any period during which loan charges required to be debited to that account

will be payable, keep an account (to be called the "housing equalisation account") and shall, if they keep such an account, carry to the credit of that account from the housing revenue account such sums, and shall apply an amount equal to the sums so credited in such manner, as may be prescribed.

PART VIII
—cont.

(2) Where a local authority close their housing equalisation account, they shall carry to the credit of their housing revenue account any sums standing to the credit of their housing equalisation account when it is closed.

142.—(1) An amount equal to any moneys standing to the credit of the housing repairs account or the housing equalisation account of a local authority, and not for the time being required for the purposes for which they will ultimately be applicable may be used by the authority for the purpose of any statutory borrowing power possessed by them subject to the conditions specified in subsection (2) of this section, and, so far as not so used, shall be invested temporarily in any security in which trustees are for the time being authorised by law to invest, and an amount equal to the income arising from such investment shall be credited to the account.

Temporary application of moneys in housing accounts.

(2) The conditions subject to which moneys may be used as mentioned in subsection (1) of this section shall be the following, that is to say,—

- (a) the moneys so used shall be repaid to the account out of the county or burgh fund within the period, and by methods, within and by which a loan raised under the statutory borrowing power would be repayable :

Provided that the authority shall repay to the account the moneys so used or the balance thereof for the time being outstanding, as the case may be, as and when required for the purposes of the account, and may make such repayment at any time within the period aforesaid, and in either case the repayment shall be made out of the aforesaid fund or out of moneys which would have been applicable to the repayment of a loan if raised under the statutory borrowing power ;

- (b) in the accounts of the county or burgh fund an amount equal to interest (calculated at such rate as may be determined by the authority to be equal as nearly as may be to the rate of interest which would be payable on a loan raised under the statutory borrowing power) on any moneys so used shall be credited to the account and debited to the branch of expenditure for the purpose for which the moneys are so used ;

PART VIII
—cont.

- (c) the statutory borrowing power shall be deemed to be exercised by such use as fully in all respects as if a loan of the same amount had been raised in exercise of the power, and the provisions of any enactment as to the re-borrowing of sums raised under the statutory borrowing power shall apply accordingly.

PART IX

GENERAL

Scottish Housing Advisory Committee

Appointment,
functions, etc.,
of Scottish
Housing
Advisory
Committee.

143.—(1) The Secretary of State shall appoint a committee, to be called the Scottish Housing Advisory Committee, for the purpose of—

- (a) advising the Secretary of State on any matter, relating to a temporary increase of the permitted number of persons in relation to overcrowding, as respects which he is required by section fifty-one of this Act to consult the Committee ;
- (b) advising the Secretary of State on any question which may be referred by him to the Committee with respect to any other matter arising in connection with the execution of the enactments relating to housing ;
- (c) considering the operation of the enactments relating to housing and making to the Secretary of State such representations as the Committee think desirable concerning the execution of those enactments.

(2) The Secretary of State may by order make provision with respect to the constitution and procedure of the Committee, and any such order shall secure the inclusion in the Committee of women as well as men, and the appointment of two sub-committees of the Committee for the purpose of dealing with matters relating to urban and rural housing respectively.

(3) The Secretary of State may pay such expenses of the Committee as he may, with the approval of the Treasury, determine.

Rehousing

Rehousing
obligations
where land is
acquired under
statutory
provisions.

144. Where, under the powers given by any local Act or provisional order or order having the effect of an Act, not being an order made under this Act, any land is acquired, whether compulsorily or by agreement, by any authority, company or person, or where any land is so acquired compulsorily under any general Act other than this Act, the provisions set out in

the Twelfth Schedule to this Act shall apply with respect to the provision of housing accommodation.

PART IX
—cont.

Byelaws

145.—(1) A local authority may, and if required by the Secretary of State shall, make, with respect to houses used or intended to be used for human habitation, byelaws regarding any of the following matters and applying as follows, that is to say—

Byelaws with
respect to
houses.

(i) byelaws applying to new houses, regarding—

(a) the maximum number of houses to be erected on a given extent of ground ;

(b) the number of storeys in a block of flats and the arrangement of such blocks in relation to one another, and the provision, where necessary, of passenger lifts ;

(c) the provision of open spaces about houses ;

(d) stability ;

(e) the deafening of walls and floors ;

(f) the height of ceilings ;

(ii) byelaws applying to new houses and existing houses, regarding—

(g) the subdivision of houses ;

(h) the registration and inspection of houses ;

(iii) byelaws applying to new houses and, so far as is reasonably practicable, to existing houses, regarding—

(i) the provision of hand-rails for staircases ;

(j) the provision of suitable access ;

(k) the prevention of and safety from fire ;

(l) ventilation and admission of light ;

(m) the provision of a separate watercloset, bath, scullery, larder, adequate press accommodation, and accommodation for the storage of coal for each house, and facilities for washing and drying clothes, and for the cooking of food ;

(n) the lighting of rooms and staircases.

A byelaw made under paragraph (iii) of this subsection shall not, in so far as it requires the execution of works, be enforceable as regards an existing house, unless the local authority have served on the owner of the house a notice requiring the execution of the works and such notice has become operative in pursuance of section sixteen of this Act as applied by the next following subsection.

PART IX
—*cont.*

In this subsection the expression "existing house" means a house erected or in the course of erection at the time when such byelaws come into force or a house the plans for the erection of which have been approved at that time; the expression "new house" means a house other than as aforesaid; and the expression "reasonably practicable" means reasonably practicable in all the circumstances including the expense involved in carrying out the operations required by the byelaw.

(2) Section sixteen of this Act (which relates to appeals against certain notices and orders and to the date of coming into operation of such notices and orders) shall apply to a notice under the foregoing subsection in like manner as it applies to a notice under Part II of this Act.

(3) Byelaws made under this section by a local authority being a county council may be limited to particular parts of the authority's district or may make different provisions as respects different parts of their district.

(4) Where a local authority, after being required by the Secretary of State to make byelaws regarding any of the matters specified in subsection (1) of this section, fail within such period as the Secretary of State may specify to make, regarding those matters, byelaws which are in the opinion of the Secretary of State sufficient and satisfactory, the Secretary of State may himself make such byelaws, which shall be of the like force and effect as if they had been made by the local authority and confirmed.

Byelaws with respect to houses divided into separate dwellings.

146.—(1) The power of making and enforcing byelaws under section seventy-two of the Public Health (Scotland) Act, 1897, with respect to houses or parts of houses which are let in lodgings or occupied by members of more than one family, shall extend to the making and enforcing of byelaws imposing any duty (being a duty which may be imposed by the byelaws and which involves the execution of work) on the owner within the meaning of the said Act of the said house, in addition to or in substitution for any other person having an interest in the premises, and prescribing the circumstances and conditions in and subject to which any such duty is to be discharged.

(2) For the purpose of discharging any duty so imposed, the owner or other person may at all reasonable times enter upon any part of the premises, and section one hundred and sixty-one of this Act shall apply as if for the reference to the provisions of Part II of this Act there were substituted a reference to the provisions of such byelaws, and as if the person on whom such duty is imposed were the owner, and any inmate of the premises were the occupier of a house.

(3) Where an owner or other person has failed to execute any works which he has been required to execute under the byelaws, the local authority may, after giving to him not less than twenty-one days' notice in writing, themselves execute the works and recover the costs and expenses, and for that purpose the provisions of Part II of this Act with respect to the enforcement of notices requiring the execution of works and the recovery of expenses by local authorities shall apply, with such modifications as may be necessary.

PART IX
—*cont.*

147.—(1) A local authority shall make, with respect to bothies, chaumers and similar premises which are used for the accommodation of agricultural workers and are not part of a farmhouse, byelaws regarding any of the following matters, that is to say:—

Byelaws with respect to accommodation for agricultural workers.

- (a) the provision of a separate entrance in any case where the premises form part of other premises ;
- (b) the provision of ventilation, floor area and furnishing, including the provision of a separate bed and bedding for each worker ;
- (c) the provision of adequate heating and lighting ;
- (d) the provision of accommodation for personal clothing, and of facilities for personal ablution ;
- (e) the painting, whitewashing or other cleansing of the premises at regular intervals ;
- (f) the prevention of and safety from fire ;
- (g) intimation to the local authority by farmers of the number of workers employed by them who are accommodated in bothies or in chaumers or similar premises ;
- (h) the provision of a ventilated larder and a fireplace or stove suitable for cooking food and sufficient cooking utensils ;
- (i) such other matters as the Secretary of State may from time to time prescribe :

Provided that, if the local authority show to the satisfaction of the Secretary of State that it is unnecessary to make byelaws under this section, the Secretary of State may dispense with the making of such byelaws.

(2) Byelaws regarding the matters specified in paragraph (h) of the foregoing subsection shall apply only to premises in which the occupants cook their meals.

(3) Byelaws made by a local authority under this section may be limited to particular parts of the authority's district.

PART IX
—cont.

(4) Where a local authority fail within such period as the Secretary of State may allow to make with respect to any of the matters specified in subsection (1) of this section byelaws which are in the opinion of the Secretary of State sufficient and satisfactory, the Secretary of State may himself make such byelaws which shall be of the like force and effect as if they had been made by the local authority and confirmed.

Byelaws with respect to accommodation for seasonal workers.

148.—(1) With a view to the provision of proper accommodation for seasonal workers, a local authority shall make byelaws for the whole or any part of their district regarding the following matters, that is to say:—

- (a) intimation to the local authority of the intention to employ seasonal workers;
- (b) the nature and extent of the accommodation to be provided for such workers, including due provision for—
 - (i) sleeping accommodation and separation of the sexes;
 - (ii) lighting, ventilation, cubic space, cleanliness and furnishing, including beds and bedding and cooking utensils;
 - (iii) storage of food, washing of clothes and drying of wet clothes;
 - (iv) waterclosets or privies for the separate use of the sexes; and
 - (v) a suitable supply of water;
- (c) determining the persons responsible for the provision of the accommodation required by the byelaws, taking into account the terms of current contracts;
- (d) inspection of the premises;
- (e) exhibition on the premises of the byelaws;
- (f) such other matters relating to the accommodation of seasonal workers (including determining the persons responsible for regulating the use by the workers of the accommodation), as the Secretary of State may from time to time prescribe:

Provided that, if the local authority show to the satisfaction of the Secretary of State that it is unnecessary to make byelaws under this section, the Secretary of State may dispense with the making of such byelaws.

(2) In cases of emergency, the Secretary of State may suspend, as respects the district of any local authority or any part thereof, the operation of any byelaw made under this section which affects agricultural interests.

(3) If in consequence of any byelaws made under this section a farmer or a fruit grower is required to provide accommodation involving the erection of additional buildings, he may require the landlord to erect such buildings on terms and conditions to be determined, failing agreement, by the Secretary of State.

(4) In this section the expression “seasonal workers” includes navvies, harvesters, potato-workers, fruit-pickers, herring-gutters, and such other workers engaged in work of a temporary nature, as the Secretary of State may from time to time prescribe.

(5) Where a local authority fail within such period as the Secretary of State may allow to make with respect to any of the matters specified in subsection (1) of this section byelaws which are in the opinion of the Secretary of State sufficient and satisfactory, the Secretary of State may himself make such byelaws which shall be of the like force and effect as if they had been made by the local authority and confirmed.

149. For the purposes of section three hundred and one of the Local Government (Scotland) Act, 1947 (which relates to the procedure and other matters connected with the making of byelaws) the Secretary of State shall be the person by whom byelaws made under this Act are to be confirmed. Confirmation of byelaws.

150.—(1) Where in pursuance of housing operations to which this section applies new buildings are constructed or public streets or roads are laid out and constructed in accordance with plans and specifications approved by the Secretary of State, the provisions of any building regulations shall not apply to the new buildings and new streets or roads constructed and laid out in connection with the operations so far as those provisions are inconsistent with the plans and specifications approved by the Secretary of State, and, notwithstanding the provisions of any other Act, any street or road laid out and constructed in accordance with such plans and specifications may be taken over and thereafter maintained by the authority responsible for the maintenance of public streets, roads or highways in the district. Relaxation of building regulations.

(2) Where the Secretary of State has approved plans and specifications which in certain respects are inconsistent with the provisions of any building regulations in force in the district in which the works are to be executed, any proposals for the erection therein of buildings and the laying out and construction of new streets or roads which do not form part of housing operations to which this section applies may, notwithstanding those provisions, be carried out if the local authority are, or, on appeal, the Secretary of State is, satisfied that they will involve departures from such provisions only to the like extent as in the case of the plans and specifications so approved.

PART IX
—*cont.*

(3) Where the Secretary of State is himself carrying out housing operations, it shall not be necessary for him to obtain the authority of the local authority or the Dean of Guild Court for the construction of buildings or for the laying out and construction of streets and roads as aforesaid.

(4) The housing operations to which this section applies are housing operations carried out by a local authority or by local authorities jointly under this Act or housing operations carried out by a housing association, or by a county council for the provision of houses for persons in their employment or paid by them, and approved by the Secretary of State, and housing operations carried out by the Secretary of State under this Act.

Power of
Secretary of
State to revoke
unreasonably
restrictive
byelaws.

151.—(1) If the Secretary of State is satisfied, by local inquiry or otherwise, that the erection of any buildings within any district is or is likely to be unreasonably impeded in consequence of any byelaws with respect to new streets or buildings in force therein, he may require the local authority to revoke such byelaws or to make such new byelaws as he may consider necessary for the removal of the impediment.

(2) If the local authority do not within three months after such requisition comply therewith, the Secretary of State may himself revoke such byelaws, and make such new byelaws as he may consider necessary for the removal of the impediment, and such new byelaws shall have effect as if they had been duly made by the local authority and confirmed.

Special provisions as to land

Duty of local
authority to
have regard to
amenities of
locality, etc.

152.—(1) A local authority, in preparing any proposals for the provision of houses or in taking any action under this Act, shall have regard to artistic quality in the lay-out, planning and treatment of the houses to be provided, the beauty of the landscape or countryside and the other amenities of the locality and the desirability of preserving existing works of architectural, historic or artistic interest, and shall comply with such directions, if any, in that behalf as may be given to them by the Secretary of State.

(2) For their better advice in carrying out the requirements of the foregoing subsection a local authority may, and if required by the Secretary of State shall, appoint a local advisory committee including representatives of architectural and other artistic interests; and the local authority shall furnish to the Secretary of State a copy of any representation, recommendation or report made to them by the committee.

153.—(1) Any purchase money or compensation payable in pursuance of this Act by a local authority in respect of any lands, right or interest of another local authority which would, but for this section, be paid into bank in manner provided by the Lands Clauses Acts may, if the Secretary of State consents, instead of being paid into bank, be paid and applied as the Secretary of State determines.

PART IX
—*cont.*
Payment of purchase or compensation money by one local authority to another.

(2) A determination of the Secretary of State under this section shall be final and conclusive.

154. Where—

Power of local authority to enforce obligations against owner for time being of land.

- (a) a local authority have sold or exchanged land acquired by them under this Act, and the purchaser of the land or the person taking the land in exchange has entered into an agreement with the local authority concerning the land ; or
- (b) an owner of any land has entered into an agreement with the local authority concerning the land for the purposes of any of the provisions of this Act ;

then, if the agreement has been recorded in the appropriate Register of Sasines, it shall be enforceable at the instance of the authority against persons deriving title from the person who entered into the agreement:

Provided that no such agreement shall at any time be enforceable against any party who has in bona fide onerously acquired right (whether completed by infestment or not) to the land prior to the recording of the agreement as aforesaid or against any person deriving title from such party.

155. Where a local authority in the exercise of any power conferred on them by this Act dispose of land to any person for the erection of a church or other building for religious worship or buildings ancillary thereto, then, unless the parties otherwise agree, such disposal shall be by way of feu.

Disposal of land for erection of churches, etc.

Official representations

156.—(1) Every representation made in pursuance of this Act by a medical officer of health shall be in writing.

Provisions as to official representations.

(2) The medical officer of health of a local authority shall make an official representation to the authority whenever he is of opinion that any house in their district is unfit for human habitation, or that any area in their district is an area which should be dealt with as a clearance area ; and if—

- (a) any four or more local government electors of the district ; or

PART IX
—cont.

- (b) in the case of a county, the district council of any district within the county ; or
- (c) in the case of a small burgh within the meaning of the Local Government (Scotland) Act, 1947, the medical officer of health of the county ;

intimate in writing to the medical officer of health of the authority that any house is unfit for human habitation, or that any area should be dealt with as a clearance area, it shall be the duty of the medical officer of health of the authority forthwith to inspect that house or that area and to make a report to the local authority, stating the facts of the case and whether, in his opinion, the house is unfit for human habitation, or whether, in his opinion, the area should be dealt with as a clearance area ; but the absence of any such complaint shall not excuse him from inspecting any house or area and making a representation thereon to the local authority.

(3) Before making an official representation (other than such a representation for the purpose of section seven or section nine of this Act), the medical officer of health of a local authority shall consult with, or obtain a report from, the sanitary inspector of the authority.

(4) A local authority shall so soon as may be take into consideration any official representation which has been made to them.

Recovery of possession, entry, etc.

Recovery of possession of buildings subject to clearance, demolition or closing order, etc.

157.—(1) Where a clearance order, a demolition order, a closing order or a resolution passed under section forty-six of this Act has become operative, the local authority shall serve on the occupier of any building or house or any part thereof to which the order or resolution relates a notice stating the effect of the order and specifying the date by which it requires the building or house to be vacated and requiring him to remove from the building or house before the said date or before the expiration of twenty-eight days from the service of the notice, whichever may be the later.

(2) If, at any time after the date on which a notice under the foregoing subsection requires the building or house to be vacated, any person is in occupation of the building or house or of any part thereof, the authority or any owner of the building or house may make summary application for removal and ejection to the sheriff, who, after requiring the service of such additional notice, if any, as he thinks fit, may grant warrant for ejection whereby vacant possession of the building or house or of the part thereof shall be given to the authority or owner as the case may be within such period, not being less than two weeks nor more than four weeks, as he may determine.

(3) Any expenses incurred by a local authority under this section in obtaining possession of any building or house, or part thereof, may be recovered by them from the owner of the building or house:

PART IX
—*cont.*

Provided that this subsection shall not have effect in the case of expenses incurred in obtaining possession of—

- (a) premises included in a clearance order which are not specified therein as being unfit for human habitation ; or
- (b) premises to which a resolution passed under section forty-six of this Act applies ; or
- (c) any other premises unless the owner has failed to make, within a reasonable time, a summary application for removal and ejection to the sheriff, or, having made such an application, has failed to take all steps necessary to have the application disposed of within a reasonable time.

(4) Any person who, knowing that a clearance order or a demolition order or a resolution passed under section forty-six of this Act has become operative and applies to any building or house, enters into occupation of that building or house or of any part thereof after the date by which the order requires that building or house to be vacated, or permits any other person to enter into such occupation after that date, shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding twenty pounds and to a further penalty of five pounds for every day, or part of a day, on which the occupation continues after conviction.

158. Nothing in the Rent and Mortgage Interest Restrictions Acts, 1920 to 1939, shall be deemed to affect the provisions of this Act relating to obtaining possession of a house with respect to which a clearance order, a demolition order or a closing order has been made or to which a resolution passed under section forty-six of this Act applies, or to prevent possession being obtained—

Recovery of
possession of
controlled
houses.

- (a) of any house possession of which is required for the purpose of enabling a local authority to exercise their powers under any enactment relating to housing ;
- (b) of any house possession of which is required for the purpose of securing compliance with any byelaws made for the prevention of overcrowding ;
- (c) of any premises by any owner thereof in a case where an undertaking has been given under Part II of this Act that those premises shall not be used for human habitation.

PART IX
—cont.Power of entry
for survey, etc.

159. Any person authorised in writing, stating the particular purpose or purposes for which the entry is authorised, by the local authority or the Secretary of State may at all reasonable times, on giving twenty-four hours' notice to the occupier and to the owner, if the owner is known, of his intention, enter any house, premises or building—

- (a) for the purpose of survey or valuation, in the case of houses, premises or buildings which the local authority are authorised to purchase compulsorily under this Act ; or
- (b) for the purpose of survey and examination, in the case of any house in respect of which a notice requiring the execution of works has been served or a clearance order, a demolition order or a closing order has been made ; or
- (c) for the purpose of survey and examination, where it appears to the local authority or the Secretary of State that survey or examination is necessary in order to determine whether any powers under this Act should be exercised in respect of any house, premises, or building ; or
- (d) for the purpose of measuring the rooms of a house in order to ascertain for the purposes of Part IV of this Act the number of persons permitted to use the house for sleeping.

Penalty for
obstructing the
execution of
Act.

160. If any person obstructs the medical officer of health or any officer of the local authority or any officer of the Secretary of State or any person authorised to enter houses, premises or buildings in pursuance of this Act in the performance of anything which such officer, local authority or person is by this Act required or authorised to do, he shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding twenty pounds.

Penalty for
preventing
execution of
repairs.

161.—(1) If any person, after notice of the intended action—

- (a) being the occupier of any premises prevents the owner or other person having control thereof, or his officers, agents, servants or workmen, from carrying into effect with respect to those premises any of the provisions of Part II of this Act ; or
- (b) being the owner or occupier of any premises prevents the medical officer of health or any officers, agents, servants or workmen of such officer or of the local authority from so doing ;

the sheriff or any two justices of the peace sitting in open court or any magistrate having jurisdiction in the place on proof

thereof may order that person to permit to be done on the premises all things requisite for carrying into effect such provisions with respect to the premises.

PART IX
—cont.

(2) If any such person fails to comply with such an order, he shall be guilty of an offence and shall for each day during which the failure continues be liable on summary conviction to a fine not exceeding twenty pounds.

162. Any person who wilfully or by culpable negligence damages or suffers to be damaged any house provided under this Act, or any of the fittings or appurtenances of any such house, including the drainage and water supply and any apparatus connected with the drainage or water supply, and the fence of any enclosure, shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding forty shillings, without prejudice to any remedy for the recovery of the amount of the damage. Penalty for damage to houses.

Powers of sheriff for housing purposes

163.—(1) Where any premises in respect of which a clearance order, a demolition order, a closing order made under section thirteen of this Act or a resolution passed under section forty-six thereof has become operative form the subject matter of a lease, and the action taken under the order or resolution has not had the effect of determining the lease, either the landlord or the tenant or any other person deriving right thereunder may apply to the sheriff within whose jurisdiction the premises are situate for an order determining the lease. Power of sheriff to determine lease in certain cases.

(2) On any such application as aforesaid the sheriff, after giving to any sub-tenant or other person whom he considers to be interested in the matter an opportunity of being heard, may, if he thinks fit, order that the lease shall be determined, either unconditionally or subject to such terms and conditions (including conditions with respect to the payment of money by any party to the proceedings to any other party thereto by way of compensation or damages or otherwise) as he may think it just and equitable to impose, regard being had to the respective rights, obligations and liabilities of the parties under the lease and all the other circumstances of the case:

Provided that the sheriff shall not be entitled to order any payment to be made by the landlord to the tenant in respect of the lease of a house.

(3) In this section the expression "lease" includes a sub-lease and any tenancy or tacit relocation following on a lease.

PART IX
—cont.

Power of
sheriff to
authorise
superior to
execute works.

164.—(1) If it appears to the sheriff, on the application of the superior of any lands and heritages, that default is being made in the execution of any works required to be executed on any premises thereon in respect of which a notice requiring the execution of works has been served or a closing order has been made, or in the demolition of a building thereon, in pursuance of this Act, and that the interests of the applicant will be prejudiced by such default and that it is just to make the order, the sheriff may make an order empowering the applicant forthwith to enter on the lands and heritages and, within the time fixed by the order, to execute the works or to demolish the building, as the case may be.

(2) Before an order is made under this section notice of the application shall be given to the local authority.

Power of
sheriff to
authorise
conversion of
a house into
two or more
dwellings.

165.—(1) Where, on an application by the local authority or by the feuar or the lessee of a house, it is proved to the satisfaction of the sheriff—

- (a) that, owing to changes in the character of the neighbourhood in which the house is situate, the house cannot readily be let as a single dwelling but could be readily let if converted into two or more dwellings ; or
- (b) that planning permission has been granted under Part II of the Town and Country Planning (Scotland) Act, 1947, for the conversion of a house previously used as a single dwelling into two or more dwellings ; and
- (c) (in either case) that the conditions or restrictions of the feu charter or feu contract or the provisions of the lease do not admit of such conversion ;

the sheriff, after giving any person entitled to any interest in the house or entitled to enforce such condition, restriction or provision an opportunity of being heard, may vary the conditions or restrictions of the feu charter or feu contract or the provisions of the lease so as to enable the house to be so converted, subject to such conditions and upon such terms as the sheriff may think just ; and the decision of the sheriff shall be final.

(2) In this section the expression “ sheriff ” shall not include sheriff-substitute.

Procedure on
appeals to
sheriff.

166.—(1) The procedure on any appeal to the sheriff under this Act (including expenses) shall be such as the Court of Session may by act of sederunt determine.

(2) On any appeal to the sheriff under this Act the sheriff may make such order in the matter as he thinks equitable, and any order so made shall be binding and conclusive on all parties, and, where the appeal is against any notice or order given or

made by the local authority, the notice or order may be confirmed, varied or quashed, as the sheriff thinks just:

PART IX
—cont.

Provided that the sheriff may at any stage of the proceedings on appeal, and shall, if so directed by the Court of Session, state a case for the opinion of the Court on any question of law arising in the course of the appeal.

(3) Any notice or order as respects which an appeal to the sheriff is given under this Act shall not become operative until either the time within which an appeal can be made under this Act has elapsed without an appeal being made, or, in a case where an appeal is made, the appeal is determined or abandoned, and no work shall be done or proceedings taken under any such notice or order until it becomes operative.

(4) The sheriff may, before considering any appeal which may be made to him under this Act, require the appellant to deposit such sum to cover the expenses of the appeal as may be fixed by the act of sederunt made by the Court of Session in pursuance of subsection (1) of this section.

(5) The power of the Court of Session to make acts of sederunt under this section shall be exercisable by statutory instrument, and the Statutory Instruments Act, 1946, shall apply to a statutory instrument containing an act of sederunt so made by the Court in like manner as if the act of sederunt had been made by a Minister of the Crown.

Orders, notices, etc.

167.—(1) An order in writing made by a local authority under this Act shall be under their seal and authenticated by the signature of their clerk or, where the local authority have not a seal, shall be authenticated by the signature of any two or more members of the local authority and of their clerk.

Orders, notices,
etc., by local
authority.

(2) A notice, demand or other written document proceeding from a local authority under this Act shall be signed by their clerk.

168.—(1) A local authority may, for the purpose of enabling them to serve any notice which they are by this Act authorised or required to serve, require the occupier of any premises and any person who, either directly or indirectly, receives rent in respect of any premises to state in writing the nature of his own interest therein and the name and address of any other person known to him as having an interest therein whether as holder of a heritable security, lessee or otherwise.

Furnishing of
information
for purpose of
service of
notices.

(2) If any person, having been required by a local authority in pursuance of the foregoing subsection to give to them any information, fails to give that information or knowingly makes any misstatement in respect thereof, he shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding five pounds.

PART IX
—cont.*Default of local authority*

Power of
Secretary of
State in event
of failure of
local authority
to exercise
powers.

169.—(1) Subject to the provisions of this section, in any case where—

(a) a complaint has been made to the Secretary of State—

(i) as respects any district, by any four or more local government electors of the district, or

(ii) as respects any county, by the district council of any district within the county,

that the local authority have failed to exercise any of their powers under this Act in any case where those powers ought to have been exercised; or

(b) the Secretary of State is of opinion that an investigation should be made as to whether a local authority have failed as aforesaid;

the Secretary of State may cause a public local inquiry to be held, and if, after the inquiry has been held, he is satisfied that there has been such a failure on the part of the local authority, he may, after giving the local authority an opportunity of making representations, make an order rendering exercisable by the Secretary of State such of the aforesaid powers of the local authority as may be specified in the order.

(2) Subsection (1) of section one hundred and forty-six of the Public Health (Scotland) Act, 1897 (which relates to the procedure competent in the event of the neglect of their duties by a local authority) shall have effect as if the duties imposed by section five of this Act were duties imposed by the first-mentioned Act.

(3) Where the Secretary of State, after having caused a public local inquiry to be held in pursuance of subsection (1) of this section, is satisfied that the local authority have failed to exercise any of their powers under Part V of this Act to provide housing accommodation for persons who are members of the agricultural population in a case where those powers ought to have been exercised, the Secretary of State may, before making such an order as is mentioned in the said subsection (1), make an order declaring the local authority to be in default and directing the authority to exercise for the purpose of remedying the default such of their said powers, and in such manner, and within such time or times, as may be specified in the order; and if the local authority fail to comply with any requirement of the order within the time limited thereby for compliance with that requirement, the Secretary of State may make such an order as is mentioned in the said subsection (1).

170.—(1) The following provisions of this section shall have effect in any case where under this Act the Secretary of State has by order rendered exercisable by himself any powers of a local authority.

PART IX
—*cont.*

Provisions as to exercise by Secretary of State of powers of a local authority.

(2) Any expenses incurred by the Secretary of State in exercising the said powers shall be paid in the first instance out of moneys provided by Parliament, but the amount of those expenses as certified by the Secretary of State shall on demand be paid by the local authority to the Secretary of State, and shall be recoverable as a debt due to the Crown.

(3) The payment of any such expenses as aforesaid, so far as the expenses are of a capital nature, shall be a purpose for which a local authority may borrow money.

(4) The Secretary of State may by order vest in and transfer to the local authority any property, debts or liabilities acquired or incurred by him in exercising the powers of the local authority, and that property and those debts and liabilities shall vest and attach accordingly.

General powers of the Secretary of State

171.—(1) Any order made by the Secretary of State under this Act may be varied or revoked by a subsequent order made by the Secretary of State, but without prejudice to the validity of anything previously done under the order.

Power to vary and revoke orders.

(2) When an order rendering any powers or duties of a local authority exercisable by the Secretary of State is revoked under the foregoing subsection, the Secretary of State may, either by the revoking order or by a supplementary order, make such provision as appears to him desirable with respect to the transfer, vesting and discharge of any property, debts or liabilities acquired or incurred by the Secretary of State in exercising the powers and duties to which the order so revoked related.

172.—(1) The Secretary of State may make regulations prescribing—

Power to prescribe forms, etc., and to dispense with advertisements and notices.

(a) the form of any notice, advertisement, statement or other document which is required or authorised to be used under or for the purposes of this Act ;

(b) any other thing which by this Act is required or authorised to be prescribed.

(2) The forms so prescribed or forms as near thereto as circumstances admit shall be used in all cases to which those forms are applicable.

(3) The Secretary of State may dispense with the publication of advertisements or the service of notices required to be published or served by a local authority under this Act, if he is satisfied that there is reasonable cause for dispensing with the publication or service.

PART IX
—cont.

(4) Any such dispensation may be given by the Secretary of State either before or after the time at which the advertisement is required to be published or the notice is required to be served, and either unconditionally or upon such conditions as to the publication of other advertisements or the service of other notices or otherwise as the Secretary of State thinks fit, due care being taken by the Secretary of State to prevent the interests of any person being prejudiced by the dispensation.

Regulations.

173.—(1) Any power to make regulations conferred on the Secretary of State by this Act shall be exercisable by statutory instrument.

(2) Any statutory instrument made in the exercise of any power to make regulations conferred by this Act shall be subject to annulment in pursuance of resolution of either House of Parliament.

Local inquiries.

174.—(1) For the purposes of the execution of his powers and duties under this Act, the Secretary of State may cause such local inquiries to be held as he may think fit.

(2) Where, under this Act, the Secretary of State is required to cause a public local inquiry to be held, then, subject to the provisions of subsection (4) of section thirty-three of this Act, the person to be appointed by the Secretary of State to hold the inquiry shall be selected from a panel set up by the Lord President of the Court of Session, the Lord Justice Clerk, and the Chairman of the Scottish Committee of the Royal Institution of Chartered Surveyors, in consultation with the Secretary of State.

Power of
Secretary of
State to obtain
a report on any
crowded area.

175. If it appears to the Secretary of State that owing to density of population or any other reason it is expedient to inquire into the circumstances of any area with a view to determining whether any powers under this Act should be put into force in that area or not, the Secretary of State may require the local authority to make a report to him containing such particulars as to the population of the district and other matters as he may direct, and the local authority shall comply with the requirement of the Secretary of State, and any expenses incurred by them in so doing shall be paid as expenses incurred in the execution of such Part of this Act as the Secretary of State may determine.

Arrangements
between the
Secretary of
State and other
departments.

176. The Secretary of State may make arrangements with any other government department for the exercise or performance by that department of any of his powers and duties under this Act, which, in his opinion, could more conveniently be so exercised or performed, and in such case that department and the officers thereof shall have the same powers and duties as are by this Act conferred on the Secretary of State and his officers.

Miscellaneous

PART IX
—cont.

177. Without prejudice to any powers, whether statutory or otherwise, already enjoyed by an heir of entail in possession of an entailed estate in Scotland to sell or grant feus of any part of such estate, any such heir in possession may, notwithstanding any prohibition or limitation in any deed of entail or in any Act of Parliament, sell or feu to a local authority any part or parts of such estate for any purpose for which a local authority may acquire land under this Act, or to a housing association for the purpose of the provision of houses, without its being necessary to obtain the consent of the next heir, and without any restriction as to the extent of ground to be sold or feued, excepting, however, from the provisions of this section, the subjects excepted in section four of the Entail (Scotland) Act, 1914:

Power of heir of entail to sell or feu land for housing purposes.

Provided that—

- (a) the price of land so sold shall, in accordance with the provisions of the Entail Acts, be invested for behoof of the heir of entail in possession and succeeding heirs of entail, and the feuduty shall be received for the same behoof; and
- (b) it shall not be lawful for the heir of entail in possession to take any grassum or valuable consideration other than the feuduty for granting any such feu.

178. For the purposes of any enactment relating to valuation or rating, the gross annual value of any house provided by the Scottish Special Housing Association under section ninety-three of this Act, or of any house which is owned by a housing association and which is subject to special conditions under the Housing (Financial Provisions) Act, 1924, or in respect of which a contribution out of moneys provided by Parliament is payable under the Housing (Scotland) Act, 1930, the Housing (Scotland) Act, 1935, the Housing (Agricultural Population) (Scotland) Act, 1938, the Housing (Financial Provisions) (Scotland) Act, 1938, or this Act, shall not exceed—

Valuation of houses provided by Scottish Special Housing Association or owned by housing associations.

- (a) the rent (exclusive of occupier's rates) which would have been fixed by the local authority if the house had been a house to which section seventy-three of this Act applied owned by the local authority and occupied by a tenant to whom no rebate from rent has been granted; or
- (b) the rent (exclusive of occupier's rates) charged in respect of the house;

whichever is the greater.

PART IX
—cont.

Application of
Local
Government
Super-
annuation
(Scotland) Act,
1937, to
Scottish Special
Housing
Association.

179. The provisions of Part I of the Local Government Superannuation (Scotland) Act, 1937, shall, subject to adaptations and modifications prescribed by the Secretary of State, have effect in relation to the Scottish Special Housing Association as if they were a local authority required to maintain a superannuation fund under Part I of that Act, and in relation to any employee of the Association as if the Association were a local authority within the meaning of that Act, not being either a local authority specified in Part I of the First Schedule thereto or a local Act authority within the meaning of that Act.

Provisions
relating to
houses of
less than
three rooms.

180. It shall not be lawful for any person, without the consent of the local authority, to erect any house intended for human habitation with less accommodation than three apartments, and a local authority shall not give such consent save in exceptional circumstances, nor shall a local authority or Dean of Guild Court, save in such circumstances, approve of the plans for the erection of such a house.

Fair wages.

181. It shall be the duty of every local authority by whom housing accommodation is provided under the enactments relating to housing, whether with or without financial assistance from the Government, to secure the insertion in all contracts relating to such provision of a fair wages clause, complying with the requirements of any resolution of the Commons House of Parliament for the time being in force with respect to contracts of government departments.

Crown rights.

182. Nothing in this Act shall affect prejudicially any estate, right, power, privilege or exemption of the Crown, or authorise the use of or interference with any land (including tidal lands below high-water mark of ordinary spring tides) belonging to His Majesty in right of his Crown or to any government department, without the consent of His Majesty or the government department, as the case may be.

PART X
SUPPLEMENTAL

Powers of Act
to be
cumulative.

183. All powers given by this Act shall be deemed to be in addition to and not in derogation of any other powers conferred by Act of Parliament, law or custom, and such other powers may be exercised in the same manner as if this Act had not passed, and nothing in this Act shall exempt any person from any penalty to which he would have been subject if this Act had not passed:

Provided that a local authority shall not, by reason of any local Act relating to a place within its jurisdiction, be exempted from the performance of any duty or obligation to which such authority are subject under any Part of this Act.

184.—(1) In this Act, unless the context otherwise requires, the following expressions have the meanings hereby respectively assigned to them, that is to say:—

PART X
—*cont.*
Interpretation.

“ agricultural population ” means—

(a) in relation to persons resident within a large burgh, persons who are engaged in agriculture, and includes the dependants of such persons ; and

(b) in relation to persons resident outside a large burgh, persons who are, or in their latest occupation were, engaged in agriculture or in an industry mainly dependent on agriculture, and includes the dependants of such persons ;

“ agriculture ” means the use of land for agricultural or pastoral purposes, or for the purpose of poultry farming or market gardening, or as an orchard or woodlands, or for the purpose of afforestation, and “ agricultural worker ” shall be construed accordingly ;

“ apartment ” does not include any apartment not designed for use as a living-room or as a bedroom ;

“ apparatus ” means sewers, drains, culverts, water-courses, mains, pipes, valves, tubes, cables, wires, transformers and other apparatus laid down or used for or in connection with the carrying, conveying or supplying to any premises of a supply of water, water for hydraulic power, gas or electricity, and standards and brackets carrying street lamps ;

“ block of flats ” means a building which contains two or more flats and which consists of three or more storeys exclusive of any storey which is constructed for use for purposes other than those of a dwelling :

Provided that a building shall, notwithstanding that it does not in all parts exceed two storeys in height, be deemed to be a building of three storeys, if the Secretary of State is satisfied that for architectural or other reasons it is desirable to confine the height of part of the building to two storeys ;

“ building regulations ” means any statutory enactments, byelaws, rules and regulations or other provisions under whatever authority made, relating to the construction of new buildings and the laying out of and construction of new streets or roads ;

“ burgh ” has the like meaning as in the Local Government (Scotland) Act, 1947 ;

“ common ” includes any town or village green ;

PART X
—cont.

- “development corporation” means a corporation established by an order under section two of the New Towns Act, 1946, by the Secretary of State ;
- “district”, in relation to a local authority, has the meaning assigned to it by section one of this Act ;
- “Exchequer contribution” means a contribution which the Secretary of State is required or authorised to make to a local authority out of moneys provided by Parliament under any of the enactments specified in Part I of the Sixth Schedule to this Act ;
- “flat” means a separate and self-contained set of premises constructed for use for the purposes of a dwelling and forming part of a building from some other part of which it is divided horizontally ;
- “Highlands and Islands” means the area comprising the counties of Argyll, Caithness, Inverness, Ross and Cromarty, Sutherland, Orkney and Zetland, but excluding any large burgh ;
- “holding” has the like meaning as in the Small Landholders (Scotland) Acts, 1886 to 1931 ;
- “house” includes any part of a building, being a part which is occupied or intended to be occupied as a separate dwelling, and, in particular, includes a flat, and includes also any yard, garden, out-houses and pertinents belonging to the house or usually enjoyed therewith ;
- “housing association” means any society, body of trustees or company established for the purpose of, or amongst whose objects or powers are included those of, constructing, improving or managing, or facilitating or encouraging the construction or improvement of, housing accommodation, being a society, company or body of trustees who do not trade for profit or whose constitution or rules prohibit the issue of any capital with interest or dividend exceeding the rate for the time being fixed by the Treasury, whether with or without differentiation as between share and loan capital ;
- “land” includes any right over land ;
- “Lands Tribunal” means the Lands Tribunal for Scotland ;
- “landholder” has the like meaning as in the Small Landholders (Scotland) Acts, 1886 to 1931 ;
- “large burgh” has the like meaning as in the Local Government (Scotland) Act, 1947 ;

- “ loan charges ” means, in relation to any borrowed moneys, the sums required for the payment of interest on those moneys and for the repayment thereof either by instalments or by means of a sinking fund ;
- “ local bonds ” has the meaning assigned to it by section one hundred and thirty-six of this Act ;
- “ official representation ” means, in the case of a local authority, a representation made to the authority by the medical officer of health for the district ;
- “ open space ” means any land laid out as a public garden or used for the purposes of public recreation, and any disused burial ground ;
- “ owner ” includes any person who under the Lands Clauses Acts would be enabled to sell and convey land to the promoters of an undertaking ;
- “ prescribed ” means prescribed by regulations ;
- “ public undertakers ” means any corporation, company, body or person carrying on a railway, canal, inland navigation, dock, harbour, tramway, gas, electricity, water or other public undertaking ;
- “ sanitary defects ” includes lack of air space or of ventilation, darkness, dampness, absence of adequate and readily accessible water supply or of sanitary arrangements or of other conveniences, and inadequate paving or drainage of courts, yards or passages ;
- “ sell ” and “ sale ” include feu ;
- “ statutory small tenant ” has the like meaning as in the Small Landholders (Scotland) Acts, 1886 to 1931 ;
- “ street ” includes any court, alley, passage, square or row of houses whether a thoroughfare or not ;
- “ superior ” includes the creditor in a ground annual.

(2) In determining for the purposes of this Act whether a house is fit for human habitation, regard shall be had to the extent, if any, to which by reason of disrepair or sanitary defects the house falls short of the provisions of any building regulations in operation in the district.

(3) In this Act any reference to the demolition of a building shall be deemed to include a reference to such reconstruction of the building as the Secretary of State may approve ; and where a building is so reconstructed any reference to selling, letting or appropriating the land, the building on which has been or will be demolished, shall, unless the context otherwise requires, be construed as a reference to selling, letting or appropriating the land and the reconstructed building.

PART X
—*cont.*
**Transitory
provisions.**

185.—(1) Any dispute which by this Act is directed to be determined by the Lands Tribunal shall, in the period before the coming into force of sections one to four of the Lands Tribunal Act, 1949, in Scotland, be determined by an official arbiter appointed under section one of the Acquisition of Land (Assessment of Compensation) Act, 1919; and accordingly during the said period there shall be substituted for references in any provision (other than this section) of this Act to the Lands Tribunal references to an arbiter appointed as aforesaid.

(2) In relation to a dispute arising under subsection (3) of section forty-four of this Act, the foregoing subsection shall have effect as if after the word “determined”, in the second place where that word occurs, there were inserted the words “unless the local authority and the undertakers otherwise agree”, and an official arbiter acting in such a dispute shall have the like powers in respect of procedure, costs and the statement of cases as he has under the aforesaid Act of 1919.

Savings.

186.—(1) Nothing in this Act shall affect any order, byelaw, rule, regulation, scheme or plan made, charge effected, undertaking, notice, approval, certificate, direction or determination given, or other thing done, under any enactment repealed by this Act or by the Housing (Scotland) Act, 1925, but any such order, byelaw, rule, regulation, scheme, plan, charge, undertaking, notice, approval, certificate, direction, determination or thing shall, if in force at the commencement of this Act, continue in force and shall, so far as it could have been made, effected, given or done under this Act, have effect as if made, effected, given or done under the corresponding provision of this Act.

(2) In this Act the expression “under this Act”, whether in relation to any land, houses or other property acquired, or to any contribution or to any housing or other operations, or in relation to any other matter or thing made, given, effected or done, or right acquired, or obligation incurred, and any other expression describing any matter or thing by reference to this Act or to any enactment in this Act, shall be construed as including a reference to any Act repealed by this Act or by the Housing (Scotland) Act, 1925, or to the corresponding provision of any Act so repealed.

(3) Any byelaws made under any enactment repealed by the Housing (Scotland) Act, 1935, shall, if in force at the commencement of this Act, continue to have effect in so far as they could have been made under section one hundred and forty-five of this Act.

(4) Any document referring to any enactment repealed by this Act or by the Housing (Scotland) Act, 1925, shall be construed as referring to the corresponding provision of this Act.

(5) Any person holding office or acting or serving under or by virtue of any enactment repealed by this Act or by the Housing (Scotland) Act, 1925, shall continue to hold his office or to act or serve as if he had been appointed under this Act.

PART X
—cont.

(6) Nothing in this section shall be taken to prejudice the provisions of section thirty-eight of the Interpretation Act, 1889.

187.—(1) Subject to the provisions of this section, the enactments mentioned in the Thirteenth Schedule to this Act are hereby repealed, in the case of the enactments specified in Part I of that Schedule as from the commencement of this Act, and in the case of the enactments specified in Part II of that Schedule as from the appointed day within the meaning of Part IV of this Act, to the extent specified in relation thereto in the third column of that Schedule. Repeals.

(2) The provisions of this Act shall not apply in relation to any undertaking given before the thirtieth day of July, nineteen hundred and forty-nine, under section seventy-four or seventy-five of the Housing (Scotland) Act, 1925, or any re-development plan approved under Part I of the Housing (Scotland) Act, 1935, before that date, and in lieu thereof the enactments specified in the Thirteenth Schedule to this Act so far as relating to any such undertaking and to any such plan shall continue to apply and shall accordingly be excepted from the operation of this section.

188.—(1) This Act may be cited as the Housing (Scotland) Act, 1950. Short title,
commence-
ment and
extent.

(2) This Act shall come into force on the first day of January, nineteen hundred and fifty-one.

(3) This Act shall extend to Scotland only.

SCHEDULES

FIRST SCHEDULE

Section 26.

CLEARANCE ORDERS

1. A clearance order shall be in the prescribed form and shall describe by reference to a map the area to which it applies, and shall fix by reference to the date of its coming into operation the period, not being less than twenty-eight days from that date, within which the local authority require the buildings in the area to be vacated for the purposes of demolition, and for that purpose may fix different periods as respects different buildings.

1ST SCH.
—cont.

2. There shall be excluded from the order any houses or other premises properly included in the clearance area only on the ground that by reason of their bad arrangement in relation to other buildings or the narrowness or bad arrangement of the streets they are injurious or dangerous to the health of the inhabitants of the area.

3. The order shall show separately in the prescribed manner the houses which are unfit for human habitation.

4. Before submitting the order to the Secretary of State the local authority shall—

- (a) publish in one or more newspapers circulating in their district a notice in the prescribed form stating that the order has been made, describing the area comprised therein and naming a place where a copy of the order and of the map referred to therein may be seen at all reasonable hours; and
- (b) serve on every owner, lessee and occupier (except tenants for a month or a less period than a month) of any building to which the order applies a notice in the prescribed form stating the effect of the order and that it is about to be submitted to the Secretary of State for confirmation, and specifying the time within and the manner in which objections thereto can be made.

5. So soon as may be after the required notices have been given, the local authority shall submit the order to the Secretary of State for confirmation.

6. If no objection is duly made by any of the persons on whom notices are required to be served under paragraph 4 of this Schedule or by the superior of, or by the holder of a heritable security over, any building to which the order applies, or if all objections so made are withdrawn, the Secretary of State may, if he thinks fit, confirm the order with or without modification; but in any other case he shall, before confirming the order, cause a public local inquiry to be held and shall consider any objection not withdrawn and the report of the person who held the inquiry, and may then confirm the order, either with or without modification:

Provided that—

- (a) the order as confirmed by the Secretary of State shall not apply to any building to which the order would not have applied if it had been confirmed without modification;
- (b) if the Secretary of State is of opinion that any building included in the order ought not to have been so included but should be included in a compulsory purchase order relating to the clearance area, he may modify the clearance order by excluding therefrom such building and may authorise the local authority to make and submit to him

for confirmation in accordance with the provisions of Part III of this Act a compulsory purchase order with respect to such building ;

1ST SCH.
—cont.

- (c) before confirming the order the Secretary of State shall send to the local authority and to every person who, having given notice to the Secretary of State of his objection to the order, appeared at the public local inquiry in support of his objection, a copy of the order as proposed to be confirmed, with an intimation that any representations in writing with respect thereto may be made to the Secretary of State within fourteen days after the date on which a copy has been sent, and before confirming the order the Secretary of State shall consider any such representations received.

SECOND SCHEDULE

Sections 26, 29.

VALIDITY AND DATE OF OPERATION OF CERTAIN ORDERS

1. So soon as may be after an order has been confirmed by the Secretary of State, the local authority shall publish in a newspaper circulating in their district a notice in the prescribed form stating that the order has been confirmed and naming a place where a copy of the order as confirmed and of the map referred to therein may be seen at all reasonable hours, and shall serve a like notice on every person who, having given notice to the Secretary of State of his objection to the order, appeared at the public local inquiry in support of his objection.

2. If any person aggrieved by an order desires to question its validity on the ground that it is not within the powers of this Act, or that any requirement of this Act has not been complied with, he may, within thirty days after the publication of the notice of confirmation, make an application for the purpose to the Court of Session, in the form and under the procedure provided by act of sederunt, so, however, that the application shall be dealt with in a summary manner, and where such application is duly made the Court—

- (a) may by interim order suspend the operation of the order either generally or in so far as it affects any property of the applicant until the final determination of the proceedings ; and
- (b) if satisfied, on the hearing of the application, that the order is not within the powers of this Act or that the interests of the applicant have been substantially prejudiced by any requirement of this Act not having been complied with, may set aside the order either generally, or in so far as it affects any property of the applicant, or do otherwise as shall appear to the Court to be just.

3. Subject to the provisions of the last foregoing paragraph an order shall not, either before or after its confirmation, be questioned by reduction or interdict or in any legal proceedings whatsoever,

2ND SCH.
—cont.

and shall become operative at the expiration of thirty days from the date on which notice of its confirmation is published in accordance with paragraph 1 of this Schedule.

4. Except by leave of the Court of Session, no appeal shall lie to the House of Lords from a decision of the Court of Session in proceedings under this section.

5. So soon as may be after an order has become operative, the local authority shall serve a copy thereof on every person on whom a notice was served by them of their intention to submit the order to the Secretary of State for confirmation.

Section 29.

THIRD SCHEDULE

COMPULSORY PURCHASE ORDERS MADE UNDER PART III

1. A compulsory purchase order shall be in the prescribed form and shall describe by reference to a map the land to which it will apply, and shall incorporate, subject to the modifications hereinafter mentioned and any necessary adaptations—

- (a) the Lands Clauses Acts (except sections one hundred and twenty to one hundred and twenty-five of the Lands Clauses Consolidation (Scotland) Act, 1845);
- (b) the Acquisition of Land (Assessment of Compensation) Act, 1919; and
- (c) section seventy of the Railways Clauses Consolidation (Scotland) Act, 1845, and sections seventy-one to seventy-eight of that Act as originally enacted and not as amended for certain purposes by section fifteen of the Mines (Working Facilities and Support) Act, 1923.

2. The modifications subject to which the Lands Clauses Acts and the Acquisition of Land (Assessment of Compensation) Act, 1919, shall be incorporated in the order are as follows:—

- (i) the compensation shall be assessed in accordance with such of the provisions of this Act relating to the assessment of compensation in respect of land purchased compulsorily as are applicable to the particular case;
- (ii) the Lands Tribunal shall not take into account any building erected, or any improvement or alteration made, or any interest in land created after the date of the publication of the compulsory purchase order if, in their opinion, the erection of the building, or the making of the improvement or alteration, or the creation of the interest in respect of which a claim is made was not reasonably necessary and was carried out with a view to obtaining or increasing compensation;
- (iii) all notices required to be served by the local authority may, notwithstanding anything in section eighteen of the

Lands Clauses Consolidation (Scotland) Act, 1845, be served in the manner specified in subsection (3) of section five of the Acquisition of Land (Authorisation Procedure) (Scotland) Act, 1947, in relation to notices required to be served under that Act; and

3RD SCH.
—cont.

- (iv) notwithstanding anything in section ninety of the Lands Clauses Consolidation (Scotland) Act, 1845, the Lands Tribunal may determine that such part of any house, building or manufactory as is proposed to be taken by the local authority can be taken without material damage to the house, building or manufactory, and, if they so determine, may award compensation in respect of the severance of the part so proposed to be taken, in addition to the value of that part, and thereupon the party interested shall be required to sell and convey to the local authority that part of the house, building or manufactory.

3. The order shall show separately in the prescribed manner the houses in the clearance area which are unfit for human habitation and the land and buildings, if any, proposed to be purchased outside the area.

4. Before submitting the order to the Secretary of State the local authority shall—

- (a) publish in one or more newspapers circulating within their district a notice in the prescribed form stating that the order has been made, describing the area comprised therein and naming a place where a copy of the order and of the map referred to therein may be seen at all reasonable hours; and
- (b) serve on every owner, lessee and occupier (except tenants for a month or a less period than a month) of any land or buildings to which the order applies a notice in the prescribed form stating the effect of the order and that it is about to be submitted to the Secretary of State for confirmation, and specifying the time within and the manner in which objections thereto can be made.

5. If no objection is duly made by any of the persons on whom notices are required to be served under the last foregoing paragraph or by the superior of, or the holder of a heritable security over, any land or buildings to which the order applies, or if all objections so made are withdrawn, the Secretary of State may, if he thinks fit, confirm the order with or without modification, but in any other case he shall, before confirming the order, cause a public local inquiry to be held, and shall consider any objection not withdrawn and the report of the person who held the inquiry, and may then confirm the order either with or without modification:

Provided that the Secretary of State may require any person who has made an objection to state in writing the grounds thereof and

3RD SCH.
—cont.

may confirm the order without causing a public local inquiry to be held if the Secretary of State is satisfied that every objection duly made relates exclusively to matters which can be dealt with by the Lands Tribunal, by whom the compensation is to be assessed.

6. The order as confirmed by the Secretary of State shall not authorise the local authority to purchase compulsorily any land which the order would not have authorised them so to purchase if it had been confirmed without modification, or to purchase any building on less favourable terms with respect to compensation than the terms on which the order would have authorised them to purchase the building if the order had been confirmed without modification.

7. If the Secretary of State is of opinion that any land included by a local authority in a clearance area ought not to have been so included he shall on confirming the order so modify it as to exclude that land for all purposes from the clearance area.

8. Before confirming the order the Secretary of State shall send to the local authority and to every person who, having given notice to the Secretary of State of his objection to the order, appeared at the public local inquiry in support of his objection, a copy of the order as proposed to be confirmed, with an intimation that any representations in writing with respect thereto may be made to the Secretary of State within fourteen days after the date on which a copy has been sent, and before confirming the order the Secretary of State shall consider any such representations received.

9. In construing, for the purpose of this Schedule or any compulsory purchase order made under Part III of this Act, any enactment incorporated in the order, this Act, together with the order, shall be deemed to be the special Act and the local authority shall be deemed to be the promoters of the undertaking.

Sections 36, 47,
64.

FOURTH SCHEDULE

RULES AS TO ASSESSMENT OF COMPENSATION WHERE LAND PURCHASED COMPULSORILY OTHERWISE THAN AT SITE VALUE

1. If the Lands Tribunal are satisfied with respect to any premises that the rental thereof was enhanced by reason of their being used for illegal purposes, the compensation shall, so far as it is based on rental, be based on the rental which would have been obtainable if the premises were occupied for legal purposes.

2. If the Lands Tribunal are satisfied with respect to any premises that the rental thereof was higher than that generally obtained at the time for similar premises in the locality and that such enhanced rental was obtained by reason of the premises being overcrowded within the meaning of Part IV of this Act, the compensation shall, so far as it is based on rental, be based on the rental so generally obtained.

3. If the Lands Tribunal are satisfied that any premises are in a state of defective sanitation or are not in reasonably good repair, the compensation shall be the estimated value of the premises if

put into a sanitary condition or reasonably good repair less the estimated expense of putting them into such condition or repair.

4TH SCH.
—cont.

4. The local authority may tender evidence as to the matters aforesaid, notwithstanding that they have not taken any steps with a view to remedying the defects or evils disclosed by the evidence ; but before tendering evidence as to sanitation or repair, the authority shall furnish to the Lands Tribunal and to the claimant a statement in writing of the respects in which the premises are alleged to be so defective.

5. The Lands Tribunal shall have regard to and make an allowance in respect of any increased value which, in their opinion, will be given to other premises of the same owner by the demolition by the local authority of any buildings.

6. The Lands Tribunal shall embody in their award a statement showing separately whether compensation has been reduced by reference to the use of the premises for illegal purposes, to overcrowding, to the considerations mentioned in paragraph 3 of this Schedule, and to the considerations mentioned in paragraph 5 thereof, and the amount (if any) by which compensation has been reduced by reference to each of those matters.

FIFTH SCHEDULE

Sections 49, 51,
54, 59.

NUMBER OF PERSONS PERMITTED TO USE A HOUSE FOR SLEEPING

For the purposes of Part IV of this Act the expression “the permitted number of persons” means, in relation to any house, either—

- (a) the number specified in the second column of Table I in the annex hereto in relation to a house consisting of the number of rooms of which that house consists ; or
- (b) the aggregate for all the rooms in the house obtained by reckoning, for each room therein of the floor area specified in the first column of Table II in the annex hereto, the number specified in the second column of that Table in relation to that area ;

whichever is the less :

Provided that in computing for the purposes of the said Table I the number of rooms in a house, no regard shall be had to any room having a floor area of less than 50 square feet.

ANNEX
Table I

Where a house consists of—

(a) One room	-	-	-	2.
(b) Two rooms	-	-	-	3.
(c) Three rooms	-	-	-	5.
(d) Four rooms	-	-	-	7½.
(e) Five rooms or more	-	-	-	10, with an additional 2 in respect of each room in excess of five.

5TH SCH.
—cont.

Table II

Where the floor area of a room is—

(a) 110 sq. ft. or more -	-	2.
(b) 90 sq. ft. or more, but less than 110 sq. ft. -	-	1½.
(c) 70 sq. ft. or more, but less than 90 sq. ft. -	-	1.
(d) 50 sq. ft. or more, but less than 70 sq. ft. -	-	½.
(e) Under 50 sq. ft. -	-	Nil.

SIXTH SCHEDULE

PART I

Section 184.

Enactments, contributions under which are in this Act referred to as Exchequer contributions

1. Section five of the Housing, Town Planning, &c. (Scotland) Act, 1919.
2. Paragraph (b) of subsection (1) of section one of the Housing &c. Act, 1923 (as originally enacted).
3. Subsection (3) of section one of the said Act of 1923.
4. Paragraph (b) of subsection (1) of section one of the said Act of 1923 (as amended by sections one and two of the Housing (Financial Provisions) Act, 1924).
5. Section twenty-three of the Housing (Scotland) Act, 1930.
6. Section one of the Housing (Rural Authorities) Act, 1931.
7. Section one of the Housing (Financial Provisions) (Scotland) Act, 1933.
8. Part III of the Housing (Scotland) Act, 1935.
9. Section one of the Housing (Agricultural Population) (Scotland) Act, 1938.
10. Section one of the Housing (Financial Provisions) (Scotland) Act, 1938.
11. Sections eighty-four, eighty-five, eighty-six, eighty-eight, ninety-one and one hundred and five of this Act.

PART II

Sections 128 (2),
129.

Enactments, contributions under which are payable subject to conditions

1. The Housing, Town Planning, &c. (Scotland) Act, 1919.
2. The Housing, &c. Act, 1923.
3. The Housing (Financial Provisions) Act, 1924.
4. The Housing (Scotland) Act, 1925.
5. The Housing (Rural Workers) Acts, 1926 to 1942.
6. The Housing (Scotland) Act, 1930.

7. The Housing (Rural Authorities) Act, 1931.
8. The Housing (Financial Provisions) (Scotland) Act, 1933.
9. The Housing (Scotland) Act, 1935.
10. The Housing (Agricultural Population) (Scotland) Act, 1938.
11. The Housing (Financial Provisions) (Scotland) Act, 1938.

6TH SCH.
—cont.

SEVENTH SCHEDULE

Section 96.

DETERMINATION OF THE AMOUNT OF CERTAIN EXCHEQUER CONTRIBUTIONS

Contributions payable under Section 5 of the Housing, Town Planning, &c. (Scotland) Act, 1919

1. For the purposes of this Schedule and of the Eighth Schedule to this Act—

- (a) a scheme under the said Act of 1919 means a scheme to which section five of that Act applies, other than a scheme for the provision of houses for persons in the employment of, or paid by, a local authority ;
- (b) all schemes and parts of schemes under the said Act of 1919 which a local authority are for the time being administering shall be deemed to be a single scheme carried out by the authority.

2. Notwithstanding anything in any enactment, the amount of the Exchequer contribution for any financial year under section five of the said Act of 1919 towards the loss resulting from the carrying out of a scheme under the said Act of 1919 by a local authority shall be the amount, if any, by which the estimated loss for that year in respect of the scheme (ascertained as provided by paragraphs 3 to 7 of this Schedule) exceeds an amount equal to the produce (ascertained as provided by paragraph 8 of this Schedule) of a rate of four-fifths of one penny in the pound for that year levied in the authority's district.

3. The estimated loss for any financial year shall be the amount by which the estimated expenditure for that year in respect of the scheme exceeds the estimated income for that year.

4. The estimated income for any financial year shall be the sum of the estimated annual rent income (that is to say an amount equal to the aggregate annual rents of the houses provided or acquired by the authority under the scheme which, as at the fifteenth day of May, nineteen hundred and thirty-five, are accepted by the Secretary of State for the purpose of the determination of the Exchequer contribution payable in respect of the scheme) and any other items of income which, in the opinion of the Secretary of State, may properly be taken into account.

7TH SCH.
—cont.

5. The estimated expenditure for any financial year shall be determined in the following manner, that is to say:—

(1) there shall be ascertained—

(a) the aggregate amount of the charges during the five years ending on the fifteenth day of May, nineteen hundred and thirty-five, in respect of supervision and management, repairs, unoccupied houses and irrecoverable rents, accepted by the Secretary of State for the purpose of the determination of the Exchequer contribution payable in respect of the scheme, exclusive of expenditure, if any, incurred during the said five years on repairs of an abnormal and non-recurring nature and of sums, if any, written off during the said five years in respect of arrears of rents which had occurred in exceptional circumstances:

Provided that, where in consequence of the operation of paragraph (2) (b) of Article 7 of the Local Authorities (Assisted Housing Schemes) Amendment Regulations (Scotland), 1933, no charge or a charge of less than fifteen per cent. of the gross estimated rent within the meaning of the said regulations was made in respect of repairs in any one of the said five years, a charge equal to the said fifteen per cent. shall be deemed to have been made in that year;

(b) the aggregate amount of the gross estimated rent income during the five years ending on the fifteenth day of May, nineteen hundred and thirty-five, as accepted by the Secretary of State for the purpose of the determination of the Exchequer contribution payable in respect of the scheme;

(c) the aggregate of, first, the amount which bears the same proportion to the estimated annual rent income as the amount ascertained under head (a) of this subparagraph bears to the amount ascertained under head (b) thereof, and, second, an amount equal to two per cent. of the estimated annual rent income;

(d) the aggregate amount of loan charges for the year in respect of money borrowed for the purposes of the scheme, reduced by the amount, if any, of loan charges for the year relating to expenditure not approved by the Secretary of State for the purpose of the determination of the Exchequer contribution payable in respect of the scheme;

(e) the owners' rates for the year and any other items of expenditure which, in the opinion of the Secretary of State, may properly be taken into account:

Provided that, where moneys borrowed for the purposes of the scheme are repaid by means of a reborrowing, the rate of interest by which the loan charges in respect of those moneys are to be determined for the purposes of head (d)

of this sub-paragraph shall, unless the Secretary of State otherwise directs, be the rate at which the moneys are reborrowed, or the rate which, at the date of reborrowing, was the rate fixed by the Treasury under section one of the Public Works Loans Act, 1897, in respect of loans to local authorities advanced out of the Local Loans Fund for the purposes of Part V of this Act, whichever is the less.

7TH SCH.
—cont.

- (2) The estimated expenditure for the financial year shall be the sum of the amounts ascertained under heads (c), (d) and (e) of the foregoing sub-paragraph.

6. If and to the extent to which an agreement made before the sixteenth day of May, nineteen hundred and thirty-five, by a local authority with the Secretary of State under regulations made in pursuance of subsection (2) of section thirty-three of the Housing (Scotland) Act, 1930, provides for the determination of the estimated annual loss resulting from the carrying out of a scheme under the said Act of 1919 or of any item of estimated income or expenditure, that matter shall be determined in the manner provided in the agreement and not in the manner provided in the foregoing provisions of this Schedule.

7. Where, after the fifteenth day of May, nineteen hundred and thirty-five, the number of dwellings included in a scheme under the said Act of 1919 is changed by reason of the sale of houses, closing or demolition of huts or other temporary dwellings, alterations of boundaries, or otherwise, the Secretary of State may make such adjustments of the amounts of the estimated losses in respect of periods subsequent to the date of change as he may deem equitable.

8. In relation to a scheme under the said Act of 1919, the produce of a rate of four-fifths of one penny in the pound for any financial year levied in any district shall be deemed to be that proportion of the produce of the county or burgh rate which four-fifths of one penny bears to the total amount in the pound of that rate.

For the purposes of this paragraph, the produce of the county or burgh rate for any year shall be deemed to be the amount realised in that year by the collection of that rate levied for that or any previous year, and the total amount in the pound of that rate shall be deemed to be such sum as bears to a pound the same ratio as the aggregate of the sums assessed for by that rate bears to the mean of (a) the total of the rateable values of lands and heritages in the district on which the share of rates payable by owners is assessed, and (b) the total of such values on which the share of rates payable by occupiers is assessed.

Contributions under Section 1 (3) of the Housing, &c. Act, 1923

9. Notwithstanding anything in any enactment, the amount of the Exchequer contribution for any financial year under subsection (3) of section one of the said Act of 1923 towards the expenses incurred by a local authority in carrying out a scheme to which that subsection applies shall be an amount equal to one-half of the

7TH SCH.
—cont.

estimated loss for that year incurred in carrying out the scheme, ascertained as provided by paragraphs 3 to 7 of this Schedule, subject to such modifications as the Secretary of State, with the approval of the Treasury, may determine to be necessary having regard to the date of the completion of the operations or expedient in all the circumstances.

Section 128.

EIGHTH SCHEDULE

LOCAL AUTHORITIES' CONTRIBUTIONS

1. In respect of a scheme (as defined by paragraph 1 of the Seventh Schedule to this Act) carried out by the local authority under the Housing, Town Planning, &c. (Scotland) Act, 1919, a contribution for each financial year during the remainder of the period during which loan charges in respect of money borrowed for the purposes of the scheme are payable, of an amount equal to the produce (ascertained as provided by paragraph 8 of the Seventh Schedule to this Act) of a rate of four-fifths of one penny in the pound for that year, levied in the authority's district, together with the amount of any loan charges for that year in respect of money borrowed for expenditure in connection with the scheme which was not approved by the Secretary of State for the purpose of the determination of the Exchequer contribution:

Provided that, in respect of any year during which no contributions are payable by the Secretary of State in respect of the scheme, this paragraph shall have effect with the substitution, for the reference to an amount equal to the produce of such a rate as is therein mentioned, of a reference to an amount equal to the estimated loss (ascertained as provided by paragraphs 3 to 7 of the said Seventh Schedule) for that year in respect of the scheme.

2. In respect of a house in respect of which the Secretary of State has undertaken under paragraph (b) of subsection (1) of section one of the Housing, &c. Act, 1923, as originally enacted, to pay an Exchequer contribution payable to the local authority, a contribution for each financial year during the remainder of the period of twenty years from the completion of the house, of an amount equal to the amount of the Exchequer contribution in respect of the house for that year, or of an amount equal to the average annual expenditure defrayed out of rates in respect of the house during the five financial years ending on the fifteenth day of May, nineteen hundred and thirty-five, whichever is the less.

3. In respect of a scheme in respect of which an Exchequer contribution is payable to the local authority under subsection (3) of section one of the said Act of 1923, a contribution for each financial year for which the Exchequer contribution is so payable, of an amount equal to the amount of the Exchequer contribution for that year, together with the amount of any loan charges for that year in respect of money borrowed for expenditure in connection

with the scheme which was not approved by the Secretary of State for the purpose of the determination of the Exchequer contribution.

8TH SCH.
—cont.

4. In respect of a house in respect of which the Secretary of State has undertaken under paragraph (b) of subsection (1) of section one of the Housing, &c. Act, 1923 (as amended by sections one and two of the Housing (Financial Provisions) Act, 1924, but not as further amended by section one of the Housing (Financial Provisions) (Scotland) Act, 1933) to pay an Exchequer contribution payable to the local authority, a contribution for each financial year during the remainder of the period of sixty years from the completion of the house, of the annual amount, calculated by reference to a period of sixty years, equivalent to four pounds ten shillings a year payable for a period of forty years, or, in the case of a house completed after the thirtieth day of June, nineteen hundred and thirty-four, one pound ten shillings a year payable for a period of forty years:

Provided that, where immediately before the sixteenth day of May, nineteen hundred and thirty-five, the amount of the annual expenses to be borne by the local rate, as estimated for the purpose of compliance with the requirements of paragraph (e) of subsection (1) of section three of the said Act of 1924, or of subsection (7) of section one of the Housing (Rural Authorities) Act, 1931, as the case may be, was a sum less than the annual amount, calculated by reference to a period of sixty years, equivalent to four pounds ten shillings a year payable for a period of forty years, or one pound ten shillings a year payable for a period of forty years, as the case may be, the annual amount of the contribution shall be that lesser sum.

5. In respect of a house in respect of which the Secretary of State has undertaken to pay an Exchequer contribution under section twenty-three of the Housing (Scotland) Act, 1930, a contribution for each financial year during the period, or remainder of the period, as the case may be, of sixty years from the completion of the house, of the annual amount, calculated by reference to a period of sixty years, equivalent to four pounds ten shillings a year payable for a period of forty years.

6. In respect of a house in respect of which the Secretary of State has undertaken to pay an Exchequer contribution under paragraph (b) of subsection (1) of section one of the Housing, &c. Act, 1923 (as amended by sections one and two of the Housing (Financial Provisions) Act, 1924, and by section one of the Housing (Financial Provisions) (Scotland) Act, 1933), a contribution for each financial year during the period, or the remainder of the period, as the case may be, of sixty years from the completion of the house, of the annual amount, calculated by reference to a period of sixty years, equivalent to one pound ten shillings a year payable for a period of forty years.

7. The contributions payable by the local authority under section thirty-one of the Housing (Scotland) Act, 1935.

8. The contributions payable by the local authority under section thirty-six of the said Act of 1935.

8TH SCH.
—cont.

9. The contributions payable by the local authority under section two of the Housing (Agricultural Population) (Scotland) Act, 1938.

10. The contributions payable by the local authority under section five of the Housing (Financial Provisions) (Scotland) Act, 1938.

11. The contributions payable by the local authority under sections ninety-one, ninety-seven, ninety-eight, ninety-nine and one hundred and eight of this Act.

12. Where in any financial year a deficit is shown in the housing revenue account, a contribution (in this Act referred to as an additional contribution) for that financial year of an amount equal to the amount of the deficit.

13. Where—

(a) a local authority satisfy the Secretary of State that their contribution in respect of such houses as are mentioned in paragraph 2, 4, or 5 of this Schedule should, having regard to the extent to which repayment or provision for repayment of money borrowed for expenditure in connection with the provision of the houses has been made before the sixteenth day of May, nineteen hundred and thirty-five, be of an amount less than the amount specified in that paragraph ; or

(b) a local authority are of opinion that their contribution in respect of such houses as are mentioned in paragraph 4, 5, or 6 of this Schedule should, having regard to the arrangements made for repaying money borrowed for expenditure in connection with the provision of the houses, be of an amount equivalent to the amount specified in that paragraph for a less period than the period therein specified for the payment of the contribution ;

the provisions of that paragraph shall have effect in the case of that authority subject to such modifications as the Secretary of State may determine.

Section 100.

NINTH SCHEDULE

RULES AS TO APPLICATIONS FOR AND GIVING OF ASSISTANCE FOR REPLACEMENT OF UNSATISFACTORY HOUSES OCCUPIED BY AGRICULTURAL WORKERS AND OTHERS

1. The applicant for assistance shall furnish to the local authority full particulars of the house proposed to be erected, and of the house or other premises which it is to replace, together with a statement (approved by an officer of the local authority authorised in that behalf) of the estimated cost of the house, and such plans and specifications thereof as the local authority may require.

2. If the local authority approve the application they shall issue to the applicant a certificate of their approval, which shall set out the terms and conditions upon which assistance will be given.

3. On the completion of the house the applicant shall furnish the local authority with such information as they may require as to the cost of the house and shall satisfy them that it has been erected in accordance with the terms and conditions of the certificate, and the local authority shall not be liable to give assistance until they are so satisfied.

9TH SCH.
—cont.

TENTH SCHEDULE

Section 130.

PROVISIONS IN PURSUANCE OF WHICH FINANCIAL ASSISTANCE MAY BE GIVEN BY THE SECRETARY OF STATE OR BY LOCAL AUTHORITIES

1. Section sixteen of the Housing, Town Planning, &c. (Scotland) Act, 1919.
2. Section two of the Housing, &c. Act, 1923.
3. Section three of the Housing, &c. Act, 1923.
4. Sections one and two of the Housing (Rural Workers) Act, 1926.
5. Subsection (1) of section eighty-seven of this Act.
6. Section one hundred of this Act.

ELEVENTH SCHEDULE

Section 136.

PROVISIONS AS TO LOCAL BONDS

1. Local bonds shall—
 - (a) be secured upon all the rates, property and revenues of the local authority ;
 - (b) bear interest at such rate as the local authority may determine at the time of the issue of the bonds ;
 - (c) be issued in denominations of five, ten, twenty, fifty and one hundred pounds and multiples of hundred pounds ;
 - (d) be issued for periods of not less than five years.
2. Local bonds shall be exempt from stamp duty under the Stamp Act, 1891, and no duty shall be chargeable under section eight of the Finance Act, 1899, as amended by any subsequent enactment, in respect of the issue of any such bonds.
3. The provisions of section one hundred and fifteen of the Stamp Act, 1891 (which relates to composition for stamp duty) shall, with the necessary adaptations, apply in the case of any local authority by whom local bonds are issued as if those bonds were stock or funded debt of the local authority within the meaning of that section.
4. A local authority shall, in the case of any person who is the registered holder of local bonds issued by that local authority of a nominal amount not exceeding in the aggregate one hundred pounds, pay the interest on the bonds held by that person without deduction of income tax, but any such interest shall be accounted for and charged to income tax under the third case of Schedule D subject, however, to any provision of the enactments relating to income tax with respect to exemption or abatement.

11TH SCH.
—cont.

5. Local bonds issued by a local authority shall be accepted by that local authority at their nominal value in payment of the purchase price of any house erected by or on behalf of any local authority in pursuance of any operations under this Act.

6. The Secretary of State may, with the approval of the Treasury, make regulations with respect to the issue (including terms of issue), transfer and redemption of local bonds and the security therefor, and any such regulations may apply, with or without modifications, any provisions of the Local Loans Act, 1875, and the Acts amending that Act, and of Part XII of the Local Government (Scotland) Act, 1947, relating to securities created by local authorities, and of any Act relating to securities issued by any local or public body.

Section 144.

TWELFTH SCHEDULE

PROVISIONS AS TO REHOUSING

1. If in a district within the meaning of this Act the undertakers have power to take under the enabling Act dwellings occupied by thirty or more persons, the undertakers shall not enter on any such dwellings in that district until the Secretary of State has either approved of a housing scheme under this Schedule or decided that such a scheme is not necessary.

For the purpose of determining for the purposes of this Schedule the number of persons by whom any dwellings are occupied, any occupation on or after the fifteenth day of December next before the passing of the enabling Act, or, in the case of land acquired compulsorily under a general Act without the authority of an order, next before the date of the application to the Secretary of State under this Schedule, for his approval of or decision with respect to a housing scheme, shall be taken into consideration.

2. The housing scheme shall make provision for the accommodation of such number of persons as is, in the opinion of the Secretary of State, taking into account all the circumstances, required, but that number shall not exceed the aggregate number of persons displaced; and in calculating that number the Secretary of State shall take into consideration not only the persons who are occupying the dwellings which the undertakers have power to take, but also any persons who, in his opinion, have been displaced within the previous five years in view of the acquisition of land by the undertakers.

3. Provision may be made by the housing scheme for giving undertakers who are a local authority, or who have not sufficient powers for the purpose, power for the purpose of the scheme to appropriate land or to acquire land, either by agreement or compulsorily under the authority of a provisional order, and for giving any local authority power to erect dwellings on land so appropriated or acquired by them, and to sell or dispose of any such dwellings, and to raise money for the purpose of the scheme as for the purposes of Part V of this Act, and for regulating the application of any money arising from the sale or disposal of the dwellings; and any provisions so made shall have effect as if they had been enacted in an Act of Parliament.

4. The housing scheme shall provide that any lands acquired under that scheme shall, for a period of twenty-five years from the date of the scheme be appropriated for the purpose of dwellings, except so far as the Secretary of State may dispense with that appropriation; and every such appropriation of lands shall be recorded as a real burden affecting such lands in the appropriate Register of Sasines; and the Secretary of State may require the insertion in the scheme of any provisions with respect to the standards of the houses that are to be erected under the scheme, or any conditions to be complied with as to the mode in which the houses are to be erected.

12TH SCH.
—cont.

5. If the Secretary of State does not hold a local inquiry with reference to a housing scheme he shall, before approving the scheme send a copy of the draft scheme to every local authority, and shall consider any representation by any such local authority made within the time fixed by him.

6. The Secretary of State may, as a condition of his approval of a housing scheme, require that the new dwellings under the scheme, or some part of them, shall be completed and fit for occupation before possession is taken of any dwellings under the enabling Act.

7. Before approving any scheme the Secretary of State may, if he thinks fit, require the undertakers to give such security as he considers proper for carrying the scheme into effect.

8. If the undertakers enter on any dwellings in contravention of the provisions of this Schedule or of any conditions of approval of the housing scheme made by the Secretary of State, they shall be liable to a penalty not exceeding five hundred pounds in respect of every such dwelling; and any such penalty shall be recoverable by the Secretary of State by action in the Court of Session and shall be carried to and form part of the Consolidated Fund.

9. If the undertakers fail to carry out any provision of the housing scheme, the Secretary of State may make such order as he thinks necessary or proper for the purpose of compelling them to carry out that provision, and any such order may be enforced by order of the Court of Session on the application of the Secretary of State.

10. The Secretary of State may, on the application of the undertakers, modify any housing scheme which has been approved by him under this Schedule, and any modifications so made shall take effect as part of the scheme.

11. For the purposes of this Schedule—

the expression “dwelling” or “house” means any house or part of a house occupied as a separate dwelling;

the expression “enabling Act” means any Act of Parliament or order under which the land is acquired;

12TH SCH.
—cont.

the expression “local authority” means the local authority for the purposes of this Act in whose district in any case any houses in respect of which the rehousing scheme is made are situated ;

the expression “undertakers” means any authority, company or person who are acquiring land compulsorily or by agreement under any local Act or provisional order or order having the effect of an Act, or are acquiring land compulsorily under any general Act.

Section 187.

THIRTEENTH SCHEDULE

ENACTMENTS REPEALED

PART I

Enactments repealed as from commencement of this Act

Session and Chapter	Short Title	Extent of Repeal
14 & 15 Geo. 5. c. 35.	The Housing (Financial Provisions) Act, 1924.	Section eight.
15 & 16 Geo. 5. c. 15.	The Housing (Scotland) Act, 1925.	The whole Act.
20 & 21 Geo. 5. c. 40.	The Housing (Scotland) Act, 1930.	The whole Act except paragraph (iv) of subsection (1) and subsection (3) of section seven, sections twenty-three and twenty-four, section forty-six, section forty-nine so far as relating to the unrepealed provisions of the Act, subsection (3) of section fifty and the Fifth Schedule so far as relating to the Housing, &c. Act, 1923, and the Housing (Financial Provisions) Act, 1924, and section fifty-two.
25 & 26 Geo. 5. c. 41.	The Housing (Scotland) Act, 1935.	The whole Act except sections thirty to thirty-two, sections thirty-four to thirty-six, section eighty-three, subsection (1) of section eighty-six so far as relating to the unrepealed provisions of the Act, section eighty-seven and the Fifth Schedule so far as relating to section twenty-three of the Housing (Scotland) Act, 1930, and section eighty-nine.

Session and Chapter	Short Title	Extent of Repeal
1 & 2 Geo. 6. c. 38.	The Housing (Agricultural Population) (Scotland) Act, 1938.	The whole Act except sections one and two, section twenty-one so far as relating to the said sections one and two, section twenty-two and the Second Schedule.
2 & 3 Geo. 6. c. 3.	The Housing (Financial Provisions) (Scotland) Act, 1938.	Sections four and six.
6 & 7 Geo. 6. c. 22.	The Housing (Agricultural Population) (Scotland) Act, 1943.	The whole Act.
7 & 8 Geo. 6. c. 39.	The Housing (Scotland) Act, 1944.	The whole Act.
8 & 9 Geo. 6. c. 18.	The Local Authorities Loans Act, 1945.	Section six so far as relating to section seventy-two of the Housing (Scotland) Act, 1925.
9 & 10 Geo. 6. c. 54.	The Housing (Financial Provisions) (Scotland) Act, 1946.	The whole Act except sections fifteen and twenty.
9 & 10 Geo. 6. c. 68.	The New Towns Act, 1946.	Section eight, and subsection (10) of section twenty-five.
10 & 11 Geo. 6. c. 43.	The Local Government (Scotland) Act, 1947.	Section two hundred and ninety-three.
11 & 12 Geo. 6. c. 45.	The Agriculture (Scotland) Act, 1948.	Section seventy-eight.
12 & 13 Geo. 6. c. 61.	The Housing (Scotland) Act, 1949.	The whole Act except sections thirty-eight to forty, and subsections (1) and (2) of section forty-nine.

13TH SCH.
—cont.

PART II

Enactments repealed as from the appointed day

3 Edw. 7. c. 33.	The Burgh Police (Scotland) Act, 1903.	Sections sixty-seven and sixty-eight.
20 & 21 Geo. 5. c. 40.	The Housing (Scotland) Act, 1930.	In section seven, in subsection (1), paragraph (iv), and subsection (3).

Table of Statutes referred to in this Act

Short Title	Session and Chapter
Lands Clauses Consolidation (Scotland) Act, 1845...	8 & 9 Vict. c. 19.
Railways Clauses Consolidation (Scotland) Act, 1845	8 & 9 Vict. c. 33.
Registration of Leases (Scotland) Act, 1857 ...	20 & 21 Vict. c. 26.
Improvement of Land Act, 1864	27 & 28 Vict. c. 114.
Local Loans Act, 1875	38 & 39 Vict. c. 83.
Interpretation Act, 1889	52 & 53 Vict. c. 63.
Stamp Act, 1891	54 & 55 Vict. c. 39.
Public Health (Scotland) Act, 1897	60 & 61 Vict. c. 38.
Public Works Loans Act, 1897	60 & 61 Vict. c. 51.
Finance Act, 1899	62 & 63 Vict. c. 9.
Burgh Police (Scotland) Act, 1903	3 Edw. 7. c. 33.
Entail (Scotland) Act, 1914	4 & 5 Geo. 5. c. 43.
Housing, Town Planning, &c., Act, 1919	9 & 10 Geo. 5. c. 35.
Acquisition of Land (Assessment of Compensation) Act, 1919	9 & 10 Geo. 5. c. 57.
Housing, Town Planning, &c., (Scotland) Act, 1919	9 & 10 Geo. 5. c. 60.
Mines (Working Facilities and Support) Act, 1923...	13 & 14 Geo. 5. c. 20.
Housing, &c., Act, 1923	13 & 14 Geo. 5. c. 24.
Housing (Financial Provisions) Act, 1924	14 & 15 Geo. 5. c. 35.
Housing (Scotland) Act, 1925	15 & 16 Geo. 5. c. 15.
Housing (Rural Workers) Act, 1926	16 & 17 Geo. 5. c. 56.
Agricultural Credits (Scotland) Act, 1929	19 & 20 Geo. 5. c. 13.
Housing (Scotland) Act, 1930	20 & 21 Geo. 5. c. 40.
Housing (Rural Authorities) Act, 1931	21 & 22 Geo. 5. c. 39.
Hire Purchase and Small Debt (Scotland) Act, 1932	22 & 23 Geo. 5. c. 38.
Housing (Financial Provisions) (Scotland) Act, 1933	23 & 24 Geo. 5. c. 16.
Rent and Mortgage Interest Restrictions (Amend- ment) Act, 1933	23 & 24 Geo. 5. c. 32.
Housing (Scotland) Act, 1935	25 & 26 Geo. 5. c. 41.
Private Legislation Procedure (Scotland) Act, 1936	26 Geo. 5. & 1 Edw. 8. c. 52.
Local Government Superannuation (Scotland) Act, 1937	1 Edw. 8. & 1 Geo. 6. c. 69.
Housing (Rural Workers) Amendment Act, 1938 ...	1 & 2 Geo. 6. c. 35.
Housing (Agricultural Population) (Scotland) Act, 1938	1 & 2 Geo. 6. c. 38.
Housing (Financial Provisions) (Scotland) Act, 1938	2 & 3 Geo. 6. c. 3.
Building Societies Act, 1939	2 & 3 Geo. 6. c. 55.
National Loans Act, 1939	2 & 3 Geo. 6. c. 117.
Housing (Agricultural Population) (Scotland) Act, 1943	6 & 7 Geo. 6. c. 22.
Housing (Scotland) Act, 1944	7 & 8 Geo. 6. c. 39.
Local Authorities Loans Act, 1945	8 & 9 Geo. 6. c. 18.
Requisitioned Land and War Works Act, 1945 ...	8 & 9 Geo. 6. c. 43.
Statutory Orders (Special Procedure) Act, 1945 ...	9 & 10 Geo. 6. c. 18.
Statutory Instruments Act, 1946	9 & 10 Geo. 6. c. 36.
Housing (Financial Provisions) (Scotland) Act, 1946	9 & 10 Geo. 6. c. 54.
New Towns Act, 1946	9 & 10 Geo. 6. c. 68.
Hill Farming Act, 1946	9 & 10 Geo. 6. c. 73.
Acquisition of Land (Authorisation Procedure) (Scotland) Act, 1947	10 & 11 Geo. 6. c. 42.

Short Title	Session and Chapter
Local Government (Scotland) Act, 1947	10 & 11 Geo. 6. c. 43.
Town and Country Planning (Scotland) Act, 1947...	10 & 11 Geo. 6. c. 53.
National Assistance Act, 1948	11 & 12 Geo. 6. c. 29.
Agriculture (Scotland) Act, 1948	11 & 12 Geo. 6. c. 45.
Lands Tribunal Act, 1949	12, 13 & 14 Geo. 6. c. 42.
Housing (Scotland) Act, 1949	12, 13 & 14 Geo. 6. c. 61.
Agricultural Holdings (Scotland) Act, 1949 ...	12, 13 & 14 Geo. 6. c. 75.

CHAPTER 35

Food and Drugs (Milk, Dairies and Artificial Cream) Act, 1950

ARRANGEMENT OF SECTIONS

PART I

MILK AND DAIRIES

Milk and Dairies Regulations

Section

1. Power to make regulations to secure the purity of milk.
2. Registration of dairymen under regulations.
3. Registration of dairy farms and dairy farmers under regulations.

Ancillary provisions as to Milk and Dairies Regulations

4. Provisions as to making of Milk and Dairies Regulations.
5. Committees to review working of regulations.
6. Ancillary provisions as to contents of Milk and Dairies Regulations.
7. Enforcement of Milk and Dairies Regulations.

Prohibitions on sale of milk not in a pure and genuine condition

8. Prohibition of sale of tuberculous milk, and milk of cows suffering from tuberculosis, etc.
9. Certain additions not to be made to milk, and certain liquids not to be sold as milk.
10. Regulations as to presumptive evidence of adulteration of milk.

Establishment of milk depots

11. Establishment by certain councils of milk depots.

Veterinary Inspectors

12. Veterinary inspectors to be appointed by Minister of Agriculture.

PART II

SPECIAL DESIGNATIONS OF MILK

*Regulations as to special designations, and provisions
as to use thereof*

Section

13. Prescribing of special designations, licences to use them and authorised use.
14. Revocation, suspension and refusal of licences to use a special designation.

*Ancillary provisions as to Milk (Special Designation)
Regulations*

15. Provisions as to making of Milk (Special Designation) Regulations.
16. Committees to review working of Milk (Special Designation) Regulations.
17. Ancillary provisions as to contents of Milk (Special Designation) Regulations.
18. Enforcement of Milk (Special Designation) Regulations.

Compulsory use of special designations in specified areas

19. Compulsory use for retail sales.
20. Compulsory use for catering.
21. Power of the Minister of Food to dispense with use.
22. Restriction on use of special designation "Accredited".
23. Specified areas.
24. Power of the Minister of Food to provide facilities for treatment of milk.

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25. Breach of certain conditions of licences for specified areas to be punishable.
26. Restrictions on liability under foregoing section.
27. Revocation, suspension and refusal of licences.

Interpretation of certain provisions in Part II

28. Interpretation of certain provisions in Part II.

PART III

ARTIFICIAL CREAM

29. Regulation of sale of artificial cream.
30. Premises where artificial cream is manufactured or sold to be registered.
31. Extension to artificial cream of provisions relating to cream.

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GENERAL

32. This Act to form part of the Food and Drugs Act, 1938.
33. Regulations.
34. Interpretation.
35. Transitional.
36. Repeal and savings.
37. Extent.
38. Short title, citation and commencement.

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First Schedule.—Refusal and cancellation of registration of Dairymen and of Dairy Farms and Farmers.

Part I—Dairymen.

Part II—Dairy farms and farmers.

Second Schedule.—Diseases of cows to which section eight applies.

Third Schedule.—Powers as to revocation or suspension of licences to use special designations, and procedure as to revocation, suspension or refusal thereof.

Part I—General.

Part II—Licences held by retailers for specified areas.

Part III—Interpretation.

Fourth Schedule.—Conditions to which section twenty-five applies.

Fifth Schedule.—Enactments repealed.

An Act to consolidate certain enactments relating to milk, dairies and artificial cream. [26th October 1950.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

PART I

MILK AND DAIRIES

Milk and Dairies Regulations

- 1.—(1) Provision may be made by regulations under this Part of this Act, to be called "Milk and Dairies Regulations"—
- (a) for the inspection of cattle on dairy farms ;
- (b) for the inspection of dairies, and of persons in or about dairies who have access to the milk, or to the churns or other milk vessels ;
- (c) with respect to the lighting, ventilation, cleansing, drainage, and water supply of dairies ;
- (d) for securing the cleanliness of churns and other milk vessels and appliances ;
- (e) prescribing the precautions to be taken for protecting milk against infection or contamination ;
- (f) for preventing danger to health from the sale of infected, contaminated or dirty milk, and in particular for prohibiting the supply or sale of milk suspected of being infected ;
- Power to make regulations to secure the purity of milk.

PART I
—cont.

- (g) for imposing obligations on dairymen and their employees in regard to cases of infectious illness ;
- (h) for regulating the cooling, storage, conveyance and distribution of milk ;
- (i) with respect to the labelling, marking or identification, and the sealing or closing of churns and other vessels used for the conveyance of milk, the labelling of vessels in which milk is sold or offered or exposed for sale or delivered, and the display of the vendor's name and address on any stall, or any cart, barrow or other vehicle, from which milk is sold or delivered ;
- (j) in cases where no express provision is made by the Food and Drugs Act, 1938, or this Act, prohibiting or restricting—
 - (i) the addition of any substance to, or the abstraction of fat or any other constituent from, milk ;
 - (ii) the sale of milk to which any such addition, or from which any such abstraction, has been made, or which has been otherwise artificially treated ;
- (k) for preventing danger to health from the importation of milk.

In this subsection the expression “ milk ” means milk intended for sale or sold for human consumption, or intended for manufacture into products for sale for human consumption.

(2) Regulations made under paragraph (i) or paragraph (j) of the foregoing subsection shall not apply in relation to cream in so far as they are made for any purpose for which regulations with respect to cream may be made under paragraph (b) or paragraph (c) of subsection (1) of section eight of the Food and Drugs Act, 1938 (which authorise the making of regulations requiring the labelling or marking of food containers and regulating the composition of food).

Registration of dairymen under regulations.

2.—(1) Milk and Dairies Regulations may provide for the registration of persons carrying on, or proposing to carry on, the trade of a dairyman and for the registration of dairies, and for prohibiting any person from carrying on the said trade unless he and any premises used by him as a dairy are duly registered.

(2) Part I of the First Schedule to this Act shall have effect with respect to refusing or cancelling the registration of dairymen.

Registration of dairy farms and dairy farmers under regulations.

3.—(1) Milk and Dairies Regulations shall provide for the registration by the Minister of Agriculture and Fisheries of dairy farms and of persons carrying on, or proposing to carry on, the trade of a dairy farmer.

(2) Such regulations shall make provision in accordance with Part II of the First Schedule to this Act for dealing with the refusal and cancellation of any such registration.

PART I
—cont.

Ancillary provisions as to Milk and Dairies Regulations

4.—(1) The power of making Milk and Dairies Regulations shall be exercisable by the Minister of Health, the Minister of Food and the Minister of Agriculture and Fisheries acting jointly.

Provisions as
to making of
Milk and
Dairies
Regulations.

(2) The Ministers before making the regulations shall consult with such representative organisations as they think fit.

(3) The regulations may be general regulations or regulations limited to a particular area.

5. Milk and Dairies Regulations shall provide for the constitution of a central committee, and of county committees for the several administrative counties, to keep under review the operation and administration of the regulations and to make recommendations with respect thereto, in the case of the central committee, to the Minister of Agriculture and Fisheries and, in the case of a county committee, to the central committee.

Committees
to review
working of
regulations.

6. Without prejudice to the generality of other provisions of this Part of this Act as to Milk and Dairies Regulations, such regulations may—

Ancillary
provisions as
to contents of
Milk and
Dairies
Regulations.

- (a) apply, as respects matters to be dealt with by the regulations, any provision in the Food and Drugs Act, 1938, or in this Act, or in any other Act dealing with the like matters, with the necessary modifications and adaptations ;
- (b) provide for an appeal to a court of summary jurisdiction against any refusal or other decision of an authority by whom the regulations are to be enforced and executed ;
- (c) authorise the making of charges for the purposes of the regulations or for any services performed thereunder and provide for the recovery of charges so made ;
- (d) make such ancillary and incidental provisions as appear to the Ministers making the regulations to be necessary or desirable.

PART I
—cont.
Enforcement
of Milk and
Dairies
Regulations.

7.—(1) Milk and Dairies Regulations shall specify the authorities, whether county councils, local authorities, Food and Drugs authorities or port health authorities, by whom they are to be enforced and executed, and may provide for the giving of assistance and information by any authority concerned in the administration of the regulations, or of this Act, or of the Food and Drugs Act, 1938, to any other authority so concerned for the purposes of their respective duties thereunder:

Provided that this subsection shall not apply to the enforcement or execution of regulations in respect of dairy farms or in respect of the registration of persons carrying on or proposing to carry on the trade of a dairy farmer, except any such regulation as is made for the purposes of paragraph (f) or paragraph (g) of subsection (1) of section one of this Act.

(2) The power of a county council or local authority under subsection (3) of section sixty-five of the Food and Drugs Act, 1938, to institute proceedings under any regulation made under that Act shall not include power to institute proceedings against any person for contravening or failing to comply with Milk and Dairies Regulations in respect of a dairy farm or in respect of the registration of persons carrying on or proposing to carry on the trade of a dairy farmer, except any such regulation as is made for the purposes of paragraph (f) or paragraph (g) of subsection (1) of section one of this Act.

(3) Any expenses incurred by a county council in the enforcement and execution of Milk and Dairies Regulations shall, if the Minister of Health by order so directs, be defrayed as expenses for special county purposes charged on such part of the county as may be provided by the order, but any such order may be revoked or varied by a subsequent order.

(4) The Minister of Health may, with the approval of the Treasury, repay out of moneys provided by Parliament such part, not exceeding three quarters, as he may with such approval determine of any sums paid by a local authority by way of compensation to any person for damage or loss sustained by him by reason of any prohibition or restriction imposed by Milk and Dairies Regulations on the sale, supply or use of milk which is infected or suspected of being infected.

(5) Milk and Dairies Regulations may in particular provide for imposing on persons contravening or failing to comply with the regulations penalties not exceeding the following, that is to say—

- (i) for a first offence a fine of twenty pounds;
- (ii) for a subsequent offence a fine of one hundred pounds or imprisonment for three months or both.

(6) Milk and Dairies Regulations may in particular provide for the taking and examination of samples.

Prohibitions on sale of milk not in a pure and genuine condition

PART I

—cont.

Prohibition of sale of tuberculous milk, and milk of cows suffering from tuberculosis, &c.

8.—(1) No person shall—

- (a) sell, or offer or expose for sale, for human consumption ; or
- (b) use in the manufacture of products for sale for human consumption,

the milk of any cow which to his knowledge has given tuberculous milk, or is suffering from emaciation due to tuberculosis, or from tuberculosis of the udder or any other disease of cows to which this section applies.

(2) In proceedings under this section, the defendant shall be deemed to have known that a cow had given tuberculous milk, or was so suffering as aforesaid, if he could with ordinary care have ascertained the fact.

(3) A person who contravenes any of the provisions of this section shall be guilty of an offence.

(4) The diseases of cows to which this section applies are those specified in the Second Schedule to this Act and any other disease to which the provisions of this section are extended by Milk and Dairies Regulations.

(5) It shall be the duty of the council of every county and county borough to enforce the provisions of this section.

9.—(1) No person shall—

- (a) add any water or colouring matter, or any dried or condensed milk or liquid reconstituted therefrom, to milk intended for sale for human consumption ; or
- (b) add any separated milk, or mixture of cream and separated milk, to unseparated milk intended for such sale ; or
- (c) sell, or offer or expose for sale, or have in his possession for the purpose of sale, for human consumption any milk to which any addition has been made in contravention of the provisions of this subsection.

Certain additions not to be made to milk, and certain liquids not to be sold as milk.

(2) No person shall sell, or offer or expose for sale, under the designation of milk any liquid in the making of which any separated milk or any dried or condensed milk has been used.

(3) A person who contravenes any of the provisions of this section shall be guilty of an offence.

(4) It shall be the duty of every Foods and Drugs authority within their area to carry into execution and enforce the provisions of this section, with a view to securing that food is sold only in a pure and genuine condition.

PART I
—*cont.*
Regulations as to presumptive evidence of adulteration of milk.

10. The Minister of Health, the Minister of Food and the Minister of Agriculture and Fisheries acting jointly may make regulations for determining what deficiency in any of the normal constituents of milk, or what proportion of water, in a sample shall for the purposes of the Food and Drugs Act, 1938, or this Act raise a presumption, until the contrary is proved, that the article sampled is not genuine milk.

Establishment of milk depots

Establishment by certain councils of milk depots.

11. Where the local authority of a district outside London are not a local health authority for the purposes of Part III of the National Health Service Act, 1946, they may, with the approval of the Minister of Health, establish depots for the sale, at not less than cost price, of milk specially prepared for consumption by infants under two years of age, and for that purpose may purchase and prepare milk and provide any necessary plant.

Veterinary inspectors

Veterinary inspectors to be appointed by Minister of Agriculture.

12. The functions of veterinary inspectors under any enactments relating to milk or to dairies shall, in accordance with directions given by the Minister of Agriculture and Fisheries, be discharged by veterinary inspectors appointed for the purpose by him under section five of the Board of Agriculture Act, 1889.

PART II

SPECIAL DESIGNATIONS OF MILK

Regulations as to special designations, and provisions as to use thereof

Prescribing of special designations, licences to use them and authorised use.

13.—(1) Provision may be made by regulations under this Part of this Act, to be called “Milk (Special Designation) Regulations”—

- (a) for prescribing, in relation to milk of any description, such designation (hereinafter referred to as a “special designation”) as the Ministers making the regulations consider appropriate ; and
- (b) for the granting of licences to producers and sellers of milk authorising the use of a special designation, and for prescribing the periods for which and the conditions subject to which licences or licences of any particular class are to be granted under the regulations.

(2) No person shall for the purpose of the sale or advertisement of any milk use a special designation in any manner calculated to suggest that it refers to that milk, unless he holds a licence authorising the use of that designation in connection with that milk :

Provided that, for the purpose of a sale or advertisement of milk as, or as part of, a meal or refreshments, a special designation may be used by a person who does not hold a licence authorising the use of that designation in connection with the milk, if the milk is milk bought by him and that designation was used for the purpose of the sale thereof to him.

(3) No person shall for the purpose of the sale or advertisement of any milk refer to that milk by any such description, not being a special designation, as is calculated falsely to suggest—

- (a) that there is in force a licence authorising the use of a special designation in connection with that milk ;
or
- (b) that the milk is tested, approved or graded by any competent person ; or
- (c) that the cows from which the milk is derived are free from the infection of tuberculosis or of any other disease.

(4) A person who contravenes any of the provisions of subsection (2) or (3) of this section shall be guilty of an offence.

(5) In any proceedings taken by virtue of subsection (3) of this section it shall rest on the defendant to prove the truth of any suggestion which, in the opinion of the court, his acts or conduct, as proved by the prosecution, are or is calculated to convey.

(6) It shall be the duty of every Food and Drugs authority within their area to carry into execution and enforce the provisions of subsections (2) and (3) of this section :

Provided that this subsection shall not apply to the execution or enforcement of those provisions as regards any use of a special designation, or any reference to milk by such a description as is mentioned in subsection (3) of this section, by the producer of the milk in question where that milk is raw milk.

(7) Section twenty-eight of this Act shall apply for the interpretation of the references in this section to selling milk but as if the definition of milk in that section were omitted.

14.—(1) The provisions of Part I of the Third Schedule to this Act shall have effect with respect to the making by Milk (Special Designation) Regulations of provision for—

- (a) the revocation or suspension of licences authorising the use of a special designation on the ground of a breach of condition of the licence ;

- (b) procedure in connection with decisions to revoke or suspend such licences or to refuse grants of such licences.

Revocation,
suspension and
refusal of
licences to use
a special
designation.

PART II
—*cont.*

(2) Where there has been a breach of a condition subject to which a licence authorising the use of a special designation is granted, but the licence has not been revoked or suspended, the breach shall not be treated as rendering the use of the designation unauthorised for any of the purposes of the last foregoing section or of any other provision of this Act.

Ancillary provisions as to Milk (Special Designation) Regulations

Provisions as to making of Milk (Special Designation) Regulations.

15.—(1) The power of making Milk (Special Designation) Regulations shall be exercisable—

- (a) except in so far as the regulations relate to raw milk, by the Minister of Health and the Minister of Food acting jointly ;
- (b) in so far as the regulations relate to raw milk, by the said Ministers acting jointly with the Minister of Agriculture and Fisheries.

(2) The Ministers before making such regulations shall consult with such representative organisations as they think fit.

Committees to review working of Milk (Special Designation) Regulations.

16. Milk and Dairies Regulations shall provide for the keeping under review by the committees appointed under those regulations of the operation and administration of Milk (Special Designation) Regulations and for the making of recommendations with respect thereto in like manner as in the case of recommendations made under section five of this Act with respect to the operation of Milk and Dairies Regulations.

Ancillary provisions as to contents of Milk (Special Designation) Regulations.

17.—(1) Provision made by Milk (Special Designation) Regulations for the granting of licences authorising the use of a special designation shall be for the granting thereof by the following, that is to say—

- (a) either the Minister of Food or county councils or local authorities, as may be provided by the regulations, except as respects licences authorising the use of a special designation of raw milk by the producer of such milk ;
- (b) as respects such last-mentioned licences, the Minister of Agriculture and Fisheries.

(2) The conditions prescribed by such regulations subject to which licences may be granted may include conditions as to the payment of fees.

(3) Without prejudice to the generality of other provisions of this Part of this Act as to such regulations, they may—

- (a) apply, as respects matters to be dealt with by the regulations, any provisions in the Food and Drugs Act, 1938, or in this Act, or in any other Act dealing with

the like matters, with the necessary modifications and adaptations ;

PART II
—cont.

- (b) provide for an appeal to a court of summary jurisdiction against any refusal or other decision of an authority by whom the regulations are to be enforced and executed, so, however, that this paragraph shall have effect subject to the provisions of paragraph 3 of the Third Schedule to this Act ;
- (c) authorise the making of charges for the purposes of the regulations or for any services performed thereunder, and provide for the recovery of the charges so made ;
- (d) make such ancillary and incidental provisions as appear to the Ministers making the regulations to be necessary or desirable.

18.—(1) Milk (Special Designation) Regulations shall specify the authorities, whether county councils, local authorities, Food and Drugs authorities or port health authorities, by whom they are to be enforced and executed, and may provide for the giving of assistance and information by any authority concerned in the administration of the regulations, or of this Act, or of the Food and Drugs Act, 1938, to any other authority so concerned for the purposes of their respective duties thereunder :

Enforcement of
Milk (Special
Designation)
Regulations.

Provided that this subsection shall not apply to the enforcement or execution of regulations in respect of the use of a special designation of raw milk by a producer of such milk.

(2) Any expenses incurred by a county council in the enforcement and execution of such regulations shall, if the Minister of Health by order so directs, be defrayed as expenses for special county purposes charged on such part of the county as may be provided by the order, but any such order may be revoked or varied by a subsequent order.

(3) Such regulations may in particular provide for imposing on persons offending against the regulations penalties not exceeding the following, that is to say—

- (i) for a first offence a fine of twenty pounds ; and
- (ii) for a subsequent offence a fine of one hundred pounds or imprisonment for three months or both.

(4) Such regulations may in particular provide for the taking and examination of samples, and the power conferred by paragraph (a) of subsection (3) of the last foregoing section shall include power, in dealing with the procuring of samples for the purpose of the enforcement of conditions of licences authorising the use of a special designation, to exclude provisions of the Third Schedule to the Food and Drugs Act, 1938, which may appear not to be appropriate for that purpose.

PART II

—cont.

Compulsory
use for retail
sales.*Compulsory use of special designations in specified areas*

19.—(1) Subject to the provisions of this Part of this Act, the use of a special designation shall be obligatory for the purpose of all sales of milk by retail for human consumption (other than catering sales) where the place of sale is in an area in which this subsection is in operation by virtue of the subsequent provisions of this Part of this Act in that behalf (in this Act referred to as “a specified area”).

(2) The use of a special designation shall be obligatory also for the purpose of a sale of milk by retail for human consumption (other than a catering sale), notwithstanding that the place of sale is not in a specified area, if the milk is delivered from an establishment (whether in or outside a specified area) where there is carried on a business of selling milk which includes any sales for the purpose of which the use of a special designation is obligatory by virtue of the foregoing subsection.

(3) The foregoing subsections shall not apply to the selling of milk as therein mentioned by a producer of milk from cows to persons employed by him in or in connection with such production or employed by him otherwise in agriculture, if he does not engage in any other selling of milk as mentioned in those subsections.

(4) Any person who sells milk without the use of a special designation under a sale for the purpose of which the use of a special designation is obligatory by virtue of this section shall be guilty of an offence.

(5) It shall be the duty of every Food and Drugs authority within their area to carry into execution and enforce the provisions of this section.

(6) Section twenty-eight of this Act shall apply for the interpretation of this section.

Compulsory
use for
catering.

20.—(1) The provisions of this section shall apply to catering sales, and to sales of milk to a person who carries on a business which consists in or comprises making catering sales (in this section referred to as “a caterer”).

(2) Subject to the provisions of this Part of this Act, a catering sale made in a specified area—

(a) shall be lawful (unless it is for any reason unlawful apart from this subsection) if the caterer bought the milk under a sale for the purpose of which a special designation was used, or if he holds a licence authorising him to use a special designation in connection with the milk, whether the designation is used for the purpose of the catering sale or not ; but

(b) otherwise shall be unlawful.

(3) Subject to the provisions of this Part of this Act, on a sale of milk to a caterer, being a sale for the purpose of which the use of a special designation would be obligatory by virtue of the last foregoing section if it were a sale by retail, the use of such a designation shall be obligatory, except where—

- (a) the caterer buys the milk with a view to subjecting it to a process to which milk is required to be subjected as a condition of the use of a special designation in connection therewith, and he is the holder of a licence authorising him to use that designation, or
- (b) the caterer buys the milk for the purposes of a business of his as a milk dealer or a manufacturer of milk products other than his business as a caterer.

(4) Any person who makes a catering sale which is unlawful by virtue of subsection (2) of this section, or who sells milk without the use of a special designation under a sale for the purpose of which the use of a special designation is obligatory by virtue of subsection (3) of this section, shall be guilty of an offence :

Provided that a person shall not be guilty of an offence by virtue of subsection (3) of this section if at the time of the sale in question he had reasonable cause to believe that the conditions specified in paragraph (a) or (b) of that subsection were satisfied as to that sale or that the buyer was not a caterer.

(5) It shall be the duty of every Food and Drugs authority within their area to carry into execution and enforce the provisions of this section.

(6) Section twenty-eight of this Act shall apply for the interpretation of this section.

21.—(1) Notwithstanding anything in subsection (1) or (2) of section nineteen of this Act, or in subsection (3) of section twenty thereof, selling milk as therein mentioned without the use of a special designation shall be permissible if done with the consent of the Minister of Food, and he may give consents for the purposes of this section, either generally as respects selling milk as mentioned in those subsections or restricted to a particular retailer or establishment or otherwise, and either unconditionally or subject to conditions, as may appear to him to be requisite in order to meet any circumstances in which use of a special designation which would be obligatory by virtue of those subsections apart from the consent appears to him to be for the time being not reasonably practicable.

Power of the
Minister of
Food to
dispense
with use.

(2) A catering sale made in a specified area shall not be unlawful by virtue of subsection (2) of section twenty of this Act if the milk was sold to the caterer with consent given by the Minister for the purposes of this section.

PART II
—cont.

(3) Section twenty-eight of this Act shall apply for the interpretation of this section.

Restriction on use of special designation "Accredited."

22.—(1) On and after the first day of October, nineteen hundred and fifty-four, the special designation "Accredited" shall be excluded from the designations which may be used in satisfaction of an obligation to use a special designation subsisting by virtue of this Act.

(2) A person shall not use the special designation "Accredited" for a purpose for which the use of a special designation is obligatory by virtue of this Act unless the milk in question is all from a single herd, and any person who contravenes this subsection shall be guilty of an offence.

It shall be the duty of every Food and Drugs authority within their area to carry into execution and enforce the provisions of this subsection:

Provided that the said duty of a Food and Drugs authority shall not extend to execution and enforcement of the said provisions as regards use of the special designation "Accredited" by the producer of the milk in question.

(3) Section twenty-eight of this Act shall apply for the interpretation of this section.

Specified areas.

23.—(1) The Minister of Food may at any time order that subsection (1) of section nineteen of this Act shall come into operation in any area in which it is not then in operation, or shall cease to be in operation in any area in which it is then in operation.

(2) Before making an order under this section the Minister of Food shall consult with such representative organisations as appear to him substantially to represent the interests concerned with the purposes of the order.

(3) The powers conferred on the Minister by this section shall be exercisable by statutory instrument, and—

(a) a draft of any statutory instrument bringing subsection (1) of section nineteen of this Act into operation in any area shall be laid before Parliament;

(b) a statutory instrument ordering that subsection (1) of section nineteen of this Act shall cease to be in operation in any area shall be subject to annulment in pursuance of a resolution of either House of Parliament.

(4) For the purposes of this Part of this Act—

(a) if a contract of sale of milk is made in one place and it is delivered under the contract in another place, the place of the sale shall, except in a case falling within paragraph (b) of this subsection, be taken to be the place where the milk is so delivered;

(b) if a contract of sale of milk is made in one place and it is delivered under the contract to a carrier for transport to another place, the place of the sale shall be taken to be that other place.

PART II
—cont.

(5) Section twenty-eight of this Act shall apply for the interpretation of this section.

24.—(1) The Minister of Food may install, maintain and operate apparatus for the subjection of milk to any process to which it is required to be subjected as a condition of the use of a special designation in connection therewith, and may provide any other facilities for that purpose, in any case in which it appears to him, as respects any area which is a specified area, or an area as to which he proposes to make an order bringing subsection (1) of section nineteen of this Act into operation, that facilities for the application of such treatment sufficient to provide for supplies of milk of that designation in that area in requisite quantities are not available and are not likely otherwise to become available.

Power of the
Minister of
Food to
provide
facilities for
treatment of
milk.

(2) Where the Minister of Food provides facilities under this section he may either buy the milk to be treated and re-sell it, otherwise than by retail or to a caterer for the purposes of his business as such, after treatment or apply the treatment to milk of others.

(3) The Minister of Food may make arrangements with local authorities or other persons for the doing, on his behalf and at his expense, of things which he is authorised by this section to do, and it shall be within the powers of local authorities to carry out arrangements so made.

(4) Any expenses incurred by the Minister under this section shall be defrayed out of moneys provided by Parliament, and payments received by the Minister for milk sold by him thereunder, or for treating thereunder milk of others, shall be paid into the Exchequer.

(5) Section twenty-eight of this Act shall apply for the interpretation of this section, and in this section the expression "local authority" means any local authority within the meaning of the Local Government Act, 1933, or the London Government Act, 1939.

Licences for specified areas

25.—(1) In the event of a breach of any condition to which this section applies of a licence held by a retailer for a specified area, the holder of the licence shall, subject as provided in the next succeeding section, be guilty of an offence under this section.

Breach of
certain
conditions of
licences for
specified areas
to be
punishable.

PART II
—cont.

(2) The conditions to which this section applies are conditions as to any such matters as are specified in the Fourth Schedule to this Act.

(3) Milk (Special Designation) Regulations shall specify the authorities, whether local authorities or Food and Drugs authorities, by whom the provisions of this section are to be enforced as respects licences other than licences authorising the use of a special designation in relation to raw milk by the producer thereof, or authorising the use of a special designation by a local authority.

(4) In this section the expression “local authority” means any local authority within the meaning of the Local Government Act, 1933, or the London Government Act, 1939.

Restrictions
on liability
under
foregoing
section.

26.—(1) Such a breach of condition as is mentioned in the last foregoing section, constituted by an act or omission for which the holder of the licence is liable to any punishment imposed by or under any enactment other than that section, shall not render the holder of the licence guilty of an offence under the last foregoing section.

(2) Such a breach of condition as is mentioned in the last foregoing section shall not render the holder of the licence guilty of an offence under that section unless it was the later, or a later, of two or more such breaches, occurring within a period of twelve months, of conditions either of that licence or of that licence and a former licence by way of renewal whereof that licence was granted, and was committed either—

- (a) after the licensing authority had given him notice in writing as to an earlier of those two or more breaches informing him of his being alleged to have committed it, and warning him of the liability to prosecution imposed by the last foregoing section; or
- (b) after he had been convicted of an offence under that section by virtue of an earlier of those two or more breaches.

(3) In the case of any prosecution in respect of such a breach of condition as is mentioned in the last foregoing section which would otherwise render the holder of the licence guilty of an offence under that section, it shall be a defence for him to prove the following matters (either as to that breach, or as to the earlier breach relied on for the purpose of subsection (2) of this section unless it is one by virtue of which he has been convicted of such an offence), that is to say—

- (a) that neither he nor any servant or agent of his did, or knew of the doing of, any act that constituted the breach or can reasonably be regarded as having been

the cause or amongst the causes of it, or omitted to do, or knew of an omission to do, any act the omission whereof constituted the breach or the doing whereof can reasonably be regarded as a precaution that would have prevented it ; and

- (b) if the breach was in connection with milk that had been sold to him, or had been delivered to him after being subjected to a process to which it was required to be subjected as a condition of the use of the special designation to which his licence related, that that designation was used for the purpose of the sale to him or in connection with the delivery to him, as the case may be, and was so used without any breach, discoverable by the exercise of reasonable diligence on the part of himself or any servant or agent of his, of any condition, relating to receptacles, to closing, to fastening or to marking, of a licence to use that designation held by the person who sold the milk to him or subjected it to the process, as the case may be.

(4) Section twenty-eight of this Act shall apply for the interpretation of this section.

27. Part II of the Third Schedule to this Act shall have effect as respects the application of Part I of that Schedule to a licence held by a retailer for a specified area.

Revocation,
suspension and
refusal of
licences.

Interpretation of certain provisions in Part II

28. In the provisions of this Part of this Act beginning with section nineteen and in the Third Schedule to this Act, except where the context otherwise requires—

Interpretation
of certain
provisions in
Part II.

- “business” includes the business of a hospital, school or other institution whose selling of milk is incidental only to the rendering of the health, educational or other services rendered by the institution ;
- “catering sale” means a sale of milk, or of things made from milk or of which milk is an ingredient, as, or as part of, a meal or refreshments ;
- “licence held by a retailer for a specified area” means a licence authorising the use of a special designation held by a person carrying on a business which includes any sales which are sales for the purpose of which the use of a special designation is obligatory by virtue of this Part of this Act and are of milk in relation to which that licence authorises the use of a special designation ;
- “licensing authority” means, in relation to a grant of a licence authorising the use of a special designation, the authority having power to grant it by virtue of Milk (Special Designation) Regulations, and, in relation to

PART II
—cont.

such a licence which has been granted, the authority who would for the time being have power by virtue of such regulations as aforesaid to grant a licence by way of renewal thereof if it had expired ;

“milk” means cows’ milk, excluding not only condensed milk and dried milk, but also cream and separated, skimmed and evaporated milk, and butter milk ;

“selling” means selling in the course of a business, and includes, in relation to milk, supplying it under arrangements for free supply, and, in relation to milk and things made from milk or of which milk is an ingredient, supplying it or them, in the course of any business otherwise than under such arrangements ; and references to sales and contracts of sale and sellers shall be construed accordingly ;

“selling milk by retail” means selling it—

(a) to any person other than a milk dealer (that is to say a person who carries on a business which consists in or comprises the selling of milk) or a manufacturer of milk products (that is to say, a person who carries on a business which consists in or comprises the making of things made from milk or of which milk is an ingredient) ; or

(b) to such a dealer or manufacturer otherwise than for the purposes of his business as such ;

“specified area” has the meaning assigned by subsection (1) of section nineteen of this Act ;

“supplying under arrangements for free supply” means, in relation to any milk, supplying it, free from any payments made or to be made by the person to whom it is supplied, under arrangements made in exercise of powers in that behalf conferred by any Regulation in the Defence (General) Regulations, 1939, or by section forty-nine or subsection (2) of section seventy-eight of the Education Act, 1944 ; and references to a person’s buying milk include references to his having it supplied to him under such arrangements.

PART III**ARTIFICIAL CREAM**

Regulation of
sale of
artificial
cream.

29.—(1) No person shall sell, or offer or expose for sale, for human consumption under a description or designation including the word “cream” any substance purporting to be cream or artificial cream, unless—

(a) the substance is cream ; or

(b) where the substance is artificial cream, the word “cream” is immediately preceded by the word “artificial.”

(2) No person shall use any vessel for conveying artificial cream intended for sale for human consumption, or for containing artificial cream at any time when it is exposed for such sale, unless the words “artificial cream” are printed in large and legible letters of uniform size and conspicuously visible either on the vessel itself, or on a label securely attached thereto.

(3) A person who contravenes any of the provisions of this section shall be guilty of an offence.

(4) It shall be the duty of every Food and Drugs authority within their area to carry into execution and enforce the provisions of this section with a view to securing that food is sold only in a pure and genuine condition.

30.—(1) Artificial cream shall not be manufactured, sold, or exposed or kept for sale for human consumption except on premises registered by the Food and Drugs authority:

Provided that registration under this section shall not be required in respect of—

Premises where artificial cream is manufactured or sold to be registered.

- (a) the manufacture of artificial cream by any person solely for his domestic purposes ; or
- (b) the manufacture of artificial cream on any premises for use in the preparation on those premises of some other food ; or
- (c) the sale, exposure or keeping for sale of artificial cream on any premises where it is supplied only in the properly closed and unopened vessels in which it is delivered to those premises.

(2) A person who uses any unregistered premises in contravention of the foregoing provisions of this section shall be guilty of an offence, and the court may order that any machine found on the premises which is suitable for use in the manufacture of artificial cream shall be forfeited.

(3) A Food and Drugs authority shall, on the application of the occupier of, or of a person proposing to occupy, any premises, register those premises for the purposes of this section.

(4) Upon any change in the occupation of premises registered under this section, the incoming occupier shall, if he intends to use them for the purpose for which they are registered, forthwith give notice of the change to the authority, who shall thereupon make any necessary alteration in their register.

If a person required to give a notice under this subsection fails to do so, he shall be liable to a fine not exceeding five pounds.

(5) Where any substance having the composition of cream or artificial cream is sold or exposed or kept for sale on premises registered under this section, it shall be presumed to be artificial cream, unless the contrary is proved.

PART III
—*cont.*

(6) It shall be the duty of every Food and Drugs authority within their area to carry into execution and enforce the provisions of this section with a view to securing that food is sold only in a pure and genuine condition.

Extension to artificial cream of provisions relating to cream.

31. Save as otherwise expressly provided, such of the following provisions as apply in relation to cream, that is to say—

- (a) any provision of this Act ;
- (b) any provision of Milk and Dairies Regulations, other than provisions relating to the registration of dairymen and dairies ; and
- (c) any provision of Milk (Special Designation) Regulations,

shall also apply in relation to artificial cream.

PART IV**GENERAL**

This Act to form part of the Food and Drugs Act, 1938.
Regulations.

32. The Food and Drugs Act, 1938, and this Act shall be construed as if this Act formed part of that Act.

33. Any power to make regulations under this Act shall be exercisable by statutory instrument and any such statutory instrument shall be subject to annulment in pursuance of a resolution of either House of Parliament.

Interpretation.

34.—(1) In this Act, except where the context otherwise requires—

“ animal ” does not include bird ;

“ area ”, in relation to a county council, means, as the case may require, either the county or that part of the county for which the council are the Food and Drugs authority and, in relation to a local authority, means their district ;

“ artificial cream ” means an article of food which, though not cream, resembles cream and contains no ingredient which is not derived from milk except water or any substance which may lawfully be contained in an article sold as cream, being some substance not injurious to health which in the case of cream may be required for its production or preparation as an article of commerce in a state fit for carriage or consumption and which has not been added fraudulently to increase bulk, weight or measure or conceal inferior quality ;

“ county ” means an administrative county ;

- “cream” means that part of milk rich in fat which has been separated by skimming or otherwise ;
- “dairy” includes any farm, cowshed, milking house, milk store, milk shop or other premises from which milk is supplied on or for sale, or in which milk is kept or used for purposes of sale or of manufacture into butter, cheese, dried milk or condensed milk for sale, or in which vessels used for the sale of milk are kept, but does not include a shop from which milk is supplied only in the properly closed and unopened vessels in which it is delivered to the shop, or a shop or other place in which milk is sold for consumption on the premises only ;
- “dairy farm” means any premises being a dairy as herein defined on which milk is produced from cows, but does not include any part of any such premises on which milk is manufactured into other products unless the milk produced on the premises forms a substantial part of the milk so manufactured ; and if any question arises whether the milk produced on a farm or other premises forms a substantial part of the milk that is manufactured into other products thereon, that question shall be determined by the Minister of Agriculture and Fisheries ;
- “dairy farmer” means a dairyman who produces milk from cows ;
- “dairyman” includes an occupier of a dairy, a cow keeper, and a purveyor of milk ;
- “Food and Drugs authority” has the meaning assigned to it by section sixty-four of the Food and Drugs Act, 1938 ;
- “local authority” has the meaning assigned to it by section sixty-four of the Food and Drugs Act, 1938 ;
- “London” means the administrative County of London ;
- “milk” includes cream and separated milk, but does not include dried milk or condensed milk ;
- “premises” includes messuages, buildings, land, easements and hereditaments of any tenure ;
- “prepare”, in relation to food, includes manufacture ;
- “purveyor”, in relation to any milk, includes any person who sells milk, whether wholesale or by retail ;
- “raw milk” means milk which has not been treated by heat ;
- “separated”, in relation to milk, includes skimmed ;
- “substance” includes a liquid ;
- “vessel” includes a receptacle of any kind, whether open or closed.

(2) In this Act, unless the context otherwise requires, any reference to food of any kind sold, or offered, exposed, intended

PART IV
—cont.

or in preparation, for sale for human consumption shall be construed as including a reference to that food sold, or offered, exposed, intended or in preparation for sale, for the manufacture of products for human consumption.

Transitional.

35.—(1) The provisions of this section shall have effect in connection with the transition from the law in force before the first day of October, nineteen hundred and forty-nine (which was the date of the coming into operation of the Food and Drugs (Milk and Dairies) Act, 1944, and the Milk (Special Designations) Act, 1949) to the law in force after that date.

(2) Any premises being immediately before the said first day of October a dairy farm, and any person then carrying on the trade of a dairy farmer, shall be deemed to have been registered in accordance with Milk and Dairies Regulations by the Minister of Agriculture and Fisheries on that day; and those regulations shall include provision for ascertaining the premises and persons deemed to have been registered as aforesaid and for making consequential adjustments of the register kept by any authority under the said regulations immediately before the said day, and may include provision for any matter incidental to or consequential on the foregoing provisions of this subsection.

(3) Where on the said first day of October any duty of carrying into effect and enforcing any provisions contained in this Act was transferred from one body to another, anything then already commenced by or under the authority of the former may, so far as it relates to that duty, be carried on or completed by or under the authority of the latter, and, in any legal proceedings having reference to that duty which were then pending and to which the former was a party, the latter shall be substituted for the former and the proceedings shall not abate by reason of the substitution.

(4) Milk (Special Designation) Regulations may provide for giving continuing effect to decisions, proceedings in connection with appeals, and other things made, taken or done under paragraphs (d) or (e) of subsection (1) of section twenty-one of the Food and Drugs Act, 1938, (which corresponded to Part I of the Third Schedule to this Act) or pending when those paragraphs were repealed on the said first day of October, as if they had been made, taken or done for the purposes of the said Part I.

Repeal and savings.

36.—(1) The enactments set out in the Fifth Schedule to this Act are hereby repealed to the extent specified in the third column of that Schedule:

Provided that without prejudice to the provisions of the Interpretation Act, 1889, this subsection shall have effect subject to the following provisions of this section.

(2) Nothing in this repeal shall affect any instrument made or other thing whatsoever done under any enactment repealed by this Act, and every such instrument or other thing shall continue in force and, so far as it could have been made or done under this Act, shall have effect as if made or done under the corresponding provision of this Act.

PART IV
—cont.

(3) Any document referring to any Act or enactment repealed by this Act shall be construed as referring to this Act or the corresponding enactment in this Act.

(4) The reference in subsection (2) of section seventy-one of the Food and Drugs Act, 1938, and any other reference in any enactment passed or made before the first day of October, nineteen hundred and forty-nine (the date of the coming into operation of the Food and Drugs (Milk and Dairies) Act, 1944) to Milk and Dairies Regulations shall include a reference to Milk (Special Designation) Regulations.

(5) The reference in subsection (1) of section eighty-four of the Food and Drugs Act, 1938, to Part II of that Act shall be construed as a reference to this Act.

37. This Act shall not extend to Scotland or Northern Ireland.

38.—(1) This Act may be cited as the Food and Drugs (Milk, Dairies and Artificial Cream) Act, 1950, and may be cited together with the Foods and Drugs Acts, 1938 and 1944, as the Food and Drugs Acts, 1938 to 1950.

Short title,
citation and
commence-
ment.

(2) This Act shall come into operation on the first day of January, nineteen hundred and fifty-one.

SCHEDULES

FIRST SCHEDULE

REFUSAL AND CANCELLATION OF REGISTRATION OF DAIRYMEN AND OF DAIRY FARMS AND FARMERS

Sections 2 and 3.

PART I

DAIRYMEN

1. If it appears to an authority by whom dairymen are registered in pursuance of Milk and Dairies Regulations, other than the Minister of Agriculture and Fisheries, that the public health is, or is likely to be, endangered by any act or default of a person who has applied to be, or is, so registered by the authority, being an act or default, committed whether within or without the district of the authority, in relation to the quality, storage or distribution of milk, they shall serve on him a notice—

- (a) stating the place and time, not being less than seven days after the date of the service of the notice, at which they propose to take the matter into consideration; and

1ST SCH.
—cont.

- (b) informing him that he may attend before them, with any witnesses whom he desires to call, at the place and time mentioned to show cause why they should not, for reasons specified in the notice, refuse to register him or cancel his registration, as the case may be, either generally or in respect of any specified premises.

2. If a person on whom a notice is served under the foregoing paragraph fails to show cause to the satisfaction of the authority, they may refuse to register him or cancel his registration as the case may be, and shall forthwith give notice to him of their decision in the matter, and shall, if so required by him within fourteen days of their decision, give to him within forty-eight hours a statement of the grounds on which it was based.

3. A person aggrieved by the decision of an authority under this Part of this Schedule to refuse to register him, or to cancel his registration, may appeal to a court of summary jurisdiction.

4. The court before whom a person registered as a dairyman otherwise than by the Minister of Agriculture and Fisheries is convicted of an offence under any of the provisions relating to milk in the Food and Drugs Act, 1938, or this Act, or under any Milk and Dairies Regulations may, in addition to any other penalty, cancel his registration as such.

5. An authority other than the Minister of Agriculture and Fisheries may require a person who applies to them for registration as a dairyman to give to them, before his application is considered, information as to whether he is, or has been, registered as a dairyman, whether by them or the Minister of Agriculture and Fisheries or some other authority, and if an applicant who is so required gives to the authority any information which is false in any material respect, he shall be guilty of an offence.

6. Where under this Part of this Schedule a person's application for registration is refused, or his registration is cancelled, he shall not be liable for any breach of contract for the purchase of further supplies of milk from any person, if such refusal or cancellation was due to the quality of the milk supplied by that person.

PART II

DAIRY FARMS AND FARMERS

7. Milk and Dairies Regulations shall provide—

- (a) for the refusal by the Minister of Agriculture and Fisheries of registration of a dairy farm or of a person carrying on, or proposing to carry on, the trade of a dairy farmer, if in his opinion, having regard to conditions existing at the premises to be registered, the regulations cannot be complied with and the registration should be refused; and
- (b) for the cancellation of any such registration by that Minister if in his opinion the regulations are not being complied with and the registration should be cancelled.

8. Any regulations made by virtue of the last foregoing paragraph shall—

- (a) require notice to be given to the person affected of any intention to refuse or cancel the registration, stating the grounds on which it is alleged that the regulations cannot be or are not being complied with, as the case may be, and his rights of making objections and representations in accordance with the regulations ;
- (b) enable the said person, within the time prescribed by the regulations (which shall not be less, in the case of a refusal, than twenty-eight days or, in the case of a cancellation, than twenty-one days, from the date of the service of the said notice) to object, in respect of all or any of the grounds stated in the said notice, that the regulations can be or are being complied with, as the case may be ;
- (c) provide for the reference of any such objection to a tribunal constituted in accordance with the regulations ;
- (d) provide for the procedure of the said tribunal, and in particular for entitling the person objecting to appear before the tribunal with any witnesses he desires to call, and to require the tribunal to inspect the premises to which the objections relate ;
- (e) require the said tribunal to determine whether the objections are made out and, if not, on which of the grounds in respect of which they are made they are not made out, and provide that, in the event of a difference of opinion among the members of the tribunal, the determination of the majority of them shall be the determination of the tribunal ;
- (f) require that the determinations of the tribunal shall be reported to the Minister of Agriculture and Fisheries and communicated by him to the person objecting, and provide that the determinations of the tribunal as stated in the report shall, for the purpose of the proposal to refuse or cancel registration, be conclusive evidence of the facts found thereby ;
- (g) enable the said person within the time so prescribed to make representations to the Minister of Agriculture and Fisheries that the registration should not be refused or cancelled on the grounds stated in the notice mentioned in sub-paragraph (a) of this paragraph ;
- (h) provide that no registration shall be cancelled—
 - (i) in any case, until the expiration of the prescribed time for making objections or representations under the regulations ;
 - (ii) in a case where an objection is made within that time, until the report of the tribunal thereon has been received and considered by the said Minister ;
 - (iii) in a case where representations are made to the said Minister within that time, until the representations have been considered by him.

1st SCH.
—cont.

9. There shall be paid out of moneys provided by Parliament to the chairman of any such tribunal as is referred to in the last foregoing paragraph such remuneration (by way of salary or fees) and such allowances as the Minister of Agriculture and Fisheries may, with the approval of the Treasury, determine.

SECOND SCHEDULE

Section 8.

DISEASES OF COWS TO WHICH SECTION EIGHT APPLIES

Acute mastitis.

Actinomycosis of the udder.

Suppuration of the udder.

Any infection of the udder or teats which is likely to convey disease.

Any comatose condition.

Any septic condition of the uterus.

Anthrax.

Foot and mouth disease.

THIRD SCHEDULE

Sections 14
and 27.

POWERS AS TO REVOCATION OR SUSPENSION OF LICENCES TO USE SPECIAL DESIGNATIONS, AND PROCEDURE AS TO REVOCATION, SUSPENSION OR REFUSAL THEREOF

PART I

GENERAL

1. Provision shall be made by Milk (Special Designation) Regulations for enabling the licensing authority or, on an appeal made to him by virtue of the subsequent provisions of this Schedule in that behalf, the Minister of Food, to revoke or suspend a licence authorising the use of a special designation, on the ground of any breach of condition thereof which is proved to the satisfaction of the licensing authority or of that Minister as the case may be :

Provided that this paragraph shall, in relation to licences for specified areas, have effect subject to the provisions of Part II of this Schedule.

2. Provision shall be made by such regulations as aforesaid as to any decision to revoke or suspend such a licence as aforesaid or to refuse a grant of such a licence—

- (a) where the licensing authority is a local authority, for conferring on the holder of the licence or the applicant, as the case may be (in this Schedule referred to as "the person affected") a right to be heard by the appropriate committee of the authority before a decision is made, and a right of appeal to the Minister of Food against a decision adverse to the person affected ;
- (b) for requiring the Minister of Food on any such appeal to him, and any Minister of the Crown when acting as licensing authority, before making his decision to afford to the person affected an opportunity of making representations ;
- (c) for securing that any such hearing as aforesaid by a committee shall be in public, that the person affected shall be

entitled to be heard by himself or by counsel or a solicitor or other representative as he may elect, and that he or his representative shall be entitled to call witnesses and to cross-examine witnesses called by another ; and

3RD SCHED.
—cont.

- (d) for securing that such notice of a decision or proposed decision shall be given to the person affected as may be requisite for enabling him effectively to exercise rights conferred on him by virtue of the foregoing sub-paragraphs.

3. Paragraph (b) of subsection (3) of section seventeen of this Act shall not apply to any such decision as is mentioned in the last foregoing paragraph.

PART II

LICENCES HELD BY RETAILERS FOR SPECIFIED AREAS

4.—(1) Any provision for the revocation of a licence authorising the use of a special designation on the ground of breach of a condition thereof made by Milk (Special Designation) Regulations shall be such as to secure that a licence held by a retailer for a specified area shall not be revoked, and a grant of a licence by way of renewal of a licence so held shall not be refused, on the ground of breach of a condition of the licence so held, unless—

- (a) the breach in question is of a condition to which section twenty-five of this Act applies,
- (b) the holder of the licence has been convicted of an offence under that section by virtue of the breach in question, or has been convicted, within twelve months before the time of the breach in question or after the time of it, of an offence under section thirteen, nineteen, twenty or twenty-two of this Act, or of an offence under Milk and Dairies Regulations for which a penalty is thereby imposed, and
- (c) the decision of the licensing authority to revoke, or to refuse renewal, as the case may be, is made within twelve months from the date of the breach in question.

(2) Any provision for the suspension of a licence authorising the use of a special designation on the ground of breach of a condition thereof made by Milk (Special Designation) Regulations shall be such as to secure that—

- (a) a licence held by a retailer for a specified area shall not be suspended, by virtue of any one decision of the authority having power to suspend it, for a period of more than three months, but
- (b) a period of suspension of such a licence awarded by any such decision may be extended by a subsequent such decision made in accordance with the provisions of this Schedule.

(3) For the purposes of any decision for the suspension of a licence held by a retailer for a specified area, the term of that licence and of any licence granted by way of renewal thereof shall be treated as if they had been a single term, and accordingly—

- (a) a period of suspension of such a licence of three months or less may be awarded notwithstanding that that period is longer than the unexpired residue of the term of the licence ; and

3RD SCH.
—cont.

- (b) where such a longer period of suspension of such a licence is awarded, a licence may be granted by way of renewal thereof but that licence shall be in suspense until the expiry of that period, and such a decision for extension of that period as is mentioned in paragraph (b) of sub-paragraph (2) of this paragraph may be made so as to extend the suspension of that licence.

5. Paragraph 1 of this Schedule shall, in so far as it relates to proof of a breach of condition of a licence, have effect subject as follows, that is to say—

- (a) the provision to be made as therein mentioned shall extend to a breach by virtue of which the holder of the licence has been convicted of an offence under section twenty-five of this Act without requiring any proof thereof other than conviction ; and
- (b) in relation to a case referred to a tribunal by virtue of the subsequent provisions of this Schedule, not being a case in which the holder of the licence has been convicted as aforesaid, the said paragraph 1 shall have effect with the substitution of a reference to proof by the finding of the tribunal for the reference to proof to the satisfaction of the licensing authority or the Minister.

6.—(1) Milk (Special Designation) Regulations shall, where the issue is as to the revocation or suspension of a licence held by a retailer for a specified area, or as to the refusal to grant such a licence by way of renewal of such a licence, provide—

- (a) for requiring the Minister of Food on such an appeal as is mentioned in sub-paragraph (a) of paragraph 2 of this Schedule, and any Minister of the Crown when acting as licensing authority, to refer the matter to a tribunal constituted in accordance with the regulations if the person affected so requests ;
- (b) for requiring that the duty of such a tribunal on any such reference shall be to report findings on any questions of fact appearing to them to be relevant, and in particular, where the issue is as to revocation or suspension on the ground of a breach of condition not being one by virtue of which the holder of the licence has been convicted of an offence under section twenty-five of this Act, to find and report whether the breach was in fact committed (which finding shall be conclusive for the purposes of this Schedule), and for requiring the Minister of Food, or the Minister acting as licensing authority, as the case may be, to consider the report of the tribunal before making his decision ;
- (c) for the procedure of such a tribunal, including provision for conferring on the person affected a right to be heard by the tribunal, and including provision for treating the finding of a majority of the members of such a tribunal as the finding of the tribunal in the event of a difference of opinion among the members ;
- (d) for securing that any such hearing as aforesaid by a tribunal shall be in public, that the person affected shall be entitled to be heard by himself or by counsel or a solicitor or other

representative as he may elect, and that he or his representative shall be entitled to call witnesses and to cross-examine witnesses called by another ; and

- (e) for securing that such notice of a decision or proposed decision shall be given to the person affected as may be requisite for enabling him effectively to exercise rights conferred on him by virtue of the foregoing provisions of this paragraph.

(2) There shall be paid out of moneys provided by Parliament to the chairman of any such tribunal as aforesaid such remuneration (by way of salary or fees) and such allowances as the authority appointing him may, with the approval of the Treasury, determine.

3RD SCH.
—cont.

PART III

INTERPRETATION

7. Section twenty-eight of this Act shall apply for the interpretation of this Schedule.

FOURTH SCHEDULE

CONDITIONS TO WHICH SECTION TWENTY-FIVE APPLIES

Section 25.

1. Conditions to which section twenty-five of this Act applies are conditions relating to any of the following matters, that is to say—

The examination or testing of animals, the inoculation of animals, the keeping of any animal or herd away from other animals, or other measures for detecting the existence of disease in animals or preventing the contracting or spread of it.

The marking, or keeping of records, of any animals, or other measures for identification thereof.

The subjection of milk to any process of heat-treatment, or to any cooling or other process, requirements in connection with the subjection of milk thereto or as to the temperature or other conditions under which it is to be kept thereafter, or the recording or retention of evidence of the observance of such requirements.

Satisfaction of a test of milk, being a test related to the subjection of milk to such a process as aforesaid or to the observance of any such requirements as aforesaid.

Measures for securing that milk produced, or subjected to a process, as required by any conditions is kept away from, and free from admixture with, other milk not so produced or subjected or other things, or is not subjected to some specified process.

The manner in which milk produced, or subjected to any process, in accordance with any conditions is to be dealt with or kept as respects the receptacles in which it is to be put or to remain, the closing or fastening of receptacles, or the marking of receptacles or of things by which they are closed or fastened.

The manner of describing milk produced, or subjected to any process, in accordance with any conditions.

The making or keeping of records of milk produced, bought, subjected to any process, or sold.

2. In this Schedule the expression "milk" means cows' milk, excluding not only condensed milk and dried milk but also cream and separated, skimmed and evaporated milk, and butter milk.

2 B*

FIFTH SCHEDULE

ENACTMENTS REPEALED

Section 36.

Session and Chapter, or Serial Number	Short Title	Extent of Repeal
1 Edw. 8 & 1 Geo. 6. c. 70.	The Agriculture Act, 1937	In section nineteen, in subsection (1), the words "and any enactments relating to milk or to dairies".
1 & 2 Geo. 6. c. 56.	The Food and Drugs Act, 1938.	The whole of Part II. In section sixty-five, in subsection (1), paragraphs (b) and (c). In section ninety-two, in subsection (1), the words "Milk and Dairies Regulations".
7 & 8 Geo. 6. c. 29.	The Food and Drugs (Milk and Dairies) Act, 1944.	In the First Schedule, Part I. Sections one to four. In section eight, in subsection (1) all the definitions except that of war service; and subsection (2). The Schedule.
12 & 13 Geo. 6. c. 34.	The Milk (Special Designations) Act, 1949.	The whole Act.
12 & 13 Geo. 6. c. 37.	The Agriculture (Miscellaneous Provisions) Act, 1949.	Section seven. In the Schedule, Part I.
S.I. 1948, No. 107.	<i>Statutory Instrument</i> The Transfer of Functions (Food and Drugs) Order, 1948.	Articles three, four and five. In article six, paragraph (2).

Table of Statutes referred to in this Act

Short Title	Session and Chapter
Board of Agriculture Act, 1889	52 & 53 Vict. c. 30.
Local Government Act, 1933	23 & 24 Geo. 5. c. 51.
Agriculture Act, 1937	1 Edw. 8. & 1 Geo. 6. c. 70.
Food and Drugs Act, 1938	1 & 2 Geo. 6. c. 56.
London Government Act, 1939	2 & 3 Geo. 6. c. 40.
Food and Drugs (Milk and Dairies) Act, 1944 ...	7 & 8 Geo. 6. c. 29.
Education Act, 1944	7 & 8 Geo. 6. c. 31.
National Health Service Act, 1946	9 & 10 Geo. 6. c. 81.
Milk (Special Designations) Act, 1949	12 & 13 Geo. 6. c. 34.
Agriculture (Miscellaneous Provisions) Act, 1949	12 & 13 Geo. 6. c. 37.

CHAPTER 36*Diseases of Animals Act, 1950***ARRANGEMENT OF SECTIONS****PART I****GENERAL***General powers of Minister to make orders and to
authorise local authorities to make regulations***Section**

1. General powers of Minister.
2. Power to authorise the making of regulations by local authorities.

Eradication of disease

3. Payments for the eradication of bovine tuberculosis.
4. General power of Minister to expend money for the eradication of diseases of animals.
5. Eradication areas and attested areas.
6. Power to obtain information.
7. Offences.

*Separation and treatment of diseased animals and notice of
disease*

8. Separation of diseased animals, and notice of disease.
9. Treatment with serum or vaccine of animals or birds exposed to infection.

Infected places and areas

10. General provisions as to infected places and areas.
11. Orders relating to infected places and areas.
12. Power to exclude strangers.

Power to slaughter

13. Cattle plague.
14. Pleuro-pneumonia.
15. Foot-and-mouth disease.
16. Swine-fever.
17. Other diseases.
18. Additional officers and expenses for purposes of slaughter.
19. General provisions relative to slaughter and compensation.

Regulation of movement of animals, etc.

20. Regulation of movement of animals, etc.
21. Pleuro-pneumonia or foot-and-mouth disease found in animals in transit.
22. Provision of water and food at railway stations.

Carriage of animals by sea

23. Carriage of animals by sea.

Import of animals

24. Orders prohibiting import of animals, etc.
25. Animals allowed to be imported to be slaughtered on landing.
26. Import of pedigree animals allowed without slaughter but subject to quarantine.
27. Import in special cases allowed without slaughter but subject to quarantine.
28. Regulation of movement of imported cattle.

Section

29. Import of Canadian cattle allowed without slaughter.
30. Import of other Canadian animals allowed without slaughter.
31. Special provision for animals from Ireland.
32. Special provision for animals from Channel Islands and Isle of Man.
33. Regulation of ports and imported animals.
34. Fees on import.
35. Orders relating to landing or conveyance of imported animals to be laid before Parliament.

Export quarantine stations

36. Export quarantine stations.

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37. Restriction on export of horses.
38. Marking of horses certified for export.
39. Master of vessel to cause slaughter of injured horses with approved killing instrument.
40. Exemption of horses certified to be travelling for certain purposes.
41. Enforcement of provisions as to shipment of horses and power to make charges.

Prevention of sheep scab

42. Prevention of sheep scab.
43. Power of local authority to provide facilities for sheep-dipping.

Control of dogs

44. Power of Minister to make orders as to dogs.

Diseases of poultry

45. Application of Act to poultry.
46. Eradication of diseases of poultry.
47. Separation of diseased poultry and notice of disease.
48. Slaughter of poultry in case of disease.
49. Control of import of poultry and eggs.
50. Cleansing, disinfection and protection from unnecessary suffering of poultry.
51. Power to enter premises where poultry kept.

PART II**REGULATION OF MANUFACTURE, ETC., OF
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52. Substances to which Part II applies.
53. Power to make regulations as to substances to which Part II applies.
54. Licences to manufacture.
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Offences and legal proceedings

- 78. Offences against this Act.
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- 86. General application to Scotland.
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Repeal, transitional, short title, extent and commencement

- 89. Repeal.
- 90. Transitional.
- 91. Short title, extent and commencement.

SCHEDULES :

First Schedule—Imported animals.

Part I—Slaughter at port of landing.

Part II—Quarantine.

Part III—Ancillary provisions.

Second Schedule—Regulation of movement of imported cattle.

Third Schedule—Therapeutic substances to which Part II of this Act applies.

Fourth Schedule—Committees of local authorities.

Fifth Schedule—Enactments repealed

An Act to consolidate the Diseases of Animals Acts, 1894 to 1937, and certain other enactments relating to diseases of animals. [26th October 1950.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

PART I
GENERAL

General powers of Minister to make orders and to authorise local authorities to make regulations

General powers of Minister.

1.—(1) The Minister may make such orders as he thinks fit subject and according to the provisions of this Act,—

- (a) generally for the better execution of this Act, or for the purpose of in any manner preventing the spreading of disease; and
- (b) in particular for the several purposes set out in this Act.

(2) Orders made by the Minister may provide—

- (a) for prescribing modes of cleansing and disinfection;
- (b) for prescribing and regulating the marking of animals;
- (c) for prescribing and regulating the seizure, detention and disposal of a diseased or suspected animal exposed, carried, kept or otherwise dealt with in contravention of an order of the Minister; and for prescribing and regulating the liability of the owner or consignor or consignee of such animal to the expenses connected with the seizure, detention and disposal thereof;
- (d) for securing a proper supply of water and food to animals during any detention thereof;
- (e) for prescribing and regulating the destruction, burial, disposal or treatment of carcases of animals dying while diseased or suspected;
- (f) for prohibiting or regulating the digging up of carcases which have been buried;
- (g) for prescribing and regulating the disinfection of the clothes of persons coming in contact with or employed about diseased or suspected animals and the use of precautions against the spreading of disease by such persons; and
- (h) for prescribing and regulating the payment and recovery of expenses in respect of animals.

2. The Minister may make such orders as he thinks fit, subject and according to the provisions of this Act, for authorising a local authority to make regulations for any of the purposes of this Act or of an order of the Minister subject to such conditions, if any, as the Minister, for the purposes of securing uniformity and the due execution of this Act, thinks fit to prescribe.

PART I
—cont.

Power to authorise the making of regulations by local authorities.

Eradication of disease

3.—(1) The Minister may, in accordance with a scheme made by him and approved by the Treasury, pay to the owner of any herd of cattle in Great Britain such sums as the Minister thinks fit to expend for the purpose of securing so far as practicable that the herd will be free from tuberculosis.

Payments for the eradication of bovine tuberculosis.

(2) The powers conferred by the foregoing subsection shall be exercisable for a period ending on the thirtieth day of September, nineteen hundred and fifty-eight:

Provided that the said period may be extended for five years by order made by the Minister with the approval of the Treasury, on not more than three successive occasions, so as to continue for five, ten or fifteen years, as the case may be, from the thirtieth day of September, nineteen hundred and fifty-eight.

No order shall be made under this subsection unless a draft thereof has been laid before Parliament and has been approved by a resolution of each House of Parliament.

(3) The power of making a scheme under this section, or any subsequent scheme amending such a scheme, shall be exercisable by statutory instrument, and any such statutory instrument shall be subject to annulment in pursuance of a resolution of either House of Parliament.

4. The Minister may, with the approval of the Treasury, expend such sums as he thinks fit with the object of eradicating as far as practicable diseases of animals in Great Britain:

General power of Minister to expend money for the eradication of diseases of animals.

Provided that the Minister shall not after the expiration of the period mentioned in the last foregoing section have power under this section to make any payment which until then he is empowered to make by virtue of the last foregoing section.

In this section the expression “animals” includes horses and the expression “disease” is not restricted by its definition in this Act.

5. The Minister may make orders—

(a) declaring any area as respects which he is satisfied that a substantial majority of the cattle therein are free from any particular disease to be an eradication area for purposes connected with the control of that disease;

Eradication areas and attested areas for cattle.

PART I
—cont.

- (b) declaring any area as respects which he is satisfied that any particular disease of cattle is for practical purposes non-existent therein to be an attested area for purposes connected with the control of that disease; and
- (c) prohibiting or regulating the movement of cattle into, out of or within any area which is for the time being an eradication area or an attested area.

Power to
obtain
information.

6. For the purpose of obtaining information required for the purposes of sections three and four of this Act the Minister may authorise in writing any veterinary inspector or other officer of the Ministry to inspect animals (including horses).

Any person so authorised may, for the purpose of any inspection to be carried out by him, at all reasonable times, upon production of his authority on demand, enter on any land or premises and apply such tests and take such samples as he considers necessary.

Offences.

7.—(1) Any person who knowingly or recklessly makes any false statement for the purpose of obtaining for himself or any other person any sum payable under sections three or four of this Act, shall, unless in the case of an indictable offence he is indicted for the offence, be liable on summary conviction to a fine not exceeding one hundred pounds or to imprisonment for a term not exceeding three months, or to both such imprisonment and fine.

(2) Any person who obstructs or impedes any person duly authorised under the last foregoing section to make any inspection shall be liable on summary conviction in the case of a first offence to a fine not exceeding twenty pounds and, in the case of a second or subsequent offence punishable under this subsection, to a fine not exceeding fifty pounds or to imprisonment for a term not exceeding one month, or to both such imprisonment and fine.

In considering for the purposes of this subsection or subsection (2) of section thirty of the Agriculture Act, 1937, whether an offence is or is not a first offence, references to an offence punishable under this subsection or that subsection shall be taken as including references to offences punishable under that subsection or this subsection, as the case may be.

*Separation and treatment of diseased animals and notice of disease*Separation
of diseased
animals, and
notice of
disease.

8.—(1) Every person having in his possession or under his charge an animal affected with disease shall—

- (a) as far as practicable keep that animal separate from animals not so affected; and

(b) with all practicable speed give notice of the fact of the animal being so affected to a constable of the police force for the police area wherein the animal so affected is.

(2) The constable to whom notice is given shall forthwith give information thereof to such person or authority as the Minister by general order directs.

(3) The Minister may make such orders as he thinks fit for prescribing and regulating the notice to be given to or by any person or authority in case of any particular disease or in case of the illness of an animal, and for supplementing or varying for those purposes any of the provisions of this section.

(4) The local authority shall pay to a veterinary surgeon or veterinary practitioner, in respect of every notification of disease made by him to the local authority in pursuance of an order under this Act requiring such a notification such fee not exceeding two shillings and sixpence as may be prescribed by the order.

9. For the purpose of preventing the spread of disease, the Minister may cause to be treated with serum or vaccine, or with both serum and vaccine, any animal or bird which has been in contact with a diseased animal or bird or which appears to the Minister to be or to have been in any way exposed to the infection of disease.

Treatment with serum or vaccine of animals or birds exposed to infection.

Infected places and areas

10.—(1) The Minister may make such orders as he thinks fit, subject and according to the provisions of this Act, for prescribing the cases in which places and areas are to be declared to be infected with a disease and the authority, mode, and conditions by, in, and on which declarations in that behalf are to be made, and the effect and consequences thereof, and the duration and discontinuance thereof, and other matters connected therewith.

General provisions as to infected places and areas.

(2) Every place or area so declared infected shall be an infected place or area for the purposes of this Act.

(3) Notwithstanding anything in this Act, where the Minister, on inquiry, and after communication with the local authority, is satisfied that a declaration of a place being an infected place has been made in error respecting the existence or past existence of disease, or respecting the limits of a place, or respecting any other matter of fact whereon the declaration proceeded, the Minister may by order cancel the declaration as regards the infected place, or as regards any part thereof, as he thinks fit.

(4) Where, in accordance with the provisions of this Act, a place or an area or a portion of an area is declared free from a disease, or a declaration of a place being an infected place is

PART I
—*cont.*

cancelled as regards the place or as regards any part thereof, then, from the time specified in that behalf by the Minister or a local authority, as the case may be, the place, or area or that portion of the area or that part of the place, shall cease to be, or to be in, an infected place or area.

(5) Any order or notice of the following description, that is to say—

- (a) an order of the Minister or of a local authority declaring a place to be an infected place or area, or declaring a place or area, or a portion of an area, to be free from disease, or cancelling a declaration ; or
- (b) a notice served in pursuance of directions of the Minister or of a local authority by virtue of an order made under this section,

shall be conclusive evidence to all intents of the existence or past existence or cessation of the disease, or of the error, and of any other matter whereon the order or notice proceeds.

Orders relating
to infected
places and
areas.

11. The Minister may make such orders as he thinks fit, subject and according to the provisions of this Act, for all or any of the following purposes,—

- (i) for prescribing and regulating the publication by placards, handbills, or otherwise, in the immediate neighbourhood of a place or area declared infected, of the fact of such declaration ;
- (ii) for prohibiting or regulating the movement of animals and persons into, within, or out of an infected place or area ;
- (iii) for prescribing and regulating the isolation or separation of animals being in an infected place or area ;
- (iv) for prohibiting or regulating the removal of carcasses, fodder, litter, utensils, pens, hurdles, dung, or other things into, within, or out of an infected place or area ;
- (v) for prescribing and regulating the destruction, burial, disposal, or treatment of carcasses, fodder, litter, utensils, pens, hurdles, dung, or other things, being in an infected place or area, or removed thereout ;
- (vi) for prescribing and regulating the cleansing and disinfection of infected places and areas, or parts thereof ;
- (vii) for prescribing and regulating the disinfection of the clothes of persons being in an infected place, and the use of precautions against the spreading of disease by such persons.

Power to
exclude
strangers.

12. A person owning or having charge of any animals in a place or area declared infected with any disease may affix, at or near the entrance to a building or inclosure in which the animals are, a notice forbidding persons to enter therein without the per-

mission mentioned in the notice ; and thereupon it shall not be lawful for any person, not having by law a right of entry or way into, on, or over that building or inclosure, to enter or go into, on, or over the same without that permission.

PART I
—cont.

Power to slaughter

13.—(1) The Minister shall cause to be slaughtered all animals affected with cattle plague. Cattle plague.

(2) Where an animal is or has been in the same shed, stable, herd or flock as, or in contact with, an animal affected with cattle plague, the Minister may, if he is satisfied that the slaughter of the animal is necessary for preventing the spreading of cattle plague, cause the animal to be slaughtered.

(3) The Minister may, if he thinks fit, in any case cause to be slaughtered—

- (a) any animals suspected of being affected with cattle plague, or being in a place infected with cattle plague ;
- (b) any animals being in such parts of an area infected with cattle plague as are not comprised in a place infected with cattle plague (but in this last-mentioned case subject to such regulations as the Treasury by statutory instrument think fit to make).

(4) The Minister shall for animals slaughtered under this section pay compensation as follows—

- (a) where the animal slaughtered was affected with cattle plague, the compensation shall be one half of its value immediately before it became so affected, but so that the compensation does not in any such case exceed twenty pounds ; and
- (b) in every other case the compensation shall be the value of the animal immediately before it was slaughtered, but so that the compensation does not in any case exceed forty pounds.

14.—(1) The Minister shall cause to be slaughtered all animals affected with pleuro-pneumonia. Pleuro-pneumonia.

(2) The Minister may, if he thinks fit, in any case cause to be slaughtered—

- (a) any cattle suspected of being affected with pleuro-pneumonia ; and
- (b) any cattle which are or which have been in the same field, shed, or other place, or in the same herd or otherwise in contact with cattle affected with pleuro-pneumonia, or which appear to the Minister to have been in any way exposed to the infection of pleuro-pneumonia.

PART I
—cont.

(3) The Minister shall for cattle slaughtered under this section pay compensation as follows—

- (a) where the animal slaughtered was affected with pleuro-pneumonia, the compensation shall be three-fourths of the value of the animal immediately before it became so affected, but so that the compensation does not in any such case exceed thirty pounds ; and
- (b) in every other case the compensation shall be the value of the animal immediately before it was slaughtered, but so that the compensation does not in any case exceed forty pounds.

(4) Where the Minister has decided that any head of cattle is to be slaughtered under this section, the Minister shall, if the owner of such head of cattle by notice in writing so requires, cause the same to be slaughtered within twenty-one days after the receipt of the notice.

Foot-and-mouth
disease.

15.—(1) The Minister may, if he thinks fit, in any case cause to be slaughtered—

- (a) any animals affected with foot-and-mouth disease, or suspected of being so affected ; and
- (b) any animals which are or have been in the same field, shed, or other place, or in the same herd or flock, or otherwise in contact with animals affected with foot-and-mouth disease, or which appear to the Minister to have been in any way exposed to the infection of foot-and-mouth disease.

(2) The Minister shall for animals slaughtered under this section pay compensation as follows—

- (a) where the animal slaughtered was affected with foot-and-mouth disease the compensation shall be the value of the animal immediately before it became so affected :
- (b) in every other case the compensation shall be the value of the animal immediately before it was slaughtered.

Swine-fever.

16.—(1) The Minister may, if he thinks fit, in any case cause to be slaughtered—

- (a) any swine affected with swine-fever, or suspected of being so affected ; and
- (b) any swine which are or have been in the same field, pig-sty, shed, or other place, or in the same herd, or otherwise in contact with swine affected with swine-fever, or which appear to the Minister to have been in any way exposed to the infection of swine-fever.

(2) The Minister shall for animals slaughtered under this section pay compensation as follows—

PART I
—cont.

- (a) where the animal slaughtered was affected with swine-fever, the compensation shall be one half of the value of the animal immediately before it became so affected ;
- (b) in every other case the compensation shall be the value of the animal immediately before it was slaughtered.

17.—(1) The Minister may, if he thinks fit, cause to be slaughtered any animal which— Other diseases.

- (a) is affected or suspected of being affected with any disease to which this section applies ; or
- (b) has been exposed to the infection of any such disease.

(2) This section applies to such diseases of animals as may from time to time be directed by order of the Minister.

(3) The Minister shall pay for animals slaughtered under this section compensation of such amount as may be determined in accordance with scales prescribed by order of the Minister made with the approval of the Treasury.

A statutory instrument containing an order under this subsection shall be subject to annulment in pursuance of a resolution of either House of Parliament.

(4) In this section the expression “ animals ” includes horses and the expression “ disease ” is not restricted by its definition in this Act.

18. The Minister may, for the purposes of his powers under this Act relating to the slaughter by him of animals, employ such additional inspectors, valuers and other persons, and at such remuneration, and may incur such expenses, as, subject to the sanction of the Treasury, he thinks necessary. Additional officers and expenses for purposes of slaughter.

19.—(1) The Minister may, notwithstanding anything in this Act, reserve for observation and treatment an animal liable to be slaughtered under this Act at the direction of the Minister but subject to payment of compensation by the Minister as in case of actual slaughter. General provisions relative to slaughter and compensation.

(2) Where an animal has been slaughtered under this Act at the direction of the Minister, the carcase of the animal shall belong to the Minister and shall be buried, or sold, or otherwise disposed of by the Minister, or as he directs, as the condition of the animal or carcase and other circumstances may require or admit.

(3) If, in any case, the sum received by the Minister on sale of a carcase under this section exceeds the amount paid for

PART I
—cont.

compensation to the owner of the animal slaughtered, the Minister shall pay that excess to the owner, after deducting reasonable expenses.

(4) Where an animal has been slaughtered under this Act at the direction of the Minister, the Minister may use for the burial of the carcase any ground in the possession or occupation of the owner of the animal and suitable in that behalf, or any common or uninclosed land.

(5) If the owner of an animal slaughtered under this Act at the direction of the Minister has an insurance on the animal, the amount of the compensation awarded to him under this Act may be deducted by the insurers from the amount of the money payable under the insurance before they make any payment in respect thereof.

(6) Notwithstanding anything in this Act, the Minister may, if he thinks fit, withhold, either wholly or partially, compensation or other payment in respect of an animal slaughtered under this Act at his direction, where the owner or the person having charge thereof has, in the judgment of the Minister, been guilty, in relation to the animal, of an offence against this Act, or where the animal, being an imported animal, was in his judgment diseased at the time of its landing.

(7) The Minister may make such orders as he thinks fit for all or any of the following purposes—

- (a) for prescribing the mode of ascertainment of the value of an animal slaughtered, or liable to be slaughtered, at the direction of the Minister ;
- (b) for regulating applications for, and the mode of payment of, compensation ;
- (c) for prescribing and regulating the destruction, burial, disposal or treatment of carcasses of animals slaughtered at the direction of the Minister.

Regulation of movement of animals, etc.

Regulation of
movement of
animals, etc.

20. The Minister may make such orders as he thinks fit, subject and according to the provisions of this Act, for all or any of the following purposes—

- (i) for prohibiting or regulating the exposure of diseased or suspected animals in markets or fairs or sale-yards, or other public or private places, where animals are commonly exposed for sale, and the placing thereof in lairs or other places adjacent to or connected with markets or fairs, or where animals are commonly placed before exposure for sale ;
- (ii) for prohibiting or regulating the sending or carrying of diseased or suspected animals, or of dung or other thing likely to spread disease, or the causing the same

- to be sent or carried, on railways, canals, rivers, or inland navigations, or in coasting vessels, or otherwise ;
- (iii) for prohibiting or regulating the carrying, leading, or driving of diseased or suspected animals, or the causing them to be carried, led, or driven, on highways or thoroughfares, or elsewhere ;
 - (iv) for prohibiting or regulating the placing or keeping of diseased or suspected animals on commons or uninclosed lands, or in fields or other places insufficiently fenced, or on the sides of highways ;
 - (v) for prohibiting or regulating the movement of animals, and the removal of carcases, fodder, litter, dung, and other things, and for prescribing and regulating the isolation of animals newly purchased ;
 - (vi) for prescribing and regulating the issue and production of licences respecting movement and removal of animals and things ;
 - (vii) for prohibiting or regulating the holding of markets, fairs, exhibitions, and sales of animals ;
 - (viii) for prescribing and regulating the cleansing and disinfection of places used for the holding of markets, fairs, exhibitions, or sales of animals, or for lairage of animals, and yards, sheds, stables, and other places used for animals ;
 - (ix) for prescribing and regulating the cleansing and disinfection of vessels, vehicles, and pens and other places, used for the carrying of animals for hire or purposes connected therewith ;
 - (x) for protecting animals from unnecessary suffering during inland transit ; and
 - (xi) for prohibiting, absolutely or conditionally, the use, for the carrying of animals or for any purpose connected therewith, of a vessel, vehicle, or pen or other place in respect whereof, or of the use whereof, a penalty has been recovered from any person for an offence against this Act.

21.—(1) The Minister shall by order make such provision as he thinks necessary or expedient respecting the case of animals found to be affected with pleuro-pneumonia or foot-and-mouth disease—

Pleuro-pneumonia or foot-and-mouth disease found in animals in transit.

- (i) while exposed for sale or exhibited in a market, fair, sale-yard, place of exhibition, or other place ; or
- (ii) while placed in a lair or other place before exposure for sale ; or
- (iii) while in transit or in course of being moved by land or by water ; or
- (iv) while being in a slaughter-house or place where animals are slaughtered or are kept with a view to slaughter ; or

PART I
—cont.

- (v) while being on common or uninclosed land ; or
- (vi) generally, while being in a place not in the possession or occupation or under the control of the owner of the animals.

(2) The Minister shall by orders under this section make such provision as he thinks fit for the consequences under this Act of animals being so found in the circumstances aforesaid, as well with regard to the animals as with regard to the places where they are when so found and other places, and with regard to animals being or having been in the same shed or stable, herd or flock as, or in contact with, animals so found.

(3) The Minister may, by orders under this section relating to particular places, make such provision as he thinks fit for the consequences aforesaid.

(4) Every order under this section shall have full effect notwithstanding any provision of this Act requiring the declaration of a place infected with pleuro-pneumonia or foot-and-mouth disease or relating to any consequence thereof, or to any matter connected therewith, and notwithstanding any other provision whatsoever of this Act.

Provision of
water and
food at
railway
stations.

22.—(1) The British Transport Commission and every railway company shall make a provision, to the satisfaction of the Minister, of water and food, or either of them, at such railway stations as the Minister, by general or specific description, directs, for animals carried, or about to be or having been carried, on the railway of the Commission or company.

(2) The water and food so provided, or either of them, shall be supplied to any such animal by the Commission or company carrying it, on the request of the consignor or of any person in charge thereof.

(3) As regards water, if, in the case of any animal, such a request is not made, so that the animal remains without a supply of water for twenty-four consecutive hours, the consignor and the person in charge of the animal shall each be guilty of an offence against this Act ; and it shall lie on the person charged to prove such a request and the time within which the animal had a supply of water :

Provided that the Minister may, if he thinks fit, by order prescribe any other period, not less than twelve hours instead of the period of twenty-four hours aforesaid, either generally, or in respect of any particular kind of animals.

(4) The Commission or company supplying water or food under this section may make in respect thereof such reasonable charges (if any) as the Minister by order approves, in addition to such charges as they are for the time being authorised to make in respect of the carriage of animals.

The amount of those additional charges accrued due in respect of any animal shall be a debt from the consignor and from the consignee thereof to the Commission or company, as the case may be, and shall be recoverable by the Commission or company, as the case may be, from either of them, with costs, by proceedings in any court of competent jurisdiction.

The Commission or company, as the case may be, shall have a lien for the amount thereof on the animal in respect whereof the same accrued due, and on any other animal at any time consigned by or to the same consignor or consignee to be carried by the Commission or company, as the case may be.

(5) In this section the expression "railway company" includes a company or person working a railway under lease or otherwise.

Carriage of animals by sea

23. The Minister may make such orders as he thinks fit—

Carriage of
animals by
sea.

- (a) for prohibiting the conveyance of animals by any specified vessel to or from any port in the United Kingdom for such time as the Minister may consider expedient ;
- (b) for ensuring for animals carried by sea a proper supply of food and water and proper ventilation during the passage and on landing ;
- (c) for protecting them from unnecessary suffering during the passage and on landing.

Import of animals

24.—(1) The Minister may, whenever he deems it expedient so to do, for the purpose of preventing the introduction of disease into Great Britain, make orders for prohibiting the landing of animals or of any specified kind thereof, or of carcases, fodder, litter, dung, or other thing brought from any specified country out of Great Britain or any specified part of any such country.

Orders
prohibiting
import of
animals, etc.

(2) The Minister shall prohibit the landing of animals or of any specified kind thereof whenever he is not satisfied with respect to any such country or any specified part thereof, that having regard to the sanitary condition of the animals therein or imported therefrom, to the laws made by such country for the regulation of the importation and exportation of animals, and for the prevention of the introduction or spreading of disease, and to the administration of such laws, the circumstances are such as to afford reasonable security against the importation therefrom of animals affected with foot-and-mouth disease.

PART I
—cont.

Animals
allowed to
be imported
to be
slaughtered
on landing.

25. Save as otherwise provided by the following provisions of this Act, Part I of the First Schedule to this Act (which requires animals to be slaughtered on landing) and Part III of that Schedule (which contains ancillary provisions) shall apply to all animals allowed to be imported.

Import of
pedigree
animals
allowed
without
slaughter but
subject to
quarantine.

26.—(1) The Minister may make orders for allowing, subject to such conditions as may be prescribed by any such order, any cattle, sheep, goats or swine brought from any part of the territories to which this section applies, which are shown to his satisfaction to be there registered as pedigree stock in a herd or flock book recognised by him after consultation with the Royal Agricultural Society of England and the Royal Highland and Agricultural Society of Scotland, to be landed in Great Britain without being subject to the provisions of Part I of the First Schedule to this Act (which requires animals to be slaughtered on landing); and Part II of the First Schedule to this Act (which requires animals to be kept in quarantine) and Part III of that Schedule (which contains ancillary provisions) shall apply to animals allowed to be landed under this section:

Provided that no order shall be made under this section except with respect to animals brought from any part of the territories to which this section applies in which pedigree animals brought from Great Britain are allowed to be landed either unconditionally or subject to conditions (including rates of import duties) which in the opinion of the Minister are not unduly restrictive.

(2) The territories to which this section applies are His Majesty's dominions, the Republic of Ireland, India, any territory under His Majesty's protection and any territory in respect of which a mandate is being exercised by the Government of any part of His Majesty's dominions.

For the purposes of the Mandated and Trust Territories Act, 1947, this subsection shall be deemed to be contained in an Act of an earlier session than that Act.

Import in
special cases
allowed
without
slaughter
but subject
to quarantine.

27.—(1) The Minister may make such orders as he thinks fit for allowing the landing of any imported animals intended for exhibition, or for other exceptional purposes, and for allowing such animals to be landed without being subject to the provisions of Part I of the First Schedule to this Act (which requires animals to be slaughtered on landing); and Part II of the First Schedule to this Act (which requires animals to be kept in quarantine) and Part III of that Schedule (which contains ancillary provisions) shall apply to any animals so allowed to be landed.

(2) Every order made under this section shall be forthwith laid before both Houses of Parliament.

28.—(1) The Second Schedule, to this Act (which regulates the movement of imported cattle) shall have effect with respect to all cattle:

PART I
—cont.

Regulation
of movement
of imported
cattle.

Provided that the provisions of the said Schedule shall not have effect with respect to cattle allowed to be landed under section twenty-six of this Act except in so far as they may be applied with or without modifications by the order allowing them to be landed.

(2) The Minister may by order alter or modify any of the provisions of the said Schedule if he considers it necessary or expedient so to do, and the alterations or modifications are such as in his opinion will not diminish or prejudice the protection against the risk of the spread of disease which is afforded by the said provisions as enacted in the said Schedule:

Provided that no such alteration or modification shall reduce the period of detention prescribed by those provisions.

29.—(1) Subject to the provisions of this section, Canadian cattle may, if the conditions specified in this section are fulfilled, be landed in Great Britain without being required to be dealt with and slaughtered in accordance with the provisions of Part I of the First Schedule to this Act:

Import of
Canadian
cattle allowed
without
slaughter.

Provided that the Minister may require any such cattle to be slaughtered as aforesaid, if in his opinion they could be used for breeding, and are not suitable for that purpose.

(2) The conditions to be fulfilled for the purposes of this section are as follows:—

(a) the cattle must before shipment have been marked in such manner as the Minister may prescribe, and must have been shipped from a port in Canada:

(b) the vessel to be used for the voyage must have been inspected by the representative of the Minister in Great Britain, or by the duly authorised representative of the Government of Canada, and found to be suitable and properly fitted and equipped for the humane treatment of the cattle during the voyage, and the avoidance of unnecessary suffering by the cattle:

(c) the Minister must be satisfied—

(i) that the cattle were for a period of one clear day immediately before shipment kept separate from other animals, and were examined from time to time during that period by a duly authorised veterinary officer of Canada, and in particular were thoroughly so examined immediately before shipment, and that on such examination no animal examined was found to be affected with cattle plague, pleuro-pneumonia, or foot-and-mouth disease;

PART I
—cont.

(ii) that the cattle were not at the time of shipment affected with mange or any other disease which is declared by the Minister to be a disease within the meaning of this provision ;

(iii) that, if at any time within twenty-eight days before the shipment of the cattle the vessel in which the cattle are brought to Great Britain had had on board any animal which had been exported or carried coastwise from any port or place in any country other than Great Britain or Canada, or had entered or been within any such port or place, the vessel was before the shipment of the cattle effectively cleansed and disinfected to the satisfaction of the duly authorised representative of the Government of Canada ;

(iv) that the vessel did not during the voyage enter any port or place outside Great Britain :

(d) the cattle must be landed at a port and at a landing place approved by the Minister for the purposes of this section.

(3) Cattle landed under this section shall be detained at the landing place at which they are landed and there isolated from all other animals for such period, commencing from the time at which the landing of the cattle is completed, as may be required for the thorough examination of the cattle by veterinary inspectors and the issue of licences for their movement, and no cattle shall be moved from the landing place unless and until the movement is authorised by a licence granted in accordance with the provisions of the Second Schedule to this Act.

(4) If, on the examination of any cattle landed under this section, the veterinary inspector suspects any animal of being affected with cattle plague, pleuro-pneumonia, or foot-and-mouth disease, he shall cause all the cattle then in the landing place to be detained therein until he has satisfied himself as to whether the suspected animal is or is not so affected, and for the purposes of the examination the inspector may cause the suspected animal to be slaughtered.

(5) If it is found on any such examination that any animal is affected with any such disease as aforesaid, the owner or person in charge of any cattle then in the landing place shall cause all those cattle, as having been exposed to the infection of the disease, to be slaughtered within such time as the veterinary inspector may fix, and in any such case none of the cattle shall be moved from the landing place unless in the opinion of the inspector it is necessary so to do for the purpose of slaughter and then only in accordance with such conditions, if any, as may be imposed by the licence authorising the movement.

(6) If the person whose duty it is under the last foregoing subsection to cause any cattle to be slaughtered fails to cause the cattle to be slaughtered within the time fixed in that behalf, the Minister may, but without prejudice to the liability of that person to proceedings for an offence under this Act, cause the cattle to be slaughtered and to be disposed of in such manner as he thinks fit, and any sum received by the Minister in respect of the sale of the carcasses of any cattle so slaughtered shall, after the deduction therefrom of the expenses of slaughter and disposal and the amount of any importation fees, be paid to the owner of the cattle.

PART I
—cont.

(7) The Minister may by order suspend the operation of this section during any period during which he has reason to believe that cattle plague, pleuro-pneumonia, or foot-and-mouth disease exists in Canada, and for such further period after any such disease has ceased so to exist as, in his opinion, is necessary for the purpose of avoiding the risk of the introduction of the disease into Great Britain.

30. The Minister may by order authorise any Canadian animals, other than cattle, to be landed in Great Britain without being subject to the provisions of Part I of the First Schedule to this Act (which requires animals to be slaughtered on landing) if the animals are landed in accordance with such conditions, to be prescribed in the order, as may, in the opinion of the Minister, be necessary or expedient for the prevention of the introduction of disease into Great Britain.

Import of other
Canadian
animals
allowed
without
slaughter.

A draft of any statutory instrument containing an order made under this section shall be laid before Parliament.

31.—(1) Except to such extent as the Minister may by order direct the First Schedule to this Act shall not apply to animals brought to Great Britain from Ireland or any part thereof:

Special
provision for
animals from
Ireland.

Provided that if the Minister is satisfied that cattle plague, pleuro-pneumonia or foot-and-mouth disease exists or has recently existed in, or that adequate provision is not made for the prevention of the introduction of any such disease into, any part of Ireland he may by order prohibit the landing in Great Britain of animals or any class of animals brought from Ireland or any part thereof, or may apply the provisions of the First Schedule to this Act to animals or any class of animals so brought with such modifications, if any, as he may think necessary or expedient.

(2) A draft of any statutory instrument containing an order made under this section (other than an order prohibiting the landing of animals or an order consequential on the making of any such order of prohibition) shall be laid before Parliament.

PART I
—*cont.*
Special
provision for
animals from
Channel
Islands and
Isle of Man.

32. In relation to animals brought from the Channel Islands or the Isle of Man, the Minister may, if he thinks fit, by order or by licence, alter or add to the provisions of the First Schedule to this Act relating to slaughter or to quarantine, as the case may require.

Regulation
of ports and
imported
animals.

33.—(1) The Minister may make such orders as he thinks fit, subject and according to the provisions of this Act, generally for the better execution of this Act in relation to imported animals, carcases, fodder, litter, dung, or other things, or for the purpose of in any manner preventing the introduction or spreading thereby of disease and in particular—

- (i) for prescribing the ports at which alone imported animals may be landed ;
- (ii) for defining the limits of ports for the purposes of this Act ;
- (iii) for defining parts of ports ;
- (iv) for prohibiting or regulating the movement of animals into, within, or out of a defined part of a port ;
- (v) for prescribing and regulating the inspection and examination, and the mode, time, and conditions of slaughter, of animals in a defined part of a port ;
- (vi) for prescribing and regulating the disposal of animals, not being imported animals, and being in a defined part of a port ;
- (vii) for regulating the removal of carcases, fodder, litter, utensils, dung, or other things into, within, or out of a defined part of a port, and the disposal thereof, when likely to introduce or spread disease ;
- (viii) for prescribing and regulating the cleansing and disinfection of a defined part of a port or of parts thereof ;
- (ix) for prescribing and regulating the disinfection or destruction of things being in a defined part of a port or removed thereout ;
- (x) for regulating the movement of persons into, within, or out of a defined part of a port ;
- (xi) for prescribing and regulating the disinfection of the clothes of persons employed or being in a defined part of a port, and the use of precautions against the introduction or spreading by them of disease ;

- (xii) for prescribing and regulating the seizure and detention of any imported animal, carcase, fodder, litter, dung, or other thing whereby disease may be introduced or spread ;
- (xiii) for requiring imported animals, whether as a condition of landing or otherwise, to be marked by tagging or in any other manner ;
- (xiv) for providing for the application to imported animals of any test for disease or of any treatment for disease.

(2) Notwithstanding anything in this Act, a defined part of a port, or any part thereof, shall not be declared to be an infected place, or be made part of an infected place, otherwise than by the Minister.

(3) The landing of imported animals in Great Britain shall be effected in such manner, at such times and subject to such supervision as the Commissioners of Customs and Excise may direct.

34.—(1) There shall be charged in respect of the landing of imported animals in Great Britain such fees as may, in the opinion of the Treasury, be sufficient to meet the expenses of the examination of imported animals by veterinary inspectors, but not exceeding as respects any one animal the sum of six pence : Fees on import.

Provided that the limitation to six pence shall not apply in the case of any imported animal which by virtue of an order of the Minister is required to be detained and tested for disease under the supervision of a veterinary inspector, and in any such case the fees to be charged under this section shall be such as may, in the opinion of the Treasury, be sufficient to meet the expenses of the examination including any such detention and testing as aforesaid.

(2) Any fees charged under this section shall, on demand by the Minister and before the animal, or the carcase of the animal, as the case may be, is moved from the wharf or landing place, be paid to him by the person so moving the animal or carcase.

35. A statutory instrument containing an order of the Minister made in relation to the landing or conveyance of imported animals shall be laid before Parliament after being made. Orders relating to landing or conveyance of imported animals to be laid before Parliament.

PART I
—cont.Export
quarantine
stations.*Export quarantine stations*

36.—(1) For the purpose of preventing the conveyance of disease by animals exported from Great Britain, the Minister may, with the consent of the Treasury, provide facilities for the examination of animals intended for export and provide or approve one or more quarantine stations for the reception, isolation and examination of such animals.

A quarantine station so provided or approved is in this Act referred to as an “export quarantine station.”

(2) For the purpose of defraying the costs and expenses incurred by him in the execution of this section or any part thereof, the Minister may charge in respect of the examination of animals intended for export and the issue of certificates in relation thereto, the user of an export quarantine station, and the reception of animals thereat, such fees as may be approved by the Treasury.

Any fees so charged shall be paid to the Minister on demand and, if so required by the Minister, in advance or before the animals are moved from the export quarantine station.

(3) Notwithstanding anything in this Act compensation shall not be payable under this Act in respect of any animal intended for export, which is by reason of its having been diseased or suspected, or of its having been exposed to the infection of any disease, slaughtered in an export quarantine station.

*Export of horses*Restriction on
export of
horses.

37.—(1) Subject to the following provisions of this Act it shall not be lawful to ship, or attempt to ship, any horse in any vessel from any port in Great Britain to any port outside the United Kingdom, the Channel Islands and the Isle of Man, unless immediately before shipment the horse has been examined by a veterinary inspector appointed by the Minister for the purpose of conducting examinations under this section, and has been certified in writing by the inspector to comply with the conditions in this section mentioned:

Provided that this subsection shall not apply in such cases as may be prescribed by order of the Minister.

A statutory instrument containing an order under this proviso shall be subject to annulment in pursuance of a resolution of either House of Parliament.

(2) The said conditions are that the horse—

- (a) is capable of being conveyed to the second-mentioned port and disembarked without cruelty; and
- (b) is capable of being worked without suffering.

(3) Where the inspector is satisfied that the horse is of one of the categories set out in the first column of the following table the conditions to be complied with shall include the condition that in the opinion of the inspector the horse is not more than eight years of age and of not less value than the amount specified in respect of it in the second column of that table, or such other amount as may be prescribed by order of the Minister.

TABLE

	£
A heavy draft horse	80
A vanner, mule or jennet	75
An ass	10

(4) Subsection (3) of this section shall not apply in the case of any horse as to which the inspector is satisfied either—

- (a) that it is intended to use the horse as a performing animal ; or
- (b) that the horse is registered in the stud book of a society for the encouragement of horse-breeding recognised by the Minister, and is intended to be used for breeding or exhibition purposes ; or
- (c) that the horse is a foal at foot accompanying such a horse as is referred to in paragraph (b) of this subsection.

(5) If any horse examined under this section is found by the veterinary inspector to be in such a physical condition that it is cruel to keep it alive, or to be permanently incapable of being worked without suffering, the inspector shall forthwith slaughter it or cause it to be slaughtered with a mechanically operated instrument suitable and sufficient for the purpose, and no compensation shall be made to the owner of the said animal.

(6) There shall be paid to the Minister or such person as he directs, in respect of an examination under this section, and before it takes place, such fees as may be prescribed by order of the Minister.

(7) The inspector's certificate shall be delivered at the time of shipment to the master of the vessel on which the animal is shipped who shall, on demand, produce the certificate to any constable or any inspector or other officer of the Minister or the local authority and allow such constable, inspector or other officer to take a copy of, or extract from, the certificate.

38.—(1) A veterinary inspector may, for the purposes of Marking of identification, mark a horse certified by him under the last fore-horses certified going section in such manner as the Minister may by order prescribe for export.

PART I
—cont.

(2) If any person, with a view to evading the provisions of the last foregoing section, marks a horse with the prescribed mark, or with any mark so nearly resembling it as to be calculated to deceive, he shall be guilty of an offence against this Act.

Master of vessel to cause slaughter of injured horses with approved killing instrument.

39. If any horse shipped from any port in Great Britain to any port outside the United Kingdom, the Channel Islands and the Isle of Man has a limb broken or is otherwise seriously injured while on board so as to be incapable of being disembarked without cruelty, the master of the vessel shall forthwith cause the animal to be slaughtered, and every vessel on which a horse is so shipped shall carry a proper killing instrument, to be approved by the Minister for that purpose.

It shall be the duty of the owner and master of every such vessel to see that the vessel is provided with such an instrument, and the master, if so required by an inspector of the Minister or of the local authority, shall produce the instrument for his inspection.

Exemption of horses certified to be travelling for certain purposes.

40. The three last foregoing sections shall not apply in the case of shipment of any thoroughbred horse certified in writing by a steward or the secretary of the Jockey Club—

- (a) to have arrived in Great Britain not more than one month before the date of shipment for the purpose of being run in a race; or
- (b) to be shipped for the purpose of being run in a race; or
- (c) to be shipped in order to be used for breeding purposes:

Provided that the certificate shall be delivered at the time of shipment to the master of the vessel on which the animal is shipped, who shall, on demand, produce the certificate to any constable or any inspector or other officer of the Minister or the local authority, and allow such person to take a copy of, or extract from, the certificate.

Enforcement of provisions as to shipment of horses and power to make charges.

41.—(1) An inspector of the Minister, or of the local authority, may enter any vessel for the purpose of ascertaining whether the provisions of the four last foregoing sections or of any order under this Act relating to the exportation or shipment of horses are being complied with.

(2) Every local authority shall, if and so far as the Minister by order so directs, execute and enforce the four last foregoing sections.

(3) If any person does anything or omits to do anything in contravention of the provisions of the four last foregoing sections or if the master of a vessel permits a horse to be shipped therein in contravention of those provisions he shall be guilty of an offence against this Act and the provisions of this Act relating to offences and legal proceedings shall apply accordingly as if the expression "animal" therein included horses.

(4) The Minister may charge for any licence, permit or examination required by any order under this Act relating to the exportation or shipment of horses such fee or other charge as may be prescribed by order of the Minister.

PART I
—cont.

(5) In this and the four last foregoing sections the expressions “vessel”, “owner”, “master” and “port” have the same meanings as in the Merchant Shipping Act, 1894.

Prevention of sheep scab

42.—(1) The Minister may make such orders as he thinks fit for prescribing, regulating and securing the periodical treatment of all sheep by effective dipping or by the use of some other remedy for sheep scab. Prevention of sheep scab.

(2) An inspector of the Minister and, if so authorised by order of the Minister, an inspector of the local authority, may, subject to the directions of the authority appointing the inspector, and for the purposes of any order or regulation under subsection (1) of this section, enter any premises and examine any sheep thereon.

(3) The owner and the person in charge of any sheep shall comply with all reasonable requirements of the inspector as to the collection and penning of the sheep and afford all other reasonable facilities for the examination of the sheep by the inspector.

43. The local authority may provide, fit up and maintain portable dipping tanks or, with the sanction of the Minister, dipping places, and afford the use thereof, and of all necessary appliances and materials in connection therewith, to the public upon such terms and conditions as the local authority may think fit, and any sums received by a local authority in England or Wales for such use shall be applied by them towards the discharge of their expenses under this Act: Power of local authority to provide facilities for sheepdipping.

Provided that no dipping place shall be used for the purposes of this section if such use would injuriously affect the water in any stream, reservoir, aqueduct, well, pond or place constructed or used for the supply of water for drinking or other domestic purposes.

Control of dogs

44. The Minister may make such orders as he thinks fit for all or any of the following purposes— Power of Minister to make orders as to dogs.

- (a) for prescribing and regulating the muzzling of dogs, and the keeping of dogs under control;
- (b) for prescribing and regulating the wearing by dogs, while in a highway or in a place of public resort,

PART I
—cont.

of a collar with the name and address of the owner inscribed on the collar or on a plate or badge attached thereto ;

- (c) with a view to the prevention of worrying of animals (including horses), for preventing dogs or any class of dogs, from straying during all or any of the hours between sunset and sunrise ;
- (d) for providing that any dog in respect of which an offence is being committed against provisions made under either of the two last foregoing paragraphs, may be seized and treated as a stray dog under the enactments relating to dogs ;
- (e) for prescribing and regulating the seizure, detention, and disposal (including slaughter) of stray dogs and of dogs not muzzled, and of dogs not being kept under control, and the recovery from the owners of dogs of the expenses incurred in respect of their detention.

Diseases of poultry

Application
of Act to
poultry.

45. Subject to the following provisions, this Act shall have effect in relation to poultry as it has effect in relation to animals.

Eradication
of diseases
of poultry.

46.—(1) With a view to promoting the breeding and distribution of stocks of poultry free from disease, the Minister may, with the approval of the Treasury, make arrangements whereby persons carrying on at any premises in Great Britain recognised by him for the purposes of this section the business of breeding and distributing stocks of poultry, may be afforded facilities for having such poultry, whether alive or dead, tested and examined free of charge, with the object of determining whether the birds are free from disease or from what cause they have died.

(2) Any arrangements made under this section may be varied or revoked by subsequent arrangements made with the like approval.

(3) Sections six and seven of this Act shall apply in relation to this section as they apply in relation to sections three and four.

(4) Section four of this Act shall not apply to poultry.

Separation
of diseased
poultry and
notice of
disease.

47.—(1) The Minister may by order prescribe and regulate the separation of diseased poultry from poultry not affected with disease and the notification of disease in, or illness of, poultry.

(2) Subsections (1), (2) and (3) of section eight of this Act shall not have effect in relation to poultry.

48.—(1) The Minister may, if he thinks fit, cause to be slaughtered—

PART I
—cont.

Slaughter of
poultry in
case of
disease.

(a) any diseased or suspected poultry ; or

(b) any poultry which are or have been in the same field, pen, shed or other place as, or otherwise in contact with, diseased poultry or which appear to the Minister to have been in any way exposed to the infection of disease.

(2) The Minister shall for poultry, other than diseased poultry, slaughtered under this section pay compensation, which shall be the value of the bird immediately before it was slaughtered.

(3) The Minister may by order prescribe the payment of compensation in accordance with a scale approved by the Treasury for diseased poultry slaughtered under this section, being poultry affected with any disease other than fowl pest in any of its forms, including Newcastle disease and fowl plague.

(4) For the purposes of the execution of this section, the Minister may employ such additional inspectors, valuers and other persons and at such remuneration, and may incur such expenses as, subject to the sanction of the Treasury, the Minister thinks necessary.

(5) Section seventeen of this Act shall not apply to poultry.

49.—(1) The power to make orders conferred on the Minister by section thirty-three of this Act shall include power to make, for the purpose of preventing the introduction or spreading of disease, orders—

Control of
import of
poultry and
eggs.

(a) for prohibiting the importation or bringing into Great Britain of poultry, or for regulating the importation or bringing into Great Britain of poultry, whether by defining quarantine stations for the reception of poultry and applying any of the provisions of Part II of the First Schedule to this Act or otherwise ; and

(b) for prohibiting or regulating the importation or bringing into Great Britain of poultry eggs intended for hatching, or the use for hatching of poultry eggs imported or brought into Great Britain.

(2) Sections twenty-four, twenty-five, twenty-seven, thirty and thirty-two of this Act shall not have effect in relation to poultry.

(3) Section thirty-four of this Act shall in its application to poultry have effect with the substitution of references to a sum of one penny as respects any one bird for the references to sixpence as respects any one animal.

PART I
—cont.

Cleansing,
disinfection,
and protection
from un-
necessary
suffering,
of poultry.

50.—(1) The Minister may by order prescribe and regulate the cleansing and disinfection of receptacles or vehicles used for the conveyance or exposure for sale of poultry.

(2) The Minister may make orders for protecting poultry from unnecessary suffering in connection with their exposure for sale and their disposal after sale.

(3) For the purpose of enforcing any order for protecting poultry from unnecessary suffering, an inspector may examine poultry in any circumstances to which the order relates and any receptacle or vehicle used for their conveyance or exposure for sale, and may enter any premises or vessel in which he has reasonable ground for supposing that there are poultry exposed for sale, or in course of conveyance, or packed for conveyance or exposure for sale.

(4) The Conveyance of Live Poultry Order, 1919, made under the Poultry Act, 1911, shall have effect as if it had been made under this section and may be amended, varied, revoked or enforced accordingly.

Power to enter
premises
where poultry
kept.

51. An inspector of the Ministry and, if so authorised by an order of the Minister, an inspector of a local authority may at any time enter any pen, shed, land or other place in which he has reasonable grounds for supposing that poultry are or have been kept, for the purpose of ascertaining whether disease exists or has existed therein.

PART II

REGULATION OF MANUFACTURE, &C., OF VETERINARY
THERAPEUTIC SUBSTANCES

Substances to
which Part II
applies.

52.—(1) Subject to the provisions of subsection (2) of this section, this Part of this Act shall apply to the therapeutic substances specified in the Third Schedule to this Act and to any other therapeutic substances capable of being used for veterinary purposes which may from time to time be added to that Schedule as being substances the purity or potency of which cannot be adequately tested by chemical means.

(2) In the case of any such substance as aforesaid which is a substance to which the Therapeutic Substances Act, 1925, applies, this Part of this Act shall apply thereto in so far only as the substance is excluded from the operation of that Act, as being intended to be used solely for veterinary purposes, by regulations made under paragraph (g) of subsection (1) of section five of that Act.

53.—(1) The Minister may make orders for the following purposes:—

PART II
—*cont.*

- (a) for adding to the Third Schedule to this Act any therapeutic substance capable of being used for veterinary purposes, the purity or potency of which cannot be adequately tested by chemical means;
- (b) for prohibiting, except under a licence for the purpose issued by the Minister and in accordance with any conditions subject to which the licence is issued, the manufacture for sale or the importation into Great Britain of any such substance to which this Part of this Act applies as may be specified in the order;
- (c) for prescribing the standard of strength, quality and purity of any substance in respect of which an order made for the purpose last aforesaid is in force;
- (d) for prescribing the tests to be used for determining whether the standard prescribed as aforesaid has been attained;
- (e) for prescribing units of standardisation;
- (f) for prescribing the form of licences and of applications therefor, and of notices to be given in connection therewith;
- (g) for prescribing the conditions subject to which licences may be issued, including, in the case of a licence to manufacture, conditions that the manufacture shall be carried on only upon the premises specified in the licence and that the licensee shall allow any inspector authorised by the Minister in that behalf to enter any premises where the manufacture is carried on, and to inspect the premises and plant and the process of manufacture and the means employed for standardising and testing the manufactured substance and to take samples thereof;
- (h) for prescribing any other matter which under this Part of this Act is to be prescribed.

Power to make regulations as to substances to which Part II applies.

(2) The Minister may make orders as respects any such substance to which this Part of this Act applies as may be specified therein—

- (a) requiring that, if advertised or sold as a proprietary medicine or contained in such medicine, such accepted scientific name or name descriptive of the true nature or origin of the substance as may be prescribed shall appear on the label;
- (b) requiring that the date of the manufacture shall be stated in the prescribed manner on all vessels or other packages in which the substance is sold or offered for

PART II
—cont.

sale, and prohibiting the sale of the substance after the expiration of the prescribed period from the date of manufacture ;

- (c) prohibiting the sale or the offering for sale or the importation of the substance otherwise than in a vessel or other container of such character as may be prescribed, and requiring that the prescribed label or other description shall be affixed to such vessel or container.

Licences to
manufacture.

54.—(1) The following provisions shall have effect with respect to licences to manufacture for sale a substance the manufacture of which otherwise than under a licence is prohibited by an order, that is to say—

- (a) the licence shall be issued subject to such conditions as may be prescribed, may extend to all such substances or to such one or more of them as may be specified in the licence, shall continue in force for such period as may be prescribed, but may from time to time be renewed for a like period ;
- (b) an applicant for a licence or the renewal of a licence must satisfy the Minister that the conditions under which the substance is to be manufactured by him and the premises in which it is to be manufactured are such as to comply with any order in force for the purposes of the last foregoing section, and an applicant who so satisfies the Minister shall be entitled to the grant or renewal of the licence ;
- (c) the Minister may revoke a licence or suspend it for such period as he thinks fit, if in his opinion the licensee has failed to comply with the conditions subject to which the licence was issued or with any such order as aforesaid as to the prescribed standards of strength, quality and purity, and such revocation or suspension may apply to all the substances to which the licence extends or to some one or more of them :

Provided that a person who is aggrieved by the revocation or suspension of his licence may, subject to rules of court, appeal to the court, whose decision shall be final.

(2) Nothing in any order prohibiting or regulating the manufacture for sale of any substance to which this Part of this Act applies shall apply to the preparation by a registered veterinary surgeon or practitioner for the treatment of any animal or poultry under his care, or for and at the request of another such surgeon or practitioner, of any such substance, if it is specially prepared with reference to the condition and for the treatment of an individual animal or bird.

(3) In this section,

“the court” means, as respects England, the High Court and, as respects Scotland, the Court of Session, and

“registered” means, in relation to a veterinary surgeon, registered in pursuance of the Veterinary Surgeons Act, 1881, either in the register of veterinary surgeons or in the register of existing practitioners and, in relation to a veterinary practitioner, registered in pursuance of the Veterinary Surgeons Act, 1948, in the Supplementary Veterinary Register.

PART II
—cont.

55. The issue of a licence to import a substance the importation of which otherwise than under a licence is prohibited by an order shall be subject to such conditions, including conditions as to the strength, quality and purity of the substance and as to the suspension or revocation of the licence, as may be prescribed.

Licences to
import.

56. If any person—

- (a) contravenes or fails to comply with any condition subject to which any such licence as aforesaid is issued ;
- (b) sells or offers for sale or has in his possession for sale any substance to which this Part of this Act applies knowing it to have been manufactured or imported in contravention of an order in force for any of the purposes of section fifty-three of this Act ;
- (c) contravenes or fails to comply with the provisions of any such order as aforesaid ;

Offences under
Part II.

he shall be liable on summary conviction to a fine not exceeding fifty pounds or, in the case of a second or subsequent conviction, to such a fine or to imprisonment for a time not exceeding two months, and in either case to forfeit any goods in connection with which the offence was committed, and without prejudice, if the offender is the holder of a licence, to the power of the Minister to revoke or suspend the licence.

PART III

SUPPLEMENTAL

General provisions as to Minister

57. The powers and duties conferred and imposed by this Act on the Minister shall be executed and discharged by the Minister in manner provided by the Ministry of Agriculture and Fisheries Acts, 1889 to 1919, and this Act.

Functions of
Minister.

58. The Minister shall make and lay before both Houses of Parliament, not later than the thirty-first day of March in each year, a return stating the proceedings and expenditure under

Yearly return
by Minister
to Parliament.

PART III
—*cont.*

this Act of the Minister, and, as far as reasonably may be, of all local authorities, in the year ending the thirty-first day of December then last; and showing the number of imported animals landed and found diseased in that year, specifying separately the different kinds of disease, and the ports of exportation and landing, and the mode of disposal of the animals; and containing such other information respecting the operation of this Act as the Minister thinks fit.

General provisions as to local authorities

Local
authorities
for the
purposes of
this Act.

59.—(1) In this Act the expression “local authority” has the meaning assigned to it by subsections (2) and (3) of this section, but subject to the provisions of subsection (4) of this section.

(2) In the application of this Act to England and Wales the expression “local authority” means—

(a) as respects a borough not being—

(i) a borough to which section thirty-nine of the Local Government Act, 1888, applies, that is to say, a borough which contained according to the census of eighteen hundred and eighty-one a population of less than ten thousand; or

(ii) a metropolitan borough,
the borough council;

(b) as respects the residue of each administrative county,
the county council:

Provided that the mayor and commonalty and citizens of the city of London, acting by the mayor, aldermen, and commons of that city in common council assembled, shall be the local authority for the city of London, and shall be the local authority in and for the county of London for the purpose of the provisions of this Act relating to imported animals.

(3) In the application of this Act to Scotland the expression “local authority” means—

(a) as respects a large burgh within the meaning of the Local Government (Scotland) Act, 1947, the town council; and

(b) as respects a county inclusive of any burgh other than as aforesaid, the county council.

(4) Where the district or part of a district of a local authority is or comprises, or is comprised in, a port or part of a port, the Minister may, if he thinks fit, in relation to that port or part of a port by order make any body, other than the local authority under the foregoing provisions of this section, the local authority for the purposes of the provisions of this Act relating to imported animals.

(5) A local authority shall execute and enforce this Act and every order of the Minister so far as the same are to be executed and enforced by local authorities.

60.—(1) Subject to the provisions of this section, the Fourth Schedule to this Act shall have effect with respect to committees of local authorities, but nothing therein contained shall prejudice or affect the power of a county council to delegate their powers to any committee or body under section twenty-eight of the Local Government Act, 1888, or any other enactment relating to local government in any part of Great Britain.

PART III
—*cont.*
Committees
of local
authorities.

(2) The Minister, in any order made by him under this Act for authorising a local authority to make regulations, may direct that the power to make such regulations for any purposes specified in that behalf in the order shall be exercised only by the local authority or their executive committee, and shall not be deputed to any other committee nor to a sub-committee.

(3) Nothing in this section shall apply to the London County Council.

61.—(1) A local authority may provide, erect, and fit up wharves, stations, lairs, sheds, and other places for the landing, reception, keeping, sale, slaughter, or disposal of imported or other animals, carcasses, fodder, litter, dung, and other things.

Provision of
wharves, etc.

(2) There shall be incorporated with this Act the Markets and Fairs Clauses Act, 1847, except sections six to nine and fifty-one to sixty thereof.

(3) A wharf or other place provided by a local authority under this section shall be a market within that Act; and this Act shall be the special Act; and the prescribed limits shall be the limits of lands acquired or appropriated for purposes of this section; and byelaws shall be approved by the Minister which approval shall be sufficient without any other approval or allowance, notice of application for approval being given, and proposed byelaws being published before application, as required by the Markets and Fairs Clauses Act, 1847.

(4) A local authority may charge for the use of a wharf or other place provided by them under this section such sums as may be imposed by byelaws, and the same shall be deemed tolls authorised by the special Act.

(5) All sums so received by a local authority in England or Wales shall be carried to a separate account, and shall be applied in payment of interest on money borrowed by them under this Act, and in repayment of the principal thereof, and, subject thereto, towards discharge of their expenses under this Act.

(6) The local authority shall make such periodical returns to the Minister of their expenditure and receipts in respect of the wharf or other place as the Minister requires.

(7) The Minister, if satisfied on inquiry that the tolls taken by the local authority for the wharf or other place may properly be reduced, regard being had to the expenditure and receipts of the local authority in respect thereof, and to any money

PART III
—cont.

secured on the tolls, and to the other circumstances of the case, may require the local authority to submit to the Minister, for his approval, a new schedule of tolls, and on failure of the local authority to do so to the satisfaction of the Minister, may, by order, prescribe such tolls as the Minister thinks fit, in lieu of those before approved by the Minister.

Power to
acquire land.

62.—(1) A local authority may purchase by agreement, or, if so authorised by the Minister, compulsorily, or may by agreement take on lease or at a rent, land for wharves or other places, or for use for burial of carcasses, in cases where there is not any ground suitable in that behalf in the possession or occupation of the owner of the animal, or any common or unenclosed land suitable and approved by the Minister in that behalf, or for any other purposes of this Act.

(2) The powers conferred by this section may be exercised by a local authority in England or Wales with respect to land within or without their district.

(3) In Scotland a local authority may be authorised by the Secretary of State to purchase land compulsorily for any purpose mentioned in subsection (1) of this section.

(4) Without prejudice to the effect of subsection (1) of section thirty-eight of the Interpretation Act, 1889, as regards references in an Act to an enactment repealed and re-enacted, references in the Acquisition of Land (Authorisation Procedure) Act, 1946, and the Acquisition of Land (Authorisation Procedure) (Scotland) Act, 1947, to enactments in force immediately before the respective commencements of those Acts shall include references to this section.

Default
of local
authorities.

63.—(1) Where a local authority fail to execute or enforce any of the provisions of this Act, or of an order of the Minister, the Minister may by order empower a person therein named to execute and enforce those provisions, or to procure the execution and enforcement thereof.

(2) The expenses incurred under any such order or in respect of any such default by or on behalf of the Minister shall be expenses of the local authority, and the treasurer or other proper officer of the local authority shall pay the amount of such expenses to the Minister on demand, and in default of payment a person appointed by the Minister to sue in that behalf may recover the amount of such expenses from the local authority.

(3) For the purposes of this section an order of the Minister shall be conclusive in respect of any default, amount of expenses, or other matter therein stated or appearing.

(4) The provisions of this section shall be without prejudice to the right or power of the Minister, or any other authority or any

person, to take any other proceedings for requiring a local authority to execute or enforce any of the provisions of this Act or of an order of the Minister.

PART III
—cont.

64.—(1) Every local authority shall appoint so many inspectors and other officers as the local authority think necessary for the execution and enforcement of this Act, and shall assign to those inspectors and officers such duties, and salaries or allowances, and may delegate to any of them such authorities and discretion, as to the local authority seem fit, and may at any time revoke any appointment so made.

Inspectors and other officers of local authorities.

(2) The Minister on being satisfied on inquiry that an inspector of a local authority is incompetent, or has been guilty of misconduct or neglect, may, if he thinks fit, direct his removal, and thereupon he shall cease to be an inspector.

65. Every local authority and their inspectors and officers shall send and give to the Minister such notices, reports, returns, and information as the Minister requires.

Reports to Minister.

66.—(1) An order or regulation of a local authority may be proved—

Orders and regulations of local authorities.

- (a) by the production of a newspaper purporting to contain the order or regulation as an advertisement; or
- (b) by the production of a copy of the order or regulation purporting to be certified by the clerk of the local authority as a true copy.

(2) An order or regulation so proved shall be taken to have been duly made, unless and until the contrary is proved.

(3) An order or regulation of a local authority authorised by this Act or by an order of the Minister shall alone be deemed for the purposes of this Act an order or regulation of a local authority.

67. The provisions of this Act conferring powers on, or otherwise relating to, a local authority, or their inspectors or officers, shall, unless otherwise expressed, be read as having reference to the district of the local authority; and powers thereby conferred shall, unless it is otherwise expressed, be exercisable and shall operate within and in relation to that district only.

Powers of local authorities to be for their districts.

68.—(1) Wherever the whole or any part of the district of any local authority is wholly surrounded by or has a common boundary with the district of any other local authority, those two local authorities may by agreement in writing between themselves make and vary and rescind provisions for the exercise by one of them (in this section referred to as “the administering authority”) of powers under this Act or any order of the Minister within the whole or any part of the district of the

Transfer of powers from one local authority to another, or formation of a united district.

PART III
—*cont.*

other (in this section referred to as “ the surrendering authority ”) and for ascertaining the proportion of the expenses of the administering authority to be paid by the surrendering authority, such proportion to be fixed with reference to the rateable value of the part of the district of the surrendering authority surrendered to the administering authority as compared with the rateable value of the original area of the district of the administering authority.

(2) The district or part of a district subjected, in pursuance of an agreement under this section, to the powers of the administering authority, shall, for the purpose of the exercise of such powers, be deemed to be part of the district of the administering authority, and be dealt with accordingly.

(3) A local authority may by agreement in writing concur with any other local authority or authorities in appointing out of their respective bodies a joint committee consisting of such number of members with such tenure of office as they may determine, and in assigning to the joint committee a district consisting of the whole or such parts of the districts of the constituent authorities as the authorities may determine, and in delegating to the joint committee within their district the whole or any part of the powers of a local authority.

The joint committee shall, in respect of any powers so assigned to them, exercise the same powers and be subject to the same obligations, and this Act and any order of the Minister shall, in respect of the district so assigned, take effect, as if such district were the district of a local authority and the joint committee were a local authority within the meaning of this Act.

(4) All expenses incurred by the joint committee shall be apportioned among the component areas belonging to the different constituent authorities in proportion to the rateable values of such areas, as compared with each other.

(5) An agreement made under this section shall not be valid unless it has been approved by the Minister.

(6) The expression “ powers ” in this section shall not include the power of making or levying a rate, but shall include all other powers, duties, and obligations exercisable by or imposed on a local authority or its officers under or by this Act, or any order of the Minister.

Finances of local authorities

Expenses of
local
authorities.

69. The expenses under this Act of a county council in England or Wales shall be defrayed as expenses for special county purposes charged on those county districts the councils of which are not local authorities for the purposes of this Act:

Provided that the payment of the expenses under this Act of the local authority for the County of London shall be a general county purpose.

PART III
—cont.

70. A local authority may borrow for the purposes of this Act:

Borrowing
powers of
local
authorities,

Provided that in Scotland the power conferred by this section shall only be exercisable where the expenditure of the local authority under this Act requiring to be met out of rates in any financial year exceeds or would exceed the produce of a rate of sixpence in the pound on the rateable valuation of the authority's area.

Police

71.—(1) The police force of each police area shall execute and enforce this Act and every order of the Minister.

Duties and
authorities of
constables.

(2) Where a person is seen or found committing, or is reasonably suspected of being engaged in committing, an offence against this Act, a constable may, without warrant, stop and detain him; and, if his name and address are not known to the constable, and such person fails to give them to the satisfaction of the constable, the constable may, without warrant, apprehend him; and the constable may, whether so stopping or detaining or apprehending the person or not, stop, detain, and examine any animal, vehicle, boat, or thing to which the offence or suspected offence relates, and require the same to be forthwith taken back to or into any place or district wherefrom or whereout it was unlawfully removed, and execute and enforce that requisition.

(3) If any person obstructs or impedes or assists to obstruct or impede a constable or other officer in the execution of this Act or of an order of the Minister or of a regulation of a local authority, the constable or officer may without warrant apprehend the offender.

(4) A person apprehended under this section shall be taken with all practicable speed before a justice, and shall not be detained without a warrant longer than is necessary for that purpose; and all enactments relating to the release of persons on recognizances taken by an officer of police or a constable shall apply in the case of a person apprehended under this section.

(5) The foregoing provisions of this section respecting a constable extend and apply to any person called by a constable to his assistance.

(6) A constable shall forthwith make a report in writing to his superior officer of every case in which he stops any person, animal, vehicle, boat, or thing under this section, and of his proceedings consequent thereon.

PART III
—cont.

(7) Nothing in this section shall take away or abridge any power or authority that a constable would have had if this section had not been enacted.

*General administrative provisions***Agricultural
Marketing
Boards to give
information
to Minister.**

72.—(1) It shall be the duty of every board administering a scheme under the Agricultural Marketing Acts, 1931 to 1949, to give at any time to the Minister such information as he may reasonably require for the purposes of his functions under this Act.

(2) Nothing in section seventeen of the Agricultural Marketing Act, 1931, as amended by subsection (2) of section twenty-four of the Agricultural Marketing Act, 1933, shall apply to any disclosure of information made by a board in compliance with a requisition of the Minister under this section.

**General
powers of
inspectors.**

73.—(1) An inspector shall have, for the purposes of this Act, all the powers which a constable has, under this Act or otherwise, in the place where the inspector is acting.

(2) An inspector may at any time enter any land or shed to which this Act applies, or other building or place wherein he has reasonable grounds for supposing—

- (a) that disease exists or has within fifty-six days existed ; or
- (b) that the carcase of a diseased or suspected animal is or has been kept, or has been buried, destroyed, or otherwise disposed of ; or
- (c) that there is to be found any pen, place, vehicle, or thing in respect whereof any person has on any occasion failed to comply with the provisions of this Act, or of an order of the Minister, or of a regulation of a local authority ; or
- (d) that this Act or an order of the Minister or a regulation of a local authority has not been or is not being complied with.

(3) An inspector may at any time enter any pen, vehicle, vessel, or boat in which or in respect whereof he has reasonable grounds for supposing that this Act or an order of the Minister or a regulation of a local authority has not been or is not being complied with.

(4) An inspector entering, as herein-before by this section authorised, shall, if required by the owner, or occupier, or person in charge of the land, building, place, pen, vehicle, vessel, or boat, state in writing his reasons for entering.

(5) A certificate of a veterinary inspector to the effect that an animal is or was affected with a disease specified in the certificate shall, for the purposes of this Act, be conclusive evidence in all courts of justice of the matter certified.

(6) An inspector of the Minister shall have all the powers of an inspector throughout England and Wales or that part thereof for which he is appointed, and in addition to the powers hereinbefore conferred upon inspectors, an inspector of the Minister may at any time, for the purpose of ascertaining whether pleuropneumonia, foot-and-mouth disease, or swine-fever exists, or has within fifty-six days existed, in any shed, land, or other place, enter such shed, land, or place.

74.—(1) Where an inspector of the Minister is satisfied that this Act or an order of the Minister or a regulation of a local authority has not been or is not being complied with on board a vessel in a port, then, on the representation in writing to that effect of the inspector, stating particulars of non-compliance, the vessel may be detained until the Minister otherwise directs. Power to detain vessels.

(2) The officer detaining the vessel shall forthwith deliver to the master or person in charge of the vessel a copy of the representation.

(3) Section six hundred and ninety-two of the Merchant Shipping Act, 1894, shall apply in the case of such detention as if it were authorised or ordered under that Act.

75.—(1) Where a carcase washed ashore is buried or destroyed under the direction of a receiver of wreck with authority from the Minister of Transport, the expenses thereof shall be expenses of the local authority, and shall be paid by the local authority to the receiver on demand, and in default of payment shall be recoverable with costs by the receiver from the local authority. Expenses of burial of carcasses washed ashore.

(2) Where a local authority has incurred any expenses under this section on account of the burial or destruction of the carcase of any animal which, or the carcase of which, was thrown or washed from any vessel, the owner of the vessel shall be liable to repay such expenses to the local authority; and the local authority may recover such expenses with costs in the same manner as salvage is recoverable.

76. No stamp duty shall be payable on, and, save as otherwise expressly provided, no fee or other charge shall be demanded or made for, any appointment, certificate, declaration, licence, or thing under this Act, or an order of the Minister, or a regulation of a local authority, or for any inspection or other act precedent to the granting, making, or doing of a certificate, declaration, licence, or other thing. Exemption from stamp duty and fees.

PART III
—*cont.*
Evidence and
form and
service of
instruments.

77.—(1) In any proceeding under this Act, no proof shall be required of the appointment or handwriting of an inspector or other officer of the Minister or of the clerk or an inspector or other officer of a local authority.

(2) Every notice under this Act or under any order or regulation made under this Act must be in writing.

(3) The Minister may make such orders as he thinks fit for prescribing and regulating the form and mode of service or delivery of notices and other instruments.

(4) Any notice or other instrument under this Act or under an order of the Minister or a regulation of a local authority may be served on the person to be affected thereby, either by the delivery thereof to him personally, or by the leaving thereof for him at his last known place of abode or business, or by the sending thereof through the post in a letter addressed to him there.

(5) A notice or other instrument to be served on the occupier of any building, land, or place may, except when sent by post, be addressed to him by the designation of the occupier of that building, land, or place, without naming or further describing him; and where it is to be served on the several occupiers of several buildings, lands, or places, may, except when sent by post, be addressed to them collectively by the designation of the occupiers of those several buildings, lands, or places, without further naming or describing them, but separate copies thereof being served on them severally.

Offences and legal proceedings

Offences
against
this Act.

78.—(1) If any person, without lawful authority or excuse, proof whereof shall lie on him, does any of the following things, he shall be guilty of an offence against this Act:—

- (i) if he does anything in contravention of this Act, or of an order of the Minister, or of a regulation of a local authority; or
- (ii) if, where required by this Act or by an order of the Minister to keep an animal separate as far as practicable, or to give notice of disease with all practicable speed, he fails to do so; or
- (iii) if he fails to give, produce, observe, or do any notice, licence, rule, or thing which by this Act, or by an order of the Minister, or by a regulation of a local authority, he is required to give, produce, observe, or do; or
- (iv) if he does anything which by this Act or an order of the Minister is made or declared to be not lawful; or

- (v) if he does or omits anything, the doing or omission whereof is declared by this Act or by an order of the Minister to be an offence by him against this Act ; or
- (vi) if he refuses to an inspector or other officer, acting in execution of this Act, or of an order of the Minister, or of a regulation of a local authority, admission to any land, building, place, vessel, pen, vehicle, or boat which the inspector or officer is entitled to enter or examine, or obstructs or impedes him in so entering or examining, or otherwise in any respect obstructs or impedes an inspector or constable or other officer in the execution of his duty, or assists in any such obstructing or impeding ; or
- (vii) if he throws or places, or causes or suffers to be thrown or placed, into or in any river, stream, canal, navigation, or other water, or into or in the sea within three miles of the shore, the carcase of an animal which has died of disease, or been slaughtered as diseased or suspected.
- (2) If any person does any of the following things, he shall be guilty of an offence against this Act :—
- (i) if, with intent to unlawfully evade this Act, or an order of the Minister, or a regulation of a local authority, he does anything for which a licence is requisite under this Act, or an order of the Minister, or a regulation of a local authority, without having obtained a licence ; or
- (ii) if, where a licence is requisite, having obtained a licence, he, with the like intent, does the thing licensed after the licence has expired ; or
- (iii) if he uses or offers or attempts to use as such a licence an instrument not being a complete licence, or an instrument untruly purporting or appearing to be a licence, unless he shows to the satisfaction of the court that he did not know of that incompleteness or untruth, and that he could not with reasonable diligence have obtained knowledge thereof ; or
- (iv) if, with intent to unlawfully evade this Act, or an order of the Minister, or a regulation of a local authority, he alters, or falsely makes, or ante-dates, or counterfeits, or offers or utters, knowing the same to be altered, or falsely made, or ante-dated, or counterfeited, a licence, declaration, certificate, or instrument made or issued, or purporting to be made or issued, under or for any purpose of this Act, or of an order of the Minister, or of a regulation of a local authority ; or

PART III
—cont.

- (v) if, for the purpose of obtaining a licence, certificate, or instrument, he makes a declaration or statement false in any material particular, unless he shows to the satisfaction of the court that he did not know of that falsity, and that he could not with reasonable diligence have obtained knowledge thereof ; or
- (vi) if he obtains or endeavours to obtain such a licence, certificate, or instrument by means of a false pretence, unless he shows to the satisfaction of the court that he did not know of that falsity, and that he could not with reasonable diligence have obtained knowledge thereof ; or
- (vii) if he grants or issues such a licence, certificate, or instrument, being false in any date or other material particular, unless he shows to the satisfaction of the court that he did not know of that falsity, and that he could not with reasonable diligence have obtained knowledge thereof, or if he grants or issues such a licence, certificate, or instrument, having, and knowing that he has, no lawful authority to grant or issue the same ; or
- (viii) if, with intent to unlawfully evade or defeat this Act, or an order of the Minister, or a regulation of a local authority, he grants or issues an instrument being in form a licence, certificate, or instrument made or issued under this Act or an order of the Minister or a regulation of a local authority, for permitting or regulating the movement of a particular animal, or the doing of any other particular thing, but being issued in blank, that is to say, not being before the issue thereof so filled up as to specify any particular animal or thing ; or
- (ix) if he uses or offers or attempts to use for any purpose of this Act, or of an order of the Minister, or of a regulation of a local authority, an instrument so issued in blank, unless he shows to the satisfaction of the court that he did not know of it having been so issued in blank, and that he could not with reasonable diligence have obtained knowledge thereof ; or
- (x) if he by means of any fraud or false pretence obtains, or attempts to obtain, compensation from the Minister in respect of an animal slaughtered, or aids or abets any person in any such fraud or false pretence ; or
- (xi) if, without lawful authority or excuse, proof whereof shall lie on him, he digs up, or causes to be dug up, a carcase buried under the direction of the Minister or of a local authority or of a receiver of wreck ; or

(ii) if, where the Minister has by order prohibited, absolutely or conditionally, the use for the carrying of animals, or for any purpose connected therewith, of a vessel, vehicle, or pen, or other place, he, without lawful authority or excuse, proof whereof shall lie on him, does anything so prohibited.

PART III
—cont.

79.—(1) If any person is guilty of an offence against this Act he shall for every such offence be liable—

Punish-
ment for
offences
against this
Act.

(a) to a fine not exceeding fifty pounds; or

(b) if the offence is committed with respect to more than ten animals, to a fine not exceeding five pounds for each animal; or

(c) where the offence is committed in relation to carcases, fodder, litter, dung or other thing (exclusive of animals), to a fine not exceeding ten pounds in respect of every half ton in weight thereof after one half ton in addition to the first fine not exceeding fifty pounds.

(2) Where a person has been convicted of an offence under any paragraph of subsection (1) of the last foregoing section, he shall be liable, on a further conviction within a period of twelve months for a second or subsequent offence against the same paragraph, in the discretion of the court, to be imprisoned for any term not exceeding one month in lieu of the fine to which he is liable under the foregoing subsection.

(3) A person guilty of an offence under subsection (2) of the last foregoing section shall be liable on conviction, in the discretion of the court, to be imprisoned for any term not exceeding two months in lieu of the fine to which he is liable under subsection (1) of this section.

(4) Nothing in this section shall apply in relation to an offence punishable under section seven of this Act.

80. Any offence against this Act may be prosecuted, and any fine in respect thereof may be recovered, and any money by this Act or an order of the Minister made recoverable summarily may be recovered, and any summary order under this Act or an order of the Minister may be made in manner provided by the Summary Jurisdiction Acts; but nothing in this section shall apply to proceedings under the Customs Acts.

Proceedings
in court of
summary
jurisdiction.

81.—(1) If any person thinks himself aggrieved by the dismissal of a complaint by, or by any determination or adjudication of, a court of summary jurisdiction in England or Wales under this Act, he may appeal therefrom to a court of quarter sessions.

Appeal.

(2) Nothing in this section shall apply in relation to an offence punishable under section seven of this Act.

PART III
—*cont.*
**Proceedings
under Customs
Acts for
unlawful
landing or
shipping.**

82.—(1) If any person lands or ships or attempts to land or ship an animal or thing in contravention of this Act or of an order of the Minister, he shall be liable, under and according to the Customs Acts, to the penalties imposed on persons importing or exporting or attempting to import or export goods the importation or exportation whereof is prohibited by or under the Customs Acts, without prejudice to any proceeding against him under this Act for an offence against this Act.

(2) The animal or thing in respect whereof the offence is committed shall be forfeited under and according to the Customs Acts in like manner as goods the importation whereof is prohibited by or under the Customs Acts.

**General
provision as
to procedure.**

83.—(1) Where the owner or person in charge of an animal is charged with an offence against this Act relative to disease or to any illness of the animal, he shall be presumed to have known of the existence of the disease or illness, unless and until he shows to the satisfaction of the court that he had not knowledge thereof, and could not with reasonable diligence have obtained that knowledge.

(2) Where a person is charged with an offence against this Act in not having duly cleansed or disinfected any place, vessel, vehicle, or thing belonging to him or under his charge, and a presumption against him on the part of the prosecution is raised, it shall lie on him to prove the due cleansing and disinfection thereof.

(3) Every offence against this Act shall be deemed to have been committed, and every cause of complaint or matter for summary proceeding under this Act or an order of the Minister or regulation of a local authority shall be deemed to have arisen, either in any place where the same actually was committed or arose, or in any place where the person charged or complained of or proceeded against happens to be at the time of the institution or commencement of the charge, complaint, or proceeding.

(4) Notwithstanding anything in any Act relating to the metropolitan police or to municipal corporations or in any other Act, such part not exceeding one half of every fine or forfeiture recovered under this Act (except in proceedings under the Customs Acts) as the court before which it is recovered thinks fit, shall be paid to the person who proceeds for the same, and the residue thereof shall be applied as if this section had not been enacted:

Provided that this subsection shall cease to have effect in England and Wales upon the coming into force of section twenty-seven of the Justices of the Peace Act, 1949.

(5) Nothing in this section shall apply in relation to an offence punishable under section seven of this Act.

*Interpretation and provisions as to orders of the Minister*PART III
—cont.

84.—(1) In this Act, unless the context otherwise requires, the expression “ animals ” means cattle, sheep and goats, and all other ruminating animals and swine : Interpretation.

Provided that—

- (a) the Minister may, for all or any of the purposes of this Act, by order extend this definition so that it shall, for those purposes or any of them, comprise any other kind of four-footed beasts ;
- (b) in the application of this Act to poultry this definition shall not have effect.

(2) In this Act, unless the context otherwise requires, the expression “ poultry ” means birds of the following species, that is to say,—

- (a) domestic fowls, turkeys, geese, ducks, guinea-fowls and pigeons ; and
- (b) pheasants and partridges :

Provided that the Minister may, for all or any of the purposes of this Act, in so far as it applies to poultry, by order extend this definition so that it shall, for those purposes or any of them, comprise any other species of bird or restrict this definition so that it shall, for those purposes or any of them, exclude any of the species of bird mentioned in paragraph (b) of this subsection.

(3) In this Act, unless the context otherwise requires, the expression “ disease ”—

- (a) except in so far as this Act applies to poultry, means cattle plague, pleuro-pneumonia, foot-and-mouth disease, sheep-pox, sheep scab or swine-fever, so, however, that the Minister may, for all or any of the purposes of this Act, by order extend this definition so that it shall, for those purposes or any of them, comprise any other disease of animals ;
- (b) in so far as this Act applies to poultry, means—
 - (i) fowl pest in any of its forms, including Newcastle disease and fowl plague, and
 - (ii) pneumo-encephalitis, fowl cholera, contagious bronchitis, infectious laryngo-tracheitis, bacillary white diarrhoea, fowl typhoid, fowl pox and fowl paralysis,

so, however, that the Minister may, for all or any of the purposes of this Act, by order extend this definition so that it shall, for those purposes or any of them, comprise any other disease of birds or restrict this definition so that it shall, for those purposes or any of them, exclude any of the diseases mentioned in subparagraph (ii) of paragraph (b) of this subsection.

PART III
—cont.

- (4) In this Act, unless the context otherwise requires—
- “Canadian” in relation to any animal means born and reared in Canada ;
 - “carcase” means the carcase of an animal and includes part of a carcase, and the meat, bones, hide, skin, hooves, offal or other part of an animal, separately or otherwise, or any portion thereof ;
 - “cattle” means bulls, cows, oxen, heifers, and calves ;
 - “cattle plague” means rinderpest or the disease commonly called cattle plague ;
 - “the Customs Acts” means the Customs Consolidation Act, 1876, and any enactment amending or substituted for that Act ;
 - “diseased” means affected with disease ;
 - “district”, when used with reference to a local authority, means the area for which the local authority exercises powers under this Act ;
 - “export quarantine station” has the meaning assigned to it by subsection (1) of section thirty-six of this Act ;
 - “fodder” means hay or other substance commonly used for food of animals ;
 - “horse” includes ass and mule ;
 - “imported” means brought to Great Britain from a country out of Great Britain ;
 - “inspector” means a person appointed to be an inspector for the purposes of this Act by the Minister or by a local authority, and, when used in relation to an officer of the Ministry includes a veterinary inspector ;
 - “justice” means justice of the peace ;
 - “litter” means straw or other substance commonly used for bedding or otherwise for or about animals ;
 - “local authority” has the meaning assigned to it by section fifty-nine of this Act ;
 - “Minister” means the Minister of Agriculture and Fisheries and “Ministry” shall be construed accordingly ;
 - “order of the Minister” means an order of the Minister under this Act ;
 - “pleuro-pneumonia” means contagious pleuro-pneumonia of cattle ;
 - “police area” and “police force”, with respect to the City of London, mean the said city and the police thereof, and with respect to any other place have the same meaning as in the Police Act, 1890 ;
 - “suspected” means suspected of being diseased ;
 - “swine-fever” means the disease known as typhoid fever of swine, soldier purples, red disease, hog cholera or swine-plague ;
 - “veterinary inspector” means a veterinary inspector appointed by the Minister.

(5) In the computation of time for the purposes of this Act, a period reckoned by days from the happening of an event or the doing of an act or thing shall be deemed to be exclusive of the day on which the event happened or the act or thing is done.

PART III
—cont.

85.—(1) An order of the Minister may be altered or revoked by a subsequent order made in the like manner and subject to the like conditions. Orders, etc.
of the Minister.

(2) Every order of the Minister shall have effect as if it had been enacted by this Act.

(3) The Minister shall publish in the London Gazette a notice of any order made by him under this Act stating that the order has been made and the place where copies of the order may be obtained.

(4) Every local authority shall at their own expense publish every order of the Minister, and every licence, or other instrument sent to them by the Minister for publication, in such manner as the Minister directs, and, subject to and in the absence of any direction, by advertisement in a newspaper circulating in the district of the local authority.

(5) The validity or effect of an order of the Minister, licence, or other instrument issued by the Minister shall not be affected by want of or defect or irregularity in any publication thereof.

(6) The foregoing provisions of this section shall not apply to any order made under section three of this Act and subsections (2) to (5) of this section shall not apply to an order made under section seventeen of this Act.

(7) The power of making orders conferred on the Minister by any provision of this Act, other than section twenty-seven, subsection (2) of section forty-two or subsection (1) of section thirty-three, shall be exercisable by statutory instrument.

Scotland and Northern Ireland

86.—(1) The provisions of this section shall have effect for the purpose of the application of this Act to Scotland. General
application
to Scotland.

(2) The expressions "police area" and "police force" have the same meanings as in the Police (Scotland) Act, 1890, and the expressions "gross annual valuation" and "rateable valuation" have the same meanings as in the Local Government (Scotland) Act, 1947.

(3) An inspector or veterinary inspector of the Minister shall have all the powers of an inspector or veterinary inspector, as the case may be, throughout Scotland or that part thereof for which he is appointed.

(4) In the event of any person refusing or delaying to comply with the order of a local authority, the local authority may give information thereof to the procurator-fiscal of the county or

PART III
—cont.

burgh, who may apply to the sheriff for a warrant to carry such order into effect, and such warrant may be executed by the officers of court in common form.

(5) Notwithstanding anything in this or any other Act, the part of every fine or forfeiture recovered under this Act which is not in this Act directed to be paid to the person who sues or proceeds for the same, shall be paid as follows—

- (a) to the King's and Lord Treasurer's Remembrancer, on behalf of His Majesty, when the court is the sheriff court ;
- (b) to the treasurer of the county where the court is a justice of the peace court ;
- (c) to the chamberlain of the burgh where the court is a burgh or police court.

Nothing in this subsection shall apply in relation to an offence punishable under section seven of this Act.

(6) Section sixty-eight of this Act shall have effect as if—

- (a) for the references in subsection (1) to rateable value there were substituted references to gross annual valuation ; and
- (b) there were substituted for subsection (4) the following subsection :—

(4) All expenses incurred by the joint committee shall, unless the Minister on the application of any of the constituent authorities otherwise determines, be apportioned among the component areas belonging to the different constituent authorities in proportion to the rateable valuations of such areas as compared with each other.

(7) Nothing in subsections (4) or (5) of this section shall apply to proceedings under the Customs Acts.

Communica-
tions to and
from Northern
Ireland.

87. In order to secure uniformity of action every order of the Minister made under this Act shall, with all practicable speed, be communicated to the Ministry of Agriculture for Northern Ireland and every order made by that Ministry under the enactments relating to diseases of animals and forming part of the law of Northern Ireland shall with all practicable speed be communicated to the Minister.

For the purposes of section six of the Government of Ireland Act, 1920, this section shall be treated as if contained in an Act passed before the appointed day referred to in that section.

Extension of
powers of
Parliament of
Northern
Ireland.

88. For the purposes of the Government of Ireland Act, 1920, the enactment of legislation for purposes similar to the purposes of Part II of this Act shall not be deemed to be beyond the powers of the Parliament of Northern Ireland by reason only of the restriction of those powers mentioned in section four of that Act.

Repeal, transitional, short title, extent and commencement

PART III

—*cont.*

89.—(1) The enactments set out in the Fifth Schedule to this Act are hereby repealed to the extent specified in the third column of that Schedule. Repeal and transitional provisions.

(2) Nothing in this repeal shall affect any instrument made or other thing whatsoever done under any enactment repealed by this Act and every instrument or other thing made or done under any enactment reproduced in this Act, whether by one repeal and re-enactment or by several repeals and re-enactments, shall continue in force and, so far as it could have been made or done under this Act, shall have effect as if made or done under the corresponding provision of this Act.

(3) Any document referring to any Act or enactment repealed by this Act shall be construed as referring to this Act or the corresponding enactment in this Act.

(4) Where under any Act passed before this Act there is power to affect Acts passed or in force before a particular time and that power would, but for the passing of this Act, have included power to change the law which is reproduced in this Act, then that power shall include power to make such provision as will secure the like change in the law as reproduced in this Act notwithstanding that this Act is not an Act passed or in force before that time and notwithstanding that the terms of this Act, apart from this subsection, are not such as to render that power applicable.

(5) The mention of particular matters in this section shall not be held to prejudice or affect the general application of section thirty-eight of the Interpretation Act, 1889, with regard to the effect of repeals.

90. Any officers or servants employed by the Minister for the purpose of the execution of the enactments relating to diseases of animals who were appointed before the commencement of Part IV of the Agriculture Act, 1937 (the first day of April, nineteen hundred and thirty-eight) shall be deemed to have been appointed under section five of the Board of Agriculture Act, 1889. Transitional.

91.—(1) This Act may be cited as the Diseases of Animals Act, 1950. Short title, extent and commencement.

(2) Sections eighty-seven and eighty-eight of this Act and the repeal of sections sixty-six of the Diseases of Animals Act, 1894, and of subsection (4) of section nineteen of the Diseases of Animals Act, 1935, shall extend to Northern Ireland, but, save as aforesaid, this Act shall not extend to Northern Ireland.

(3) This Act shall come into operation on the first day of January, nineteen hundred and fifty-one.

SCHEDULES

FIRST SCHEDULE

IMPORTED ANIMALS

PART I

Slaughter at Port of Landing

1. The animals shall be landed only at a part of a port defined for that purpose by order of the Minister to be called an imported animals wharf.
2. The animals shall be landed in such manner, at such times, and subject to such supervision and control as the Commissioners of Customs direct.
3. The animals shall not be moved alive out of the wharf.

PART II

Quarantine

1. The animals shall be landed only at a part of a port defined for that purpose by order of the Minister to be called an imported animals quarantine station.
2. The animals shall be landed in such manner, at such times, and subject to such supervision and control as the Commissioners of Customs direct, and subject to such conditions in respect of the animals or of the vessel from which they are landed, as the Minister by order prescribes.
3. When landed the animals shall be placed in sheds or other receptacles in the quarantine station, prepared by the local authority or the owners of the quarantine station, or the consignees of animals, or other persons, and approved by the Minister.
4. The animals shall not be moved out of the quarantine station except on conditions prescribed by order of the Minister.
5. Notwithstanding anything in the foregoing provisions of this Part of this Schedule the provisions of this Act relating to slaughter in case of the existence of disease, and to the ownership of carcasses of such animals, shall apply to animals within an imported animals quarantine station.

PART III

Ancillary provisions

1. Notwithstanding anything in this Act, compensation shall not be payable under this Act in respect of any imported animal which is, by reason of its being diseased or suspected, or of its having been exposed to the infection of any disease, slaughtered in an imported animals wharf, an imported animals quarantine station, or an approved landing place.
2. For the case of animals found, while in an imported animals wharf or imported animals quarantine station, to be affected with pleuro-pneumonia or foot-and-mouth disease the Minister shall, by order, make such provision as he thinks necessary or expedient, and the provisions of subsections (2), (3) and (4) of section twenty-one of this Act shall have effect as if an order under this paragraph were an order made under subsection (1) of that section.

SECOND SCHEDULE

REGULATION OF MOVEMENT OF IMPORTED CATTLE

Sections 28 and
29 (3).*Licence for movement from landing place*

1.—(1) No imported cattle shall be moved from the landing place at which they are landed except under a licence granted by a veterinary inspector and in accordance with such conditions, if any, as may be imposed by the licence and with the regulations contained in this Schedule

(2) A licence granted under this provision shall be a licence authorising the cattle to be moved either to—

(a) a market specially authorised in writing by the local authority of the district for the purposes of this provision (in this Schedule referred to as “an authorised market”); or

(b) premises (including a slaughterhouse) other than a market.

(3) A local authority may, if they think fit, instead of granting an authority for the purposes of this provision in respect of the whole of a market, grant such an authority in respect of some part of a market, and where a part of a market is so authorised the provisions of this Schedule shall, unless the context otherwise requires, have effect as though references to a part of a market were substituted for references to a market.

(4) A copy of every authority granted by a local authority for the use of a market for the purposes of this provision shall be sent forthwith by the local authority to the Ministry.

*Conditions to be complied with in the case of
cattle in authorised markets*

2.—(1) Imported cattle which have been moved to an authorised market shall at all times while therein be kept separate from all animals other than imported cattle, sheep or goats, and shall not, if part only of a market is authorised for the purposes of this Schedule, be permitted, while any animals other than imported cattle, sheep or goats are in the market, to enter any part of the market other than the authorised part.

(2) No animals other than imported cattle, sheep or goats shall be permitted to enter an authorised market while it is being used as such.

(3) Imported cattle exposed for sale at an authorised market shall not be moved therefrom except with the authority and in accordance with the provisions of a licence granted by a local inspector for movement to premises, not being an authorised market, to be there detained in accordance with the provisions of this Schedule.

*Detention of imported cattle on arrival at
premises other than market*

3. When imported cattle have under a licence in that behalf been moved to premises other than an authorised market, whether from the landing place or from an authorised market, they shall on arriving at those premises be detained therein, unless previously slaughtered therein, for a period of six days from the date of arrival.

During the said period the cattle shall not be moved from the said premises except with the authority and in accordance with the provisions of a licence granted by a local inspector for movement to a slaughterhouse, to be therein detained until they are slaughtered, or to a vessel for export.

2ND SCH.
—cont.

*Temporary detention in special enclosures of cattle
awaiting sale at market*

4.—(1) Where a licence has been granted under this Schedule authorising the movement of imported cattle to an authorised market, the cattle may by virtue of that licence, subject as hereinafter provided, be temporarily detained in special lairs or other enclosures adjoining or near to the market while awaiting exposure for sale in the market:

Provided that—

- (a) the lairs or enclosures must be lairs or enclosures the use of which has been authorised by the local authority for the purpose of this provision, and the use of the lairs or enclosures for the purpose aforesaid shall be subject to such directions as may be given by or on behalf of the local authority;
 - (b) the lairs or enclosures, whilst being used for the purposes of this provision, must not be used for any animals other than imported cattle, sheep or goats in course of being moved to an authorised market under this Schedule;
 - (c) the cattle shall not remain in the lairs or enclosures for a period exceeding seventy-two hours unless otherwise authorised by the local authority in writing.
- (2) If the Minister after making enquiries is satisfied that it is for any reason inexpedient or undesirable that any lairs or other enclosures, the use of which has been authorised for the purpose aforesaid, should be used for that purpose, the Minister may direct that those lairs or enclosures shall cease to be authorised lairs or enclosures for the purpose of this provision.

Authorisations, licences and movement

5.—(1) A local authority may, for the purpose of the better execution and enforcement of the provisions of this Schedule, insert such conditions as it thinks fit in any authority granted by it for the use of a market as a specially authorised market for the purposes of the said provisions, or for the use of lairs or enclosures for the temporary detention of imported animals while awaiting exposure for sale in a specially authorised market.

The local authority may require the owner or person in charge of animals exposed at a specially authorised market or the person exposing the same, to inform an officer of the local authority or the police, at the close of the day, of the names and addresses, if known, of the persons to whom he has sold animals and of the numbers of each class sold to each person, and may require the person who applies for a licence authorising the movement of animals from the market to state the name and address, if known, of the person from whom he purchased the animals.

(2) Without prejudice to any power of revocation of the Minister, a local authority may revoke any licence or authorisation granted or issued by them under this Schedule.

(3) A licence granted under this Schedule for the movement of imported cattle shall remain in force for a period of five days, inclusive of the day on which it is granted, and no longer.

(4) A copy of every licence granted under this Schedule shall be sent forthwith by the veterinary inspector or local inspector by whom it is granted to the local authority of the district in which the authorised

market or other authorised place of destination is situate, and also, where the place of destination is not an authorised market, to the occupier of that place.

2ND SCH.
—cont.

(5) Every licence granted under this Schedule shall accompany the cattle to which it relates throughout the time during which they are being moved thereunder, and shall on demand be produced by the person for the time being in charge of the cattle to any veterinary inspector or local inspector or police constable.

(6) A licence authorising the movement of imported cattle to an authorised market shall be delivered up at the entrance to the market by the person for the time being in charge of the cattle to the person appointed by the local authority for the purpose of receiving such licences, and every licence authorising imported cattle to be moved elsewhere than to an authorised market shall forthwith after the arrival of the cattle at the authorised place of destination be delivered up at, or sent by post to, the nearest police station in the district by the person then in charge of the cattle.

(7) Imported cattle to be moved under a licence granted under this Schedule shall, so far as is practicable, be moved by rail or by a mechanically propelled vehicle and shall in all cases be moved without unnecessary delay and direct to the authorised place of destination:

Provided that imported cattle shall not be moved otherwise than by rail through an area declared by the Minister to be a Foot-and-Mouth Disease Infected Area from one place outside that area to another such place.

(8) Where imported cattle are being moved by rail they shall not, until they reach the railway station from which they are to be moved to the premises specified in the licence, be removed from their trucks for any purpose other than the purpose of being fed or watered, and then only at some railway station, and if removed for that purpose shall not be taken outside the station premises.

(9) Where in the course of the movement of animals from an approved landing place a road vehicle is used without their having previously been moved by rail—

(a) the animals shall not be loaded into that vehicle except in a place approved by an inspector of the Ministry which, where practicable, shall be within the limits of the approved landing place;

(b) the animals shall not be taken out of that vehicle until they reach the place of destination specified in the licence authorising their movement, except for the purpose of being fed or watered:

(10) Nothing in the last two foregoing sub-paragraphs shall prevent the removal from its truck or other vehicle of any animal on account of any injury sustained by it or for any other necessary purpose.

Savings

6. Nothing in this Schedule shall be deemed to authorise the movement of any cattle in contravention of any order of the Minister, or any regulation of a local authority prohibiting or regulating the movement of cattle.

Interpretation

7.—(1) In this Schedule, unless the context otherwise requires—
“market” includes a fair-ground or saleyard;

2ND SCH.
—cont.

“ local inspector ” means a person appointed by the local authority of the district to be an inspector for the purposes of this Act;
“ slaughterhouse ” means any premises where animals are habitually slaughtered.

(2) Imported cattle shall cease to be deemed imported animals for the purposes of the provisions of this Schedule after the expiration of the prescribed period of six days detention.

Sections
52 and 53.

THIRD SCHEDULE

THERAPEUTIC SUBSTANCES TO WHICH PART II OF THIS ACT APPLIES

1. The substances commonly known as vaccines, sera, toxins, antitoxins and antigens.
2. The substance commonly known as salvarsan (Dioxy-diamino-arseno-benzol-di-hydrochloride) and analogous substances used for the specific treatment of infective disease.
3. Extract of the pituitary body.

Section 60.

FOURTH SCHEDULE

COMMITTEES OF LOCAL AUTHORITIES

1. Every local authority shall form and keep up a committee or committees, and may appoint the number of members by whom the powers of a committee may be exercised, and may at any time add to or diminish the number of the members of a committee, or otherwise alter the constitution thereof, and fill up or provide for the filling up of vacancies therein, or revoke the appointment thereof and appoint another committee or committees, and lay down rules for the guidance of a committee, who shall act accordingly.

2. A committee may consist wholly of members of the local authority or partly thereof, and partly of other persons, being rated occupiers in the district of the local authority, and otherwise qualified, as the local authority think fit.

3. A local authority may except in so far as it is otherwise provided by order of the Minister delegate all or any of their powers, except the power to make a rate, to a committee, with or without conditions or restrictions.

4. A local authority may revoke or alter any power given by them to a committee.

5. A local authority may, if they think fit, appoint and designate one committee as their executive committee.

6. An executive committee shall have all the powers of the local authority, except the power to make a rate, and may, if they think fit, appoint a sub-committee or sub-committees, and delegate to them (except in so far as it is otherwise provided by order of the Minister) all or any of the powers of the executive committee, with or without conditions or restrictions, and revoke or alter any such delegation, and appoint the number of members by whom the powers of the sub-committee may be exercised, and add to or diminish the number of the members of a sub-committee, or otherwise alter the constitution

thereof, and fill up or provide for the filling up of vacancies therein, or revoke the appointment thereof and appoint another sub-committee or other sub-committees, and lay down rules for the guidance of a sub-committee who shall act accordingly.

4TH SCH.
—cont.

7. Proceedings of a committee or sub-committee shall not be invalidated by any vacancy in the committee or sub-committee.

8. In case of the formation of two or more committees, they shall act according to rules laid down for their guidance by the local authority.

9. A committee, and a sub-committee of an executive committee may elect a chairman of their meetings.

10. If no chairman is elected, or if the chairman so elected is not present at the time appointed for a meeting, the members then present shall choose a chairman for that meeting.

11. A committee or sub-committee may meet and adjourn as they think proper.

12. Every question at a meeting of a committee or sub-committee shall be determined by a majority of the votes of the members including the chairman, present and voting on the question; and in case of equal division, the chairman shall have a second vote.

FIFTH SCHEDULE

Section 89.

ENACTMENTS REPEALED

Session and Chapter	Short title	Extent of repeal
57 & 58 Vict. c. 57.	The Diseases of Animals Act, 1894	The whole Act.
59 & 60 Vict. c. 15.	The Diseases of Animals Act, 1896	The whole Act.
3 Edw. 7. c. 43.	The Diseases of Animals Act, 1903	The whole Act.
6 Edw. 7. c. 32.	The Dogs Act, 1906	Section two.
9 Edw. 7. c. 26.	The Diseases of Animals Act, 1909	The whole Act.
10 Edw. 7 & 1 Geo. 5. c. 20.	The Diseases of Animals Act, 1910	The whole Act.
4 & 5 Geo. 5. c. 15.	The Exportation of Horses Act, 1914.	The whole Act.
13 Geo. 5. c. 5.	The Importation of Animals Act, 1922. (Session 2).	The whole Act.
15 & 16 Geo. 5. c. 30.	The Importation of Pedigree Animals Act, 1925.	The whole Act.
17 & 18 Geo. 5. c. 13.	The Diseases of Animals Act, 1927	The whole Act.
19 & 20 Geo. 5. c. 17.	The Local Government Act, 1929	In section one hundred and thirty-eight, in subsection (2) the words "the cattle pleuro-pneumonia account and"; In the Third Schedule, paragraph 1.

5TH SCH.
—cont.

Session and Chapter	Short title	Extent of repeal
19 & 20 Geo. 5. c. 25.	The Local Government (Scotland) Act, 1929.	In the First Schedule, in Part I, paragraph 8.
22 & 23 Geo. 5. c. 53.	The Ottawa Agreements Act, 1932	Section eight.
25 & 26 Geo. 5. c. 31.	The Diseases of Animals Act, 1935	The Third Schedule. The whole Act save section seventeen.
1 Edw. 8. & 1 Geo. 6. c. 42.	The Exportation of Horses Act, 1937.	The whole Act.
1 Edw. 8. & 1 Geo. 6. c. 70.	The Agriculture Act, 1937 ...	Section eighteen. In section nineteen, in subsection (1), the words "the Diseases of Animals Acts, 1894 to 1935, and". Sections twenty to twenty-five. Section twenty-seven. In section twenty-eight, subsection (1). In section twenty-nine, in subsection (1), paragraph (c). In section thirty-two the definitions of animals and poultry. The Second Schedule. Section four.
3 & 4 Geo. 6. c. 50.	The Agriculture (Miscellaneous War Provisions) (No. 2) Act, 1940.	
9 & 10 Geo. 6. c. 49.	The Acquisition of Land (Authorisation Procedure) Act, 1946.	In the Fourth Schedule the amendments of the Diseases of Animals Act, 1894.
10 & 11 Geo. 6. c. 43.	The Local Government (Scotland) Act, 1947.	In the Ninth Schedule, paragraph 3.
11 & 12 Geo. 6. c. 35.	The Animals Act, 1948	Part I.
11 & 12 Geo. 6. c. 52.	The Veterinary Surgeons Act, 1948.	In section twenty-three, paragraph (b). In the Second Schedule, paragraph 2.
12 & 13 Geo. 6. c. 37.	The Agriculture (Miscellaneous Provisions) Act, 1949.	Section thirteen.

Table of Statutes referred to in this Act

Short Title	Session and Chapter
Markets and Fairs Clauses Act, 1847	10 & 11 Vict. c. 14.
Customs Consolidation Act, 1876	39 & 40 Vict. c. 36.
Local Government Act, 1888	51 & 52 Vict. c. 41.
Interpretation Act, 1889	52 & 53 Vict. c. 63.
Police Act, 1890	53 & 54 Vict. c. 45.
Police (Scotland) Act, 1890	53 & 54 Vict. c. 67.
Diseases of Animals Act, 1894	57 & 58 Vict. c. 57.
Merchant Shipping Act, 1894	57 & 58 Vict. c. 60.
Poultry Act, 1911	1 & 2 Geo. 5. c. 11.
Government of Ireland Act, 1920	10 & 11 Geo. 5. c. 67.
Therapeutic Substances Act, 1925	15 & 16 Geo. 5. c. 60.
Agriculture Marketing Act, 1931	21 & 22 Geo. 5. c. 42.
Agriculture Marketing Act, 1933	23 & 24 Geo. 5. c. 31.
Diseases of Animals Act, 1935	25 & 26 Geo. 5. c. 31.
Agriculture Act, 1937	1 Edw. 8. & 1 Geo. 6. c. 70.
Acquisition of Land (Authorisation Procedure) Act, 1946	9 & 10 Geo. 6. c. 49.
Acquisition of Land (Authorisation Procedure) (Scotland) Act, 1947	10 & 11 Geo. 6. c. 42.
Local Government (Scotland) Act, 1947	10 & 11 Geo. 6. c. 43.
Mandated and Trust Territories Act, 1947... ..	11 & 12 Geo. 6. c. 8.
Veterinary Surgeons Act, 1948	11 & 12 Geo. 6. c. 52.
Justices of the Peace Act, 1949	12, 13 & 14 Geo. 6. c. 101.

CHAPTER 37

Maintenance Orders Act, 1950

ARRANGEMENT OF SECTIONS

PART I

JURISDICTION

Jurisdiction of English Courts

Section

1. Jurisdiction of English courts to make summary maintenance orders.
2. Jurisdiction of English summary courts to make orders for custody and maintenance of infants.
3. Jurisdiction of English courts to make affiliation orders.
4. Contributions under Children and Young Persons Act, 1933, and National Assistance Act, 1948.
5. Transfer of proceedings.

Jurisdiction of Scottish Courts

Section

6. Jurisdiction of the sheriff in certain actions of aliment.
7. Jurisdiction of the sheriff to make orders for custody and maintenance of pupil children.
8. Jurisdiction of the sheriff in certain actions of affiliation and aliment.
9. Contributions under Children and Young Persons (Scotland) Act, 1937, and National Assistance Act, 1948.

Jurisdiction of Northern Ireland Courts

10. Jurisdiction of Northern Ireland courts to make orders under the Summary Jurisdiction (Separation and Maintenance) Act (Northern Ireland), 1945.
11. Jurisdiction of Northern Ireland courts to make affiliation orders.
12. Contributions under enactments relating to children, national assistance and welfare services.
13. Transfer of proceedings in Northern Ireland.

Supplemental

14. Modification of enactments relating to children and young persons.
15. Service of process.

PART II

ENFORCEMENT

16. Application of Part II.
17. Procedure for registration of maintenance orders.
18. Enforcement of registered orders.
19. Functions of collecting officer, etc.
20. Arrears under registered maintenance orders.
21. Discharge and variation of maintenance orders registered in superior courts.
22. Discharge and variation of maintenance orders registered in summary or sheriff courts.
23. Notice of variation, etc.
24. Cancellation of registration.
25. Rules as to procedure of courts of summary jurisdiction.

PART III

GENERAL

26. Proof of declarations, etc.
27. General provisions as to jurisdiction.
28. Interpretation.
29. Publication of rules.
30. Repeal and transitory provision.
31. Special provisions relating to Northern Ireland.
32. Short title and commencement.

SCHEDULES:

- First Schedule.—Modification of certain enactments.
Second Schedule.—Forms.

An Act to enable certain maintenance orders and other orders relating to married persons and children to be made and enforced throughout the United Kingdom.

[26th October, 1950.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

PART I

JURISDICTION

Jurisdiction of English Courts

1.—(1) Subject to the following provisions of this section, a court in England shall have jurisdiction in proceedings under section four of the Summary Jurisdiction (Married Women) Act, 1895, against a man residing in Scotland or Northern Ireland, if the applicant in the proceedings resides in England and the parties last ordinarily resided together as man and wife in England. Jurisdiction of English Courts to make summary maintenance orders.

(2) It is hereby declared that a court in England has jurisdiction—

(a) in proceedings under the said section four by a woman residing in Scotland or Northern Ireland against a man residing in England ;

(b) in proceedings by or against a person residing in Scotland or Northern Ireland for the revocation, revival or variation of any order made under that section.

(3) The reference in this section to the revocation of an order made under section four of the Summary Jurisdiction (Married Women) Act, 1895, includes a reference to the making of a new order under paragraph (b) of the proviso to section seven of that Act.

(4) Nothing in this section shall be construed as enabling a court to make a separation order under paragraph (a) of section five of the Summary Jurisdiction (Married Women) Act, 1895, against a person residing in Scotland or Northern Ireland.

2.—(1) An order under the Guardianship of Infants Acts, 1886 and 1925, giving the custody of an infant to the mother, whether with or without an order requiring the father to make payments to the mother towards the infant's maintenance, may be made, if the father resides in Scotland or Northern Ireland and the mother and the infant in England, by a court of summary jurisdiction having jurisdiction in the place in which the mother resides. Jurisdiction of English courts to make orders for custody and maintenance of infants.

PART I
—cont.

(2) It is hereby declared that a court of summary jurisdiction in England has jurisdiction—

- (a) in proceedings under the said Acts by a person residing in Scotland or Northern Ireland against a person residing in England for an order relating to the custody of an infant (including, in the case of proceedings by the mother, an order requiring the father to make payments to the mother towards the infant's maintenance);
- (b) in proceedings by or against a person residing in Scotland or Northern Ireland for the revocation, revival or variation of any such order.

(3) Where proceedings for an order under section five of the Guardianship of Infants Act, 1886, or section four of the Summary Jurisdiction (Married Women) Act, 1895, relating to the custody of an infant are brought in a court of summary jurisdiction in England by a woman residing in Scotland or Northern Ireland, that court shall have jurisdiction to make any order in respect of the infant under the said section five upon the application of the defendant in the proceedings.

Jurisdiction
of English
courts to make
affiliation
orders.

3.—(1) A court in England shall have jurisdiction in proceedings under the Bastardy Laws Amendment Act, 1872, or under section forty-four of the National Assistance Act, 1948, or section twenty-six of the Children Act, 1948, for an affiliation order against a man residing in Scotland or Northern Ireland, if the act of intercourse resulting in the birth of the child or any act of intercourse between the parties which may have resulted therein took place in England.

(2) Where the mother of a child resides in Scotland or Northern Ireland, and the person alleged to be the father in England, a court of summary jurisdiction having jurisdiction in the place in which the person alleged to be the father resides shall have jurisdiction in proceedings by the mother for an affiliation order against him under the Bastardy Laws Amendment Act, 1872.

(3) A court in England by which an affiliation order has been made under any of the enactments mentioned in subsection (1) of this section shall have jurisdiction in proceedings by or against a person residing in Scotland or Northern Ireland for the revocation, revival or variation of that order.

(4) Notwithstanding anything in section three of the Bastardy Laws Amendment Act, 1872, an application under that section for an affiliation order in respect of a child born before the commencement of this Act may be made to a court having jurisdiction by virtue of subsection (1) of this section at any time within one year after the commencement of this Act, if—

- (a) the person alleged to be the father of the child ceased to reside in England before the expiration of one year from the birth of the child; and

- (b) the circumstances are such that if that person had become resident in England immediately before the application, the court would have had jurisdiction in proceedings under the said section three apart from the provisions of this section.

PART I
—cont.

4.—(1) A court of summary jurisdiction in England shall have jurisdiction in proceedings against a person residing in Scotland or Northern Ireland—

Contributions under Children and Young Persons Act, 1933, and National Assistance Act, 1948.

- (a) for a contribution order under section eighty-seven of the Children and Young Persons Act, 1933 (which provides for the recovery from parents of sums in respect of children and young persons who are committed to the care of a fit person or otherwise dealt with under that Act or the Children Act, 1948);
- (b) for an order under section forty-three of the National Assistance Act, 1948 (which provides for the recovery from spouses or parents of sums in respect of assistance given under that Act).

(2) A court in England by which an order has been made under the said section eighty-seven or the said section forty-three shall have jurisdiction in proceedings by or against a person residing in Scotland or Northern Ireland for the revocation, revival or variation of that order.

5. Rules made by the Lord Chancellor under section fifteen of the Justices of the Peace Act, 1949, may make provision for securing that where proceedings are begun against a defendant residing in Scotland or Northern Ireland in a court having jurisdiction by virtue of subsection (1) of section one of this Act, not being a court having jurisdiction in the place where the parties last ordinarily resided together as man and wife, the proceedings may be removed upon the application of the defendant into a court of summary jurisdiction having jurisdiction in that place.

Transfer of proceedings.

Jurisdiction of Scottish Courts

6.—(1) The sheriff shall have jurisdiction in an action at the instance of a married woman against her husband concluding for the payment of aliment to herself and any child of the marriage if—

Jurisdiction of the sheriff in certain actions of aliment.

- (a) the husband resides in England or Northern Ireland; and
- (b) the parties last ordinarily resided together as man and wife in Scotland; and
- (c) the pursuer resides within the jurisdiction of the sheriff.

PART I
—cont.

(2) In this section the expression “an action concluding for the payment of aliment” means an action of separation and aliment, an action of adherence and aliment or an action of interim aliment.

Jurisdiction of the sheriff to make orders for custody and maintenance of pupil children.

7. An order under the Guardianship of Infants Acts, 1886 and 1925, giving the custody of a pupil child to the mother, whether with or without an order requiring the father to make payments to the mother towards the maintenance of the pupil child, may be made, if the father resides in England or Northern Ireland and the mother and the pupil child in Scotland, by the sheriff within whose jurisdiction the mother resides.

Jurisdiction of the sheriff in certain actions of affiliation and aliment.

8.—(1) Subject to the provisions of this section, the sheriff shall have jurisdiction in an action of affiliation and aliment (whether at the instance of the mother of the child or at the instance of the National Assistance Board or of a local authority under section forty-four of the National Assistance Act, 1948, or section twenty-six of the Children Act, 1948) if—

- (a) the person alleged to be the father resides in England or Northern Ireland ; and
- (b) the act of intercourse resulting in the birth of the child or any act of intercourse between the parties which may have resulted therein took place in Scotland ; and
- (c) the mother resides within the jurisdiction of the sheriff.

(2) The sheriff shall not by virtue of the foregoing subsection have jurisdiction in such an action as aforesaid in relation to a child born before the commencement of this Act unless—

- (a) the child was born within one year before the commencement of this Act ; or
- (b) the person alleged to be the father of the child made payment of any sums in respect of aliment of the child within one year from the birth of the child ; or
- (c) the person alleged to be the father of the child has not at any time since the birth of the child been subject to the jurisdiction of any sheriff court in Scotland and the action is commenced within twelve months after the commencement of this Act.

Contributions under Children and Young Persons (Scotland) Act, 1937, and National Assistance Act, 1948.

9.—(1) A court in Scotland shall have jurisdiction in proceedings against a person residing in England or Northern Ireland—

- (a) for a contribution order under section ninety-one of the Children and Young Persons (Scotland) Act, 1937 (which provides for the recovery from parents of sums

in respect of children and young persons who are committed to the care of a fit person or otherwise dealt with under that Act or the Children Act, 1948);

PART I —cont.

- (b) for an order under section forty-three of the National Assistance Act, 1948 (which provides for the recovery from spouses or parents of sums in respect of assistance given under that Act).

(2) A court in Scotland by which an order has been made under the said section ninety-one or the said section forty-three shall have jurisdiction in proceedings against a person residing in England or Northern Ireland for the revocation or variation of that order.

Jurisdiction of Northern Ireland Courts

10.—(1) Subject to the following provisions of this section, a court of summary jurisdiction in Northern Ireland shall have jurisdiction to make an order under section three or section four of the Summary Jurisdiction (Separation and Maintenance) Act (Northern Ireland), 1945, in proceedings against a man residing in England or Scotland, if the applicant in the proceedings resides in Northern Ireland and the parties last ordinarily resided together as man and wife in Northern Ireland.

Jurisdiction of Northern Ireland courts to make orders under the Summary Jurisdiction (Separation and Maintenance) Act (Northern Ireland), 1945.

(2) It is hereby declared that a court in Northern Ireland has jurisdiction—

- (a) in proceedings under the said Act by a woman residing in England or Scotland against a man residing in Northern Ireland;
- (b) in proceedings under section five of the said Act by or against a person residing in England or Scotland for the variation, discharge or suspension of an order made under section three or section four of the said Act.

(3) The reference in this section to the discharge of an order made under section three or section four of the Summary Jurisdiction (Separation and Maintenance) Act (Northern Ireland), 1945, includes a reference to the making of a new order under subsection (2) of section five of that Act.

(4) Nothing in this section shall be construed as enabling a court to make a separation order under paragraph (a) of subsection (1) of section three of the Summary Jurisdiction (Separation and Maintenance) Act (Northern Ireland), 1945, against a person residing in England or Scotland.

11.—(1) A court in Northern Ireland shall have jurisdiction in proceedings under the Illegitimate Children (Affiliation Orders) Act (Northern Ireland), 1924, section twenty-one of the National Assistance Act (Northern Ireland), 1948, section twelve of the Welfare Services Act (Northern Ireland), 1949, or section

Jurisdiction of Northern Ireland courts to make affiliation orders.

PART I
—cont.

one hundred and twenty-four of the Children and Young Persons Act (Northern Ireland), 1950, for an affiliation order against a man residing in England or Scotland, if the act of intercourse resulting in the birth of the child or any act of intercourse between the parties which may have resulted therein took place in Northern Ireland.

(2) Where the mother of a child resides in England or Scotland and the person alleged to be the father in Northern Ireland, a court of summary jurisdiction for the petty sessions district in which the person alleged to be the father resides shall have jurisdiction in proceedings by the mother for an affiliation order against him under the Illegitimate Children (Affiliation Orders) Act (Northern Ireland), 1924.

(3) A court in Northern Ireland shall have jurisdiction in proceedings by or against a person residing in England or Scotland for the revocation, revival or variation of an affiliation order made under any of the enactments mentioned in subsection (1) of this section.

(4) Notwithstanding anything in subsection (3) of section two of the Illegitimate Children (Affiliation Orders) Act (Northern Ireland), 1924, an application under that Act for an affiliation order in respect of a child born before the commencement of this Act may be made to a court having jurisdiction by virtue of subsection (1) of this section at any time within one year after the commencement of this Act if—

- (a) the person alleged to be the father of the child ceased to reside in Northern Ireland before the expiration of one year from the birth of the child ; and
- (b) the circumstances are such that if that person had become resident in Northern Ireland immediately before the application, the court would have had jurisdiction in proceedings under the said Act apart from the provisions of this section.

Contributions
under
enactments
relating to
children,
national
assistance and
welfare
services.

12.—(1) A court of summary jurisdiction in Northern Ireland shall have jurisdiction in proceedings against a person residing in England or Scotland—

- (a) for a contribution order under section one hundred and twenty-two of the Children and Young Persons Act (Northern Ireland), 1950 (which provides for the recovery from parents of sums in respect of children and young persons received into care or otherwise dealt with under that Act) ;
- (b) for an order under section twenty of the National Assistance Act (Northern Ireland), 1948, or section eleven of the Welfare Services Act (Northern Ireland),

1949 (which provide for the recovery from spouses or parents of sums in respect of assistance or accommodation given or provided under those Acts).

PART I
—cont.

(2) A court of summary jurisdiction in Northern Ireland shall have jurisdiction in proceedings by or against a person residing in England or Scotland for the variation or rescission of any contribution order made under the said section one hundred and twenty-two.

13.—(1) Proceedings begun against a defendant residing in England or Scotland in a court having jurisdiction by virtue of subsection (1) of section ten of this Act, not being a court having jurisdiction in the place where the parties last ordinarily resided together as man and wife, may be removed, upon application made by the defendant in accordance with rules made by the Lord Chief Justice of Northern Ireland, into a court of summary jurisdiction having jurisdiction in that place.

Transfer of
proceedings
in Northern
Ireland.

(2) The Lord Chief Justice of Northern Ireland shall have power to make rules for the purposes of this section.

Supplemental

14. The provisions of the enactments specified in the First Schedule to this Act shall have effect subject to the modifications set out in that Schedule, being modifications consequential on the foregoing provisions of this Part of this Act.

Modification
of enactments
relating to
children and
young persons.

15.—(1) Where proceedings are begun in a court having jurisdiction under or by virtue of this Part of this Act against a person residing in another part of the United Kingdom, any summons or initial writ addressed to him in the proceedings may, if endorsed in accordance with the provisions of this section in that part of the United Kingdom, be served within that part of the United Kingdom as if it had been issued or authorised to be served, as the case may be, by the endorsing authority.

Service of
process.

(2) A summons or writ may be endorsed under this section, in England by a justice of the peace, in Scotland by a sheriff, and in Northern Ireland by a resident magistrate; and the endorsement shall be made in the form numbered 1 in the Second Schedule to this Act, or any form to the like effect.

(3) In any proceedings in which a summons or writ is served under this section, the service may be proved by means of a declaration made in the form numbered 2 in the Second Schedule to this Act, or any form to the like effect, before a justice of the peace, sheriff, or resident magistrate, as the case may be.

(4) Nothing in this section shall be construed as authorising the service of a summons or writ otherwise than personally.

PART I
—cont.

(5) Section four of the Summary Jurisdiction (Process) Act, 1881, shall not apply to any process which may be served under this section ; and nothing in this section or in any other enactment shall be construed as authorising the execution in one part of the United Kingdom of a warrant for the arrest of a person who fails to appear in answer to any such process issued in another part of the United Kingdom.

PART II

ENFORCEMENT

Application
of Part II.

16.—(1) Any order to which this section applies (in this Part of this Act referred to as a maintenance order) made by a court in any part of the United Kingdom may, if registered in accordance with the provisions of this Part of this Act in a court in another part of the United Kingdom, be enforced in accordance with those provisions in that other part of the United Kingdom.

(2) This section applies to the following orders, that is to say—

(a) an order for alimony, maintenance or other payments made or deemed to be made by a court in England under any of the following enactments:—

(i) sections nineteen to twenty-seven of the Matrimonial Causes Act, 1950 ;

(ii) the Summary Jurisdiction (Separation and Maintenance) Acts, 1895 to 1949 ;

(iii) subsection (2) of section three or subsection (4) of section five of the Guardianship of Infants Act, 1925 ;

(iv) section four of the Bastardy Laws Amendment Act, 1872, section forty-four of the National Assistance Act, 1948, or section twenty-six of the Children Act, 1948 ;

(v) section eighty-seven of the Children and Young Persons Act, 1933, or section forty-three of the National Assistance Act, 1948 ;

(b) a decree for payment of aliment granted by a court in Scotland, including—

(i) an order for the payment of an annual or periodical allowance under section two of the Divorce (Scotland) Act, 1938 ;

(ii) an order for the payment of weekly or periodical sums under subsection (2) of section three or subsection (4) of section five of the Guardianship of Infants Act, 1925 ;

(iii) an order for the payment of sums in respect of aliment under subsection (3) of section one of the Illegitimate Children (Scotland) Act, 1930 ;

(iv) a decree for payment of aliment under section forty-four of the National Assistance Act, 1948, or under section twenty-six of the Children Act, 1948 ; and

(v) a contribution order under section ninety-one of the Children and Young Persons (Scotland) Act, 1937, or an order under section forty-three of the National Assistance Act, 1948 ;

(c) an order for alimony, maintenance or other payments made by a court in Northern Ireland under or by virtue of any of the following enactments :—

(i) subsection (2) of section seventeen, subsections (2) to (7) of section nineteen, subsection (2) of section twenty, section twenty-two or subsection (1) of section twenty-eight of the Matrimonial Causes Act (Northern Ireland), 1939 ;

(ii) the Summary Jurisdiction (Separation and Maintenance) Act (Northern Ireland), 1945 ;

(iii) section one of the Illegitimate Children (Affiliation Orders) Act (Northern Ireland), 1924, section twenty-one of the National Assistance Act (Northern Ireland), 1948, section twelve of the Welfare Services Act (Northern Ireland), 1949, or section one hundred and twenty-four of the Children and Young Persons Act (Northern Ireland), 1950 ;

(iv) section one hundred and twenty-two of the Children and Young Persons Act (Northern Ireland), 1950, section twenty of the National Assistance Act (Northern Ireland), 1948, or section eleven of the Welfare Services Act (Northern Ireland), 1949 ;

(v) any enactment of the Parliament of Northern Ireland containing provisions corresponding with subsection (1) of section twenty-three of the Matrimonial Causes Act, 1950.

(3) For the purposes of this section, any order made before the commencement of the Matrimonial Causes Act (Northern Ireland), 1939, being an order which, if that Act had been in force, could have been made under or by virtue of any provision of that Act, shall be deemed to be an order made by virtue of that provision.

17.—(1) An application for the registration of a maintenance order under this Part of this Act shall be made in the prescribed manner to the appropriate authority, that is to say—

Procedure for
registration of
maintenance
orders.

(a) where the maintenance order was made by a court of summary jurisdiction in England, a justice or justices

PART II
—cont.

acting for the same place as the court which made the order ;

- (b) where the maintenance order was made by a court of summary jurisdiction in Northern Ireland, a resident magistrate acting for the same petty sessions district as the court which made the order ;
- (c) in every other case, the prescribed officer of the court which made the order.

(2) If upon application made as aforesaid by or on behalf of the person entitled to payments under a maintenance order it appears that the person liable to make those payments resides in another part of the United Kingdom, and that it is convenient that the order should be enforceable there, the appropriate authority shall cause a certified copy of the order to be sent to the prescribed officer of a court in that part of the United Kingdom in accordance with the provisions of the next following subsection.

(3) The Court to whose officer the certified copy of a maintenance order is sent under this section shall be—

- (a) where the maintenance order was made by a superior court, the Supreme Court of Judicature in England, the Court of Session or the Supreme Court of Judicature of Northern Ireland, as the case may be ;
- (b) in any other case, a court of summary jurisdiction acting for the place in England or Northern Ireland in which the defendant appears to be, or, as the case may be, the sheriff court in Scotland within the jurisdiction of which he appears to be.

(4) Where the prescribed officer of any court receives a certified copy of a maintenance order sent to him under this section, he shall cause the order to be registered in that court in the prescribed manner, and shall give notice of the registration in the prescribed manner to the prescribed officer of the court which made the order.

(5) The officer to whom any notice is given under the last foregoing subsection shall cause particulars of the notice to be registered in his court in the prescribed manner.

(6) Where the sums payable under a maintenance order, being an order made by a court of summary jurisdiction in England or Northern Ireland, are payable to or through an officer of any court, that officer shall, if the person entitled to the payments so requests, make an application on behalf of that person for the registration of the order under this Part of this Act ; but the person at whose request the application is made shall have the same liability for costs properly incurred in or about the application as if the application had been made by him.

(7) An order which is for the time being registered under this Part of this Act in any court shall not be registered thereunder in any other court.

PART II
—cont.

18.—(1) Subject to the provisions of this section, a main- Enforcement of registered orders.
tenance order registered under this Part of this Act in a court in any part of the United Kingdom may be enforced in that part of the United Kingdom in all respects as if it had been made by that court and as if that court had had jurisdiction to make it; and proceedings for or with respect to the enforcement of any such order may be taken accordingly.

(2) Every maintenance order registered under this Part of this Act in a court of summary jurisdiction in England (not being an order made in Scotland under section forty-three of the National Assistance Act, 1948, or an order made under section twenty of the National Assistance Act (Northern Ireland), 1948, or section eleven of the Welfare Services Act (Northern Ireland), 1949) shall be enforceable as if it were an affiliation order made by that court under the Bastardy Laws Amendment Act, 1872, and the provisions of any enactment with respect to the enforcement of affiliation orders (including enactments relating to the accrual of arrears and the remission of sums due) shall apply accordingly.

(3) Every maintenance order registered under this Part of this Act in a court of summary jurisdiction in Northern Ireland (not being an order made under section forty-three of the National Assistance Act, 1948) shall be enforceable as if it were an order made by that court under the Summary Jurisdiction (Separation and Maintenance) Act (Northern Ireland), 1945, and the provisions of section six of that Act shall apply accordingly.

(4) Where an order made in Scotland under section forty-three of the National Assistance Act, 1948, or made under section twenty of the National Assistance Act (Northern Ireland), 1948, or section eleven of the Welfare Services Act (Northern Ireland), 1949, is registered under this Part of this Act in a court in England, the order shall be enforceable as if it were an order made by that court under the said section forty-three.

(5) Where an order made under section forty-three of the National Assistance Act, 1948, is registered under this Part of this Act in a court in Northern Ireland, the order shall be enforceable as if it were an order made by that court under section twenty of the National Assistance Act (Northern Ireland), 1948.

(6) Except as provided by this section, no proceedings shall be taken for or with respect to the enforcement of a maintenance order which is for the time being registered in any court under this Part of this Act.

PART II
—*cont.*
**Functions of
collecting
officer, etc.**

19.—(1) Where a maintenance order made in England or Northern Ireland by a court of summary jurisdiction is registered in any court under this Part of this Act, any provision of the order by virtue of which sums payable thereunder are required to be paid through or to any officer or person on behalf of the person entitled thereto shall be of no effect so long as the order is so registered.

(2) Where a maintenance order is registered under this Part of this Act in a court of summary jurisdiction in England or Northern Ireland, the court shall, unless it is satisfied that it is undesirable to do so, order that all payments to be made under the maintenance order (including any arrears accrued before the date of the registration) shall be made through the collecting officer of the court or the collecting officer of some other court of summary jurisdiction in England or Northern Ireland, as the case may be.

(3) An order made by a court of summary jurisdiction under subsection (2) of this section may be varied or revoked by a subsequent order.

(4) Where by virtue of the provisions of this section or any order made thereunder payments under a maintenance order cease to be or become payable through or to any officer or person, the person liable to make the payments shall, until he is given the prescribed notice to that effect, be deemed to comply with the maintenance order if he makes payments in accordance with the maintenance order and any order under this section of which he has received such notice.

(5) In any case where, by virtue of an order made under this section by a court in Northern Ireland, payments under a maintenance order are required to be made through the collecting officer of any court—

(a) subsections (3) and (4) of section eight of the Illegitimate Children (Affiliation Orders) Act (Northern Ireland), 1924 (which regulate the functions of collecting officers in relation to affiliation orders), shall apply as if the maintenance order were an affiliation order within the meaning of that section and as if the order under this section were made under that Act, and references in those subsections to the mother and the putative father shall be construed accordingly ; and

(b) subsection (2) of section seven of the Summary Jurisdiction (Separation and Maintenance) Act (Northern Ireland), 1945 (which relates to the remuneration of persons through whom weekly sums are paid under that Act), shall have effect as if money paid in accordance with the order under this section were paid in pursuance of an order made under that Act.

20.—(1) Where application is made for the registration of a maintenance order under this Part of this Act, the applicant may lodge with the appropriate authority—

PART II
—*cont.*

Arrears under
registered
maintenance
orders.

(a) if the payments under the order are required to be made to or through an officer of any court, a certificate in the prescribed form, signed by that officer, as to the amount of any arrears due under the order ;

(b) in any other case, a statutory declaration or affidavit as to the amount of those arrears ;

and if a certified copy of the maintenance order is sent to the prescribed officer of any court in pursuance of the application, the certificate, declaration or affidavit shall also be sent to that officer.

(2) In any proceedings for or with respect to the enforcement of a maintenance order which is for the time being registered in any court under this Part of this Act, a certificate, declaration or affidavit sent under this section to the appropriate officer of that court shall be evidence, and in Scotland sufficient evidence, of the facts stated therein.

(3) Where a maintenance order made by a court in England or Northern Ireland is registered in a court in Scotland, a person shall not be entitled, except with the leave of the last-mentioned court, to enforce, whether by diligence or otherwise, the payment of any arrears accrued and due under the order before the commencement of this Act ; and on any application for leave to enforce the payment of any such arrears, the court may refuse leave, or may grant leave subject to such restrictions and conditions (including conditions as to the allowing of time for payment or the making of payment by instalments) as the court thinks proper, or may remit the payment of such arrears or of any part thereof.

21.—(1) The registration of a maintenance order in a superior court under this Part of this Act shall not confer on that court any power to vary or discharge the order, or affect any jurisdiction of the court in which the order was made to vary or discharge the order.

Discharge and
variation of
maintenance
orders
registered in
superior
courts.

(2) Where a maintenance order made in Scotland is for the time being registered under this Part of this Act in a superior court, the person liable to make payments under the order may, upon application made to that court in the prescribed manner, adduce before that court any evidence upon which he would be entitled to rely in any proceedings brought before the court by which the order was made for the variation or discharge of the order.

(3) A court before which evidence is adduced in accordance with the foregoing subsection shall cause a transcript or summary of that evidence, signed by the deponent, to be sent to

PART II
—cont.

the prescribed officer of the court by which the order was made ; and in any proceedings before the last-mentioned court for the variation or discharge of the order, the transcript or summary shall be evidence of the facts stated therein.

Discharge and
variation of
maintenance
orders
registered in
summary or
sheriff courts.

22.—(1) Where a maintenance order is for the time being registered under this Part of this Act in a court of summary jurisdiction or sheriff court, that court may, upon application made in the prescribed manner by or on behalf of the person liable to make payments under the order or the person entitled to those payments, by order make such variation as the court thinks fit in the rate of the payments under the maintenance order ; but no such variation shall impose on the person liable to make payments under the maintenance order a liability to make payments in excess of the maximum rate (if any) authorised by the law for the time being in force in the part of the United Kingdom in which the maintenance order was made.

(2) For the purposes of subsection (1) of this section, a court in any part of the United Kingdom may take notice of the law in force in any other part of the United Kingdom.

(3) Section fifteen of this Act shall apply to the service of process for the purposes of this section as it applies to the service of process in proceedings begun in a court having jurisdiction by virtue of Part I of this Act.

(4) Except as provided by subsection (1) of this section, no variation shall be made in the rate of the payments under a maintenance order which is for the time being registered under this Part of this Act in a court of summary jurisdiction or sheriff court, but without prejudice to any power of the court which made the order to discharge it or vary it otherwise than in respect of the rate of the payments thereunder.

(5) Where a maintenance order is for the time being registered under this Part of this Act in a court of summary jurisdiction or sheriff court—

(a) the person entitled to payments under the order or the person liable to make payments under the order may, upon application made in the prescribed manner to the court by which the order was made, or in which the order is registered, as the case may be, adduce in the prescribed manner before the court in which the application is made any evidence on which he would be entitled to rely in proceedings for the variation or discharge of the order ;

(b) the court in which the application is made shall cause a transcript or summary of that evidence, signed by

the deponent, to be sent to the prescribed officer of the court in which the order is registered or of the court by which the order was made, as the case may be; and in any proceedings for the variation or discharge of the order the transcript or summary shall be evidence of the facts stated therein.

PART II
—cont.

23.—(1) Where a maintenance order registered under this Part of this Act in any court is varied by that court, the prescribed officer of that court shall give notice of the variation in the prescribed manner to the prescribed officer of the court by which the order was made. Notice of variation, etc.

(2) Where a maintenance order registered under this Part of this Act in any court is discharged or varied by any other court, the prescribed officer of the last-mentioned court shall give notice of the discharge or variation in the prescribed manner to the prescribed officer of the court in which the order is registered.

(3) The officer to whom any notice is given under this section shall cause particulars of the notice to be registered in his court in the prescribed manner.

24.—(1) At any time while a maintenance order is registered under this Part of this Act in any court, an application for the cancellation of the registration may be made in the prescribed manner to the prescribed officer of that court by or on behalf of the person entitled to payments under the order; and upon any such application that officer shall (unless proceedings for the variation of the order are pending in that court), cancel the registration, and thereupon the order shall cease to be registered in that court. Cancellation of registration.

(2) Where, after a maintenance order has been registered under this Part of this Act in a court of summary jurisdiction in England or Northern Ireland or a sheriff court in Scotland, it appears to the appropriate authority (as defined by section seventeen of this Act), upon application made in the prescribed manner by or on behalf of the person liable to make payments under the order, that that person has ceased to reside in England, Northern Ireland or Scotland, as the case may be, the appropriate authority may cause a notice to that effect to be sent to the prescribed officer of the court in which the order is registered; and where such a notice is sent the prescribed officer shall cancel the registration of the maintenance order, and thereupon the order shall cease to be registered in that court.

(3) Where the prescribed officer of any court cancels the registration of a maintenance order under this section, he shall give

PART II
—*cont.*

notice of the cancellation in the prescribed manner to the prescribed officer of the court by which the order was made and the last-mentioned officer shall cause particulars of the notice to be registered in his court in the prescribed manner.

(4) Except as provided by subsection (5) of this section, the cancellation of the registration of a maintenance order shall not affect anything done in relation to the maintenance order while it was registered.

(5) On the cancellation of the registration of a maintenance order, any order made in relation thereto under subsection (2) of section nineteen of this Act shall cease to have effect; but until the person liable to make payments under the maintenance order receives the prescribed notice of the cancellation, he shall be deemed to comply with the maintenance order if he makes payments in accordance with any order under the said subsection (2) which was in force immediately before the cancellation.

(6) Where, by virtue of an order made under subsection (2) of section nineteen of this Act, sums payable under a maintenance order registered in a court of summary jurisdiction in England or Northern Ireland are payable through the collecting officer of any court, that officer shall, if the person entitled to the payments so requests, make an application on behalf of that person for the cancellation of the registration.

**Rules as to
procedure
of courts of
summary
jurisdiction.**

25.—(1) The power of the Lord Chancellor to make rules under section fifteen of the Justices of the Peace Act, 1949, shall include power to make rules for regulating the practice to be followed in courts of summary jurisdiction in England under this Part of this Act.

(2) The Lord Chief Justice of Northern Ireland shall have power to make rules for regulating the practice to be followed in courts of summary jurisdiction in Northern Ireland under this Part of this Act.

(3) Rules made for the purposes of this Part of this Act may require that any order or other matter required under this Part of this Act to be registered in a court of summary jurisdiction in England or Northern Ireland shall be registered—

(a) in England, by means of a memorandum entered and signed by the prescribed officer of the court in the register kept pursuant to section twenty-two of the Summary Jurisdiction Act, 1879;

(b) in Northern Ireland, by means of an entry made and signed by the prescribed officer of the court in the order book kept pursuant to section twenty-one of the Petty Sessions (Ireland) Act, 1851.

**PART III
GENERAL**

26.—(1) Any document purporting to be a declaration made under section fifteen of this Act, or to be a certified copy, statutory declaration, affidavit, certificate, transcript or summary made for the purposes of this Act or of any rules made thereunder shall, unless the contrary is shown, be deemed without further proof to be the document which it purports to be, and to have been duly certified, made or signed by or before the person or persons by or before whom it purports to have been certified, made or signed. Proof of declarations, etc.

(2) Paragraph 7 of the Second Schedule to the Emergency Laws (Miscellaneous Provisions) Act, 1947 (which relates to the proof of affiliation orders and maintenance orders and of orders for the discharge or variation of such orders), shall apply to the registration of orders under Part II of this Act, and to the cancellation of such registration, as it applies to the variation of orders; and for the purposes of that paragraph—

- (a) a maintenance order registered under the said Part II in a court of summary jurisdiction; and
- (b) any proceeding under the said Part II relating to a maintenance order made by or registered in such a court, being a proceeding of which a memorandum is required to be entered in the register kept by the clerk of that court pursuant to section twenty-two of the Summary Jurisdiction Act, 1879,

shall be deemed to be an order made by that court.

27.—(1) Nothing in this Act shall be construed as derogating from any jurisdiction exercisable, apart from the provisions of this Act, by any court in any part of the United Kingdom. General provisions as to jurisdiction.

(2) It is hereby declared that any jurisdiction conferred by Part I of this Act, or any enactment therein referred to, upon a court in any part of the United Kingdom is exercisable notwithstanding that any party to the proceedings is not domiciled in that part of the United Kingdom; and any jurisdiction so conferred in affiliation proceedings shall be exercisable notwithstanding that the child to whom the proceedings relate was not born in that part of the United Kingdom.

(3) For the avoidance of doubt it is hereby declared that in relation to proceedings in which the sheriff has jurisdiction by virtue of the provisions of this Act there are the same rights of appeal and of remit to the Court of Session as there are in relation to the like proceedings in which the sheriff has jurisdiction otherwise than by virtue of the said provisions.

PART III
—cont.
Interpretation.

28.—(1) In this Act the following expressions have the meanings hereby assigned to them, that is to say—

“certified copy”, in relation to an order of any court, means a copy certified by the proper officer of the court to be a true copy of the order or of the official record thereof;

“collecting officer”, in relation to a court of summary jurisdiction in England, means the person authorised to act as such under section twenty-one of the Justices of the Peace Act, 1949, and in relation to a court of summary jurisdiction in Northern Ireland, means the officer appointed under subsection (1) of section eight of the Illegitimate Children (Affiliation Orders) Act (Northern Ireland), 1924;

“court of summary jurisdiction”, in relation to Northern Ireland, means a court of summary jurisdiction constituted in accordance with the provisions of the Summary Jurisdiction and Criminal Justice Act (Northern Ireland), 1935, or any other Act of the Parliament of Northern Ireland, whether passed before or after this Act;

“enactment” includes any order, rule or regulation made in pursuance of any Act;

“England” includes Wales;

“prescribed” means, in relation to a court of summary jurisdiction in England or Northern Ireland, prescribed by rules made under section fifteen of the Justices of the Peace Act, 1949, or by rules made by the Lord Chief Justice of Northern Ireland under this Act, as the case may be, and in relation to any other court means prescribed by rules of court.

(2) References in this Act to parts of the United Kingdom are references to England, Scotland and Northern Ireland.

(3) Any reference in this Act to any enactment shall be construed as a reference to that enactment as amended by any subsequent enactment, including this Act.

Publication
of rules.

29.—(1) The power of the Court of Session to prescribe anything which under this Act is to be prescribed shall be exercisable by statutory instrument, and the Statutory Instruments Act, 1946, shall apply to a statutory instrument containing an act of sederunt made for that purpose by the Court in like manner as if the act of sederunt had been made by a Minister of the Crown.

(2) It is hereby declared that the said Act applies to any rules made under section twenty-nine of the Summary Jurisdiction Act, 1879, as amended by this Act.

(3) Any rule made under this Act by the Lord Chief Justice of Northern Ireland shall, whether or not it relates to a matter in respect of which the Parliament of Northern Ireland has power to make laws, be deemed to be a statutory rule to which the Rules Publication Act (Northern Ireland), 1925, applies, and shall be printed and published accordingly.

PART III
—cont.

30.—(1) Section six of the Summary Jurisdiction (Process) Act, 1881, is hereby repealed.

Repeal and
transitory
provision.

(2) Until the date on which section fifteen of the Justices of the Peace Act, 1949, comes into force references in this Act to that section shall be construed as references to section twenty-nine of the Summary Jurisdiction Act, 1879.

(3) Until the date on which section nineteen of the Justices of the Peace Act, 1949, comes into force—

- (a) the reference to section twenty-one of that Act in section twenty-eight of this Act shall be construed as a reference to the Affiliation Orders Act, 1914; and
- (b) section four of the Married Women (Maintenance) Act, 1949 (which requires collecting officers to take proceedings for enforcement in certain cases), shall apply to any order registered under Part II of this Act in a court of summary jurisdiction in England as it applies to an order made under the Summary Jurisdiction (Married Women) Act, 1895, and references in the said section four to the married woman shall be construed accordingly.

31.—(1) For the purposes of section six of the Government of Ireland Act, 1920 (which relates to the power of the Parliament of Northern Ireland to make laws), the provisions of this Act, so far as they extend to Northern Ireland, shall be deemed to be provisions of an Act passed before the appointed day.

Special provi-
sions relating
to Northern
Ireland.

(2) Any reference in this Act to an enactment of the Parliament of Northern Ireland, or to an enactment which that Parliament has power to amend, shall be construed, in relation to Northern Ireland, as a reference to that enactment as amended by any Act of that Parliament, whether passed before or after this Act, and to any enactment of that Parliament passed after this Act and re-enacting the said enactment with or without modifications.

32.—(1) This Act may be cited as the Maintenance Orders Act, 1950.

Short title and
commence-
ment.

(2) This Act shall come into force on the first day of January, nineteen hundred and fifty-one.

SCHEDULES

Section 14.

FIRST SCHEDULE

MODIFICATION OF CERTAIN ENACTMENTS

The Children and Young Persons Act, 1933, 23 & 24 Geo. 5. c. 12.

Section eighty-six ... Where the person liable to make contributions in respect of a child or young person is for the time being residing in Scotland or Northern Ireland, subsection (3) shall have effect as if for references to the council of the county or county borough in which the person liable as aforesaid is for the time being residing there were substituted references to the local authority having the care of the child or young person or, as the case may be, the local authority named in the approved school order under subsection (2) of section seventy.

Section eighty-seven... Where the person to be charged under a contribution order resides in Scotland or Northern Ireland, subsection (1) shall have effect as if for the reference to a court of summary jurisdiction having jurisdiction in the place where the said person is for the time being residing there were substituted a reference to a court of summary jurisdiction having jurisdiction in the place in which the person entitled under section eighty-six to receive the contributions resides or, if that person is a local authority, having jurisdiction within the area of that authority. Where the person on whom a contribution order has been made is for the time being residing in Scotland or Northern Ireland, subsection (4) shall have effect as if the words from "but any powers" to the end of the subsection were omitted.

Section eighty-eight... Where the putative father of an illegitimate child or young person resides in Scotland or Northern Ireland, subsection (1) shall have effect as if for the reference to the place where the putative father is for the time being residing there were substituted a reference to the place where the mother of the child is for the time being residing. Where the person liable under an affiliation order in respect of which an order under section eighty-eight is in force is for the time being residing in Scotland or Northern Ireland, paragraph (a) of subsection (2) shall not apply.

- Section eighty-nine ...** Where the person liable under a contribution order made under section eighty-seven, or under an affiliation order in respect of which an order under section eighty-eight is in force, is for the time being residing in Scotland or Northern Ireland, subsection (2) shall have effect as if for the reference to the council of the county or county borough in which the person liable under the order is for the time being residing there were substituted a reference to the local authority to whom sums are payable under the order and as if for the words "when he was not resident in the county or county borough" there were substituted the words "when that authority were not entitled to sums payable under the order".
- 1ST SCH.
—cont.
- The Children and Young Persons (Scotland) Act, 1937, 1 Edw. 8 & 1 Geo. 6. c. 37.—**
- Section ninety ...** Where the person liable to make contributions in respect of a child or young person is for the time being residing in England or Northern Ireland, subsection (3) shall have effect as if for references to the local authority or the education authority, as the case may be, within whose area the person liable as aforesaid is for the time being residing there were substituted references to the local authority having the care of the child or young person or, as the case may be, the education authority named in the approved school order under subsection (2) of section seventy-four.
- Section ninety-one ...** Where the person to be charged under a contribution order resides in England or Northern Ireland, subsection (1) shall have effect as if for the reference to a court of summary jurisdiction having jurisdiction in the place where the said person is for the time being residing there were substituted a reference to a court of summary jurisdiction having jurisdiction in the place in which the person entitled under section ninety to receive contributions resides or, if that person is a local authority or education authority, having jurisdiction in any place within the area of that authority.
- Where the person liable in payment under a contribution order is for the time being residing in England or Northern Ireland, subsections (3) and (4) shall have effect as if for the references to a court of summary

1ST SCH.
—cont.

Section ninety-one
—cont.

jurisdiction having jurisdiction in the place where that person is for the time being resident, and to the local authority within whose area that person is for the time being resident, there were substituted references to a court of summary jurisdiction having jurisdiction in the place where the person entitled to the contributions is for the time being resident, and to the local authority whose area includes that place, and subsection (6) shall not apply.

Section ninety-two ... Where the father of an illegitimate child or young person resides in England or Northern Ireland, subsection (1) shall have effect as if for the reference to the place where the father is for the time being residing there were substituted a reference to the place where the mother of the child is for the time being residing.

Section ninety-three... Where the person liable under a contribution order made under section ninety-one, or under a decree for aliment in respect of which an order under section ninety-two is in force, is for the time being residing in England or Northern Ireland, subsection (2) shall have effect as if for the reference to the local authority or education authority in whose area the person liable under the order is for the time being residing there were substituted a reference to the local authority to whom sums are payable under the order, and as if for the words "when he was not resident in that area" there were substituted the words "when that authority were not entitled to sums payable under the order."

The Children Act, 1948, 11 & 12 Geo. 6. c. 43.

Section twenty-six ... Where the putative father of a child in respect of whom an order has been made under section eighty-eight of the Children and Young Persons Act, 1933, is for the time being residing in Scotland or Northern Ireland, subsection (4) shall have effect as if for references to the local authority whose area includes the place where the putative father of the child resides, and to a court of summary jurisdiction having jurisdiction in that place, there were substituted references to the local authority who, if the affiliation order were still in force, would be entitled to payments thereunder, and to a court of summary jurisdiction having jurisdiction within the area of that authority.

The Children and Young Persons Act (Northern Ireland) 1950, 1950 c. 5.

Section one hundred and twenty-one. Where the person liable to make contributions in respect of a child or young person who is ordered to be sent to a training school resides in England or Scotland, paragraph (b) of subsection (5) shall have effect as if for the reference to the council of the county or county borough in which the person liable as aforesaid is for the time being residing there were substituted a reference to the local authority named in the training school order under subsection (2) of section seventy-four.

Section one hundred and twenty-two. Where the person liable to make contributions in respect of a child or young person resides in England or Scotland, subsections (1) (2) and (6) shall have effect as if for the references to a court of summary jurisdiction acting for the petty sessions district in which the person liable to make contributions or the contributor resides there were substituted references to a court of summary jurisdiction acting for the petty sessions district in which the person entitled under section one hundred and twenty-one to receive the contributions resides or, if that person is a welfare authority or local authority, a court of summary jurisdiction having jurisdiction within the area of that authority.

Section one hundred and twenty-three. Where the putative father of an illegitimate child or young person resides in England or Scotland, subsection (2) shall have effect as if for the reference to a court of summary jurisdiction acting for the petty sessions district in which the putative father is for the time being residing there were substituted a reference to a court of summary jurisdiction acting for the petty sessions district in which the applicant for the order under that subsection resides or, if the applicant is a welfare authority or local authority, a court of summary jurisdiction having jurisdiction within the area of that authority.

Section one hundred and twenty-five. Where the person liable under an order made under section one hundred and twenty-two or section one hundred and twenty-four, or under an affiliation order in respect of which an order under section one hundred and twenty-three is in force, is for the time being residing in England or Scotland,

1st Sch.
—cont.

1st SCH.
—cont.

Section one hundred
and twenty-five
—cont.

subsection (2) shall have effect as if for the reference to the council of the county or county borough in which the person liable under the order is for the time being residing there were substituted a reference to the welfare authority or local authority to whom sums are payable under the order, and as if for the words "when he was not resident in that county or county borough" there were substituted the words "when that authority were not entitled to sums payable under the order".

Section 15.

SECOND SCHEDULE

FORMS

FORM NO. 1: ENDORSEMENT OF SUMMONS

I, A. B., a justice of the peace [sheriff] [resident magistrate] for the [county] of _____, hereby authorise the service of this summons [writ] in England [Scotland] [Northern Ireland] under section fifteen of the Maintenance Orders Act, 1950.

Given under my hand this
day of _____, 19 ____.

FORM NO. 2: DECLARATION AS TO SERVICE

I, C. D. of _____ hereby declare that on the _____ day of _____ 19 ____, I served E. F. of _____ with the summons [writ] now shown to me and marked 'A' by delivering a true copy to him.

(Signed) C. D.

Declared before me this
day of _____, 19 ____.

A. B.

Justice of the Peace [sheriff] [resident
magistrate] for the [county] of _____.

Table of Statutes referred to in this Act

Short Title	Session and Chapter
Bastardy Laws Amendment Act, 1872	35 & 36 Vict. c. 65.
Summary Jurisdiction Act, 1879	42 & 43 Vict. c. 49.
Summary Jurisdiction (Process) Act, 1881	44 & 45 Vict. c. 24.
Guardianship of Infants Act, 1886	49 & 50 Vict. c. 27.
Summary Jurisdiction (Married Women) Act, 1895	58 & 59 Vict. c. 39.
Affiliation Orders Act, 1914	4 & 5 Geo. 5. c. 6.
Government of Ireland Act, 1920	10 & 11 Geo. 5. c. 67.
Guardianship of Infants Act, 1925	15 & 16 Geo. 5. c. 45.
Supreme Court of Judicature (Consolidation) Act, 1925	15 & 16 Geo. 5. c. 49.
Illegitimate Children (Scotland) Act, 1930	20 & 21 Geo. 5. c. 33.
Children and Young Persons Act, 1933	23 & 24 Geo. 5. c. 12.
Children and Young Persons (Scotland) Act, 1937	1 Edw. 8. & 1 Geo. 6. c. 37.
Matrimonial Causes Act, 1937	1 Edw. 8. & 1 Geo. 6. c. 57.
Divorce (Scotland) Act, 1938	1 & 2 Geo. 6. c. 50.
National Assistance Act, 1948	11 & 12 Geo. 6. c. 29.
Children Act, 1948	11 & 12 Geo. 6. c. 43.
Married Women (Maintenance) Act, 1949	12, 13 & 14 Geo. 6. c. 99.
Justices of the Peace Act, 1949	12, 13 & 14 Geo. 6. c. 101.
Law Reform (Miscellaneous Provisions) Act, 1949	12, 13 & 14 Geo. 6. c. 100.
Matrimonial Causes Act, 1950	14 Geo. 6. c. 25.

CHAPTER 38

Allotments (Scotland) Act, 1950

ARRANGEMENT OF SECTIONS

Section

1. Extension of length of notices to remove from allotment gardens.
2. Removal of restrictions on right of tenant of an allotment garden to compensation for crops and manure.
3. Compensation to tenant of an allotment garden for disturbance.
4. Right of lessor of an allotment garden to compensation for deterioration.
5. Set-off of compensation against rent, etc.
6. Provisions as to war-time allotments.
7. Application of provisions of the Allotments (Scotland) Act, 1922, for purposes of preceding sections.
8. Amendment of sections 1 and 2 of the Allotments (Scotland) Act, 1922.
9. Restriction of obligations of local authorities to provide allotments.
10. Rents to be charged for allotments let by local authorities.
11. Provision of information relating to allotments and award of prizes.
12. Expenses and receipts.
13. Interpretation.
14. Repeal.
15. Short title, citation and extent.

SCHEDULE.—Enactments Repealed.

An Act to amend the law relating to allotments in
Scotland. [26th October 1950.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows :—

Extension of length of notices to remove from allotment gardens.

1.—(1) Paragraph (a) of subsection (1) of section one of the Allotments (Scotland) Act, 1922 (which specifies, as the only kind of notice to remove that may be given by a lessor in respect of land let for use by the tenant as an allotment garden, a six months' or longer notice in writing expiring on or before the first day of May or on or after the first day of November in any year) shall have effect with the substitution, for the reference to six months, of a reference to twelve months.

(2) This section shall not affect the operation of a notice to remove given before the passing of this Act.

Removal of restrictions on right of tenant of an allotment garden to compensation for crops and manure.

2.—(1) For subsection (3) of section two of the Allotments (Scotland) Act, 1922 (which restricts the right conferred by that section on the tenant of an allotment garden to recover compensation from the lessor on the termination of the tenancy to a case where the tenancy is terminated by the lessor and is so terminated between the first day of May and the first day of November or by resumption of possession at any time under paragraph (b) or paragraph (c) of subsection (1) of section one of that Act) there shall be substituted the following subsection :—

“(3) Compensation under this section shall be recoverable only if the tenancy is terminated by the lessor by notice to remove or by resumption of possession under paragraph (b) or paragraph (c) of subsection (1) of the immediately preceding section.”

(2) This section shall not have effect in relation to a tenancy terminated by virtue of a notice to remove given before the passing of this Act.

Compensation to tenant of an allotment garden for disturbance.

3.—(1) Where a tenancy under which land let, whether before or after the passing of this Act, by a local authority, an association, or any other person for use by the tenant as an allotment garden, or to a local authority or association for the purpose of being sub-let for such use, is terminated as to the whole or any part of the land comprised in the tenancy—

(a) by resumption of possession under paragraph (b) or paragraph (c) of subsection (1) of section one of the Allotments (Scotland) Act, 1922 ; or

- (b) where the lessor is himself a tenant, by the termination of his tenancy ; or
- (c) where the lessor is a local authority or association who have let the land under section ten of the Allotments (Scotland) Act, 1922, by the termination of the right of occupation of the authority ;

the tenant shall, notwithstanding any agreement to the contrary, be entitled, on removing from the land or that part thereof, as the case may be, to recover from the lessor compensation for the disturbance of an amount determined in accordance with subsection (2) of this section.

(2) The amount of any compensation recoverable under this section shall be—

- (a) where the tenancy terminates as to the whole of the land, an amount equal to one year's rent of the land at the rate at which rent was payable immediately before the termination of the tenancy ;
- (b) where the tenancy terminates as to part of the land, an amount bearing to the amount mentioned in the foregoing paragraph the same proportion that the area of that part bears to the area of the whole of the land.

(3) Compensation under this section shall be in addition to any compensation to which the tenant may be entitled under the Allotments (Scotland) Act, 1922.

(4) This section shall not have effect in relation to a tenancy which has terminated before the date of the passing of this Act or terminates after that date in consequence of a notice given, or of legal proceedings commenced, before that date.

4.—(1) Where the tenant of land let, whether before or after the passing of this Act, for use by the tenant as an allotment garden removes from the land on the termination of the tenancy, the lessor shall, notwithstanding any agreement to the contrary, be entitled to recover from the tenant compensation in respect of any deterioration of the land caused by failure of the tenant to maintain it clean and in a good state of cultivation and fertility.

Right of lessor
of an
allotment
garden to
compensation
deterioration.

(2) The amount of any compensation recoverable under this section shall be the cost, as at the date of the tenant's removing from the land, of making good the deterioration.

(3) Where the tenant of land let for use by him as an allotment garden has remained therein during two or more tenancies, his lessor shall not be deprived of his right to compensation under

this section in respect of deterioration of the land by reason only that the tenancy during which an act or omission occurred which in whole or in part caused the deterioration was a tenancy other than the tenancy at the termination of which the tenant removes from the land.

(4) This section shall not have effect in relation to a tenancy which has terminated before the date of the passing of this Act or terminates after that date in consequence of a notice given, or of legal proceedings commenced, before that date.

Set-off of
compensation
against rent,
etc.

5.—(1) Out of any money payable to a tenant by way of compensation under section two of the Allotments (Scotland) Act, 1922, or section three of this Act, the lessor shall be entitled to deduct any sum due to him from the tenant under or in respect of the tenancy (including any sum due by way of compensation under section four of this Act).

(2) Out of any money due to the lessor from the tenant under or in respect of the tenancy (including any money due by way of compensation under section four of this Act), the tenant shall be entitled to deduct any sum payable to him by the lessor by way of compensation under section two of the Allotments (Scotland) Act, 1922, or section three of this Act.

Provisions as
to war-time
allotments.

6. The foregoing provisions of this Act, other than those of section two, shall not apply to land let by a local authority under Regulation sixty-two A of the Defence (General) Regulations, 1939, and in any document embodying an arrangement for the cultivation or use of land made in pursuance of the Cultivation of Lands (Allotments) (Scotland) Order, 1939, as originally made or of that Order as amended by the Cultivation of Lands (Allotments) (Scotland) (Amendment) Order, 1941, any reference to compensation to which a person would have been entitled if the arrangement had been a letting under a contract of tenancy of the land for use as an allotment garden or for sub-letting in allotment gardens shall be construed in like manner as if this Act, apart from section two thereof, had not passed.

Application of
provisions of
the Allotments
(Scotland) Act,
1922, for
purposes of
preceding
sections.

7. Subsection (9) of section two of the Allotments (Scotland) Act, 1922 (which relates to the determination and recovery of compensation under the said section) shall have effect in relation to the determination and recovery of compensation under the foregoing provisions of this Act; section three of the said Act of 1922 (which provides for the application of the foregoing provisions of that Act to Crown lands) shall have effect as if the references to those provisions included references to the foregoing provisions of this Act; and subsection (3) of section nineteen of the said Act of 1922 (which provides, amongst other things, that, for the purposes of that Act, where land is used by the tenant thereof as an allotment garden, it

shall, unless the contrary is proved, be deemed to have been let to him to be used as an allotment garden) shall have effect as if the reference to that Act included a reference to this Act.

8.—(1) Subsection (4) of section one of the Allotments (Scotland) Act, 1922, (which excludes from the operation of that section land held by or on behalf of the Admiralty, War Department, or Air Council, and let as mentioned in subsection (1) of that section, when possession of the land is required for naval, military or air force purposes), shall have effect—

- (a) with the substitution, for the words “ or Air Council ”, of the words “ Air Council or Minister of Supply ”; and
- (b) with the addition, at the end thereof, of the words “ or for purposes of the Ministry of Supply, as the case may be ”.

(2) Paragraph (a) of subsection (11) of section two of the Allotments (Scotland) Act, 1922 (which provides that, for the purposes of sections one and two of that Act, where a tenancy comes to an end it shall not be deemed to be terminated by the lessor by reason only of any notice given by the lessor to the tenant in order to prevent renewal of the lease by tacit relocation) shall cease to have effect.

9. The obligation under the Allotments (Scotland) Acts, 1892 to 1926, of a local authority to provide allotments shall—

- (a) except in the case of the town council of a burgh the population whereof is, according to the last published census for the time being, ten thousand or upwards, be limited to the provision of allotment gardens; and
- (b) in the said excepted case, be limited to the provision of allotment gardens not exceeding twenty poles in extent.

10.—(1) Land let by a local authority under the Allotments (Scotland) Acts, 1892 to 1926, for use as an allotment shall be let at the fair rent for such use:

Provided that land may be let by a local authority as aforesaid to a person at a less rent if the local authority are satisfied that there exist special circumstances affecting that person which render it proper for them to let the land to him at a less rent.

(2) Not more than a quarter's rent for land let by a local authority as mentioned in subsection (1) of this section shall be required to be paid in advance:

Provided that this subsection shall not apply where the yearly rent is twenty shillings or less.

Provision of information relating to allotments and award of prizes.

11. For the purpose of promoting the proper cultivation of allotments in their area a local authority may incur, or contribute towards, the expenses of—

- (a) the dissemination (whether by means of lectures, cinematograph shows, exhibitions or otherwise) of information on questions relating to allotments ; and
- (b) the award of prizes in connection with the cultivation and maintenance of allotments.

Expenses and receipts.

12.—(1) Any expenses incurred by a Minister of the Crown or by any government department (other than the Commissioners of Crown Lands) in paying compensation under this Act shall be defrayed out of moneys provided by Parliament and any sums received by a Minister of the Crown or by any government department (other than the Commissioners of Crown Lands) by way of compensation under this Act shall be paid into the Exchequer.

(2) Any increase attributable to the passing of this Act in the sums which, under any other enactment, are payable out of moneys provided by Parliament shall be defrayed out of moneys so provided.

Interpretation.

13.—(1) In this Act—

- (a) the expressions “ allotment garden ”, “ association ” and “ lessor ” have the same meanings as they have for the purposes of the Allotments (Scotland) Act, 1922 ; and
- (b) the expression “ local authority ” means a town council or district council acting under the Allotments (Scotland) Acts, 1892 to 1926.

(2) References in this Act to any other enactment shall, except so far as the context otherwise requires, be construed as references to that enactment as amended by any subsequent enactment including this Act.

Repeal.

14. The enactments mentioned in the first and second columns of the Schedule to this Act are hereby repealed to the extent specified in the third column of that Schedule.

Short title, citation and extent.

15.—(1) This Act may be cited as the Allotments (Scotland) Act, 1950, and the Allotments (Scotland) Acts, 1892 to 1926, and this Act may be cited together as the Allotments (Scotland) Acts, 1892 to 1950.

(2) This Act shall extend to Scotland only.

SCHEDULE

ENACTMENTS REPEALED

Session and Chapter	Short Title	Extent of Repeal
12 & 13 Geo. 5. c. 52.	The Allotments (Scotland) Act, 1922.	In section two, para- graph (a) of sub- section (11). Section twelve. In section sixteen, sub- section (3).

CHAPTER 39

Public Utilities Street Works Act, 1950

ARRANGEMENT OF SECTIONS

PART I

THE STREET WORKS CODE

Preliminary

Section

1. Purposes of the street works code, and works the execution of which is to be regulated thereby.
2. Parties to proceedings under the street works code.
The street works code
3. Settlement of a plan and section to be a condition of execution of major works.
4. Procedure as to plans and sections etc.: general provisions.
5. Procedure as to plans and sections etc.: provisions as to works in controlled land.
6. Works not to be begun until after notice to authorities and managers concerned.
7. Requirements as to mode of executing major works, and as to reinstatement.
8. Requirements as to safety, obstruction, etc., to be observed in execution of works.
9. Protection for street managers of a street which is prospectively a maintainable highway.
10. Protection for transport authorities (right to execute works and to be paid cost thereof).
11. Protection for transport authorities (special precautions in execution of certain works).
12. Protection for sewer authorities.
13. Protection for managers of sewers, drains or tunnels not being public sewers.
14. Provision as to default in removing apparatus placed temporarily.
*Transition to the street works code and exclusion
of other regulative provisions*
15. Time for taking effect of the street works code, and exclusion of other statutory provisions.
16. Agreements inconsistent with the street works code to be invalid.

Provisions relating to code-regulated works; consents, liability of undertakers for damage, etc., and minor amendments
Section

17. Exclusion or restriction of requirements of consent as to certain code-regulated works.
18. Liabilities of undertakers to street and bridge authorities or managers.
19. Liabilities of undertakers to transport authorities.
20. Amendments consequential on enactment of the street works code.

PART II

CODE TO HAVE EFFECT WHERE APPARATUS IS AFFECTED BY ROAD,
BRIDGE OR TRANSPORT WORKS

Cases in which the code in this Part of this Act is to have effect

21. Cases in which the code in this Part is to have effect.

The code in this Part of this Act

22. Undertakers' right to payment for works made necessary by, and obligation to facilitate, road etc. works.
23. Limitations on undertakers' right to payment for works, and county contribution towards such a payment.

Transition to the code in this Part of this Act and exclusion of other regulative provisions

24. Time for taking effect of the code in this Part, and exclusion of other statutory provisions.
25. Agreements inconsistent with the code in this Part to be invalid.

PART III

MISCELLANEOUS

Requirements as to undertakers' works which are likely to affect other undertakers' apparatus

26. Requirements as to undertakers' works which are likely to affect other undertakers' apparatus.

Provisions relating to the closing of roads for works

27. Power to prohibit or restrict traffic on ground of execution of works, and liability of undertakers for cost of use of alternative route.
28. Restriction on breaking up by undertakers of maintainable highways recently closed or re-surfaced.

Storage of equipment at side of road

29. Storage of equipment at side of road.

PART IV

GENERAL

Provisions as to enforcement, and other general provisions

30. Provisions as to enforcement.
31. Arbitration.
32. Provisions against duplication of compensation, etc.
33. Financial provisions.
34. Notices, etc., and reckoning of periods.

Application to London and to Scotland

35. Application to London.
36. Application to Scotland.

Interpretation

37. References to property held or used for transport undertakings, and to powers for railway or tramway purposes.
38. References to powers to execute works in streets, to bridges, and to service pipes and lines.
39. Definitions.

Short title and extent

Section

40. Short title and extent.

SCHEDULES :

First Schedule—Definition of “controlled land”, and provisions as to authorisation of works therein.

Second Schedule—Declarations designating streets as prospectively maintainable highways.

Third Schedule—Reinstatement and making good by street authority or street managers after execution of undertakers' works.

Fourth Schedule—Supplementary provisions of the code in Part II of this Act.

Fifth Schedule—Consequential modifications of public general enactments.

Sixth Schedule—Powers for consequential modification of special enactments, and for savings as to certain protections and consent requirements.

Seventh Schedule—Application to London.

An Act to enact uniform provisions for regulating relations as to apparatus in streets between authorities, bodies and persons having statutory powers to place and deal with apparatus therein, and those having the control or management of streets and others concerned in the exercise of such powers ; to render such powers exercisable in land which abuts on a street and is destined for use for road purposes; to make further provision for regulating the closing or restriction of use of roads for the purposes of works and as to the use of alternative routes; and for purposes connected with the matters aforesaid. [26th October 1950.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

PART I**THE STREET WORKS CODE***Preliminary*

1.—(1) Sections three to fourteen of this Act and the First, Second and Third Schedules thereto (in this Act referred to as “the street works code”) shall have effect in relation to powers to which this section applies, that is to say, any statutory power to execute undertakers' works in a street except a power conferred for purposes of a railway undertaking or a tramway undertaking, with a view to—

Purposes of the street works code, and works the execution of which is to be regulated thereby.

(a) providing a uniform set of provisions for the protection of authorities, bodies and persons concerned in the

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(b) where the street is prospectively a maintainable highway, the appropriate local authority.

(5) In this Act the expression “street managers” (used in relation to a street that is not a maintainable highway) means—

(a) if there is an authority, body or person liable to the public to maintain or repair the street, that authority, body or person ; or

(b) if there is no authority, body or person so liable, any authority, body or person having the management or control of the street.

(6) Any reference in this Act to an authority or managers concerned includes a reference to an authority, body or person being such an authority or managers by virtue of functions exercised by them or him on behalf of the Crown.

The street works code

Settlement of a plan and section to be a condition of execution of major works.

3.—(1) Subject to the provisions of subsections (3) and (4) of this section, undertakers shall not execute any works to which this section applies until a plan and section thereof have been settled as mentioned in the next or the next but one succeeding section by agreement between the undertakers and each of the authorities or managers concerned or by arbitration, and for that purpose undertakers proposing to execute any such works in a street shall submit a plan and section thereof to each of the authorities or managers concerned.

(2) This section applies to all code-regulated works except—

(a) inspecting, maintaining, adjusting or repairing apparatus ;

(b) placing, altering, renewing, changing the position of or removing a service pipe or service line or an overhead telegraphic line in or from a place not in a trunk road or a classified road, or in or from a place in such a road in so far as the works are to be executed elsewhere than in the carriageway of the road and so as not substantially to affect the traffic on the carriageway thereof ;

(c) placing, elsewhere than in a maintainable highway, apparatus which is required only in connection with the doing of any building or other work on land adjacent to the street and is intended to be removed on the completion of the building or other work ;

(d) any breaking up or opening (other than breaking up or opening a public sewer), tunnelling or boring in so far as it is to be executed for the purposes of works falling within any of the preceding paragraphs, and any other works so far as requisite for or incidental to works so falling.

(3) In the case of works to which this section applies being emergency works—

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- (a) the undertakers may execute them without submitting a plan and section thereof under subsection (1) of this section or before a plan and section thereof have been settled ; but
- (b) as soon as is reasonably practicable after so executing any such works they shall furnish a plan and section thereof to each of the authorities or managers concerned.

(4) Subsection (1) of this section, and paragraph (b) of the last preceding subsection, shall not have effect as to street managers concerned in respect of a street which they have no liability to the public to maintain or repair if the undertakers have given them a notice stating the general nature of the works proposed, or of the emergency works executed, as the case may be, and that it is a notice given for the purposes of this subsection, and the street managers have not, within fifteen days from the date on which the notice was given to them, given notice to the undertakers requiring submission or furnishing of a plan and section to them.

(5) If undertakers execute any works to which this section applies in contravention of subsection (1) thereof, or fail to furnish a plan and section in accordance with an obligation to which they are subject by virtue of paragraph (b) of subsection (3) thereof, they shall in respect of that contravention or failure be liable on summary conviction to a fine not exceeding fifty pounds.

(6) If any authority or managers concerned object to any works in the case of which subsection (1) of this section or paragraph (b) of subsection (3) thereof has effect as concerns them and which were executed before a plan and section thereof had been settled, whether the works were executed in contravention of the said subsection (1) or were emergency works, they may, after giving to the undertakers notice of the objection and an opportunity to enter into an agreement with the authority or managers for meeting it, refer the matter to arbitration, and the arbitrator may direct the alteration of the works to conform to a plan and section settled by him, or the removal of any apparatus placed in the execution thereof, and the undertakers shall be under obligation to comply with any such direction :

Provided that, in settling the terms of any such direction, the arbitrator shall satisfy himself that compliance therewith will not involve any undue interruption or restriction of the supply or service for the purposes of which the works were executed.

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If undertakers fail to execute works in accordance with an obligation to which they are subject by virtue of a direction under this subsection, they shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding ten pounds in respect of each day of such failure.

(7) An authority or managers to whom a plan and section of works are required by this section to be submitted or furnished may accept, as or in lieu of a plan and section thereof, any description thereof, whether in diagram form or not, which appears to them to be sufficient, and references in this Act to a plan and section shall include references to any such description so submitted or furnished to the form of which the authority or managers have not objected within the time limited by the next succeeding section for objection in form to a plan and section submitted.

Procedure as
to plans and
sections etc. :
general
provisions.

4.—(1) An authority or managers concerned to whom a plan and section of code-regulated works proposed to be executed in a street are submitted under subsection (1) of the last preceding section shall give notice to the undertakers either—

- (a) approving the plan and section without modification,
- (b) objecting to them in form as being on too small a scale or giving insufficient particulars,
- (c) approving them subject to modifications specified in the notice, or
- (d) disapproving them.

(2) Such an authority or managers shall give the notice required of them by the preceding subsection without avoidable delay, and at the latest before the expiration of the following period from the date on which the plan and section were submitted to them, that is to say—

- (a) in the case of a plan and section not being such as are mentioned in the succeeding paragraph, twenty-nine days ; or
- (b) in the case of a plan and section of works relating only to a service pipe or service line or an overhead telegraphic line, eight days,

and, as between the undertakers and such an authority or managers who have not duly given the notice at the expiration of that period, the plan and section as submitted shall be deemed to have been settled by agreement.

(3) Where such an authority or managers give a notice approving the plan and section subject to modifications, or disapproving the plan and section, the authority or managers shall state their grounds for requiring the modifications, or for their disapproval, as the case may be.

(4) If such an authority or managers duly give a notice objecting to the plan and section in form, or approving them subject to modifications to which the undertakers do not agree, or disapproving them, then, unless the notice is withdrawn in the case of each such authority or managers who have duly given such a notice (in which case the plan and section as submitted shall be deemed to have been settled by agreement between them and the undertakers)—

- (a) the undertakers may refer the matter to arbitration; and
- (b) the arbitrator shall settle a plan and section of works of the kind proposed, as works to be executed in the street:

Provided that—

- (i) paragraph (b) of this subsection shall not apply if the case falls within the next succeeding section and the only modifications or disapproval are on the part of the street authority and on the ground that some or all of the works ought to be executed in controlled land, and
- (ii) paragraph (b) of this subsection shall have effect subject to the provisions of subsection (7) of this section in such a case as is therein mentioned.

(5) On a reference under this or the next succeeding section the arbitrator shall have power to require the undertakers to submit to him a plan and section in such form, to require any such authority or managers to submit to him such observations on a plan and section submitted to him, and to require either the undertakers or any such authority or managers to furnish him with such information and to take such other steps as appear to him to be requisite, and shall have power to treat compliance with any such requirement made to the undertakers as a condition of his proceeding with the settlement of a plan and section and compliance with any such requirement made to any such authority or managers as a condition of his settling a plan and section otherwise than as proposed by the undertakers.

(6) A sewer authority concerned, or a bridge authority or managers concerned, shall not be entitled to give notice approving a plan and section submitted to them under subsection (1) of the last preceding section subject to modifications, or disapproving the plan and section, on grounds other than such as relate to injurious effect of the proposed works on their sewer, or on the structure or stability of their bridge, as the case may be:

Provided that this subsection shall not apply to a sewer authority, or to a bridge authority or managers, who are also concerned as the street authority or street managers or as a transport authority.

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(7) Where there is a reference to an arbitrator under subsection (4) of this section in relation to the placing, altering or changing the position of apparatus in a street which is carried by or goes under a bridge, if he is satisfied that the execution thereof would be likely to affect injuriously the structure or stability of the bridge, and that it is not practicable to meet objection on that ground to the plan and the section submitted, he shall so declare, and shall not settle any plan and section of those works on that reference, but without prejudice to the right of the undertakers to submit another plan and section thereof for the purposes of subsection (1) of the last preceding section.

(8) For the purposes of the application of this and the next succeeding section, in relation to a plan and section of undertakers' works to be executed in exercise of any power to execute such works conferred by section twelve of the Requisitioned Land and War Works Act, 1948 (which relates to government oil pipe-lines and works accessory thereto), or by the joint effect of that section and of section twenty-eight of the Requisitioned Land and War Works Act, 1945—

- (a) any objection to a plan and section in form shall be disregarded if a Minister within the meaning of the said Act of 1945 certifies that in his opinion it would be against the national interest to submit a plan and section on a larger scale or giving further particulars; and
- (b) any modification of a plan and section shall be disregarded in so far as the modification would involve a lateral diversion of a line to which the said section twelve applies (other than a diversion to which the Minister on whose behalf the works are to be executed consents) or any such change of the site of accessory works to which that section applies as would necessitate such a diversion, any disapproval of a plan and section shall be disregarded in so far as the ground therefor is or involves that there ought to be such a diversion or change, and an arbitrator settling a plan and section shall not thereby provide for any such diversion or change.

Procedure as to plans and sections etc.: provisions as to works in controlled land.

5.—(1) Where a plan and section submitted under subsection (1) of section three of this Act are of works proposed to be executed in a street which is a maintainable highway or is prospectively a maintainable highway, the street authority (but not any other authority or managers concerned) may disapprove the plan and section on the ground that the works ought to be executed in controlled land abutting on the street, or they may approve the plan and section subject to modifications excluding

some of the works on the ground that they ought to be executed in such land :

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Provided that the street authority shall not so disapprove or require modifications unless they are satisfied that they will be in a position, by exercising powers in that behalf vested in them by virtue of the First Schedule to this Act or otherwise, to confer on the undertakers the right to execute the works in question in the controlled land and all the like rights in relation to apparatus the placing whereof is to be comprised in the works as the undertakers would have if it were placed in the street, and to render those rights exercisable from not later than the expiration of the period of twenty-two days mentioned in subsection (4) of this section.

(2) On a reference to an arbitrator under subsection (4) of the last preceding section relating to such works as aforesaid as to which the street authority have disapproved the plan and section, or have approved them subject to modifications, on the ground that those works ought to be executed in controlled land (whether or not the reference relates to those works only or the disapproval or requiring of modifications was on that ground only), the arbitrator shall determine whether or not all those works or any of them ought to be executed in the controlled land.

(3) Where either—

(a) an arbitrator determines under the last preceding subsection that any works ought to be executed in controlled land, or

(b) undertakers agree to the execution of any works in controlled land after notification to them of disapproval or modifications of a plan and section of the works as proposed to be executed in the street on the ground that they ought to be executed in controlled land,

those works shall, subject to the provisions of the next succeeding subsection, be excluded from the power of the undertakers to execute works in the street, and a plan and section of those works as to be executed in the controlled land shall be settled in the proceedings before the arbitrator who so determines, or, in a case in which the undertakers agree to the execution of the works in the controlled land, shall be settled as may be agreed between the undertakers and the street authority and any sewer authority concerned, or, in default of agreement, by an arbitrator acting on a reference of the matter to arbitration by the undertakers.

(4) In the circumstances mentioned in the last preceding subsection, if at the expiration of twenty-two days from the date on which the plan and section of the works as to be executed in the controlled land are settled any of the rights mentioned in subsection (1) of this section has, as respects any of the works

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—cont.

to which the determination or agreement extends, not been rendered exercisable by the undertakers,—

- (a) the exclusion from the power of the undertakers to execute works in the street provided for by the last preceding subsection shall thereupon cease as to all those works, and they may be executed in the street in accordance with the plan and section thereof settled under subsection (4) of the last preceding section, or, if the plan and section thereof originally submitted fell within paragraph (i) of the proviso to that subsection, in accordance with that plan and section (with any modifications thereof agreed by the undertakers);
- (b) the street authority shall pay to the undertakers the amount of any cost reasonably incurred by the undertakers of executing any of those works in the controlled land, at any time after the authority had purported to authorise the execution thereof in that land and before the failure to render the right or rights in question exercisable was ascertained, in so far as it is rendered abortive by the failure, and of any cost reasonably incurred by them of or in connection with removal of apparatus rendered necessary thereby; and
- (c) any such removal or works in connection therewith may, notwithstanding anything in section three of this Act, be executed without submission or settlement of a plan and section thereof.

(5) Where undertakers desire to execute in controlled land otherwise than in the circumstances mentioned in subsection (3) of this section works as to which the settlement of a plan and section is requisite by virtue of section three of this Act, the mode of settlement thereof shall be as mentioned in that subsection as to a case in which undertakers agree to the execution of works in controlled land.

Works not to be begun until after notice to authorities and managers concerned.

6.—(1) Subject to the provisions of subsections (4) and (5) of this section (as to certain surface works and as to emergency works), undertakers proposing to begin in a street the execution of any code-regulated works shall give to each of the authorities or managers concerned, and, if the street is prospectively a maintainable highway, to the street managers thereof also, a notice stating the undertakers' intention to execute the works and the date on which and the place at which they intend to begin the execution thereof, and the undertakers shall not begin the execution of the works, except with the consent of each of the authorities, bodies and persons to whom the notice is required to be given, until there have elapsed from the date on which the notice was given to them, or to the last of them to be given it if more than one—

- (a) in the case of any works not being such as are mentioned in the succeeding paragraph, seven days, or

(b) in the case of works relating only to a service pipe or service line or an overhead telegraphic line, three days.

A notice for the purposes of this subsection shall identify the works in question—

- (i) in the case of a notice to an authority or managers concerned to whom a plan and section of the works have been submitted, by reference thereto ; or
- (ii) in any other case, by a statement of the general nature of the works.

(2) A notice for the purposes of the preceding subsection shall not be given in the case of works as to which the settlement of a plan and section is requisite by virtue of section three of this Act until after the plan and section have been settled under section four of this Act.

(3) If, after a notice for the purposes of subsection (1) of this section has been given to any authority, body or person, the execution of the works has not been substantially begun at the expiration of two months from the date on which it was given to them or him, or at the expiration of any extension of that period which they or he may allow, that notice to them or him shall be treated as invalid for those purposes and compliance with subsection (1) of this section shall be requisite as if that notice had not been given to them or him.

(4) Subsection (1) of this section shall not apply to works which fall within paragraph (a), (b) or (c) of subsection (2) of section three of this Act and which do not involve either breaking up or opening the street or any public sewer therein or tunnelling or boring under the street :

Provided that, as respects any such works which are to be executed at a crossing of a railway on the level, subsection (1) of this section shall apply so far as regards notice to the authority concerned who have the management of the railway undertaking.

(5) In the case of works to which subsection (1) of this section applies being emergency works—

- (a) the undertakers may begin the execution thereof before the time when by virtue of the preceding provisions of this section they could lawfully begin them ; but
- (b) as soon as is reasonably practicable after so beginning any such works they shall give to each of the authorities, bodies or persons to whom a notice under subsection (1) of this section is required to be given a notice stating the reason for their having done so.

A notice for the purposes of this subsection shall identify the works in question—

- (i) if notice for the purposes of subsection (1) of this section had been given before they were begun, by reference to that notice ; or
- (ii) if not, as mentioned in that subsection.

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(6) If undertakers begin the execution of any works in contravention of subsection (1) of this section, or fail to give a notice in accordance with an obligation to which they are subject by virtue of paragraph (b) of subsection (5) thereof, they shall in respect of that contravention or failure be liable on summary conviction to a fine not exceeding fifty pounds.

Requirements
as to mode
of executing
major works,
and as to
reinstatement.

7.—(1) Undertakers executing works to which section three of this Act applies—

- (a) shall (except in the case of works of which no plan and section have been settled before the execution thereof) execute the works in accordance with the plan and section settled under section four or section five of this Act, as the case may be, or, if each of the authorities or managers concerned who were parties to the settlement thereof agree to any modification thereof, with the plan and section as so modified ;
- (b) shall execute to the reasonable satisfaction of each of the authorities or managers concerned items of the works which are of an incidental nature (as distinguished from the placing of apparatus or other principal operation in question) ; and
- (c) shall afford to any transport authority concerned reasonable facilities for supervising the execution of the works.

(2) Undertakers executing any code-regulated works which involve breaking up or opening the street or controlled land, or tunnelling or boring under it, shall carry on and complete the works with all such dispatch as is reasonably practicable, and shall be under obligation to reinstate and make good the street or controlled land after the completion of the works, and—

- (a) to begin the reinstatement and making good as soon after completion of any part of the works as is reasonably practicable without hindering the execution of other parts of those works or of other works to be undertaken immediately or shortly thereafter ;
- (b) to afford reasonable facilities to each of the authorities or managers concerned for supervising the execution of the reinstatement and making good, to execute it in accordance with any reasonable requirements of any such authority or managers made at such a time as to render compliance therewith reasonably practicable, and to execute it to the reasonable satisfaction of each such authority or managers ; and
- (c) in the case of works which involve breaking up or opening the street or controlled land (as distinguished from tunnelling or boring under it only), to reinstate it and

make it good up to what was the surface level before the execution of the works, subject to the provisions of the Third Schedule to this Act in a case in which the street authority or street managers elect thereunder to do the reinstatement and making good at upper levels :

Provided that this subsection shall not apply to reinstatement and making good of any sewer, drain or tunnel broken up or opened (as to which provision is made by sections twelve and thirteen of this Act).

If undertakers fail to carry out reinstatement and making good in accordance with an obligation to which they are subject by virtue of this subsection, they shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding ten pounds in respect of each day of such failure.

(3) Undertakers executing any code-regulated works shall pay—

- (a) to each of the authorities or managers concerned an amount equal to any cost reasonably incurred by them of supervision by them for which the undertakers are required by this section to afford facilities ; and
- (b) to any transport authority concerned an amount equal to any cost reasonably incurred by them of signalling or other measures for controlling traffic on their undertaking, or for securing the safety of persons employed in connection with the works, in so far as it is attributable to the execution of the works or the carrying out of reinstatement and making good thereafter.

(4) If any authority or managers concerned claim that undertakers have executed works, or reinstatement and making good, otherwise than in accordance with the provisions of this section as to execution thereof in accordance with a plan and section or as to execution thereof in accordance with reasonable requirements of such an authority or managers or to their reasonable satisfaction, the authority or managers may give notice to the undertakers stating that they so claim and requiring the undertakers to remedy the defect, and, if the undertakers agree, or it is determined by arbitration, that any works are needed for that purpose and that the claim was notified as early as was reasonably practicable, the undertakers shall be under obligation to execute them.

If undertakers fail to execute works in accordance with an obligation to which they are subject by virtue of an award on an arbitration under this subsection, they shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding ten pounds in respect of each day of such failure.

(5) If undertakers fail to give to an authority or managers concerned facilities for supervision which they are required under

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this section to give, the authority or managers may execute such works as may be needed for enabling them to inspect the works or reinstatement and making good executed by the undertakers, and the undertakers shall pay to the authority or managers an amount equal to the cost reasonably incurred by them of executing works so needed.

(6) Where a street or controlled land has been broken up or opened, or tunnelling or boring has been done thereunder, by way of code-regulated works, and the reinstatement and making good of the street or land in which the works were executed, or of part of it, has been completed, and within six months from the completion thereof the area reinstated and made good either subsides or deteriorates otherwise than by subsidence or in addition thereto, then—

(a) in the case of any such subsidence, the amount of any cost of executing works needed for remedying the subsidence reasonably incurred by the street authority (if the street is, or is prospectively, a maintainable highway) or by the street managers (if the street is not as aforesaid) shall be paid to the authority or managers by the undertakers, unless the reinstatement and making good at upper levels or some of it was done pursuant to an election under the Third Schedule to this Act and the subsidence is shown to have been attributable to defective workmanship or use of defective materials in the doing of the reinstatement and making good so far as it was done otherwise than by the undertakers, and

(b) in the case of any such deterioration, the amount of any cost of executing works needed for remedying the deterioration reasonably incurred as aforesaid shall be paid as aforesaid if the deterioration is shown to have been attributable to defective workmanship or use of defective materials in the doing of the reinstatement and making good so far as it was done by the undertakers:

Provided that an authority or managers shall not be entitled to a payment under this subsection in respect of the cost of any works unless before executing the works they had given to the undertakers notice of the works which they claimed to be needed and had allowed reasonable time for examination by the undertakers of the area in question.

Requirements as to safety, obstruction, etc., to be observed in execution of works.

8.—(1) Undertakers who are executing or have executed any code-regulated works shall secure at their expense that the following requirements are observed during and in connection with the execution of the works and of reinstatement and making

good thereafter under the provisions of this Act in that behalf, that is to say—

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- (a) that, so long as the street or controlled land is open or broken up (except in a place to which the public have no right of access and are not permitted to have access), it is adequately fenced and guarded, and lighted in such manner as to give proper warning to the public during the hours of darkness for the purposes of section one of the Road Transport Lighting Act, 1927 ;
- (b) that traffic signs (within the meaning of section forty-eight of the Road Traffic Act, 1930) are placed and, where so directed, operated and lighted, in accordance with any directions in that behalf which may be given by the authority having power under that section to cause such signs to be placed, so however that any such directions shall be subject to any general directions given by the Minister under subsection (1) of the said section forty-eight, and may be cancelled or modified by the Minister if he is satisfied that they are not reasonably required for the guidance or direction of persons using the street ;
- (c) that no greater width or length of any street or controlled land than is reasonably necessary is open or broken up at any one time ;
- (d) that there is no greater obstruction of traffic on any street or interference with the normal use of controlled land than is reasonably necessary ; and
- (e) that any spoil or other material not required for the execution of the works or of the reinstatement and making good is carried away as soon as is reasonably practicable.

(2) Without prejudice to the generality of the requirement as to lighting imposed by paragraph (a) of the preceding subsection, it shall include a requirement to comply with any regulations made by the Minister in that behalf.

The power to make regulations for the purposes of this subsection shall be exercisable by statutory instrument, which shall be subject to annulment in pursuance of a resolution of either House of Parliament.

(3) If undertakers fail to satisfy an obligation to which they are subject by virtue of subsection (1) of this section they shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding ten pounds in respect of each day of such failure.

(4) If undertakers fail to satisfy an obligation to which they are subject by virtue of subsection (1) of this section as regards

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any requirement mentioned in paragraph (a), (b) or (e) thereof, the street authority or managers may do anything needed for securing observance of that requirement and the undertakers shall pay to the authority or managers an amount equal to any cost reasonably incurred by them of so doing.

(5) Subsection (1) of this section shall have effect subject to the provisions of paragraph (b) of subsection (5) of section ten of this Act, and of paragraph 6 of the Third Schedule thereto, as to cases in which works or reinstatement and making good are executed by a transport authority or a street authority or street managers.

Protection for street managers of a street which is prospectively a maintainable highway.

9. Where code-regulated works are executed in a street which is prospectively a maintainable highway, the street authority shall be under obligation to the street managers—

- (a) generally, in relation to the execution of the works and reinstatement and making good thereafter, to secure the performance by the undertakers of duties imposed on them by virtue of the two last preceding sections and the Third Schedule to this Act, and to exercise the powers vested in the authority by virtue thereof, in such manner as may be reasonably requisite for the protection of the street managers; and
- (b) in particular, to comply with any reasonable request as to securing the performance of those duties, or as to the exercise of those powers, which may be made by the street managers to the authority.

Protection for transport authorities (right to execute works and to be paid cost thereof).

10.—(1) Where works to which section three of this Act applies, other than emergency works, are to be executed in a street which is carried by or goes under a bridge vested in a transport authority, or in a street which crosses or is crossed by any other property which is held or used for the purposes of a transport undertaking, and the works involve breaking up or opening the street or tunnelling or boring under it, the transport authority may by notice given to the undertakers within the time mentioned in this subsection elect themselves to execute all or any of the following in so far as they are to be executed in that street, that is to say—

- (a) the breaking up, opening, tunnelling or boring;
- (b) any other items of the works which are of an incidental nature (as distinguished from the placing of apparatus or other principal operation in question); and
- (c) reinstatement and making good (but excluding any such reinstatement and making good as the street authority or street managers are entitled to elect to do, without the consent of the undertakers, under the Third Schedule to this Act, unless the transport authority are themselves the street authority or the street

managers entitled so to elect, or the street authority or the street managers entitled so to elect consent to the election of the transport authority under this subsection);

and, where notice of such an election is duly given, the undertakers shall not execute any of the works or reinstatement and making good specified therein, but the transport authority shall execute such works or reinstatement and making good, and the undertakers shall pay to the authority an amount equal to the cost reasonably incurred by the authority of the execution thereof:

Provided that the matters to which this subsection is to apply by virtue of such a notice may be varied by agreement between the transport authority and the undertakers.

A notice of such an election must be given not later than—

- (i) in a case in which the plan and section of the works are settled without recourse to arbitration, the expiration of twenty-nine days (or, if the works relate only to a service pipe or service line or an overhead telegraphic line, eight days) from the date on which the plan and section were submitted to the transport authority, or
- (ii) in a case in which the plan and section are settled by arbitration, the expiration of fifteen days from the date of the award.

(2) If it appears to a transport authority to whom a plan and section of works to which section three of this Act applies in such a street as is mentioned in subsection (1) of this section are submitted under subsection (1) of the said section three, or are furnished under subsection (3) thereof, that the undertakers' works render any other works necessary either—

- (a) for preserving the stability of a bridge vested in the authority for the purposes of such a weight as it is then capable of carrying, or
- (b) otherwise for securing that the state or circumstances of property held or used for the purposes of their undertaking shall not become other than is requisite having regard to the purposes for which it is intended or used,

whether consisting only of works to be executed on the occasion of the execution of the undertakers' works or comprising both works to be executed then and subsequent works of maintenance, and—

- (i) the authority give to the undertakers, within twenty-nine days from the date on which the plan and section were submitted or furnished to the authority, a notice specifying works which they claim to be so rendered necessary, or, if the plan and section fall to be settled by arbitration, claim in the proceedings for the settlement thereof that any works are so rendered necessary, and

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- (ii) the undertakers agree, or it is determined by arbitration, that any works are so rendered necessary,

the undertakers shall pay to the authority an amount equal to the cost reasonably incurred by the authority of executing those works or any of them.

Where it has been agreed or determined that works are rendered necessary as aforesaid by works of the undertakers not yet executed, the undertakers shall not execute any of their works so as to interfere with the execution of the works so agreed or determined, and the transport authority shall execute the works so agreed or determined (so far as they are to be executed on the occasion of the execution of the undertakers' works) as soon as is reasonably practicable after the agreement or determination has been made.

(3) If undertakers execute any works or reinstatement and making good in contravention of either of the two preceding subsections, the transport authority may, in so far as the nature of what has been done permits and is such as to render such action necessary, undo what has been done and do again any of it that consists of such things as are mentioned in paragraphs (a) to (c) of subsection (1) of this section, and the undertakers shall pay to the authority an amount equal to the cost reasonably incurred by them of so doing.

(4) If a transport authority fail to execute works or reinstatement and making good in accordance with an obligation to which they are subject by virtue of subsection (1) or (2) of this section, they shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding ten pounds in respect of each day of such failure.

(5) Where a transport authority execute works or reinstatement and making good pursuant to an election under subsection (1) of this section, or under subsection (3) of this section, they shall be subject to all obligations and liabilities imposed by sections seven and eight of this Act, sections twelve and thirteen thereof, and section twenty-six thereof to which the undertakers would have been subject if the works or reinstatement and making good had been executed by them, and any cost reasonably incurred by the authority of doing things necessary for the discharge of any of those obligations and liabilities shall be treated for the purposes of subsection (1) or (3) of this section as part of the cost of the works or reinstatement and making good in question except in the case of a liability arising by reason of a default on the part of the authority:

Provided that—

- (a) subsection (2) of section seven (as to the obligation of undertakers to reinstate and make good) shall not apply to the authority unless they have elected to

reinstate and make good, and in that case paragraph (c) of that subsection shall not apply unless the election extends to reinstatement and making good at upper levels ;

- (b) paragraph (a) of subsection (1) of section eight (as to fencing, guarding and lighting) and paragraph (b) of that subsection (as to traffic signs) shall apply to the authority only where they do the initial breaking up or opening of a street, and in that case shall cease to apply to them as soon as the undertakers begin any of the works which they are to do, and paragraphs (c) to (e) of that subsection (as to obstruction and like matters) shall apply to the authority, to the exclusion of the undertakers' obligation thereunder, during and in connection with what the authority do but to no further extent ; and
- (c) the authority shall not be subject to the liability imposed by subsection (6) of section twenty-six to pay compensation in respect of damage caused by the execution of works lawfully, and the undertakers shall be subject to that liability notwithstanding that the works are executed by the authority.

11.—(1) Undertakers executing any code-regulated works in a street which crosses or is crossed by, or is in the vicinity of, a railway, dock, harbour, pier, canal or inland navigation, shall comply with any reasonable requirements made to them by the authority having the management thereof for providing against the displaying of lights so as to involve risk of their being mistaken for any signal light or other light used for controlling, directing or securing the safety of traffic thereon or being a hindrance to the ready interpretation of any such signal or other light.

Protection for
transport
authorities
(special
precautions in
execution of
certain works).

(2) Undertakers executing any code-regulated works at a crossing of a railway on the level shall comply with any reasonable requirements as to the arrangements for executing the works, in respect of hours of work or in any other respect, which are made to them by the authority having the management of the railway undertaking for securing the safety of persons employed in connection with the works or for securing that interference with traffic on the railway caused by the execution thereof is reduced so far as is practicable ; and, in the case of any such works of which seven or three days' notice to the authority is required under section six of this Act but submission to them of a plan and section is not required, the undertakers shall defer beginning them for such further period as the authority may reasonably request as needed for formulating their requirements or making their traffic arrangements.

PART I
—cont.

(3) If undertakers fail to satisfy an obligation to which they are subject by virtue of either of the preceding subsections, they shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding fifty pounds.

Protection
for sewer
authorities.

12.—(1) If it appears to a sewer authority concerned to whom a plan and section of works in a street are submitted under subsection (1) of section three of this Act, or are furnished under subsection (3) thereof, or who are parties to the settlement of a plan and section of works in controlled land, that the undertakers' works render any other works necessary for making proper provision for drainage for which a public sewer of the authority is then used, and—

- (a) in the case of works in a street the authority give to the undertakers, within twenty-nine days from the date on which the plan and section were submitted or furnished to them, a notice specifying works which they claim to be so rendered necessary, or, in the case of works in a street the plan and section whereof fall to be settled by arbitration or of works in controlled land, claim in the proceedings for the settlement of the plan and section that any works are so rendered necessary, and
- (b) the undertakers agree, or it is determined by arbitration, that any works are so rendered necessary,

the undertakers shall execute those works at such time and in such manner in relation to their works as may be needed for securing the purposes of the works so rendered necessary, and in respect of any failure so to do they shall be liable on summary conviction to a fine not exceeding fifty pounds:

Provided that this subsection shall be subject to the provisions of subsection (4) of this section (as to election by the sewer authority to execute works themselves).

(2) Undertakers executing any code-regulated works which include breaking up or opening a public sewer, or any works rendered necessary as mentioned in the preceding subsection, shall afford to the sewer authority reasonable facilities for supervising the execution of the breaking up or opening, or of the works so rendered necessary, as the case may be.

(3) Undertakers executing any code-regulated works which include breaking up or opening a public sewer shall be under obligation to reinstate it and make it good:

Provided that this subsection shall be subject to the provisions of subsection (4) of this section (as to election by the sewer authority to execute works themselves).

If undertakers fail to carry out reinstatement and making good in accordance with an obligation to which they are subject by virtue of this subsection, the sewer authority may themselves carry it out.

PART I
—cont.

(4) Where code-regulated works include the breaking up or opening of a public sewer, the sewer authority may, by notice given to the undertakers as mentioned in this subsection, elect themselves to execute all or any of the following, that is to say—

- (a) the breaking up or opening of the sewer,
- (b) reinstatement and making good thereof, and
- (c) works rendered necessary as mentioned in subsection (1) of this section,

and, where notice of such an election is duly given, the undertakers shall not execute any of the works or reinstatement and making good specified therein, but the sewer authority shall execute them or it:

Provided that the matters to which this subsection is to apply by virtue of such a notice may be varied by agreement between the sewer authority and the undertakers.

A notice of such an election shall be deemed to have been duly given as to works of a kind mentioned in paragraph (a), (b) or (c) of this subsection if the sewer authority had given notice to the undertakers of their desire that the provisions of this subsection should have effect in the case of all works of that kind to be executed in relation to any public sewer of theirs, but in any other case a notice of such an election must be given—

- (i) as regards breaking up or opening, or reinstatement and making good, in a case in which the plan and section of the undertakers' works are settled without recourse to arbitration, not later than twenty-nine days from the date on which the plan and section were submitted to the authority ;
- (ii) as regards breaking up or opening, or reinstatement and making good, in a case in which the plan and section are settled by arbitration, not later than the expiration of fifteen days from the date of the award ;
- (iii) as regards works rendered necessary as mentioned in subsection (1) of this section, at the time of the sewer authority's claiming them to be so rendered necessary by the notice or in the proceedings mentioned in that subsection.

(5) The undertakers shall pay to the sewer authority an amount equal to the cost reasonably incurred by the authority of supervision by them for which the undertakers are required by subsection (2) of this section to afford facilities, or of carrying

PART I
—cont.

out reinstatement and making good under subsection (3) thereof, or of executing any works or carrying out any reinstatement and making good pursuant to an election under subsection (4) thereof.

Protection for managers of sewers, drains or tunnels not being public sewers.

13.—(1) Undertakers executing any code-regulated works which include breaking up or opening a sewer, drain or tunnel not being a public sewer shall be under obligation to reinstate it and make it good.

If undertakers fail to carry out reinstatement and making good in accordance with an obligation to which they are subject by virtue of this subsection, the authority, body or person having the control or management of the sewer, drain or tunnel may themselves carry it out, and the undertakers shall pay to them or him an amount equal to the cost reasonably incurred by them or him of carrying it out.

(2) The provisions of section twenty-six of this Act as to obligations of undertakers executing works in a street or in controlled land in relation to apparatus of other undertakers (therein referred to as owning undertakers) shall have effect in relation to sewers, drains and tunnels not being public sewers and to authorities, bodies and persons having the management or control thereof, as those provisions have effect in relation to apparatus of owning undertakers and to those undertakers.

Provision as to default in removing apparatus placed temporarily.

14. Where there is placed in a street other than a maintainable highway apparatus required only in connection with the doing of building or other work on land adjacent to the street and the placing thereof is a code-regulated work, if the apparatus is not removed on completion of the building or other work in question, the street authority or street managers may give the undertakers notice requiring them to remove it, and if it is not removed within eight days from the giving of such a notice, the authority or managers may remove it and the undertakers shall pay to the authority or managers an amount equal to the cost reasonably incurred by them of its removal and disposal and of reinstating and making good the street after its removal.

Transition to the street works code and exclusion of other regulative provisions

Time for taking effect of the street works code, and exclusion of other statutory provisions.

15.—(1) The provisions of this section shall have effect—

(a) for fixing the time from which the street works code is to have effect in relation to any power to which section one of this Act applies; and

(b) for rendering enactments other than the street works code not applicable in relation to any such power so far as concerns the relations between the undertakers

and authorities, bodies and persons concerned as mentioned in paragraph (a) of subsection (1) of section one of this Act in respect of matters as to which provision is made by the street works code or matters of a like nature.

In this section references to the relations aforesaid, being confined to matters as to which provision is made by the street works code or matters of a like nature, shall not be construed as including any reference to rights or obligations as to the obtaining of consents for the execution of works or for any other purpose.

(2) The street works code shall have effect in relation to a power to which section one of this Act applies from the following time, that is to say—

- (a) in the case of a power created before the passing of this Act or within six months therefrom, other than one whose exercise is regulated (so far as concerns the relations aforesaid) immediately before the expiration of the said six months wholly or in part by special legislation, from the expiration of the said six months, subject to the provisions of subsection (4) of this section as to works then in hand ;
- (b) in the case of a power so created whose exercise is regulated as aforesaid, from such time, not being earlier than the expiration of six months from the passing of this Act, as the Minister may by order appoint, subject to the provisions of subsection (4) of this section as to works then in hand ;
- (c) in the case of a power created after the expiration of the said six months, from the time of its creation.

The power to make orders for the purposes of paragraph (b) of this subsection shall be exercisable by statutory instrument, which shall be subject to annulment in pursuance of a resolution of either House of Parliament, and different times may be appointed thereunder in relation to different powers or classes of powers.

(3) Subject to the provisions of subsection (4) of this section as to works in hand, no enactment passed or made before the passing of this Act, and, unless the contrary intention appears therein, no enactment passed thereafter, whether being a public general enactment or a special enactment, shall extend to the regulation of the exercise of a power to which section one of this Act applies (so far as concerns the relations aforesaid) after the time from which the street works code is to have effect in relation to the power, and accordingly—

- (a) the provisions specified in the Fifth Schedule to this Act as being consequential on the street works code (being

PART
—cont.

provisions for the express modification of public general enactments therein specified in accordance with the preceding general provisions of this subsection) shall have effect from the expiration of six months from the passing of this Act, so however that the said provisions of that Schedule shall not apply for the purposes of the operation of any of those enactments as incorporated or applied in or by a special enactment in relation to such a power as is mentioned in paragraph (b) of subsection (2) of this section ; and

- (b) paragraph 1 of the Sixth Schedule to this Act shall have effect as to making provision for the express modification, in accordance with the preceding general provisions of this subsection, of special enactments and of public general enactments for the purposes of their operation as incorporated or applied as aforesaid.

(4) The preceding provisions of this section shall not affect the regulation of the exercise of any such power as is mentioned in paragraph (a) or (b) of subsection (2) of this section as to works which were in hand immediately before the expiration of six months from the passing of this Act, or before the appointed time, as the case may be, but as to such works the exercise of the power shall be regulated as concerns the relations aforesaid by the enactments by which it would have been regulated as concerns those relations apart from this Part of this Act and by those enactments as then in force, and works shall be treated for the purposes of this section as having been in hand then if a plan and section of the works had then been submitted, or any other action requisite thereunder had then been taken in relation to the works, under provisions of those enactments which regulated the exercise of the power as concerns the relations aforesaid, but not otherwise.

(5) Paragraph 2 of the Sixth Schedule to this Act shall have effect as to certain protective provisions affected by the operation of subsections (2) and (3) of this section.

(6) Any Act passed before the passing of this Act which authorises the making of provision by order, scheme, regulations or otherwise for regulating the exercise of a power to which section one of this Act applies shall on the passing of this Act cease to have effect in so far as it authorises such provision to be made as concerns the relations aforesaid for any period after the time from which the street works code is to have effect in relation to the power, and Acts passed after the passing of this Act shall be construed as not authorising any such provision to be so made unless the contrary intention appears therein.

16. An agreement, whether made before or after the passing of this Act, which makes provision for regulating in any respect the exercise of a power to which section one of this Act applies as regards the relations between the undertakers and any authority, body or person concerned as mentioned in paragraph (a) of subsection (1) of section one of this Act shall be of no effect in relation to code-regulated works in so far as its effect apart from this section would be inconsistent with any of the provisions of the street works code:

PART I
—cont.
Agreements inconsistent with the street works code to be invalid.

Provided that this section shall not affect the operation of—

- (a) any agreement in so far as it relates to reinstatement or making good, or
- (b) any agreement for the waiver or variation of a right conferred on any authority, body or person by any of the said provisions, if the agreement is made after the right has accrued and is not inconsistent with the future operation of any of the said provisions.

Provisions relating to code-regulated works : consents, liability of undertakers for damage, etc., and minor amendments

17.—(1) Undertakers may, without obtaining any consent to which this subsection applies, execute in a maintainable highway any code-regulated works which they would be entitled to execute therein with that consent, other than—

Exclusion or restriction of requirements of consent as to certain code-regulated works.

- (a) works above the surface level of the highway ; and
- (b) in the case of undertakers in relation to whom limits of supply are prescribed, works outside their limits of supply.

This subsection applies to any consent of any of the following authorities, bodies and persons which apart from this subsection they or he would have been entitled in the following capacity to require the undertakers to obtain, that is to say any consent—

- (i) of the highway authority as such, or
- (ii) of any transport authority, or any bridge authority or managers, who are an authority or managers concerned within the meaning of the street works code, in the capacity which renders them an authority or managers so concerned,

except a consent under section four or section six of the Special Roads Act, 1949, and except that, as regards a consent as to which an order under paragraph 3 of the Sixth Schedule to this Act has effect, this subsection shall have effect subject to the provisions of the order.

(2) All enactments passed or made before the passing of this Act which require the obtaining of consents which the preceding subsection renders not requisite, whether being public general

PART I
—cont.

enactments or special enactments, shall cease to have effect in so far as they so require, and no enactment passed after the passing of this Act shall be construed as requiring the obtaining of any such consent unless the contrary intention appears therein, and accordingly—

(a) the provisions specified in the Fifth Schedule to this Act as being consequential on this section (being provisions for the express modification of public general enactments therein specified in accordance with the preceding general provisions of this subsection) shall have effect as regards code-regulated works, so however that the said provisions of that Schedule shall not apply for the purposes of the operation of any of those enactments as incorporated or applied in or by a special enactment with any modification; and

(b) paragraph 1 of the Sixth Schedule to this Act shall have effect as to making provision for the express modification, in accordance with the preceding general provisions of this subsection, of special enactments and of public general enactments for the purposes of their operation as incorporated or applied as aforesaid.

(3) Subject to any order under paragraph 4 of the Sixth Schedule to this Act, a provision made by way of condition imposed on the giving of a consent for the execution of code-regulated works shall be of no effect in so far as it would have been so by virtue of the last preceding section or of section twenty-five of this Act if it had been made by an agreement.

(4) The fact that a street authority have given, as to works proposed to be executed in a street, a consent requisite on the basis of their being executed in the street shall not prejudice the right conferred on the authority by subsection (1) of section five of this Act (as to disapproving or modifying a plan and section on the ground that works ought to be executed in controlled land).

(5) A consent obtained for the purposes of section twenty-one of the Electricity (Supply) Act, 1919, to the placing of an electric line of which a plan and section have been the subject of a declaration by an arbitrator under subsection (7) of section four of this Act shall be deemed to extend to the placing of any such line of which another plan and section are submitted in exercise of the right in that behalf reserved to the undertakers by that subsection.

Liabilities of
undertakers
to street
and bridge
authorities or
managers.

18.—(1) If by the execution lawfully of code-regulated works in a street damage is caused to property of the street authority or street managers in the street, or, in the case of such works in a street which is carried by or goes under a bridge, to the bridge, the undertakers shall pay compensation to the street authority or managers, or to the bridge authority or managers,

equal to the expense reasonably incurred by them of making good the damage to that property or to the bridge, as the case may be:

PART I
—cont.

Provided that undertakers shall not be liable by virtue of this subsection in respect of any damage if it would not have been sustained but for misconduct or negligence on the part of the authority or managers or their contractors or any person in the employ of the authority or managers or their contractors.

(2) If any nuisance is caused—

- (a) by the execution of code-regulated works, or
- (b) by explosion, ignition or discharge of, or any other event occurring to, gas, electricity, water or any other thing required for the purposes of a supply or service afforded by any undertakers which at the time of or immediately before the event in question was in apparatus of those undertakers the placing or maintenance of which was or is a code-regulated work, or which had been in such apparatus before the time of that event and had escaped therefrom in circumstances which contributed to its occurrence,

nothing in the enactment which confers the relevant power to which section one of this Act applies or in any enactment which regulates the exercise of that power, and, if the works or the apparatus, as the case may be, are in controlled land, nothing in the relevant authorisation given under the First Schedule to this Act, shall exonerate the undertakers from any action or other proceeding at the suit either—

- (i) of the street authority or street managers, or
- (ii) if the works or the apparatus, as the case may be, are in a street which is carried by or goes under a bridge, of the bridge authority or managers.

(3) The preceding provisions of this section shall not confer any rights on a transport authority (as to whom the provisions of the next succeeding section shall have effect to the exclusion of the preceding provisions of this section).

(4) Subject to the provisions of section thirty-two of this Act the preceding provisions of this section shall not exonerate undertakers from any liability to which they are subject apart from the preceding provisions of this section, whether to a street authority or street managers, to a bridge authority or managers or to any other person.

19.—(1) If either—

- (a) by the execution of code-regulated works in a street which is carried by or goes under a bridge vested in a transport authority or which crosses or is crossed by other property held or used for the purposes of a transport undertaking, or

Liabilities of
undertakers
to transport
authorities.

PART I
—cont.

- (b) by any such event as is mentioned in paragraph (b) of subsection (2) of the last preceding section occurring as therein mentioned in a case in which the apparatus in question is in such a street as aforesaid,

damage is caused to the bridge or other property, or flooding or other obstruction thereof is caused, the undertakers shall indemnify the transport authority against expense reasonably incurred by them of making good the damage or removing the obstruction, and against any loss sustained by them in respect of interference with traffic resulting directly from the damage or obstruction :

Provided that undertakers shall not be liable by virtue of this subsection in respect of any damage or obstruction if it would not have been sustained or have occurred but for misconduct or negligence on the part of the authority or their contractors or any person in the employ of the authority or their contractors.

(2) Undertakers having power to maintain apparatus the maintenance of which is a code-regulated work, and which is in such a street as aforesaid, shall secure that the apparatus is maintained to the reasonable satisfaction of the transport authority and shall afford reasonable facilities to the authority for ascertaining that it is so maintained.

If the undertakers fail to give to the authority facilities which they are required by this subsection to give, the authority may execute such works as may be needed for enabling them to inspect the apparatus, including any necessary breaking up or opening of the street, and, if the undertakers fail to secure that the apparatus is maintained in accordance with this subsection, the authority may execute any emergency works rendered necessary by the failure, including as aforesaid, and the undertakers shall pay to the authority an amount equal to the cost reasonably incurred by the authority of executing any such works ; and—

- (a) subsection (5) of section ten of this Act (as to obligations and liabilities of a transport authority executing works) shall have effect in relation to any such works executed by the authority as it has effect in relation to works executed under subsection (3) of that section, but so as to include (notwithstanding anything in proviso (a) to the said subsection (5)) the obligations and liabilities as to reinstating and making good imposed by subsection (2) of section seven of this Act ;
- (b) as soon as is reasonably practicable after beginning any such works the authority shall give to each of the authorities or managers concerned within the meaning of the street works code, and, if the works are in a street which is prospectively a maintainable highway,

to the street managers also, a notice stating the general nature of the works which they have executed and propose to execute.

PART I
—cont.

(3) Subject to the provisions of section thirty-two of this Act, the preceding provisions of this section shall not exonerate undertakers from any liability to which they are subject apart from the preceding provisions of this section, whether to a transport authority or to any other authority, body or person.

(4) Where undertakers are required by a transport authority to give an indemnity by virtue of subsection (1) of this section against damage within the meaning of the Law Reform (Married Women and Tortfeasors) Act, 1935, in respect of which another person would if sued by the authority be liable as a tortfeasor, but in respect of which the undertakers are not so liable, the undertakers shall have the like right to recover contribution from that other person under section six of that Act as if the undertakers had been so liable.

20.—(1) The powers conferred on the Postmaster-General by virtue of the first proviso to section twenty-one of the Telegraph Act, 1863 (which relates to placing telegraphs over, along or across buildings or land adjoining to or near a street where the consent of the body having the control of the street has been obtained to the placing by the Postmaster-General of works in the street) shall be exercisable over such buildings and land as are mentioned in that proviso on, in, adjoining to or near controlled land where an authorisation has been given under the First Schedule to this Act for the execution by him of works in the controlled land, and, in relation to any exercise of those powers as extended by this subsection, references in the said section twenty-one (and in section twenty-three of the Telegraph Act, 1863, in its operation by virtue of section two of the Telegraph (Construction) Act, 1908, as to notices in connection with the exercise of those powers) to the consent of the body having the control of the street, or to that body, shall be construed as references to the authorisation, or to the street authority.

Amendments
consequential
on enactment
of the street
works code.

(2) Sections twenty-three to twenty-nine of the Telegraph Act, 1863 (which relate to objections to the execution of certain works by the Postmaster-General in streets other than streets in urban areas) shall have effect in relation to the execution by him of code-regulated works in controlled land abutting on a street being a street to which the said section twenty-three applies (including a street therein designated as a public road), and, for the purposes of the application of those sections to works in such controlled land, the reference in the said section twenty-three to the consent of the body having the control of the street shall be

PART I
—cont.

construed as a reference to the authorisation under the First Schedule of this Act of the execution of the works in question in the controlled land.

(3) Section thirteen of the Electric Lighting Act, 1882, which imposes requirements of consent of, or notice to, the person by whom a street is repairable, shall not have effect in relation to the breaking up of a street as to which no liability to repair subsists, and in like manner any special legislation imposing any like requirement which is in any case incapable of being complied with shall not have effect in that case as concerns undertakers' works in a street.

(4) The provisions specified in the Fifth Schedule to this Act as being consequential on this section (being provisions for certain minor amendments of public general enactments consequential on the enactment of the street works code) shall have effect.

PART II

CODE TO HAVE EFFECT WHERE APPARATUS IS AFFECTED BY
ROAD, BRIDGE OR TRANSPORT WORKS*Cases in which the code in this Part of this Act is to have effect*

Cases in
which the
code in this
Part is to
have effect.

21.—(1) The two next succeeding sections and the Fourth Schedule to this Act (in this Act referred to as “the code in this Part of this Act”) shall have effect, subject to the provisions of section twenty-four of this Act as to time of operation, in cases in which undertakers' apparatus to which this section applies in a street, or in controlled land abutting on a street, is affected by—

(a) any of the following works executed for road purposes by, or on behalf of, the Minister, a county council, or the council of a borough or urban district, that is to say—

reconstruction or widening of the street,
substantial alteration of the level thereof,
provision, alteration of the position or width, or
substantial alteration of the level, of a carriage-
way, footpath, or cycle track in the street,
provision of a cattle-grid in the street or works
ancillary thereto, or
tunnelling or boring under the street ; or

(b) replacing, reconstruction or substantial alteration of a bridge which carries or goes over the street, if the street is one for the maintenance or repair of which the Minister or a council mentioned in the preceding paragraph is liable or is one which is under the control or management of a transport authority ; or

(c) substantial works (other than replacing, reconstruction or substantial alteration of a bridge) required for the purposes of a transport undertaking and executed in

property held or used for the purposes of the undertaking which the street crosses or is crossed by, if the street is one such as is mentioned in the last preceding paragraph ;

PART II
—cont.

with a view to providing a uniform code for regulating the relations between the promoting authority and the undertakers in such cases.

(2) This section applies to apparatus in a street which was placed (whether before or after the passing of this Act) in exercise of a power to which section one of this Act applies or over which such a power is exercisable, and to apparatus in controlled land which was placed in exercise of such a power together with an authorisation under the First Schedule to this Act.

(3) In this Part of this Act and in the Fourth Schedule thereto—

such works as are mentioned in paragraph (a), (b) or (c) of subsection (1) of this section are referred to respectively as “a road alteration”, “a bridge alteration” and “transport works”, and the expression “authority’s works” means such works as are mentioned in any of those paragraphs ; and

the expression “promoting authority” means for the purposes of the operation of this Part of this Act and the Fourth Schedule thereto in relation to a road alteration, to a bridge alteration or to transport works, the following respectively, that is to say the Minister or the council executing the road alteration, the bridge authority or managers (including any authority, body or person who are or is such an authority or managers by virtue of functions exercised on behalf of the Crown), or the transport authority (including as aforesaid):

Provided that this Part of this Act and Part I of the Fourth Schedule thereto shall have effect subject to the provisions of Part II of that Schedule where two or more operations each being authority’s works are executed in connection with each other on the same occasion by different authorities.

The code in this Part of this Act

22.—(1) Where in any such case as is mentioned in subsection (1) of the last preceding section the authority’s works render necessary for the purposes of the supply or service for which the undertakers’ apparatus is used the execution by the undertakers of any undertakers’ works or the taking by them of any other measures, whether consisting of a change in the position of apparatus, of works or measures for the protection of apparatus

Undertakers’ right to payment for works made necessary by, and obligation to facilitate, road etc. works.

PART II
—cont.

from damage or for preventing any undue interruption or restriction of the supply or service or of other works or measures, the promoting authority shall pay to the undertakers an amount equal to the cost reasonably incurred by the undertakers of the execution of those works or of the taking of those measures, subject however to the provisions of the next succeeding section.

(2) In any such case as is mentioned in subsection (1) of the last preceding section the promoting authority may require the undertakers to execute any undertakers' works which are necessary for the purposes of the carrying out of the authority's works with reasonable facility and which the undertakers have power to execute, and—

- (a) the undertakers shall be under obligation to execute any such undertakers' works which the promoting authority require them to execute, and, if the undertakers fail to execute them in accordance with their obligation, they shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding ten pounds in respect of each day of such failure; and
- (b) the promoting authority shall pay to the undertakers an amount equal to the cost reasonably incurred by the undertakers of the execution of those works, subject however to the provisions of the next succeeding section:

Provided that the promoting authority shall not be entitled—

- (i) to require the undertakers to remove any of their apparatus permanently from the street or controlled land in which it is; or
- (ii) to require the undertakers to remove any of their apparatus therefrom temporarily, except that, in a case in which such a removal can be arranged consistently with the maintenance of the supply or service for which the apparatus is used without undue interruption or restriction, the promoting authority may require a temporary removal of apparatus to any adjacent land in which the undertakers have power to place it, or, in the case of apparatus in a street carried by a bridge, to the side or other part of the bridge if the bridge authority or managers consent (or are themselves the promoting authority); or
- (iii) to require, otherwise than with the consent of a Minister within the meaning of that section, any lateral diversion of a line to which section twelve of the Requisitioned Land and War Works Act, 1948 (which relates to government oil pipe-lines and works accessory thereto) applies, or any such change of the site of accessory works to which that section applies as would necessitate such a diversion.

(3) Where works necessary as aforesaid are code-regulated works, the promoting authority may waive observance by the undertakers of any of the requirements of section three or six of this Act so far as they concern that authority.

PART II
—cont.

(4) The provisions of Part I of the Fourth Schedule to this Act shall have effect as to the settlement at the instance of the undertakers or of the promoting authority, as the case may be, of a specification of works or measures to be treated in operating the code in this Part of this Act as necessary for the purposes mentioned in subsection (1) of this section, or of works to be so treated as necessary for the purposes mentioned in subsection (2) thereof, and, save in so far as may be otherwise agreed between the promoting authority and the undertakers, such works and measures only as are included in a specification settled under that Schedule shall be so treated.

(5) Any question arising under proviso (ii) to subsection (2) of this section, on a requirement by a promoting authority for a temporary removal of apparatus, whether the circumstances in which such a requirement may be made exist shall be determined by arbitration.

23.—(1) Undertakers shall not be entitled to payment by virtue of the last preceding section in respect of works or measures of theirs if the authority's works in question consist only of works executed after a subsidence for reinstating and making good the area of subsidence to its level immediately before the subsidence occurred, unless the undertakers prove that the subsidence was attributable to matters for which the promoting authority were to blame.

Limitations on
undertakers' right
to payment for
works,
and county
contribution
towards such
a payment.

(2) Subsection (1) of the last preceding section or paragraph (b) of subsection (2) thereof, as the case may be, shall have effect subject to the provisions of this subsection in a case in which the following conditions as to notice of the authority's works were satisfied before the apparatus in question was placed (whether by way of an original placing or by way of renewal of other apparatus), that is to say—

(a) where the placing of the apparatus was a code-regulated work, if notice of the authority's works being intended was given by the promoting authority or predecessors of theirs within eight days from the date on which the intention to place the apparatus was signified to the authority or their predecessors by the submission of a plan and section if the placing thereof was a work to which section three of this Act applied or by notice under section six of this Act if it was not, and within twenty-nine days from that date a plan and section of the authority's works were furnished to the undertakers or their predecessors ; or

PART II
—cont.

- (b) where the placing of the apparatus was not a code-regulated work, if notice of the authority's works being intended and particulars as to their works were given by the promoting authority or predecessors of theirs to the undertakers or predecessors of theirs in accordance with provisions corresponding to this subsection of any corresponding enactment within the meaning of the next succeeding section.

In any such case the undertakers shall not be entitled to payment by virtue of the last preceding section if the authority's works were—

- (i) substantially begun within two years from the date on which the notice was given, and
 (ii) executed in accordance with the plan and section thereof furnished as mentioned in paragraph (a) of this subsection, or with the particulars thereof given as mentioned in paragraph (b) of this subsection, or without any departure therefrom materially affecting the undertakers:

Provided that the Minister may, if he considers it requisite to do so having regard to any general economic circumstances affecting such works as are mentioned in subsection (1) of section twenty-one of this Act, by order (which shall be a statutory instrument, and shall be revocable or variable by him) substitute any longer period not exceeding four years for the period of two years mentioned in paragraph (i) of this subsection, and that paragraph shall, in relation to the authority's works if they were substantially begun at a time when such an order was in force, have effect with the substitution prescribed by the order as in force at that time.

(3) If in the course of undertakers' works necessary as mentioned in the last preceding section apparatus of better type, of greater dimensions or of greater capacity is placed in substitution for existing apparatus of worse type, of smaller dimensions or of smaller capacity, or apparatus (whether existing apparatus or apparatus substituted for existing apparatus) is placed at a depth greater than the depth at which the existing apparatus was, and the placing of apparatus of that type, dimensions or capacity, or the placing of apparatus at that depth, as the case may be, had not been specified as so necessary in a specification of the works settled under Part I of the Fourth Schedule to this Act or agreed so to be by the promoting authority, then—

- (a) if it involves cost in the execution of the undertakers' works exceeding that which would have been involved if the apparatus placed had been of the existing type, dimensions or capacity, or at the existing depth, as the case may be, the amount which apart

from this subsection would be payable to the undertakers in respect of their works by virtue of the last preceding section shall be reduced by the amount of that excess; and

- (b) if it involves cost in the execution of the authority's works exceeding that which would have been involved in that case, the undertakers shall pay to the promoting authority an amount equal to that excess.

For the purposes of this subsection—

- (i) an extension of apparatus to a length greater than the length of existing apparatus shall not be treated as a placing of apparatus of greater dimensions than those of the existing apparatus;
- (ii) where the provision of a joint in a cable is specified or agreed as necessary, the consequential provision of a jointing chamber or of a manhole shall be treated as if it also had been so specified or agreed.

(4) An amount which apart from this subsection would be payable to undertakers in respect of works of theirs by virtue of the last preceding section (and having regard, where relevant, to the last preceding subsection) shall, if the works include the placing of apparatus by way of renewal of apparatus placed more than seven-and-a-half years earlier so as to confer on the undertakers any financial benefit by deferment of the time for renewal of the apparatus in the ordinary course, be reduced by the amount which represents that benefit.

(5) Any question arising under either of the two last preceding subsections shall, in default of agreement between the promoting authority and the undertakers, be determined by arbitration.

(6) An amount payable to undertakers by virtue of the last preceding section by reference to a road alteration of or in a highway being a county road for the maintenance and repair whereof the council of a non-county borough or of an urban district are responsible in pursuance of section thirty-two of the Local Government Act, 1929, shall, for the purposes of section thirty-three of that Act (which provides for contributions by the county council, under paragraphs (a) and (b) respectively of subsection (1) thereof, towards the cost of maintenance and repair and any reasonable improvement connected with maintenance and repair, and, in the cases and to the extent mentioned in the said paragraph (b), towards expenses of improvement not being expenses in connection with maintenance and repair), be deemed to be part of such cost as aforesaid, or of such expenses as aforesaid, according as the alteration is treated for the purposes of the said section thirty-three as falling within paragraph (a) or within paragraph (b) of subsection (1) thereof.

PART II
—cont.

Time for taking effect of the code in this Part, and exclusion of other statutory provisions.

Transition to the code in this Part of this Act and exclusion of other regulative provisions

24.—(1) The code in this Part of this Act shall have effect, in such a case as is mentioned in subsection (1) of section twenty-one of this Act, if the authority's works were substantially begun after, but not if they were so begun before, the following time, that is to say—

- (a) the expiration of six months from the passing of this Act unless some corresponding enactment within the meaning of this section, being special legislation making provision in respect of that case, was then in force ; or
- (b) such time, not being earlier than the expiration of six months from the passing of this Act, as the Minister may by order appoint (if the preceding paragraph does not apply by reason of there being some such corresponding enactment as therein mentioned in force at the expiration of the said six months).

The references in this section to a corresponding enactment are to any enactment in so far as it makes provision extending to any such case as is mentioned in subsection (1) of section twenty-one of this Act for regulating in any respect the relations between the promoting authority and the undertakers, whether by enabling the promoting authority to execute undertakers' works in relation to apparatus affected by the authority's works, by enabling them to require the undertakers to execute any such works, by rendering them liable for the expense of such works, or otherwise howsoever.

(2) No corresponding enactment passed or made before the passing of this Act, and, unless the contrary intention appears therein, no corresponding enactment passed thereafter, whether being a public general enactment or a special enactment, shall have effect in a case in which the code in this Part of this Act is to have effect, and accordingly—

- (a) the provisions specified in the Fifth Schedule to this Act as being consequential on the said code (being provisions for the express modification of public general enactments therein specified in accordance with the preceding general provisions of this subsection) shall have effect as from the expiration of six months from the passing of this Act, so however that the said provisions of that Schedule shall not apply for the purposes of the operation of any of those enactments in relation to any authority's works begun before the expiration of the said six months or for the purposes of the operation of any of those enactments as incorporated or applied in or by a special enactment in a case falling within paragraph (b) of the preceding subsection ; and
- (b) paragraph 1 of the Sixth Schedule to this Act shall have effect as to making provision for the express modifica-

tion, in accordance with the preceding general provisions of this subsection, of special enactments and of public general enactments for the purposes of their operation as incorporated or applied as aforesaid.

PART II
—cont.

(3) Paragraph 2 of the Sixth Schedule to this Act shall have effect as to certain protective provisions affected by the operation of subsections (1) and (2) of this section.

(4) The power conferred on the Minister by paragraph (b) of subsection (1) of this section shall be exercisable by statutory instrument which shall be subject to annulment in pursuance of a resolution of either House of Parliament, and different times may be appointed thereunder in relation to different cases, or cases in respect of which provision is made by different corresponding enactments or other different classes of cases.

25. An agreement, whether made before or after the passing of this Act, which makes provision extending to such a case as is mentioned in subsection (1) of section twenty-one of this Act for regulating in any respect the relations between the promoting authority and the undertakers shall be of no effect in a case in which the code in this Part of this Act has effect, in so far as the effect of the agreement apart from this section would be inconsistent with any provision of that code:

Agreements inconsistent with the code in this Part to be invalid.

Provided that this section shall not affect the operation of any agreement for the waiver or variation of a right conferred on any authority, body or person by the said code if the agreement is made after the right has accrued and is not inconsistent with the future operation of that code.

PART III

MISCELLANEOUS

Requirements as to undertakers' works which are likely to affect other undertakers' apparatus

26.—(1) The following provisions of this section shall have effect as to obligations of undertakers executing works to which this section applies (in this section referred to as “operating undertakers”) in relation to apparatus to which this section applies of undertakers other than the operating undertakers (in this section referred to as “owning undertakers”).

Requirements as to undertakers' works which are likely to affect other undertakers' apparatus.

The works to which this section applies are any undertakers' works (other than works for purposes of a railway undertaking) executed in a street or in controlled land in exercise of a statutory power or of such a power together with an authorisation given under the First Schedule to this Act, other than works which have been substantially begun before the expiration of six months from the passing of this Act; and the apparatus to which this section applies is any apparatus of undertakers (other than apparatus held or used for the purposes of a railway undertaking)

PART III
—cont.

in a street or in controlled land, being apparatus maintainable under a statutory power or under such a power together with an authorisation given under the First Schedule to this Act.

(2) Operating undertakers shall not begin any works to which this section applies which are likely to affect apparatus to which this section applies of owning undertakers (other than works relating only to a service pipe or service line or an overhead telegraphic line, in this section referred to as "excepted works") until they have given to the owning undertakers notice of their intention to execute undertakers' works, indicating the nature of the works and the place where they intend to execute them, and three days have expired from the date on which the notice was given:

Provided that operating undertakers may begin any such works as aforesaid being emergency works without giving such notice as aforesaid, but as soon as is reasonably practicable after doing so they shall give notice to the owning undertakers stating the reason for their having done so.

(3) Operating undertakers shall, during the execution of works to which this section applies which are likely to affect apparatus to which this section applies of owning undertakers (other than excepted works), give to the owning undertakers reasonable facilities for supervising the execution of the works.

(4) Operating undertakers shall comply with the following requirements as to works to which this section applies, that is to say—

- (a) in the case of works other than excepted works, they shall comply with any requirement as to the nature of the works, or as to things to be done or avoided in the execution thereof, which is made by owning undertakers and compliance with which is reasonably necessary for the protection of apparatus to which this section applies of the owning undertakers or for securing access thereto and is reasonably practicable having regard to the time when the requirement is made;
- (b) without prejudice to the generality of the preceding paragraph, they shall where the works include tunnelling or boring under apparatus to which this section applies of owning undertakers, secure that there is proper temporary support for the apparatus during the execution of the works and that a proper permanent foundation is provided therefor;
- (c) without prejudice to the generality of paragraph (a) of this subsection, they shall, where the works include the laying of an electric line crossing or near apparatus to which this section applies of owning undertakers, secure that it is effectively insulated and is so laid as not to be capable of touching such apparatus, and shall

secure that such apparatus is not used as a conductor for electric current transmitted by the line laid.

PART III
—cont.

(5) In the case of emergency works operating undertakers shall be treated as having complied with the requirements of the two last preceding subsections if they have taken all such steps towards satisfying those requirements as it was reasonably practicable for them to take consistently with meeting the circumstances for which those works were required.

(6) Operating undertakers shall pay to owning undertakers compensation equal to the expense reasonably incurred by the owning undertakers of making good damage to apparatus of theirs to which this section applies which is caused by the execution lawfully of works to which this section applies of the operating undertakers, or by failure of the operating undertakers to comply with any requirement of subsection (4) of this section :

Provided that operating undertakers shall not be liable by virtue of this subsection in respect of any damage if it would not have been sustained but for misconduct or negligence on the part of the owning undertakers or their contractors or any person in the employ of the owning undertakers or their contractors

(7) Obligations and liabilities imposed on operating undertakers by the preceding provisions of this section shall be in addition to, and not in substitution for, obligations and liabilities to which they are subject apart from those provisions, but subject as regards the last preceding subsection to the provisions of section thirty-two of this Act.

(8) Without prejudice to any liability under subsection (6) of this section, undertakers who fail to comply with any requirement of subsection (2), (3) or (4) of this section shall be liable in respect of each such failure on summary conviction to a fine not exceeding fifty pounds, unless they prove that the failure was attributable to their not knowing of the existence, or not knowing of the position, of the apparatus of the owning undertakers in question, and that their ignorance thereof was not due to any negligence on their part or to any failure to make some inquiry which they ought reasonably to have made.

Provisions relating to closing of roads for works

27.—(1) In subsection (1) of section forty-seven of the Road Traffic Act, 1930 (which empowers the authority responsible for the maintenance thereof to restrict or prohibit the use of a road or part of a road by vehicles where they are satisfied that traffic on the road should be restricted or prohibited by reason of works of repair or reconstruction being required or being in progress on the road), for the words “works of repair or reconstruction being required or being in progress”, there shall be substituted the words “any works being executed or proposed to be executed”.

Power to prohibit or restrict traffic on ground of execution of works, and liability of undertakers for cost of use of alternative route.

PART III
—cont.

(5) Subsection (1) of this section shall not apply to breaking up or opening a highway being a street to which section four of the London Traffic Act, 1924, applies.

(6) If undertakers break up or open a highway in any case in which it is unlawful by virtue of subsection (1) of this section for them so to do—

(a) they shall pay to the highway authority an amount equal to any cost reasonably incurred by the authority of reinstating and making good the highway; and

(b) without prejudice to their liability under the preceding paragraph, they shall be liable on summary conviction to a fine not exceeding fifty pounds.

(7) In so far as any failure of undertakers to satisfy an obligation to which they are subject by virtue of any enactment is attributable to the prohibition by this section of breaking up or opening for which the undertakers have duly sought the consent of the highway authority and for which consent has been withheld and has been determined to have been reasonably withheld, the failure shall not be treated as a contravention of that enactment.

Storage of equipment at side of road

Storage of
equipment at
side of road.

29.—(1) The street authority shall not be liable in respect of any damage to apparatus to which this section applies which is caused by storage by the authority after the expiration of six months from the passing of this Act, in connection with the execution of works for road purposes, of any plant, equipment, or materials on any part of the street other than a carriageway, cycle track or footpath or on the controlled land.

(2) This section applies to apparatus in a street that is a maintainable highway, or is prospectively a maintainable highway, being apparatus placed (whether before or after the passing of this Act) in exercise of a power to which section one of this Act applies or over which such a power is exercisable, and to apparatus in controlled land placed in exercise of such a power together with an authorisation under the First Schedule to this Act.

(3) This section shall have effect subject to any agreement between a street authority and undertakers to whom apparatus belongs.

PART IV

GENERAL

Provisions as to enforcement, and other general provisions

Provisions as
to enforcement.

30.—(1) Any provision of this Act creating a liability to a fine for breach of any obligation shall be without prejudice to any liability in civil proceedings for that breach.

(2) Proceedings for the enforcement of any provision of this Act creating a liability to a fine for breach of any obligation shall not, without the written consent of the Attorney General, be taken by any person other than an authority, body or person having an interest in the performance of the obligation.

(3) The provisions of this Act creating a liability to a fine for breach of any obligation shall not apply to any obligation in so far as it falls to be performed by any authority, body or person on behalf of the Crown.

(4) Any obligation imposed by this Act to execute works (including an obligation to carry out reinstatement and making good) shall be treated as an obligation to begin the works as soon as is reasonably practicable after the time when the obligation arises and thereafter to carry on and complete them with all such dispatch as is reasonably practicable; and, if a failure to execute works in accordance with such an obligation is continued after conviction of the authority, body or person who are or is subject thereto of an offence in respect of the failure, they or he shall be guilty of a further offence.

31.—(1) Any matter which under this Act is to be determined by arbitration shall be referred to the arbitration of a single arbitrator appointed by agreement between the parties concerned, or, in default of agreement, by the President of the Institution of Civil Engineers. Arbitration.

(2) Where, on a claim under any provision of this Act which confers in any circumstances a right to payment of an amount equal to cost reasonably incurred in respect of any matter, any question arises whether the cost in respect of which the claim is made was in fact incurred or was incurred in those circumstances or in respect of that matter, or as to the amount of any cost so incurred, or whether any cost so incurred was reasonably incurred, that question shall be determined by arbitration:

Provided that this subsection shall not apply to a claim under the provisions as to compensation or indemnity of section eighteen, nineteen or twenty-six of this Act.

32.—(1) Where a right to a payment inuring for the benefit of any authority, body or person is conferred in respect of any matter by any provision of this Act for payment of compensation or for indemnity, and apart from this subsection there would fall to be made under any enactment or agreement passed or made before the passing of this Act a payment inuring for the benefit of the same authority, body or person in respect of the same matter, the right to the former payment in so far as it inures for the benefit of that authority, body or person shall be treated as being in or towards satisfaction of the right to the latter in so far as it inures for their or his benefit. Provisions against duplication of compensation, etc.

PART III
—cont.

(2) Where by reason of undertakers' works (other than works for purposes of a railway undertaking or a tramway undertaking) the use of a road is restricted or prohibited under the said section forty-seven or under any other enactment, and the traffic restricted or prohibited uses as an alternative route a road of a lower classification, the authority, body or person executing the works shall pay to the highway authority (if the latter road is a maintainable highway) or to the street managers (if it is not) an amount equal to any cost reasonably incurred by the authority or managers of—

- (a) strengthening the latter road, in so far as the strengthening is done with a view to, and is necessary for, the use thereof by the traffic in question ; or
- (b) making good any damage to the latter road occurring in consequence of the use thereof by the traffic in question.

(3) For the purposes of the last preceding subsection the order of classification of roads, from higher to lower, shall be taken to be the following, that is to say, trunk roads, classified roads (in the order of the Classes I, II and III respectively subsisting at the passing of this Act, or, if other classes are constituted thereafter, in such order as the Minister may declare), and roads being neither trunk roads nor classified roads.

(4) This section shall come into operation at the expiration of six months from the passing of this Act.

Restriction on breaking up by undertakers of maintainable highways recently closed or re-surfaced.

28.—(1) Subject to the provisions of this section, a statutory power of undertakers to break up or open a maintainable highway which comprises a carriageway, being a power conferred for any purpose other than road purposes or purposes of a railway undertaking or a tramway undertaking, shall not be exercisable in the highway during the twelve months following either—

- (a) the end of any period during which the use by vehicles of the carriageway has been prohibited, or the width thereof available for vehicular traffic has been reduced to less than two-thirds of its width, for the purposes of the execution of works for road purposes or of such works and other works, or
- (b) the completion of a re-surfacing extending to one-third or more of the width of the carriageway,

if the following conditions are satisfied, that is to say—

- (i) that the highway authority had given to the undertakers, after the passing of this Act and more than three months before the date on which the works for road purposes, or the re-surfacing works, as the case may be, were substantially begun, a notice stating that works for

road purposes, or re-surfacing works, relevant for the purposes of this section were in prospect and specifying a date intended for beginning them ; and

- (ii) that the works for road purposes, or the re-surfacing works, as the case may be, were substantially begun on, or within one month from, the date so specified or, if any undertakers' works were in progress in the highway on that date, within one month from the completion of those undertakers' works or, in either case, within some extended period agreed between the highway authority and the undertakers for the purposes of the operation of this subsection in relation to the works for road purposes, or the re-surfacing works, as the case may be.

(2) The preceding subsection shall not apply to breaking up or opening for the purposes of emergency works.

(3) Subsection (1) of this section shall not apply to breaking up or opening a part of the highway other than the carriageway for the purposes of—

- (a) works relating only to a service pipe or service line or an overhead telegraphic line or an overhead electric line, but, in the case of a placing of a service pipe or a service line, only if it is for affording a supply or service to premises to which it is not already afforded ;
or

- (b) works required for satisfaction by the undertakers of an obligation of theirs created by an enactment, or created by an agreement made before the giving of the notice referred to in subsection (1) of this section, which it is not reasonably practicable for them to satisfy without the breaking up or opening in question.

(4) Subsection (1) of this section shall not apply to breaking up or opening done with the consent of the highway authority, and a consent for the purposes of this subsection shall not be unreasonably withheld.

Any question arising under this subsection whether the withholding of a consent is unreasonable shall be determined by the Minister and the Minister of the Crown in charge of the Department concerned with the purposes for which the power to break up or open is conferred acting jointly (any question which is the Department so concerned being determined by the Treasury), and a determination of the said Ministers shall not be impugned on the ground that either of them is himself the highway authority or the authority by whom the power is exercisable.

PART III
—cont.

(5) Subsection (1) of this section shall not apply to breaking up or opening a highway being a street to which section four of the London Traffic Act, 1924, applies.

(6) If undertakers break up or open a highway in any case in which it is unlawful by virtue of subsection (1) of this section for them so to do—

- (a) they shall pay to the highway authority an amount equal to any cost reasonably incurred by the authority of reinstating and making good the highway; and
- (b) without prejudice to their liability under the preceding paragraph, they shall be liable on summary conviction to a fine not exceeding fifty pounds.

(7) In so far as any failure of undertakers to satisfy an obligation to which they are subject by virtue of any enactment is attributable to the prohibition by this section of breaking up or opening for which the undertakers have duly sought the consent of the highway authority and for which consent has been withheld and has been determined to have been reasonably withheld, the failure shall not be treated as a contravention of that enactment.

Storage of equipment at side of road

Storage of
equipment at
side of road.

29.—(1) The street authority shall not be liable in respect of any damage to apparatus to which this section applies which is caused by storage by the authority after the expiration of six months from the passing of this Act, in connection with the execution of works for road purposes, of any plant, equipment, or materials on any part of the street other than a carriageway, cycle track or footpath or on the controlled land.

(2) This section applies to apparatus in a street that is a maintainable highway, or is prospectively a maintainable highway, being apparatus placed (whether before or after the passing of this Act) in exercise of a power to which section one of this Act applies or over which such a power is exercisable, and to apparatus in controlled land placed in exercise of such a power together with an authorisation under the First Schedule to this Act.

(3) This section shall have effect subject to any agreement between a street authority and undertakers to whom apparatus belongs.

PART IV
GENERAL*Provisions as to enforcement, and other general provisions*

Provisions as
to enforcement.

30.—(1) Any provision of this Act creating a liability to a fine for breach of any obligation shall be without prejudice to any liability in civil proceedings for that breach.

(2) Proceedings for the enforcement of any provision of this Act creating a liability to a fine for breach of any obligation shall not, without the written consent of the Attorney General, be taken by any person other than an authority, body or person having an interest in the performance of the obligation.

(3) The provisions of this Act creating a liability to a fine for breach of any obligation shall not apply to any obligation in so far as it falls to be performed by any authority, body or person on behalf of the Crown.

(4) Any obligation imposed by this Act to execute works (including an obligation to carry out reinstatement and making good) shall be treated as an obligation to begin the works as soon as is reasonably practicable after the time when the obligation arises and thereafter to carry on and complete them with all such dispatch as is reasonably practicable; and, if a failure to execute works in accordance with such an obligation is continued after conviction of the authority, body or person who are or is subject thereto of an offence in respect of the failure, they or he shall be guilty of a further offence.

31.—(1) Any matter which under this Act is to be determined by arbitration shall be referred to the arbitration of a single arbitrator appointed by agreement between the parties concerned, or, in default of agreement, by the President of the Institution of Civil Engineers. Arbitration.

(2) Where, on a claim under any provision of this Act which confers in any circumstances a right to payment of an amount equal to cost reasonably incurred in respect of any matter, any question arises whether the cost in respect of which the claim is made was in fact incurred or was incurred in those circumstances or in respect of that matter, or as to the amount of any cost so incurred, or whether any cost so incurred was reasonably incurred, that question shall be determined by arbitration:

Provided that this subsection shall not apply to a claim under the provisions as to compensation or indemnity of section eighteen, nineteen or twenty-six of this Act.

32.—(1) Where a right to a payment inuring for the benefit of any authority, body or person is conferred in respect of any matter by any provision of this Act for payment of compensation or for indemnity, and apart from this subsection there would fall to be made under any enactment or agreement passed or made before the passing of this Act a payment inuring for the benefit of the same authority, body or person in respect of the same matter, the right to the former payment in so far as it inures for the benefit of that authority, body or person shall be treated as being in or towards satisfaction of the right to the latter in so far as it inures for their or his benefit. Provisions against duplication of compensation, etc.

PART IV
—*cont.*

In this subsection the expression “bank holiday” means a day which is, or is to be observed as, a bank holiday, or a holiday, under the Bank Holidays Act, 1871, or the Holidays Extension Act, 1875, in the locality in which the street in question is situated.

*Application to London and to Scotland***Application
to London.**

35.—(1) This Act in its application to London, and to the Metropolitan and the City of London police districts, shall have effect subject to the provisions of the Seventh Schedule to this Act.

(2) In this Act “London” means the administrative county of London, and “the City of London police district” means the City of London as defined for the purposes of the Acts relating to the City police.

**Application
to Scotland.**

36.—(1) The provisions of this section shall have effect for the purpose of the application of this Act to Scotland.

(2) The expression “appropriate local authority” means, in relation to any street, the county or town council who are responsible for the management and maintenance of the street or who would be so responsible if the street became a maintainable highway; the expression “public sewer” means a sewer vested in a local authority; any reference to a sewer, drain or tunnel shall include a reference to a cellar or vault, and the expression “sewer authority concerned” shall be construed accordingly; for any reference to a private sewer or a drain within the meaning of the Public Health Act, 1936, there shall be substituted a reference to a sewer or a drain which is not vested in a local authority; for any reference to the council of a borough there shall be substituted a reference to a town council; for any reference to the council of an urban district there shall be substituted a reference to a district council; and for any reference to the register of local land charges there shall be substituted a reference to the register kept by a local authority under the Second Schedule to this Act as modified by subsection (9) of this section.

(3) Section one of this Act shall have effect as if for paragraph (a) of subsection (4) the following paragraph were substituted:—

“(a) the expression ‘maintainable highway’ means a highway managed and maintained by the Minister or by a county or town council; and”.

(4) Section nineteen of this Act shall have effect as if for references to liability as a tortfeasor and to section six of the

Law Reform (Married Women and Tortfeasors) Act, 1935, and to damage within the meaning of that Act, there were respectively substituted references to liability in respect of a wrongful act or negligent act or omission and to section three of the Law Reform (Miscellaneous Provisions) (Scotland) Act, 1940, and to loss or damage within the meaning of that Act.

PART IV
—*cont.*

(5) Section twenty-three of this Act shall have effect as if subsection (6) thereof were omitted.

(6) Section thirty of this Act shall have effect as if subsection (2) thereof were omitted.

(7) Section thirty-one of this Act shall have effect as if for any reference to the President of the Institution of Civil Engineers there were substituted a reference to the sheriff, and in any arbitration in accordance with the provisions of subsection (1) of that section, the arbitrator may, and, if so directed by the Court of Session, shall, state a case for the decision of that Court on any question of law arising in the arbitration, and the decision of that Court thereon shall be final unless the Court of Session or the House of Lords give leave to appeal to the House of Lords against the decision, which leave may be given on such terms as to expenses or otherwise as the Court of Session or the House of Lords may determine.

(8) The First Schedule to this Act shall have effect as if—

(i) for head (c) of sub-paragraph (1) of paragraph 1 there were substituted the following:—

“ (c) lies between the boundary of the highway and any such line as is mentioned in section one hundred and fifty-eight of the Burgh Police (Scotland) Act, 1892, or in any similar provision of a special enactment ”;

(ii) after head (c) of the said sub-paragraph (1) there were added the following:—

“ or (d) is by virtue of an agreement capable of being immediately used by the street authority for road purposes ”;

(iii) for the reference in sub-paragraph (1) of paragraph 6 to the Lands Tribunal there were substituted a reference to the Lands Tribunal for Scotland ; and

(iv) there were inserted at the end of the said sub-paragraph the following proviso:—

“ Provided that until sections one to three of the Lands Tribunal Act, 1949, come into force as regards Scotland, this sub-paragraph shall have effect as if for the reference to the Lands Tribunal for Scotland there were substituted a reference to an official

PART IV
—*cont.*

arbitrer appointed under the Acquisition of Land (Assessment of Compensation) Act, 1919, and sections three, five and six of that Act (which relate respectively to procedure, costs and the statement of special cases) shall apply for the purposes of this sub-paragraph but with the substitution in the said section five for the references to the acquiring authority of references to the street authority.”

(9) The Second Schedule to this Act shall have effect as if—

(i) for paragraph 2 there were substituted the following paragraph:—

“ 2. The appropriate local authority shall keep a register and shall, in such manner as may be prescribed by the Secretary of State, cause to be entered in the register particulars of every declaration made by the authority under this Schedule and keep the register open to public inspection and allow any person to make a copy of any entry therein”; and

(ii) paragraphs 3 and 4 were omitted.

(10) In any modification made by the Fifth Schedule to this Act in any other enactment the expression “highway repairable by the inhabitants at large” means a highway managed and maintained by the Minister or by a county or town council.

(11) The Sixth Schedule to this Act shall have effect as if—

(i) for any reference to the Minister there were substituted a reference to the Secretary of State;

(ii) for any reference to the London Gazette there were substituted a reference to the Edinburgh Gazette; and

(iii) paragraph 8 were omitted.

(12) Any inquiry in relation to an order under the Sixth Schedule to this Act shall, if the Secretary of State so directs, be held by Commissioners under the Private Legislation Procedure (Scotland) Act, 1936; and any direction so given shall be deemed to have been given under section two as read with section ten of the Statutory Orders (Special Procedure) Act, 1945, and the provisions of that Act with regard to the publication of notices in the Edinburgh Gazette shall, notwithstanding anything contained in the said Act, not apply to any order under the said Schedule which is subject to special parliamentary procedure.

(13) Where no direction is given under the last preceding subsection, subsections (2) to (9) of section three hundred and fifty-five of the Local Government (Scotland) Act, 1947 (which relate to procedure for holding local inquiries) shall apply in relation to a local inquiry held under the Sixth Schedule to this Act as they apply in relation to inquiries held under that section.

(14) A local authority shall not be liable for any loss, injury or damage arising from the execution of any undertakers' works in any street.

PART IV
—cont.

Interpretation

37.—(1) References in this Act to a street which crosses or is crossed by property held or used for the purposes of a transport undertaking extend to cases in which the street and the property in question are at different levels as well as to cases in which they are on the same level, but the transport authority shall not be treated as an authority concerned as regards undertakers' works in such a street, or be entitled to elect themselves to execute any of them, where the property in question consists only of—

References to property held or used for transport undertakings, and to powers for railway or tramway purposes.

(a) subsoil of the street, or land under it, which is held by the transport authority but is not used, and has not been adapted for use, for the purposes of the undertaking, or

(b) property underground at such a depth that there is no reasonable possibility of the works' affecting it ;

and the Fourth Schedule to this Act (which requires notice and settling of specifications in connection with transport works which affect apparatus of undertakers) shall not apply where the property in which such works are to be executed is underground at such a depth that there is no reasonable possibility of their affecting the apparatus in question.

(2) The provisions of this Act relating to a street which crosses or is crossed by property held or used for the purposes of a transport undertaking shall apply to a street which is or forms part of a towing-path or other way running along a canal or inland navigation, being a path or way which, or the subsoil of which, is held or used for the purposes of the canal or inland navigation undertaking.

(3) References in this Act to a power conferred for purposes of a railway undertaking or a tramway undertaking include references to a power conferred primarily for those purposes but for other purposes also, and references therein to works, or to apparatus held or used, for purposes of a railway undertaking or a tramway undertaking, or for purposes of a railway undertaking, shall be construed in like manner.

38.—(1) For the purposes of this Act—

(a) a power to execute works in a place falling within the definition of a "street" in subsection (3) of section one of this Act shall be treated as included in references in this Act to a power to execute works in a street, notwithstanding that that place is referred to in the

References to powers to execute works in streets, to bridges, and to service pipes and lines.

PART IV
—cont.

enactment which creates the power by some word not comprised in that definition, and, in relation to such a power, references in this Act to a street shall be construed as references to that place ;

- (b) a power to execute works which extends both to a street and also to other land shall be treated as included in references in this Act to a power to execute works in a street in so far as it extends to a street ; and
- (c) a power to execute works which extends to the roadway and footpaths of a street, or to some other part thereof, but not to the whole thereof, shall be treated as included in references in this Act to a power to execute works in a street, and, in relation to such a power, references in this Act to the street in which it is exercisable shall be construed as references to the part to which the power extends, so however that land abutting on another part of it shall be treated for the purposes of provisions relating to controlled land as abutting on the street in which the power is exercisable.

(2) In this Act references to a bridge include references to its approaches, and circumstances therein mentioned relating to a bridge shall be treated as existing if they exist either as to the bridge or as to its approaches or as to any part of either.

(3) In this Act references to a service pipe or service line are to any such pipe or line as the following and to such only, that is to say—

- (a) a pipe or line through or by means of which a supply of gas, electricity or water is afforded or intended to be afforded to a consumer, either directly from premises from which the supply originates or from a main (that is to say, a pipe or line through or by means of which a supply thereof is afforded, or intended to be afforded, for the purposes of a general supply thereof) ;
- (b) a pipe or line through or by means of which sewerage services are afforded or intended to be afforded, and which is a private sewer or a drain within the meaning assigned to those expressions respectively by the Public Health Act, 1936 ; or
- (c) an underground telegraphic line placed or intended to be placed for the purpose of affording telegraphic communication to or from any premises, as distinguished from such a line placed or intended to be placed for general purposes of telegraphic communication :

Provided that so much of any such pipe or line as is placed, or intended to be placed, for a continuous length of one hundred yards or more in a street which is a maintainable highway, or is prospectively a maintainable highway, shall be treated as not being a service pipe or service line.

39.—(1) In this Act, except where the context otherwise requires, the following expressions have the meanings hereby assigned to them respectively, that is to say—

- “apparatus” includes any structure constructed for the lodging therein of apparatus ;
- “appropriate local authority” means, in relation to a street in a borough or urban district, the council of the borough or district, and, in relation to a street in a rural district, the county council ;
- “authority or managers concerned” has the meaning assigned to it by section two of this Act ;
- “bridge authority or managers” means the authority, body or person in whom a bridge is vested ;
- “classified road” means a road classified by the Minister under the Ministry of Transport Act, 1919 ;
- “code-regulated works” has the meaning assigned to it by section one of this Act ;
- “controlled land” has the meaning assigned to it by the First Schedule to this Act ;
- “county council” means the council of an administrative county ;
- “emergency works” means works whose execution at the time when they are executed is requisite in order to put an end to, or to prevent the arising of, circumstances then existing or imminent which are calculated to cause danger to persons or property, interruption of a supply or service afforded by undertakers or by a transport authority, or substantial loss to undertakers or to such an authority, or in order to enable undertakers to satisfy an obligation created by an enactment to afford a supply or service within a time fixed by or under the enactment ; and, in relation to works comprising items whereof some fall within the preceding definition and others do not, includes only such of them as fall within it and such others of them as cannot reasonably be severed therefrom ;
- “enactment” includes a provision of an order, scheme, regulations or other instrument, made under or confirmed by an Act ;
- “general legislation” means a public general enactment, including such an enactment as incorporated in, or applied by, a special enactment, if incorporated or applied without modification ;
- “highway authority”, in relation to a maintainable highway the right of maintenance and repair whereof is exercisable by the council of a non-county borough or

PART IV
—*cont.*

- urban district by virtue of a claim made under section thirty-two of the Local Government Act, 1929, means that council ;
- “ in ”, in a context referring to works, apparatus or other property in a street, controlled land or other place, includes a reference to works, apparatus or other property under, over, across, along or upon it, and, in a context referring to a sewer, drain or tunnel in a street, includes a reference to one thereunder ;
- “ maintainable highway ” has the meaning assigned to it by subsection (4) of section one of this Act, and references to a street that is prospectively a maintainable highway shall be construed as mentioned in that subsection ;
- “ the Minister ” means the Minister of Transport ;
- “ public general enactment ” means an enactment in an Act treated as a public general Act under the system of division of Acts adopted in the regnal year 38 George 3, other than an Act for confirming a provisional order ;
- “ public sewer ” has the meaning assigned to it by the Public Health Act, 1936, and “ sewer authority ” means the authority in whom a public sewer is vested ;
- “ railway ” includes a light railway other than one which is of the nature of a tramway, that is to say, laid mainly or exclusively along a highway and used mainly or exclusively for the carriage of passengers ;
- “ reinstatement and making good ” includes interim restoration as defined in the Third Schedule to this Act ;
- “ road purposes ” means the maintenance of a road, any purpose falling within the definition of improvement of roads in subsection (5) of section eight of the Development and Road Improvement Funds Act, 1909, the provision of a cattle-grid in a road and works ancillary thereto, and the construction of a crossing for vehicles across a footway or the strengthening or adaptation of a footway for use as a crossing for vehicles ;
- “ service pipe ” and “ service line ” have the meanings assigned to them respectively by the last preceding section ;
- “ special enactment ” means any enactment other than a public general enactment ;
- “ special legislation ” means a special enactment, and a public general enactment as incorporated in, or applied by, a special enactment, if incorporated or applied with any modification ;
- “ statutory power ” means a power conferred by any enactment, other than an enactment in this Act, whether being a public general enactment or a special enactment, and whether passed, made or coming into

operation before or after the passing of this Act, so however that works executed by a statutory corporation shall not be treated as executed in exercise of a statutory power by reason only of the corporation's having statutory authorisation in that behalf for the purposes of the law relating to the capacity of such corporations, and references in this Act to a statutory power to execute works shall be construed accordingly ;

“ street ” has (without prejudice to the provisions of subsection (1) of the last preceding section) the meaning assigned to it by section one of this Act ;

“ street authority ” and “ street managers ” have the meanings assigned to them respectively by section two of this Act ;

“ telegraphic line ” has the same meaning as it has for the purposes of the Telegraph Acts, 1863 to 1943, by virtue of the definition of that expression contained in section two of the Telegraph Act, 1878 ;

“ tramway ” includes a light railway being one which is of the nature of a tramway, that is to say, laid mainly or exclusively along a highway and used mainly or exclusively for the carriage of passengers, and includes a trolley vehicle system ;

“ transport undertaking ” means a railway, dock, harbour, pier, canal or inland navigation undertaking, being an undertaking the activities of which, or some of the activities of which, are carried on under authorisation conferred by an enactment, and “ transport authority ” means the authority, body or person having the control or management of a transport undertaking, in the capacity in which they have the control or management thereof ;

“ undertakers ” means the authority, body or person by whom a statutory power to execute undertakers' works is exercisable, in the capacity in which that power is vested in them ;

“ undertakers' works ” has the meaning assigned to it by section one of this Act.

(2) Any reference in this Act to any other enactment shall, except so far as the context otherwise requires, be construed as a reference to that enactment as amended by or under any other enactment, including an enactment in this Act.

Short title and extent

40.—(1) This Act may be cited as the Public Utilities Street Works Act, 1950. Short title
and extent.

(2) This Act shall not apply to Northern Ireland.

SCHEDULES

FIRST SCHEDULE

Sections 1, 5, 18,
20, 29, 36, 39.

DEFINITION OF "CONTROLLED LAND", AND PROVISIONS AS
TO AUTHORISATION OF WORKS THEREIN

Definition of "Controlled Land"

1.—(1) In this Act the expression "controlled land" means land abutting on a street which is a maintainable highway or is prospectively a maintainable highway (in whatsoever use the land is for the time being, not excepting use as or as part of a garden or pleasure ground or the curtilage of a building), being land which either—

- (a) belongs to the street authority and is for the time being held by them, or capable of being immediately appropriated by them, for road purposes; or
- (b) is the subject of a subsisting authorisation of compulsory acquisition by them given with a view to their holding it for road purposes; or
- (c) lies between the boundary of the street and an improvement line prescribed under section thirty-three of the Public Health Act, 1925, or under that section as applied by any other enactment, or under any corresponding provision in a special enactment.

(2) Where a piece of land which would be controlled land within the definition in the preceding sub-paragraph contains any building, structure or erection other than fences, fence-walls, gates, posts, hoardings or other similar structures or erections, the controlled land shall be treated as consisting of that piece of land exclusive of the building, structure or erection, and of strata under or above it:

Provided that the placing of a building, structure or erection in controlled land after apparatus has been placed in it by virtue of an authorisation under this Schedule shall not affect the right of the undertakers to keep the apparatus there and to execute any undertakers' works in relation thereto (including the placing of apparatus by way of renewal thereof and undertakers' works requisite therefor or incidental thereto), and references in this Act to works executed in controlled land shall extend to works executed in exercise of that right.

(3) Land falling within the definition of controlled land in this paragraph which or an interest in which is held by the Minister shall not be treated as excluded therefrom by reason of its being held by him on behalf of the Crown.

Provisions as to authorisation of execution of works in controlled land

2. The street authority for any such street as is mentioned in paragraph 1 of this Schedule wherein there is exercisable a power to execute undertakers' works of any kind (being a power to which

section one of this Act applies and in relation to which the street works code has effect) may, subject to the provisions of this Schedule, authorise the undertakers to execute works of that kind in controlled land abutting on the street instead of in the street, and such an authorisation may be given as to such works either generally or as respects a particular class of such works or as respects particular works.

1st SCH.
—cont.

3. An authorisation given under this Schedule shall be irrevocable, and, where such an authorisation has been duly given as respects any works, the undertakers shall, subject to the provisions of this Schedule, have the like power to execute the works in the controlled land, and the like rights in relation to apparatus placed in exercise of that power, as if the controlled land had been comprised in the street (and, where any consent of the street authority as such or of the street managers as such would have been requisite for the execution of the works in the street, as if that consent had been given unconditionally), and shall have power to enter upon the controlled land for the purposes of the execution of the works therein.

4. Before giving an authorisation under this Schedule the street authority shall publish in a newspaper circulating in the locality a notice of their intention to give the authorisation, and shall, not later than the day on which the notice is published, serve a like notice on every person being an owner, lessee or occupier of the controlled land or of any part thereof and having the interest of a tenant for a year or from year to year or any greater interest, and no person shall be entitled to question the power of the authority to give the authorisation, or the validity of the authorisation when given, in any proceedings commenced later than the expiration of one month from the date on which the notice was published.

5.—(1) Undertakers proposing to begin the execution of code-regulated works in controlled land shall give to the street authority, and, in the case of land in the occupation of a person other than the street authority, to him, a notice stating the general nature of the works and their intention to execute them, and shall not begin the execution thereof, except with the consent of the street authority and of any other person in occupation of the land, until there have elapsed from the date on which the notice was given—

- (a) in the case of any works not being such as are mentioned in head (b) of this sub-paragraph, seven days, or
- (b) in the case of works relating only to a service pipe or service line or an overhead telegraphic line, three days :

Provided that the undertakers may begin the execution of any of the works in question which are emergency works before the time when by virtue of the preceding provisions of this sub-paragraph they could lawfully begin them.

(2) If undertakers begin the execution of any works in contravention of the preceding sub-paragraph, they shall in respect of that contravention be liable on summary conviction to a fine not exceeding fifty pounds.

1ST SCH.
—cont.

6.—(1) In respect of—

- (a) any diminution of the value of an interest in controlled land, or in land adjacent thereto and held therewith, by the giving of an authorisation under this Schedule, or
- (b) any damage sustained by the owner of such an interest or of things in the controlled land which is caused by the execution lawfully of works therein, or by entry thereon, by virtue of such an authorisation,

the street authority giving the authorisation shall pay compensation to the owner of the interest so diminished in value, or to the owner who sustained the damage, as the case may be, any compensation for such diminution being in the form of a lump sum assessed with due regard to the right to compensation for such damage, and where any dispute arises whether compensation is payable under this paragraph, or as to the amount of any such compensation, the dispute shall be determined by the Lands Tribunal.

(2) Undertakers to whom an authorisation is given under this Schedule shall pay to the street authority the amount of any compensation which the authority are liable to pay under this paragraph as the street authority giving the authorisation, except—

- (a) where it has been determined under section five of this Act otherwise than with the agreement of the undertakers that the works in question ought to be executed in the controlled land, or the undertakers have agreed to the execution of the works therein after notification to them of modifications or disapproval of a plan and section of the works as proposed to be executed in the street on the ground that the works ought to be executed in the controlled land, in so far as the liability of the authority to make the payment is attributable to the giving of an authorisation required for the execution of those works or to the execution thereof or to entry for the purposes thereof ; or
- (b) in any other case, in so far as it appears to the street authority that it is reasonable that the ultimate incidence of the liability for any such compensation should be on them.

7.—(1) Undertakers to whom an authorisation is given under this Schedule shall pay to the street authority an amount equal to any amount by which the cost reasonably incurred by the undertakers of executing any works which are executed in controlled land pursuant to the authorisation is less by reason of their being executed therein than it would have been if they had been executed in the street.

For the purposes of this sub-paragraph, any payment made or required to be made by the undertakers to the street authority under sub-paragraph (2) of the last preceding paragraph shall be treated as part of the cost reasonably incurred by the undertakers of executing the works in the controlled land.

(2) Where it has been determined under section five of this Act otherwise than with the agreement of the undertakers that works ought to be executed in controlled land, or the undertakers have

agreed to the execution of works therein after notification to them of modifications or disapproval of a plan and section of the works as proposed to be executed in the street on the ground that the works ought to be executed in controlled land, the street authority shall pay to the undertakers an amount equal to any amount by which the cost reasonably incurred by the undertakers of the execution of those works is greater by reason of their being executed in that land than it would have been if they had been executed in the street.

(3) Any question arising under this paragraph shall, in default of agreement between the street authority and the undertakers, be determined by arbitration.

1ST SCH.
—cont.

Provision for case of controlled land ceasing to be such after authorisation of execution of works therein

8.—(1) If at any time after an authorisation has been given under this Schedule as to any controlled land the land or any part of it ceases to be within the definition of controlled land contained in paragraph 1 of this Schedule without having become part of the street, and any person being an owner, lessee or occupier of the land or of that part of it, as the case may be, not being only a tenant for a year or from year to year or for any less interest, gives notice to the undertakers that he objects to the continuance of the power and rights thereover vested in them by virtue of the authorisation, the said power and rights shall determine as to the land or to that part of it, as the case may be, at the expiration of six months from the date on which the notice was given:

Provided that (as respects any land ceasing to be controlled land under sub-paragraph (2) of paragraph 1 of this Schedule by reason of the placing of a building, structure or erection in controlled land after apparatus has been placed in it) this sub-paragraph shall have effect subject to the like saving for the right of undertakers as is contained in the proviso to the said sub-paragraph (2).

(2) The street authority shall pay to the undertakers the amount of any cost reasonably incurred by the undertakers of or in connection with any removal of apparatus rendered necessary by such a determination, and of executing any other undertakers' works or taking any other measures the execution or taking whereof is rendered necessary thereby for the purposes of the supply or service for which apparatus whose removal is rendered necessary was used.

(3) Where after apparatus has been placed in controlled land by virtue of an authorisation under this Schedule the land becomes part of the street, if any consent would have been requisite for the placing thereof had it been placed in the street immediately after that land became part thereof, the relevant power of the undertakers to which section one of this Act applies shall be exercisable in relation to the apparatus as if that consent had been given unconditionally.

SECOND SCHEDULE

DECLARATIONS DESIGNATING STREETS AS PROSPECTIVELY MAINTAINABLE HIGHWAYS

Sections 1, 36.

1. Where the appropriate local authority are satisfied as to any street in their area, whether a highway or not, which is not a maintainable highway that it is likely to become a maintainable highway, they may declare that it is likely to become such:

2ND SCH.
—cont.

Provided that such a declaration shall not be made as to a street which is under the management or control of a transport authority.

2. A declaration made under this Schedule shall be registered in the prescribed manner in the register of local land charges by the proper officer of the council of each county borough or county district in which the street or any part thereof is situated.

3. It shall be the duty of the appropriate local authority, as soon as may be after they have made a declaration under this Schedule to notify that fact to the proper officer of any authority by whom it is required to be registered as aforesaid, and to furnish to him all information relating to the declaration requisite in that behalf.

4. The power conferred by subsection (6) of section fifteen of the Land Charges Act, 1925, to make rules for giving effect to the provisions of that section shall be exercisable for giving effect to the provisions of this Schedule, and in this Schedule the expression "prescribed" means prescribed by rules made in exercise of that power.

THIRD SCHEDULE

Sections 7, 8, 9, REINSTATEMENT AND MAKING GOOD BY STREET AUTHORITY OR STREET MANAGERS AFTER EXECUTION OF UNDERTAKERS' WORKS

10.

1.—(1) In any case in which undertakers are under obligation by virtue of subsection (2) of section seven of this Act to reinstate and make good a street or controlled land after the completion of any code-regulated works involving breaking up or opening thereof, other than works relating to a service pipe or service line or an overhead telegraphic line being works such as are mentioned in paragraph (b) or (d) of subsection (2) of section three of this Act, the street authority or street managers may, by notice given to the undertakers as mentioned in the next succeeding sub-paragraph, elect to do the permanent reinstatement and making good of the street or controlled land or of any part thereof at upper levels:

Provided that the provisions of this Schedule shall not apply to a street being a highway which is not a maintainable highway and which no person is liable to the public to maintain or repair.

(2) A notice of such an election shall be deemed to have been duly given if the code-regulated works are in a street or controlled land as to which the authority or managers had given to the undertakers notice of their desire that the provisions of this Schedule should have effect in the case of all code-regulated works executed by the undertakers therein or in the case of all such works of a class specified in the notice within which the works in question fall.

In any other case, a notice of such an election shall be given without any avoidable delay on the part of the authority or managers after they know of the intention of the undertakers to execute the code-regulated works, and—

(a) where those works are executed after settlement of a plan and section thereof under section four of this Act if the works are in a street or under section five thereof if they are in controlled land, notice given after the expiration of eight days from the date on which the plan and section were settled shall not be effective; and

(b) where they are not, notice given after the undertakers have begun reinstatement or making good of any part of the street or controlled land shall not be effective as to that part thereof.

(3) If a notice of such an election is given in relation to reinstatement of a street which is prospectively a maintainable highway both by the street authority and by the street managers, the election of the authority shall have effect to the exclusion of that of the managers, and, if in relation to reinstatement of a street as to which two or more bodies or persons are street managers notice of such an election is given by two or more of them, the election of such of them as the appropriate local authority may determine shall have effect to the exclusion of that of any of the others.

2.—(1) In case of such an election as aforesaid, the following provisions of this Schedule shall have effect as to so much of the street or controlled land as the election extends to.

(2) In the said provisions, in relation to a street or controlled land that has been opened or broken up—

“interim restoration” means all such works as are requisite for securing that it does not remain open or broken up for any longer time than is reasonably necessary, and that its state during the period before it is permanently reinstated and made good at surface level is not such as to be likely to cause danger ;

“permanent reinstatement and making good” means any works of reinstatement and making good executed on any occasion otherwise than with a view to their being superseded by further works to be executed shortly thereafter ; and

“surface level” means what was the surface level before the opening or breaking up.

3. The undertakers shall be under obligation (in accordance with the provisions of subsection (2) of section seven of this Act as to the time for the discharge of that obligation and otherwise) to execute the following reinstatement and making good, and no other, that is to say—

(a) interim restoration at any place during the period between the time when their obligation under the said subsection (2) to begin reinstatement and making good there arises and the time when they are given notice under paragraph 5 of this Schedule that the electing authority or managers are about to begin their permanent reinstatement and making good there ; and

(b) such of the permanent reinstatement and making good as is not within the obligation of the electing authority or managers under the next succeeding paragraph.

4.—(1) The electing authority or managers shall be under obligation (in accordance with the provisions of paragraph 5 of this Schedule as to the time for discharge of that obligation) to execute the permanent reinstatement and making good at surface level, and at lower levels so far as may be requisite for securing that the street or controlled land is permanently reinstated and made good at the surface level :

3RD SCH.
—cont.

Provided that they shall not be under any obligation, and shall not have any power, to execute any of the permanent reinstatement and making good within twelve inches above apparatus of the undertakers, or, if and in so far as the electing authority or managers and the undertakers agree to the substitution of another measure for the said twelve inches for the purposes of this proviso, within that measure above such apparatus.

(2) During the period between the time when the electing authority or managers give notice under paragraph 5 of this Schedule that they are about to begin their permanent reinstatement and making good at any place and the time of the completion thereof there, they shall be under obligation to execute interim restoration there.

(3) The undertakers shall pay to the electing authority or managers an amount equal to the cost reasonably incurred by them in the discharge of their obligations under the preceding sub-paragraphs.

(4) The electing authority or managers shall be entitled, if and so far as may be requisite for the discharge of their obligation under sub-paragraph (1) of this paragraph as to permanent reinstatement and making good, to undo and do again reinstatement and making good previously executed by the undertakers, and the cost thereof reasonably incurred by the electing authority or managers shall be included in the amount payable to them under the last preceding sub-paragraph.

5.—(1) The electing authority or managers shall begin their permanent reinstatement and making good at any place as soon as is prudent and practicable after the time when the undertakers are to be treated under the next succeeding sub-paragraph as having completed their works there and such of the permanent reinstatement and making good there as they are under obligation to execute.

(2) When—

- (a) the undertakers have completed at any place their works and such of the permanent reinstatement and making good there as they are under obligation to execute ; and
- (b) if any notice under subsection (4) of section seven of this Act requiring the undertakers to remedy any defect in what they have done there has been given, the proceedings consequent on the notice and any works which they are under obligation to execute by virtue thereof have been completed,

the undertakers shall give notice of the completion thereof to each of the authorities concerned who are entitled to give a notice under the said subsection (4), and on the giving by the undertakers of their notice they shall be treated for the purposes of this paragraph as having completed their works there and such of the permanent reinstatement and making good there as they are under obligation to execute, if either—

- (i) no notice under the said subsection (4) (or, if there has already been any such, no further such notice) is given by any such authority within the following time from the giving of the undertakers' notice, that is to say eight days in the case of such an authority being a Minister of the Crown, a county council or a transport authority, or four days in the case of any other such authority ; or

(ii) any notice under the said subsection (4) so given (or every such notice if more than one) is withdrawn or is determined by arbitration not to be justified.

3RD SCH.
—cont.

(3) When the electing authority or managers are about to begin their permanent reinstatement and making good at any place they shall give notice to the undertakers that they are about to begin it.

6.—(1) The duty to secure observance of the requirements of paragraphs (a) to (e) of subsection (1) of section eight of this Act (as to safety, obstruction and other matters) shall, as regards the observance thereof during and in connection with the execution of reinstatement and making good at any place, be on the undertakers until the electing authority or managers have given notice under the last preceding paragraph that they are about to begin their permanent reinstatement and making good there, but shall then devolve on the electing authority or managers.

(2) The undertakers shall pay to the electing authority or managers an amount equal to the cost reasonably incurred by them of performing duties devolving on them under this paragraph.

7. Nothing in this Schedule shall affect the provisions of section twelve of this Act or of subsection (1) of section thirteen thereof as to the reinstatement and making good of sewers, drains and tunnels.

FOURTH SCHEDULE

Sections 21, 22,
23, 37.

SUPPLEMENTARY PROVISIONS OF THE CODE IN PART II OF THIS ACT

PART I

SETTLEMENT OF SPECIFICATION OF WORKS AND MEASURES TO BE TREATED AS RENDERED NECESSARY UNDER THE CODE IN PART II

1.—(1) The provisions of Part I of this Schedule shall have effect as to settling a specification of undertakers' works or measures which are to be treated at the instance of undertakers or of a promoting authority as necessary as mentioned in section twenty-two of this Act.

(2) In this Schedule the expression "relevant apparatus" means apparatus such as is mentioned in section twenty-one of this Act which is in the street in question or in controlled land abutting on it.

Settlement of specification at the instance of the undertakers

2.—(1) Where the execution of any authority's works is intended, the promoting authority shall give notice of the intention to execute them, stating that the notice is given for the purposes of this Schedule, together with, in the case of a road alteration, a statement of the nature and mode of execution of the authority's works, or, in the case of a bridge alteration or of transport works, a plan and section of the authority's works—

- (a) to all undertakers whom the authority know to have relevant apparatus, and
- (b) to any undertakers having relevant apparatus who have not been given a notice by virtue of head (a) of this sub-paragraph and who give notice to the authority that they have such apparatus not later than the expiration of fifteen days from the date on which the authority's works are begun.

4TH SCH.
—cont.

(2) In the case of a road alteration, if it appears to any such undertakers that a plan and section of the authority's works or any of them ought to be furnished to them, they shall, as early as practicable and not later than the expiration of fifteen days from the date of the giving to them of the authority's notice under the preceding sub-paragraph, give notice to the authority requiring them to furnish a plan and section thereof.

3. If any undertakers entitled to notice from the authority under the last preceding paragraph desire to claim that any undertakers' works or any measures are necessary for the purposes mentioned in subsection (1) of section twenty-two of this Act as respects relevant apparatus of theirs, they shall, as early as practicable and not later than the expiration of twenty-nine days from the date of the giving to them of the authority's notice under the last preceding paragraph (or, in the case of a road alteration as to which they have duly required a plan and section to be furnished to them, from the date on which they are furnished therewith), give notice to the authority, specifying the undertakers' works and the measures which the undertakers claim to be so necessary.

4. When any undertakers entitled as aforesaid have duly given a notice under the last preceding paragraph, the authority shall give notice to the undertakers without avoidable delay either accepting the undertakers' notice as a specification of works and measures to be treated at the instance of the undertakers as necessary for the purposes aforesaid as respects relevant apparatus of theirs, or objecting to it, and—

- (a) if the authority do not so give notice within twenty-nine days from the date on which the undertakers' notice was given, the authority shall be deemed to have accepted it as aforesaid ;
- (b) if the authority do so give notice objecting to the undertaker's notice, such a specification may be settled by agreement between the authority and the undertakers, or, in default of agreement, the undertakers or the authority may refer the matter to arbitration and the arbitrator shall (unless he determines that none of the works or measures claimed ought to be so treated) settle a specification of the works and measures to be so treated.

5. Except as regards emergency works, the authority's works shall not be begun (or, if they have been begun before the giving by the undertakers of a notice under head (b) of sub-paragraph (1) of paragraph 2 of this Schedule, they shall not be continued thereafter) until—

- (a) in the case of all undertakers entitled to notice from the authority under paragraph 2 of this Schedule who have duly given a notice under paragraph 3 thereof, such a specification as aforesaid has been settled as aforesaid, or it has been agreed or determined that none of the works or measures claimed ought to be treated as aforesaid, and
- (b) any undertakers so entitled who have not given a notice under paragraph 3 of this Schedule are under the preceding provisions of this Schedule out of time for giving it.

6. If any authority's works, other than emergency works, are begun without the authority's having previously given a notice under paragraph 2 of this Schedule to undertakers whom the authority know, or ought reasonably to have known, to have relevant apparatus, the authority shall pay to those undertakers an amount equal to any loss sustained by them by reason of the failure of the authority so to give such a notice to those undertakers.

4TH SCH.
—cont.

Settlement of specification at the instance of the promoting authority

7.—(1) If a promoting authority desire to claim that any undertakers' works are necessary for the purposes mentioned in subsection (2) of section twenty-two of this Act as respects relevant apparatus of any undertakers, the authority may give notice to the undertakers specifying the works which the authority claim to be so necessary.

(2) When the promoting authority have given a notice under the preceding sub-paragraph, the provisions relating to undertakers' works of paragraph 4 of this Schedule shall have effect with requisite adaptations as to the settlement of a specification of works to be treated at the instance of the authority as necessary for the purposes aforesaid as respects apparatus of the undertakers.

(3) The promoting authority shall use their best endeavours to secure that any notice to be given by them to any undertakers under sub-paragraph (1) of this paragraph shall be given early enough to enable the requisite specification to be settled in the same proceedings as any specification to be settled under the said paragraph 4 at the instance of those undertakers in relation to the same authority's works.

PART II

MODIFICATIONS OF THE CODE IN PART II OF THIS ACT TO APPLY WHERE TWO OR MORE OPERATIONS BEING AUTHORITY'S WORKS ARE EXECUTED ON THE SAME OCCASION

8.—(1) Where two or more operations each being authority's works are executed in connection with each other on the same occasion by different authorities, those operations shall be treated for the purposes of sections twenty-two to twenty-five of this Act and Part I of this Schedule as together constituting the authority's works.

(2) In relation to authority's works constituted by such operations as aforesaid, the obligations and rights of a promoting authority under the said sections and Part I of this Schedule to or against the undertakers shall be in one only of the authorities executing the operations in question (hereinafter referred to as the negotiating authority), and the negotiating authority shall be such one of them as may be selected by agreement between them, or, in default of agreement—

- (a) if a road alteration is included and is not one executed only because it is made necessary by another of the operations, the authority executing the road alteration, or

4TH SCH.
—cont.

(b) otherwise, the authority executing the other operation, or, if the operations include or consist of two or more other operations, such one of the authorities executing them as the Minister may select,

and a notice under paragraph 2 of this Schedule shall not be given until the negotiating authority has been selected, and a notice given thereunder shall state what authority is to be the negotiating authority.

9.—(1) In relation to authority's works constituted by such operations as aforesaid references to the promoting authority in sections twenty-two to twenty-five of this Act and in Part I of this Schedule shall (except in the case of those mentioned in the succeeding subparagraph) be construed as references to the negotiating authority.

(2) In relation to such authority's works references in the following provisions to the promoting authority shall be construed as references to either or any of the authorities executing the operations in question, that is to say—

subsection (3) of section twenty-two (as to a promoting authority's power to waive observance of the requirements therein mentioned);

subsection (1) of section twenty-three (as to the effect on the undertakers' right to payment for works for remedying subsidence in circumstances in which such an authority were to blame); and

sections twenty-four and twenty-five (as to the effect of enactments and agreements for regulating the relations between such an authority and the undertakers).

10. The authorities executing such operations as aforesaid may, notwithstanding anything in the two preceding paragraphs, make provision by agreement as to the discharge and exercise of the obligations and rights which are in the negotiating authority thereunder, as to how expenses and receipts arising from the discharge and exercise thereof are to be ultimately allocated between them, or otherwise in relation thereto, and in default of agreement as to any of those matters, it shall be determined by arbitration on a reference by either or any of those authorities:

Provided that nothing in any such agreement or determination shall, except with the consent of the undertakers, affect the right conferred on them by virtue of those paragraphs to deal with the negotiating authority only.

11. Subsection (2) of section twenty-three of this Act (as to excluding the right of undertakers to payment under section twenty-two of this Act where conditions as to notice of authority's works are satisfied) shall not have effect as to authority's works constituted by such operations as aforesaid, but the undertakers shall not be entitled to any payment by virtue of section twenty-two of this Act by reference to such authority's works so far as consisting of any operation included therein if their right thereto would have been excluded by that subsection had that operation been the only one executed.

FIFTH SCHEDULE

CONSEQUENTIAL MODIFICATIONS OF PUBLIC GENERAL ENACTMENTS Sections 15, 17
20, 24, 36.

The modifications specified in this Schedule have effect subject to the limitations specified in the following provisions of this Act:—

- (i) As to modifications consequential on the street works code—Paragraph (a) of subsection (3) of section fifteen and subsection (4) of that section.
- (ii) As to modifications consequential on section seventeen of this Act—Paragraph (a) of subsection (2) of that section.
- (iii) As to modifications consequential on the code in Part II of this Act—Paragraph (a) of subsection (2) of section twenty-four.

Modifications	Provision of this Act on which modification is consequential
<p><i>The Gasworks Clauses Act, 1847 (10 & 11 Vict. c. 15), as incorporated with the Electric Lighting Act, 1882 (45 & 46 Vict. c. 56) by section twelve of that Act.</i></p> <p>In section six, the words “under such superintendence as is hereinafter specified” shall be omitted.</p> <p>Sections eight to twelve shall cease to have effect</p>	<p>The street works code.</p> <p>The street works code.</p>
<p><i>The Waterworks Clauses Act, 1847 (10 & 11 Vict. c. 17).</i></p> <p>In section twenty-eight, the words “under such superintendence as is hereinafter specified” shall be omitted.</p> <p>Sections thirty to thirty-four shall cease to have effect.</p>	<p>The street works code.</p> <p>The street works code.</p>
<p><i>The Towns Improvement Clauses Act, 1847 (10 & 11 Vict. c. 34).</i></p> <p>Section sixty-one shall cease to have effect so far as it relates to the alteration, for the purpose of authority’s works as defined in Part II of this Act, of the position of any pipes or other works.</p>	<p>The code in Part II.</p>
<p><i>The Metropolis Management Act, 1855 (18 & 19 Vict. c. 120).</i></p> <p>Section ninety-eight shall cease to have effect so far as it relates to the alteration, for the purpose of authority’s works as defined in Part II of this Act, of the position of any apparatus to which section twenty-one of this Act applies.</p> <p>In section one hundred and nine, the words from the beginning of the section to “notice as aforesaid to the said vestry or district board” shall cease to have effect as to code-regulated works.</p>	<p>The code in Part II.</p> <p>The street works code.</p>

5TH SCH.
—cont.

Modifications	Provision of this Act on which modification is consequential
<p><i>The Metropolis Management Act, 1855 (18 & 19 Vict. c. 120)</i>—cont.</p> <p>In section one hundred and nine, the words from “ and no such pavement, soil or surface shall be broken up ” to the words “ without the consent in writing of the said vestry or district board ”, and the words from “ Provided always ” to the end of the section, shall cease to have effect.</p> <p>Sections one hundred and ten and one hundred and eleven shall cease to have effect as to code-regulated works.</p> <p>In section one hundred and twelve, the words “ and cause the ground to be well and sufficiently filled in and rammed down, and the said pavement to be relaid and repaired ” shall cease to have effect as to code-regulated works.</p> <p>In section one hundred and thirteen, there shall be added at the end thereof the following subsection:—</p> <p>“(2) Where by virtue of this section any works are executed by the said last mentioned company, being code-regulated works within the meaning of the Public Utilities Street Works Act, 1950, that company shall be subject, in lieu of the company to whom the original notice under the last foregoing section was given, to the obligations as to reinstatement and making good imposed by subsection (2) of section seven of the said Public Utilities Street Works Act, 1950, on the said company to whom the original notice was given.”</p>	<p>Section seventeen.</p> <p>The street works code.</p> <p>The street works code.</p> <p>Section twenty.</p>
<p><i>The Metropolis Gas Act, 1860 (23 & 24 Vict. c. 125).</i></p> <p>In section fifty-four, the words from “ Provided that ” to the end of the section shall cease to have effect.</p>	<p>Section seventeen.</p>
<p><i>Telegraph Act, 1863 (26 & 27 Vict. c. 112).</i></p> <p>In section nine, after the words “ any street ” there shall be inserted the words “ (not being a highway repairable by the inhabitants at large) ”.</p> <p>Section ten shall cease to have effect</p> <p>Section fifteen shall cease to have effect</p> <p>Sections seventeen to twenty shall cease to have effect.</p> <p>In section thirty, in paragraph (2), for the words “ within fourteen days ”, in both places where those words occur, there shall be substituted the words “ within a reasonable time ”.</p> <p>In section thirty-one, in paragraph (2), for the words “ within one month ” there shall be substituted the words “ within a reasonable time ”.</p>	<p>Section seventeen.</p> <p>Section seventeen.</p> <p>The street works code. The code in Part II. The street works code.</p> <p>Section twenty.</p> <p>Section twenty.</p>

Modifications	Provision of this Act on which modification is consequential	5TH SCH. —cont.
<p><i>Telegraph Act, 1863 (26 & 27 Vict. c. 112)</i>—cont. Section thirty-three shall cease to have effect so far as it relates to the removal, for the purpose of authority's works as defined in Part II of this Act, of any telegraph or other work in a street or in controlled land.</p>	The code in Part II.	
<p><i>The Public Health Act, 1875 (38 & 39 Vict. c. 55)</i>. Section one hundred and fifty-three shall cease to have effect so far as it relates to the alteration, for the purpose of authority's works as defined in Part II of this Act, of the situation of pipes or other works.</p>	The code in Part II.	
<p><i>The Telegraph Act, 1878 (41 & 42 Vict. c. 76)</i>. In section six, the words " but shall not interfere with the traffic along or user of the undertaking ", and paragraphs (1) and (2), shall cease to have effect as to code-regulated works.</p>	The street works code.	
<p><i>The Electric Lighting Act, 1882 (45 & 46 Vict. c. 56)</i>. In section thirteen, for the words " such local authority " there shall be substituted the words " the inhabitants at large ".</p>	Section seventeen.	
<p>Section fifteen shall cease to have effect so far as it relates to the alteration, for the purposes of authority's works as defined in Part II of this Act, of the position of any electric lines or other works in a street or in controlled land.</p>	The code in Part II.	
<p>Section sixteen shall cease to have effect so far as it relates to the removal, for the purpose of authority's works as defined in Part II of this Act, of any works in a street or in controlled land.</p>	The code in Part II.	
<p><i>The Local Government Act, 1888 (51 & 52 Vict. c. 41)</i>. In section eleven, in subsection (12), the words from " but if the road " to the end of the subsection shall cease to have effect.</p>	The street works code.	
<p><i>The Burgh Police (Scotland) Act, 1892 (55 & 56 Vict. c. 55)</i>. Section one hundred and forty-nine shall cease to have effect so far as it relates to the alteration, for the purpose of authority's works as defined in Part II of this Act, of the situation of pipes or other works.</p>	The code in Part II.	
<p><i>The Public Health (Scotland) Act, 1897 (60 & 61 Vict. c. 38)</i>. Section one hundred and seven shall cease to have effect as to code-regulated works in such a street as is mentioned in subsection (1) of section ten of this Act.</p>	The street works code	

5TH SCH.
—cont.

Modifications	Provision of this Act on which modification is consequential
<p><i>The Schedule to the Electric Lighting (Clauses) Act, 1899 (62 & 63 Vict. c. 19).</i> In section twelve, for the words "local authority" there shall be substituted the words "inhabitants at large". Section fourteen shall cease to have effect so far as it requires a notice and plan of works to be served on a local authority within the meaning of that Schedule or on a county council. Section fifteen shall cease to have effect as to code-regulated works. Section sixteen shall cease to have effect so far as it relates to works which if executed by the undertakers would be code-regulated works. Section seventeen shall cease to have effect so far as it relates to the alteration, for the purpose of authority's works as defined in Part II of this Act, of the position of any electric lines or other works in a street or in controlled land.</p>	<p>Section seventeen. The street works code. The street works code. The street works code. The code in Part II.</p>
<p><i>The Telegraph (Construction) Act, 1911 (1 & 2 Geo. 5. c. 39).</i> In section one, in paragraph (2), sub-paragraph (a) shall cease to have effect as to code-regulated works. In section one, in paragraph (2), sub-paragraph (d) shall cease to have effect so far as it relates to the removal or alteration, for the purpose of authority's works as defined in Part II of this Act, of any telegraphic lines in a street or in controlled land.</p>	<p>The street works code. The code in Part II.</p>
<p><i>The Telegraph (Construction) Act, 1916 (6 & 7 Geo. 5. c. 40).</i> Section four shall cease to have effect as to code-regulated works.</p>	<p>The street works code.</p>
<p><i>The Electricity (Supply) Act, 1926 (16 & 17 Geo. 5. c. 51).</i> In section thirty-five, in subsection (1), paragraph (b) shall cease to have effect.</p>	<p>The code in Part II.</p>
<p><i>The Petroleum Production Act, 1934 (24 & 25 Geo. 5. c. 36).</i> In section three, in subsection (1), the words "and thirty to thirty-four" shall be omitted.</p>	<p>The street works code.</p>
<p><i>The Public Health Act, 1936 (26 Geo. 5 & 1 Edw. 8 c. 49).</i> In section two hundred and seventy-nine, the proviso to subsection (2), and subsection (3), shall cease to have effect.</p>	<p>The street works code</p>

Modifications	Provision of this Act on which modification is consequential	5TH SCH. —cont.
<p><i>The Water Act, 1945 (8 & 9 Geo. 6. c. 42).</i> In section twelve, in subsection (5), after the words “ Parts V and VI of the Third Schedule to this Act ” there shall be inserted the words “ and the street works code in the Public Utilities Street Works Act, 1950 ”.</p>	Section twenty.	
<p>In section twenty-two, in subsection (3), there shall be added at the end thereof the words:— “ Provided that the consent of the highway authority shall not be required by virtue of this subsection for the carrying by any undertakers of any drain, sewer or watercourse under any street maintainable at the public expense which is within the limits of supply of those undertakers ”.</p>	Section seventeen.	
<p>In the Third Schedule, in section five, in subsection (1), for the words “ except with the consent of the local authority and the highway authority concerned and in accordance with such conditions as either of those authorities may attach to their consent ” there shall be substituted the words:— “ (a) in any highway maintainable at the public expense which is within the limits of supply of those undertakers, except with the consent of the local authority concerned, if that authority is not the highway authority for that highway; (b) on or over such a highway, or in, on or over any other highway or any other land, except with the consent of the local authority and highway authority concerned, and, in either case, except in accordance with such conditions as the authority or authorities aforesaid may attach to their consent ”.</p>	Section seventeen.	
<p>In the Third Schedule, in section five, subsection (2) shall cease to have effect so far as it relates to the removal, for the purpose of authority’s works as defined in Part II of this Act, of apparatus in a street or in controlled land.</p>	The code in Part II.	
<p>In the Third Schedule, sections twenty-three and twenty-four shall cease to have effect.</p>	The street works code.	
<p>In the Third Schedule, in section twenty-five, in subsection (1), after the words “ street or bridge ” there shall be inserted the words “ (not being a street or bridge maintainable at the public expense) ”.</p>	Section seventeen.	
<p>In the Third Schedule, subsection (2) of section twenty-five (except so far as it is applied by subsection (3) of that section), section twenty-six, subsection (2) of section twenty-seven, and subsection (2) of section twenty-eight, shall cease to have effect.</p>	The street works code.	

5TH SCH.
—cont.

Modifications	Provision of this Act on which modification is consequential
<i>The Water (Scotland) Act, 1946 (9 & 10 Geo. 6. c. 42).</i>	
In section nineteen, in subsection (5), after the words "provisions of this Act with respect to laying mains and breaking open streets" there shall be inserted the words "and the street works code in the Public Utilities Street Works Act, 1950".	Section twenty.
In section sixty-five, in subsection (3) there shall be added at the end thereof the words:—	Section seventeen.
"Provided that the consent of the highway authority shall not be required by virtue of this subsection for the carrying by any local water authority of any drain, sewer or watercourse under any street maintainable at the public expense which is within the limits of supply of that local water authority."	
In the Third Schedule, paragraphs 2 and 3 shall cease to have effect.	The street works code.
In the Third Schedule, in sub-paragraph (1) of paragraph 4, after the words "street or bridge" there shall be inserted the words "(not being a street or bridge maintainable at the public expense)".	Section seventeen.
In the Third Schedule, sub-paragraph (2) of paragraph 4 (except so far as it is applied by sub-paragraph (3) of that paragraph), paragraph 5, and sub-paragraph (2) of paragraph 6, shall cease to have effect.	The street works code.
In the Fourth Schedule, in section five, in subsection (1), for the words "except with the consent of the local authority and the highway authority concerned and in accordance with such conditions as either of those authorities may attach to their consent" there shall be substituted the words:—	Section seventeen.
" (a) in any highway maintainable at the public expense which is within the limits of supply of those undertakers, except with the consent of the local authority concerned, if that authority is not the highway authority;	
(b) on or over such a highway, or in, on or over any other highway or any other land, except with the consent of the local authority and highway authority concerned,	
and in either case, except in accordance with such conditions as the authority or authorities aforesaid may attach to their consent."	
In the Fourth Schedule, in section five, subsection (2) shall cease to have effect so far as it relates to the removal, for the purpose of authority's works as defined in Part II of this Act, of apparatus in a street or in controlled land.	The code in Part II.

5TH SCH.
—cont.

Modifications

Provision of this Act
on which modification
is consequential*The Town and Country Planning Act, 1947*
(10 & 11 Geo. 6. c. 51).

In section one hundred and seventeen, subsection (3) shall cease to have effect so far as it relates to the alteration, for the purpose of authority's works as defined in Part II of this Act, of any telegraphic line.

The code in Part II.

The Town and Country Planning (Scotland) Act, 1947 (10 & 11 Geo. 6. c. 53).

In section one hundred and eleven, subsection (3) shall cease to have effect so far as it relates to the alteration, for the purpose of authority's works as defined in Part II of this Act, of any telegraphic line.

The code in Part II.

The Gas Act, 1948 (11 & 12 Geo. 6. c. 67).

In the Third Schedule, in paragraph 1, in subparagraph (1), the words "under such superintendence as is hereinafter specified" shall be omitted.

The street works code.

In the Third Schedule, paragraphs 2 and 3 shall cease to have effect.

The street works code.

In the Third Schedule, in paragraph 4, in subparagraph (1), after the words "street or bridge" there shall be inserted the words "(not being a street or bridge repairable by the inhabitants at large)".

Section seventeen.

In the Third Schedule, subparagraph (2) of paragraph 4, and paragraph 5, shall cease to have effect.

The street works code.

In the Third Schedule, in paragraph 6, in subparagraph (1), for the words from the beginning of the paragraph to "or paragraph 5" there shall be substituted the words "If an Area Board fail to comply with any requirement imposed by or under paragraph 4".

The street works code.

In the Third Schedule, in paragraph 7, after the words "in any street" there shall be inserted the words "(not being a highway repairable by the inhabitants at large)".

Section seventeen.

The Special Roads Act, 1949 (12 & 13 Geo. 6. c. 32).

In section twenty, subsection (3) shall cease to have effect so far as it relates to the alteration, for the purpose of authority's works as defined in Part II of this Act, of any telegraphic line.

The code in Part II.

SIXTH SCHEDULE

Sections 15, 17, POWERS FOR CONSEQUENTIAL MODIFICATION OF SPECIAL ENACTMENTS,
24, 36. AND FOR SAVINGS AS TO CERTAIN PROTECTIONS AND CONSENT
REQUIREMENTS

PART I

POWERS

Power to provide for consequential modification of special enactments

1.—(1) If it appears to the Minister that uncertainty or obscurity has resulted, or is likely to result, from the operation on a special enactment of the general provisions—

- (a) of subsection (3) of section fifteen of this Act for restricting the operation of special enactments which regulate the exercise of powers in relation to which the street works code is to have effect,
- (b) of subsection (2) of section seventeen thereof for restricting the operation of special enactments as regards the obtaining of consents which that section renders not requisite, or
- (c) of subsection (2) of section twenty-four thereof for excluding the operation of special enactments in cases in which the code in Part II of this Act is to have effect,

the Minister may, subject to the provisions of Part II of this Schedule, by order make provision for the express modification, in accordance with the general provisions of that subsection, of the enactment in question.

(2) The preceding sub-paragraph shall apply to public general enactments for the purposes of their operation as incorporated or applied as mentioned in subsection (3) of section fifteen of this Act, in subsection (2) of section seventeen or in subsection (2) of section twenty-four thereof, as it applies to special enactments.

Power for saving certain existing protections

2.—(1) If it appears to the Minister that, by the operation of subsections (2) and (3) of section fifteen of this Act, or of subsections (1) and (2) of section twenty-four thereof (or by the operation of those subsections respectively together with an order under paragraph 1 of this Schedule), an authority, body or person has been or will be deprived of some protection which was afforded to them or him by a special enactment, and that a corresponding protection is in all the circumstances reasonably required in connection with the operation in relation to them or him of the street works code, or of the code in Part II of this Act, as the case may be, the Minister may, subject to the provisions of Part II of this Schedule, by order make provision for affording such corresponding protection to them or him.

(2) The preceding sub-paragraph shall apply to public general enactments for the purposes of their operation as incorporated or applied as mentioned in subsection (3) of section fifteen of this Act, or in subsection (2) of section twenty-four thereof, as it applies to special enactments.

6TH SCH.
—cont.

Powers for savings as to certain consent requirements

3. The Minister may, subject to the provisions of Part II of this Schedule, by order provide for saving, notwithstanding anything in subsection (1) of section seventeen of this Act, any requirement of consent imposed by a special enactment or by a public general enactment as incorporated or applied in or by a special enactment with any modification, either as regards all works to which the requirement extends or as regards any class of such works.

4. The Minister may, subject to the provisions of Part II of this Schedule, by order provide for rendering valid, notwithstanding anything in subsection (3) of section seventeen of this Act, a provision made by way of condition imposed on the giving of a consent in any respect in which it would otherwise be of no effect by virtue of that subsection.

PART II

PROCEDURE FOR MAKING ORDERS UNDER THIS SCHEDULE

5. Where the Minister proposes to make an order under this Schedule, he shall prepare a draft of the order and shall publish in the London Gazette, and in at least one newspaper circulating in the locality in relation to which the enactment in question has effect, a notice—

- (a) stating the general effect of the proposed order ;
- (b) specifying a place in the said locality where a copy of the draft of the order may be inspected by any person free of charge at all reasonable hours or may be purchased by any person at a charge not exceeding one shilling ; and
- (c) stating that any person may, by notice given to the Minister within three months from the date of the publication of the notice, object to the proposed order.

6. Not later than the day on which the said notice is published, or, if it is published on two or more days, the day on which it is first published, the Minister shall furnish each of the parties specified in the Table set out at the end of this Schedule with a copy of the draft of the order.

7. If any objection to the proposed order is received by the Minister from any authority, body or person required to be furnished with a copy of the draft of the order within three months from the date of their or his being furnished therewith, or is received by the Minister from any other person appearing to him to be affected within three months from the day on which the notice of the proposed

6TH SCH.
—cont.

order is published, or, if it is published on two or more days, from the later or latest of them, and the objection is not withdrawn, he shall cause a local inquiry to be held:

Provided that, in the case of an objection made otherwise than by an authority, body or person required to be furnished with a copy of the draft of the order, the Minister may dispense with such an inquiry if he is satisfied that it is unnecessary.

8. Subsections (2) to (5) of section two hundred and ninety of the Local Government Act, 1933 (which relate to the giving of evidence at, and defraying of costs of, inquiries) shall apply in relation to a local inquiry held under the last preceding paragraph as they apply in relation to inquiries held under that section:

Provided that subsection (4) of that section (which requires the costs of the department holding the inquiry to be defrayed by the parties thereto) shall not apply in so far as the Minister is of opinion, having regard to the object and result of the inquiry, that the Minister's costs should be defrayed by him.

9. After considering any objections to the order which are not withdrawn, and, where a local inquiry is held, the report of the person who held the inquiry, the Minister may make the order either without modification or subject to such modifications as he thinks fit.

10. If any objection is duly made by any authority, body or person required to be furnished with a copy of the draft of the order and is not withdrawn, the order shall be subject to special parliamentary procedure.

TABLE

Parties to be furnished with copies of drafts of orders under this Schedule

(i) In the case of an order under paragraph 1 for the modification of an enactment which regulates the exercise of a power in relation to which the street works code is to have effect—

On the undertakers by whom the power is exercisable, and on each authority, body or person who would in any circumstances be an authority or managers concerned in relation to code-regulated works executed in a street in exercise of the power.

(ii) In the case of an order under paragraph 1 for the modification of an enactment as regards the obtaining of a consent—

On the authority, body or person whose consent would be required but for section seventeen of this Act and on the undertakers who would be required to obtain the consent.

(iii) In the case of an order under paragraph 1 for the modification of an enactment proposed to be modified on the ground of the result.

or likely result, of the operation of the general provisions of subsection (2) of section twenty-four of this Act on the enactment—

6TH SCH.
—cont.

On each of the parties (whether a council mentioned in subsection (1) of section twenty-one of this Act, or a bridge authority or managers or a transport authority having power to execute authority's works within the meaning of that section, or undertakers having apparatus liable to be affected by such works) relations between whom in connection with such works and apparatus are regulated by the enactment.

(iv) In the case of an order under paragraph 2 relating to a protection afforded by an enactment—

On each of the parties on whom service would have been required under head (i) or (iii) of this Table if the order had been one under paragraph 1 for the modification of the enactment, and on any other authority, body or person to whom the protection in question was afforded by the enactment.

(v) In the case of an order under paragraph 3 or 4—

On each of the parties on whom service would have been required under head (ii) of this Table if the order had been one under paragraph 1 for the modification of an enactment as regards the obtaining of the consent.

SEVENTH SCHEDULE

Section 35.

APPLICATION TO LONDON

1. Section one of this Act shall not apply—

- (a) to any statutory power to execute undertakers' works in so far as it is exercisable in a subway to which the London County Council (Subways) Act, 1893, applies or in public service works constructed under Part V of the City of London (Various Powers) Act, 1900;
- (b) to a power to execute undertakers' works conferred on the London County Council by section three of the London County Council (Subways) Act, 1893, or conferred on the Common Council of the City of London by section thirty-three of the City of London (Various Powers) Act, 1900.

2. Section one of this Act shall not apply to any power to execute undertakers' works conferred on the London County Council under Part II of the Public Health (London) Act, 1936.

3. When a plan and section of code-regulated works proposed to be executed in a highway in London to which this paragraph applies are submitted under subsection (1) of section three of this Act to the Common Council of the City of London or to a metropolitan borough council as the street authority, the undertakers shall submit them in duplicate to the Common Council or the borough council, who shall, within four days from the date of submission thereof to

7TH SCH.
—cont.

them, send one copy to the London County Council, and shall, in deciding the action to be taken by them in connection with the approval, modification or disapproval of the plan and section, have regard to any observations sent to them by the London County Council.

This paragraph applies to a highway which is a classified road, and to any other highway as to which the London County Council had, before the submission of the plan and section, given to the Common Council or to the metropolitan borough council, as the case may be, and to the undertakers, notice of the desire of the London County Council that this paragraph should have effect in the case of all code-regulated works executed by the undertakers therein.

4.—(1) In its application to London the First Schedule to this Act shall have effect with the substitution, in sub-paragraph (1) of paragraph 1 thereof—

- (a) for the references in head (a) to land's belonging to, and being held or capable of being appropriated as therein mentioned by, the street authority, of references to its belonging to, and being held or capable of being so appropriated by, either the street authority or the London County Council, and
- (b) for the reference in head (b) to compulsory acquisition by the street authority, of references to compulsory acquisition either by the street authority or by the London County Council.

(2) In the case of controlled land abutting on a street in London for which the Common Council of the City of London or a metropolitan borough council are the street authority, being land which falls within head (a) or (b) of sub-paragraph (1) of paragraph 1 of the First Schedule to this Act by virtue of a capacity of the London County Council in relation thereto, any authorisation of the execution of code-regulated works therein shall be given by the London County Council and not by the Common Council or the borough council, and accordingly, in relation to such controlled land, any reference in paragraphs 2 to 8 of that Schedule to the street authority shall be construed as a reference to the London County Council.

(3) Where a plan and section of code-regulated works proposed to be executed in a street in London have been submitted under subsection (1) of section three of this Act to the Common Council of the City of London or to a metropolitan borough council as the street authority, and the Common Council or borough council consider that the works, or some of the works, ought to be executed in such controlled land as is mentioned in the last preceding sub-paragraph, they may request the London County Council to exercise the powers vested in them in that behalf by the First Schedule to this Act, as applied by this paragraph, to confer on the undertakers as respects those works the rights mentioned in subsection (1) of section five of this Act, and if—

- (a) the London County Council agree so to exercise their powers :
and

- (b) the Common Council or the borough council, as the case may be, are satisfied that the rights mentioned in subsection (1) of the said section five will be conferred on the undertakers within the period of twenty-two days mentioned in subsection (4) of that section,

the Common Council or the borough council may disapprove the plan and section on the ground that the works comprised in the plan and section ought to be executed in the controlled land, or if they are so satisfied as to some only of those works, they may approve the plan and section subject to modifications excluding those works on the ground that they ought to be executed in the controlled land.

(4) Where the Common Council or the borough council have disapproved a plan and section as aforesaid or have approved the plan and section subject to modifications as aforesaid and the undertakers agree or it is determined by arbitration that works ought to be executed in the controlled land, then, if after the expiration of the said period of twenty-two days any of the rights mentioned in subsection (1) of section five of this Act have not been made exercisable by the undertakers, the payment required to be made to the undertakers under paragraph (b) of subsection (4) of that section shall be made by the London County Council and not by the Common Council or the borough council.

5. For the purposes of the operation of the street works code in relation to a street in London—

(a) the appropriate local authority shall be the Common Council of the City of London if the street is situated in the City, or, if not, the council of the metropolitan borough in which the street is situated ;

(b) a declaration under the Second Schedule to this Act shall be registered in the prescribed manner in the register of local land charges by the proper officer of the appropriate local authority.

6. For the purposes of the operation of the Third Schedule to this Act in relation to a street or controlled land in London, the power thereby conferred on a street authority or street managers to elect to do reinstatement and making good after the completion of code-regulated works shall extend to a case in which the works fall within the exception contained in paragraph 1 of that Schedule as to certain works relating to service pipes or service lines or overhead telegraphic lines, and that exception shall not apply.

7.—(1) For the purposes of the operation of Part II of this Act in relation to a street in London, the reference in subsection (1) of section twenty-one of this Act to the council of a borough or urban district shall be construed as including a reference to the Common Council of the City of London and to the council of a metropolitan borough.

(2) Part II of this Act and the Fourth Schedule thereto shall not apply to apparatus of undertakers in a subway to which the London County Council (Subways) Act, 1893, applies or in public service works constructed under Part V of the City of London (Various Powers) Act, 1900.

7TH SCH.
—cont.

8.—(1) Undertakers shall not, in the execution of any code-regulated works other than emergency works or works relating only to a service pipe or service line or an overhead telegraphic line, break up or open a highway in the Metropolitan or the City of London police district that is part of a special road, a trunk road or a classified road so as to reduce the width of the carriageway available for vehicular traffic to less than two-thirds of the width thereof, unless they have, more than fourteen days before the date on which any breaking up or opening of the highway for the purposes of those works was begun, given notice to the Police stating the place of the intended breaking up or opening and the date intended for beginning it.

In this paragraph the expression “the Police” means the Commissioner of City of London police in the case of a highway in the City of London police district, or the Commissioner of Police of the Metropolitan in the case of a highway in the Metropolitan police district.

(2) If undertakers break up or open a highway in contravention of the preceding sub-paragraph they shall be liable on summary conviction to a fine not exceeding fifty pounds.

(3) Where pursuant to an election under subsection (1) of section ten of this Act a transport authority do the initial breaking up or opening of such a highway as aforesaid, the preceding provisions of this paragraph shall have effect with the substitution of references to the transport authority for references to the undertakers.

9. In the application of this Act to London the expression “public sewer” means a sewer as defined in section eighty-one of the Public Health (London) Act, 1936, and the expression “private sewer” and the expression “drain” mean a drain as defined in that Act, and the expression “service pipe” shall be construed accordingly and as including a reference to a disused drain.

Table of Statutes referred to in this Act

Short Title	Session and Chapter
Telegraph Act, 1863	26 & 27 Vict. c. 112.
Bank Holidays Act, 1871	34 & 35 Vict. c. 17.
Holidays Extension Act, 1875	38 & 39 Vict. c. 13.
Telegraph Act, 1878	41 & 42 Vict. c. 76.
Electric Lighting Act, 1882	45 & 46 Vict. c. 56.
Interpretation Act, 1889	52 & 53 Vict. c. 63.
Burgh Police (Scotland) Act, 1892	55 & 56 Vict. c. 55.
London County Council (Subways) Act, 1893 ...	56 & 57 Vict. c. ccii.
City of London (Various Powers) Act, 1900 ...	63 & 64 Vict. c. ccxxviii.
Telegraph (Construction) Act, 1908	8 Edw. 7, c. 33.
Development and Road Improvement Funds Act, 1909	9 Edw. 7, c. 47.
Ministry of Transport Act, 1919	9 & 10 Geo. 5, c. 50.
Acquisition of Land (Assessment of Compen- sation) Act, 1919	9 & 10 Geo. 5, c. 57.

Short Title	Session and Chapter
Electricity (Supply) Act, 1919	9 & 10 Geo. 5, c. 100.
London Traffic Act, 1924	14 & 15 Geo. 5, c. 34.
Land Charges Act, 1925	15 & 16 Geo. 5, c. 22.
Public Health Act, 1925	15 & 16 Geo. 5, c. 71.
Road Transport Lighting Act, 1927	17 & 18 Geo. 5, c. 37.
Local Government Act, 1929	19 & 20 Geo. 5, c. 17.
Road Traffic Act, 1930	20 & 21 Geo. 5, c. 43.
Local Government Act, 1933	23 & 24 Geo. 5, c. 51.
Law Reform (Married Women and Tortfeasors) Act, 1935	25 & 26 Geo. 5, c. 30.
Public Health Act, 1936	26 Geo. 5 & 1 Edw. 8 c. 49.
Public Health (London) Act, 1936	26 Geo. 5. and 1 Edw. 8 c. 50.
Private Legislation Procedure (Scotland) Act, 1936	26 Geo. 5. & 1 Edw. 8 c. 52.
Law Reform (Miscellaneous Provisions) (Scotland) Act, 1940	3 & 4 Geo. 6, c. 42.
Requisitioned Land and War Works Act, 1945 ...	8 & 9 Geo. 6, c. 43.
Statutory Orders (Special Procedure) Act, 1945 ...	9 & 10 Geo. 6, c. 18.
Local Government (Scotland) Act, 1947	10 & 11 Geo. 6, c. 43.
Town and Country Planning Act, 1947	10 & 11 Geo. 6, c. 51.
Town and Country Planning (Scotland) Act, 1947	10 & 11 Geo. 6, c. 53.
Requisitioned Land and War Works Act, 1948 ...	11 & 12 Geo. 6, c. 17.
Local Government Act, 1948	11 & 12 Geo. 6, c. 26.
Special Roads Act, 1949	12, 13 & 14 Geo. 6, c. 32.
Lands Tribunal Act, 1949	12, 13 & 14 Geo. 6, c. 42.
Post Office & Telegraph (Money) Act, 1950 ...	14 Geo. 6. c. 2.



14 & 15 GEO. 6

CHAPTER 1**An Act to continue certain expiring laws.**

[15th December 1950.]

WHEREAS the Acts mentioned in the Schedule to this Act are, in so far as they are in force and are temporary in their duration, limited to expire—

- (a) as respects those mentioned in Part I of the said Schedule, on the thirty-first day of December, nineteen hundred and fifty;
- (b) as respects that mentioned in Part II of the said Schedule, on the twenty-third day of February, nineteen hundred and fifty-one; and
- (c) as respects those mentioned in Part III of the said Schedule, on the thirty-first day of March, nineteen hundred and fifty-one:

and whereas it is expedient to provide for the continuance, as in this Act mentioned, of those Acts and of the enactments amending or affecting the same:

Be it therefore enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

Continuance
of Acts in
Schedule.

1.—(1) The Acts mentioned in Part I of the Schedule to this Act shall, to the extent specified in column three of that Part, be continued until the thirty-first day of December, nineteen hundred and fifty-one.

(2) The Acts mentioned in Parts II and III of the Schedule to this Act shall, to the extent specified in column three of those Parts, be continued until the thirty-first day of March, nineteen hundred and fifty-two.

(3) Any unrepealed enactments which are temporary in their duration shall, in so far as they amend or affect any enactment continued by the foregoing provisions of this Act, be continued in like manner as that enactment whether they are mentioned in the Schedule to this Act or not.

Short title and
application to
Northern
Ireland.

2.—(1) This Act may be cited as the Expiring Laws Continuance Act, 1950.

(2) This Act shall apply to Northern Ireland in so far as it deals with any enactment relating to a subject with respect to which the Parliament of Northern Ireland has not power to make laws, but, save as hereinbefore provided, shall not apply to Northern Ireland.

SCHEDULE

PART I

1	2	3	4
Session and Chapter	Short Title	How far continued	Amending Acts
(1) 9 & 10 Geo. 5. c. 92.	The Aliens Restriction (Amendment) Act, 1919.	Section one.	—
(2) 24 & 25 Geo. 5. c. 30.	The Cotton Manufacturing Industry (Temporary Provisions) Act, 1934.	Sections one and two.	—
(3) 24 & 25 Geo. 5. c. 50.	The Road Traffic Act, 1934.	Section one.	1 Edw. 8. & 1 Geo. 6. c. 5.
(4) 1 & 2 Geo. 6. c. 12.	The Population (Statistics) Act, 1938.	The whole Act.	1 & 2 Geo. 6. c. 55.
(5) 2 & 3 Geo. 6. c. 50.	The Prevention of Violence (Temporary Provisions) Act, 1939.	The whole Act.	—
(6) 8 & 9 Geo. 6. c. 18.	The Local Authorities Loans Act, 1945.	Section one.	—
(7) 10 & 11 Geo. 6. c. 36.	The Education (Exemptions) (Scotland) Act, 1947.	The whole Act.	—
(8) 12, 13 & 14 Geo. 6. c. 25.	The Tenancy of Shops (Scotland) Act, 1949.	The whole Act.	—

PART II

(9) 8 & 9 Geo. 6. c. 15.	The Licensing Planning (Temporary Provisions) Act, 1945.	The whole Act.	9 & 10 Geo. 6. c. 53. 10 & 11 Geo. 6. c. 51.
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PART III

1	2	3	4
Session and Chapter	Short Title	How far continued	Amending Acts
(10) 6 & 7 Geo. 6. c. 44.	The Rent of Furnished Houses Control (Scotland) Act, 1943.	The whole Act.	10 & 11 Geo. 6. c. 43. 12, 13 & 14 Geo. 6. c. 40.
(11) 9 & 10 Geo. 6. c. 34.	The Furnished Houses (Rent Control) Act, 1946.	The whole Act.	12, 13 & 14 Geo. 6. c. 40.

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## CHAPTER 2

An Act to provide for disregarding certain temporary abatements of salary in calculating gratuities under sections thirty-nine and forty of the Superannuation Act, 1949, and allowances and gratuities of officers mentioned in Part I of the Third Schedule to the Supreme Court of Judicature (Consolidation) Act, 1925; and for reckoning as unestablished service certain service in the armed forces and other similar service performed by persons recruited to the civil service by reconstruction competitions after the thirtieth day of June, nineteen hundred and fifty.

[15th December 1950.]

**B**E it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

Disregard of temporary reductions of salaries for certain purposes.

1.—(1) For the purpose of calculating the amount of any gratuity payable under section thirty-nine or section forty of the Superannuation Act, 1949, to or in respect of a person who has been employed in the civil service of the State in an unestablished capacity or in part-time service, no account shall be taken of any temporary abatement of his pay made pursuant to any general direction issued by the Treasury for the purpose of effecting economy in national expenditure.

(2) For the purpose of calculating the amount of any allowance or gratuity payable under section one hundred and twenty-eight of the Supreme Court of Judicature (Consolidation) Act, 1925,

or under the Superannuation Acts to or in respect of the holder of any office specified in Part I of the Third Schedule to the said Act of 1925, no account shall be taken of any temporary abatement of his salary made pursuant to any general direction issued by the Lord Chancellor with the concurrence of the Treasury for the purpose of effecting economy in national expenditure.

(3) This section shall be deemed to have come into force on the first day of October, nineteen hundred and forty-nine.

2.—(1) This section applies to any person who, after whole-time service at any time since the second day of September, nineteen hundred and thirty-nine in any of the armed forces of the Crown or in the merchant navy or the mercantile marine or in any of the women's services specified in the First Schedule to the Superannuation Act, 1946, enters or has entered the civil service of the State at any time after the thirtieth day of June, nineteen hundred and fifty through recruitment by a competition determined by the Treasury to be a reconstruction competition. Reckoning of war service, etc.

(2) Subject to the provisions of subsection (3) of this section, any such whole-time service as aforesaid served by a person to whom this section applies after attaining the age at which, in the opinion of the Treasury, he might but for war circumstances have been appointed to the civil service of the State in the class in which he is in fact appointed shall be treated for the purposes of the following enactments, that is to say:—

(a) section thirty-nine of the Superannuation Act, 1949 (which provides for gratuities on the retirement or death of persons serving in an unestablished capacity);

(b) section three of the Superannuation Act, 1935, and section thirty-eight of the Superannuation Act, 1949 (which relate to the superannuation of civil servants having previous service in an unestablished capacity),

as if it had been continuous service in an unestablished capacity.

(3) In subsection (2) of section one of the Superannuation Act, 1946 (which enables the Treasury by regulations to exclude from subsection (1) of that section service reckoned for the purposes of the grant of naval, military or air force non-effective pay and other similar service) references to subsection (1) of that section shall be construed as including references to subsection (2) of this section, and the regulations in force thereunder at the commencement of this Act shall have effect accordingly.

3. There shall be paid out of moneys provided by Parliament any increase attributable to the provisions of this Act in the sums which, under any enactment, are payable out of moneys so provided. Expenses.

Interpretation,  
construction  
and citation.

4.—(1) References in this Act to any enactment shall be construed as references to that enactment as amended by any subsequent enactment, including this Act.

(2) This Act and the Superannuation Act, 1949, shall be construed as one with the Superannuation Acts, 1834 to 1946.

(3) This Act may be cited as the Superannuation Act, 1950 ; and this Act and the Superannuation Acts, 1834 to 1949, may be cited together as the Superannuation Acts, 1834 to 1950.

*Table of Statutes referred to in this Act*

| Short Title                                                  | Session and Chapter           |
|--------------------------------------------------------------|-------------------------------|
| Supreme Court of Judicature (Consolidation) Act, 1925 ... .. | 15 & 16 Geo. 5.<br>c. 49.     |
| Superannuation Act, 1935 ... ..                              | 25 & 26 Geo. 5.<br>c. 23.     |
| Superannuation Act, 1946 ... ..                              | 9 & 10 Geo. 6. c. 60.         |
| Superannuation Act, 1949 ... ..                              | 12, 13 & 14 Geo. 6.<br>c. 44. |

### CHAPTER 3

An Act to make further provision as to the salary and superannuation of the Comptroller and Auditor General.  
[15th December 1950.]

**B**E it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

Salary of  
Comptroller.

1.—(1) His Majesty may by letters patent grant to the Comptroller and Auditor General a salary at the rate of four thousand five hundred pounds per annum.

(2) The person who held the office of Comptroller and Auditor General on the first day of October nineteen hundred and fifty shall be entitled to a salary at the rate aforesaid from that date as if it had been duly granted to him under this section ; and for the purpose of any enactment relating to superannuation (including the following provisions of this Act) his salary for



the year ending on the thirtieth day of September nineteen hundred and fifty shall be deemed to have been payable at that rate.

(3) The salary payable to the Comptroller and Auditor General by virtue of this section shall be charged on and issued out of the Consolidated Fund of the United Kingdom or the growing produce thereof (in this Act referred to as the Consolidated Fund).

2.—(1) Subject to the provisions of this section, His Majesty may by letters patent grant to any person who has held the office of Comptroller and Auditor General for a period of not less than fifteen years, on his ceasing to hold that office, a pension at the following rate:—

- (a) if he has held that office for a period of not less than twenty years, two-thirds of the salary payable to him immediately before he ceased to hold it;
- (b) if he has held that office for a period of less than twenty years, one-half of that salary.

(2) No pension shall be granted to any person under this section unless at the time of his ceasing to hold the office of Comptroller and Auditor General he has attained the age of sixty years or is disabled by a permanent infirmity from performing the functions of that office.

(3) No pension shall be granted to any person under this section unless within three months after his appointment to the office of Comptroller and Auditor General (or, in the case of the person who holds that office at the commencement of this Act, within three months after the commencement of this Act) he gives notice in writing to the Treasury that he elects that this section shall apply to him.

(4) Any pension granted by virtue of this section shall be charged on and issued out of the Consolidated Fund.

3.—(1) In relation to a person who at any time after the commencement of this Act holds or has held the office of Comptroller and Auditor General, not being a person who has given notice under subsection (3) of section two of this Act, the Superannuation Acts, 1834 to 1949, shall have effect subject to the following modifications:—

- (a) any pension, allowance or gratuity payable under those Acts may be granted by His Majesty by letters patent;
- (b) any such pension, allowance or gratuity shall be charged on and issued out of the Consolidated Fund.

(2) Except as provided by this section, the said Acts shall not apply to a person who is appointed to or holds the office of Comptroller and Auditor General after the commencement of this Act.

(3) Where by virtue of subsection (2) of this section the Superannuation Acts, 1834 to 1949, cease to apply to any person, any contributions previously paid by him under those Acts may be returned to him, with compound interest at such rate as may be for the time being in force under sections eight and twenty-one of the Superannuation Act, 1949; and the sums required for that purpose shall be defrayed out of moneys provided by Parliament in accordance with section sixty-two of that Act.

12 & 13 Geo. 6.  
c. 44.

Citation  
and repeals.

4.—(1) This Act may be cited as the Exchequer and Audit Departments Act, 1950, and this Act and the Exchequer and Audit Departments Acts, 1866 and 1921, may be cited together as the Exchequer and Audit Departments Acts, 1866 to 1950.

29 & 30  
Vict. c. 39.

9 & 10 Geo. 6.  
c. 40.

(2) Section four of the Exchequer and Audit Departments Act, 1866, and section five of the Miscellaneous Financial Provisions Act, 1946, are hereby repealed.

## CHAPTER 4

An Act to increase the amounts payable out of moneys provided by Parliament for the purposes of schemes under section one of the Colonial Development and Welfare Act, 1940, and to repeal so much of subsection (5) of that section as limits its application to colonies not possessing responsible government.

[15th December 1950.]

**B**E it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

Amendment  
of 3 & 4 Geo. 6.  
c. 40. s. 1 (1).

1. As from the first day of April, nineteen hundred and fifty-one, subsection (1) of section one of the Colonial Development and Welfare Act, 1940, as amended by the Colonial Development and Welfare Act, 1945, and the Colonial Development and Welfare Act, 1949, shall have effect as if, in paragraph (a) of the proviso thereto (which paragraph imposes on the sums to be paid out of moneys provided by Parliament for the purposes of schemes made under that section a limit of twenty million pounds in any financial year and of one hundred and twenty million pounds for the period of ten years ending with the thirty-first

day of March, nineteen hundred and fifty-six, and a further limit of two million five hundred thousand pounds in any financial year in the case of schemes so made for promoting research or inquiry), for the references to twenty million pounds and one hundred and twenty million pounds there were substituted respectively references to twenty-five million pounds and one hundred and forty million pounds.

2. So much of subsection (5) of the said section one as provides that in that section the expression "colony" means a colony not possessing responsible government shall cease to have effect. Repeal, in part,  
of 3 & 4 Geo. 6.  
c. 40. s. 1 (5).

3.—(1) This Act may be cited as the Colonial Development and Welfare Act, 1950, and the Colonial Development and Welfare Acts, 1940 to 1949, and this Act may be cited together as the Colonial Development and Welfare Acts, 1940 to 1950. Short title,  
citation and  
repeal.

(2) The enactments mentioned in the first and second columns of the Schedule to this Act are hereby repealed to the extent specified in the third column of that Schedule.

#### SCHEDULE ENACTMENTS REPEALED

| Session and Chapter      | Short Title                                     | Extent of Repeal                                                                                                                                  |
|--------------------------|-------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------|
| 3 & 4 Geo. 6.<br>c. 40.  | The Colonial Development and Welfare Act, 1940. | In section one, in subsection (5), the words "In this section the expression 'colony' means a colony not possessing responsible government, and". |
| 10 & 11 Geo. 6.<br>c. 9. | The Malta (Reconstruction) Act, 1947.           | Section three.                                                                                                                                    |

#### *Table of Statutes referred to in this Act*

| Short Title                                    | Session and Chapter        |
|------------------------------------------------|----------------------------|
| Colonial Development and Welfare Act, 1940 ... | 3 & 4 Geo. 6, c. 40.       |
| Colonial Development and Welfare Act, 1945 ... | 8 & 9 Geo. 6, c. 20.       |
| Malta (Reconstruction) Act, 1947 ... ..        | 10 & 11 Geo. 6, c. 9.      |
| Colonial Development and Welfare Act, 1949 ... | 12, 13 & 14 Geo. 6, c. 49. |

## CHAPTER 5

An Act to grant money for the purpose of certain local loans out of the Local Loans Fund, and for other purposes relating to local loans.

[15th December 1950.]

**B**E it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

Grants for public works.

1.—(1) There may be issued by the National Debt Commissioners for the purpose of local loans by the Public Works Loan Commissioners any sum or sums not exceeding in the whole the sum of five hundred million pounds.

(2) The sums so issued shall be issued during the period beginning with the passing of this Act and ending on the day on which a further Act granting money for the purposes of those loans comes into operation, and in accordance with the provisions of the National Debt and Local Loans Act, 1887.

Limit of commitments by Public Works Loan Commissioners.

2. The period aforesaid shall be an issue period within the meaning of section two of the Public Works Loans (No. 2) Act, 1946 (which enables the Public Works Loan Commissioners to undertake to grant loans, including loans falling to be advanced after the expiration of the current issue period), and the aggregate of—

(a) the commitments of the said Commissioners outstanding at any time during the said issue period in respect of undertakings entered into by them (whether during or before the beginning of that period) to grant local loans, and

(b) the advances in respect of local loans made by the said Commissioners during that period up to that time,

shall not exceed the sum of eight hundred and fifty million pounds.

Remission of balance of principal and interest of loan already written off assets of Local Loans Fund.

3. Whereas the principal of the local loan specified in the table contained in the Schedule to this Act was written off from the assets of the Local Loans Fund by the Act specified in the fourth column of the said table:

And whereas the principal of the said loan, to the extent of the sum specified in the third column of the said table, remains unpaid and is irrecoverable:

Now, therefore, the principal of the said loan shall, to the extent aforesaid, be extinguished and all arrears of interest thereon shall be remitted.

4. This Act may be cited as the Public Works Loans Act, 1950. Short title.

## SCHEDULE

Section 3,

### LOAN BY THE PUBLIC WORKS LOAN COMMISSIONERS UNDER THEIR GENERAL POWERS

| Name of borrower                                 | Amount of loan | Amount of principal outstanding | Act under which principal written off from the assets of the Local Loans Fund |
|--------------------------------------------------|----------------|---------------------------------|-------------------------------------------------------------------------------|
| Parsonstown and Portumna Bridge Railway Company. | £<br>12,450    | £ s. d.<br>12,444 8 4           | Public Works Loans Act, 1887.                                                 |

*Table of Statutes referred to in this Act*

| Short Title                                 | Session and Chapter.  |
|---------------------------------------------|-----------------------|
| National Debt and Local Loans Act, 1887 ... | 50 & 51 Vict. c. 16.  |
| Public Works Loans Act, 1887 ... ..         | 50 & 51 Vict. c. 37.  |
| Public Works Loans (No. 2) Act, 1946 ... .  | 9 & 10 Geo. 6. c. 75. |



**CHAPTER 6**

An Act to enable proper financial provision to be made for the carrying out by the Law Society of the purposes of the Solicitors Acts, 1932 to 1941.  
 [15th December 1950.]

**B**E it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

Fee payable in respect of issue of practising certificate.  
 22 & 23 Geo. 5. c. 37.

1. The following subsection shall be substituted for subsection (5) of section thirty-seven of the Solicitors Act, 1932 (which relates to the amount of the fee payable in respect of the issue of a practising certificate):—

“(5) There shall be paid to the registrar in respect of every practising certificate issued by him such fee, not exceeding the sum of five pounds, as the Master of the Rolls with the concurrence of the Lord Chancellor and the Lord Chief Justice, or (in case of difference) of one of them, may from time to time by order determine”.

Short title, citation, commencement and extent.  
 12, 13 & 14 Geo. 6. c. 21.

2.—(1) This Act may be cited as the Solicitors Act, 1950, and the Solicitors Acts, 1932 to 1941, the Solicitors, Public Notaries, &c., Act, 1949, and this Act may be cited together as the Solicitors Acts, 1932 to 1950.

(2) This Act shall come into operation one month after the passing thereof.

(3) This Act shall not extend to Scotland or Northern Ireland.

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**CHAPTER 7**

*Dangerous Drugs (Amendment) Act, 1950*

ARRANGEMENT OF SECTIONS

- Section
1. Cesser of limitations on extension to Northern Ireland of Acts amending the principal Act, and consequential repeals and amendments.
  2. Amendments consequential on the supersession of the League of Nations by the United Nations.
  3. Other amendments.
  4. Saving for powers of Parliament of Northern Ireland.
  5. Short title, interpretation and commencement.

SCHEDULE.—Amendments of the Principal Act and the Act of 1923 for the Purposes of the Application thereof to Northern Ireland.

**An Act to facilitate the consolidation of enactments relating to dangerous drugs by removing limitations on the extension to Northern Ireland of certain Acts amending the Dangerous Drugs Act, 1920, repealing the corresponding Acts of the Parliament of Northern Ireland and making necessary consequential amendments; and to make, as respects dangerous drugs, certain other amendments of law which are requisite in consequence of the supersession of the League of Nations by the United Nations or expedient with a view to the consolidation of such enactments as aforesaid.**  
[15th December 1950.]

**B**E it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

**1.—(1)** The extension to Northern Ireland of the following Acts amending the principal Act, namely, the Acts of 1923, 1925 and 1932, shall cease to be limited by reference to matters with respect to which the Parliament of Northern Ireland have not power to make laws, and accordingly—

Cesser of limitations on extension to Northern Ireland of Acts amending the principal Act, and consequential repeals and amendments.

(a) the following enactments are hereby repealed, that is to say:—

(i) subsection (3) of section six of the Act of 1923, subsection (2) of section seven of the Act of 1925, and subsection (2) of section five of the Act of 1932 (whereby the extension of those Acts to Northern Ireland is limited as aforesaid); and

(ii) the Acts of the Parliament of Northern Ireland respectively entitled the Dangerous Drugs and Poisons (Amendment) Act (Northern Ireland), 1924, the Dangerous Drugs Act (Northern Ireland), 1925, and the Dangerous Drugs Act (Northern Ireland), 1932 (which correspond to the Acts of 1923, 1925 and 1932); and

(b) the principal Act (as amended by the Acts of 1923, 1925 and 1932) shall have effect subject to the amendments specified in Part I of the Schedule to this Act and the Act of 1923 shall have effect subject to the amendments specified in Part II of that Schedule.

(2) Any Order of His Majesty in Council under—

(a) subsection (2) of section eight of the principal Act, as amended as aforesaid (which subsection empowers His

Majesty to apply Part III of that Act to new habit-forming drugs and substances from which they can be derived);

- (b) subsection (1) of section two of the Act of 1932 (which subsection empowers His Majesty to exempt from the prohibition imposed by that subsection on trading in, and manufacturing, new products obtained from the phenanthrene alkaloids of opium or the ecgonine alkaloids of the coca leaf any product as respects which He is satisfied that it is of medical or scientific value); or
- (c) subsection (3) of the said section two (which subsection empowers His Majesty to apply Part III of the principal Act to methylmorphine, ethylmorphine and their respective salts),

being an Order in Council which is in force at the commencement of this Act, shall have effect as well in relation to Northern Ireland as in relation to Great Britain, and in Article 35 of the Government of Ireland (Adaptation of Enactments) (No. 3) Order, 1922 (which Article adapts references in the principal Act to His Majesty and Orders in Council), the reference to that Act shall be construed as a reference to the provisions thereof exclusive of the said section eight.

Amendments consequential on the supersession of the League of Nations by the United Nations.

2.—(1) Section six of the Act of 1923, section five of the Act of 1925 and sections two and three of the Act of 1932 shall have effect subject to the following amendments:—

- (a) references to the Hague Convention, the Geneva Convention (No. 1) and the Geneva Convention (No. 2) shall be construed as references to those Conventions as amended by the Protocol on Narcotic Drugs signed at Lake Success, New York, on the eleventh day of December, nineteen hundred and forty-six; and
- (b) for references to the Council of the League of Nations and the Secretary-General of the League of Nations there shall be substituted respectively references to the Economic and Social Council of the United Nations and the Secretary-General of the United Nations.

(2) In this section—

- (a) the expression “the Hague Convention” means the International Opium Convention signed at the Hague on the twenty-third day of January, nineteen hundred and twelve;
- (b) the expression “the Geneva Convention (No. 1)” means the International Opium Convention signed at Geneva on the nineteenth day of February, nineteen hundred and twenty-five; and



- (c) the expression “ the Geneva Convention (No. 2) ” means the Convention for the purpose of supplementing the provisions of the Conventions aforesaid which was signed at Geneva on the thirteenth day of July, nineteen hundred and thirty-one.

3.—(1) Section seven of the principal Act shall, in its application to Great Britain, have effect as if— Other amendments.

- (a) in paragraphs (a) and (b) of subsection (2) (which subsection, as amended by section twenty-eight of the Pharmacy and Poisons Act, 1933, requires that regulations under the said section seven for the purpose of controlling the manufacture of, and dealings in, drugs to which Part III of the principal Act applies shall provide for authorising persons lawfully carrying on business as authorised sellers of poisons to manufacture, retail, dispense and compound such drugs), for references to the shop there were substituted references to premises duly registered under Part I of the said Act of 1933; and
- (b) for subsection (3) there were substituted the following subsection:—

“ (3) Nothing in any regulations made under this section shall be taken to authorise the sale by retail of poisons by any person who is not qualified in that behalf under, or otherwise than in accordance with, the provisions of the Pharmacy and Poisons Acts, 1852 to 1941, or to be in derogation of the provisions of those Acts for prohibiting, restricting or regulating the sale of poisons ”.

(2) Subsection (3) of section two of the Act of 1923 shall, in its application to Great Britain, have effect with the omission of paragraph (b) thereof (which contains provisions with respect to consecutive sentences of imprisonment, being provisions the continuance in force of which in relation to Great Britain serves no useful purpose).

(3) So much of paragraph (2) of Article 2 of the Supreme Court of Judicature (Northern Ireland) Order, 1921 (which paragraph adapts statutory references to the Attorney General for Ireland) as provides that, in the case of a person's being appointed to act instead of the Attorney General for Northern Ireland in relation to any matters which are not for the time being within the powers of the Government of Northern Ireland, any reference in any enactment to the Attorney General for Ireland shall, in relation to those matters, be construed as a reference to the person so appointed instead of as a reference to the Attorney General for Northern Ireland, shall not apply to subsection (3) of section thirteen of the principal Act (which subsection, as

originally enacted, empowered the bringing in Ireland of summary proceedings for an offence against that Act within three months from the date on which evidence sufficient to justify a prosecution came to the knowledge of the Attorney General for Ireland).

Saving for powers of Parliament of Northern Ireland.

4. For the purposes of section six of the Government of Ireland Act, 1920, the Acts of 1923, 1925 and 1932 and this Act shall be deemed to have been passed before the day appointed for the purposes of that section.

Short title, interpretation and commencement.

5.—(1) This Act may be cited as the Dangerous Drugs (Amendment) Act, 1950, and the Dangerous Drugs Acts, 1920 to 1932, and this Act may be cited together as the Dangerous Drugs Acts, 1920 to 1950.

(2) In this Act—

- (a) the expression “ the principal Act ” means the Dangerous Drugs Act, 1920; and
- (b) the expressions “ the Act of 1923,” “ the Act of 1925 ” and “ the Act of 1932 ” mean respectively the Dangerous Drugs and Poisons (Amendment) Act, 1923, the Dangerous Drugs Act, 1925, and the Dangerous Drugs Act, 1932, and the expression “ the Acts of 1923, 1925 and 1932 ” shall be construed accordingly.

(3) This Act shall come into operation on such day as His Majesty may by Order in Council appoint.

Section 1.

## SCHEDULE

### AMENDMENTS OF THE PRINCIPAL ACT AND THE ACT OF 1923 FOR THE PURPOSES OF THE APPLICATION THEREOF TO NORTHERN IRELAND

#### PART I

##### *Amendments of the Principal Act*

1. Section seven of the principal Act shall, in its application to Northern Ireland, have effect subject to the following modifications—

- (a) for references to the Pharmacy Act, 1868, there shall be substituted references to the Pharmacy and Poisons Acts (Northern Ireland), 1925 and 1945; and
- (b) for the reference to the Council of the Pharmaceutical Society of Great Britain there shall be substituted a reference to the Council of the Pharmaceutical Society of Northern Ireland.

2. Subsection (1) of section ten of the principal Act (which confers powers of inspection) shall, in its application to Northern Ireland, have effect as if the reference to the Secretary of State included a reference to the Ministry of Home Affairs for Northern Ireland, and in subsection (1A) of that section (as set out in subsection (1) of section one of the Act of 1923) after the words “ Great Britain ” there shall be inserted the words “ and Northern Ireland ”.

3.—(1) In paragraph (d) of subsection (1) of section thirteen of the principal Act, as set out in subsection (1) of section two of the Act of 1923 (which paragraph penalises persons who in Great Britain aid, abet, counsel or procure the commission outside Great Britain of certain offences relating to drugs)—

- (a) after the words “ Great Britain ”, in the first and third places where they occur, there shall be inserted the words “ or Northern Ireland ”; and
- (b) after the words “ Great Britain ”, in the second place where they occur, there shall be inserted the words “ and Northern Ireland ”.

(2) At the end of subsection (2) of the said section thirteen, as so set out (which subsection provides, amongst other things, for the payment into the Exchequer of half of the amount of certain fines), there shall be added the following words “ and one half of the amount of any fine so imposed in proceedings taken by the direction of the Attorney General for Northern Ireland shall, notwithstanding anything in any other enactment, be paid into the Exchequer of Northern Ireland in such manner as the Ministry of Finance for Northern Ireland may from time to time direct ”.

(3) The said section thirteen shall, in its application to Northern Ireland, have effect with the substitution, for subsection (2A) thereof, as so set out (which restricts the institution of proceedings by indictment and the imposition of sentences of imprisonment in certain cases), of the following subsection:—

“ (2A) No person shall be proceeded against by indictment for an offence under this Act unless the proceedings are instituted by, or with the consent of, the Attorney General for Northern Ireland, and no person shall, on conviction for any offence of contravening or failing to comply with any regulation under this Act relating to the keeping of books or the issuing or dispensing of prescriptions containing drugs to which this Act applies, be sentenced to imprisonment without the option of a fine or to pay a fine exceeding fifty pounds, if the court dealing with the case is satisfied that the offence was committed through inadvertence and was not preparatory to, or committed in the course of, or in connection with, the commission or intended commission of any other offence against this Act ”.

(4) In the application of the said section thirteen to Northern Ireland the expression “ court of summary jurisdiction ” shall mean a court of summary jurisdiction constituted in accordance with the enactments (including enactments of the Parliament of Northern Ireland) for the time being in force in Northern Ireland relating to summary jurisdiction, and the expression “ summary conviction ” shall mean conviction in accordance with those enactments.

## PART II

*Amendments of the Act of 1923*

4. Subsection (3) of section two of the Act of 1923 shall, in its application to Northern Ireland, have effect with the substitution, for paragraph (b) thereof, of the following paragraph:—

“(b) that, where any term of imprisonment is imposed under section thirteen of the Dangerous Drugs Act, 1920, on any person by a court of summary jurisdiction in respect of the non-payment of a fine for an offence against that Act, the provisions of section forty-four of the Summary Jurisdiction and Criminal Justice Act (Northern Ireland) 1935 (which relates to consecutive sentences of imprisonment) apply to that term of imprisonment”,

and for the purposes of the said subsection (3) as amended in its application to Northern Ireland by this paragraph the expression “court of summary jurisdiction” has the meaning assigned to it by sub-paragraph (4) of paragraph 3 of this Schedule.

5. In section five of the Act of 1923 (which relates to the calculation of percentages in the case of liquid preparations of drugs), the expression “regulations” shall mean, as well in the application of that section to Northern Ireland as in its application to Great Britain, regulations made by a Secretary of State.

6. In subsection (2) of section six of the Act of 1923 (which defines the expression “corresponding law” in the principal Act as amended by the Act of 1923) after the words “Great Britain” there shall be inserted the words “and Northern Ireland”.

*Table of Statutes referred to in this Act*

| Short Title                                                 | Session and Chapter       |
|-------------------------------------------------------------|---------------------------|
| Pharmacy Act, 1868 ... ..                                   | 31 & 32 Vict. c. 121.     |
| Dangerous Drugs Act, 1920 ... ..                            | 10 & 11 Geo. 5.<br>c. 46. |
| Government of Ireland Act, 1920 ... ..                      | 10 & 11 Geo. 5.<br>c. 67. |
| Dangerous Drugs and Poisons (Amendment) Act,<br>1923 ... .. | 13 & 14 Geo. 5.<br>c. 5.  |
| Dangerous Drugs Act, 1925 ... ..                            | 15 & 16 Geo. 5.<br>c. 74. |
| Dangerous Drugs Act, 1932 ... ..                            | 22 & 23 Geo. 5.<br>c. 15. |
| Pharmacy and Poisons Act, 1933 ... ..                       | 23 & 24 Geo. 5.<br>c. 25. |

## CHAPTER 8

### *European Payments Union (Financial Provisions) Act, 1950*

#### ARRANGEMENT OF SECTIONS

##### Section

1. Use of Exchange Equalisation Account for purposes of European Payments Union Agreement.
2. Payments into and out of the Intra-European Payments Account.
3. Issues out of Consolidated Fund in connection with certain debts.
4. Amendments of European Payments Union Agreement.
5. Short title.

—————

An Act to make certain provision of a financial nature in connection with the operation of the European Payments Union Agreement and the furnishing of American aid in connection therewith. [15th December 1950.]

**B**E it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

1. The Exchange Equalisation Account and the funds in that Account may be used in the carrying out of any transaction by the Government of the United Kingdom in pursuance of the agreement entitled the Agreement for the Establishment of a European Payments Union which was signed in Paris on the nineteenth day of September, nineteen hundred and fifty, (in this Act referred to as "the European Payments Union Agreement"):

Use of  
Exchange  
Equalisation  
Account for  
purposes of  
European  
Payments  
Union  
Agreement.

Provided that the total amount outstanding in respect of credit granted by the Government of the United Kingdom to the European Payments Union in pursuance of the said Agreement shall not at any time exceed two hundred and twenty-eight million pounds or such larger amount as may be authorised by an order of the Treasury a draft of which has been laid before the Commons House of Parliament and approved by resolution of that House.

The power to make orders under this section shall be exercisable by statutory instrument.

2.—(1) There shall be paid into the Intra-European Payments Account established under the American Aid and European Payments (Financial Provisions) Act, 1949, the sterling equivalent of any American aid furnished to the United Kingdom on condition that the Government of the United Kingdom, if so

Payments into  
and out of the  
Intra-  
European  
Payments  
Account.

required, makes the said equivalent available in pursuance of the provisions of the European Payments Union Agreement relating to initial debit balances.

(2) Where any sum has been made available by the Government of the United Kingdom in pursuance of the said provisions of the said Agreement, an equivalent amount shall be paid out of the Intra-European Payments Account into the Exchange Equalisation Account:

Provided that where any sum made available as aforesaid is, by reason of any change in circumstances, reimbursed to the Government of the United Kingdom, the Treasury shall direct that an equivalent amount shall be paid out of the Exchange Equalisation Account into the Intra-European Payments Account.

(3) Temporary advances may be made out of the Civil Contingencies Fund to the Intra-European Payments Account for the purpose of enabling payments to be made out of that Account under subsection (2) of this section in advance of payments falling to be made into that Account under subsection (1) of this section, and section three of the Miscellaneous Financial Provisions Act, 1946, (which authorises issues to the Civil Contingencies Fund out of the Consolidated Fund to provide funds for making advances in respect of urgent services) shall apply in relation to advances made under this subsection as if those advances were such advances as are mentioned in subsection (1) of that section.

(4) The reference in this section to American aid furnished to the United Kingdom shall be construed as a reference to goods or services furnished to the United Kingdom by or at the expense of the Government of the United States of America in pursuance of the Act of the Congress of the United States of America known as the Economic Co-operation Act of 1948 or any other Act of the Congress of the United States of America for amending or supplementing that Act or for making appropriations thereunder.

Issues out of Consolidated Fund in connection with certain debts.

3.—(1) The Treasury may issue out of the Consolidated Fund any sums required in connection with any debts to the Government of the United Kingdom which are outstanding debts within the meaning of the European Payments Union Agreement or which may arise on the termination of the Agreement with regard to any party or on the liquidation of the Union.

(2) For the purpose of providing sums to be issued under the preceding subsection the Treasury may at any time, if they think fit, raise money in any manner in which they are authorised to raise money under the National Loans Act, 1939, and any securities created and issued to raise money under this subsection shall be deemed for all purposes to have been created and issued under that Act.

(3) There shall be paid into the Exchequer any sums received by the Government of the United Kingdom and representing interest on, or the repayment of the principal of, any sums issued under subsection (1) of this section or any debts in connection with which any sums are so issued.

(4) Sums paid into the Exchequer under the last preceding subsection shall be issued out of the Consolidated Fund at such times as the Treasury may direct and shall be applied by the Treasury as follows:—

- (a) so much thereof as represents principal shall be applied in redeeming or paying off debt of such description as the Treasury think fit;
- (b) so much thereof as represents interest shall be applied to the payment of interest which would, apart from this paragraph, have fallen to be paid out of the permanent annual charge for the National Debt.

(5) In this section the expression “the Consolidated Fund” means the Consolidated Fund of the United Kingdom or the growing produce thereof.

4. Any reference in this Act to the European Payments Union Agreement shall be construed as a reference to that Agreement as for the time being amended under the terms of the Agreement or by any subsequent agreement made between all who are then parties to the European Payments Union Agreement.

5. This Act may be cited as the European Payments Union (Financial Provisions) Act, 1950.

*Table of Statutes referred to in this Act*

| Short Title                                                            | Session and Chapter        |
|------------------------------------------------------------------------|----------------------------|
| National Loans Act, 1939                                               | 2 & 3 Geo. 6. c. 117.      |
| Miscellaneous Financial Provisions Act, 1946                           | 9 & 10 Geo. 6. c. 40.      |
| American Aid and European Payments (Financial Provisions) Act, 1949... | 12, 13 & 14 Geo. 6. c. 17. |

## CHAPTER 9

An Act to amend the Restoration of Pre-War Trade Practices Act, 1942, with respect to the period by reference to which obligations are imposed on employers in respect of departures from trade practices and the time at which such obligations are to take effect, and with respect to the application of that Act to Northern Ireland. [15th December 1950.]

**B**E it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

Period to which obligation to restore trade practices relates.

1.—(1) For subsection (1) of section one of the principal Act (which imposes on employers an obligation to restore and maintain or permit the restoration and continuance of certain trade practices obtaining immediately before the war period as defined in that Act which have been departed from during that period) there shall be substituted the following subsection:—

“(1) Where, during the period beginning with the third day of September, nineteen hundred and thirty-nine, and ending with the fifteenth day of August, nineteen hundred and forty-five, any trade practice obtaining immediately before that period in any undertaking has been departed from in that undertaking, the employer shall, subject to the provisions of this Act, be under an obligation—

- (a) to restore or permit the restoration of the trade practice before the expiration of two months from such date as His Majesty, on the recommendation of the Minister, may by Order in Council appoint; and
- (b) to maintain or permit the continuance of the trade practice for eighteen months from the date when the restoration is effected or the date appointed as aforesaid, whichever is the later.

A draft of any Order in Council under this subsection shall be laid before Parliament, and the Minister shall not recommend His Majesty to make the Order unless an Address has been presented by each House of Parliament praying that the Order be made.”



(2) For subsection (2) of the said section one (which makes provision as to undertakings which began to be carried on during the war period) there shall be substituted the following subsection:—

“(2) Where any undertaking or any branch of an undertaking began to be carried on during the period mentioned in the foregoing subsection, the employer shall, subject to the provisions of this Act, be under an obligation—

- (a) before the expiration of two months from the date appointed under the foregoing subsection, to introduce, or permit the introduction of, such trade practices as obtained immediately before that period in undertakings or branches of undertakings carried on in circumstances most nearly analogous to those of the undertaking or branch in question, except trade practices which have been departed from in those undertakings or branches after the end of that period; and
- (b) to maintain, or permit the continuance of, the trade practices for eighteen months from the date when their introduction is effected or the date appointed as aforesaid, whichever is the later.”

(3) In subsection (3) of the said section one, for the words “the war period”, in both places where they occur, there shall be substituted the words “the period mentioned in subsection (1) of this section”, and in subsection (1) of section two of the principal Act for the words “the war period” there shall be substituted the words “the period mentioned in subsection (1) of the foregoing section”.

(4) In subsection (1) of section nine of the principal Act, for the words “the foregoing provisions” there shall be substituted the words “section seven or section eight”.

2.—(1) In section thirteen of the principal Act (which contains certain modifications of the Act in its application to Northern Ireland) there shall be inserted, after the word “modifications”, the following paragraph:—

Application of  
principal Act  
to Northern  
Ireland.

- “(a) in subsection (1) of section one, for the words “such date as His Majesty, on the recommendation of the Minister, may by Order in Council appoint” there shall be substituted the words “such date as the Ministry of Labour and National Insurance for Northern Ireland may by order appoint”, and for the last sentence of that subsection there shall be substituted the sentence “No order shall be made under this subsection unless

a draft thereof has been laid before the Parliament of Northern Ireland and has been approved by resolution of each House of that Parliament”;

and the existing paragraph (a) of that section shall be renumbered (aa) and for the words in that paragraph “for references” there shall be substituted the words “for other references”.

(2) For the references in the said section thirteen to the Ministry of Labour for Northern Ireland there shall be substituted references to the Ministry of Labour and National Insurance for Northern Ireland, and the reference to the Rules Publication Act (Northern Ireland), 1925, shall be construed as a reference to that Act as amended by the Statutory Rules (Period of Laying) Act (Northern Ireland), 1950.

Short title, citation, construction, interpretation and repeal.

3.—(1) This Act may be cited as the Restoration of Pre-War Trade Practices Act, 1950, and the principal Act and this Act may be cited together as the Restoration of Pre-War Trade Practices Acts, 1942 and 1950.

(2) This Act and the principal Act shall be construed as one.

5 & 6 Geo. 6. c. 9.

(3) In this Act the expression “the principal Act” means the Restoration of Pre-War Trade Practices Act, 1942.

9 & 10 Geo. 6. c. 26.

(4) The definition of “war period” in section eleven of the principal Act, section eight of the Emergency Laws (Transitional Provisions) Act, 1946 (which amends the said definition) and so

11 & 12 Geo. 6. c. 10.

much of subsection (1) of section five of the Emergency Laws (Miscellaneous Provisions) Act, 1947, as extends the said section eight, are hereby repealed.

## CHAPTER 10

### *Reinstatement in Civil Employment Act, 1950*

#### ARRANGEMENT OF SECTIONS

##### Section.

1. Reinstatement rights of reserves called up for whole-time service and persons enlisted for service in Korea.
2. Reinstatement rights of persons voluntarily extending their service under Part I of National Service Act, 1948.
3. Reinstatement rights of persons who accept commissions.
4. Special provisions in case of persons serving for two periods.
5. Modification and adaptation of various sections of National Service Act, 1948.
6. Expenses.
7. Application of Act to persons whose service ended before the commencement thereof.
8. Interpretation.
9. Power to extend to Isle of Man.
10. Short title.

An Act to make further provision for the reinstatement in civil employment of persons who have served whole-time in the armed forces of the Crown, and for safeguarding the employment of persons liable to serve as aforesaid; and for purposes connected with the matters aforesaid. [15th December 1950.]

**B**E it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

1. Where any persons have, at any time after the fifteenth day of July, nineteen hundred and fifty, entered upon a period of whole-time service in the armed forces of the Crown—

Reinstatement  
rights of  
reserves called  
up for whole-  
time service  
and persons  
enlisted for  
service in  
Korea.

- (a) in pursuance of any notice or directions given under any enactment which provides for the calling out on permanent service or the calling into actual service or the embodiment of any reserve or auxiliary force, or members thereof, or the recall of service pensioners;
- (b) in pursuance of any obligation or undertaking, whether legally enforceable or not, to serve, when called upon, as a commissioned officer, not being an obligation or undertaking to accept a permanent or short-service commission or to serve for the purposes of periodical training;
- (c) in pursuance of any directions given under subsection (5) of section three, subsection (5) of section four, subsection (3) of section five or subsection (3) of section six of the Armed Forces (Conditions of Service) Act, 1939, or subsection (2) of section one of the Naval and Marine Forces (Temporary Release from Service) Act, 1940 (as amended by the Naval Forces (Extension of Service) Act, 1944);
- (d) in pursuance of any enlistment for a period not exceeding eighteen months with a view to service in Korea;
- (e) in response to any notice or request made or given by the competent naval, military or air force authority, to members of the Women's Royal Naval Reserve, Queen Alexandra's Royal Naval Nursing Service Reserve or the Naval Voluntary Aid Detachment Reserve, or to persons who have served in the Auxiliary Territorial Service, or to members of the Princess Mary's Royal Air Force Nursing Service Reserve, or to persons who have served

in the Women's Auxiliary Air Force or any Voluntary Aid Detachment employed under the Air Council, whether or not there is any legal obligation to comply with the notice or request;

Part II of the National Service Act, 1948, shall apply to those persons in like manner as it applies to persons who have been called up under Part I of that Act for whole-time service; and accordingly in the said Part II (except section forty) and in the Fifth Schedule to the said Act references to persons who have or claim to have been called up under the said Part I for whole-time service shall be construed as including references to persons who have or claim to have entered upon a period of whole-time service in the armed forces of the Crown in the circumstances aforesaid, and references to whole-time service shall be construed as including references to any period of whole-time service so entered upon.

Reinstatement rights of persons voluntarily extending their service under Part I of National Service Act, 1948.

2. Where any person whose term of whole-time service under Part I of the National Service Act, 1948, was due to end on or after the fifteenth day of July, nineteen hundred and fifty, and before the first day of October, nineteen hundred and fifty, voluntarily undertook to serve whole-time in or with the regular forces for a further period not exceeding six months immediately after the time when the said term would have ended, his term of whole-time service under Part I of the said Act shall be deemed, for the purposes of Part II thereof, to have been extended so as to comprise that further period of service.

Reinstatement rights of persons who accept commissions.

3.—(1) Where any person, during his whole-time service under Part I of the National Service Act, 1948, has accepted a commission in any of the armed forces of the Crown under arrangements made by the competent naval, military or air force authority for treating commissioned service as equivalent to whole-time service under Part I of the said Act, his whole-time service as a commissioned officer under those arrangements shall be treated, for the purposes of Part II of the said Act, as a continuation of his whole-time service under the said Part I.

(2) Where any person who is liable under Part I of the National Service Act, 1948, to be called up for whole-time service has accepted a commission in any of the armed forces of the Crown under any such arrangements as aforesaid and has served whole-time as a commissioned officer under those arrangements without having been called up under the said Part I, Part II of the said Act shall apply to him in like manner as if he had been called up under the said Part I for whole-time service, and accordingly in the said Part II (except section forty) and in the Fifth Schedule to the said Act, references to persons who have or claim to have been called up under the said Part I for whole-time service shall be construed as including references to any person who has or

claims to have entered upon whole-time service as a commissioned officer in the circumstances mentioned in this subsection, and references to whole-time service shall be construed as including references to any period of such service.

(3) Where any person serving whole-time as a commissioned officer under any such arrangements as aforesaid has undertaken, with a view to service in Korea, to serve whole-time as a commissioned officer for a further period not exceeding twelve months immediately after the time when his service under the said arrangements would have ended, any further period of such service in pursuance of that undertaking shall be deemed, for the purposes of subsection (1) or, as the case may be, subsection (2) of this section, to be comprised in his period of whole-time service under the said arrangements.

(4) A certificate of the competent naval, military or air force authority as to whether a person has accepted a commission and served whole-time as a commissioned officer under such arrangements as aforesaid shall be conclusive for the purposes of any proceedings before, or on appeal from, a Reinstatement Committee.

(5) Every document purporting to be a certificate granted under the last preceding subsection and to be signed by or on behalf of the competent naval, military or air force authority shall be received in evidence, and shall, until the contrary is proved, be deemed to be such a certificate of the authority; and in any proceedings before, or on appeal from, a Reinstatement Committee, production of a document purporting to be certified by or on behalf of the authority to be a true copy of any such certificate shall, unless the contrary is proved, be sufficient evidence of the certificate.

4.—(1) Subject to the provisions of this section, where a person who has served for a term of whole-time service under Part I of the National Service Act, 1948, including a term for which he has been called up under section twenty-three or section twenty-four of that Act or such a term of service as a commissioned officer as is mentioned in the last preceding section, has subsequently entered upon a period of whole-time service in the armed forces of the Crown in the circumstances mentioned in paragraph (a), paragraph (b), paragraph (c) or paragraph (d) of section one of this Act, his previous period of whole-time service shall be treated, for the purposes of Part II of the said Act, as continuing without intermission until the end of his subsequent period of whole-time service.

Special provisions in case of persons serving for two periods.

(2) The provisions of the preceding subsection shall not apply in relation to any person where the interval between the two

periods of whole-time service exceeds twenty-six weeks or where during the said interval either—

- (a) the period specified in subsection (2) of section thirty-six of the National Service Act, 1948, for making an application under section thirty-five of that Act expired after the end of the first of the two periods of whole-time service without his having applied to his former employer for employment; or
- (b) his former employer has made available to him such employment as is specified in subsection (1) of section thirty-five of the said Act and he has failed without reasonable excuse to take that employment or has left it otherwise than to undertake a period of whole-time service in the armed forces of the Crown.

(3) Any periods of service treated as one for the purposes of Part II of the National Service Act, 1948, in pursuance of section forty of that Act, shall be treated as one for the purposes of this section, but, subject as aforesaid, where there is more than one previous period of service only the latest shall be taken into account for those purposes.

Modification  
and adaptation  
of various  
sections of  
National  
Service  
Act, 1948.

5.—(1) Section thirty-six of the National Service Act, 1948 (which relates to the time for making applications for reinstatement) shall have effect, in relation to any period of whole-time service which consists of or ends with a period of whole-time service entered upon in the circumstances mentioned in section one of this Act or such a further period of whole-time service as is mentioned in subsection (3) of section three of this Act, as if for the words “second Monday” in subsection (2) of the said section thirty-six there were substituted the words “third Monday”; and section thirty-seven of the said Act (which relates to the duty of an applicant to state availability for employment) shall have effect, in relation to any such period of whole-time service, as if for the words “fourteen days” wherever they occur there were substituted the words “twenty-one days.”

(2) The references in section fifty of the National Service Act, 1948 (which prohibits the dismissal of employees by reason of liability for whole-time service) to any person liable to be called up under Part I of that Act for whole-time service shall be construed as including references—

- (i) to any person who may be required to enter upon a period of whole-time service in the armed forces of the Crown in the circumstances mentioned in paragraph (a) or paragraph (c) of section one of this Act;

- (ii) to any person on whom is imposed any such obligation, or who has given any such undertaking, as is mentioned in paragraph (b) thereof; and
- (iii) to any such person as is mentioned in paragraph (e) thereof,

and the reference to the date on which any person liable to be called up under the said Part I is required to present himself in accordance with an enlistment notice shall be construed as including a reference to the date on which any such person as is mentioned in paragraph (i), paragraph (ii) or paragraph (iii) of this subsection, or any person who has accepted a commission in the circumstances mentioned in subsection (2) of section three of this Act is required to attend for the purpose of entering upon his whole-time service.

(3) In subsection (5) of section fifty-four of the said Act (which relates to the time when whole-time service commences) the reference to being treated as having been called up under Part I of that Act for whole-time service shall be construed as including a reference to being treated as having entered upon his whole time service.

(4) Any regulations made under section sixteen of the Reinstatement in Civil Employment Act, 1944, which, by virtue of subsection (3) of section sixty of the National Service Act, 1948, have effect for the purposes of Part II of the last-mentioned Act, shall also have effect for the purposes of the said Part II as applied by this Act.

6. Any additional expenses which by virtue of this Act fall to be defrayed under section fifty-five of the National Service Act, 1948, out of moneys provided by Parliament shall be so defrayed. Expenses.

7.—(1) Part II of the National Service Act, 1948, and section four of this Act shall have effect, in relation to a person whose period of whole-time service, being a period entered upon in the circumstances mentioned in section one of this Act, or a period extended in the manner mentioned in section two or subsection (3) of section three of this Act, has ended before the commencement of this Act, as if that period had ended immediately after the commencement of this Act: Application of Act to persons whose service ended before the commencement thereof.

Provided that, where the person in question is in the employment of his former employer at the commencement of this Act, he shall be treated for the purposes of Part II of the National Service Act, 1948, as having entered that employment immediately after the commencement of this Act in pursuance of an application in that behalf duly made by him under section thirty-five of the said Act.

(2) In the case of any person whose period of whole-time service as a commissioned officer in the circumstances mentioned in section three of this Act (other than a period extended by subsection (3) of that section) has ended before the commencement of this Act, that section and section four of this Act shall not apply in relation to that period of service, but the said sections shall apply in relation to any such period of service begun but not ended before the commencement of this Act.

**Interpretation.** 8.—(1) In this Act, unless the context otherwise requires, the following expressions have the meanings hereby respectively assigned to them, that is to say—

“the competent naval, military or air force authority” means the Admiralty, the Army Council or the Air Council, or an officer designated by any of them;

“former employer” has the meaning assigned to it by section forty-six of the National Service Act, 1948;

“regular forces” means the royal navy, the royal marines, the regular army and the regular air force or any reserve or auxiliary force which has been called out on permanent service or called into actual service or has been embodied;

“Reinstatement Committee” means a Committee appointed under section forty-one of the National Service Act, 1948;

“reserve or auxiliary force” means the whole or any part of the royal naval special reserve, the royal naval reserve (including the royal fleet reserve), the royal naval volunteer reserve, the royal marine forces volunteer reserve, the territorial army, the army reserve, the air force reserve, the royal air force volunteer reserve or the royal auxiliary air force;

“service in the armed forces of the Crown” means service in or with the regular forces, or in the Women’s Royal Naval Service, Queen Alexandra’s Royal Naval Nursing Service, Princess Mary’s Royal Air Force Nursing Service or any naval or air force Voluntary Aid Detachment;

“service pensioner” means a person in receipt of a pension granted in respect of service in the regular forces, or in respect of that service and other service, not being a pension awarded in respect of disablement;

“short-service commission” means a commission for a fixed term other than a term fixed by reference to the term of whole-time service for which persons are liable to be called up under Part I of the National Service Act, 1948.



(2) Any reference in this Act to Part II of the National Service Act, 1948, shall include a reference to paragraph (b) of section fifty-six of that Act and to section fifty-seven of that Act, which respectively provide for the application of certain provisions of the said Part II to Scotland and Northern Ireland.

9.—(1) His Majesty may by Order in Council direct that this Act shall extend to the Isle of Man, subject to such adaptations and modifications as may be specified in the Order. Power to extend to Isle of Man.

(2) Any Order in Council made under this section may be varied or revoked by a subsequent Order in Council.

10. This Act may be cited as the Reinstatement in Civil Short title. Employment Act, 1950.

*Table of Statutes referred to in this Act.*

| Short Title                                                               | Session and Chapter    |
|---------------------------------------------------------------------------|------------------------|
| Armed Forces (Conditions of Service) Act, 1939                            | 2 & 3 Geo. 6. c. 68.   |
| Naval and Marine Forces (Temporary Release from Service) Act, 1940 ... .. | 4 & 5 Geo. 6. c. 4.    |
| Naval Forces (Extension of Service) Act, 1944 ...                         | 7 & 8 Geo. 6. c. 13.   |
| Reinstatement in Civil Employment Act, 1944 ...                           | 7 & 8 Geo. 6. c. 15.   |
| National Service Act, 1948 ... ..                                         | 11 & 12 Geo. 6. c. 64. |

## CHAPTER 11

### *Administration of Justice (Pensions) Act, 1950*

#### ARRANGEMENT OF SECTIONS

##### PART I

##### LUMP SUMS AND WIDOWS' AND CHILDREN'S PENSIONS

##### *Reduction of pension in return for lump sum*

##### Section.

1. Reduction of pension in return for benefits under s. 2.
2. Lump sum on retirement or death.

##### *Widows' and Children's Pensions*

3. Power to grant widows' and children's pensions.
4. Widow's pension.
5. Children's pension: beneficiaries.
6. Meaning of "period of childhood and full-time education"
7. Children's pension: rate and mode of payment.

##### *Contributions*

8. Contribution towards cost of widow's and children's pension.

*Special cases*

## Section.

9. Persons serving again after retirement.
10. Persons transferring to approved employment.
11. Persons already serving.
12. Persons already retired.
13. Lord Chancellor and members of Lands Tribunal.
14. Stipendiary magistrates.

*Supplemental*

15. Savings for allocation of pension and for reduction of pension under National Insurance Act.
16. Effect under this Act of certain nullity decrees.
17. Recommendation of a Minister required in certain cases.
18. Contributions not to qualify for Income Tax relief.
19. Consequential amendments for reduction of personal pension.
20. Benefits under this Act to be paid and borne by authorities paying and bearing personal pensions.

## PART II

## MISCELLANEOUS AND GENERAL

21. President of the Transport Tribunal.
22. Chairmen of London Quarter Sessions.
23. Extension of Superannuation Act, 1949, to members of Scottish Land Court.
24. Amendment of law relating to annuities to sheriffs substitute.
25. Financial provisions.
26. Interpretation.
27. Short title.

## SCHEDULES :

First Schedule—List of persons affected by Part I of this Act and their relevant service.

Second Schedule—Consequential amendments for reduction of personal pension.

Third Schedule—Financial.

Fourth Schedule—Scale of Pensions of Chairmen of London Quarter Sessions.

An Act to amend the law relating to the pensions and other benefits payable to and in respect of persons who administer justice, and for purposes connected therewith. [15th December 1950.]

**B**E it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

## PART I

## LUMP SUMS AND WIDOWS' AND CHILDREN'S PENSIONS

*Reduction of pension in return for lump sum*

1. In return for the benefits conferred by the next following section, a pension for service in any of the capacities listed in the First Schedule to this Act shall be reduced by one quarter.

Reduction of pension in return for benefits under s. 2.

2.—(1) Where a person on retirement becomes eligible for a pension for service in any of the capacities listed in the First Schedule to this Act, he may be granted a lump sum equal to twice the annual amount of that pension.

PART I  
—cont.  
Lump sum on  
retirement  
or death.

(2) Where a person was serving in any of the said capacities at the time of his death and, if he had then retired on the ground of permanent infirmity, would have become eligible for a pension for that service, his legal personal representatives may be granted a lump sum equal to—

- (a) twice the annual amount of the pension for which he would have been so eligible ; or
- (b) his last annual salary,

whichever is the greater.

(3) Where a person on retirement becomes eligible for a pension for service in any of the said capacities but dies so soon after that the sums paid or payable to him on account of that pension plus an amount equal to twice the annual amount of that pension fall short of his last annual salary for such service, his legal personal representatives may be granted a lump sum equal to the deficiency.

(4) For the purposes of this section, the annual salary of a registrar of a county court who is also a district registrar of the High Court shall be deemed to include any salary payable in respect of his services as district registrar.

(5) No lump sum may be granted under this section in respect of the service of a person who died before the passing of this Act.

#### *Widows' and Children's Pensions*

3.—(1) Subject to the provisions of this Act, on the death after the passing of this Act of a male person (hereafter in this Act referred to as "the deceased") who—

Power to  
grant widows'  
and children's  
pensions.

- (a) had become eligible for a pension for service in one of the capacities listed in the First Schedule to this Act, or
- (b) was serving in any of the said capacities at the time of his death and would, if he had then retired on the ground of permanent infirmity, have become eligible for a pension for that service,

there may be granted in respect of his service—

- (i) where he leaves a widow, a pension to that widow (hereafter in this Act referred to as a "widow's pension"), and
- (ii) where he had a wife at any time during his relevant service (whether or not the marriage continued until his

PART I  
—cont.

death and whether or not a widow's pension is or can be granted), a pension for the benefit of the children of the marriage and of children adopted by him during the marriage (hereafter in this Act referred to as a "children's pension").

(2) Subject to the provisions of this Act, on the death after the passing of this Act of a female person (hereafter in this Act referred to as "the deceased") who—

- (a) had become eligible for a pension for service in one of the capacities listed in the First Schedule to this Act, or
- (b) was serving in any of the said capacities at the time of her death and would, if she had then retired on the ground of permanent infirmity, have become eligible for a pension for that service,

there may be granted in respect of her service a pension for the benefit of children of any marriage of hers and of children adopted by her (hereafter in this Act referred to as a "children's pension").

Widow's  
pension.

4.—(1) No widow's pension may be granted if the marriage with the deceased took place after he retired from relevant service.

(2) The widow's pension shall determine on her death or re-marriage but may, if the Treasury specially direct, be paid in respect of any period after re-marriage when she has no husband.

(3) The annual amount of the widow's pension may be one-third of the annual amount of the personal pension.

Children's  
pension:  
beneficiaries.

5.—(1) A children's pension may be granted if, and be paid so long as and whenever, there are persons for whose benefit it can enure.

(2) Subject to the provisions of this section, the persons for whose benefit a children's pension can enure are any such children as are referred to in subsection (1) or subsection (2) of section three of this Act, as the case may be, who are for the time being in their period of childhood and full-time education.

(3) A children's pension cannot enure for the benefit of any person conceived or adopted by the deceased after the end of his relevant service.

(4) A children's pension cannot enure for the benefit of a female person who at the time of the death of the deceased was married and if, after the death of the deceased, a female person marries, she shall thereupon cease to be a person for whose benefit a children's pension can enure.

(5) A children's pension in respect of a woman's service cannot enure for the benefit of a child of any marriage of hers whose father is alive when the woman retires, or, as the case may be, dies while serving, unless the Treasury specially direct that it shall enure.

PART I  
—cont.

6.—(1) A person shall be deemed for the purposes of the last preceding section to be in his period of childhood and full-time education while either—

Meaning of  
"period of  
childhood  
and full-time  
education".

- (a) he is under the age of sixteen ; or
- (b) he is receiving full-time instruction at any university, college, school or other educational establishment ; or
- (c) he is undergoing training by any person (hereinafter referred to as "the employer") for any trade, profession or vocation in such circumstances that—
  - (i) he is required to devote the whole of his time to the training for a period of not less than two years ; and
  - (ii) while he is undergoing the training, the emoluments receivable by him, or payable by the employer in respect of him, do not exceed thirteen pounds a year, exclusive of any emoluments receivable or payable by way of return of any premium paid in respect of the training :

Provided that a person shall not be deemed for the purposes of this section to satisfy the conditions specified in paragraph (b) or the conditions specified in paragraph (c) of this subsection, unless there has up till then been no time since he attained the age of sixteen when he did not satisfy one or other of those conditions. Any period of whole-time service in the armed forces of the Crown under the National Service Acts, 1948 to 1950, shall be ignored for the purposes of this proviso.

(2) In the preceding subsection the expression "emoluments" means any salary, fees, wages, perquisites or profits or gains whatsoever, and includes the value of free board, lodging or clothing, and, for the purposes of sub-paragraph (ii) of paragraph (c) of the said subsection, where a premium has been paid in respect of the training of a person, all emoluments at any time receivable by him, or payable by the employer in respect of him, shall be deemed to be receivable or payable by way of return of the premium, unless and except to the extent that the amount thereof exceeds in the aggregate the amount of the premium.

(3) As respects any period during which neither of the conditions specified in paragraphs (b) and (c) of subsection (1) of this section is satisfied in relation to a person, the Treasury

PART I  
—cont.

may, if they think fit, and are satisfied that that person's full-time education ought not to be regarded as completed, direct either—

- (a) that that period shall be ignored for the purposes of the proviso to subsection (1) of this section ; or
- (b) that that period shall be so ignored and shall also be treated as part of his period of childhood and full time education for all the other purposes of the last preceding section.

Children's  
pension:  
rate and mode  
of payment.

7.—(1) Only one children's pension shall be granted in respect of the service of any one person, but—

- (a) the rate thereof may vary according to the number of persons for whose benefit it can for the time being enure, and
- (b) it shall be paid to such person or persons as the Treasury may from time to time direct, and different parts thereof may be directed to be paid to different persons, and
- (c) the person to whom all or any part thereof is paid shall apply the sum paid to him, without distinction, for the benefit of all the persons for whose benefit the pension can for the time being enure or for the benefit of such of them as the Treasury from time to time direct.

(2) Where the deceased leaves no widow and, if he leaves a widow, after her death, the annual amount of a children's pension—

- (a) while the persons for whose benefit it can enure are three or more in number, may amount to one-third of the annual amount of the personal pension ;
- (b) while the said persons are two in number, may amount to one-quarter of the annual amount of the personal pension ;
- (c) while there is only one such person, may amount to one-sixth of the annual amount of the personal pension.

(3) Subject to the provisions of the next succeeding subsection, where the deceased leaves a widow, the annual amount of a children's pension during her life—

- (a) while the persons for whose benefit it can enure are four or more in number, may amount to one-third of the annual amount of the personal pension ;
- (b) while the said persons are three in number, may amount to one-quarter of the annual amount of the personal pension ;

(c) while the said persons are two in number, may amount to one-sixth of the annual amount of the personal pension ;

(d) while there is only one such person, may amount to one-twelfth of the annual amount of the personal pension.

(4) Notwithstanding anything in the preceding provisions of this section, where the deceased leaves a widow who remarries, no children's pension shall be payable as respects any period when she has a husband unless the Treasury specially direct that such a pension shall be so payable, but, if the Treasury do specially so direct, they may, if they think fit, further direct that subsection (2) of this section shall apply as respects any such period notwithstanding that the widow is alive.

(5) Where the deceased was a woman, subsection (2) of this section shall apply as it applies where the deceased was a man leaving no widow and subsections (3) and (4) of this section shall not apply.

### Contributions

8.—(1) A contribution towards the cost of the liabilities assumed under this Act for the benefit of a man's wife and children shall be made, taking the form of a reduction in the lump sum which may be granted under this Act in respect of that man's service. Contribution towards cost of widow's and children's pension.

(2) The amount of the contribution shall be equal to the annual amount of the personal pension :

Provided that where the man last had a wife at a time before the end of his relevant service (leaving out of account any marriage after the end of that service) the amount of the contribution shall be the annual amount of the personal pension—

(a) multiplied by the number of years of his relevant service completed before that time ; and

(b) divided by the number of years of his relevant service completed in all.

(3) No contribution shall be made in the case of a man who at no time during his relevant service had a wife.

(4) Where the personal pension is or would be payable to a woman—

(a) the preceding subsections shall not apply, but

(b) a contribution towards the cost of the liabilities assumed under this Act for the benefit of the woman's children shall be made, taking the form of a reduction in the lump sum which may be granted under this Act in respect of that woman's service ; and

PART I  
—cont.

- (c) the amount of that contribution shall be ascertained from tables prepared for the purposes of this subsection by the Government Actuary :

Provided that if the woman has at any time during her relevant service so elected, no contribution shall be made and no children's pension shall be payable for the benefit of her children.

An election authorised to be made under this subsection shall be in writing, shall be made to the Treasury, and shall be made in the life-time of the person who makes it.

*Special cases*

Persons  
serving  
again after  
retirement.

9.—(1) Where any person after retirement from service in one of the capacities listed in the First Schedule to this Act resumes his service, that retirement shall be left out of account for all the purposes of this Part of this Act except that—

(a) if a lump sum was granted on that retirement without any contribution being made, then unless that person on resumption of his service, or within three months of his marrying while again serving, refunds by way of contribution one half of the lump sum, no pension shall be granted to any widow or child of his ; and

(b) any lump sum granted on that retirement, less any refund, shall be set off against any lump sum to be granted in respect of his service.

(2) Where the person resuming service after retirement is a woman, paragraph (a) of the foregoing subsection and the reference to a refund in paragraph (b) shall be omitted.

Persons  
transferring  
to approved  
employment.

10.—(1) This section applies to a person who after the passing of this Act is with the consent of the head officer of his Department transferred from service in any of the capacities listed in the First Schedule to this Act to approved employment and who, if he had retired on the ground of permanent infirmity on the day before the day of the transfer, would have been eligible for a pension under Part III of the Third Schedule to the Supreme Court of Judicature (Consolidation) Act, 1925, under Part II of the First Schedule to the County Courts Act, 1934, or under the First Schedule to the County Courts Act, 1924.

(2) If a person to whom this section applies dies while in approved employment, subsections (3), (4), (5) and (6) of this section shall have effect.

(3) The like lump sum may be granted as might have been granted under this Act if the deceased had died on the day before the day of the transfer after deducting the total amount of the sums (if any) paid or payable in respect of his death under any system of superannuation applicable to the approved employment.



(4) The like contribution shall be made as would have been made if the deceased had died on the day before the day of the transfer, but not so as to exceed the amount actually payable under the last preceding subsection and, accordingly, if nothing is payable under that subsection, no contribution shall be made.

(5) If the deceased leaves a widow, and they did not marry on or after the day of the transfer, the like widow's pension commencing with the death may be granted as might have been granted if the deceased had died on the day before the day of the transfer.

(6) If the deceased leaves a child not conceived or adopted by the deceased on or after the day of the transfer, the like children's pension commencing on the death may be granted as might have been granted if the deceased had died on the day before the day of the transfer.

(7) If a person to whom this section applies dies after retiring from approved employment, no lump sum shall be paid under subsection (3) of section two of this Act to his legal personal representatives except to the extent, if any, to which the lump sum which might, apart from this subsection, be so paid exceeds the sums (if any) paid or payable to him, his legal personal representatives, and his widow or dependants under any system of superannuation applicable to the approved employment.

(8) Subsections (2) and (3) of section eight of the Superannuation Act, 1935 (which authorise the grant of a gratuity where a civil servant transferred to approved employment dies while in that employment or shortly afterwards) shall not apply to a person to whom this section applies.

(9) In this section the expression "approved employment" has the same meaning as in section four of the Superannuation Act, 1914.

(10) If a person to whom this section applies is a woman, subsection (5) shall not apply.

**11.—**(1) If a person serving at the date of the passing of this Act in any of the capacities listed in the First Schedule to this Act within three months after the passing of this Act so elects— Persons already serving.

(a) any pension in relation to which that service was relevant service shall not be reduced under this Act, and

(b) eligibility for any pension in relation to which that service was relevant service shall not satisfy the conditions under which a lump sum or widow's or children's pension may be granted under this Act.

PART I  
—cont.

(2) If such a person as aforesaid who has not made an election under the preceding subsection, within three months after the passing of this Act so elects—

- (a) eligibility for any pension in relation to which the said service was relevant service shall not satisfy the conditions under which a widow's or children's pension may be granted under this Act, and
- (b) any lump sum payable in respect of that service shall not be reduced under section eight of this Act.

(3) A man who after duly making an election under this section marries while still serving in any of the said capacities may within three months after the marriage by notice revoke his election.

(4) An election or notice authorised to be made under this section shall be in writing, shall be made to the Treasury, and shall be made in the life-time of the person who makes it.

Persons  
already retired.

**12.**—(1) A pension for which a person had become eligible on retirement before the passing of this Act shall not be reduced under this Act and eligibility for that pension shall not satisfy the conditions under which a lump sum or widow's or children's pension may be granted under this Act :

Provided that if a person retiring on or after the tenth day of November, nineteen hundred and fifty, within three months after the passing of this Act so elects, this subsection shall not apply to or in relation to the pension for which he became eligible on that retirement.

(2) If a person exercising an election under the proviso to the preceding subsection within the said period of three months further elects—

- (a) eligibility for the said pension shall not satisfy the conditions under which a widow's or children's pension may be granted under this Act ; and
- (b) any lump sum payable in respect of his service shall not be reduced under section eight of this Act.

(3) Where a person exercises his election under the proviso to subsection (1) of this section, the lump sum payable under this Act in respect of his service shall be diminished by any excess of the said pension paid or payable to him in respect of any period (whether before or after the passing of this Act) before the exercise of the election over the pension which would have been so paid or payable if the provisions of this Act for the reduction of personal pensions had applied during that period.

(4) An election authorised to be made under this section shall be in writing, shall be made to the Treasury, and shall be made in the life-time of the person who makes it.

**13.**—(1) Any reference in this Act to retirement shall in relation to a Lord Chancellor be taken as a reference to resignation of office and the Lord Chancellor serving at the date of the passing of this Act may not revoke an election under section eleven of this Act once he has resigned office.

PART I  
—cont.

Lord  
Chancellor  
and members  
of Lands  
Tribunal.

(2) Section one of this Act shall not apply to a pension for service as member of the Lands Tribunal or of the Lands Tribunal for Scotland but the Lord Chancellor or Secretary of State in determining under subsection (6) of section two of the Lands Tribunal Act, 1949, what the pension is to be shall as far as possible take into account that the benefits conferred by section two of this Act should be offset by a reduction of one quarter in the pension and shall, accordingly, reconsider any determinations already made.

**14.**—(1) Any election or notice to be made by a stipendiary magistrate under section eight, section eleven or section twelve of this Act shall be made to the Secretary of State and not to the Treasury and, where the personal pension is a pension for service as a stipendiary magistrate, a reference to the Secretary of State shall be substituted in any other of the preceding sections of this Act for any reference to the Treasury.

Stipendiary  
Magistrates.

(2) A determination under paragraph (b) of subsection (11) of section thirty-three of the Justices of the Peace Act, 1949 (which enables additional years of service to be taken into account for the purposes of a stipendiary magistrate's pension) may be made on the death of a stipendiary magistrate while serving as well as on his retirement.

(3) In this section the expression "stipendiary magistrate" does not include a metropolitan police magistrate.

#### *Supplemental*

**15.**—(1) The fact that this Act applies to a person shall not affect any rights of his under section two of the Superannuation Act, 1935 (which provides for the partial allocation of superannuation benefits to wives and dependants) and any calculations to be made under this Act shall be made as if any surrender under that section of a part of a pension had not been made.

Savings for  
allocation of  
pension and  
for  
reduction of  
pension under  
National  
Insurance Act.

(2) In making any calculation under this Act any abatement of a pension falling to be made under regulations made under subsection (4) of section sixty-nine of the National Insurance Act, 1946 (which authorises the modification of any pensions scheme in connection with the passing of that Act) shall be left out of account.

**16.** Where a marriage which is voidable but not void from the beginning is declared to be null by any court of competent jurisdiction, the same results shall follow under this Act as

Effect under  
this Act of  
certain nullity  
decrees.

**PART I**  
—cont.

would have followed thereunder if the marriage had not been voidable and had been dissolved at the date of the declaration of nullity.

Recommendation of a Minister required in certain cases.

**17.** The grant under this Act of a lump sum or widow's or children's pension conditional on eligibility for a pension requiring the recommendation to the Treasury of the Lord Chancellor or of any other Minister shall require the like recommendation.

Contributions not to qualify for Income Tax relief.

**18.** Relief from income tax shall not be allowed to any person under section thirty-two of the Income Tax Act, 1918 (which provides relief for, amongst other things, contributions to secure deferred annuities to widows) or under any other provision of the Income Tax Acts providing for relief for income tax purposes, in respect of any contribution under sections eight or nine of this Act.

Consequential amendments for reduction of personal pension.

**19.** In consequence of the preceding provisions of this Act, the Acts set out in the first column of the Second Schedule to this Act shall have effect subject to the amendments set out in the second column of that Schedule :

Provided that those amendments, other than that of the Appellate Jurisdiction Act, 1876, shall not apply to any pension which by virtue of section eleven or section twelve of this Act is not to be reduced.

Benefits under this Act to be paid and borne by authorities paying and bearing personal pensions.

**20.** The Third Schedule to this Act shall have effect for assimilating the liability to pay, or bear the cost of, any derivative benefit with the liability to pay, or bear the cost of, the personal pension.

**PART II****MISCELLANEOUS AND GENERAL**

President of the Transport Tribunal.

**21.**—(1) Where under subsection (2) of section three of the Chairmen of Traffic Commissioners, &c. (Tenure of Office) Act, 1937, a pension under Part III of the Third Schedule to the Supreme Court of Judicature (Consolidation) Act, 1925, is granted to the President of the Transport Tribunal and in computing that pension account is taken of any relevant service in any other office the pension shall, notwithstanding anything in subsection (2) of section three of the said Act of 1937, be defrayed only as to a proportion as part of the expenses of the Transport Tribunal and as to the balance out of moneys provided by Parliament.

The said proportion shall be determined by the Treasury, regard being had to the relative length of service and rate of remuneration in the relevant offices.

(2) For the purpose of computing any pension under Part III of the Supreme Court of Judicature (Consolidation) Act, 1925, account shall, notwithstanding anything in subsection (2) of

section one hundred and twenty-eight of that Act, be taken of any years of service as President of the Transport Tribunal.

(3) Where subsection (2) of this section has effect, the pension shall be defrayed only as to a proportion out of moneys provided by Parliament and as to the balance as part of the expenses of the Transport Tribunal.

The said proportion shall be determined by the Treasury, regard being had to the relative length of service and rate of remuneration in the relevant offices.

(4) Where the grant of a lump sum or widow's or children's pension under Part I of this Act is conditional on eligibility for a pension to be defrayed in proportions determined under the foregoing provisions of this section, the lump sum or widow's or children's pension shall be defrayed in the like manner and the proportions shall be determined by the Treasury upon the same principles.

**22.**—(1) As respects any chairman or deputy chairman of the court of quarter sessions for the County of London except—

Chairmen  
of London  
Quarter  
Sessions.

(a) one already retired when this Act is passed ; or

(b) if he so elects within three months after the date of the passing of this Act, one serving at that date,

this section shall apply and no pension shall be payable under section one of the Quarter Sessions (London) Act, 1896.

(2) Where a chairman or deputy chairman of the said sessions retires—

(a) after the end of the completed year of service in the course of which he attains the age of seventy-two years, or

(b) after fifteen years' service having attained the age of sixty-five years when he retires, or

(c) when disabled by permanent infirmity from performing the duties of his office,

the Secretary of State may assign him—

(i) a pension calculated in accordance with the Fourth Schedule to this Act ; and

(ii) a lump sum equal to twice the annual amount of that pension.

(3) Where a person after retirement from service as chairman or deputy chairman of the said sessions resumes service, the payment of any pension assigned to him under this section shall be suspended during the period of his resumed service but at the end of that period the pension shall again be payable and be recalculated in accordance with the Fourth Schedule to this Act.

(4) Where at the time of his death a person was serving as a chairman or deputy chairman of the said sessions, the Secretary

PART II  
—cont.

of State may assign to his legal personal representatives a lump sum equal to—

(a) twice the annual amount of the pension for which he would have been eligible if he had then retired on the ground of permanent infirmity ; or

(b) his last annual salary,

whichever is the greater.

(5) Where a chairman or deputy chairman of the said sessions retires and dies so soon after that the sums paid or payable to him under subsection (2) of this section (leaving out of account any reduction under the next following subsection) fall short of his last annual salary, the Secretary of State may assign to his legal personal representatives a lump sum equal to the deficiency.

(6) Sections three to nine of this Act shall have effect as if—

(a) references to service in one of the capacities listed in the First Schedule to this Act included references to service as chairman or deputy chairman of the said sessions, and

(b) in relation to a pension for service as a chairman of the said sessions the expression “relevant service” meant service as a chairman or deputy chairman of the said sessions, and

(c) in relation to a pension for service as a deputy chairman of the said sessions the expression “relevant service” meant service as such a deputy chairman, and

(d) a reference to the Secretary of State were substituted for any reference to the Treasury, and

(e) the reference in section nine to Part I of this Act included a reference to the provisions of this section authorising payment of lump sums,

and, accordingly, any lump sum payable under this section shall, where necessary, be reduced under the provisions of section eight of this Act:

Provided that—

(a) a widows' or children's pension shall only be payable in pursuance of this subsection if and to the extent that the Secretary of State so directs ; and

(b) if a chairman or deputy chairman serving at the date of the passing of this Act within three months after that date so elects, this subsection shall not apply as respects him except so far as it relates to section nine of this Act.

(7) The London County Council shall be under a liability to pay any amount assigned by the Secretary of State under this section or directed by him to be paid under this section and any refund payable under section nine of this Act in pursuance of this section shall be paid to the London County Council.

(8) A man who after duly making an election under this section marries while still serving as chairman or deputy chairman of the said sessions may within three months after the marriage by notice revoke his election and an election or notice authorised to be made under this section shall be in writing, shall be made to the Secretary of State and shall be made in the life-time of the person who makes it.

PART II  
—cont.

(9) In relation to a chairman of the said sessions any reference in subsection (2) of this section or the Fourth Schedule to this Act to service shall be construed as including a reference to service as deputy chairman of the said sessions.

23. The Superannuation Act, 1949, shall apply to any member of the Scottish Land Court to whom the Superannuation Acts, 1834 to 1935, apply by virtue of the Scottish Land Court Act, 1938, subject however to the modification that for any reference in the said Act of 1949 to the passing thereof there shall be substituted a reference to the passing of this Act.

Extension of  
Superannua-  
tion Act, 1949,  
to members of  
Scottish Land  
Court.

24.—(1) Where a salaried sheriff substitute who, after attaining the age of sixty-five years and completing a period of service of not less than fifteen years, has been appointed to the office of salaried sheriff substitute at another place, retires from that office and becomes entitled under section twenty of the Sheriff Courts (Scotland) Act, 1907, to an annuity, the average of his emoluments during the five years immediately preceding the appointment to the office from which he so retires, or during the five years immediately preceding his retirement, whichever is the greater, shall be deemed for the purposes of the said section twenty to constitute his salary.

Amendment of  
law relating  
to annuities  
to sheriffs  
substitute.

(2) Where a salaried sheriff substitute who has attained the age of sixty-five years and has completed a period of service of not less than fifteen years is appointed to the office of sheriff and is not restricted by the terms of his appointment to that office from engaging in private practice, section twenty of the Sheriff Courts (Scotland) Act, 1907, shall apply to him in like manner as it would have applied, if, at the date of his appointment to the office of sheriff, he had resigned his office of sheriff substitute and the certificate referred to in the said section twenty had been granted in respect of him:

Provided always that so long as such person holds the office of sheriff the said annuity shall not be payable.

25.—(1) There shall be paid out of the Consolidated Fund or the growing produce thereof—

Financial  
provisions.

- (a) any lump sum or widow's or children's pension if and so far as it is directed by this Act to be so paid; and
- (b) any increase attributable to this Part of this Act in the sums which under section twenty of the Sheriff Courts (Scotland) Act, 1907, are to be so paid.

**PART II**  
—cont.

(2) There shall be paid out of moneys provided by Parliament—

- (a) any lump sum or widow's or children's pension if and so far as it is directed by this Act to be so paid,
- (b) such part of any pension for service as President of the Transport Tribunal as is directed by this Part of this Act to be so paid ;
- (c) any increase attributable to this Part of this Act in the sums which, under the Supreme Court of Judicature (Consolidation) Act, 1925, or the Superannuation Act, 1949, are payable out of moneys so provided ;
- (d) any increase attributable to this Act in the sums which under Part I or Part II of the Local Government Act, 1948, fall to be so paid ; and
- (e) any administrative expenses incurred by any Government Department attributable to the passing of this Act.

(3) There shall be paid into the Exchequer—

- (a) any refund of part of a lump sum, if and so far as it is directed by this Act to be so paid ;
- (b) any increase attributable to this Part of this Act in the sums which, under the Superannuation Act, 1949, fall to be so paid.

**Interpretation.**

**26.**—(1) In this Act—

the expression “ derivative benefit ” means any lump sum under this Act or any widow's or children's pension ;

the expression “ the personal pension ” in relation to any derivative benefit or contribution taking the form of a reduction in a derivative benefit, means the pension eligibility for which is a condition of the granting of the derivative benefit ;

the expression “ relevant service ” in relation to a pension for service in one of the capacities listed in the first column of the First Schedule to this Act means service under one or more appointments in the capacities set out opposite in the second column of that Schedule, including service before the passing of this Act, and in relation to any derivative benefit or any contribution taking the form of a reduction in a derivative benefit the said expression has the same meaning as it has in relation to the personal pension.

(2) Any reference in this Act to a person's adopting a child shall be construed as a reference to his adopting a child (whether alone or jointly with any other person) in pursuance of an adoption order made under the Adoption Act, 1950, or any enactment repealed and re-enacted by that Act or any corresponding enactment of the Parliament of Northern Ireland or to his adopting a child (whether alone or jointly with any other person) in accordance with the law of the place where he was domiciled at the time of the adoption.



(3) Any reference in this Act to any enactment shall be construed as a reference to that enactment as amended by any other Act.

PART II  
—cont.

27. This Act may be cited as the Administration of Justice Short title. (Pensions) Act, 1950.

## SCHEDULES

### FIRST SCHEDULE

Sections 1, 2, 3,  
9, 10, 11 and 26.

#### LIST OF PERSONS AFFECTED BY PART I OF THIS ACT AND THEIR RELEVANT SERVICE

##### *Relevant service*

|                                                                                                                                                   |     |     |                                                                                                                                                                                                                                                        |
|---------------------------------------------------------------------------------------------------------------------------------------------------|-----|-----|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Lord Chancellor                                                                                                                                   | ... | ... | Service as Lord Chancellor in the first or any subsequent term of office.                                                                                                                                                                              |
| Lord of Appeal in Ordinary.                                                                                                                       |     |     | Service as a Lord of Appeal in Ordinary or as a judge of the Supreme Court, the Court of Session or the Supreme Court of Northern Ireland.                                                                                                             |
| Judge of the Supreme Court.                                                                                                                       |     |     | Service as any judge of the Supreme Court.                                                                                                                                                                                                             |
| Judge of the Court of Session.                                                                                                                    |     |     | Service as any judge of the Court of Session.                                                                                                                                                                                                          |
| Judge of the Supreme Court of Northern Ireland.                                                                                                   |     |     | Service as any judge of the Supreme Court of Northern Ireland.                                                                                                                                                                                         |
| Judge appointed for a district under the County Courts Act, 1934.                                                                                 |     |     | Service as a judge appointed for a district under the County Courts Act, 1934.                                                                                                                                                                         |
| In Scotland, sheriff or salaried sheriff-substitute.                                                                                              |     |     | Pensionable service as sheriff or any service as sheriff-substitute.                                                                                                                                                                                   |
| Industrial Injuries Commissioner or deputy Industrial Injuries Commissioner where the person serving in that capacity is remunerated by a salary. |     |     | Service remunerated by a salary as Industrial Injuries Commissioner or as a deputy Industrial Injuries Commissioner or in any other capacity listed in this Schedule if service in that capacity counts for pension as service as such a Commissioner. |
| National Insurance Commissioner or deputy National Insurance Commissioner where the person serving in that capacity is remunerated by a salary.   |     |     | Service remunerated by a salary as National Insurance Commissioner or deputy National Insurance Commissioner or in any other capacity listed in this Schedule if service in that capacity counts for pension as service as such a Commissioner.        |
| Member of Lands Tribunal or Lands Tribunal for Scotland.                                                                                          |     |     | Service as member of either of these Tribunals.                                                                                                                                                                                                        |
| Chairman of the Scottish Land Court.                                                                                                              |     |     | Service as Chairman of the Scottish Land Court.                                                                                                                                                                                                        |

1ST SCH.  
—cont.*Relevant service*

The following—

Permanent Secretary to  
the Lord Chancellor  
Master of the Supreme  
Court (King's Bench  
Division)Assistant Master of the  
Supreme Court (King's  
Bench Division)Master of the Supreme  
Court (Chancery  
Division)Master of the Supreme  
Court (Taxing Office)

Master in Lunacy

Legal Visitor in Lunacy

Official Referee to the  
Supreme CourtOfficial Solicitor to the  
Supreme CourtRegistrar, High Court in  
BankruptcyTaxing Master, High  
Court in BankruptcyRegistrar, Probate  
Division (not including  
a district probate  
registrar)

Clerk of Assize

President of the Trans-  
port Tribunalwhere the person serving in  
that capacity may become  
eligible for a pension under  
Part III of the Third  
Schedule to the Supreme  
Court of Judicature (Con-  
solidation) Act, 1925.

Service in any of these capacities.

Registrar of the district  
registry of the High Court  
at Liverpool or Manchester.Service as registrar of the district  
registry of the High Court at Liver-  
pool or Manchester.Registrar appointed for a dis-  
trict under the County  
Courts Act, 1934, or in a  
case where two registrars  
are appointed, either of  
those registrars, where the  
person serving in that  
capacity may become elig-  
ible for a pension under  
Part II of the First Schedule  
to that Act.Service as a whole-time registrar  
appointed for a district under the  
County Courts Act, 1934.

*Relevant service*1ST SCH.  
—cont.

|                                                                                                                        |                                                                             |
|------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------|
| Metropolitan police magistrate.                                                                                        | Service as a metropolitan police magistrate or as a stipendiary magistrate. |
| Stipendiary magistrate pensionable under section thirty-three of the Justices of the Peace Act, 1949.                  | Service as a stipendiary magistrate or as a metropolitan police magistrate. |
| Stipendiary magistrate pensionable under section four hundred and fifty-five of the Burgh Police (Scotland) Act, 1892. | Service as a stipendiary magistrate so pensionable.                         |

## SECOND SCHEDULE

Section 19.

CONSEQUENTIAL AMENDMENTS FOR REDUCTION OF  
PERSONAL PENSION

| <i>Act amended</i>                                                             | <i>Amendment</i>                                                                                                                                                                                                                                                                                                                                                  |
|--------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| The Judges' Pensions (Scotland) Act, 1808.<br>(48 Geo. 3. c. 145.)             | In section one for the words "three-fourth parts" substitute the words "nine-sixteenths".                                                                                                                                                                                                                                                                         |
| The Lord Chancellor's Pension Act, 1832.<br>(2 & 3 Will. 4. c. 111.)           | In section three so far as it relates to a pension for service as Lord Chancellor for the words "five thousand pounds" in both places where those words occur substitute the words "three thousand, seven hundred and fifty pounds".                                                                                                                              |
| The Appellate Jurisdiction Act, 1876.<br>(39 & 40 Vict. c. 59.)                | In section seven for the words from "equal in amount" to the words "Supreme Court of Judicature Act, 1873" substitute the words "not exceeding two thousand, eight hundred and twelve pounds, ten shillings, or, where the pension is not to be reduced under the Administration of Justice (Pensions) Act, 1950, three thousand seven hundred and fifty pounds". |
| The Supreme Court of Judicature (Ireland) Act, 1877.<br>(40 & 41 Vict. c. 57.) | In section nineteen for the words "two-thirds" substitute the words "one-half".                                                                                                                                                                                                                                                                                   |
| The Sheriff Courts (Scotland) Act, 1907.<br>(7 Edw. 7. c. 51.)                 | In section twenty for the words "one-third", "two-thirds", "three-quarters" and "three-tenths" substitute respectively "one-quarter", "one-half", "nine-sixteenths" and "nine-fortieths".                                                                                                                                                                         |

2ND SCH.  
—cont.

| <i>Act amended</i>                                                                         | <i>Amendment</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
|--------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| The Police Magistrates (Superannuation) Act, 1915.<br>(5 & 6 Geo. 5. c. 74.)               | In subsection (1) of section one, in paragraph (a) for the words "fifteen-sixtieths" substitute the words "fifteen-eightieths"; in paragraph (b) for the words "sixteen-sixtieths" substitute the words "sixteen-eightieths" and in the new paragraph (c) for the words "one-sixtieth" and "two-sixtieths" substitute respectively the words "one-eightieth" and "two-eightieths".                                                                                                                                                                                                                                                                                                                                                                             |
| The County Courts Act, 1924.<br>(14 & 15 Geo. 5. c. 17.)                                   | In the First Schedule, in paragraph 1 for the words "one-ninth" substitute the words "one-twelfth"; in paragraph 2 for the words "one-ninth" and "one thirty-sixth" substitute the words "one-twelfth" and "one forty-eighth"; and in paragraph 3 for the words "two-thirds" substitute the words "one-half".                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| The Supreme Court of Judicature (Consolidation) Act, 1925.<br>(15 & 16 Geo. 5. c. 49.)     | In section fourteen for the words "four thousand pounds" substitute the words "three thousand pounds", for the words "three thousand, seven hundred and fifty pounds" substitute the words "two thousand, eight hundred and twelve pounds, ten shillings", and for the words "three thousand, five hundred pounds" substitute the words "two thousand, six hundred and twenty-five pounds".<br>In Part III of the Third Schedule, in paragraph 1 for the words "ten-sixtieths" substitute the words "ten-eightieths"; in paragraph 2 for the words "ten-sixtieths" and "one-fortieth" substitute respectively the words "ten-eightieths" and "three one-hundred-and-sixtieths"; and in paragraph 3 for the words "two-thirds" substitute the words "one-half". |
| The Supreme Court of Judicature of Northern Ireland Act, 1926.<br>(16 & 17 Geo. 5. c. 44.) | In subsection (2) of section one for the words "two-thirds" substitute the words "one-half".                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| The Police Magistrates Superannuation (Amendment) Act, 1929.<br>(19 & 20 Geo. 5. c. 37.)   | In subsection (1) of section one for the words "one-sixtieth" and "two-sixtieths" substitute respectively the words "one-eightieth" and "two-eightieths".                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |

| <i>Act amended</i>                                                                       | <i>Amendment</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                | 2ND SCH.<br>—cont. |
|------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------|
| The County Courts Act, 1934.<br>(24 & 25 Geo. 5. c. 53.)                                 | In the First Schedule, in Part I, in the second column of the Table for the words "thirtieths" substitute throughout the words "fortieths"; and in Part II, in paragraph 1 for the words "one-ninth" substitute the words "one-twelfth"; in paragraph 2 for the words "one-ninth" and "one thirty-sixth" substitute respectively the words "one-twelfth" and "one forty-eighth"; and in paragraph 3 for the words "two-thirds" substitute the words "one-half". |                    |
| The National Insurance<br>(Industrial Injuries) Act,<br>1946.<br>(9 & 10 Geo. 6. c. 62.) | In the table in the Fifth Schedule for the words "thirtieths" substitute throughout the words "fortieths".                                                                                                                                                                                                                                                                                                                                                      |                    |
| The National Insurance<br>Act, 1946.<br>(9 & 10 Geo. 6. c. 67.)                          | In the table in the Sixth Schedule for the words "thirtieths" substitute throughout the words "fortieths".                                                                                                                                                                                                                                                                                                                                                      |                    |
| The Justices of the Peace<br>Act, 1949.<br>(12, 13 & 14 Geo. 6.<br>c. 101.)              | In section thirty-three, in subsection (4) for the words "fifteen-sixtieths" substitute the words "fifteen-eightieths", for the words "one-sixtieth" and "two-sixtieths" substitute respectively the words "one-eightieth" and "two-eightieths" and for the words "two-thirds" substitute the words "one-half".                                                                                                                                                 |                    |

## THIRD SCHEDULE

Section 20.

## FINANCIAL

1. Save as otherwise directed by this Schedule or by Part II of this Act, any derivative benefit shall be paid out of moneys provided by Parliament.

2. If the personal pension is or would be payable out of the Consolidated Fund, the derivative benefit shall be payable in the same manner.

3.—(1) If the personal pension is or would be paid and borne as directed by subsections (1) and (2) of section sixty of the National Insurance (Industrial Injuries) Act, 1946, or subsections (1) and (2) of section thirty-eight of the National Insurance Act, 1946, the derivative benefit shall be paid and borne in the same manner.

(2) If the personal pension is or would be paid and borne partly as aforesaid and partly in the manner in which some other pension would be paid and borne, the derivative benefit shall be paid or borne partly in the one manner and partly in the other in such proportions as may be determined by the Treasury having regard to the principles on which they would make an apportionment as respects the personal pension.

3RD SCH.  
—cont.

4. If under subsection (2) of section three of the Chairmen of Traffic Commissioners, etc. (Tenure of Office) Act, 1937, the personal pension is or would be treated as part of the expenses of the Transport Tribunal, the derivative benefit shall, subject to Part II of this Act, be treated in the same manner.

5.—(1) This paragraph shall have effect where the personal pension is a pension payable under section thirty-three of the Justices of the Peace Act, 1949, to a stipendiary magistrate.

(2) Any derivative benefit shall only be paid if and to the extent that the Secretary of State so directs but, if and to the extent that the Secretary of State does so direct, the authority liable to pay the personal pension shall be under a liability to pay the derivative benefit.

(3) Where under subsection (6) of the said section thirty-three a contribution is or would be payable by one authority to another in respect of the personal pension, a contribution shall be payable by the one to the other in respect of the derivative benefit, the amount of which shall be arrived at on the same principles as the first-mentioned contribution.

(4) Any question as to the amount of any contribution in respect of a derivative benefit shall be determined by the Secretary of State.

(5) Subsection (12) of the said section thirty-three (which deals with cases where several authorities are jointly liable for the personal pension or for a contribution) shall with the necessary modifications apply in relation to the derivative benefit and to any contribution in respect of the derivative benefit.

6.—(1) Where the personal pension is or would be payable under the Police Magistrates (Superannuation) Acts, 1915 and 1929, and some authority is or would be under subsection (13) of section thirty-three of the Justices of the Peace Act, 1949, liable to pay a contribution in respect of it, that authority shall be liable to pay a contribution in respect of the derivative benefit.

(2) The amount of the contribution under this paragraph shall be arrived at on the same principles as the first-mentioned contribution.

(3) Any question as to the amount of any contribution under this paragraph shall be determined by the Secretary of State.

7. Where the personal pension is or would be payable under section four hundred and fifty-five of the Burgh Police (Scotland) Act, 1892, the derivative benefit shall only be paid if and to the extent that the Secretary of State so directs, but, if and to the extent that the Secretary of State does so direct, the authority liable to pay the personal pension shall be liable to pay the derivative benefit.

8.—(1) Any refund of the half of a lump sum under section nine of this Act shall subject to Part II of this Act be paid into the Exchequer:

Provided that if the lump sum was defrayed by an authority under sub-paragraph (2) of paragraph 5 or under paragraph 7 of this Schedule the refund shall be paid to that authority.

(2) Where such a refund is made as aforesaid, all such adjustments shall be made, including payments out of the Consolidated Fund or out of moneys provided by Parliament and payments into the Exchequer, as will secure that the position is the same as if the lump sum had been half what it was and no refund had been made.

3RD SCH.  
—cont.

9. In this Schedule—

the expression “ the Consolidated Fund ” means the Consolidated Fund of the United Kingdom or the growing produce thereof;

any reference to a lump sum shall be construed as a reference to the net amount after any reduction under section eight of this Act has been made and references in the preceding paragraphs of this Schedule to contributions do not include references to the contribution referred to in the said section eight.

#### FOURTH SCHEDULE

Section 22.

##### SCALE OF PENSIONS OF CHAIRMEN OF LONDON QUARTER SESSIONS

When the number of completed years of service in the office of chairman or deputy chairman of the court of quarter sessions for the County of London is as specified in the first column of the following table, the pension shall not exceed the fraction of the last annual salary respectively specified in the second column of that table.

| Years of service   | Fraction of salary  |
|--------------------|---------------------|
| Less than 5 ... .. | Six-fortieths       |
| 5 ... ..           | Ten-fortieths       |
| 6 ... ..           | Eleven-fortieths    |
| 7 ... ..           | Twelve-fortieths    |
| 8 ... ..           | Thirteen-fortieths  |
| 9 ... ..           | Fourteen-fortieths  |
| 10 ... ..          | Fifteen-fortieths   |
| 11 ... ..          | Sixteen-fortieths   |
| 12 ... ..          | Seventeen-fortieths |
| 13 ... ..          | Eighteen-fortieths  |
| 14 ... ..          | Nineteen-fortieths  |
| 15 or more ... ..  | Twenty-fortieths    |

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