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EGS  
OF  
1964  
et. 7







THE  
**PUBLIC GENERAL ACTS**  
AND CHURCH ASSEMBLY MEASURES

1964

*with*  
*Lists of the Public General Acts*  
*and Local Acts*  
*and a Table of the Effect of Legislation*  
*and an Index*

PART II

LONDON  
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**The Public General Acts  
and Church Assembly Measures  
which received the Royal Assent in 1964  
in which year ended the TWELFTH  
and began the THIRTEENTH YEAR  
of the Reign of HER MAJESTY  
QUEEN ELIZABETH THE SECOND  
and  
ended the Fifth Session of the Forty-second Parliament  
and began the First Session  
of the Forty-third Parliament of the  
United Kingdom of Great Britain  
and Northern Ireland**



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- No. 2. Incumbents and Churchwardens (Trusts) Measure 1964.
- No. 3. Churchwardens (Appointment and Resignation) Measure 1964.
- No. 4. Holy Table Measure 1964.
- No. 5. Faculty Jurisdiction Measure 1964.
- No. 6. Clergy (Ordination and Miscellaneous Provisions) Measure 1964.
- No. 7. Vestures of Ministers Measure 1964.
- No. 8. Church Commissioners Measure.





# Films Act 1964

## 1964 CHAPTER 52

An Act to amend the Films Act 1960 in its application to newsreels. [16th July 1964]

**B**E IT ENACTED by the Queen'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) Section 39 of the Films Act 1960 (which provides for Registration of the registration of newsreels under Part II of that Act) shall be newsreels. amended, in relation to applications for registration made after the end of September 1964 and to films registered in pursuance of such applications, in accordance with the following provisions of this section.

(2) For paragraph (b) of subsection (3) the following shall be substituted:—

“(b) by an undertaking that not less than three-quarters of the total of the photographs comprised in the newsreels of that sequence registered during the quarterly period in which the application is made will have been taken as follows, that is to say—

(i) at least one-half of that total in the United Kingdom or in any other Commonwealth country or the Republic of Ireland,

(ii) the remainder (if any) by a person who was a British subject or a citizen of the Republic of Ireland and was employed by the maker of the newsreels as a regular member of his staff in the United Kingdom.”

(3) At the end of the section the following shall be added:—

“(8) Section 50(1) of this Act shall have effect in relation to a newsreel as if in the definition of ‘maker’ the word ‘editing’ were substituted for the word ‘making’.”

Short title,  
citation and  
extent.

2.—(1) This Act may be cited as the Films Act 1964 and this Act and the Films Act 1960 may be cited together as the Films Acts 1960 and 1964.

(2) This Act does not extend to Northern Ireland.



# Hire-Purchase Act 1964

## 1964 CHAPTER 53

An Act to amend the law relating to hire-purchase and credit-sale, and, in relation thereto, to amend the enactments relating to the sale of goods; to make provision with respect to dispositions of motor vehicles which have been let or agreed to be sold by way of hire-purchase or conditional sale; to amend the Advertisements (Hire-Purchase) Act 1957; and for purposes connected with the matters aforesaid. [16th July 1964]

**B** E IT ENACTED by the Queen'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

#### AMENDMENT OF LAW RELATING TO HIRE-PURCHASE AND CREDIT-SALE IN ENGLAND AND WALES

1.—(1) The Hire-Purchase Act 1938 (in this Part of this Act referred to as “the principal Act”) shall (except as provided by section 2 of this Act) apply as amended by subsection (5) of this section to all hire-purchase agreements and credit-sale agreements under which the hire-purchase price or total purchase price, as the case may be, does not exceed £2000. Extension of application of Hire-Purchase Act 1938.

(2) In accordance with the preceding subsection, in section 1 of the principal Act (which specifies a limit of £1000 in the case of livestock and of £300 in all other cases), for paragraphs (b) and (c) there shall be substituted the figure “£2000”.

(3) If at any time after the commencement of this Act it appears to Her Majesty in Council that the limit specified in section 1 of the principal Act (whether by virtue of the last preceding subsection or of a previous Order in Council under this

## PART I

subsection) should be further raised, Her Majesty may by Order in Council direct that section 1 of the principal Act shall be further amended so as to substitute, for the sum specified in that section, such larger sum as may be specified in the Order.

(4) No recommendation shall be made to Her Majesty to make an Order in Council under the last preceding subsection unless a draft of the Order has been laid before Parliament and approved by a resolution of each House of Parliament.

(5) In section 4(1) of the principal Act there shall be inserted the words " Provided that, if the court is satisfied in any action that a sum less than the amount by which one-half of the hire-purchase price exceeds the total of the sums paid and the sums due in respect of the hire-purchase price immediately before the termination would be equal to the loss sustained by the owner in consequence of the termination of the agreement by the hirer, the court may make an order for the payment of that sum in lieu of that amount ".

Exclusion of  
bodies  
corporate.

2. The principal Act shall not apply to any hire-purchase agreement or credit-sale agreement which is made by or on behalf of a body corporate (whether incorporated in the United Kingdom or elsewhere) as the hirer or buyer of the goods to which the agreement relates.

Requirements  
relating to  
hire-purchase  
agreements  
and credit-sale  
agreements.

3.—(1) The requirements specified in section 2(2) of the principal Act (which specifies requirements relating to hire-purchase agreements) and the requirements specified in section 3(2) of that Act (which specifies requirements relating to credit-sale agreements) shall apply to the hire-purchase agreement or credit-sale agreement, as the case may be, and not to a note or memorandum of such an agreement; and accordingly—

(a) in paragraph (a) of the said section 2(2) and in paragraph (a) of the said section 3(2) (which in each case requires that a note or memorandum of the agreement shall be made and signed by the hirer or buyer, as the case may be, and by or on behalf of all other parties to the agreement), for the words " a note or memorandum of the agreement is made and ", there shall be substituted the words " the agreement is ", and

(b) in paragraphs (b) to (d) of the said section 2(2) and in paragraphs (b) and (c) of the said section 3(2), for the words " note or memorandum ", in each place where they occur, there shall be substituted the word " agreement ".

(2) In the said section 2(2), after paragraph (d), there shall be inserted the words " and

(e) either—

(i) the agreement is signed by or on behalf of all other parties immediately after it is signed by the

hirer, and the copy referred to in paragraph (d) of this subsection is there and then delivered to him, or, the agreement having been signed by or on behalf of all other parties before it is signed by the hirer, that copy is delivered to him immediately after he signs the agreement, or

(ii) if, in a case not falling within the foregoing sub-paragraph, the relevant document (that is to say, the document which, on being signed as mentioned in paragraph (a) of this subsection, became the agreement) was presented, and not sent, to the hirer for his signature, then immediately after he signed the relevant document there was delivered to him a copy of that document in the form in which it then was, or

(iii) if the relevant document was sent to the hirer for his signature, then at the time when it was sent there was also sent to him a copy of that document in the form in which it then was”;

and in the proviso to the said section 2(2) for the words “or (d)” there shall be substituted the words “(d) or (e)”.

(3) In section 3(2) of the principal Act, after paragraph (c), there shall be inserted the words “and

(d) either—

(i) the agreement is signed by or on behalf of all other parties immediately after it is signed by the buyer, and the copy referred to in paragraph (c) of this subsection is there and then delivered to him, or, the agreement having been signed by or on behalf of all other parties before it is signed by the buyer, that copy is delivered to him immediately after he signs the agreement, or

(ii) if, in a case not falling within the foregoing sub-paragraph, the relevant document (that is to say, the document which, on being signed as mentioned in paragraph (a) of this subsection, became the agreement) was presented, and not sent, to the buyer for his signature, then immediately after he signed the relevant document there was delivered to him a copy of that document in the form in which it then was, or

(iii) if the relevant document was sent to the buyer for his signature, then at the time when it was sent there was also sent to him a copy of that document in the form in which it then was”;

and in the proviso to the said section 3(2) for the words “or (c)” there shall be substituted the words “(c) or (d)”.



## PART I

(4) The Board of Trade may by regulations provide that in any document which, on being signed as mentioned in section 2(2)(a) or section 3(2)(a) of the principal Act,—

- (a) constitutes a hire-purchase agreement to which that Act applies, or
- (b) constitutes a credit-sale agreement to which that Act applies under which the total purchase price exceeds £30,

the signature of the hirer or buyer shall be inserted in a space marked in such manner, and accompanied in the document by such words, as may be specified in the regulations; and the regulations may include provision as to the location of those words in relation to the space in which the signature is inserted, and may prescribe such other requirements (whether as to type, size, colour or disposition of lettering or otherwise) as the Board may consider appropriate for securing that the words come to the attention of the hirer or buyer at the time when he is about to sign the document.

(5) A document to which any regulations made under the last preceding subsection apply shall not be invalid by reason only that the regulations are not complied with; but—

- (a) in the case of a document which constitutes a hire-purchase agreement, section 2(2) of the principal Act shall have effect in relation to compliance with the requirements of any such regulations as it has effect in relation to compliance with the requirements specified in paragraphs (b) to (e) of the said section 2(2), and
- (b) in the case of a document which constitutes a credit-sale agreement, section 3(2) of the principal Act shall have effect in relation to compliance with the requirements of any such regulations as it has effect in relation to compliance with the requirements specified in paragraphs (b) to (d) of the said section 3(2).

(6) Section 3 of the principal Act shall have effect as if, for any reference to £5, there were substituted a reference to £30.

Right of  
cancellation  
of certain  
hire-purchase  
and credit-sale  
transactions.

4.—(1) The provisions of this section shall have effect where a person (in this section referred to as “the prospective hirer or buyer”) signs a document (in this section referred to as “the relevant document”) which—

- (a) constitutes a hire-purchase agreement to which the principal Act applies, or would constitute such an agreement if executed by or on behalf of another person as owner of the goods to which it relates, or
- (b) constitutes a credit-sale agreement to which that Act applies under which the total purchase price exceeds

£30, or would constitute such an agreement if executed by or on behalf of another person as seller of the goods to which it relates,

and (in either case) the relevant document is signed by the prospective hirer or buyer at a place other than appropriate trade premises.

(2) At any time after he has signed the relevant document and before the end of the period of four days beginning with the day on which he receives the second statutory copy, the prospective hirer or buyer may serve a notice under this section (in this Part of this Act referred to as a "notice of cancellation")—

(a) on the owner or seller, or

(b) on any person who (whether by virtue of this Act or otherwise) is the agent of the owner or seller for the purpose of receiving such a notice.

(3) A notice of cancellation served as mentioned in the last preceding subsection shall have effect if, however expressed, it indicates the intention of the prospective hirer or buyer to withdraw from the transaction to which the relevant document relates.

(4) Where the prospective hirer or buyer serves a notice of cancellation, then—

(a) if, at the time when that notice is served, the relevant document constitutes such a hire-purchase agreement or credit-sale agreement as is mentioned in paragraph (a) or paragraph (b) of subsection (1) of this section, the service of the notice shall operate so as to rescind that agreement ;

(b) in any other case, the service of the notice shall operate as a withdrawal of any offer to enter into such an agreement which is contained in, or implied by, the relevant document, and as notice to the owner or seller that any such offer is withdrawn.

(5) In this section "appropriate trade premises", in relation to a document, means premises at which either the owner or seller normally carries on a business, or goods of the description to which the document relates, or goods of a similar description, are normally offered or exposed for sale in the course of a business carried on at those premises, and "the second statutory copy", in relation to a document, means the copy of that document (in the form in which the document is after it has been signed by the prospective hirer or buyer and by or on behalf of the other party or parties thereto) which is sent by post to the prospective hirer or buyer after the document has been so signed and is the copy referred to in paragraph (d) of

## PART I

section 2(2) of the principal Act as modified by the next following section, or in paragraph (c) of section 3(2) of that Act as so modified, as the case may be.

(6) In this section “owner or seller”, in relation to the relevant document, means the person who, at the time when the document is signed by the prospective hirer or buyer, is specified in the document as the person who is to let the goods on hire to him or to sell the goods to him, as the case may be:

Provided that, if no person is so specified at that time, any person by whom, or on whose behalf, the document is executed at any subsequent time, and who is then specified in the document as the person letting or selling the goods, shall for the purposes of this section be deemed to be, and at all material times to have been, the owner or seller in relation to that document.

Information  
as to right of  
cancellation.

5.—(1) Where the following circumstances exist, that is to say—

- (a) subsection (1) of the last preceding section applies, and
- (b) the relevant document either constitutes such a hire-purchase agreement or credit-sale agreement as is mentioned in that subsection at the time when it is signed by the prospective hirer or buyer, or is subsequently executed by or on behalf of the owner or seller and thereupon constitutes such an agreement,

section 2 or section 3 of the principal Act, as the case may be, shall have effect in relation to the agreement subject to the modifications specified in the following provisions of this section.

(2) Section 2(2) or section 3(2) of the principal Act, as the case may be, shall apply in relation to that agreement as if in paragraph (d) of the said section 2(2) and in paragraph (c) of the said section 3(2) (each of which, as amended by section 3 of this Act, requires a copy of the agreement to be delivered or sent to the hirer or buyer within seven days) for the words “delivered or sent”, there were substituted the words “sent by post”, and as if, in paragraph (e) of the said section 2(2) and in paragraph (d) of the said section 3(2), sub-paragraph (i), and in sub-paragraph (ii) the words “in a case not falling within the foregoing sub-paragraph”, were omitted.

(3) If the agreement is a hire-purchase agreement, section 2(2) of the principal Act (as modified by the last preceding subsection) shall apply in relation to the agreement as if, at the end of paragraph (e), there were inserted the words “and

- (f) each copy referred to in paragraph (d) or paragraph (e) of this subsection which is delivered or sent to the hirer contains such a statement of the rights of the hirer under section 4 of the Hire-Purchase Act 1964,

and of matters relating to or consequential upon the exercise of those rights, as may be prescribed by regulations made by the Board of Trade, and that statement is so contained in such position, and complies with such other requirements (whether as to type, size, colour or disposition of lettering or otherwise) as may be so prescribed”.

(4) If the agreement is a credit-sale agreement, section 3(2) of the principal Act (as modified by subsection (2) of this section) shall apply in relation to the agreement as if, at the end of paragraph (d), there were inserted the words “ and

(e) each copy referred to in paragraph (c) or paragraph (d) of this subsection which is delivered or sent to the buyer contains such a statement of the rights of the buyer under section 4 of the Hire-Purchase Act 1964, and of matters relating to or consequential upon the exercise of those rights, as may be prescribed by regulations made by the Board of Trade, and that statement is so contained in such position, and complies with such other requirements (whether as to type, size, colour or disposition of lettering or otherwise) as may be so prescribed”.

(5) Any statement which, in accordance with regulations made under section 2(2) or section 3(2) of the principal Act as modified by this section, is contained either in the first statutory copy or in the second statutory copy of a document shall specify the name of a person to whom, and an address to which, notice of cancellation may be sent; and (without prejudice to any other respect in which, in accordance with section 33(3) of this Act, the regulations may make different provision as between the first statutory copy and the second statutory copy of a document, or as between copies delivered and copies sent) different names and addresses may be so specified in the first statutory copy and the second statutory copy of the same document.

(6) In the circumstances specified in subsection (1) of this section, any power of the court—

(a) under the proviso to section 2(2) of the principal Act, to dispense with the requirement specified in paragraph (d) thereof, or

(b) under the proviso to section 3(2) of that Act, to dispense with the requirement specified in paragraph (c) thereof,

shall not be exercisable except where the copy of the agreement has been sent to the hirer or buyer but not within the period of seven days of the making of the agreement; and no power of the court under that proviso shall apply to any requirement imposed by virtue of subsection (3) or subsection (4) of this section.

## PART I

(7) In this and the next following section “the first statutory copy”, in relation to a document, means the copy thereof (in the form in which it is at the material time) which is either delivered as mentioned in sub-paragraph (ii), or sent as mentioned in sub-paragraph (iii), of section 2(2)(e) or section 3(2)(d) of the principal Act.

Service of  
notice of  
cancellation.

6.—(1) For the purposes of section 4 of this Act a notice of cancellation—

- (a) shall be deemed to be served on the owner or seller if it is sent by post addressed to a person specified in a statement contained either in the first statutory copy or in the second statutory copy of the relevant document as being a person to whom such a notice may be sent, and is addressed to that person at an address so specified, and
- (b) where the preceding paragraph applies, shall be deemed to be served on the owner or seller at the time when it is posted.

(2) The preceding subsection shall have effect without prejudice to the service of a notice of cancellation (whether by post or otherwise) on the owner or seller, or on such a person as is mentioned in section 4(2)(b) of this Act, in any way in which the notice could be served apart from the preceding subsection.

(3) A notice of cancellation which is sent by post to a person at his proper address, otherwise than in accordance with subsection (1) of this section, shall be deemed to be served on him at the time when it is posted.

(4) So much of section 26 of the Interpretation Act 1889 as relates to the time when service is deemed to have been effected shall not apply to a notice of cancellation.

Re-delivery,  
and interim  
care, of goods  
comprised in  
notice of  
cancellation.

7.—(1) The provisions of this section shall have effect where a notice of cancellation is served, and at any time, whether before or after the service of that notice, any of the goods to which the relevant document relates are in the possession of the prospective hirer or buyer, having come into his possession in consequence, or in anticipation, of his signing that document.

(2) The prospective hirer or buyer shall not be under any obligation (whether arising by contract or otherwise) to deliver the goods except at his own premises and in pursuance of a request in writing signed by or on behalf of the person entitled to possession of the goods and served on the prospective hirer or buyer either before, or at the time when, the goods are collected from his premises; and any such obligation shall be subject to any lien, or other right to retain the goods, which he may have under section 8(2) or section 9(3) of this Act.

(3) If the prospective hirer or buyer—

- (a) delivers the goods (whether at his own premises or elsewhere) to an authorised person, or to a person designated for the purpose by an authorised person, or
- (b) sends the goods at his own expense to an authorised person,

he shall be taken to have done so with the consent of that authorised person and (if that person is not for the time being entitled to possession of the goods) with the consent of the person who is so entitled, and shall be discharged from any obligation (whether arising by contract or otherwise) to retain the goods or to deliver them to any person so entitled.

(4) Until the occurrence of whichever of the following events first occurs, that is to say—

- (a) the prospective hirer or buyer delivers or sends the goods as mentioned in paragraph (a) or paragraph (b) of the last preceding subsection, or
- (b) the period of twenty-one days beginning with the date of service of the notice of cancellation expires without his having received such a request as is mentioned in subsection (2) of this section and unreasonably refused or unreasonably failed to comply with it,

the prospective hirer or buyer shall be under an obligation to take reasonable care of the goods; and if he sends them to an authorised person as mentioned in paragraph (b) of the last preceding subsection, he shall be under an obligation to take reasonable care to see that they are received by that person and are not damaged in transit to him.

(5) Any obligation under the last preceding subsection shall be owed to the person for the time being entitled to possession of the goods, and any breach of that obligation shall be actionable, at the suit of that person, as a breach of statutory duty.

(6) Except as provided by subsections (4) and (5) of this section, the prospective hirer or buyer shall not be under any obligation (whether arising by contract or otherwise) to take care of the goods by reason of their having come into his possession as mentioned in subsection (1) of this section.

(7) In this section “authorised person” means a person falling within any one or more of the following descriptions, that is to say—

- (a) the person who conducted any antecedent negotiations in pursuance of which the prospective hirer or buyer signed the relevant document;
- (b) the person for the time being entitled to possession of the goods;

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(c) the owner or seller ;

(d) any person who is specified, as mentioned in section 6(1)(a) of this Act, as a person to whom a notice of cancellation may be sent,

and any reference to the premises of the prospective hirer or buyer is a reference to the premises which in the relevant document are specified as his address.

Further  
consequences  
of notice of  
cancellation.

8.—(1) Where a notice of cancellation operates so as to rescind a hire-purchase agreement or credit-sale agreement—

(a) that agreement, and any contract of guarantee relating thereto, shall be deemed never to have had effect, and

(b) any security given by the prospective hirer or buyer in respect of money payable under the agreement, or given by a guarantor in respect of money payable under such a contract of guarantee, shall be deemed never to have been enforceable.

(2) On the service of a notice of cancellation, any sum which—

(a) has been paid by the prospective hirer or buyer in respect of the goods to which the relevant document relates, whether it has been paid before the signature of the document or in pursuance of any provision contained in that document, and

(b) is comprised (or would, if the document constituted a hire-purchase agreement or credit-sale agreement, be comprised) in the hire-purchase price or total purchase price, or (if it is not or would not be so comprised) has in pursuance of any antecedent negotiations been paid to, or for the benefit of, the owner or seller, or has in pursuance of any such negotiations been paid to, or for the benefit of, any person (other than the owner or seller) who conducted those negotiations,

shall be recoverable by the prospective hirer or buyer from the person to whom it has been paid ; and, if the prospective hirer or buyer is in possession of those goods, he shall have a lien on them for any sum which he is entitled to recover by virtue of this subsection.

(3) Any obligation to pay any sum which, if it had been paid before the service of a notice of cancellation, would have been recoverable by the prospective hirer or buyer under the last preceding subsection, shall be extinguished on the service of such a notice.

(4) Any sum recoverable under subsection (2) of this section shall be recoverable as a simple contract debt in any court of competent jurisdiction.



9.—(1) The provisions of this section shall have effect where a notice of cancellation is served, and, in pursuance of any antecedent negotiations conducted by him, a person (in this section referred to as “the dealer”) has agreed to take goods in part-exchange and those goods have been delivered to the dealer.

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Effect of  
notice of  
cancellation  
where goods  
given in part-  
exchange

(2) Unless, before the end of the period of ten days beginning with the date of service of the notice of cancellation, the goods in question are delivered to the prospective hirer or buyer, and are then in a condition which is substantially as good as when they were delivered to the dealer, the prospective hirer or buyer shall be entitled to recover from the dealer a sum equal to the part-exchange allowance.

(3) During the period of ten days referred to in the last preceding subsection the prospective hirer or buyer, if he is in possession of the goods to which the relevant document relates, shall be entitled to retain possession of them until either—

(a) the goods agreed to be taken in part-exchange are delivered to him in such a condition as is mentioned in that subsection, or

(b) a sum equal to the part-exchange allowance is paid to him ;

and if, immediately before the end of that period, he continues by virtue of this subsection to be entitled to retain possession of the goods to which the relevant document relates, he shall have a lien on those goods for any sum which he is entitled to recover by virtue of the last preceding subsection.

(4) Any sum recoverable under subsection (2) of this section shall be recoverable as a simple contract debt in any court of competent jurisdiction.

(5) Where the prospective hirer or buyer recovers from the dealer a sum equal to the part-exchange allowance, then, if the title of the prospective hirer or buyer to the goods agreed to be taken in part-exchange has not vested in the dealer, that title shall so vest on the recovery of that sum.

(6) For the purposes of this section—

(a) the dealer shall be taken to have agreed to take goods in part-exchange if, in pursuance of the antecedent negotiations, he has either purchased or agreed to purchase those goods or has accepted or agreed to accept them as part of the consideration for the transaction to which the relevant document relates, and

(b) the part-exchange allowance shall be taken to be the sum which, in the antecedent negotiations, was agreed to be allowed in respect of the goods referred to in

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the preceding paragraph, or, if no such sum was agreed, the part-exchange allowance shall be taken to be such sum as in all the circumstances it would have been reasonable to allow in respect of those goods if no notice of cancellation had been served.

Dealer to be agent of owner or seller in respect of certain representations.

10.—(1) Where a person (in this section referred to as “the owner or seller”) lets goods under a hire-purchase agreement to which the principal Act applies, or sells goods under a credit-sale agreement to which that Act applies, any representations with respect to the goods to which the agreement relates which were made, either orally or in writing, to the hirer or buyer by a person other than the owner or seller in the course of any antecedent negotiations conducted by that other person shall be deemed to have been made by him as agent of the owner or seller.

(2) Nothing in this section shall exonerate any person from any liability (whether criminal or civil) to which he would be subject apart from this section.

(3) In this section “representations” includes any statement or undertaking, whether constituting a condition or a warranty or not, and references to making representations shall be construed accordingly.

Dealer to be agent of owner or seller for receiving certain notices.

11.—(1) In relation to a document to which section 4(1) of this Act applies, any person who conducted any antecedent negotiations, but is not the owner or seller, shall be deemed to be the agent of the owner or seller for the purpose of receiving any notice of cancellation served by the prospective hirer or buyer.

(2) The preceding subsection shall have effect without prejudice to the operation of section 6(1) of this Act.

(3) Where a person has made an offer to enter into a hire-purchase agreement to which the principal Act applies, or a credit-sale agreement to which that Act applies, in a case not falling within section 4(1) of this Act, and wishes to withdraw that offer before it is accepted, any person who conducted any antecedent negotiations shall be deemed to be the agent of any other person concerned for the purpose of receiving notice that the offer is withdrawn.

(4) In the last preceding subsection “other person concerned”, in relation to an offer, means any person who would be in a position to accept the offer if it were not withdrawn.

(5) Where the hirer under a hire-purchase agreement to which the principal Act applies, or the buyer under a credit-sale agreement to which that Act applies, claims to have a right to rescind

the agreement otherwise than by serving a notice of cancellation under section 4 of this Act, any person who conducted any antecedent negotiations shall be deemed to be the agent of the owner or the seller, as the case may be, for the purpose of receiving any notice rescinding the agreement (not being a notice of cancellation) which is served by the hirer or buyer.

(6) References in this section to rescinding an agreement do not include the termination of an agreement under section 4 of the principal Act or by the exercise of a right or power in that behalf expressly conferred by the agreement.

12.—(1) In section 8(1) of the principal Act (which provides that certain conditions and warranties shall be implied in hire-purchase agreements to which that Act applies), paragraph (d) (which relates to an implied condition that the goods shall be of merchantable quality) shall have effect subject to the following provisions of this subsection, that is to say,—

Implied condition as to merchantable quality in hire-purchase agreements.

- (a) for the words “except where the goods are let as second hand goods, and the note or memorandum of the agreement made in pursuance of section two of this Act contains a statement to that effect” there shall be substituted the words “except in so far as the condition referred to in this paragraph is excluded by virtue of subsection (3A) or subsection (3B) of this section”, and
- (b) the words “as regards defects of which the owner could not reasonably have been aware at the time when the agreement was made, or” shall be omitted.

(2) The following subsection shall be substituted for section 8(2) of the principal Act (whereby a condition is implied where the hirer makes known the particular purpose for which the goods are required):—

“(2) Where the hirer, whether expressly or by implication,—

- (a) has made known to the owner, or to a servant or agent of the owner, the particular purpose for which the goods are required, or
- (b) in the course of any antecedent negotiations has made that purpose known to any other person by whom those negotiations were conducted, or to a servant or agent of such a person,

there shall be an implied condition that the goods shall be reasonably fit for that purpose.

Section 24(2) of the Hire-Purchase Act 1964 shall apply for the purposes of this subsection as it applies for the purposes of Part I of that Act”.

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(3) At the beginning of subsection (3) of section 8 of the principal Act there shall be inserted the words " Subject to the following provisions of this section "; and after that subsection there shall be inserted the following subsections:—

" (3A) Where under a hire-purchase agreement goods are let as second-hand goods and—

- (a) the agreement contains a statement to that effect, and a provision that the condition referred to in subsection (1)(d) of this section is excluded in relation to those goods, and
- (b) it is proved that before the agreement was made the provision in the agreement so excluding that condition was brought to the notice of the hirer and its effect made clear to him,

that condition shall not be implied in the agreement in relation to those goods.

(3B) Where under a hire-purchase agreement goods are let as being subject to defects specified in the agreement (whether referred to in the agreement as defects or by any other description to the like effect), and—

- (a) the agreement contains a provision that the condition referred to in subsection (1)(d) of this section is excluded in relation to those goods in respect of those defects, and
- (b) it is proved that before the agreement was made those defects, and the provision in the agreement so excluding that condition, were brought to the notice of the hirer and the effect of that provision was made clear to him,

that condition shall not be implied in the agreement in respect of those defects."

Implied conditions in hire-purchase by reference to sample or by description.

13.—(1) Where goods are let under a hire-purchase agreement to which the principal Act applies, and the goods are so let by reference to a sample, there shall be in the hire-purchase agreement—

- (a) an implied condition that the bulk will correspond with the sample in quality, and
- (b) an implied condition that the hirer will have a reasonable opportunity of comparing the bulk with the sample.

(2) Where goods are let under a hire-purchase agreement to which the principal Act applies, and are so let by description, there shall be in the hire-purchase agreement an implied condition that the goods will correspond with the description;

and if the goods are let under the hire-purchase agreement by reference to a sample, as well as by description, it shall not be sufficient that the bulk of the goods corresponds with the sample if the goods do not also correspond with the description.

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14.—(1) Where goods have been let under a hire-purchase agreement to which the principal Act applies, and the owner brings an action to enforce a right to recover possession of any of the goods from the hirer before one-third of the hire-purchase price has been paid or tendered as mentioned in section 11(1) of that Act, the action shall be brought in the county court for the district in which the hirer resides or carries on business, or resided or carried on business at the date on which he last made a payment under the hire-purchase agreement. Jurisdiction of county court.

(2) If in any such action the owner claims any sum due under the hire-purchase agreement, or under any contract of guarantee relating thereto, the county court shall have jurisdiction to hear and determine the action as well in relation to that claim as in relation to the claim to enforce such a right as is mentioned in the preceding subsection, if apart from this section the county court would not have jurisdiction to do so.

15.—(1) The provisions of this section shall have effect where goods are let under a hire-purchase agreement to which the principal Act applies, and that agreement, or any other agreement, contains a provision (however expressed, and whether limited to defaults in payment or not) whereby, apart from this section, on the occurrence of, or at a time to be ascertained by reference to, a default in the payment of one or more instalments or other sums payable by the hirer, such of the consequences mentioned in the next following subsection as are specified in that provision (in this section referred to as “the specified consequences”) would follow. Notice of hirer's default.

(2) The consequences referred to in the preceding subsection are that the hire-purchase agreement, or the bailment of the goods, shall terminate, or shall be terminable, or that the owner shall have a right to recover possession of the goods.

(3) If default is made in the payment of one or more sums to which that provision (in this subsection referred to as “the relevant provision”) applies, the specified consequences shall not follow by reason of that default unless the owner serves on the hirer, by post or otherwise, a notice (in this section referred to as a “notice of default”) stating the amount which has become due, but remains unpaid, in respect of sums to which the relevant provision applies, and requiring the amount so stated to be paid within such period (not being less than seven days beginning with the date of service of the notice) as may be specified in the notice.

**PART I**

(4) Where a notice of default is served, the specified consequences shall not follow before the end of the period specified in the notice by reason of any default to which the notice relates ; and, if before the end of that period the amount specified in the notice is paid or tendered by or on behalf of the hirer or any guarantor, the specified consequences shall not follow thereafter by reason of any such default.

(5) In a case where the specified consequences are that the hire-purchase agreement, or the bailment of the goods, may be terminated by notice given by the owner, a notice of default may include a notice terminating the hire-purchase agreement or the bailment at or after the end of the period specified therein in accordance with subsection (3) of this section, subject to a condition that the termination is not to take effect if before the end of that period the amount specified in the notice of default is paid or tendered as mentioned in the last preceding subsection.

(6) Without prejudice to the service of a notice of default in any way in which such a notice could be served apart from this subsection, a notice of default shall be deemed to be served on the hirer under a hire-purchase agreement if—

- (a) it is addressed to the person last known to the owner as the hirer under the agreement, and is delivered at, or sent by post to, the last known address of that person, or
- (b) in a case where that person has died, the notice (if not served in accordance with the preceding paragraph) is addressed to that person's personal representative (whether by that or any similar description, and whether for the time being there is any personal representative of his or not) and is delivered at, or sent by post to, the address which was the last known address of the deceased person.

(7) Where the person who, immediately before his death, was the hirer under a hire-purchase agreement has died, and his rights under the agreement have not yet passed to a personal representative,—

- (a) section 9 of the Administration of Estates Act 1925 (vesting of estate of intestate between death and grant of administration) shall not be construed as enabling a notice of default to be served on the Probate Judge (as defined by that Act) as being the hirer under that agreement, and
- (b) subsections (1) to (5) of this section shall have effect as if the deceased person had not died, and any reference in those subsections to default in the payment of a sum payable by the hirer shall be construed accordingly.

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(8) At any time after the service of a notice of default and before the amount specified in the notice is paid or tendered as mentioned in subsection (4) of this section or the period specified in the notice expires (whichever first occurs) the goods to which the hire-purchase agreement relates shall not be treated,—

- (a) for the purposes of section 4 of the Law of Distress Amendment Act 1908, as goods comprised in a hire-purchase agreement made by the hirer, or
- (b) for the purposes of that section or of section 38 of the Bankruptcy Act 1914, as goods which are by the consent and permission of the owner in the possession, order or disposition of the hirer.

16.—(1) The provisions of subsection (2) or (as the case may be) subsection (3) of this section shall have effect where goods are let under a hire-purchase agreement to which the principal Act applies, and that agreement, or any other agreement, provides that, on the occurrence of, or at a time to be ascertained by reference to, one or more events referred to in the provision in question,—

Avoidance of certain provisions relating to death of hirer.

- (a) the hire-purchase agreement, or the bailment of the goods, shall terminate, or shall be terminable, or the owner shall have a right to recover possession of the goods to which the hire-purchase agreement relates, or
- (b) any sum shall become payable by the hirer or any guarantor, or any liability of the hirer or any guarantor shall be increased or accelerated, or
- (c) any right of the hirer under the hire-purchase agreement shall cease to be exercisable, or shall be, or shall become liable to be, restricted or postponed.

(2) If the only event specified as mentioned in the preceding subsection is the death of the hirer, so much of the agreement as makes any such provision as is mentioned in that subsection shall be void.

(3) If two or more events are so specified, and one of them is the death of the hirer, so much of the agreement as makes any such provision shall have effect as if any reference to the death of the hirer were omitted.

(4) Without prejudice to the preceding provisions of this section, where goods are let under a hire-purchase agreement to which the principal Act applies, and that agreement, or any other agreement contains any provision (whether expressed as a provision that the hire-purchase agreement shall be personal to the hirer or otherwise) which, if the hire-purchase agreement is in force immediately before the death of the hirer, would

## PART I

apart from this subsection have the effect of terminating the hire-purchase agreement on the death of the hirer or otherwise preventing the benefit of the hire-purchase agreement from being transmitted on his death, that provision shall be void in so far as it would have that effect.

Recovery of  
possession of  
goods after  
death of hirer.

17.—(1) The provisions of this section shall have effect where goods have been let under a hire-purchase agreement to which the principal Act applies, and at any time after the death of a person who, immediately before his death, was the hirer in relation to that agreement (in this section referred to as “the deceased hirer”) the following circumstances exist, that is to say,—

- (a) the goods have not been delivered to the owner, and a person (in this section referred to as “the person in possession”) who is neither the owner of the goods nor a personal representative of the deceased hirer is in possession of the goods ;
- (b) no order for the specific delivery of the goods or of any part of them has been made against the deceased hirer under paragraph (a) or paragraph (c) of section 12(4) of the principal Act or under section 13(4)(c) of that Act ;
- (c) if an order for the specific delivery of the goods has been made against the deceased hirer under section 12(4)(b) of the principal Act, the postponement of the operation of the order has not been revoked by the court ; and
- (d) no order under section 12(4) or section 13(4)(c) of the principal Act has (whether in pursuance of this section or otherwise) been made in respect of the goods against any person since the death of the deceased hirer.

(2) In relation to any time when those circumstances exist, subsection (1) of section 11 of the principal Act (which prevents an owner, after one-third of the hire-purchase price has been paid or tendered, from recovering possession of the goods from the hirer except by an action) shall have effect (subject to subsection (3) of that section) as if the reference to recovering the goods from the hirer included a reference to recovering them from the person in possession.

(3) Any reference in the principal Act to contravention of section 11 of that Act, or of subsection (1) of that section, shall include a reference to contravention of that subsection as applied by the last preceding subsection ; and, if the owner recovers possession of the goods in contravention of that subsection as so applied, a personal representative of the deceased hirer shall (without prejudice to any other right exercisable by him as the hirer in relation to the hire-purchase agreement) be entitled to



recover from the owner, in an action for money had and received, all such sums as are mentioned in paragraph (a) of subsection (2) of that section.

(4) In section 12(1) of the principal Act, and in the following provisions of this Part of this Act,—

- (a) any reference to a case to which section 11 of that Act applies shall include a case to which section 11(1) of that Act applies by virtue of subsection (2) of this section, and
- (b) in relation to a case to which section 11(1) of that Act so applies, any reference to an action to enforce a right to recover possession of goods from the hirer shall include a reference to an action to enforce a right to recover possession of the goods from the person in possession ;

and, in relation to any action to enforce a right to recover possession of the goods from the person in possession, section 10 of the principal Act shall apply as if any reference in that section to the hirer were a reference to the person in possession.

(5) In any action to which section 12(1) of the principal Act applies by virtue of subsection (4) of this section, the court (without prejudice to any other power exercisable by the court) may—

- (a) on the application of any party to the action, adjourn the action to enable a grant of probate or letters of administration to be obtained, and, if such a grant is obtained by a person who is not a party to the action, to enable that person to be made a party thereto, or
- (b) on the application of any person who is not a party to the action, but who satisfies the court that he is a personal representative of the deceased hirer, or that he intends to apply for letters of administration in respect of his estate, adjourn the action to enable that person to be made a party to the action, and, if he has not obtained a grant of probate or letters of administration, to enable him to obtain such a grant.

(6) Section 12(5) of the principal Act (which prevents a postponed order for the specific delivery of goods from being made unless they are in the possession or control of the hirer) shall not apply to an action to enforce a right to recover possession of the goods from the person in possession.

(7) Where the circumstances specified in subsection (1) of this section exist, in a case where an order for the specific delivery of the goods has been made under section 12(4)(b) of the principal Act in an action against the deceased hirer, then,

**PART I**

notwithstanding anything in subsection (2) of this section, any right of the owner to recover possession of the goods from the person in possession shall be enforceable in that action (and not in an action against that person) and shall be so enforceable by an application for the issue of a warrant of delivery; and the court may adjourn any such application in the like circumstances, and for the like purposes, as in accordance with paragraphs (a) and (b) of subsection (5) of this section the court could adjourn an action.

(8) If, at any time when section 11(1) of the principal Act has effect in accordance with subsection (2) of this section, the person in possession refuses to give up possession of the goods to the owner, the person in possession shall not, by reason only of the refusal, be liable to the owner for conversion of the goods.

(9) The preceding provisions of this section shall have effect in relation to sections 11(1) and 12(1) of the principal Act as modified by section 15 of that Act (which relates to successive hire-purchase agreements between the same parties) as those provisions have effect in relation to the said sections 11(1) and 12(1) apart from the said section 15.

Powers of court on non-compliance with order for specific delivery of goods.

**18.**—(1) Where goods have been let under a hire-purchase agreement to which the principal Act applies, and, in a case to which section 11 of that Act applies, the owner has brought an action to enforce a right to recover possession of the goods from the hirer, then if—

- (a) the court has made an order in that action under section 12(4) or section 13(4)(c) of that Act (in this section referred to as “the previous order”), and
- (b) the previous order has not been complied with, or, in the case of an order under section 12(4)(b) of that Act (which relates to postponed orders for the specific delivery of goods), the hirer or any guarantor has failed to comply with any condition of the postponement, or with any term of the hire-purchase agreement as varied by the court, or has wrongfully disposed of the goods, and
- (c) the owner has not recovered possession of all the goods which under the previous order were directed to be delivered to him,

the owner may make an application under this section.

(2) Any application under this section shall be made to the court by which the previous order was made, and (whether the operation of the previous order was postponed or not) shall be made in the action in which that order was made.

(3) On any such application the court shall have power, if in the circumstances it considers it just to do so,—

- (a) to revoke the previous order, and
- (b) to make an order for the payment (in any manner in which money may be ordered to be paid in accordance with section 99 of the County Courts Act 1959) of a sum determined in accordance with subsection (4) of this section.

(4) Subject to any reduction under subsection (6) of this section, the sum referred to in paragraph (b) of the last preceding subsection shall be a sum equal to the balance of the price of the unrecovered goods which remains outstanding at the date when the order under that paragraph is made.

(5) The power to make an order under subsection (3)(b) of this section shall be exercisable against any person who, at the time when the order is made, is (apart from the previous order) liable to pay any sum which has then accrued due under the hire-purchase agreement; and on the making of such an order the owner's title to the unrecovered goods shall vest in the person against whom the order is made.

(6) Where the court makes an order under subsection (3)(b) of this section, the court shall deduct from the balance referred to in subsection (4) of this section such amount as the court thinks just, having regard to the extent to which the order requires any part of that balance to be paid at a date earlier than the date on which it would have become payable in accordance with the hire-purchase agreement.

(7) Where an order is made under subsection (3)(b) of this section after the issue of a warrant in pursuance of the previous order, the court shall cancel the warrant.

(8) In this section—

- (a) “the unrecovered goods” means those goods which, under the previous order, were directed to be delivered to the owner but of which he has not recovered possession at the time when the court makes the order under subsection (3)(b) of this section; and
- (b) “price” in relation to any goods, has the same meaning as in section 12 of the principal Act, and any reference to the balance of the price of any goods remaining outstanding shall be construed accordingly.

19.—(1) Where, in a case to which section 11 of the principal Act applies, the owner has brought an action to enforce a right to recover possession of the goods from the hirer, and the court has made an order under paragraph (a) or paragraph (b) of

Money claim after order for specific delivery

**PART I** section 12(4) of that Act (in this section referred to as “the previous order”), then if—

- (a) the owner (whether the operation of the previous order was postponed or not) has recovered possession of all the goods, or
- (b) where the operation of the previous order was postponed, the court revokes the postponement,

the owner may make, or (if the claim in question has already been made in that action) may proceed with, any claim to which this section applies.

(2) This section applies to any claim—

- (a) for the payment of one or more instalments which had accrued due under the hire-purchase agreement before the action was brought, or
- (b) for the payment of any sum for which the hire-purchase agreement makes provision as mentioned in section 14(1) of the principal Act (which relates to provision in a hire-purchase agreement for bringing the payments up to a fixed amount on the termination of the agreement or of the bailment) and which had become payable before the action was brought.

(3) Where in pursuance of subsection (1) of this section the owner proposes to make or proceed with a claim as therein mentioned, that claim shall (whether the operation of the previous order was postponed or not) be made or proceeded with in the action in which the previous order was made, and, if the owner has recovered possession of all the goods, may, notwithstanding anything in section 14(1) of the principal Act, be so made or proceeded with at any time after he has recovered possession of them.

(4) In determining a claim to which this section applies the court may treat any sum paid in pursuance of an order made under section 12(4)(b) of the principal Act as a payment made (wholly or partly) in respect of any instalment or sum to which the claim relates.

**Provisions as to guarantees and indemnities.**

**20.**—(1) A contract of guarantee relating to a hire-purchase agreement to which the principal Act applies, or relating to a credit-sale agreement to which the principal Act applies under which the total purchase price exceeds £30, and any security given by a guarantor in respect of money payable under such a contract, shall (subject to the next following subsection) not be enforceable unless, within seven days of the making of the

contract of guarantee or the making of the hire-purchase agreement or credit-sale agreement, whichever is the later, there is delivered or sent to the guarantor—

- (a) a copy of the hire-purchase agreement or credit-sale agreement, and
- (b) a copy of a note or memorandum of the contract of guarantee, being a note or memorandum signed by the guarantor or by a person authorised by him to sign it on his behalf.

(2) If in any action the court is satisfied that a failure to comply with any requirement imposed by the preceding subsection has not prejudiced the guarantor, and that it would be just and equitable to dispense with that requirement, the court may, subject to any conditions that it thinks fit to impose, dispense with that requirement for the purposes of the action.

(3) Where a contract of guarantee relating to a hire-purchase agreement to which the principal Act applies or to a credit-sale agreement to which that Act applies is for the time being in force, and the final payment under that agreement has not been made, any person entitled to enforce the contract of guarantee against the guarantor shall, within four days after he has received a request in writing from the guarantor, and the guarantor has tendered to him the sum of 2s. 6d. for expenses, supply to the guarantor the documents specified in the next following subsection.

(4) The documents referred to in the last preceding subsection are—

- (a) a copy of the hire-purchase agreement or credit-sale agreement or, in the case of a credit-sale agreement under which the total purchase price does not exceed £30, a copy of any note or memorandum of the agreement ; and
- (b) a copy of a note or memorandum of the contract of guarantee ; and
- (c) a statement signed by, or by the agent of, the person to whom the request in writing referred to in the last preceding subsection is made, showing the matters specified in paragraphs (a) to (c) of section 6(1) of the principal Act (which relates to information required to be given to the hirer or buyer).

(5) In the event of a failure without reasonable cause to comply with subsection (3) of this section, then, while the default continues,—

- (a) no person shall be entitled to enforce the contract of guarantee against the guarantor, and

## PART I

(b) no security given by the guarantor in respect of money payable under that contract shall be enforceable against the guarantor by any holder of that security ;

and, if the default continues for a period of one month, the defaulter shall be liable on summary conviction to a fine not exceeding £25.

(6) The principal Act, the Hire-Purchase Act 1954 and this Part of this Act shall have effect in relation to a contract, made at the request (express or implied) of the hirer or buyer under a hire-purchase agreement or credit-sale agreement, to indemnify the owner or seller against any loss which he may incur in respect of that agreement, as they have effect in relation to a contract, made at the like request, to guarantee the performance of the hirer's or buyer's obligations under such an agreement.

Conditional  
sale  
agreements.

21.—(1) In the principal Act and in this Part of this Act “credit-sale agreement” shall not include a conditional sale agreement.

(2) In the following provisions of this section any reference to a conditional sale agreement to which this section applies is a reference to a conditional sale agreement under which the total purchase price does not exceed £2000 or such larger sum (if any) as is for the time being specified in section 1 of the principal Act:

Provided that any such reference shall not include a conditional sale agreement which is made by or on behalf of a body corporate (whether incorporated in the United Kingdom or elsewhere) as the buyer of the goods to which the agreement relates.

(3) The provisions of the principal Act (except section 20 thereof) and of the Hire-Purchase Act 1954 and of this Part of this Act relating to hire-purchase agreements shall have effect in relation to all conditional sale agreements to which this section applies as they have effect in relation to hire-purchase agreements to which the principal Act applies, subject to the exceptions and modifications specified in Part I of Schedule 1 to this Act.

(4) Without prejudice to the last preceding subsection, the enactments specified in Part II of Schedule 1 to this Act shall have effect subject to the provisions of that Part of that Schedule.

(5) In this section “conditional sale agreement” means an agreement for the sale of goods under which—

(a) the purchase price or part of it is payable by instalments, and

- (b) the property in the goods is to remain in the seller (notwithstanding that the buyer is to be in possession of the goods) until such conditions as to the payment of instalments or otherwise as may be specified in the agreement are fulfilled,

and "total purchase price" means the total sum payable by the buyer under a conditional sale agreement, exclusive of any sum payable as a penalty or as compensation or damages for a breach of the agreement.

22.—(1) The Board of Trade may make regulations prescribing such requirements (whether as to type, size, colour or disposition of lettering, quality or colour of paper, or otherwise) as the Board may consider appropriate for securing that documents to which this section applies are easily legible. Legibility of documents.

(2) Subject to the provisions of subsection (4) of this section, the documents to which this section applies are documents of any of the following descriptions, that is to say—

- (a) any hire-purchase agreement to which the principal Act applies, and any such copy as is mentioned in paragraph (d) or paragraph (e) of section 2(2) of that Act ;
- (b) any credit-sale agreement to which the principal Act applies under which the total purchase price exceeds £30, and any such copy as is mentioned in paragraph (c) or paragraph (d) of section 3(2) of that Act ;
- (c) any copy supplied to a hirer or buyer in pursuance of a request made by him under section 6 of the principal Act ;
- (d) any note or memorandum of a contract of guarantee relating to such a hire-purchase agreement or credit-sale agreement as is mentioned in paragraph (a) or paragraph (b) of this subsection, and any such copy as is mentioned in paragraph (a) or paragraph (b) of section 20(1) of this Act ;
- (e) any such copy as is mentioned in paragraph (a) or paragraph (b) of subsection (4) of section 20 of this Act which is supplied to a guarantor in pursuance of a request made by him under subsection (3) of that section.

(3) A hire-purchase agreement, credit-sale agreement or contract of guarantee shall not be invalid by reason only that any regulations made under this section are not complied with ; but where the requirements of any such regulations relating to a document are not complied with,—

- (a) if the document falls within paragraph (a) or paragraph (b) of the last preceding subsection, section 2(2) or section 3(2) of the principal Act shall apply as if those

## PART I

requirements were included among the requirements specified in paragraphs (b) to (e) of the said section 2(2) or paragraphs (b) to (d) of the said section 3(2), as the case may be ;

- (b) if the document is a copy falling within paragraph (c) or paragraph (e) of the last preceding subsection, section 6(2) of the principal Act, or section 20(5) of this Act, shall apply as if that copy had not been supplied to the hirer or buyer, or the guarantor, as the case may be ;
- (c) if the document falls within paragraph (d) of the last preceding subsection, subsections (1) and (2) of section 20 of this Act shall apply as if the requirements of the regulations relating to that document were included among the requirements imposed by subsection (1) of that section.

(4) Without prejudice to the operation of section 33(3) of this Act in relation to any regulations made under this section, any such regulations—

- (a) may specify which parts of the contents of a document to which the regulations apply are permitted to consist of handwriting or a reproduction of handwriting, and may prescribe different requirements in relation to so much of the contents of such a document as is permitted to consist, and consists, of handwriting or a reproduction of handwriting and in relation to the remainder of the contents of such a document ; and
- (b) may except from any of the requirements of the regulations any marginal notes or other subsidiary parts of a document.

(5) In relation to so much of any document falling within paragraph (a) or paragraph (b) of subsection (2) of this section as consists of—

- (a) words or other matters prescribed by regulations made under section 3(4) of this Act, or
- (b) a statement required to be contained therein as prescribed by regulations made under section 2(2) or section 3(2) of the principal Act as modified by section 5 of this Act,

any regulations made under this section shall have effect subject to the provisions of the regulations referred to in paragraph (a) or paragraph (b) of this subsection, as the case may be.

**Avoidance of provisions and contracts inconsistent with Part I.**

**23.—**(1) Any provision which is contained in an agreement (whether a hire-purchase agreement or credit-sale agreement or not) and is a provision to which this subsection applies shall be void.



## PART I

(2) The preceding subsection applies to—

- (a) any provision excluding or restricting the operation of any enactment contained in sections 4 to 9 of this Act or the exercise of any right conferred by such an enactment or imposing any liability in consequence of the exercise of such a right, other than or in addition to any liability imposed by such an enactment ;
- (b) any provision excluding or restricting the operation of any enactment contained in section 10 or section 11 of this Act ;
- (c) any provision excluding or modifying any condition implied by virtue of section 13 of this Act.

(3) Any contract, whether oral or in writing, which apart from this subsection would have effect as a contract to enter into an agreement to which this subsection applies (as distinct from a contract constituting such an agreement) shall be void.

(4) The last preceding subsection applies—

- (a) to any hire-purchase agreement to which the principal Act applies, and
- (b) to any credit-sale agreement to which that Act applies under which the total purchase price exceeds £30.

(5) This section shall have effect without prejudice to the operation of section 5 of the principal Act (which avoids certain provisions specified in that section).

24.—(1) In this Part of this Act “notice of cancellation” has the meaning assigned to it by section 4(2) of this Act. Interpretation  
of Part I.

(2) In this Part of this Act “antecedent negotiations”, in relation to a hire-purchase agreement or credit-sale agreement, means any negotiations or arrangements with the hirer or buyer whereby he was induced to make the agreement or which otherwise promoted the transaction to which the agreement relates ; and any reference in this Part of this Act to the person by whom any antecedent negotiations were conducted is a reference to the person by whom the negotiations or arrangements in question were conducted or made in the course of a business carried on by him.

(3) The last preceding subsection—

- (a) shall have effect in relation to a document to which section 4 of this Act applies, but which does not constitute a hire-purchase agreement or credit-sale agreement, as if references to the agreement and to making the agreement were references respectively to the document and to signing the document and any reference to the hirer or buyer were a reference to the prospective hirer or buyer (within the meaning of that section), and

**PART I**

(b) for the purposes of section 11(3) of this Act, shall have effect in relation to any offer to enter into a hire-purchase agreement or credit-sale agreement as if any reference to the agreement were a reference to the offer and any reference to the hirer or buyer were a reference to the person making the offer.

(4) Expressions to which a meaning is assigned by section 4 of this Act have the same meanings in sections 5 to 9 and section 11(1) of this Act as in the said section 4.

(5) For the purposes of this Part of this Act any negotiations conducted, or arrangements or representations made, by a servant or agent, if conducted or made by him in the course of his employment or agency, shall be treated as conducted or made by his employer or principal; and anything received by a servant or agent, if received by him in the course of his employment or agency, shall be treated as received by his employer or principal.

In this subsection "representations" has the same meaning as in section 10 of this Act, and references to making representations shall be construed accordingly.

(6) Section 21(1) of the principal Act (which defines certain expressions used in that Act) and section 3(1) of the Hire-Purchase Act 1954 (which provides that any deposit shall form part of the hire-purchase price) shall have effect for the purposes of this Part of this Act as they have effect for the purposes of the principal Act; and section 21(2) of the principal Act (which relates to the discharge of part of the hire-purchase price otherwise than by the payment of money) shall apply for the purposes of sections 18 and 19 of this Act.

(7) Without prejudice to the application, by virtue of the last preceding subsection, of the definition of "hire-purchase agreement" in section 21(1) of the principal Act, any reference in this Part of this Act to a document which constitutes a hire-purchase agreement or a credit-sale agreement shall be construed as including a reference to a document which together with one or more other documents constitutes such an agreement, and any reference to a document which, if executed by or on behalf of another person, would constitute such an agreement shall be construed accordingly.

**PART II****AMENDMENT OF LAW RELATING TO HIRE-PURCHASE AND CREDIT-SALE IN SCOTLAND**

Extension of principal Act to Scotland.

**25.**—(1) The Hire-Purchase Act 1938, as amended by sections 1(1), (2) and (5), 3(1), (2), (3) and (6), 12, 21(1) and 34 of this Act, shall extend to Scotland, subject to—

(a) the modifications set out in Part I of Schedule 2 to this Act, and

## PART II

- (b) the addition of the provisions set out in Part II of the said Schedule, being provisions corresponding to the provisions enacted for England and Wales by sections 2 and 3(1) of the Hire-Purchase Act 1954 and sections 1(3) and (4), 3(4) and (5) and 24(7) of this Act.

(2) In accordance with the preceding subsection the said Act of 1938 shall have effect in Scotland as set out in Part III of the said Schedule 2.

(3) The following enactments shall cease to have effect, that is to say, sections 1 to 5 and 8 and 9 of the Hire Purchase and Small Debt (Scotland) Act 1932, the Hire-Purchase Act 1954 (in so far as it applies to Scotland) and the Credit-Sale Agreements (Scotland) Act 1961.

(4) The following provisions of this subsection shall have effect for the purpose of the construction of any reference (however expressed) in any enactment passed before this Act to a contract to which the Hire Purchase and Small Debt (Scotland) Act 1932 applied or would in certain circumstances have applied:—

- (a) if the reference is a reference to a contract to which paragraph (a) of section 1 of that Act applied or would have applied, it shall be construed as a reference to a hire-purchase agreement within the meaning assigned to that expression by section 21(1) of the Act of 1938 ;
- (b) if the reference is a reference to a contract to which paragraph (b) of the said section 1 applied or would have applied, it shall be construed as a reference to a conditional sale agreement within the meaning assigned to that expression by section 21(5) of this Act ;
- (c) if the context of the reference requires that it shall be construed as a reference only to a contract relating to an article within the limitation as to value specified in the said paragraph (a) or, as the case may be, the said paragraph (b) it shall be construed as a reference to a hire-purchase agreement (within the meaning assigned as aforesaid) under which the hire-purchase price does not exceed the limitation for the time being specified in section 1(1) of the Act of 1938 or, as the case may be, a conditional sale agreement (within the meaning assigned as aforesaid) under which the total purchase price does not exceed the limitation specified or referred to in section 21(2) of this Act ;
- (d) for the removal of doubt it is hereby declared that except as required by the last preceding paragraph no account is to be taken of section 1 of the Act of 1938, or section 2 or the proviso to section 21(2) of this Act, in construing any such reference ;

**PART II**

(e) in relation to any such reference, expressions to which meanings are assigned by section 21(1) of the Act of 1938 shall in any enactment passed before this Act have the meanings so assigned to them respectively, unless the context otherwise requires; and any words defining the expressions "purchaser" or "instalment" for the purposes of any such reference shall be disregarded.

(5) In this Part of, and in Schedules 2 and 7 to, this Act, the expression "the Act of 1938" means the said Act of 1938 as extended to Scotland by this section.

Extension to  
Scotland of  
provisions of  
Part I.

**26.—**(1) For the purpose of further amending the law relating to hire-purchase and credit-sale in Scotland the provisions of this Act set out in the following Table shall extend to Scotland subject to the modifications specified in the next following subsection.

**TABLE**

Section 2.  
Sections 4 to 11.  
Section 13.  
Sections 15 to 20.  
Section 21(2) to (5).  
Section 22.  
Section 23.  
Section 24 (in so far as it relates to the provisions mentioned in this Table).  
Schedule 1.

(2) The modifications referred to in the preceding subsection are as follows:—

- (a) references to the principal Act and to Part I of this Act shall be construed respectively as references to the Act of 1938 and such of the provisions of the said Part I as are extended to Scotland by this section; and any reference to those provisions, or to any of them, shall be construed as a reference to those provisions, or, as the case may be, that provision, as so extended;
- (b) any reference to the Hire-Purchase Act 1954 or any provision thereof shall be omitted;
- (c) any reference to the bailment of goods shall be omitted;
- (d) for any reference to a personal representative there shall be substituted a reference to an executor;
- (e) in section 10(3), for any reference to a condition or warranty there shall be substituted a reference to a stipulation;

- (f) in section 13 for any reference to a condition, in relation to an agreement, there shall be substituted a reference to a stipulation which is material to the agreement ;
- (g) in section 15, subsection (8) and paragraph (a) of subsection (7) shall be omitted ;
- (h) in section 17—
- (i) for any reference to a grant of probate or letters of administration there shall be substituted a reference to an appointment as executor ;
  - (ii) for any reference, in relation to an action, to adjourning there shall be substituted a reference to sisting ;
  - (iii) in subsection (3), the words “ in an action for money had and received ” shall be omitted ;
  - (iv) in subsection (4), the words from “ and in relation to ” to the end of the subsection shall be omitted ;
  - (v) in subsection (7), for the words “ by an application for the issue of a warrant of delivery ” there shall be substituted the words “ by an application for the grant of a warrant to officers of court to search such premises in the occupation of that person as may be specified in the warrant and to take possession of the goods or any of them which may be found in such premises ” ; and at the end of the said subsection there shall be added the words “ Any warrant granted in pursuance of an application under this subsection shall be deemed to include authority to open, if need be, shut and lockfast places for the purpose of carrying the warrant into lawful execution ” ; and
  - (vi) subsection (8) shall be omitted ;
- (i) in section 18(3)(b) the words “ (in any manner in which money may be ordered to be paid in accordance with section 99 of the County Courts Act 1959) ” shall be omitted ;
- (j) in section 20, for subsection (1) there shall be substituted the following subsection :—
- “ (1) A contract of guarantee relating to a hire-purchase agreement to which the Hire-Purchase Act 1938 as extended to Scotland applies or relating to a credit-sale agreement to which that Act applies under which the total purchase price exceeds £30, and any security given by a guarantor in respect of money payable under such a contract, shall (subject to the next following subsection) not

## PART II

be enforceable unless the contract of guarantee is signed before two witnesses by the guarantor and, within seven days of the making of the contract of guarantee or the making of the hire-purchase agreement or credit-sale agreement, whichever is the later, there is delivered or sent to the guarantor a copy of the contract of guarantee and a copy of the hire-purchase agreement or credit-sale agreement."

and, in subsection (4)(b), the words " a note or memorandum of " shall be omitted ;

(k) in section 22—

(i) in subsection (2)(d), the words " note or memorandum of a " and the words " paragraph (a) or paragraph (b) of ", where those words second occur, shall be omitted ; and

(ii) in subsection (5)(a), for the words " section 3(4) of this Act " there shall be substituted the words " section 2(3) or 3(3) of the Hire-Purchase Act 1938 as extended to Scotland " ;

(l) in Schedule 1—

(i) paragraph 3 shall be omitted ;

(ii) in paragraph 4, for the word " bailee " there shall be substituted the word " custodian " ;

(iii) in paragraph 6(2), for any reference to an assignment there shall be substituted a reference to an assignation ;

(iv) in paragraph 8, the reference to section 9 of the Factors Act 1889 shall be construed as a reference to that section as extended to Scotland by the Factors (Scotland) Act 1890 ; and

(v) paragraph 9 shall be omitted.

## PART III

## MOTOR VEHICLES ON HIRE-PURCHASE OR CONDITIONAL SALE

Protection of  
purchasers of  
motor vehicles.

27.—(1) The provisions of this section shall have effect where a motor vehicle has been let under a hire-purchase agreement, or has been agreed to be sold under a conditional sale agreement, and, at a time before the property in the vehicle has become vested in the hirer or buyer, he disposes of the vehicle to another person.

(2) Where the disposition referred to in the preceding subsection is to a private purchaser, and he is a purchaser of the

motor vehicle in good faith and without notice of the hire-purchase agreement or conditional sale agreement, that disposition shall have effect as if the title of the owner or seller to the vehicle had been vested in the hirer or buyer immediately before that disposition.

(3) Where the person to whom the disposition referred to in subsection (1) of this section is made (in this subsection referred to as "the original purchaser") is a trade or finance purchaser, then if the person who is the first private purchaser of the motor vehicle after that disposition (in this section referred to as "the first private purchaser") is a purchaser of the vehicle in good faith and without notice of the hire-purchase agreement or conditional sale agreement, the disposition of the vehicle to the first private purchaser shall have effect as if the title of the owner or seller to the vehicle had been vested in the hirer or buyer immediately before he disposed of it to the original purchaser.

(4) Where, in a case falling within the last preceding subsection,—

- (a) the disposition whereby the first private purchaser becomes a purchaser of the motor vehicle in good faith and without notice of the hire-purchase agreement or conditional sale agreement is itself a letting under a hire-purchase agreement, and
- (b) the person who is the owner in relation to that agreement disposes of the vehicle to the first private purchaser, or a person claiming under him, by way of transferring to him the property in the vehicle in pursuance of a provision in the agreement in that behalf,

the disposition referred to in paragraph (b) of this subsection (whether the person to whom it is made is then a purchaser in good faith and without notice of the original hire-purchase agreement or conditional sale agreement or not) shall, as well as the disposition referred to in paragraph (a) of this subsection, have effect as mentioned in the last preceding subsection.

(5) The preceding provisions of this section shall have effect—

- (a) notwithstanding anything in section 21 of the Sale of Goods Act 1893 (which relates to the sale of goods by a person who is not the owner), but
- (b) without prejudice to the provisions of the Factors Acts (as defined by section 62(1) of the said Act of 1893) or of any other enactment enabling the apparent owner of goods to dispose of them as if he were the true owner of the goods.

## PART III

(6) Nothing in this section shall exonerate the hirer or buyer from any liability (whether criminal or civil) to which he would be subject apart from this section; and, in a case where the hirer or buyer disposes of the motor vehicle to a trade or finance purchaser, nothing in this section shall exonerate—

(a) that trade or finance purchaser, or

(b) any other trade or finance purchaser who becomes a purchaser of the vehicle and is not a person claiming under the first private purchaser,

from any liability (whether criminal or civil) to which he would be subject apart from this section.

Presumptions  
relating to  
dealings with  
motor vehicles.

28.—(1) Where in any proceedings (whether criminal or civil) relating to a motor vehicle it is proved—

(a) that the vehicle was let under a hire-purchase agreement, or was agreed to be sold under a conditional sale agreement, and

(b) that a person (whether a party to the proceedings or not) became a private purchaser of the vehicle in good faith and without notice of the hire-purchase agreement or conditional sale agreement,

the following provisions of this section shall have effect for the purposes of the operation of section 27 of this Act in relation to those proceedings.

(2) It shall be presumed for those purposes, unless the contrary is proved, that the disposition of the vehicle to the person referred to in paragraph (b) of the preceding subsection (in this section referred to as “the relevant purchaser”) was made by the hirer or buyer.

(3) If it is proved that that disposition was not made by the hirer or buyer, then it shall be presumed for those purposes, unless the contrary is proved,—

(a) that the hirer or buyer disposed of the vehicle to a private purchaser who was a purchaser of the vehicle in good faith and without notice of the hire-purchase agreement or conditional sale agreement, and

(b) that the relevant purchaser is or was a person claiming under the person to whom the hirer or buyer so disposed of the vehicle.

(4) If it is proved that the disposition of the vehicle to the relevant purchaser was not made by the hirer or buyer, and that the person to whom the hirer or buyer disposed of the vehicle (in this subsection referred to as “the original purchaser”) was a trade or finance purchaser, then it shall be presumed for those purposes, unless the contrary is proved,—

(a) that the person who, after the disposition of the vehicle to the original purchaser, first became a private



purchaser of the vehicle was a purchaser in good faith and without notice of the hire-purchase agreement or conditional sale agreement, and

(b) that the relevant purchaser is or was a person claiming under the original purchaser.

(5) Without prejudice to any other mode of proof, where in any proceedings a party thereto admits a fact, that fact shall, for the purposes of this section, be taken as against him to be proved in relation to those proceedings.

29.—(1) In this Part of this Act—

Interpretation  
of Part III.

“conditional sale agreement” and “seller” have the meanings assigned to them by section 21(5) of, and paragraph 6 of Schedule 1 to, this Act ;

“disposition” means any sale or contract of sale (including a conditional sale agreement), any letting under a hire-purchase agreement and any transfer of the property in goods in pursuance of a provision in that behalf contained in a hire-purchase agreement, and includes any transaction purporting to be a disposition (as so defined), and “dispose of” shall be construed accordingly ;

“hire-purchase agreement” and “owner” have the meanings assigned to them by section 21(1) of the Hire-Purchase Act 1938 ;

“motor vehicle” means a mechanically propelled vehicle intended or adapted for use on roads to which the public has access.

(2) In this Part of this Act “trade or finance purchaser” means a purchaser who, at the time of the disposition made to him, carries on a business which consists, wholly or partly,—

(a) of purchasing motor vehicles for the purpose of offering or exposing them for sale, or

(b) of providing finance by purchasing motor vehicles for the purpose of letting them under hire-purchase agreements or agreeing to sell them under conditional sale agreements,

and “private purchaser” means a purchaser who, at the time of the disposition made to him, does not carry on any such business.

(3) For the purposes of this Part of this Act a person becomes a purchaser of a motor vehicle if, and at the time when, a disposition of the vehicle is made to him ; and a person shall be taken to be a purchaser of a motor vehicle without notice of a hire-purchase agreement or conditional sale agreement if,

**PART III** at the time of the disposition made to him, he has no actual notice that the vehicle is or was the subject of any hire-purchase agreement or conditional sale agreement.

(4) In this Part of this Act “the hirer or buyer”,—

(a) in relation to a motor vehicle which has been let under a hire-purchase agreement, means the person who at the material time (whether the agreement has before that time been terminated or not) is the hirer in relation to that agreement for the purposes of the Hire-Purchase Act 1938, including a person who at that time is, by virtue of section 13(1) of that Act, deemed to be a bailee of the vehicle as therein mentioned ;

(b) in relation to a motor vehicle which has been agreed to be sold under a conditional sale agreement, means the person who at the material time (whether the agreement has before that time been terminated or not) is in relation to that agreement the buyer (as defined by paragraph 6 of Schedule 1 to this Act), including a person who at that time is, by virtue of section 13(1) of the Hire-Purchase Act 1938 (as modified by paragraph 4 of that Schedule), deemed to be in possession of the vehicle as therein mentioned.

(5) In this Part of this Act any reference to the title of the owner or seller to a motor vehicle which has been let under a hire-purchase agreement, or agreed to be sold under a conditional sale agreement, and is disposed of by the hirer or buyer, is a reference to such title (if any) to the vehicle as, immediately before that disposition, was vested in the person who then was the owner in relation to the hire-purchase agreement, or the seller in relation to the conditional sale agreement, as the case may be.

(6) In the application to Scotland of subsection (4) of this section, for the word “bailee” there shall be substituted the word “custodier”.

## **PART IV**

### **ADVERTISEMENTS**

Extension of advertisements to which Advertisements (Hire-Purchase) Act 1957 applies.

**30.** In section 1 of the Advertisements (Hire-Purchase) Act 1957 (which provides that that Act applies to any advertisement which includes one or more of the elements mentioned in subsection (2) of that section) at the end of subsection (2) there shall be inserted the following paragraphs:—

“(d) a fraction represented as being the rate of interest or rate of charge to be borne by the hirer or buyer in hiring or purchasing goods in accordance with the advertisement ;

(e) a sum stated as the hire-purchase price or total purchase price of the goods”;

PART IV

and at the end of that section there shall be added the following subsection:—

“ (4) For the purposes of this Act—

(a) a fraction stated in an advertisement shall be taken to be represented therein as mentioned in subsection (2)(d) of this section if it is stated in the advertisement in such a way that it could reasonably be understood to be so represented ;

(b) a sum indicated in an advertisement (whatever the words used) as being the total amount which, on a hire-purchase or credit sale of any goods, would be payable by the hirer or buyer shall be taken to be stated therein as the hire-purchase price or total purchase price of the goods.”

**31.—**(1) Section 2 of the Advertisements (Hire-Purchase) Act 1957 (which sets out the information required to be included in advertisements to which that Act applies) shall be amended in accordance with the following provisions of this section. Information to be included in advertisements.

(2) In subsection (2) of that section (which relates to advertisements which contain details of payments), in paragraph (e) the word “ and ” shall be omitted, and at the end of paragraph (f) there shall be inserted the words “ and

(g) a sum stated as the hire-purchase price or total purchase price of the goods and being, in either case, the amount (directly expressed) of the aggregate of the amount of the deposit (if any) and of all the instalments payable.”

(3) In subsection (3) of that section (which relates to advertisements which do not contain details of payments), in paragraph (b) (which excludes any requirement to set out the information specified in paragraphs (b) and (f) of subsection (2)) for the words “ paragraphs (b) and (f) ” there shall be substituted the words “ paragraphs (b), (f) and (g) ”.

(4) At the end of subsection (4) of that section (which defines an advertisement which contains details of payments) there shall be added the words “ or if it states a sum as the hire-purchase price or total purchase price of those goods ”.

**32.—**(1) The following section shall be inserted after section 2 of the Advertisements (Hire-Purchase) Act 1957:— Information as to rate of interest or charge.

“ 2A.—(1) An advertisement to which this Act applies which, in relation to any goods, contains a fraction repre-

**PART IV**

sented as mentioned in section 1(2)(d) of this Act shall not be displayed or issued unless—

- (a) the advertisement contains details of payments in respect of those goods ;
- (b) in so far as it relates to those goods, the instalments are expressed in the advertisement as being instalments of equal amounts and payable in respect of equal periods ; and
- (c) the fraction so represented in the advertisement is expressed as a specified amount per cent. per annum and the amount so specified is not less than an amount calculated in accordance with the prescribed formula.

(2) In paragraph (c) of the preceding subsection “the prescribed formula” means the formula set out in the Schedule to this Act (being a formula for calculating a rate of interest or charge on the basis of so much of the cash price, less any deposit, as remains outstanding after each instalment is paid).

(3) For the purposes of this section any period of a calendar month shall be taken to be equal to any other period of a calendar month.

(4) This section shall have effect without prejudice to any requirement imposed by section 2 of this Act.”.

(2) The provisions set out in Schedule 3 to this Act shall be inserted in the said Act of 1957 as the Schedule to that Act.

**PART V****SUPPLEMENTARY PROVISIONS**

Supplementary provisions as to regulations, Orders in Council and interpretation.

33.—(1) Any power of the Board of Trade to make regulations under this Act or the Hire-Purchase Act 1938 shall be exercisable by statutory instrument.

(2) Anything required or authorised by or under this Act or the Hire-Purchase Act 1938 to be done by, to or before the Board of Trade may be done by, to or before the President of the Board, any Minister of State with duties concerning the affairs of the Board, any secretary, under-secretary or assistant secretary of the Board or any person authorised in that behalf by the President.

(3) Where a power to make regulations is exercisable by virtue of this Act (including any amendment made by this Act in any other enactment) regulations made in the exercise of that power may make different provision in relation to different classes of cases.

(4) Any Order in Council made under section 1(3) of this Act may be revoked by any subsequent Order in Council made thereunder which substitutes a larger sum for the sum specified in the Order which is thereby revoked.

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

34.—(1) Without prejudice to any amendments having effect by virtue of the preceding provisions of this Act, the enactments specified in Schedule 4 to this Act shall have effect subject to the amendments specified in that Schedule, being minor amendments or amendments consequential upon the preceding provisions of this Act. Minor and consequential amendments and repeals.

(2) The enactments specified in Schedule 5 to this Act are hereby repealed to the extent specified in relation thereto in the third column of that Schedule.

(3) For the removal of doubt it is hereby declared that no account is to be taken of section 1 of the principal Act, or of section 2 of this Act, for the purpose of construing any enactment whereby (however the enactment is expressed) it is provided that in the enactment (or, if the enactment extends to Scotland, in the enactment in its application to England and Wales) “hire-purchase agreement”, or any similar expression, has the same meaning as “hire-purchase agreement” has in the principal Act or the definition of “hire-purchase agreement” in the principal Act is otherwise applied for the purposes of the enactment:

Provided that this subsection shall not affect the construction of—

- (a) any enactment (not contained in this Act) which expressly refers to hire-purchase agreements “to which the Hire-Purchase Act 1938 applies”, or
- (b) any reference in this Act to hire-purchase agreements to which the principal Act applies.

35.—(1) The transitional provisions contained in Schedule 6 to this Act shall have effect with respect to the operation of Part I of this Act and with respect to the operation of the last preceding section in relation to enactments contained in the Hire-Purchase Act 1938 or the Hire-Purchase Act 1954. Transitional provisions.

(2) The transitional provisions contained in Schedule 7 to this Act shall have effect with respect to the operation of Part II of this Act and with respect to the operation of subsection (2) of the last preceding section in relation to enactments contained in the Hire Purchase and Small Debt (Scotland) Act 1932, the Hire-Purchase Act 1954 in its application to Scotland or the Credit-Sale Agreements (Scotland) Act 1961.

## PART V

(3) The provisions of Part III of this Act—

- (a) shall have effect in relation to hire-purchase agreements and conditional sale agreements made before, as well as in relation to such agreements made after, the commencement of this Act, but
- (b) shall not have effect where the disposition by the hirer or buyer which is referred to in subsection (1) of section 27 of this Act was made before the commencement of this Act.

Commence-  
ment.

**36.**—(1) Subject to the following provisions of this section, this Act shall come into operation on 1st January 1965.

(2) This section, any provisions of this Act which confer any power to make regulations (including any provision conferring such a power by way of amendment of another Act) and any provisions of this Act relating to the exercise of any such power shall come into operation on the passing of this Act; but no regulations shall be made in pursuance of any such provisions so as to come into operation before 1st January 1965.

(3) Any reference in this Act, and (notwithstanding anything in section 36 of the Interpretation Act 1889) any reference in any Act passed after the passing of this Act, to the commencement of this Act shall be construed as a reference to 1st January 1965.

(4) The preceding provisions of this section shall have effect without prejudice to the generality of section 37 of the Interpretation Act 1889 (which relates to the exercise of statutory powers between the passing and the commencement of an Act).

Short title,  
citation and  
extent.

**37.**—(1) This Act may be cited as the Hire-Purchase Act 1964.

(2) In their application to England and Wales, the Hire-Purchase Act 1938, the Hire-Purchase Act 1954, the Advertisements (Hire-Purchase) Act 1957 and this Act (except Parts II and III thereof and Schedules 2 and 7 thereto) may be cited together as the Hire-Purchase Acts 1938 to 1964.

(3) In their application to Scotland, the Hire-Purchase Act 1938, the Advertisements (Hire-Purchase) Act 1957 and this Act (except Parts I and III thereof and Schedule 6 thereto) may be cited together as the Hire-Purchase (Scotland) Acts 1938 to 1964.

(4) Except so far as otherwise provided in Part II of this Act, Part I of this Act and Schedule 6 thereto shall not extend to Scotland; and Part II of this Act and Schedules 2 and 7 thereto shall not extend to England and Wales.

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

## SCHEDULES

### SCHEDULE 1

#### APPLICATION OF ENACTMENTS TO CONDITIONAL SALE AGREEMENTS

##### PART I

##### EXCEPTIONS AND MODIFICATIONS REFERRED TO IN SECTION 21(3)

1. The provisions of this Part of this Schedule shall have effect for the purposes of section 21(3) of this Act; and in this Part of this Schedule “conditional sale agreement” and “total purchase price” have the meanings assigned to them by section 21(5) of this Act.

2.—(1) Subject to paragraph 4 of this Schedule, the provisions specified in section 21(3) of this Act shall have effect as therein mentioned as if—

- (a) any reference to a hirer were a reference to a buyer;
- (b) any reference to an owner were a reference to a seller;
- (c) any reference to hire-purchase price were a reference to total purchase price;
- (d) any reference to hire-rent were a reference to instalments of the purchase price; and
- (e) any reference to goods let under a hire-purchase agreement were a reference to goods agreed to be sold under a conditional sale agreement.

(2) In accordance with the preceding sub-paragraph (and without prejudice to the generality thereof) in section 4(1) of this Act the reference to a document which, if executed by or on behalf of another person as owner of the goods to which it relates, would constitute a hire-purchase agreement to which the principal Act applies shall be construed as including a reference to a document which, if executed by or on behalf of another person as seller of the goods to which it relates, would constitute such a conditional sale agreement as is mentioned in section 21(3) of this Act.

3. In sections 5(c), 11(3) and 14(1) of the principal Act, the words “or the bailment”, and in section 15 of this Act the words “or the bailment of the goods” in subsections (2) and (5) and the words “or the bailment” in the second place where they occur in subsection (5), shall be omitted.

4. In section 13(1) of the principal Act, for the words “the hirer shall be deemed to be a bailee of the goods under and on the terms of the hire-purchase agreement” there shall be substituted the words “the buyer shall be deemed to be in possession of the goods under and on the terms of the conditional sale agreement, other than any term providing for the property in the goods to vest in the buyer at any time before the payment of the whole of the total purchase price (as defined by section 21(5) of the Hire-Purchase Act 1964)”.

SCH. 1

5.—(1) Where goods have been sold under a conditional sale agreement and the property in the goods, having become vested in the buyer, is transferred to a person who does not become the buyer under the agreement, the buyer shall no longer be entitled to determine the agreement under section 4 of the principal Act.

(2) Subject to the preceding sub-paragraph, where a buyer under a conditional sale agreement determines the agreement under section 4 of the principal Act after the property in the goods has become vested in him, the property in the goods shall thereupon vest in the person (in this sub-paragraph referred to as “the previous owner”) in whom it was vested immediately before it became vested in the buyer:

Provided that if the previous owner has died, or any other event has occurred whereby that property, if vested in him immediately before that event, would thereupon have vested in some other person, the property shall be treated as having devolved as if it had been vested in the previous owner immediately before his death or immediately before that event, as the case may be.

6.—(1) The definitions of “buyer” and “seller” in section 21(1) of the principal Act shall not apply to conditional sale agreements.

(2) In this Part of this Schedule—

“buyer”, in relation to a conditional sale agreement, means the person who agrees to purchase goods under the agreement and includes a person to whom the rights or liabilities of that person under the agreement have passed by assignment or by operation of law;

“seller”, in relation to a conditional sale agreement, means the person who agrees to sell goods under the agreement and includes a person (other than the buyer) to whom that person’s property in the goods or any of that person’s rights or liabilities under the agreement has passed by assignment or by operation of law.

## PART II

### CONSEQUENTIAL EXCEPTIONS AND MODIFICATIONS

7. In this Part of this Schedule “conditional sale agreement” means a conditional sale agreement, as defined by subsection (5) of section 21 of this Act, in relation to which the provisions of Part I of this Act have effect in accordance with subsection (3) of that section, and “buyer” and “seller” have the meanings assigned to them by paragraph 6 of this Schedule.

8. For the purposes of section 9 of the Factors Act 1889 and of section 25(2) of the Sale of Goods Act 1893 (under which, notwithstanding that the property in the goods has not been transferred to him, a person who has bought or agreed to buy goods and is in possession of them can confer a good title to the goods) the buyer under a conditional sale agreement shall be deemed not to be a person who has bought or agreed to buy goods.

9.—(1) Section 11(1)(c) of the Sale of Goods Act 1893 (whereby in certain circumstances a breach of a condition in a contract of sale



is to be treated only as a breach of warranty) shall not apply to a conditional sale agreement.

SCH. 1

(2) A breach of a condition (whether express or implied) to be fulfilled by the seller under a conditional sale agreement shall be treated as a breach of warranty, and not as grounds for rejecting the goods and treating the agreement as repudiated, if (but only if) it would have fallen to be so treated had the condition been contained or implied in a corresponding hire-purchase agreement as a condition to be fulfilled by the owner.

(3) In this paragraph "corresponding hire-purchase agreement" means a hire-purchase agreement relating to the same goods as the conditional sale agreement and made between the same parties and at the same time and in the same circumstances and, as nearly as may be, in the same terms as the conditional sale agreement.

10. A conditional sale agreement shall be treated as not being a contract of sale for the purposes of sections 12 to 15 of the Sale of Goods Act 1893 (which imply certain conditions and warranties in contracts of sale).

11. In section 9 of the principal Act the reference to payments in respect of two or more hire-purchase agreements shall include a reference to payments in respect of one or more hire-purchase agreements and one or more conditional sale agreements as well as a reference to payments in respect of two or more conditional sale agreements.

12. Section 15 of the principal Act shall have effect where—

- (a) after the making of a hire-purchase agreement, the owner, as seller, makes a conditional sale agreement with the hirer, as buyer, or
- (b) after the making of a conditional sale agreement, the seller, as owner, makes a hire-purchase agreement with the buyer, as hirer,

as it has effect where both agreements are hire-purchase agreements or both are conditional sale agreements.

## SCHEDULE 2

### EXTENSION OF HIRE-PURCHASE ACT 1938 TO SCOTLAND

#### PART I

#### MODIFICATIONS OF HIRE-PURCHASE ACT 1938 FOR PURPOSES OF EXTENSION TO SCOTLAND

1. In the Act of 1938, for any reference to an assignment (other than in section 12(8) thereof) there shall be substituted a reference to an assignation and any reference to the bailment of goods shall be omitted.

2. In section 8 of the Act of 1938, for any reference to a warranty or condition there shall be substituted a reference to a stipulation; and after subsection (3B) there shall be inserted the following subsection, that is to say:—

"(3C) In relation to every hire-purchase agreement the stipulations referred to in subsection (1)(b) and (d) and subsection (2) of this section shall be deemed to be material to the agreement."

## SCH. 2

3. Section 10 of the Act of 1938 shall be omitted.
4. In section 11 of the Act of 1938,
  - (a) for any reference to a judgment there shall be substituted a reference to an order of the court ;
  - (b) at the end of subsection (1) there shall be added the words :—

“ Provided that nothing in this subsection shall be taken to confer on an owner any right to recover, otherwise than by action, possession of any goods let under a hire-purchase agreement where one-third of the hire-purchase price has not been paid or tendered as aforesaid ” ; and
  - (c) in subsection (2) the words “ in an action for money had and received ”, in each place where they occur, shall be omitted.
5. In section 12 of the Act of 1938,
  - (a) for subsection (1) there shall be substituted the following subsections—

“ (1) The following provisions of this section shall apply, in a case to which the last foregoing section applies, where the owner commences an action to enforce a right to recover possession of any of the goods from the hirer after one-third of the hire-purchase price has been paid or tendered as aforesaid.

(1A) After such an action has been commenced the owner shall not take any steps to enforce payment of any sum due under the hire-purchase agreement or under any contract of guarantee relating thereto, except by claiming the said sum in the said action ” ; and
  - (b) for any reference to the county court there shall be substituted a reference to the sheriff court.
6. In section 13 of the Act of 1938, for any reference to a bailee there shall be substituted a reference to a custodier ; and for any reference to executing an order there shall be substituted a reference to executing diligence on an order.
7. Sections 16 to 18 of the Act of 1938 shall be omitted.
8. In section 19 of the Act of 1938, the words “ made after the commencement of this Act ” and the words “ and in section 14(1) of the Hire-Purchase Act 1964 ” shall be omitted.
9. After section 19 of the Act of 1938 there shall be inserted the following section, that is to say—

“Jurisdiction. 19A.—(1) Subject to the following provisions of this section, where goods have been let under a hire-purchase agreement to which this Act applies and the owner brings or institutes an action to enforce a right to recover possession of any of the goods from the hirer, the action shall be brought or instituted in the sheriff court for the district in which the hirer resides or carries on business or resided or carried on business at the date on which he last made a payment under the hire-purchase agreement.

(2) No cause, action or proceeding on or arising out of any hire-purchase agreement to which this Act applies or credit-sale agreement to which this Act applies which may competently be brought or instituted in the small debt court shall be brought or instituted otherwise than in that court; but nothing in this section shall affect or prejudice any power vested in the sheriff to remit to the ordinary court roll any such cause, action or proceeding brought or instituted in the small debt court.

(3) In this section "small debt court" means any court held in pursuance of the Small Debt (Scotland) Act 1837 as amended by any subsequent enactment."

10. Section 20 of the Act of 1938 shall be omitted.

11. In subsection (1) of section 21 of the Act of 1938, the definition of "warranty" shall be omitted and for the definition of "hire-purchase agreement" there shall be substituted the following definition, that is to say—

"hire-purchase agreement" means any contract, in whatsoever terms it may be expressed and whether it be truly one of sale or hire, whereby goods are taken on hire by one person from another person in consideration of periodical payments to be made by the first mentioned person to the other person, with an option to the first mentioned person to become the buyer of the goods.

12. In section 22 of the Act of 1938, subsection (3) shall be omitted.

13. In the Schedule to the Act of 1938—

- (a) in the second paragraph 1, the words from the beginning to "has been paid, then]" shall be omitted; and
- (b) in the second paragraph 2, after the word "If", in the first place where it occurs, there shall be inserted the words "*\*[after (here insert an amount calculated in accordance with the provisions of sections 11 and 19 of this Act) has been paid]*"; and after the word "court", in the second place where it occurs, there shall be inserted the words "(under powers conferred by the Hire-Purchase (Scotland) Acts 1938 to 1964)".

## PART II

### ADDITIONS TO HIRE-PURCHASE ACT 1938 FOR PURPOSES OF EXTENSION TO SCOTLAND

14. In section 1 of the Act of 1938 there shall be added the following subsections:—

"(2) If at any time after the commencement of the Hire-Purchase Act 1964 it appears to Her Majesty in Council that the limit specified in the foregoing subsection (whether by virtue of that subsection or of a previous Order in Council under this subsection) should be further raised, Her Majesty may by Order in

## SCH. 2

Council direct that the foregoing subsection shall be amended so as to substitute, for the sum specified in that subsection, such larger sum as may be specified in the Order.

(3) No recommendation shall be made to Her Majesty to make an Order in Council under the last foregoing subsection unless a draft of the Order has been laid before Parliament and approved by resolution of each House of Parliament."

15. In section 2 of the Act of 1938 there shall be added the following subsections:—

"(3) The Board of Trade may by regulations provide that in any document which on being signed as mentioned in subsection (2)(a) of this section constitutes a hire-purchase agreement to which this Act applies, the signature of the hirer shall be inserted in a space marked in such manner and accompanied in the document by such words, as may be specified in the regulations; and the regulations may include provision as to the location of those words in relation to the space in which the signature is inserted and may prescribe such other requirements (whether as to type, size, colour or disposition of lettering or otherwise) as the Board may consider appropriate for securing that the words come to the attention of the hirer at the time when he is about to sign the document.

(4) A document to which any regulations made under the last foregoing subsection apply shall not be invalid by reason only that the regulations are not complied with; but subsection (2) of this section shall have effect in relation to compliance with the requirements of any such regulations as it has effect in relation to compliance with the requirements specified in paragraphs (b) to (e) of the said subsection."

16. In section 3 of the Act of 1938 there shall be added the following subsection:—

"(3) Subsections (3) and (4) of the last foregoing section shall apply in relation to a credit-sale agreement to which this Act applies under which the total purchase price exceeds £30 as it applies to a hire-purchase agreement, with the substitution for any reference to the hirer of a reference to the buyer and for any reference to paragraph (a) or to paragraphs (b) to (e) of subsection (2) of the said section, of a reference to paragraph (a) or, as the case may be, to paragraphs (b) to (d) of subsection (2) of this section."

17. After section 13 of the Act of 1938 there shall be inserted the following section:—

"Further provisions relating to postponed orders for specific delivery of goods.

13A.—(1) Where a postponed order for the specific delivery of goods to the owner has been made under paragraph (b) of subsection (4) of section 12 of this Act, the powers of the court under paragraphs (a) and (c) of subsection (4) of the last foregoing section may be exercised, notwithstanding that any condition of the postponement has not been complied with, at any time before the goods are delivered to the owner in accord-

ance with a warrant issued in pursuance of the order ; and where such a warrant has been issued the court shall—

(a) if the court varies the conditions of the postponement under the said paragraph (a), suspend the warrant on the like conditions ;

(b) if the court makes an order under the said paragraph (c) for the specific delivery of a part of the goods to the owner and for the transfer to the hirer of the owner's title to the remaining part thereof, cancel the warrant so far as it provides for the delivery of the last mentioned part of the goods.

(2) At any time before the delivery of goods to the owner in accordance with a warrant issued as aforesaid, the warrant may, so far as it provides for the delivery of the goods, be discharged by the payment to the owner by the hirer or any guarantor of the whole of the unpaid balance of the hire-purchase price ; and in any such case the owner's title to the goods shall vest in the hirer.

(3) If, in an action to which the said section 12 applies, an offer as to conditions for the postponement of the operation of an order under paragraph (b) of subsection (4) of that section is made by the hirer and accepted by the owner in accordance with rules of court, an order under that paragraph may thereupon be made by the court in accordance with the said offer without hearing evidence as to matters specified in the said paragraph (b) or in subsection (5) of that section :

Provided that where a guarantor is a party to the action, no such order shall be made before the date fixed for the hearing of the action."

18. In section 21(1) of the Act of 1938—

(a) in the definition of "hire-purchase price", after the words "to which the agreement relates" there shall be inserted the words "inclusive of any sum so payable by way of a deposit or other initial payment, or credited or to be credited to the hirer under such an agreement on account of any such deposit or payment, whether that sum is to be or has been paid to the owner or to any other person or is to be or has been discharged by a payment of money or by the transfer or delivery of goods or by any other means ; but" ; and

(b) at the end of the subsection there shall be added the following words:—

"and any reference in this Act to a document which constitutes a hire-purchase agreement or a credit-sale agreement shall be construed as including a reference to a document which together with one or more other documents constitutes such an agreement, and any reference to a document which, if executed by or on behalf of another person, would constitute such an agreement shall be construed accordingly."

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## PART III

PROVISIONS OF HIRE-PURCHASE ACT 1938 IN ITS APPLICATION  
TO SCOTLAND

Application of  
Act.

1.—(1) This Act shall (except as provided by section 2 of the Hire-Purchase Act 1964) apply in relation to all hire-purchase agreements and credit-sale agreements under which the hire-purchase price or total purchase price, as the case may be, does not exceed £2000; and the expressions “hire-purchase agreement” and “credit-sale agreement” shall be construed accordingly.

(2) If at any time after the commencement of the Hire-Purchase Act 1964 it appears to Her Majesty in Council that the limit specified in the foregoing subsection (whether by virtue of that subsection or of a previous Order in Council under this subsection) should be further raised, Her Majesty may by Order in Council direct that the foregoing subsection shall be amended so as to substitute, for the sum specified in that subsection, such larger sum as may be specified in the Order.

(3) No recommendation shall be made to Her Majesty to make an Order in Council under the last foregoing subsection unless a draft of the Order has been laid before Parliament and approved by resolution of each House of Parliament.

Requirements  
relating to  
hire-purchase  
agreements.

2.—(1) Before any hire-purchase agreement is entered into in respect of any goods, the owner shall state in writing to the prospective hirer, otherwise than in the agreement, a price at which the goods may be purchased by him for cash (in this section referred to as the “cash price”);

Provided that this section shall be deemed to have been sufficiently complied with—

- (a) if the hirer has inspected the goods or like goods and at the time of his inspection tickets or labels were attached to or displayed with the goods clearly stating the cash price, either of the goods as a whole or of all the different articles or sets of articles comprised therein, or
- (b) if the hirer has selected the goods by reference to a catalogue, price list, or advertisement, which clearly stated the cash price either of the goods as a whole or of all the different articles or sets of articles comprised therein.

(2) An owner shall not be entitled to enforce a hire-purchase agreement or any contract of guarantee relating thereto or any right to recover the goods from the hirer, and no security given by the hirer in respect of money payable under the hire-purchase agreement or given by a guarantor in respect of money payable under such a contract of guarantee as aforesaid shall be enforceable against the hirer or guarantor by any holder thereof, unless the requirement specified in the foregoing subsection has been complied with, and—

- (a) the agreement is signed by the hirer and by or on behalf of all other parties to the agreement, and

- (aa) the agreement, at the time when it is signed by the hirer, complies with the requirements of any regulations made under subsection (3) of this section which are applicable thereto, and
- (b) the agreement contains a statement of the hire-purchase price and of the cash price of the goods to which the agreement relates and of the amount of each of the instalments by which the hire-purchase price is to be paid and of the date, or the mode of determining the date, upon which each instalment is payable, and contains a list of the goods to which the agreement relates sufficient to identify them, and
- (c) the agreement contains a notice, which is at least as prominent as the rest of the contents of the agreement, in the terms prescribed in the Schedule to this Act, and
- (d) a copy of the agreement is delivered or sent to the hirer within seven days of the making of the agreement, and
- (e) either—
- (i) the agreement is signed by or on behalf of all other parties immediately after it is signed by the hirer, and the copy referred to in paragraph (d) of this subsection is there and then delivered to him, or, the agreement having been signed by or on behalf of all other parties before it is signed by the hirer, that copy is delivered to him immediately after he signs the agreement, or
  - (ii) if, in a case not falling within the foregoing sub-paragraph, the relevant document (that is to say, the document which, on being signed as mentioned in paragraph (a) of this subsection, became the agreement) was presented, and not sent, to the hirer for his signature, then immediately after he signed the relevant document there was delivered to him a copy of that document in the form in which it then was, or
  - (iii) if the relevant document was sent to the hirer for his signature, then at the time when it was sent there was also sent to him a copy of that document in the form in which it then was:

Provided that, if the court is satisfied in any action that a failure to comply with the requirement specified in the foregoing subsection or any requirement specified in paragraph (aa), (b), (c), (d) or (e) of this subsection has not prejudiced the hirer, and that it would be just and equitable to dispense with the requirement, the court may, subject to any conditions that it thinks fit to impose, dispense with that requirement for the purposes of the action.

(3) The Board of Trade may by regulations provide that in any document which on being signed as mentioned in subsection (2)(a) of this section constitutes a hire-purchase agreement to which this Act applies, the signature of the hirer shall be inserted in a space marked in such manner, and accompanied in the document by such words, as may be specified in the regulations; and the regulations may include provision as to the location of those words

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in relation to the space in which the signature is inserted and may prescribe such other requirements (whether as to type, size, colour or disposition of lettering or otherwise) as the Board may consider appropriate for securing that the words come to the attention of the hirer at the time when he is about to sign the document.

(4) A document to which any regulations made under the last foregoing subsection apply shall not be invalid by reason only that the regulations are not complied with; but subsection (2) of this section shall have effect in relation to compliance with the requirements of any such regulations as it has effect in relation to compliance with the requirements specified in paragraphs (b) to (e) of the said subsection.

Requirement relating to credit-sale agreements.

3.—(1) Before making any credit-sale agreement under which the total purchase price exceeds £30, the seller shall state in writing to the prospective buyer, otherwise than in the agreement, a price at which the goods may be purchased by him for cash (in this section referred to as the “cash price”):

Provided that this subsection shall be deemed to have been sufficiently complied with—

- (a) if the buyer has inspected the goods or like goods and at the time of his inspection tickets or labels were attached to or displayed with the goods clearly stating the cash price, either of the goods as a whole or of all the different articles or sets of articles comprised therein, or
- (b) if the buyer has selected the goods by reference to a catalogue, price list, or advertisement which clearly stated the cash price either of the goods as a whole or of all the different articles or sets of articles comprised therein.

(2) A person who has sold goods by a credit-sale agreement under which the total purchase price exceeds £30 shall not be entitled to enforce the agreement or any contract of guarantee relating thereto, and no security given by the buyer in respect of money payable under the credit-sale agreement or given by a guarantor in respect of money payable under such a contract of guarantee as aforesaid shall be enforceable against the buyer or guarantor by any holder thereof, unless the requirement specified in the foregoing subsection has been complied with, and—

- (a) the agreement is signed by the buyer and by or on behalf of all other parties to the agreement, and
- (aa) the agreement, at the time when it is signed by the buyer, complies with the requirements of any regulations made under subsection (3) of the last foregoing section (as extended by subsection (3) of this section) which are applicable thereto, and
- (b) the agreement contains a statement of the total purchase price and of the cash price of the goods to which the agreement relates and of the amount of each of the instalments by which the total purchase price is to be paid and of the date, or the mode of determining the date, upon which each instalment is payable, and contains a list of the goods to which the agreement relates sufficient to identify them, and



- (c) a copy of the agreement is delivered or sent to the buyer within seven days of the making of the agreement, and  
 (d) either—

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(i) the agreement is signed by or on behalf of all other parties immediately after it is signed by the buyer, and the copy referred to in paragraph (c) of this subsection is there and then delivered to him, or, the agreement having been signed by or on behalf of all other parties before it is signed by the buyer, that copy is delivered to him immediately after he signs the agreement, or

(ii) if, in a case not falling within the foregoing subparagraph, the relevant document (that is to say, the document which, on being signed as mentioned in paragraph (a) of this subsection, became the agreement) was presented, and not sent, to the buyer for his signature, then immediately after he signed the relevant document there was delivered to him a copy of that document in the form in which it then was, or

(iii) if the relevant document was sent to the buyer for his signature, then at the time when it was sent there was also sent to him a copy of that document in the form in which it then was:

Provided that, if the court is satisfied in any action that a failure to comply with the requirement specified in the foregoing subsection or any requirement specified in paragraph (aa), (b), (c) or (d) of this subsection has not prejudiced the buyer, and that it would be just and equitable to dispense with the requirement, the court may, subject to any conditions that it thinks fit to impose, dispense with that requirement for the purposes of the action.

(3) Subsections (3) and (4) of the last foregoing section shall apply in relation to a credit-sale agreement to which this Act applies under which the total purchase price exceeds £30 as it applies to a hire-purchase agreement, with the substitution for any reference to the hirer of a reference to the buyer and, for any reference to paragraph (a) or to paragraphs (b) to (e) of subsection (2) of the said section, of a reference to paragraph (a) or, as the case may be, to paragraphs (b) to (d) of subsection (2) of this section.

4.—(1) A hirer shall, at any time before the final payment under a hire-purchase agreement falls due, be entitled to determine the agreement by giving notice of termination in writing to any person entitled or authorised to receive the sums payable under the agreement, and shall, on determining the agreement under this section, be liable, without prejudice to any liability which has accrued before the termination, to pay the amount, if any, by which one-half of the hire-purchase price exceeds the total of the sums paid and the sums due in respect of the hire-purchase price immediately before the termination, or such less amount as may be specified in the agreement:

Right of hirer to determine hire-purchase agreement.

Provided that, if the court is satisfied in any action that a sum less than the amount by which one-half of the hire-purchase price exceeds the total of the sums paid and the sums due in respect of the hire-purchase price immediately before the termination would

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be equal to the loss sustained by the owner in consequence of the termination of the agreement by the hirer, the court may make an order for the payment of that sum in lieu of that amount.

(2) Where a hire-purchase agreement has been determined under this section, the hirer shall, if he has failed to take reasonable care of the goods, be liable to pay damages for the failure.

(3) Where a hirer, having determined a hire-purchase agreement under this section, wrongfully retains possession of the goods then, in any action brought by the owner to recover possession of the goods from the hirer, the court shall, unless it is satisfied that having regard to the circumstances it would not be just and equitable so to do, order the goods to be delivered to the owner, without giving the hirer an option to pay the value of the goods.

(4) Nothing in this section shall prejudice any right of a hirer to determine a hire-purchase agreement otherwise than by virtue of this section.

Avoidance of certain provisions.

5.—(1) Any provision in any agreement—

- (a) whereby an owner or any person acting on his behalf is authorised to enter upon any premises for the purpose of taking possession of goods which have been let under a hire-purchase agreement or is relieved from liability for any such entry or,
- (b) whereby the right conferred on a hirer by this Act to determine the hire-purchase agreement is excluded or restricted, or whereby any liability in addition to the liability imposed by this Act is imposed on a hirer by reason of the termination of the hire-purchase agreement by him under this Act, or
- (c) whereby a hirer, after the determination of the hire-purchase agreement in any manner whatsoever, is (apart from any liability which has accrued before the termination) subject to a liability to pay an amount which exceeds whichever is the lesser of the two following amounts, that is to say, the amount first mentioned in section 4(1) of this Act and an amount equal to the loss sustained by the owner in consequence of the termination of the agreement, or
- (d) whereby any person acting on behalf of an owner or seller in connection with the formation or conclusion of a hire-purchase or credit-sale agreement is treated as, or deemed to be, an agent of the hirer or the buyer, or
- (e) whereby an owner or seller is relieved from liability for the acts or defaults of any person acting on his behalf in connection with the formation or conclusion of a hire-purchase agreement or credit-sale agreement,

shall be void.

Duty of owners and sellers to supply documents and information.

6.—(1) At any time before the final payment has been made under a hire-purchase agreement or credit-sale agreement, any person entitled to enforce the agreement against the hirer or buyer shall, within four days after he has received a request in writing from the hirer or buyer and the hirer or buyer has tendered to him the

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sum of two shillings and six pence for expenses, supply to the hirer or buyer a copy of the agreement, or, in the case of a credit-sale agreement under which the total purchase price does not exceed £30, a copy of any note or memorandum of the agreement, together (in either case) with a statement signed by the said person or his agent showing—

- (a) the amount paid by or on behalf of the hirer or buyer,
- (b) the amount which has become due under the agreement but remains unpaid, and the date upon which each unpaid instalment became due, and the amount of each such instalment, and
- (c) the amount which is to become payable under the agreement, and the date or the mode of determining the date upon which each future instalment is to become payable, and the amount of each such instalment.

(2) In the event of a failure without reasonable cause to comply with the last foregoing subsection, then, while the default continues—

- (a) no person shall be entitled to enforce the agreement against the hirer or buyer or to enforce any contract of guarantee relating to the agreement, and, in the case of a hire-purchase agreement, the owner shall not be entitled to enforce any right to recover goods from the hirer, and
- (b) no security given by the hirer or buyer in respect of money payable under the agreement or given by a guarantor in respect of money payable under such a contract of guarantee as aforesaid shall be enforceable against the hirer or buyer or the guarantor by any holder thereof,

and, if the default continues for a period of one month, the defaulter shall be liable on summary conviction to a fine not exceeding £25.

7.—(1) Where by virtue of a hire-purchase agreement a hirer is under a duty to keep the goods comprised in the agreement in his possession or control, the hirer shall, on receipt of a request in writing from the owner, inform the owner where the goods are at the time when the information is given or, if it is sent by post, at the time of posting.

Duty of hirer to give information as to whereabouts of goods.

(2) If a hirer fails without reasonable cause to give the said information within fourteen days of the receipt of the notice, he shall be liable on summary conviction to a fine not exceeding £25.

8.—(1) In every hire-purchase agreement there shall be—

- (a) an implied stipulation that the hirer shall have and enjoy quiet possession of the goods ;
- (b) an implied stipulation on the part of the owner that he shall have a right to sell the goods at the time when the property is to pass ;
- (c) an implied stipulation that the goods shall be free from any charge or encumbrance in favour of any third party at the time when the property is to pass ;

Stipulations to be implied in hire-purchase agreements.

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(d) except in so far as the stipulation referred to in this paragraph is excluded by virtue of subsection (3A) or subsection (3B) of this section, an implied stipulation that the goods shall be of merchantable quality, so, however, that no such stipulation shall be implied by virtue of this paragraph, if the hirer has examined the goods or a sample thereof, as regards defects which the examination ought to have revealed.

(2) Where the hirer, whether expressly or by implication,—

(a) has made known to the owner, or to a servant or agent of the owner, the particular purpose for which the goods are required, or

(b) in the course of any antecedent negotiations has made that purpose known to any other person by whom those negotiations were conducted, or to a servant or agent of such a person,

there shall be an implied stipulation that the goods shall be reasonably fit for that purpose.

Section 24(2) of the Hire-Purchase Act 1964 shall apply for the purposes of this subsection as it applies for the purposes of Part I of that Act.

(3) Subject to the following provisions of this section, the stipulations set out in subsection (1) of this section shall be implied notwithstanding any agreement to the contrary, and the owner shall not be entitled to rely on any provision in the agreement excluding or modifying the stipulation set out in subsection (2) of this section unless he proves that before the agreement was made the provision was brought to the notice of the hirer and its effect made clear to him.

(3A) Where under a hire-purchase agreement goods are let as second-hand goods and—

(a) the agreement contains a statement to that effect, and a provision that the stipulation referred to in subsection (1)(d) of this section is excluded in relation to those goods, and

(b) it is proved that before the agreement was made the provision in the agreement so excluding that stipulation was brought to the notice of the hirer and its effect made clear to him,

that stipulation shall not be implied in the agreement in relation to those goods.

(3B) Where under a hire-purchase agreement goods are let as being subject to defects specified in the agreement (whether referred to in the agreement as defects or by any other description to the like effect), and—

(a) the agreement contains a provision that the stipulation referred to in subsection (1)(d) of this section is excluded in relation to those goods in respect of those defects, and

(b) it is proved that before the agreement was made those defects, and the provision in the agreement so excluding that stipulation, were brought to the notice of the hirer and the effect of that provision was made clear to him,

that stipulation shall not be implied in the agreement in respect of those defects.

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(3C) In relation to every hire-purchase agreement the stipulations referred to in subsection (1)(b) and (d) and subsection (2) of this section shall be deemed to be material to the agreement.

(4) Nothing in this section shall prejudice the operation of any other enactment or rule of law whereby any stipulation is to be implied in any hire-purchase agreement.

9. A hirer who is liable to make payments in respect of two or more hire-purchase agreements to the same owner shall, notwithstanding any agreement to the contrary, be entitled, on making any payment in respect of the agreements which is not sufficient to discharge the total amount then due under all the agreements, to appropriate a sum so paid by him in or towards the satisfaction of the sum due under any one of the agreements or in or towards the satisfaction of the sums due under any two or more of the agreements in such proportions as he thinks fit, and, if he fails to make any such appropriation as aforesaid, the payment shall by virtue of this section be appropriated towards the satisfaction of the sums due under the respective hire-purchase agreements in the proportions which those sums bear to one another.

Appropriation of payment made in respect of hire-purchase agreements.

11.—(1) Where goods have been let under a hire-purchase agreement and one-third of the hire-purchase price has been paid, whether in pursuance of an order of a court or otherwise, or tendered by or on behalf of the hirer or any guarantor, the owner shall not enforce any right to recover possession of any of the goods from the hirer otherwise than by action:

Restriction of owner's right to recover possession.

Provided that nothing in this subsection shall be taken to confer on an owner any right to recover, otherwise than by action, possession of any goods let under a hire-purchase agreement where one-third of the hire-purchase price has not been paid or tendered as aforesaid.

(2) If an owner recovers possession of goods in contravention of the foregoing subsection the hire-purchase agreement, if not previously determined, shall determine, and—

(a) the hirer shall be released from all liability under the agreement and shall be entitled to recover from the owner all sums paid by the hirer under the agreement or under any security given by him in respect thereof, and

(b) any guarantor shall be entitled to recover from the owner all sums paid by him under the contract of guarantee or under any security given by him in respect thereof.

(3) The provisions of this section shall not apply in any case in which the hirer has determined the agreement by virtue of any right vested in him.

12.—(1) The following provisions of this section shall apply, in a case to which the last foregoing section applies, where the owner commences an action to enforce a right to recover possession of any of the goods from the hirer after one-third of the hire-purchase price has been paid or tendered as aforesaid.

Powers of court in certain actions by owners to recover possession of the goods.

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(1A) After such an action has been commenced the owner shall not take any steps to enforce payment of any sum due under the hire-purchase agreement, or under any contract of guarantee relating thereto, except by claiming the said sum in the said action.

(2) Subject to such exceptions as may be provided for by rules of court, all parties to the agreement and any guarantor shall be made parties to the action.

(3) Pending the hearing of the action the court shall, in addition to any other powers, have power, upon the application of the owner, to make such orders as the court thinks just for the purpose of protecting the goods from damage or depreciation, including orders restricting or prohibiting the user of the goods or giving directions as to their custody.

(4) On the hearing of the action the court may, without prejudice to any other power—

(a) make an order for the specific delivery of all the goods to the owner, or

(b) make an order for the specific delivery of all the goods to the owner and postpone the operation of the order on condition that the hirer or any guarantor pays the unpaid balance of the hire-purchase price at such times and in such amounts as the court, having regard to the means of the hirer and of any guarantor, thinks just, and subject to the fulfilment of such other conditions by the hirer or a guarantor as the court thinks just, or

(c) make an order for the specific delivery of a part of the goods to the owner and for the transfer to the hirer of the owner's title to the remainder of the goods.

(5) No order shall be made under paragraph (b) of the last foregoing subsection unless the hirer satisfies the court that the goods are in his possession or control at the time when the order is made.

(6) The court shall not make an order transferring to the hirer the owner's title to a part of the goods unless it is satisfied that the amount which the hirer has paid in respect of the hire-purchase price exceeds the price of that part of the goods by at least one-third of the unpaid balance of the hire-purchase price.

(7) Where damages have been awarded against the owner in the proceedings, the court may treat the hirer as having paid in respect of the hire-purchase price, in addition to the actual amount paid, the amount of the damages, or such part thereof as the court thinks fit, and thereupon the damages shall accordingly be remitted either in whole or in part.

(8) In this section the expression "order for the specific delivery of the goods" means an order for the delivery of the goods to the owner without giving the hirer an option to pay their value, and the expression "price" in relation to any goods means such part of the hire-purchase price as is assigned to those goods by the hire-purchase agreement, or, if no such assignment is made, such part of the hire-purchase price as the court may determine.

(9) If at any time before the hearing of an action to which this section applies the owner has recovered possession of a part of the goods, the references in subsection (4) hereof to all the goods shall be construed as references to all the goods which the owner has not recovered and, if the parties have not agreed upon an adjustment of the hire-purchase price in respect of the goods so recovered, the court may for the purposes of paragraphs (b) and (c) of subsection (4) hereof make such reduction of the hire-purchase price and of the unpaid balance thereof as the court thinks just.

(10) Where an owner has recovered a part of the goods let under a hire-purchase agreement, and recovery was effected in contravention of the last foregoing section, the provisions of this section shall not apply in relation to any action by the owner to recover the remainder of the goods.

13.—(1) While the operation of an order for the specific delivery of goods to the owner is postponed under the last foregoing section, the hirer shall be deemed to be a custodian of the goods under and on the terms of the hire-purchase agreement :

Effect of postponement of operation of order for specific delivery of goods to the owner.

Provided that—

- (a) no further sum shall be or become payable by the hirer or guarantor on account of the unpaid balance of the hire-purchase price, except in accordance with the terms of the order, and
- (b) the court may make such further modification of the terms of the hire-purchase agreement and of any contract of guarantee relating thereto as the court considers necessary having regard to the variation of the terms of the payment.

(2) If while the operation of an order for the specific delivery of the goods to the owner is so postponed the hirer or a guarantor fails to comply with any condition of the postponement, or with any term of the agreement as varied by the court, or wrongfully disposes of the goods, the owner shall not take any civil proceedings against the hirer or guarantor otherwise than by making an application to the court by which the order was made :

Provided that, in the case of a breach of any condition relating to the payment of the unpaid balance of the hire-purchase price, it shall not be necessary for the owner to apply to the court for leave to execute diligence on the order unless the court has so directed.

(3) When the unpaid balance of the hire-purchase price has been paid in accordance with the terms of the order, the owner's title to the goods shall vest in the hirer.

(4) The court may at any time during the postponement of the operation of such an order as aforesaid—

- (a) vary the conditions of the postponement, and make such further modification of the hire-purchase agreement and of any contract of guarantee relating thereto as the court considers necessary having regard to the variation of the conditions of the postponement ;
- (b) revoke the postponement ;

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(c) make an order, in accordance with the provisions of the last foregoing section, for the specific delivery of a part of the goods to the owner and for the transfer to the hirer of the owner's title to the remainder of the goods.

Further provisions relating to postponed orders for specific delivery of goods.

**13A.—**(1) Where a postponed order for the specific delivery of goods to the owner has been made under paragraph (b) of subsection (4) of section 12 of this Act, the powers of the court under paragraphs (a) and (c) of subsection (4) of the last foregoing section may be exercised, notwithstanding that any condition of the postponement has not been complied with, at any time before the goods are delivered to the owner in accordance with a warrant issued in pursuance of the order; and where such a warrant has been issued the court shall—

(a) if the court varies the conditions of the postponement under the said paragraph (a), suspend the warrant on the like conditions;

(b) if the court makes an order under the said paragraph (c) for the specific delivery of a part of the goods to the owner and for the transfer to the hirer of the owner's title to the remaining part thereof, cancel the warrant so far as it provides for the delivery of the last mentioned part of the goods.

(2) At any time before the delivery of goods to the owner in accordance with a warrant issued as aforesaid, the warrant may, so far as it provides for the delivery of the goods, be discharged by the payment to the owner by the hirer or any guarantor of the whole of the unpaid balance of the hire-purchase price; and in any such case the owner's title to the goods shall vest in the hirer.

(3) If, in an action to which the said section 12 applies, an offer as to conditions for the postponement of the operation of an order under paragraph (b) of subsection (4) of that section is made by the hirer and accepted by the owner in accordance with rules of court, an order under that paragraph may thereupon be made by the court in accordance with the said offer without hearing evidence as to matters specified in the said paragraph (b) or in subsection (5) of that section:

Provided that where a guarantor is a party to the action, no such order shall be made before the date fixed for the hearing of the action.

Powers of the court to deal with payments arising on determination of hire-purchase agreements.

**14.—**(1) Where a hire-purchase agreement validly provides for the payment by the hirer on or after the determination of the agreement of such sum as, when added to the sums paid and the sums due in respect of the hire-purchase price before the determination, is equal to a fixed amount, and a claim is made in respect of any such sum in an action to which section 12 of this Act applies, then—

(a) if the court makes an order for the specific delivery of a part of the goods to the owner and the transfer to the hirer of the owner's title to the remainder of the goods, the claim shall be disallowed,



(b) if the court postpones the operation of an order for the specific delivery of the goods to the owner, it shall not entertain the claim unless and until the postponement is revoked, and shall then deal with the claim as if the agreement had just been determined.

SCH. 2

(2) Where the hirer or a guarantor has paid or has been ordered to pay any such sum as aforesaid, and the owner subsequently seeks to recover goods in an action to which section 12 of this Act applies, the court may treat the said sum as a sum paid or payable, as the case may be, in respect of the hire-purchase price.

15. Where goods have been let under a hire-purchase agreement and at any time after one-third of the hire-purchase price has been paid or tendered the owner makes a further hire-purchase agreement with the hirer relating to the whole or any part of those goods (with or without other goods), the provisions of sections 11 and 12 of this Act shall have effect in relation to that further agreement as if in section 11(1) of this Act the words from "and one-third" to "any guarantor", and in section 12(1) of this Act the words "after one-third of the hire-purchase price has been paid or tendered as aforesaid", were omitted.

Successive hire-purchase agreements between the same parties.

19.—(1) Where under any hire-purchase agreement the owner is required to carry out any installation, and the agreement specifies as part of the hire-purchase price the amount to be paid in respect of the installation, the references in section 4 of this Act to one-half of the hire-purchase price and in sections 11, 12 and 15 of this Act to one-third of the hire-purchase price shall be construed as references to the aggregate of the said amount and either one-half of the remainder of the hire-purchase price or one-third of the remainder of the hire-purchase price, as the case may be.

Special provisions as to installation charges.

(2) For the purpose of this section the expression "installation" means—

- (a) the installing of any electric line as defined by the Electric Lighting Act 1882 or any gas or water pipe,
- (b) the fixing of goods to which the agreement relates to the premises where they are to be used, and the alteration of premises to enable any such goods to be used thereon, and
- (c) where it is reasonably necessary that any such goods should be constructed or erected on the premises where they are to be used, any work carried out for the purpose of such construction or erection.

19A.—(1) Subject to the following provisions of this section, where goods have been let under a hire-purchase agreement to which this Act applies and the owner brings or institutes an action to enforce a right to recover possession of any of the goods from the hirer, the action shall be brought or instituted in the sheriff court for the district in which the hirer resides or carries on business or resided or carried on business at the date on which he last made a payment under the hire-purchase agreement.

Jurisdiction.

## SCH. 2

(2) No cause, action or proceeding on or arising out of any hire-purchase agreement to which this Act applies or credit-sale agreement to which this Act applies which may competently be brought or instituted in the small debt court shall be brought or instituted otherwise than in that court; but nothing in this section shall affect or prejudice any power vested in the sheriff to remit to the ordinary court roll any such cause, action or proceeding brought or instituted in the small debt court.

(3) In this section "small debt court" means any court held in pursuance of the Small Debt (Scotland) Act 1837 as amended by any subsequent enactment.

## Interpretation.

21.—(1) In this Act, unless the context otherwise requires, the following expressions have the meanings hereby assigned to them, that is to say:—

"action", "buyer", "delivery", "goods", "property", "sale", "seller", have the meanings respectively assigned to them by the Sale of Goods Act 1893;

"hire-purchase agreement" means any contract, in whatsoever terms it may be expressed and whether it be truly one of sale or hire, whereby goods are taken on hire by one person from another person in consideration of periodical payments to be made by the first mentioned person to the other person, with an option to the first mentioned person to become the buyer of the goods;

"credit-sale agreement" means an agreement for the sale of goods under which the purchase price is payable by five or more instalments, not being a conditional sale agreement;

"conditional sale agreement" has the meaning assigned to it by section 21(5) of the Hire-Purchase Act 1964;

"hire-purchase price" means the total sum payable by the hirer under a hire-purchase agreement in order to complete the purchase of goods to which the agreement relates, inclusive of any sum so payable by way of a deposit or other initial payment, or credited or to be credited to the hirer under such an agreement on account of any such deposit or payment, whether that sum is to be or has been paid to the owner or to any other person or is to be or has been discharged by a payment of money or by the transfer or delivery of goods or by any other means; but exclusive of any sum payable as a penalty or as compensation or damages for a breach of the agreement;

"owner" means the person who lets or has let goods to a hirer under a hire-purchase agreement and includes a person to whom the owner's property in the goods or any of the owner's rights or liabilities under the agreement has passed by assignation or by operation of law;

"hirer" means the person who takes or has taken goods from an owner under a hire-purchase agreement and includes a person to whom the hirer's rights or liabilities under the

agreement have passed by assignation or by operation of law;

SCH. 2

“ contract of guarantee ” means, in relation to any hire-purchase agreement or credit-sale agreement, a contract, made at the request express or implied of the hirer or buyer, to guarantee the performance of the hirer’s or buyer’s obligations under the hire-purchase agreement or credit-sale agreement, or to indemnify the owner or the seller against any loss which he may incur in respect of the hire-purchase agreement or credit-sale agreement ; and the expression “ guarantor ” shall be construed accordingly ;

“ total purchase price ” means the total sum payable by the buyer under a credit-sale agreement, exclusive of any sum payable as a penalty or as compensation or damages for a breach of the agreement ;

and any reference in this Act to a document which constitutes a hire-purchase agreement or a credit-sale agreement shall be construed as including a reference to a document which together with one or more other documents constitutes such an agreement, and any reference to a document which, if executed by or on behalf of another person, would constitute such an agreement shall be construed accordingly.

(2) Where an owner has agreed that any part of the hire-purchase price may be discharged otherwise than by the payment of money, any such discharge shall, for the purposes of sections 4, 6, 11, 12, 13, 14 and 15 of this Act, be deemed to be a payment of that part of the hire-purchase price.

22.—(1) This Act may be cited as the Hire-Purchase Act 1938. Short title.

. . . . .

**SCHEDULE**

*(to Hire-Purchase Act 1938)*

**NOTICE TO BE INCLUDED IN HIRE-PURCHASE AGREEMENT**

**NOTICE**

*Right of Hirer to terminate Agreement*

1. The hirer may put an end to this agreement by giving notice of termination in writing to any person who is entitled to collect or receive the hire-rent.

2. He must then pay any instalments which are in arrear at the time when he gives notice. If, when he has paid those instalments, the total amount which he has paid under the agreement is less than *(here insert the minimum amount which the hirer is required to pay in accordance with the provisions of sections 4 and 19 of this Act apart from the proviso to subsection (1) of section 4)* he must also pay enough to make up that sum, unless the court determines that a smaller sum would be equal to the owner’s loss.

## SCH. 2

3. If the goods have been damaged owing to the hirer having failed to take reasonable care of them, the owner may sue him for the amount of the damage unless that amount can be agreed between the hirer and the owner.

4. The hirer should see whether this agreement contains provisions allowing him to put an end to the agreement on terms more favourable to him than those just mentioned. If it does, he may put an end to the agreement on those terms.

*Restriction of Owner's right to recover Goods*

1. Unless the hirer has himself put an end to the agreement, the owner of the goods cannot take them back from the hirer without the hirer's consent unless the owner obtains an order of the court.

2. If *\*[after (here insert an amount calculated in accordance with the provisions of sections 11 and 19 of this Act) has been paid]* the owner applies to the court for such an order, the court (under powers conferred by the Hire-Purchase (Scotland) Acts 1938 to 1964) may, if the court thinks it just to do so, allow the hirer to keep either—

- (a) the whole of the goods, on condition that the hirer pays the balance of the price in the manner ordered by the court ; or
- (b) a fair proportion of the goods having regard to what the hirer has already paid.

*\* If the agreement is a "further" agreement within the meaning of section 15 of this Act, the words in square brackets should be omitted.*

## SCHEDULE 3

## SCHEDULE TO BE INSERTED IN ADVERTISEMENTS (HIRE-PURCHASE) ACT 1957

## FORMULA FOR CALCULATING RATE OF INTEREST OR CHARGE

1. The provisions of this Schedule shall have effect for the purposes of the application of section 2A of this Act to an advertisement.

2. Let  $m$  be the number by which the period in respect of which, in accordance with the advertisement, each instalment is payable must be multiplied in order to be equal to a period of twelve months.

3. Let  $d$  be the amount of the difference between—

- (a) the sum stated in the advertisement in accordance with section 2(2)(g) of this Act, and
- (b) the sum stated in the advertisement as the cash price of the goods.

4. Let  $p$  be the amount of the difference between—

- (a) the sum stated in the advertisement as the cash price of the goods, and

(b) the amount of the deposit (if any) as stated in the advertisement, if that amount is directly expressed therein, or, if it is not so expressed, the amount of the deposit (if any) calculated in accordance with the statement in the advertisement,

or, if it is stated in the advertisement that no deposit is payable, let  $p$  be the amount of the cash price.

5. Let  $n$  be the number specified in the advertisement as the total number of instalments payable.

6. The formula referred to in subsection (2) of section 2A of this Act is

$$\frac{200 md}{p(n+1) + \frac{d}{3}(n-1)}$$

SCHEDULE 4

ENACTMENTS AMENDED

Enactment	Amendment
The Hire-Purchase Act 1938 (1 & 2 Geo. 6. c. 53).	<p>In section 1, after the word " shall ", in the first place where it occurs, there shall be inserted the words " (except as provided by section 2 of the Hire-Purchase Act 1964) ".</p> <p>In section 2, in subsection (2), after paragraph (a) there shall be inserted the following paragraph:—</p> <p>“ (aa) the agreement, at the time when it is signed by the hirer, complies with the requirements of any regulations made under section 3(4) of the Hire-Purchase Act 1964 which are applicable thereto, and ”,</p> <p>and, in the proviso to that subsection, after “ paragraph ” there shall be inserted “ (aa) ”.</p> <p>In section 3, in subsections (1) and (2), for the word “ five ”, in each place where it occurs, there shall be substituted the word “ thirty ”; and in subsection (2), after paragraph (a) there shall be inserted the following paragraph:—</p> <p>“ (aa) the agreement, at the time when it is signed by the buyer, complies with the requirements of any regulations made under section 3(4) of the Hire-Purchase Act 1964 which are applicable thereto, and ”,</p> <p>and, in the proviso to that subsection, after “ paragraph ” there shall be inserted “ (aa) ”.</p> <p>In section 5, in paragraph (c), for the words from “ subject to a liability ” to the end of the paragraph there shall be substituted the</p>

## SCH. 4

Enactment	Amendment
<p>The Hire-Purchase Act 1938 (1 &amp; 2 Geo. 6. c. 53) —cont.</p>	<p>words “(apart from any liability which has accrued before the termination) subject to a liability to pay an amount which exceeds whichever is the lesser of the two following amounts, that is to say, the amount first mentioned in section 4(1) of this Act and an amount equal to the loss sustained by the owner in consequence of the termination of the agreement or bailment”.</p> <p>In section 6(1), for the words “one shilling” there shall be substituted the words “two shillings and sixpence”, and for the words from “any memorandum” to “together” there shall be substituted the words “the agreement or, in the case of a credit-sale agreement under which the total purchase price does not exceed thirty pounds, a copy of any note or memorandum of the agreement, together (in either case)”; and in section 6(2), for the word “ten” there shall be substituted the words “twenty-five”.</p> <p>In section 7(2), for the word “ten” there shall be substituted the words “twenty-five”.</p> <p>In section 11(1), after the words “possession of” there shall be inserted the words “any of”.</p> <p>In section 15, for the words “comprising those goods” there shall be substituted the words “relating to the whole or any part of those goods (with or without other goods)”, and for the words “as from the commencement thereof” there shall be substituted the words “as if in section 11(1) of this Act the words from ‘and one-third’ to ‘any guarantor’, and in section 12(1) of this Act the words ‘after one-third of the hire-purchase price has been paid or tendered as aforesaid’, were omitted”.</p> <p>In section 18(1), for the words “this Act”, in the first place where they occur, there shall be substituted the words “the Hire-Purchase Acts 1938 to 1964”, after the words “section twelve of this Act” there shall be inserted the words “or section 14 of the Hire-Purchase Act 1964”, and after the words “the said section” there shall be inserted the words “twelve or section 14, as the case may be”.</p> <p>In section 19(1), after the words “this Act”, in the third place where they occur, there shall be inserted the words “and in section 14(1) of the Hire-Purchase Act 1964”.</p>

Enactment	Amendment
<p>The Hire-Purchase Act 1938 (1 &amp; 2 Geo. 6. c. 53) —cont.</p>	<p>In section 21(1), at the end of the definition of “credit-sale agreement” there shall be added the words “not being a conditional sale agreement”; after that definition there shall be inserted the following definition:—                      “‘conditional sale agreement’ has the meaning assigned to it by section 21(5) of the Hire-Purchase Act 1964”;                      and in the definition of “contract of guarantee”, after the word “agreement” in the last place where it occurs, there shall be inserted the words “or to indemnify the owner or the seller against any loss which he may incur in respect of the hire-purchase agreement or credit-sale agreement”.</p> <p>In the Schedule, in the first paragraph 2, after the word “Act”, there shall be inserted the words “apart from the proviso to subsection (1) of section four”, and at the end there shall be added the words “unless the court determines that a smaller sum would be equal to the owner’s loss”.</p>
<p>The Advertisements (Hire-Purchase) Act 1957 (5 &amp; 6 Eliz. 2. c. 41).</p>	<p>In section 2(4), for the word “section” there shall be substituted the word “Act”.</p> <p>In section 3(1), for the words “the last preceding section” there shall be substituted the words “section 2 or section 2A of this Act”.</p>

SCHEDULE 5  
ENACTMENTS REPEALED

Chapter	Short Title	Extent of Repeal
22 & 23 Geo. 5. c. 38.	The Hire Purchase and Small Debt (Scotland) Act 1932.	Sections 1 to 5. Sections 8 and 9. In section 10(1), the definition of "instalment" and section 10(2).
1 & 2 Geo. 6. c. 53.	The Hire-Purchase Act 1938.	In section 2(1), the words "the note or memorandum of". In section 3(1), the words "the note or memorandum of". In section 8(1), the words "as regards defects of which the owner could not reasonably have been aware at the time when the agreement was made, or". In section 12(8), the words "the note or memorandum of". In section 19(1), the words "the note or memorandum of". In section 21(1), the definition of "livestock". In section 22(3), the words "Scotland or". In the Schedule, the words "NOTE OR MEMORANDUM OF".
2 & 3 Eliz. 2. c. 51.	The Hire-Purchase Act 1954.	Sections 1 and 4.
9 & 10 Eliz. 2. c. 56.	The Credit-Sale Agreements (Scotland) Act 1961.	The whole Act.



## SCHEDULE 6

## TRANSITIONAL PROVISIONS (ENGLAND AND WALES)

1. Section 20 of the principal Act (which provides for the limited application of certain provisions of that Act to agreements made before the commencement of the Act and in all other respects excludes such agreements from that Act) shall have effect in relation—

- (a) to hire-purchase agreements of a class to which the principal Act applies by virtue only of subsections (1) and (2) of section 1 of this Act, and
- (b) to conditional sale agreements to which section 21 of this Act applies,

as if any reference in the said section 20 to the commencement of the principal Act were a reference to the commencement of this Act.

2. The following provisions of Part I of this Act shall, to the extent specified in this paragraph, have effect in relation to all hire-purchase agreements to which the principal Act applies, whether by virtue of section 1 of this Act or otherwise, and whether made before or after the commencement of this Act, and in relation to all conditional sale agreements to which section 21 of this Act applies, whether made before or after the commencement of this Act, that is to say—

- (a) section 15, except in relation to a default committed before the commencement of this Act,
- (b) sections 16 and 17, except where the hirer or buyer has died before the commencement of this Act, and
- (c) sections 14, 18 and 19, so far as they relate to actions begun after the commencement of this Act.

3. Except as provided by paragraph 2 of this Schedule, Part I of this Act, and section 34 of this Act in so far as it amends or repeals any enactment contained in the principal Act or the Hire-Purchase Act 1954, shall not have effect in relation to any hire-purchase agreement, credit-sale agreement or conditional sale agreement made before the commencement of this Act.

4.—(1) In relation to hire-purchase agreements of a class to which the principal Act applies by virtue only of an Order in Council made under section 1(3) of this Act, and in relation to conditional sale agreements of a class to which section 21 of this Act applies by virtue only of such an Order, subsections (1) and (2) of section 20 of the principal Act shall apply as if any reference in those subsections to the commencement of the principal Act were a reference to the coming into operation of that Order.

(2) In relation to any such agreement as is mentioned in the preceding sub-paragraph, whether made before, on or after the date on which the Order comes into operation,—

- (a) section 15 of this Act shall apply, except in the case of a default committed before that date ;

## SCH. 6

- (b) sections 16 and 17 of this Act shall apply, except where the hirer or buyer has died before that date; and
- (c) sections 14, 18 and 19 of this Act shall apply so far as they relate to actions begun after that date.

5. Except as provided by the last preceding paragraph, the principal Act and Part I of this Act shall not have effect in relation to any hire-purchase agreement, credit-sale agreement or conditional sale agreement which—

- (a) is of a class to which the principal Act or, as the case may be, section 21 of this Act, applies by virtue only of such an Order in Council as is mentioned in the last preceding paragraph, and
- (b) is made before the date on which that Order comes into operation.

6. For the purposes of the operation of this Schedule in relation to conditional sale agreements—

- (a) any reference in section 20 of the principal Act to a hire-purchase agreement shall be construed as a reference to a conditional sale agreement;
- (b) that section shall be construed subject to the modifications specified in sub-paragraphs (a) to (e) of paragraph 2(1) of Schedule 1 to this Act;
- (c) any reference in that section to any other provision of the principal Act shall be construed as a reference to that provision as modified by that Schedule.

7.—(1) Section 21(1) of the principal Act shall have effect for the purposes of this Schedule as it has effect for the purposes of that Act.

(2) In this Schedule “the principal Act” means the Hire-Purchase Act 1938, “conditional sale agreement” has the meaning assigned to it by subsection (5) of section 21 of this Act, and any reference to a conditional sale agreement to which that section applies shall be construed as if this Schedule were included in that section after subsection (2) thereof, and references to conditional sale agreements of a class to which that section applies shall be construed accordingly.

## SCHEDULE 7

## TRANSITIONAL PROVISIONS (SCOTLAND)

1. The following provisions of the Act of 1938 and of Part I of this Act shall, to the extent specified in this paragraph, have effect in relation to hire-purchase agreements to which the Act of 1938 applies, whether made before or after the commencement of this Act, and in relation to conditional sale agreements to which section 21 of this Act applies, whether made before or after the commencement of this Act, that is to say—

- (a) section 9 of the Act of 1938, so far as it relates to payments made after the commencement of this Act,

- (b) sections 11 and 15 of the Act of 1938, so far as they relate to the recovery of possession of goods after the commencement of this Act, otherwise than in pursuance of a decree pronounced in an action commenced before the commencement of this Act,
- (c) sections 12, 13, 13A, 14, 15 and 19A(1) of the Act of 1938, so far as they relate to actions commenced after the commencement of this Act,
- (d) section 19 of the Act of 1938, so far as it relates to section 11, 12 or 15 of that Act,
- (e) section 15 of this Act, except in relation to a default committed before the commencement of this Act,
- (f) sections 16 and 17 of this Act, except where the hirer or buyer has died before the commencement of this Act, and
- (g) sections 18 and 19 of this Act, so far as they relate to actions begun after the commencement of this Act.

2. Except as provided by the last preceding paragraph, the Act of 1938, Part I of this Act, section 25(4) of this Act, and section 34(2) of this Act in so far as it repeals any enactment contained in the Hire Purchase and Small Debt (Scotland) Act 1932 or the Hire-Purchase Act 1954 or the Credit-Sale Agreements (Scotland) Act 1961, shall not have effect in relation to any hire-purchase agreement, credit-sale agreement or conditional sale agreement made before the commencement of this Act.

3.—(1) The following provisions of the Act of 1938 and of Part I of this Act shall, to the extent specified in this paragraph, have effect in relation to hire-purchase agreements of a class to which the Act of 1938 applies by virtue only of an Order in Council made under section 1(2) of the Act of 1938, and in relation to conditional sale agreements of a class to which section 21 of this Act applies by virtue only of such an Order,—

- (a) section 9 of the Act of 1938, so far as it relates to payments made after the date on which that Order comes into operation,
- (b) sections 11 and 15 of the Act of 1938, so far as they relate to the recovery of possession of goods after the date on which that Order comes into operation,
- (c) sections 12, 13, 13A, 14, 15 and 19A(1) of the Act of 1938, so far as they relate to actions commenced after the date on which that Order comes into operation,
- (d) section 19 of the Act of 1938, so far as it relates to section 11, 12 or 15 of that Act,
- (e) section 15 of this Act, except in relation to a default committed before the date on which that Order comes into operation,
- (f) sections 16 and 17 of this Act, except where the hirer or buyer has died before the date on which that Order comes into operation, and
- (g) sections 18 and 19 of this Act, so far as they relate to actions begun after the date on which that Order comes into operation.

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(2) The preceding sub-paragraph shall apply to any such agreement as is therein mentioned, whether the agreement was made before, on or after the date on which the Order comes into operation.

4. Except as provided by the last preceding paragraph, the Act of 1938 and Part I of this Act shall not have effect in relation to any hire-purchase agreement, credit-sale agreement or conditional sale agreement which—

- (a) is of a class to which the Act of 1938 or, as the case may be, section 21 of this Act, applies by virtue only of such an Order in Council as is mentioned in the last preceding paragraph, and
- (b) is made before the date on which that Order comes into operation.

5.—(1) For the purposes of this Schedule—

- (a) section 21(1) of the Act of 1938 shall have effect as it has effect for the purposes of that Act ;
- (b) section 21(3) of this Act shall have effect as it has effect for the purposes of Part I of this Act.

(2) In this Schedule, the expression “the Act of 1938” has the meaning assigned to it by section 25(5) of this Act ; references to Part I of this Act are references to such of the provisions of that Part as are extended to Scotland by section 26 of this Act ; and any reference to those provisions, or to any of them, shall be construed as a reference to those provisions, or, as the case may be, that provision, as so extended.

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*Table of Statutes referred to in this Act*

Short Title	Session and Chapter
Small Debt (Scotland) Act 1837 ... ..	7 Will. 4 & 1 Vict. c. 41.
Electric Lighting Act 1882... ..	45 & 46 Vict. c. 56.
Factors Act 1889 ... ..	52 & 53 Vict. c. 45.
Interpretation Act 1889 ... ..	52 & 53 Vict. c. 63.
Factors (Scotland) Act 1890 ... ..	53 & 54 Vict. c. 40.
Sale of Goods Act 1893 ... ..	56 & 57 Vict. c. 71.
Law of Distress Amendment Act 1908 ... ..	8 Edw. 7. c. 53.
Bankruptcy Act 1914 ... ..	4 & 5 Geo. 5. c. 59.
Administration of Estates Act 1925 ... ..	15 & 16 Geo. 5. c. 23.
Hire Purchase and Small Debt (Scotland) Act 1932 ... ..	22 & 23 Geo. 5. c. 38.
Hire-Purchase Act 1938 ... ..	1 & 2 Geo. 6. c. 53.
Hire-Purchase Act 1954 ... ..	2 & 3 Eliz. 2. c. 51.
Advertisements (Hire-Purchase) Act 1957 ... ..	5 & 6 Eliz. 2. c. 41.
County Courts Act 1959 ... ..	7 & 8 Eliz. 2. c. 22.
Credit Sale Agreements (Scotland) Act 1961 ... ..	9 & 10 Eliz. 2. c. 56.



# British Nationality (No. 2) Act 1964

## 1964 CHAPTER 54

An Act to provide for the acquisition of citizenship of the United Kingdom and Colonies by certain classes of persons who would otherwise be stateless; to restrict the grounds on which persons may be deprived of such citizenship where deprivation would render them stateless; to repeal section 20(4) and section 21 of the British Nationality Act 1948; and to extend the powers exercisable under that Act with respect to British protected persons. [16th July 1964]

**B** E IT ENACTED by the Queen'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) A person shall be entitled, on making application to the Secretary of State in the prescribed manner, to be registered as a citizen of the United Kingdom and Colonies if he satisfies the Secretary of State that he is and always has been stateless and—

Additional grounds for citizenship by registration.

- (a) that his mother was a citizen of the United Kingdom and Colonies at the time when he was born; or
- (b) that he was born at a place which is at the time of the application within the United Kingdom and Colonies; or
- (c) that he is otherwise qualified for registration under this section by parentage, or by residence and parentage, as mentioned in the Schedule to this Act (which deals with certain transitional cases).

(2) Subsection (1) above applies to persons born before as well as to persons born after the commencement of this Act, and paragraph (a) of that subsection applies to persons born illegitimate as well as to persons born legitimate.

(3) An application for the registration under this section of a minor may be made by his parent or guardian or, if he has attained the age of sixteen years, by the minor himself or by his parent or guardian.

(4) Section 8 of the principal Act (registration in Commonwealth countries and territories) and section 9 of that Act (effect of registration as a citizen) shall apply in relation to this section as they apply in relation to section 6 of that Act; but a male person who becomes a citizen of the United Kingdom and Colonies by virtue of paragraph (a) or (c) of subsection (1) above shall be deemed for the purposes of the proviso to section 5(1) of the principal Act (transmission of citizenship) to be a citizen of the United Kingdom and Colonies by descent only.

Additional grounds for citizenship by birth.

2.—(1) A person born within the United Kingdom and Colonies after the commencement of this Act shall be a citizen of the United Kingdom and Colonies by birth if his mother was a citizen of the United Kingdom and Colonies at the time when he was born and he would, apart from this subsection, be stateless.

(2) Where after the commencement of this Act a new-born infant is found abandoned within the United Kingdom and Colonies, that infant shall, unless the contrary is shown, be deemed to have been born within the United Kingdom and Colonies.

Late registration of birth for avoidance of statelessness.

3.—(1) The Secretary of State shall not withhold his permission under paragraph (b) of the proviso to section 5(1) of the principal Act for the registration of the birth of any person after the expiration of the period prescribed by that paragraph if it appears to him that that person is and always has been stateless and would have been a citizen of the United Kingdom and Colonies by descent if his birth had been registered within that period.

6 & 7 Geo. 6.  
c. 14.

(2) The Secretary of State shall not withhold his permission under paragraph (b) of section 1(2) of the British Nationality and Status of Aliens Act 1943 (as applied by section 17 of the principal Act) for the registration of the birth of any person if it appears to him that that person is and always has been stateless and would become a citizen of the United Kingdom and Colonies or a British subject without citizenship if his birth were registered in accordance with that paragraph.

4.—(1) The Secretary of State shall not deprive any person of his citizenship on the ground mentioned in section 20(3)(c) of the principal Act (conviction of criminal offence) if it appears to him that that person would thereupon become stateless. Restriction on deprivation of citizenship.

(2) Section 20(4) of the principal Act (deprivation for long residence in foreign countries) and section 21 of that Act (deprivation where person deprived of citizenship elsewhere) are hereby repealed.

5. An Order in Council under section 32(1) of the principal Act (designation of British protected persons) may declare to be British protected persons for the purposes of that Act any class of persons who are connected with a territory which has ceased to be a protectorate, protected state or trust territory when the Order is made and who are not citizens of any country mentioned in section 1(3) of that Act which is constituted by that territory or of which that territory forms part. British protected persons.

6.—(1) This Act may be cited as the British Nationality (No. 2) Act 1964, and shall be included among the Acts which may be cited as the British Nationality Acts 1948 to 1964. Supplemental.

(2) In this Act “ the principal Act ” means the British Nationality Act 1948, and Part III of that Act (supplemental provisions) shall have effect as if any reference in it to that Act, except one referring to the date of the commencement of that Act, included a reference to this Act. 11 & 12 Geo. 6. c. 56.

(3) This Act shall come into force at the expiration of the period of two months beginning with the date on which it is passed.

## Section 1

## SCHEDULE

## TRANSITIONAL QUALIFICATIONS

*Parentage*

1.—(1) A person born before the commencement of the principal Act is qualified for registration under section 1 of this Act by parentage if—

- (a) his mother was a British subject at the time when he was born or a person who, by virtue of section 14 of that Act, is deemed (or would but for her death be deemed) to have been a British subject immediately before the commencement of that Act; or
- (b) his father or mother was a person who, by virtue of section 15 or 17 of that Act, is deemed (or would but for his or her death be deemed) to have been a British subject immediately before the commencement of that Act;

and, in either case, the relevant parent became (or would but for his or her death have become) a citizen of the United Kingdom and Colonies at the commencement of that Act.

(2) For the purposes of sub-paragraph (1)(a) above a person who by the law in force in any colony or protectorate enjoyed the privileges of naturalisation within that colony or protectorate only shall be treated as having been a British subject.

2. A person born before or after the commencement of the principal Act is qualified for registration under section 1 of this Act by parentage if his father or mother has become (or would but for his or her death have become) a citizen of the United Kingdom and Colonies by virtue of section 13(2) of that Act or has become such a citizen by virtue of section 16(2) of that Act.

*Residence and parentage*

3.—(1) Subject to sub-paragraph (5) below, a person is qualified for registration under section 1 of this Act by residence and parentage if he has been ordinarily resident in the United Kingdom and Colonies throughout the period of three years ending with the date of his application and he has the qualifications mentioned in sub-paragraph (2), (3) or (4) of this paragraph.

(2) A person born before the commencement of the principal Act has the said qualifications if—

- (a) his mother was a British subject at the time when he was born or a person who, by virtue of section 14 of that Act, is deemed (or would but for her death be deemed) to have been a British subject immediately before the commencement of that Act; or
- (b) his father or mother was a person who, by virtue of section 15 or 17 of that Act, is deemed (or would but for his or her death be deemed) to have been a British subject immediately before the commencement of that Act;

and, in either case, the relevant parent remained (or would but for his or her death have remained) a British subject without citizenship as from the commencement of that Act.



(3) A person born before the commencement of the principal Act has the said qualifications if—

- (a) his father or mother has become a British subject without citizenship by virtue of section 16(2) of that Act; or
- (b) his mother was a British subject at the time when he was born and remained a British subject by virtue of a notice under section 2(1) of that Act.

(4) A person born after the commencement of the principal Act has the said qualifications if his father or mother—

- (a) was a British subject without citizenship at the time when that person was born; or
- (b) has subsequently become a British subject without citizenship by virtue of section 16(2) of that Act; or
- (c) was a British subject at the time when that person was born by virtue of a notice under section 2(1) of that Act (whether given before or after that time).

(5) A person shall not be treated as qualified for registration under section 1 of this Act by virtue of sub-paragraph (2) or (3)(a) above if the relevant parent has become (or would but for his death have become) a citizen of any country mentioned in section 1(3) of the principal Act of which he was (or would but for his death have been) potentially a citizen at the commencement of that Act.

(6) For the purposes of this paragraph residence in a protectorate shall be treated as residence in the United Kingdom and Colonies, and references to a colony or a protectorate shall be construed as references to any territory which is a colony or protectorate at the time of the application.

*Legitimacy and legitimation*

4. The foregoing provisions of this Schedule apply, where the relevant parent is the mother, to persons born illegitimate as well as to persons born legitimate; and, where the relevant parent is not the mother, section 23 of the principal Act shall apply for the purpose of determining whether a person is qualified under those provisions as it applies for the purposes mentioned in that section.



# Perpetuities and Accumulations Act 1964

## 1964 CHAPTER 55

An Act to modify the law of England and Wales relating to the avoidance of future interests in property on grounds of remoteness and governing accumulations of income from property. [16th July 1964]

**B**E IT ENACTED by the Queen'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:—

### *Perpetuities*

Power to specify perpetuity period.

1.—(1) Subject to section 9(2) of this Act and subsection (2) below, where the instrument by which any disposition is made so provides, the perpetuity period applicable to the disposition under the rule against perpetuities, instead of being of any other duration, shall be of a duration equal to such number of years not exceeding eighty as is specified in that behalf in the instrument.

(2) Subsection (1) above shall not have effect where the disposition is made in exercise of a special power of appointment, but where a period is specified under that subsection in the instrument creating such a power the period shall apply in relation to any disposition under the power as it applies in relation to the power itself.

Presumptions and evidence as to future parenthood.

2.—(1) Where in any proceedings there arises on the rule against perpetuities a question which turns on the ability of a person to have a child at some future time, then—

(a) subject to paragraph (b) below, it shall be presumed that a male can have a child at the age of fourteen years or over, but not under that age, and that a female can

have a child at the age of twelve years or over, but not under that age or over the age of fifty-five years ; but

- (b) in the case of a living person evidence may be given to show that he or she will or will not be able to have a child at the time in question.

(2) Where any such question is decided by treating a person as unable to have a child at a particular time, and he or she does so, the High Court may make such order as it thinks fit for placing the persons interested in the property comprised in the disposition, so far as may be just, in the position they would have held if the question had not been so decided.

(3) Subject to subsection (2) above, where any such question is decided in relation to a disposition by treating a person as able or unable to have a child at a particular time, then he or she shall be so treated for the purpose of any question which may arise on the rule against perpetuities in relation to the same disposition in any subsequent proceedings.

(4) In the foregoing provisions of this section references to having a child are references to begetting or giving birth to a child, but those provisions (except subsection (1)(b)) shall apply in relation to the possibility that a person will at any time have a child by adoption, legitimation or other means as they apply to his or her ability at that time to beget or give birth to a child.

3.—(1) Where, apart from the provisions of this section and sections 4 and 5 of this Act, a disposition would be void on the ground that the interest disposed of might not become vested until too remote a time, the disposition shall be treated, until such time (if any) as it becomes established that the vesting must occur, if at all, after the end of the perpetuity period, as if the disposition were not subject to the rule against perpetuities ; and its becoming so established shall not affect the validity of anything previously done in relation to the interest disposed of by way of advancement, application of intermediate income or otherwise. Uncertainty as to remoteness.

(2) Where, apart from the said provisions, a disposition consisting of the conferring of a general power of appointment would be void on the ground that the power might not become exercisable until too remote a time, the disposition shall be treated, until such time (if any) as it becomes established that the power will not be exercisable within the perpetuity period, as if the disposition were not subject to the rule against perpetuities.

(3) Where, apart from the said provisions, a disposition consisting of the conferring of any power, option or other right would be void on the ground that the right might be exercised

at too remote a time, the disposition shall be treated as regards any exercise of the right within the perpetuity period as if it were not subject to the rule against perpetuities and, subject to the said provisions, shall be treated as void for remoteness only if, and so far as, the right is not fully exercised within that period.

(4) Where this section applies to a disposition and the duration of the perpetuity period is not determined by virtue of section 1 or 9(2) of this Act, it shall be determined as follows:—

- (a) where any persons falling within subsection (5) below are individuals in being and ascertainable at the commencement of the perpetuity period the duration of the period shall be determined by reference to their lives and no others, but so that the lives of any description of persons falling within paragraph (b) or (c) of that subsection shall be disregarded if the number of persons of that description is such as to render it impracticable to ascertain the date of death of the survivor;
- (b) where there are no lives under paragraph (a) above the period shall be twenty-one years.

(5) The said persons are as follows:—

- (a) the person by whom the disposition was made;
- (b) a person to whom or in whose favour the disposition was made, that is to say—
  - (i) in the case of a disposition to a class of persons, any member or potential member of the class;
  - (ii) in the case of an individual disposition to a person taking only on certain conditions being satisfied, any person as to whom some of the conditions are satisfied and the remainder may in time be satisfied;
  - (iii) in the case of a special power of appointment exercisable in favour of members of a class, any member or potential member of the class;
  - (iv) in the case of a special power of appointment exercisable in favour of one person only, that person or, where the object of the power is ascertainable only on certain conditions being satisfied, any person as to whom some of the conditions are satisfied and the remainder may in time be satisfied;
  - (v) in the case of any power, option or other right, the person on whom the right is conferred;
- (c) a person having a child or grandchild within subparagraphs (i) to (iv) of paragraph (b) above, or any

of whose children or grandchildren, if subsequently born, would by virtue of his or her descent fall within those sub-paragraphs ;

- (d) any person on the failure or determination of whose prior interest the disposition is limited to take effect.

4.—(1) Where a disposition is limited by reference to the attainment by any person or persons of a specified age exceeding twenty-one years, and it is apparent at the time the disposition is made or becomes apparent at a subsequent time—

Reduction of age and exclusion of class members to avoid remoteness.

- (a) that the disposition would, apart from this section, be void for remoteness, but
- (b) that it would not be so void if the specified age had been twenty-one years,

the disposition shall be treated for all purposes as if, instead of being limited by reference to the age in fact specified, it had been limited by reference to the age nearest to that age which would, if specified instead, have prevented the disposition from being so void.

(2) Where in the case of any disposition different ages exceeding twenty-one years are specified in relation to different persons—

- (a) the reference in paragraph (b) of subsection (1) above to the specified age shall be construed as a reference to all the specified ages, and
- (b) that subsection shall operate to reduce each such age so far as is necessary to save the disposition from being void for remoteness.

(3) Where the inclusion of any persons, being potential members of a class or unborn persons who at birth would become members or potential members of the class, prevents the foregoing provisions of this section from operating to save a disposition from being void for remoteness, those persons shall thenceforth be deemed for all the purposes of the disposition to be excluded from the class, and the said provisions shall thereupon have effect accordingly.

(4) Where, in the case of a disposition to which subsection (3) above does not apply, it is apparent at the time the disposition is made or becomes apparent at a subsequent time that, apart from this subsection, the inclusion of any persons, being potential members of a class or unborn persons who at birth would become members or potential members of the class, would cause the disposition to be treated as void for remoteness, those persons shall, unless their exclusion would exhaust the class, thenceforth be deemed for all the purposes of the disposition to be excluded from the class.

(5) Where this section has effect in relation to a disposition to which section 3 above applies, the operation of this section shall not affect the validity of anything previously done in relation to the interest disposed of by way of advancement, application of intermediate income or otherwise.

(6) Section 163 of the Law of Property Act 1925 (which saves a disposition from remoteness arising out of a condition requiring the attainment of an age exceeding twenty-one years) is hereby repealed.

Condition relating to death of surviving spouse.

5. Where a disposition is limited by reference to the time of death of the survivor of a person in being at the commencement of the perpetuity period and any spouse of that person, and that time has not arrived at the end of the perpetuity period, the disposition shall be treated for all purposes, where to do so would save it from being void for remoteness, as if it had instead been limited by reference to the time immediately before the end of that period.

Saving and acceleration of expectant interests.

6. A disposition shall not be treated as void for remoteness by reason only that the interest disposed of is ulterior to and dependent upon an interest under a disposition which is so void, and the vesting of an interest shall not be prevented from being accelerated on the failure of a prior interest by reason only that the failure arises because of remoteness.

Powers of appointment.

7. For the purposes of the rule against perpetuities, a power of appointment shall be treated as a special power unless—

- (a) in the instrument creating the power it is expressed to be exercisable by one person only, and
- (b) it could, at all times during its currency when that person is of full age and capacity, be exercised by him so as immediately to transfer to himself the whole of the interest governed by the power without the consent of any other person or compliance with any other condition, not being a formal condition relating only to the mode of exercise of the power:

Provided that for the purpose of determining whether a disposition made under a power of appointment exercisable by will only is void for remoteness, the power shall be treated as a general power where it would have fallen to be so treated if exercisable by deed.

Administrative powers of trustees.

8.—(1) The rule against perpetuities shall not operate to invalidate a power conferred on trustees or other persons to sell, lease, exchange or otherwise dispose of any property for full consideration, or to do any other act in the administration (as opposed to the distribution) of any property, and shall not prevent the payment to trustees or other persons of reasonable remuneration for their services.

(2) Subsection (1) above shall apply for the purpose of enabling a power to be exercised at any time after the commencement of this Act notwithstanding that the power is conferred by an instrument which took effect before that commencement.

**9.—**(1) The rule against perpetuities shall not apply to a disposition consisting of the conferring of an option to acquire for valuable consideration an interest reversionary (whether directly or indirectly) on the term of a lease if—

Options relating to land.

- (a) the option is exercisable only by the lessee or his successors in title, and
- (b) it ceases to be exercisable at or before the expiration of one year following the determination of the lease.

This subsection shall apply in relation to an agreement for a lease as it applies in relation to a lease, and “lessee” shall be construed accordingly.

(2) In the case of a disposition consisting of the conferring of an option to acquire for valuable consideration any interest in land, the perpetuity period under the rule against perpetuities shall be twenty-one years, and section 1 of this Act shall not apply:

Provided that this subsection shall not apply to a right of pre-emption conferred on a public or local authority in respect of land used or to be used for religious purposes where the right becomes exercisable only if the land ceases to be used for such purposes.

**10.** Where a disposition inter vivos would fall to be treated as void for remoteness if the rights and duties thereunder were capable of transmission to persons other than the original parties and had been so transmitted, it shall be treated as void as between the person by whom it was made and the person to whom or in whose favour it was made or any successor of his, and no remedy shall lie in contract or otherwise for giving effect to it or making restitution for its lack of effect.

Avoidance of contractual and other rights in cases of remoteness.

**11.—**(1) The rule against perpetuities shall not apply to any powers or remedies for recovering or compelling the payment of an annual sum to which section 121 or 122 of the Law of Property Act 1925 applies, or otherwise becoming exercisable or enforceable on the breach of any condition or other requirement relating to that sum.

Rights for enforcement of rentcharges.

(2) In section 121(6) of the Law of Property Act 1925 the words from “nor to the same” onwards are hereby repealed.

Possibilities of reverter, conditions subsequent, exceptions and reservations.

**12.—(1) In the case of—**

- (a) a possibility of reverter on the determination of a determinable fee simple, or
- (b) a possibility of a resulting trust on the determination of any other determinable interest in property,

the rule against perpetuities shall apply in relation to the provision causing the interest to be determinable as it would apply if that provision were expressed in the form of a condition subsequent giving rise, on breach thereof, to a right of re-entry or an equivalent right in the case of property other than land, and where the provision falls to be treated as void for remoteness the determinable interest shall become an absolute interest.

(2) Where a disposition is subject to any such provision, or to any such condition subsequent, or to any exception or reservation, the disposition shall be treated for the purposes of this Act as including a separate disposition of any rights arising by virtue of the provision, condition subsequent, exception or reservation.

*Accumulations*

Amendment of s. 164 of Law of Property Act 1925.

**13.—(1) The periods for which accumulations of income under a settlement or other disposition are permitted by section 164 of the Law of Property Act 1925 shall include—**

- (a) a term of twenty-one years from the date of the making of the disposition, and
- (b) the duration of the minority or respective minorities of any person or persons in being at that date.

(2) It is hereby declared that the restrictions imposed by the said section 164 apply in relation to a power to accumulate income whether or not there is a duty to exercise that power, and that they apply whether or not the power to accumulate extends to income produced by the investment of income previously accumulated.

Right to stop accumulations.

**14. Section 2 above shall apply to any question as to the right of beneficiaries to put an end to accumulations of income under any disposition as it applies to questions arising on the rule against perpetuities.**

*Supplemental*

Short title, interpretation and extent.

**15.—(1) This Act may be cited as the Perpetuities and Accumulations Act 1964.**

(2) In this Act—

“disposition” includes the conferring of a power of appointment and any other disposition of an interest in or right over property, and references to the interest disposed of shall be construed accordingly;



“ in being ” means living or en ventre sa mere ;

“ power of appointment ” includes any discretionary power to transfer a beneficial interest in property without the furnishing of valuable consideration ;

“ will ” includes a codicil ;

and for the purposes of this Act a disposition contained in a will shall be deemed to be made at the death of the testator.

(3) For the purposes of this Act a person shall be treated as a member of a class if in his case all the conditions identifying a member of the class are satisfied, and shall be treated as a potential member if in his case some only of those conditions are satisfied but there is a possibility that the remainder will in time be satisfied.

(4) Nothing in this Act shall affect the operation of the rule of law rendering void for remoteness certain dispositions under which property is limited to be applied for purposes other than the benefit of any person or class of persons in cases where the property may be so applied after the end of the perpetuity period.

(5) The foregoing sections of this Act shall apply (except as provided in section 8(2) above) only in relation to instruments taking effect after the commencement of this Act, and in the case of an instrument made in the exercise of a special power of appointment shall apply only where the instrument creating the power takes effect after that commencement :

Provided that section 7 above shall apply in all cases for construing the foregoing reference to a special power of appointment.

(6) This Act shall apply in relation to a disposition made otherwise than by an instrument as if the disposition had been contained in an instrument taking effect when the disposition was made.

(7) This Act binds the Crown.

(8) Except in so far as the contrary intention appears, any enactment of the Parliament of Northern Ireland passed for purposes similar to the purposes of this Act shall bind the Crown.

(9) This Act shall not extend to Scotland or (apart from subsection (8) above) to Northern Ireland.





# Housing Act 1964

## 1964 CHAPTER 56

An Act to set up a new body to assist housing societies to provide housing accommodation, to confer powers and duties on local authorities to compel the carrying out of works for the improvement of dwellings which are without all or any of the standard amenities, to amend the law relating to the giving of financial assistance for the improvement of housing accommodation, to make further provision as to the powers and duties of local authorities as respects houses let in lodgings or occupied by more than one family, to amend the provisions of the Clean Air Act 1956 relating to the making of contributions to expenditure incurred in the adaptation of fireplaces in private dwellings, and to amend in other respects the law relating to housing. [16th July 1964]

**B**E IT ENACTED by the Queen'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

#### ASSISTANCE FOR HOUSING SOCIETIES PROVIDING HOUSING ACCOMMODATION

1.—(1) There shall be an authority, to be called the Housing Corporation (hereafter in this Part of this Act referred to as "the Corporation") whose general duty it shall be to promote and assist the development of housing societies, to facilitate the proper exercise and performance of the functions of such societies, and to publicise, in the case of societies providing houses for their own members no less than in the case of those

**PART I** providing houses for letting, the aims and principles of such societies ; and, for the purpose of performing that general duty, the Corporation shall exercise and perform the functions assigned to them by this Part of this Act.

(2) Directions of a general character as to the exercise and performance of the functions of the Corporation may be given by the Minister and the Secretary of State acting jointly ; and whether or not any such directions have been given as aforesaid, directions of either a general or a particular character may be given—

(a) where the directions concern the exercise or performance of those functions in England and Wales only, by the Minister ;

(b) where the directions concern the exercise or performance of those functions in Scotland only, by the Secretary of State ;

and the Corporation shall comply with any directions given under this subsection.

Any directions given under this subsection may be varied or revoked by subsequent directions thereunder given by the same persons or person.

(3) It is hereby declared that the Corporation are not to be regarded as the servant or agent of the Crown or as enjoying any status, immunity or privilege of the Crown, or as exempt from any tax, duty, rate, levy or other charge whatsoever, whether general or local, and that their property is not to be regarded as property of, or property held on behalf of, the Crown.

(4) A transaction between a person and the Corporation shall not be invalid by reason of any non-compliance by the Corporation with any direction given to the Corporation under subsection (2) of this section unless that person had actual notice of the direction ; and section 29 of the Town and Country Planning Act 1959 (protection of persons deriving title to land under transactions requiring consent) shall apply in relation to the Corporation as it applies in relation to an authority to whom Part II of that Act applies.

(5) References to undertakers in section 15 of the Local Government Superannuation Act 1953 (which enables local authorities to admit to their superannuation schemes employees of statutory undertakers) shall extend to the Corporation.

(6) The provisions of Schedule 1 to this Act shall have effect with respect to the constitution and proceedings of the Corporation and other matters related to the Corporation and its members.

(7) In this Part of this Act the expression "housing society" means a society— PART I

- (a) which is registered under the Industrial and Provident Societies Act 1893 ; and
- (b) which does not trade for profit ; and
- (c) which is established for the purpose of, or amongst whose objects or powers are included those of, constructing, improving or managing houses, being—
  - (i) houses to be kept available for letting, or
  - (ii) where the rules of the society restrict membership of the society to persons entitled or prospectively entitled (whether as tenants or otherwise) to occupy a house provided or managed by the society, houses for occupation by members of the society,

whether or not the purposes or objects of the society include any of the supplementary purposes or objects mentioned in subsection (8) of this section, so however that the expression shall not include a society which, in addition to the purposes or objects mentioned in paragraph (c) above, has any purposes or objects not mentioned in the said subsection (8).

(8) The supplementary purposes or objects referred to in the last foregoing subsection are those—

- (a) of providing land or buildings for purposes connected with the requirements of the persons occupying the houses provided or managed by the society,
- (b) of encouraging the formation of other housing societies, and
- (c) of giving advice on the formation and running of such societies.

(9) In the application of this section to Scotland, in subsection (4) for the reference to the Town and Country Planning Act 1959 there shall be substituted a reference to the Town and Country Planning (Scotland) Act 1959.

2.—(1) The Corporation shall have power to make loans to a housing society for the purpose of enabling the housing society to meet the whole or any part of any expenditure incurred or to be incurred by the housing society in carrying out its objects. Power of Corporation to make loans to housing societies.

(2) Any directions given to the Corporation under section 1(2) of this Act with respect to the terms of any such loan shall require the consent of the Treasury and, subject to any such directions, the terms on which any such loan is made shall be such as the Corporation may determine either generally or in any particular case, and may, in particular, include terms for preventing repayment of the loan or any part of it before a specified date without the consent of the Corporation.

## PART I

(3) The Corporation may, with the consent in writing of the Minister, give to any housing society (whether in connection with a scheme under section 5 of this Act or otherwise) directions with respect to the disposal of any land belonging to the society in which the Corporation have an interest as mortgagee under a mortgage entered into by the society; and where directions under this subsection are given with respect to any land belonging to a housing society, it shall be the duty of the society to comply with the directions so long as the Corporation continue to have such an interest in that land.

Any directions given under this subsection with the consent aforesaid may be varied or revoked by subsequent directions thereunder given with the like consent.

(4) Where, in the case of a housing society the rules of which restrict membership of the society to persons entitled or prospectively entitled (whether as tenants or otherwise) to occupy a house provided or managed by the society, the Corporation propose to give directions to the society under subsection (3) of this section requiring it to transfer its interest in any land to the Corporation or any other person, the Minister shall not consent to the giving of the directions unless he is satisfied that arrangements have been made which, if the directions are given, will secure that the members of the society receive fair treatment in connection with the transfer.

(5) The reference in subsection (1) of this section to expenditure incurred or to be incurred by a housing society in carrying out its objects includes a reference to expenditure incurred or to be incurred by it in acquiring land on which to construct houses or in acquiring houses to be managed by the society, whether after improvement by the society or in the condition in which they are acquired.

(6) In the application of this section to Scotland, for the references to the Minister there shall be substituted references to the Secretary of State.

Provision of  
land for  
housing  
societies.

3.—(1) The Corporation shall have power to sell, or, with the consent in writing of the Minister, to lease, to a housing society any land which the housing society requires for carrying out its objects and, if the Corporation sell the land, the purchase-money may, under the last foregoing section, be left outstanding as a loan to the housing society.

(2) The Corporation may acquire land, whether by way of purchase, lease, exchange or gift, for the purpose of selling it or leasing it to housing societies under the foregoing subsection.

(3) The Corporation may with the consent in writing of the Minister clear any land acquired by them under the last foregoing subsection and carry out any other work on the land

to prepare it as a building site or estate, including the laying out and construction of streets or roads and open spaces and the provision of sewerage facilities and supplies of electricity, gas and water.

(4) The powers conferred by the foregoing provisions of this section may be exercised as respects any land notwithstanding that the land is not immediately required for sale or lease to a housing society, and the Corporation shall, until the land is so sold or leased, have power to repair, maintain and insure any buildings or works for the time being thereon and generally to deal in the proper course of management with the land and any such buildings or works, and to charge for the tenancy or occupation thereof.

(5) If, after the Corporation have acquired any land, it appears to the Corporation that there is no housing society, whether in existence or about to be formed, to which the land can suitably be sold or leased, and that the land is capable of being used to provide housing accommodation for letting, the Corporation may prepare and submit to the Minister a scheme for the Corporation themselves to undertake all the operations required for the provision of such housing accommodation on the land (including any operations which might have been carried out by a housing society in connection with the provision of the housing accommodation) and for the Corporation to retain the housing accommodation and keep it available for letting so long as the scheme has not been terminated in any manner provided for therein.

(6) Before submitting to the Minister a scheme under subsection (5) of this section the Corporation shall send a copy of it to the local authority in whose area the land to which the scheme relates is situated.

(7) Where a scheme under the said subsection (5) is submitted to the Minister by the Corporation, the Minister, on being satisfied of the lack of any housing society to which the land to which the scheme relates can suitably be transferred and that the requirements of the last foregoing subsection have been complied with, and after considering any representations which may be made to him by the local authority in whose area the land is situated, may, if he thinks fit, approve the scheme; and if he does so the Corporation shall have power to carry through the provisions of the scheme.

(8) Any scheme approved by the Minister under this section may be varied from time to time in accordance with proposals in that behalf made by the Corporation and approved by the Minister.

## PART I

(9) The Increase of Rent and Mortgage Interest (Restrictions) Act 1920 shall not apply to a tenancy where the interest of the landlord belongs to the Corporation and (without prejudice to the foregoing provision) a person shall not be entitled to retain possession against the Corporation by virtue of the Rent and Mortgage Interest Restrictions Acts 1920 to 1939.

(10) In the application of this section to Scotland—

- (a) for the references to the Minister there shall be substituted references to the Secretary of State;
- (b) in subsection (2), for the reference to exchange there shall be substituted a reference to excambion.

Compulsory  
purchase by  
Corporation  
of land.

4.—(1) Where a housing society desires to acquire any land and has made an application to the local authority in whose area the land is situated, requesting them to acquire the land under Part V of the Act of 1957 for the purpose of selling it or leasing it to the society, then, if the authority have power to acquire the land under the said Part V and the Corporation are satisfied, after consultation with the authority, that the authority are unwilling to acquire the land for that purpose or that the footing on which they are willing to do so involves the sale or leasing of the land to the society subject to conditions which are unacceptable to the society, the Corporation may acquire the land compulsorily.

(2) The power of the Corporation to acquire the land compulsorily shall be exercisable in any particular case on their being authorised to do so by the Minister, and in relation to the compulsory purchase the Acquisition of Land (Authorisation Procedure) Act 1946 shall apply as if the Corporation were a local authority within the meaning of that Act, as if this Act had been in force immediately before the commencement of that Act, and as if in Part I of Schedule 1 to that Act (procedure for authorising compulsory purchases) references to an owner of any land comprised in the compulsory purchase order included references to the local authority in whose area the land is situated.

(3) In the application of this section to Scotland—

- (a) in subsection (1), for the reference to the Act of 1957 there shall be substituted a reference to the Act of 1950, and for the words “the Corporation may acquire the land compulsorily” there shall be substituted the words “the Corporation may request the Scottish Special Housing Association to acquire the land compulsorily as provided in section 99(2) of this Act”;
- (b) subsection (2) shall not apply.



5.—(1) If, in the case of any housing society, it appears to the Corporation—

**PART I**  
Schemes for Corporation to provide housing accommodation in place of housing society.

- (a) that the society is experiencing difficulty in providing housing accommodation on any land which it has acquired or in managing housing accommodation provided by it on any land, or is in any way failing to perform its functions as a housing society in relation to any land, and that accordingly it is undesirable for the land in question to remain in the hands of the society ; and
- (b) that there is no other housing society, whether in existence or about to be formed, to which the society's interest in the land in question can suitably be transferred ; and
- (c) that the land is capable of being, or continuing to be, used to provide housing accommodation for letting,

the Corporation may prepare and submit to the Minister a scheme for the Corporation to acquire the society's interest in the land and to undertake all such operations as may be required for the provision or continued provision on the land of housing accommodation for letting (including any operations which might have been carried out by a housing society in connection with the provision of the housing accommodation) and for the Corporation to retain the accommodation and keep it available for letting so long as the scheme has not been terminated in any manner provided for therein.

(2) Where a scheme under this section is submitted to the Minister by the Corporation, the Minister, on being satisfied of the undesirability of the land remaining in the hands of the society and of the lack of any housing society to which it can suitably be transferred, may, if he thinks fit, approve the scheme, and if he does so the Corporation shall have power to acquire for the purposes of the scheme the society's interest in the land and to carry through the provisions of the scheme.

(3) Where the Corporation propose to give to a housing society directions under section 2(3) of this Act requiring the society to transfer to the Corporation the society's interest in any land, the Minister shall not consent to the giving of the directions unless he at the same time approves, or has previously approved, a scheme under this section with respect to that land.

(4) Any scheme approved by the Minister under this section may be varied from time to time in accordance with proposals in that behalf made by the Corporation and approved by the Minister.

(5) In the application of this section to Scotland, for the references to the Minister there shall be substituted references to the Secretary of State.

**PART I**  
**Disposal of**  
**land not**  
**required by**  
**housing**  
**societies.**

**6.—(1)** The Corporation may dispose of any land which is not required for the purposes for which it was acquired, so, however, that if—

- (a) the land was acquired compulsorily by the Corporation, or by a local authority who transferred the land to the Corporation, or
- (b) the land is not disposed of for the best consideration it commands,

the Corporation shall not dispose of the land without the consent in writing of the Minister.

(2) The consent of the Minister shall not be required under paragraph (b) of the foregoing subsection to the disposal of land to be used as, or in connection with, a highway or a street not being a highway.

(3) In the application of this section to Scotland—

- (a) for the references to the Minister there shall be substituted references to the Secretary of State ;
- (b) in subsection (2), the references to a highway shall include references to any public right of way.

**Power of**  
**Corporation**  
**to provide**  
**advisory**  
**service.**

**7.** The Corporation may provide an advisory service for the purpose of advising housing societies, housing associations which are not housing societies, and persons who are forming housing societies or are interested in the possibility of doing so, on legal, architectural and other technical matters, and may make charges for the service.

**Building**  
**society**  
**advances to**  
**housing**  
**societies**  
**to which**  
**Corporation**  
**have made**  
**loans.**

**8.—(1)** An advance to which this section applies is one made by a building society to a housing society on the security of any freehold or leasehold estate by means of a mortgage where—

- (a) immediately before the execution of that mortgage, the Corporation have an interest in the same freehold or leasehold estate under a mortgage entered into by the housing society ; and
- (b) the security represented by the last-mentioned mortgage is, with the agreement of the Corporation, postponed to the building society's security under the first-mentioned mortgage.

(2) The following advances, that is to say—

- (a) any advance to which this section applies, and
- (b) any advance which, in accordance with section 21(7) of the Building Societies Act 1962, a building society is treated as having made by reason of a transfer—
  - (i) from one housing society to another, or

(ii) from a housing society to the Corporation,  
or

(iii) from the Corporation to a housing society,  
of the mortgagor's interest under a mortgage securing  
an advance made by that building society,

shall not constitute special advances as defined by section 21 of the Building Societies Act 1962 and shall not be brought into account under section 22(2)(b) of that Act (under which the amount of the special advances which a building society may make depends on the amount lent by it to bodies corporate and to persons borrowing more than five thousand pounds or such higher amount as may be prescribed).

(3) Subject to this section a building society shall not in any financial year make advances to which this section applies of a total amount which exceeds fifteen per cent. of the total of the advances of all descriptions made by the building society in the last preceding financial year on the security of freehold or leasehold estate; and for the purpose of ascertaining that total the said section 21(7) of the Building Societies Act 1962 shall apply.

(4) The Chief Registrar may if he thinks fit grant to a building society permission in writing to make advances to which this section applies in excess of the limit imposed by the last foregoing subsection, but subject to such other limit under that subsection as may be specified in the permission for that purpose; and this section shall have effect accordingly.

(5) A building society shall have power to make an advance to which this section applies by means of a mortgage under which the same freehold or leasehold estate constitutes the security both for that advance and for advances made to the same housing society by one or more other persons by means of the same mortgage if, and only if, every other person making an advance by means of that mortgage is another building society and the mortgagees in the mortgage all covenant with each other not to transfer their interests as mortgagees to any person who is not a building society.

(6) At any time not more than three years after the coming into force of this Part of this Act the board of directors of a building society may by memorandum in writing alter the rules of the building society so as to enable the building society to make advances to which this section applies by means of mortgages of the kind described in the last foregoing subsection.

The power of altering rules conferred on the directors of a building society by this subsection shall cease to have effect at the expiration of the period of three years beginning with the coming into force of this section, and any alteration of a building society's rules under this subsection shall cease to have

## PART I

effect on the first subsequent occasion (whether before or after the expiration of the said period of three years) on which an alteration of the rules of the building society made under section 17 of the Building Societies Act 1962 takes effect.

(7) Where any alteration of the rules of a building society is effected under the last foregoing subsection, the building society shall send notice of the alteration to the Chief Registrar; and section 123(1) of the Building Societies Act 1962 (regulations as to form of notices) shall apply in relation to any such notice as it applies to notices sent to the Chief Registrar under that Act.

(8) If a building society does not comply with the requirements of subsection (3) of this section, the society shall be liable on conviction on indictment or on summary conviction to a fine which, on summary conviction, shall not exceed two hundred pounds; and every officer of the society who knowingly or wilfully authorises or permits the failure to comply shall be liable—

- (a) on conviction on indictment, to a fine, or to imprisonment for a term not exceeding two years, or to both, or
- (b) on summary conviction, to a fine not exceeding two hundred pounds, or to imprisonment for a term not exceeding three months, or to both.

(9) If a building society fails to comply with subsection (7) of this section, the society, and every officer of the society who is in default, shall be liable on summary conviction to a fine not exceeding two hundred pounds.

(10) In this section “financial year” has the meaning given by section 128 of, and paragraph 11 of Schedule 8 to, the Building Societies Act 1962, but for the purposes of subsection (3) of this section if the year to which that subsection applies is shorter or longer than the last preceding financial year a corresponding reduction or increase shall be made in the figure of fifteen per cent. mentioned in that subsection; and if the year is the first year in which the building society has made any advances on the security of freehold or leasehold estate, no advances to housing societies shall be permitted under that subsection in that year.

(11) In this section the expressions “building society”, “Chief Registrar”, “director” and “officer” have the meanings given by section 129 of the Building Societies Act 1962.

(12) In the application of this section to Scotland—

- (a) for the references to freehold or leasehold estate there shall be substituted references to an estate or interest in land;

- (b) any reference to an advance on the security of freehold or leasehold estate, or to an advance by means of a mortgage, or other the like reference, shall be construed as a reference to an advance upon a heritable security.

PART I

9.—(1) For the purpose of enabling the Corporation to exercise and perform their functions, the Minister and the Secretary of State respectively may, subject to the provisions of this section, make advances to the Corporation, and any such advances shall be repaid at such times and by such methods, and interest thereon shall be paid at such rates and at such times, as the Minister or the Secretary of State, as the case may be, may, with the approval of the Treasury, from time to time direct.

Advances by  
Minister or  
Secretary of  
State to  
Corporation.

(2) Advances under this section shall not together exceed fifty million pounds or such greater sum, not exceeding one hundred million pounds, as the Minister and the Secretary of State acting jointly may from time to time by order made by statutory instrument specify; but no such order shall be made unless a draft of the order has been approved by a resolution of the Commons House of Parliament.

(3) The Treasury may issue to the Minister or to the Secretary of State out of the Consolidated Fund such sums as are necessary to enable him to make advances under subsection (1) of this section.

(4) For the purpose of providing the whole or part of any sums to be issued under the last foregoing subsection, or of providing for the replacement in whole or in part of any sum so issued, 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.

(5) Any sums received by the Minister or by the Secretary of State by way of repayment of or interest on advances under this section shall be paid into the Exchequer.

(6) The sums paid into the Exchequer under the last foregoing 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, that is to say—

- (a) so much of those sums as represents principal shall be applied in redeeming or paying off debt of such description as the Treasury think fit; and
- (b) so much of those sums as represents interest shall be applied towards meeting such part of the annual charges for the national debt as represents interest.

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**PART I**  
**Accounts,  
 audit, annual  
 report, etc.**

**10.—(1)** The Corporation shall keep proper accounts and proper records in relation to the accounts and shall prepare in respect of each financial year annual accounts in such form as the Minister and the Secretary of State acting jointly may, with the approval of the Treasury, direct.

(2) The accounts of the Corporation for each financial year shall be audited by a qualified accountant appointed for the purpose by the Minister and the Secretary of State acting jointly.

(3) As soon as the annual accounts of the Corporation for any financial year have been audited, the Corporation shall send to the Minister and to the Secretary of State a copy of the accounts prepared by them for that year in accordance with this section, together with a copy of any report made by the auditor thereon.

(4) The Minister and the Secretary of State shall each prepare in respect of each financial year, in such form and manner as the Treasury may direct, an account of the sums issued to him out of the Consolidated Fund and advanced to the Corporation under this Act, and of sums received by him from the Corporation and paid into the Exchequer in respect of the principal of and interest on sums so advanced.

(5) On or before the 30th November in each year, the Minister and the Secretary of State shall each transmit to the Comptroller and Auditor General the accounts prepared by him under the last foregoing subsection in respect of the last foregoing financial year; and the Comptroller and Auditor General shall examine and certify the accounts prepared by the Minister and the Secretary of State respectively and lay before each House of Parliament copies of those accounts together with his report thereon.

(6) The Corporation shall, as soon as possible after the end of each financial year, make to the Minister and to the Secretary of State a report on the exercise and performance by them of their functions during that year, and shall—

- (a) include in the report a copy of their audited accounts for that year, and
- (b) set out in the report any directions given to the Corporation by the Minister and the Secretary of State or either of them during that year;

and the Minister and the Secretary of State shall lay a copy of every such report before each House of Parliament.

(7) In this section “financial year” means the period of twelve months ending with the 31st March, and “qualified accountant” means a person who is a member, or a firm all

of the partners wherein are members, of one or more of the following bodies, that is to say—

PART I

- (a) the Institute of Chartered Accountants in England and Wales ;
- (b) the Institute of Chartered Accountants of Scotland ;
- (c) the Association of Certified and Corporate Accountants ;
- (d) the Institute of Chartered Accountants in Ireland ;
- (e) any other body of accountants established in the United Kingdom and for the time being recognised for the purposes of section 161(1)(a) of the Companies Act 1948 by the Board of Trade.

11.—(1) The Corporation may, on such terms and conditions as may be agreed between them and the Scottish Special Housing Association, authorise the Association to act in Scotland as the agents of the Corporation for the purpose of carrying out any of the functions vested in the Corporation under section 3, section 5, section 6 or section 7 of this Act.

Scottish Special Housing Association may act as agents for Corporation in Scotland.

(2) Section 18(1) of the Act of 1962 (which confers power on the Secretary of State to make advances to the Scottish Special Housing Association for the provision of housing accommodation) shall have effect as if it conferred power on the Secretary of State to make advances under that subsection to the Association for the purpose of assisting them to act as the agents of the Corporation in pursuance of subsection (1) of this section.

12.—(1) In this Part of this Act, unless the context otherwise requires—

Interpretation of Part I.

- “ the Corporation ” means the Housing Corporation established under this Part of this Act ;
- “ functions ” includes powers and duties ;
- “ house ” includes any part of a building which is occupied or intended to be occupied as a separate dwelling and, in relation to Scotland, has the meaning given by section 184(1) of the Act of 1950 ;
- “ housing association ” has the meaning given by section 189(1) of the Act of 1957 or, in relation to Scotland, by section 184(1) of the Act of 1950 ;
- “ housing society ” has the meaning given by section 1(7) of this Act ;
- “ land ” includes any interest in or right over land ;
- “ local authority ” means the council of a county borough, London borough or county district or the Common Council of the City of London, and in relation to Scotland means a local authority for the purposes of the Act of 1950.

## PART I

(2) In the case of land which is situated partly in the area of one local authority and partly in the area of another, references in this Part of this Act to the local authority in whose area the land is situated shall be construed as references to each of those local authorities.

## PART II

COMPULSORY IMPROVEMENT OF DWELLINGS TO  
PROVIDE STANDARD AMENITIES

*Improvement of dwellings : improvement areas*

Declaration of  
improvement  
area.

13.—(1) If a local authority are satisfied that any area in their district contains dwellings lacking one or more of the standard amenities and that, of the dwellings in that area which are so lacking, at least one half—

- (a) are so constructed that it is practicable to improve them to the full standard, and
- (b) will, after they have been improved to the full standard, be in such condition as to be fit for human habitation, and will be likely, subject to normal maintenance, to remain in that condition and available for use as dwellings for a period of not less than fifteen years,

the local authority may cause the area to be defined on a map and may pass a resolution declaring the area so defined to be an improvement area for the purposes of this Part of this Act.

(2) As soon as may be after the passing of a resolution under this section the local authority shall publish in one or more local newspapers circulating in the locality where the improvement area is situated a notice—

- (a) stating that the area has been declared an improvement area, giving sufficient particulars to identify the limits of the area, and naming a place where a copy of the resolution and of the map defining the area may be seen at all reasonable hours, and
- (b) setting out the effect of the provisions of this Part of this Act regarding the compulsory improvement of dwellings in an improvement area.

(3) 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 there is any area in the district which ought to be declared to be an improvement area, and for that purpose it shall be the duty of each local authority, and of every officer of the local authority, to comply with such regulations and to keep such records as the Minister may prescribe.



## PART II

(4) After the declaration of an improvement area under this section it shall be the duty of the local authority to take such action under this Part of this Act as appears to them appropriate as respects the dwellings in the improvement area.

(5) No account shall be taken under subsection (1) of this section of dwellings in any tenement block, and no improvement notice shall be served in respect of a dwelling in a tenement block under the following provisions of this Act relating to improvement areas.

(6) This section shall apply to Scotland subject to the following modifications:—

- (a) in relation to the passing by a local authority of a resolution under subsection (1) of this section in respect of any area every dwelling in which is comprised in a tenement, that subsection shall have effect as if for the references to improvement to the full standard there were substituted references to improvement to the full or to the reduced standard ;
- (b) subsection (3) shall have effect as if the words from “and for that purpose” to the end were omitted ;
- (c) subsection (5) shall not apply, but no preliminary notice or improvement notice shall be served under sections 14 to 18 of this Act in respect of a dwelling comprised in a tenement.

**14.—**(1) At any time after publication of a notice of the declaration of an improvement area as required by subsection (2) of the last foregoing section the local authority, if satisfied that a dwelling in the improvement area—

Preliminary notice of local authority's proposals for improvement of dwelling.

- (a) is for the time being occupied by a tenant, and
- (b) is without one or more of the standard amenities but is capable of improvement at reasonable expense to the full standard or, if not, is capable of improvement at reasonable expense to the reduced standard, and
- (c) after being so improved will be in such condition as to be fit for human habitation, and will be likely, subject to normal maintenance, to remain in that condition and available for use as a dwelling for a period of not less than fifteen years,

may serve a notice (in this Part of this Act referred to as “a preliminary notice”) on the person having control of the dwelling—

- (i) specifying the works which in their opinion are required for the dwelling to be improved to the full standard or, as the case may be, to the reduced standard, with an estimate of the cost of carrying out those works, and

## PART II

(ii) stating the date (being a date not less than twenty-one days after service of the preliminary notice) and time and place at which the future use of the dwelling, the local authority's proposals for the carrying out of the works, any alternative proposals, and the views and interests of the tenant and any other matters may be discussed.

(2) The local authority shall, not less than twenty-one days before the date so stated in the preliminary notice, in addition to serving the notice on the person having control of the dwelling, serve a copy of the notice on the tenant and on every other person who, to the knowledge of the local authority, is an owner, lessee or mortgagee of the dwelling; and the person having control of the dwelling, and every owner, lessee or mortgagee of the dwelling shall be entitled to be heard when the local authority's proposals are discussed in accordance with the notice.

## Improvement notices.

**15.**—(1) After the service of a preliminary notice, the local authority shall take into consideration all representations made on or before the occasion when their proposals with respect to the dwelling are discussed in accordance with the preliminary notice and, in particular, any representations with respect to the nature of the works proposed by the local authority for improving the dwelling.

(2) At any time after the occasion when the local authority's proposals are so discussed, but not more than two years (or such other period as may be prescribed) after the passing of the resolution declaring the area to be an improvement area, the local authority may, if satisfied that the dwelling still falls within paragraphs (a), (b) and (c) of subsection (1) of the last foregoing section, serve a notice (in this Part of this Act referred to as "an improvement notice") on the person having control of the dwelling.

(3) In addition to serving the notice on the person having control of the dwelling, the local authority shall at the same time serve a copy of the notice on the tenant of the dwelling and on every other person who is to the knowledge of the local authority an owner, lessee or mortgagee of the dwelling.

(4) The improvement notice shall specify the works which in the opinion of the local authority are required to improve the dwelling to the full standard or, as the case may be, to the reduced standard.

(5) The works specified in the improvement notice may be different from the works specified in the preliminary notice but shall not require the improvement of a dwelling to the full

standard or, as the case may be, to the reduced standard if the preliminary notice provided for the improvement of the dwelling to the other of the two standards.

(6) As soon as may be after service of an improvement notice under this section, it shall be registered in the register of local land charges by the proper officer of the local authority in the prescribed manner.

The power conferred by section 15(6) 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 "prescribed" means prescribed by rules made in the exercise of that power.

(7) Subsection (6) of this section shall not apply to Scotland, but as soon as practicable after service of an improvement notice under this section in Scotland the local authority shall cause to be recorded in the General Register of Sasines a certificate in the prescribed form stating that the said notice has been served as aforesaid.

16.—(1) If when the improvement notice is served on the person having control of the dwelling the local authority have received from the person who is then the tenant occupying the dwelling his consent to the improvement of the dwelling to the standard provided in the preliminary notice, the local authority shall in the improvement notice require the person having control of the dwelling to carry out the works specified in the improvement notice within twelve months (or such other period as may be prescribed) from the date when the improvement notice becomes operative or such longer period as the local authority by permission given in writing may from time to time allow. Immediate improvement notices.

(2) The tenant's consent must be in writing, signed by him, and shall be irrevocable.

(3) An improvement notice to which this section applies is referred to in this Part of this Act as "an immediate improvement notice".

17.—(1) If the last foregoing section does not apply, the improvement notice shall be in the form prescribed by this section and is referred to in this Part of this Act as "a suspended improvement notice". Suspended improvement notices.

(2) A suspended improvement notice shall refer to the provisions of this section, and shall indicate that in the circumstances specified in this and the next following section the local authority propose to exercise the powers conferred on them by

## PART II

this Part of this Act with a view to requiring the person having control of the dwelling to carry out the works specified in the suspended improvement notice.

(3) If at any time after the service of a suspended improvement notice on the person having control of the dwelling—

(a) the local authority are satisfied that there has been a change in the occupation of the dwelling since the suspended improvement notice was so served, or

(b) the local authority have received from a person who at that time is occupying the dwelling as a tenant his consent to the improvement of the dwelling to the standard required in the suspended improvement notice,

and the local authority are satisfied that the dwelling—

(i) is still without one or more of the standard amenities but is capable of improvement at reasonable expense to the standard required in the suspended improvement notice, and

(ii) after being so improved will be in such condition as to be fit for human habitation, and will be likely, subject to normal maintenance, to remain in that condition and available for use as a dwelling for a period of not less than fifteen years,

the local authority shall serve on the person having control of the dwelling a copy of the suspended improvement notice together with a further notice (in this Part of this Act referred to as a “final improvement notice”) requiring the person having control of the dwelling to carry out the works specified in the suspended improvement notice within twelve months (or such other period as may be prescribed) from the date when the final improvement notice becomes operative or within such longer period as the local authority may by permission given in writing from time to time allow.

The tenant’s consent given for the purposes of this subsection must be in writing, signed by him, and shall be irrevocable.

(4) In addition to serving the final improvement notice on the person having control of the dwelling, the local authority shall at the same time serve a copy of the suspended improvement notice and of the final improvement notice on the occupier of the dwelling and on every other person who is to the knowledge of the local authority an owner, lessee or mortgagee of the dwelling.

(5) If at any time after the service of a suspended improvement notice on the person having control of a dwelling, but before the service of a final improvement notice in respect of

that dwelling, and before the expiration of a period of five years from the declaration of the area as an improvement area, there is a change in the occupation of the dwelling it shall be the duty of the person who is for the time being the person having control of the dwelling to inform the local authority by notice in writing of that fact and of the time when it occurred.

(6) If the local authority have not received a notice required under the last foregoing subsection within six weeks from the time when the change took place, any person who was within the meaning of this Act a person having control of the dwelling when the change took place and who knowingly failed to comply with that requirement shall be guilty of an offence and liable on summary conviction to a fine not exceeding one hundred pounds; and notwithstanding anything in section 104 of the Magistrates' Courts Act 1952 or section 23 of the Summary Jurisdiction (Scotland) Act 1954 (time limit for proceedings) proceedings for the offence may be brought at any time within six months from the date when evidence of the offence came to the knowledge of the local authority or within three years from the commission of the offence, whichever is the earlier.

A certificate stating the date when evidence of an offence under this section came to the knowledge of the local authority, and purporting to be signed by an officer of the local authority, shall be sufficient evidence of the facts stated in the certificate in any proceedings for an offence under this section.

(7) Where an offence punishable under the last foregoing subsection which has been 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, secretary or other similar officer of the body corporate, or any person purporting to act in any such capacity, he as well as the body corporate shall be deemed to be guilty of that offence and shall be liable to be proceeded against and punished accordingly.

(8) The local authority shall withdraw a suspended improvement notice—

- (a) if at any time before service of the final improvement notice they consider that the dwelling no longer falls within paragraph (i) or paragraph (ii) of subsection (3) of this section, or
- (b) if they are satisfied that a tenant for the time being occupying the dwelling has become an owner of the dwelling, or that on the coming to an end of the tenancy of a person who was occupying the dwelling,

## PART II

a member of his family who was residing with him immediately before the end of the tenancy has become an owner of the dwelling.

The withdrawal shall be effected by serving notice of the withdrawal on the person having control of the dwelling, and the local authority shall serve a copy of the notice on the occupier of the dwelling (if different from the person having control of the dwelling) and on every other person who to the knowledge of the local authority is an owner, lessee or mortgagee of the dwelling.

(9) For the purposes of this section there is a change in the occupation of a dwelling when the person who was occupying the dwelling when the suspended improvement notice was served on the person having control of the dwelling ceases to occupy the dwelling, except that there is no change in the occupation of a dwelling occupied by a tenant if, on his ceasing to occupy the dwelling, it is occupied by a member of his family who was residing with him immediately before he ceased to occupy the dwelling.

(10) As soon as practicable after service of a withdrawal notice under subsection (8) of this section in Scotland the local authority shall cause to be recorded in the General Register of Sasines a certificate in the prescribed form stating that the said notice has been served as aforesaid.

Suspended improvement notices: effect after 5 years.

18.—(1) No obligation to serve a final improvement notice shall arise under the last foregoing section after the date when the period of five years from the declaration of the area as an improvement area expires, but in the period of six months (or such other period as may be prescribed) from that date the local authority may, subject to this section, proceed under that section to serve a final improvement notice irrespective of whether or not either of the conditions set out in paragraph (a) and paragraph (b) of subsection (3) of that section is fulfilled; and if, when that further period beginning from the said date expires, there is any suspended improvement notice in connection with which no final improvement notice has been served, that suspended improvement notice shall cease to have effect.

(2) If neither of those conditions is fulfilled, the local authority shall afford to the person, if any, who is occupying the dwelling as a tenant a reasonable opportunity of making an application in writing to the local authority before the time when they serve the final improvement notice with a request to the local authority to provide the tenant with suitable alternative accommodation: and if the tenant duly makes the application and the local authority proceed to serve a final improvement notice, it shall be the duty of the local authority to offer,

or arrange for some other authority or person to offer, suitable alternative accommodation to the tenant, so as to afford to the tenant a reasonable opportunity of taking up that alternative accommodation.

(3) Within six weeks of service of a copy of the final improvement notice on the tenant in accordance with subsection (4) of the last foregoing section, the tenant may appeal to the county court on the ground that the local authority have not complied with their obligations under the last foregoing subsection and on the appeal the court shall, if satisfied that the local authority have not complied with those obligations, order that the final improvement notice shall not become operative unless, within twelve months (or such other period as may be prescribed) from the hearing of the appeal, the local authority satisfy the court that they have complied with those obligations.

If the local authority have not so satisfied the court, they shall at the end of that period from the hearing of the appeal withdraw the improvement notice and the withdrawal shall be effected by serving notice of the withdrawal on the person having control of the dwelling, and the local authority shall serve a copy of the notice on the occupier of the dwelling and on every person who, to the knowledge of the local authority, is an owner, lessee or mortgagee of the dwelling.

(4) If an appeal is brought under the last foregoing subsection it shall be the duty of the local authority, when served with notice of the appeal, to inform the person having control of the dwelling, and every other person who, to the knowledge of the local authority, is an owner, lessee or mortgagee of the dwelling, of the bringing of the appeal and to draw their attention to the provisions of the last foregoing subsection and the effect which it may have on the improvement notice.

(5) As soon as practicable after service of a withdrawal notice under subsection (3) of this section in Scotland the local authority shall cause to be recorded in the General Register of Sasines a certificate in the prescribed form stating that the said notice has been served as aforesaid.

#### *Improvement of dwellings outside improvement areas*

19.—(1) A tenant occupying a dwelling which is not in an improvement area and is not in a tenement block, and which is without one or more of the standard amenities, may make representations in writing to the local authority with a view to the exercise by the local authority of their powers under this section. Dwellings  
outside  
improvement  
areas.

(2) The local authority shall notify the person having control of the dwelling of any representations so made.

## PART II

(3) If on taking the representations into consideration the local authority are satisfied—

- (a) that the person making representations with a view to the exercise by the local authority of their powers under this section is a tenant who is occupying the dwelling, and
- (b) that the dwelling is capable of improvement at reasonable expense to the full standard or, if not, is capable of improvement at reasonable expense to the reduced standard, and
- (c) that, having regard to all the circumstances, the dwelling ought to be improved to the full standard or, as the case may be, to the reduced standard, and that it is unlikely that it will be so improved unless the local authority exercise their powers under this section, and
- (d) that the dwelling after being so improved will be in such condition as to be fit for human habitation, and will be likely, subject to normal maintenance, to remain in that condition and available for use as a dwelling for a period of not less than fifteen years,

the local authority may serve a preliminary notice (that is to say a notice containing the particulars to be contained in a preliminary notice under paragraphs (i) and (ii) of section 14(1) of this Act) on the person having control of the dwelling, and shall serve a copy of any preliminary notice so served on the tenant and on every other person who is to the knowledge of the local authority an owner, lessee or mortgagee of the dwelling; and the person having control of the dwelling, and every owner, lessee or mortgagee of the dwelling, shall be entitled to be heard when the local authority's proposals are discussed in accordance with the notice.

If the local authority decide not to serve a preliminary notice under this subsection they shall notify the tenant of the dwelling of their decision and, if the tenant so requests, shall give him a written statement setting out their reasons for making their decision.

(4) After the service of a preliminary notice, the local authority shall take into consideration all representations made on or before the occasion when their proposals with respect to the dwelling are discussed in accordance with the preliminary notice and, in particular, any representations with respect to the nature of the works proposed by the local authority for improving the dwelling; and at any time after the occasion when the local authority's proposals are so discussed, but not more than two years (or such other period as may be prescribed) after the date when the representations in writing made under subsection (1) of this section were received by them, the local



authority may, if satisfied that the dwelling still falls within paragraphs (b), (c) and (d) of subsection (3) of this section, serve a notice (in this Part of this Act referred to as “an immediate improvement notice”) on the person having control of the dwelling.

(5) The immediate improvement notice shall require the person having control of the dwelling to carry out the works specified in the improvement notice within twelve months (or such other period as may be prescribed) from the date when the improvement notice becomes operative or such longer period as the local authority by permission given in writing may from time to time allow, and—

- (a) the notice shall specify the works which in the opinion of the local authority are required to improve the dwelling to the full standard or, as the case may be, to the reduced standard,
- (b) the works specified in the notice may be different from the works specified in the preliminary notice, and the notice may require the improvement of the dwelling to the full standard or, as the case may be, to the reduced standard notwithstanding that the preliminary notice provided for the improvement of the dwelling to the other of the two standards, and
- (c) if the works are to a lower standard than full improvement, the improvement notice may, at the discretion of the local authority, specify a period shorter than twelve months.

(6) In addition to serving the immediate improvement notice on the person having control of the dwelling, the local authority shall at the same time serve a copy of the notice on the tenant of the dwelling and on every other person who is to the knowledge of the local authority an owner, lessee or mortgagee of the dwelling.

(7) The power of serving a preliminary notice under this section, and of taking any further steps authorised under this Part of this Act, may be exercised by the local authority notwithstanding that the tenant who made representations under this section quits the dwelling and notwithstanding that after the tenant has made those representations the local authority pass a resolution declaring an area which comprises the dwelling to be an improvement area.

(8) As soon as may be after service of an immediate improvement notice under this section, it shall be registered in the register of local land charges by the proper officer of the local authority in the prescribed manner.

The power conferred by section 15(6) of the Land Charges Act 1925 to make rules for giving effect to the provisions of

## PART II

that section shall be exercisable for giving effect to the provisions of this subsection; and in this subsection "prescribed" means prescribed by rules made in the exercise of that power.

(9) In the application of this section to Scotland—

- (a) in subsection (1), the words "and is not in a tenement block" shall be omitted;
- (b) subsection (8) shall not apply, but as soon as practicable after service of an immediate improvement notice under this section the local authority shall cause to be recorded in the General Register of Sasines a certificate in the prescribed form stating that such notice has been served as aforesaid.

*Tenement blocks in England and Wales*

Tenement  
blocks in  
England  
and Wales.

20.—(1) If as respects a tenement block in England and Wales, whether in an improvement area or not, the local authority are satisfied—

- (a) that all or any of the dwellings in the tenement block are without one or more of the standard amenities, and
- (b) that those dwellings are capable of improvement at reasonable expense to the full standard or, if not, to the reduced standard, and
- (c) that those dwellings after being so improved will be in such condition as to be fit for human habitation and will be likely, subject to normal maintenance, to remain in that condition and available for use as living accommodation for a period of not less than fifteen years,

they may at any time serve a notice (in this Part of this Act referred to as "a preliminary notice") on the person having control of the tenement block—

- (i) specifying the works which in the opinion of the local authority are required so as to improve the dwellings in the tenement block to the full standard or, so far as in the opinion of the local authority the dwellings are not capable of improvement at reasonable expense to the full standard, to the reduced standard, with an estimate of the cost of carrying out those works, and
- (ii) stating the date (being a date not less than twenty-one days after service of the notice) and time and place at which the local authority's proposals for the carrying out of the works, any alternative proposals, and the views and interests of the tenants and any other matters may be discussed.

(2) The local authority shall, not less than twenty-one days before the date so stated in the preliminary notice, in addition to serving the notice on the person having control of the tenement block, serve a copy of the notice on the occupier of each of the

dwellings in the tenement block and on every other person who, to the knowledge of the local authority, is an owner, lessee or mortgagee of the premises; and the person having control of the premises and every owner, lessee or mortgagee of the premises shall be entitled to be heard when the local authority's proposals are discussed in accordance with the notice.

(3) Where in the opinion of the local authority any two or more dwellings in the tenement block, although not capable of improvement at reasonable expense to the full standard so as to include in each a bathroom containing a fixed bath or shower, can be provided for the exclusive use of the occupants of the dwellings with a number of such bathrooms which is not less than half the number of those dwellings, the works specified in the notice may include works for the provision of such bathrooms to that number for the exclusive use of the occupants of those dwellings.

(4) It shall be the duty of every local authority to cause an inspection of their district to be made with a view to ascertaining whether there are any premises in their district which ought to be dealt with under this section, and for that purpose it shall be the duty of each local authority, and of every officer of the local authority, to comply with such regulations and to keep such records as the Minister may prescribe.

21.—(1) After the service of a preliminary notice under the last foregoing section, the local authority shall take into consideration all representations made on or before the occasion when their proposals with respect to the tenement block are discussed in accordance with the preliminary notice and, in particular, any representations with respect to the nature of the works proposed by the local authority for improving the tenement block.

Immediate improvement notices as respects tenement blocks.

(2) At any time after the occasion when the local authority's proposals are so discussed, but not more than two years (or such other period as may be prescribed) after the service of the preliminary notice on the person having control of the tenement block, the local authority may, if satisfied that the premises still fall within paragraphs (a), (b) and (c) of subsection (1) of the last foregoing section, serve a notice (in this Part of this Act referred to as "an immediate improvement notice") on the person having control of the tenement block requiring that person to carry out the works specified in the notice within twelve months (or such other period as may be prescribed) from the date when the notice becomes operative or within such longer period as the local authority may by permission given in writing from time to time allow.

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(3) In addition to serving the notice on the person having control of the tenement block, the local authority shall at the same time serve a copy of the notice on the person occupying each dwelling in the tenement block and on every other person who is to the knowledge of the local authority an owner, lessee or mortgagee of the tenement block.

(4) The immediate improvement notice shall specify the works which in the opinion of the local authority are required to improve the dwellings in the tenement block to the full standard or, so far as in the opinion of the local authority the dwellings are not capable of improvement at reasonable expense to the full standard, for improvement to the standard permitted under subsection (3) of the last foregoing section or to the reduced standard.

(5) The works specified in the immediate improvement notice may be different from the works specified in the preliminary notice but shall not require the improvement of any dwelling to the full standard unless the preliminary notice provided for the improvement of that dwelling to the full standard.

(6) As soon as may be after service of an immediate improvement notice under this section, it shall be registered in the register of local land charges by the proper officer of the local authority in the prescribed manner.

The power conferred by section 15(6) of the Land Charges Act 1925 to make rules giving effect to the provisions of that section shall be exercisable for giving effect to the provisions of this subsection; and in this subsection "prescribed" means prescribed by rules made in the exercise of that power.

*Tenements in improvement areas in Scotland*

Immediate improvement notices in respect of dwellings in tenements in improvement areas in Scotland.

22.—(1) At any time within two years (or such other period as may be prescribed) after the passing by a local authority in Scotland of a resolution declaring an area in their district to be an improvement area such authority may, if they are satisfied that any of the dwellings comprised in a tenement in that area—

- (a) is without one or more of the standard amenities but is capable of improvement at reasonable expense to the full standard or, if not, is capable of improvement at reasonable expense to the reduced standard, and
- (b) after being so improved will be in such condition as to be fit for human habitation, and will be likely, subject to normal maintenance, to remain in that condition and available for use as a dwelling for a period of not less than fifteen years,

serve a notice (in this Part of this Act referred to as "an immediate improvement notice") on the person having control of the dwelling.

(2) In addition to serving the immediate improvement notice on the person having control of the dwelling, the local authority shall at the same time serve a copy of the notice on every other person who to the knowledge of the authority is an owner of the dwelling and on the tenant (if any) of the dwelling.

(3) The immediate improvement notice shall specify the works which in the opinion of the local authority are required to improve the dwelling to the full standard or, as the case may be, to the reduced standard and the period, being twelve months (or such other period as may be prescribed) from the date when the immediate improvement notice becomes operative or such longer period as the local authority by permission given in writing may from time to time allow, within which the works are to be carried out.

(4) If at any time after the service of an immediate improvement notice under this section the local authority consider that the dwelling no longer falls within paragraph (a) or paragraph (b) of subsection (1) of this section, they shall withdraw the said notice.

The withdrawal shall be effected by serving notice of the withdrawal on the person having control of the dwelling, and the local authority shall at the same time serve a copy of the notice on every other person who to the knowledge of the authority is an owner of the dwelling and on the tenant (if any) of the dwelling.

(5) As soon as practicable after service of an immediate improvement notice or a withdrawal notice under this section the local authority shall cause to be recorded in the General Register of Sasines a certificate in the prescribed form stating that such notice has been served as aforesaid.

23.—(1) Subject to the provisions of this section, at any time after the passing by a local authority in Scotland of a resolution declaring an area in their district to be an improvement area such authority may, if they are satisfied that any of the dwellings comprised in a tenement in that area falls within paragraph (a) and paragraph (b) of section 22(1) of this Act, and whether or not they have served an immediate improvement notice in respect of the dwelling under the said section 22, acquire—

Local authorities may acquire dwellings, etc., in tenements in improvement areas in Scotland.

(a) the dwelling, if in the opinion of the authority it is unlikely that it will be improved to the full or, as the case may be, to the reduced standard unless it is acquired by them ;

## PART II

(b) any other part of the tenement in which the dwelling is comprised, if—

(i) the authority in satisfying themselves that the dwelling falls within the said paragraph (a) have formed the opinion that it is capable of improvement at reasonable expense to the full or, as the case may be, to the reduced standard only if the said part is used or made available, wholly or partly, for the purposes of such improvement, and

(ii) in the opinion of the authority it is unlikely that the said part will be used or made available as aforesaid unless it is acquired by them.

In this subsection the references to a part of a tenement include references to any yard, garden, outhouses, pertinents or rights pertaining to any estate or interest in the tenement or any part thereof or usually enjoyed along with that estate or interest.

(2) The provisions of sections 63 to 65 of the Act of 1950 (which relate to the acquisition by a local authority of land for the purposes of Part V of that Act and to the powers of a local authority in dealing with land so acquired) shall apply in relation to the acquisition of land under the foregoing subsection and to land acquired under that subsection as if such acquisition were for the purposes of the said Part V:

Provided that a compulsory purchase order shall not be made by a local authority by virtue of section 64 of the Act of 1950 as applied by this subsection after the expiry of two years (or such other period as may be prescribed) from the passing by the authority of the resolution declaring the area in which the land proposed to be acquired is situated to be an improvement area.

(3) This section shall be included among the enactments to which section 22 of the Scottish Act of 1957 (which provides a special procedure for completion of compulsory acquisition of land under certain enactments) applies; and accordingly subsection (1) of that section shall have effect as if after the words "Housing (Scotland) Act 1962" there were inserted the words "or section 23 of the Housing Act 1964".

(4) Where a local authority acquire a dwelling under paragraph (a) of subsection (1) of this section, they shall execute, or secure the execution of, such works on that dwelling as are necessary to improve the dwelling to the full or, as the case may be, to the reduced standard; and a local authority shall secure that, so far as is necessary, any subjects acquired by them under paragraph (b) of the said subsection are used or made available for the improvement of the dwelling in connection with the improvement of which they were acquired.

(5) The power conferred on a local authority by section 131(1) of the Act of 1950 to pay certain allowances to persons displaced in consequence of the exercise of certain powers shall include power to pay allowances to any person displaced from a house or building which, or a part of which, has been acquired by a local authority under this section ; and accordingly in the said section 131(1) after paragraph (e) there shall be inserted the following paragraph—

“ , or

(f) which, or a part of which, has been acquired by the local authority under section 23 of the Housing Act 1964 ”.

#### *Acceptance of undertakings*

24.—(1) The local authority may at any time before an improvement notice has been served under this Part of this Act in respect of a dwelling which is without one or more of the standard amenities accept from the person having control of the dwelling, or from any other person having an estate or interest in the dwelling, an undertaking in writing to improve the dwelling to the full standard or, if in the opinion of the local authority it is not capable of improvement at reasonable expense to the full standard, to the reduced standard.

Acceptance of undertakings to carry out works.

(2) The undertaking shall specify the works agreed to be carried out, and the period within which they are to be carried out.

(3) If the local authority have accepted an undertaking under this section as respects a dwelling they shall not serve an improvement notice under this Part of this Act as respects that dwelling—

(a) unless any of the works specified in that undertaking are not carried out within the period so specified, or within such longer period as the local authority may by permission in writing have allowed, or

(b) unless the local authority are satisfied that, owing to a change of circumstances since the undertaking was accepted by them, the undertaking is unlikely to be fulfilled.

(4) An improvement notice as respects a dwelling in relation to which the local authority have accepted an undertaking under this section may, notwithstanding the limitation in section 15(2), section 19(4), section 21(2) or section 22(1) of this Act, be served at any time within two years (or such other period as may be prescribed) from the end of the period specified in the undertaking or, if the local authority have allowed a longer period, from the end of that longer period.

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(5) Before accepting an undertaking under this section, the local authority shall satisfy themselves that the person giving the undertaking has a right to carry out the works specified in the undertaking as against all other persons interested in the dwelling, except so far as, under subsection (1) or subsection (2) of section 39 of this Act, he may be enabled to carry out those works without the requisite consent; and if the dwelling is for the time being occupied by a tenant there must be incorporated in the undertaking the tenant's written consent, signed by him, to the carrying out of the works specified in the undertaking.

(6) The local authority shall discharge an undertaking if at any time they consider that the dwelling no longer falls within paragraph (b) or paragraph (c) of section 14(1) of this Act (or the corresponding provision of section 19 of this Act), and may discharge an undertaking under this section in any other case.

The discharge of the undertaking shall be effected by serving notice of the discharge on the person who gave the undertaking, and the local authority shall serve a copy of the notice on the occupier of the dwelling (if different from that person) and on every other person who, to the knowledge of the local authority is an owner, lessee or mortgagee of the dwelling.

(7) This section shall apply in relation to a tenement block in England and Wales as it applies in relation to a dwelling but as if the reference in subsection (6) of this section to section 19 of this Act included a reference to section 20 of this Act, and subject to any other necessary modifications.

Acceptance of undertakings to carry out works on dwellings in certain tenements in Scotland.

25.—(1) Where an immediate improvement notice has been served under section 22 of this Act in respect of any dwelling comprised in a tenement in Scotland, the person having control of the dwelling or any person on whom a copy of the said notice has been served under subsection (2) of the said section may give to the local authority, within a period of twenty-one days from the date of service of the notice or such longer period therefrom as the authority may, either during or after the expiry of the twenty-one days, determine to be appropriate, an undertaking in writing that he will within such period as may be specified in the undertaking carry out such works for the improvement of the dwelling as may be so specified, and if an undertaking is given as aforesaid the authority shall as soon as may be either—

- (a) accept the undertaking and make an order (in this Part of this Act referred to as a "suspension order") suspending the notice and any other immediate improvement notice which in the opinion of the authority ought to be suspended in consequence of their acceptance of the undertaking; or



- (b) reject the undertaking and serve on the person who gave the undertaking notice that they have done so.

(2) A local authority shall not accept an undertaking given under this section if—

- (a) the undertaking proposes improvement of the dwelling to the reduced standard and, in the opinion of the local authority, the dwelling is capable of improvement at reasonable expense to the full standard, or
- (b) the fulfilment of the undertaking will render necessary the rehousing of any of the occupants of dwellings in the tenement, unless the local authority are satisfied that suitable alternative accommodation is available or can be provided for any occupant who will require to be rehoused.

(3) Before accepting an undertaking under this section, the local authority shall satisfy themselves that the person giving the undertaking has a right to carry out the works specified in the undertaking as against all other persons interested in the dwelling except so far as, under subsection (1) or subsection (2) of section 39 of this Act, he may be enabled to carry out those works without the requisite consent.

(4) Where a local authority have accepted an undertaking under this section, then if within the period specified in the undertaking, or such longer period as the local authority may by permission in writing have allowed, and before all the works so specified are carried out, the local authority are satisfied that, owing to a change of circumstances since the undertaking was accepted by them, the undertaking is unlikely to be fulfilled, they shall revoke the relevant suspension order made by them under subsection (1)(a) of this section.

(5) If at any time after accepting an undertaking under this section, the local authority consider that the dwelling no longer falls within paragraph (a) or paragraph (b) of section 22(1) of this Act, they shall discharge the undertaking and withdraw the immediate improvement notice in connection with which the undertaking was given; and they may discharge an undertaking under this section in any other case and in that case shall withdraw the immediate improvement notice in connection with which the undertaking was given.

The discharge of the undertaking and withdrawal of the related immediate improvement notice shall be effected by serving notice of the discharge and withdrawal on the person who gave the undertaking and on the person having control of the dwelling, and the local authority shall at the same time serve a copy of the last-mentioned notice on every other person

**PART II** who to the knowledge of the authority is an owner of the dwelling and on the tenant (if any) of the dwelling.

(6) As soon as practicable after service of a notice under the last foregoing subsection the local authority shall cause to be recorded in the General Register of Sasines a certificate in the prescribed form stating that the said notice has been served as aforesaid.

*General provisions as to improvement notices and undertakings*

General provisions as to improvement notices.

**26.—(1)** Any improvement notice shall, if no appeal is brought against the improvement notice under the next following section, become operative on the expiration of six weeks from the date of the service of the improvement notice on the person having control of the dwelling or other premises ; and any improvement notice against which an appeal is so brought shall, if and so far as it is confirmed by the county court, or on appeal from the county court, become operative on the final determination of the appeal.

(2) For the purposes of the foregoing subsection the withdrawal of an appeal shall be deemed to be the final determination thereof, having the like effect as a decision confirming the improvement notice or decision appealed against.

(3) An improvement notice shall, subject to the right of appeal conferred by the next following section, be final and conclusive as to any matters which could be raised on any such appeal.

(4) Without prejudice to the provisions of this Part of this Act making it the duty of a local authority to withdraw an improvement notice in specified circumstances, the local authority may, if they think fit, at any time withdraw any improvement notice, including a final improvement notice served in connection with a suspended improvement notice.

The withdrawal shall be effected by serving notice of the withdrawal on the person having control of the dwelling or other premises, and the local authority shall serve a copy of the notice on the occupier of the dwelling (if different from the person having control of the dwelling) and on every person who, to the knowledge of the local authority, is an owner, lessee or mortgagee of the dwelling or other premises.

If the improvement notice relates to a tenement block a copy of the notice shall be served on the occupier of every dwelling in the tenement block.

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(5) In the application of this section to Scotland—

- (a) the words “ or other premises ”, wherever they occur, shall be omitted ;
- (b) in subsection (1), for the words from “ and any ” to the end there shall be substituted the words “ and any improvement notice against which an appeal is so brought shall—
  - (i) if and so far as it is confirmed by the sheriff, become operative on the final determination of the appeal ;
  - (ii) if, in the case of an immediate improvement notice served under section 22 of this Act, it is suspended by the sheriff under paragraph (a)(ii) of section 27(10) of this Act, it shall become operative on the suspension ceasing to have effect in terms of the said paragraph ” ;
- (c) any period after the service of an immediate improvement notice under section 22 of this Act and while an undertaking given under section 25 of this Act is under consideration, and any period while a suspension order under paragraph (a) of subsection (1) of the said section 25 is in force, shall be left out of account in reckoning, in relation to the said immediate improvement notice, the period of six weeks referred to in subsection (1) of this section ;
- (d) in subsection (2), the words “ or decision ” shall be omitted ;
- (e) in subsection (4), the words from “ If the improvement notice ” to the end shall be omitted ;
- (f) as soon as practicable after service of a withdrawal notice under this section the local authority shall cause to be recorded in the General Register of Sasines a certificate in the prescribed form stating that the said notice has been served as aforesaid.

27.—(1) Within six weeks from the service on the person Appeal against improvement notice. having control of the premises of an improvement notice, any such person or any other person having an estate or interest in the premises, other than a person whose only estate or interest is as a tenant occupying the premises, may appeal to the county court against the improvement notice.

(2) The grounds of the appeal may be all or any of the following, that is—

- (a) that it is not practicable to comply with the requirements of the improvement notice at reasonable

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expense, regard being had to the estimated cost of the works and the value which it is estimated that the dwelling or other premises will have when the works are completed ;

- (b) that the local authority have refused unreasonably to approve the execution of alternative works, or that the works specified in the notice are otherwise unreasonable in character or extent ;
- (c) that the dwelling, or any of the dwellings in the premises, is not, or is no longer, without one or more of the standard amenities, or that the dwelling or other premises after being improved would not be in such condition as to be fit for human habitation, and likely, subject to normal maintenance, to remain in that condition and available for use as living accommodation for a period of not less than fifteen years ;
- (d) that some person other than the appellant will as the holder of an estate or interest in the dwelling or other premises, derive a benefit from the execution of the works and that that person ought to pay the whole or part of the cost of the execution of the works ;
- (e) that the improvement notice is invalid on the ground that any requirement of this Act has not been complied with or on the ground of some informality, defect or error in or in connection with the improvement notice.

(3) In so far as an appeal under this section is based on the ground that the improvement notice is invalid, the court shall confirm the improvement notice unless satisfied that the interests of the appellant have been substantially prejudiced by the facts relied on by him.

(4) No appeal shall be brought against a final improvement notice on any ground which is a ground on which an appeal was brought, or might have been brought, against the suspended improvement notice to which the final improvement notice relates except so far as that ground depends on an alteration in the dwelling or the building of which the dwelling forms part, or on some other change in circumstances, which has taken place since the service of the suspended improvement notice.

(5) On any appeal under this section the court may, subject to subsection (7) of this section, make such order either confirming or quashing or varying the improvement notice as the court thinks fit but not, in the case of an immediate improvement notice or a final improvement notice, so as to extend the period within which the works are to be carried out.

(6) On any appeal under this section the court may, if the court thinks fit, accept from an appellant or any other party to the proceedings an undertaking to carry out the works specified in the improvement notice, or any such works as might have been so specified if the court exercised its jurisdiction to vary the improvement notice ; and any undertaking accepted by the court shall have the same effect as if it had been given to and accepted by the local authority under this Part of this Act, and had not been given to the court.

(7) An improvement notice shall not be varied on an appeal under this section—

- (a) so as to require the carrying out of works to improve a dwelling to the full standard if the works specified in the improvement notice appealed against were works to improve the dwelling to the reduced standard, or
- (b) so as to require the carrying out of works to improve a dwelling to the reduced standard if the works specified in the improvement notice appealed against were works to improve the dwelling to the full standard.

(8) Where the grounds on which an appeal under this section is brought include the grounds specified in subsection (2)(d) of this section, the court may on the hearing of the appeal make such order as it thinks fit with respect to the payment to be made by that other person to the appellant or, where the works are carried out by the local authority, to the local authority.

(9) If an improvement notice is quashed by the county court, or on appeal from the county court, the court taking the decision may, if it thinks fit, and subject to compliance by the local authority with such terms and conditions as the court thinks fit to impose, extend the time within which, under section 15(2), section 19(4) or section 21(2) of this Act, as the case may be, the local authority may serve a further improvement notice in respect of the dwelling.

(10) This section shall apply to Scotland subject to the following modifications :—

- (a) the persons who may appeal under subsection (1) against an immediate improvement notice served under section 22 of this Act in respect of any dwelling shall include a tenant occupying that dwelling, and subsections (2) to (9) shall not apply in relation to an appeal by such a tenant, but—
  - (i) such a tenant may appeal only on the ground that the carrying out of the works specified in the

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improvement notice will cause unreasonable hardship to him or to any member of his family residing with him, regard being had to the age, health and any infirmity of the tenant or any such member ;

(ii) on such an appeal the sheriff may either confirm or suspend the improvement notice as he thinks fit, and any such suspension shall cease to have effect when there is a change in the occupation of the dwelling ;

(iii) for the purposes of sub-paragraph (ii) of this paragraph there is a change in the occupation of a dwelling when the tenant who was occupying the dwelling when the improvement notice was suspended by the sheriff ceases to occupy the dwelling, except that there is no change in the occupation of the dwelling if, on the tenant ceasing to occupy the dwelling, it is occupied by a member of his family who was residing with him immediately before he ceased to occupy the dwelling ;

- (b) any period after the service of an immediate improvement notice under section 22 of this Act and while an undertaking given under section 25 of this Act is under consideration, and any period while a suspension order under paragraph (a) of subsection (1) of the said section 25 is in force, shall be left out of account in reckoning, in relation to the said immediate improvement notice, the period of six weeks referred to in subsection (1) of this section ;
- (c) in subsection (2), the words " or other premises ", wherever they occur, and the words " or any of the dwellings in the premises " shall be omitted ;
- (d) where in pursuance of subsection (6) of this section the sheriff accepts an undertaking to carry out works on a dwelling comprised in a tenement, being a dwelling in respect of which an immediate improvement notice has been served under section 22 of this Act, he shall direct the local authority to make an order (in this Part of this Act referred to as a " suspension order ") suspending the immediate improvement notice appealed against and any other immediate improvement notice which in the opinion of the sheriff ought to be suspended in consequence of his acceptance of the undertaking, and for the purposes of this Part of this Act a suspension order made by a local authority in compliance with a direction of the sheriff given under this paragraph shall be deemed to have been made by them under section 25(1)(a) of this Act ;

(e) in subsection (9), the words "or on appeal from the county court" shall be omitted, and for the words "section 21(2)" there shall be substituted the words "section 22(1)";

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(f) where an improvement notice is quashed on an appeal under this section the local authority shall as soon as practicable thereafter cause to be recorded in the General Register of Sasines a notice stating that the said notice has been quashed as aforesaid.

**28.**—(1) If the works to be carried out in compliance with an immediate improvement notice or a final improvement notice (as read with the suspended improvement notice), or an undertaking accepted under this Part of this Act, have not been carried out in whole or in part within the period specified in the notice or undertaking, or within any further period which the local authority have by permission given in writing allowed, the local authority may themselves do the work which has not been completed.

Enforcement of improvement notices and undertakings to carry out works.

(2) If before the expiration of the period mentioned in the foregoing subsection the person who is for the time being the person having control of the dwelling or who is bound by the undertaking notifies the local authority in writing that he does not intend or is unable to do the work in question, the local authority may, if they think fit, do the work before the expiration of the said period.

(3) Not less than twenty-one days before beginning to do the work, the local authority shall serve notice of their intention on the occupier of the dwelling, on the person having control of the dwelling and on every other person who is to the knowledge of the local authority an owner, lessee or mortgagee of the dwelling.

(4) This section shall apply in relation to an improvement notice or undertaking relating to a tenement block as if for the reference in subsection (3) to the occupier of the dwelling there were substituted a reference to the occupier of each dwelling in the tenement block and as if in subsections (2) and (3) references to the dwelling in any other context were references to the tenement block.

(5) Subsection (4) of this section shall not apply to Scotland.

**29.**—(1) Any expenses reasonably incurred by the local authority under the last foregoing section in carrying out works (not being works to which that section applied as being works as respects which an undertaking was accepted under this Part of this Act) may, except so far as they are by any direction of the court on appeal recoverable under an order of the court, be recovered by them by action from the person on whom the improvement notice was served:

Recovery of expenses incurred by local authority in England and Wales on default under improvement notice.

## PART II

Provided that if the person served with an improvement notice proves that he—

- (a) was only properly served with the notice as being an agent or trustee for some other person, and
- (b) does not have, 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.

(2) If the person served with an improvement notice was only properly served as being an agent or trustee for some other person, the said expenses may be recovered by the local authority under subsection (1) of this section either from him or from that other person, or as to part from him and as to the remainder from that other person.

(3) Expenses recoverable by the local authority under subsection (1) of this section shall carry interest at the rate, or the highest rate, for the time being fixed under section 10(6) of the Act of 1957.

A demand for the expenses so recoverable, together with interest so payable, shall be served on the person on whom the improvement notice was served, and interest shall be payable from the date when the demand is so served until payment.

(4) The amount of any expenses and interest thereon due to a local authority under this section shall, as from the date when the demand under subsection (3) of this section becomes operative, be a charge on the premises in respect of which the expenses were incurred, and on all estates and interests in those premises, and the local authority shall for the purpose of enforcing that charge have all the same powers and remedies under the Law of Property Act 1925 and otherwise as if they were mortgagees by deed having powers of sale and lease, of accepting surrenders of leases and of appointing a receiver.

The power of appointing a receiver under this subsection shall be exercisable at any time after the expiration of one month from the date when the said demand becomes operative.

(5) On the date on which a local authority under subsection (3) of this section serve a demand for expenses incurred by them, they shall also serve a copy of the demand on any person who is to their knowledge an owner or lessee or mortgagee of the dwelling or other premises to which the improvement notice relates; and within twenty-one days from that date any person may appeal to the county court against the demand.



On the appeal no question may be raised which might have been raised on an appeal against the improvement notice (or, in the case of a final improvement notice, against the relevant suspended improvement notice).

(6) Any such demand shall, if no appeal is brought under the last foregoing subsection, become operative on the expiration of twenty-one days from the date of service of the demand ; and any such demand as respects which an appeal is so brought shall, if and so far as it is confirmed on appeal, become operative on the final determination of the appeal.

For the purposes of this subsection the withdrawal of an appeal shall be deemed to be a final determination thereof having the like effect as a decision confirming the demand appealed against.

(7) Any such demand shall, subject to the right of appeal conferred by subsection (5) of this section, be final and conclusive as to any matters which can be raised on such an appeal.

(8) This section shall not apply to Scotland.

**30.—**(1) Any expenses reasonably incurred by the local authority under section 28 of this Act in carrying out works to which that section applied as being works as respects which an undertaking was accepted under this Part of this Act, together with interest from the date when a demand for the expenses is served until payment, may be recovered by them by action from the person who gave the undertaking.

Recovery of expenses incurred by local authority in England and Wales on default of person giving undertaking.

(2) Interest under this section shall be at the rate, or the highest rate, for the time being fixed under section 10(6) of the Act of 1957.

(3) This section shall not apply to Scotland.

**31.—**(1) Subsections (3), (4) and (5) of section 8 of the Act of 1950 (which relate to the recovery by a local authority of expenses incurred by them in executing works on an insanitary house) shall, subject to any necessary modifications, apply for the purpose of enabling a local authority to recover any expenses reasonably incurred by them under section 28 of this Act in carrying out works in pursuance of that section as they apply for the purpose of enabling a local authority to recover the first-mentioned expenses, so, however, that the person from whom expenses incurred by a local authority in carrying out works in pursuance of the said section 28 may be recovered shall, in the case of works to which that section applied as being works as respects which an undertaking was accepted

Recovery of expenses incurred by local authority in Scotland.

**PART II** under this Part of this Act, be the person who gave the undertaking.

(2) Section 16 of the Act of 1950 (appeals) shall apply in relation to a demand by a local authority for the recovery of expenses incurred by them in carrying out works in pursuance of section 28 of this Act and in relation to an order made by a local authority with respect to any such expenses.

(3) This section shall not apply in relation to the recovery by a local authority of any expenses so far as such expenses are by any direction of the sheriff on appeal recoverable under an order of the sheriff.

Charging orders in favour of persons carrying out works in England and Wales.

**32.** Sections 14 and 15 of the Act of 1957 (charging orders in favour of owner executing works) shall apply as if any reference to works required to be executed by a notice under Part II of that Act included a reference to works required to be carried out by an immediate improvement notice or a final improvement notice.

Charging orders in Scotland.

**33.—(1)** Where any person has completed, in respect of any dwelling, any works required to be executed by an improvement notice or any works as respects which an undertaking was accepted under this Part of this Act, he may apply to the local authority for a charging order, and subsections (2) to (4) of section 20, and section 21, of the Act of 1950 shall, with any necessary modifications, apply in relation to any such application or order as they apply in relation to an application or order under the said section 20 and as if any reference in the said section 21 to Part II of the Act of 1950 included a reference to this Part of this Act.

(2) Where under section 28 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 subsections (2) to (4) of section 20, and section 21, of the Act of 1950 shall, with 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 20 and as if any reference in the said section 21 to Part II of the Act of 1950 included a reference to this Part of this Act.

#### *Relations between lessors and lessees*

Adjustment of relations between lessors and lessees.

**34.—(1)** Where a person who incurs expenditure in complying with an improvement notice is a lessor of the premises to which the notice relates, he may apply to the county court for an increase of the rent payable under the lease (not

## PART II

being controlled rent) and the court, after giving to the lessee and any sub-lessee an opportunity of being heard, and having regard to the amount of the expenditure, to any transfer of the burden of the expenditure from the lessor to any other person and to all the other circumstances, may, if the court thinks fit, make such an order for the variation of the lease by an increase of the rent payable under the lease as will in the opinion of the court afford an appropriate return in respect of the expenditure.

(2) This section shall not authorise the county court to increase the rent payable to the landlord in respect of an agricultural holding as defined in the Agricultural Holdings Act 1948.

(3) In this section "controlled rent" means rent which is subject to a limit imposed by the Rent Act 1957 or any other enactment.

(4) Subsection (2) of this section shall not apply to Scotland, but this section shall not authorise the sheriff to increase the rent payable to the landlord in respect of—

- (a) an agricultural holding within the meaning of the Agricultural Holdings (Scotland) Act 1949, or
- (b) a croft within the meaning of the Crofters (Scotland) Act 1955, or
- (c) a holding within the meaning of the Small Landholders (Scotland) Acts 1886 to 1931.

35.—(1) In the case of an improvement effected in compliance with an immediate improvement notice or final improvement notice or an undertaking accepted under this Part of this Act, section 5 of the Rent Act 1957 (increase for improvements) shall have effect subject to the provisions of this section.

Rent limit  
in Rent  
Act 1957 in  
England and  
Wales:  
increase for  
improvement  
under  
Part II.

(2) If—

- (a) the landlord, or a predecessor in title of the landlord, is the person who expended money on the improvement, and
- (b) a standard grant under section 4 of the Act of 1959 in respect of the improvement, although obtainable, has not been obtained,

the said section 5(4) (under which, as amended by section 27 of the Act of 1959, the making of a standard grant reduces the increase of rent authorised by that section) shall apply as if that standard grant had been obtained.

(3) In any proceedings relating to the increase authorised by the said section 5 in respect of the improvement it shall be

## PART II

assumed, until the contrary is proved, that a standard grant was obtainable in respect of the improvement.

(4) The local authority shall, at the request in writing of the landlord or the tenant, give to him an estimate in writing of what the amount of the standard grant would have been if it had been obtained, and for the purposes of any such proceedings that estimate shall be sufficient evidence of what that amount would have been.

(5) Section 25 of the Rent Act 1957 shall apply for the interpretation of this section.

Increase in controlled rent in Scotland in respect of improvement under Part II.

**36.**—(1) In the case of an improvement effected in compliance with an immediate improvement notice or a final improvement notice or an undertaking accepted under this Part of this Act, section 2(1)(a) of the Increase of Rent and Mortgage Interest (Restrictions) Act 1920 (increase for improvements) shall have effect subject to the provisions of this section.

(2) If a standard grant under section 19 of the Act of 1959 in respect of the improvement, although obtainable, has not been obtained, the said section 2(1)(a) (under which the amount of the permitted increase in rent in respect of expenditure incurred by the landlord on the improvement of a dwelling-house to which the said Act of 1920 applies is limited to an amount calculated at a rate per annum not exceeding twelve and one half per cent. of the amount so expended) shall apply as if for the reference therein to the amount expended on the improvement there were substituted a reference to that amount diminished by a sum equal to what the amount of the said standard grant would have been if it had been obtained.

(3) In any proceedings relating to the increase permitted by the said section 2(1)(a) in respect of the improvement it shall be assumed, until the contrary is proved, that a standard grant was obtainable in respect of the improvement.

(4) The local authority shall, at the request in writing of the landlord or the tenant, give to him an estimate in writing of what the amount of the standard grant would have been if it had been obtained, and for the purposes of any such proceedings that estimate shall be sufficient evidence of what that amount would have been.

(5) In this section “landlord” and “tenant” have the same meanings respectively as in the said Act of 1920.

Amendments of Agricultural Holdings Act 1948.

**37.**—(1) Section 9 of the Agricultural Holdings Act 1948 (increases of rent for improvements carried out by landlord) shall apply as if references in subsection (1) of that section to improvements carried out at the request of the tenant included

references to improvements carried out in compliance with an immediate improvement notice or final improvement notice or an undertaking accepted under this Part of this Act:

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Provided that where the tenant has contributed to the cost incurred by the landlord in carrying out the improvement, the increase in rent provided for by the said section 9 shall be reduced proportionately.

(2) Any works carried out in compliance with an immediate improvement notice or final improvement notice or an undertaking accepted under this Part of this Act shall be included among the improvements specified in paragraph 8 of Schedule 3 to the Agricultural Holdings Act 1948 (tenant's right to compensation for erection, alteration or enlargement of buildings), but subject to the power conferred by section 78 of that Act to amend the said Schedule 3; and section 49 of that Act (which makes that right to compensation conditional on the landlord consenting to the carrying out of the improvements) shall not apply to any works carried out in compliance with such a notice or undertaking.

(3) Where a person other than the tenant claiming compensation has contributed to the cost of carrying out the works in compliance with any such notice or undertaking, compensation in respect of the works, as assessed under section 48 of the said Act of 1948, shall be reduced proportionately.

38.—(1) Section 8 of the Agricultural Holdings (Scotland) Act 1949 (increases of rent for improvements carried out by landlord) shall apply as if references in subsection (1) of that section to improvements carried out at the request of the tenant included references to improvements carried out in compliance with an immediate improvement notice or a final improvement notice or an undertaking accepted under this Part of this Act:

Adjustment of relations between lessors and lessees of agricultural holdings, etc., in Scotland.

Provided that where the tenant has contributed to the cost incurred by the landlord in carrying out the improvement, the increase in rent provided for by the said section 8 shall be reduced proportionately.

(2) Any works carried out in compliance with an immediate improvement notice or a final improvement notice or an undertaking accepted under this Part of this Act shall be included among the improvements specified in paragraph 18 of Schedule 1 to the Agricultural Holdings (Scotland) Act 1949 (tenant's right to compensation for erection, alteration or enlargement of buildings), but subject to the power conferred by section 79 of that Act to vary the said Schedule 1; and sections 51 and 52

**PART II** of that Act (which make that right to compensation subject to certain conditions) shall not apply to any works carried out in compliance with such a notice or undertaking:

Provided that where a person other than the tenant claiming compensation has contributed to the cost of carrying out the works in compliance with any such notice or undertaking, compensation in respect of the works, as assessed under section 49 of the said Act of 1949, shall be reduced proportionately.

(3) Any works carried out in compliance with an immediate improvement notice or a final improvement notice or an undertaking accepted under this Part of this Act shall—

- (a) if carried out on a croft within the meaning of the Crofters (Scotland) Act 1955, be permanent improvements on that croft and be deemed to be suitable to the croft for the purposes of section 14(1)(a) of the said Act of 1955 (crofter's right to compensation for improvements),
- (b) if carried out on a holding within the meaning of the Small Landholders (Scotland) Acts 1886 to 1931, be permanent improvements on that holding and be deemed to be suitable to the holding for the purposes of section 8(a) of the Crofters Holdings (Scotland) Act 1886 (landholder's right to compensation for improvements),

and accordingly, after paragraph 1 of Schedule 5 to the said Act of 1955, and after paragraph 1 of the Schedule to the said Act of 1886 (both of which Schedules relate to permanent improvements), there shall be inserted the following paragraph—

“(1A) Works carried out in compliance with an immediate improvement notice or a final improvement notice served, or an undertaking accepted, under Part II of the Housing Act 1964”.

*Other supplemental provisions*

Provisions as to carrying out of works.

**39.—(1)** The person having control of any premises—

- (a) which consist of or comprise a dwelling in an improvement area which is without all or any of the standard amenities, or
- (b) which consist of or comprise a dwelling in respect of which representations have been made by the tenant under section 19(1) of this Act, or
- (c) which consist of a tenement block in respect of which a preliminary notice has been served,

shall, as against any other person having an estate or interest in the premises, have the right to enter the premises in order

to carry out any survey or examination required with a view to providing the dwelling or, as the case may be, any of the dwellings in the tenement block, with any of the standard amenities.

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(2) After service of an immediate improvement notice or a final improvement notice in respect of any dwelling or tenement block, the person having control of the dwelling or, as the case may be, the tenement block shall have the right, as against any other person having an estate or interest in the premises, to take any reasonable steps for the purpose of complying with the improvement notice; and any person bound by an undertaking accepted under this Part of this Act shall have the right as against the occupier of the premises to which the undertaking relates to take any reasonable steps for the purpose of complying with the undertaking.

(3) Section 161 of the Act of 1957 (penalty for preventing execution of works) shall apply as if any reference in that section to Part II of that Act included a reference to this Part of this Act.

(4) Without prejudice to the provisions of subsection (2) of this section, the carrying out of works in pursuance of an improvement notice or an undertaking accepted under this Part of this Act shall not give rise to any liability on the part of a lessee to reinstate the premises at any time in the condition in which they were before the works were carried out, or to any liability for failure so to reinstate the premises.

(5) In the application of this section to Scotland—

- (a) in subsections (1) and (2), the references to a tenement block shall be omitted ;
- (b) in subsection (3), for the reference to the Act of 1957 there shall be substituted a reference to the Act of 1950.

40.—(1) Section 159 of the Act of 1957 (which confers powers of entry on local authorities for the purposes mentioned in that section) shall apply to entry for the purpose of survey and examination of any dwelling with a view to ascertaining whether the requirements of any improvement notice served, or undertaking accepted, under this Part of this Act have been complied with. Further powers and duties of local authority

(2) A local authority may by agreement with a person having control of a dwelling or any other person having an estate or interest in a dwelling execute at his expense any work which

## PART II

that person is required to carry out in the dwelling in pursuance of an improvement notice or of an undertaking accepted under this Part of this Act, and for that purpose the local authority shall have all such rights as that person would have as against any other person having an interest in the dwelling.

(3) Where under this Part of this Act a local authority are required to serve a copy of a notice on any person who is to their knowledge an owner, lessee or mortgagee of any premises, any person having an estate or interest in those premises who is not served with a copy of the notice shall, on application in writing to the local authority, be entitled to obtain a copy of that notice.

(4) In the application of this section to Scotland, in subsection (1) for the reference to the Act of 1957 there shall be substituted a reference to the Act of 1950.

Exclusion of dwellings controlled by Crown or a public authority.

**41.**—(1) No preliminary notice or improvement notice shall be served in respect of any premises in which there is a Crown or Duchy interest except with the consent of the appropriate authority and, where a preliminary notice or improvement notice is served with the consent of the appropriate authority, this Part of this Act shall apply to the premises as it applies to premises in which there is no such interest.

(2) No preliminary notice or improvement notice shall be served in respect of any premises if the person having control of the premises is—

- (a) a local authority,
- (b) the Commission for the New Towns or a development corporation,
- (c) a housing association satisfying one of the conditions set out in paragraphs (a), (b) and (c) of section 33(2) of the Housing Repairs and Rents Act 1954 (exclusion of certain lettings from Rent Acts) or, in Scotland, a housing association satisfying one of the conditions set out in paragraphs (a), (b) and (c) of section 25(2) of the Scottish Act of 1954 (exclusion of certain lettings from Rent Acts),
- (d) a housing trust which is a charity within the meaning of the Charities Act 1960 or, in Scotland, a housing trust within the meaning of section 39(1) of the Scottish Act of 1954 which was in existence on 13th November 1953,
- (e) the Scottish Special Housing Association,



- (f) the Housing Corporation established under Part I of this Act, or
- (g) an executive council constituted under section 32 of the National Health Service (Scotland) Act 1947,

and if after such a notice is served any such authority as is mentioned in paragraphs (a) to (g) above becomes the person having control of the premises, any such notice as respects the premises, and any undertaking accepted under this Part of this Act as respects the premises, shall cease to have effect.

(3) If, in consequence of the provisions of subsection (2) of this section, an improvement notice ceases to have effect it shall be the duty of the authority mentioned in paragraphs (a) to (g) of that subsection—

- (a) where the notice related to a dwelling or other premises in England and Wales, to notify the officer who registered the notice or undertaking in the register of local land charges, and to furnish him with all information required by him for the purpose of cancelling the registration, and
- (b) where the notice related to a dwelling in Scotland, to notify the local authority and to furnish them with all information required by them for the purpose of recording in the General Register of Sasines a notice stating that the improvement notice has ceased to have effect, and the local authority shall as soon as practicable after receiving such notification cause to be recorded in the General Register of Sasines a notice to the said effect.

(4) In this section “Crown or Duchy interest” means an interest belonging to Her Majesty in right of the Crown or of the Duchy of Lancaster, or belonging to the Duchy of Cornwall or belonging to a government department, or held in trust for Her Majesty for the purposes of a government department, and “the appropriate authority”—

- (a) in relation to land belonging to Her Majesty in right of the Crown and forming part of the Crown Estate, means the Crown Estate Commissioners, and, in relation to any other land belonging to Her Majesty in right of the Crown, means the government department having the management of that land ;
- (b) in relation to land belonging to Her Majesty in right of the Duchy of Lancaster, means the Chancellor of the Duchy ;

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(c) in relation to land belonging to the Duchy of Cornwall, means such person as the Duke of Cornwall, or the possessor for the time being of the Duchy of Cornwall, appoints ; and

(d) in relation to land belonging to a government department or held in trust for Her Majesty for the purposes of a government department, means that department ;

and if any question arises as to what authority is the appropriate authority in relation to any land, that question shall be referred to the Treasury, whose decision shall be final.

(5) In this section “ local authority ” means—

(a) in relation to England and Wales, any authority being, within the meaning of the Local Loans Act 1875 an authority having power to levy a rate, and includes—

(i) any joint board or joint committee all the constituent members of which are such authorities as aforesaid, and

(ii) any police authority,

but does not include the Receiver for the Metropolitan Police District ;

(b) in relation to Scotland, a local authority, joint board or joint committee as respectively defined by the Local Government (Scotland) Act 1947.

Exclusion of certain dwellings provided after 1944.

42. This Part of this Act shall not apply to a dwelling provided after the end of the year 1944, unless the dwelling was provided by the conversion before 3rd October 1961 or, in the case of a dwelling provided in Scotland, by the conversion before the end of the year 1958, of a building erected before the end of the year 1944.

Definition of standard amenities and related expressions

43.—(1) Subject to this section, in this Part of this Act “ the standard amenities ”, in relation to a dwelling, mean the following amenities provided for the exclusive use of the occupants of the dwelling, that is—

(a) a fixed bath or shower, which, subject to subsection (2) of this section, is to be in a bathroom ;

(b) a wash-hand basin ;

(c) a hot and cold water supply at a fixed bath or shower, which, if reasonably practicable, is to be in a bathroom ;

(d) a hot and cold water supply at a wash-hand basin ;

- (e) a hot and cold water supply at a sink ;
- (f) a water closet ; and
- (g) satisfactory facilities for storing food.

(2) The fixed bath or shower mentioned in paragraph (a) above may, if it is not reasonably practicable for it to be provided in a bathroom, but it is reasonably practicable for it to be provided with a hot and cold water supply, be in a part of the dwelling which is not a bathroom or bedroom.

(3) The water closet mentioned in paragraph (f) above must, if reasonably practicable, be in, and readily accessible from, the dwelling or, if that is not reasonably practicable, in such a position in the curtilage of the dwelling, or where the dwelling is part of a larger building, in that building, as to be readily accessible from the dwelling.

(4) In relation to a dwelling which is without one or more of the standard amenities, references in this Part of this Act to the improvement of the dwelling to the full standard are references to the carrying out of works to provide the dwelling with those of the standard amenities which it does not have.

(5) In relation to a dwelling which is without one or more of the standard amenities listed in paragraphs (e), (f) and (g) of subsection (1) of this section, references in this Part of this Act to the improvement of the dwelling to the reduced standard are references to the carrying out of works to provide the dwelling with those of the said standard amenities listed in paragraphs (e), (f) and (g) of subsection (1) of this section which it does not have.

(6) In determining for the purposes of this Part of this Act whether a dwelling is capable of improvement at reasonable expense to the full standard, or to the reduced standard, regard shall be had to the estimated cost of the works which would be required to provide the dwelling with amenities to the full standard or to the reduced standard, as the case may be, and to the value which it is estimated that the dwelling (or the building of which the dwelling forms part) would have if those works were carried out.

(7) An order under section 4 or, in relation to Scotland, section 19 of the Act of 1959 varying the standard amenities for the purposes of that Act may also vary the provisions of this section and may contain such transitional and other supplemental provisions, including transitional provisions to take account of the provisions of this Part of this Act, as may appear to the Minister or, as the case may be, to the Secretary of State to be expedient.

**PART II**  
 Interpretation  
 and  
 construction of  
 Part II.

**44.—(1)** In this Part of this Act, unless the context otherwise requires—

- “dwelling” means a building or part of a building occupied or intended to be occupied as a separate dwelling ;
- “flat” means a separate set of premises, whether or not on the same floor, 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 ;
- “improvement area” means an improvement area under section 13 of this Act ;
- “improvement notice” means a suspended improvement notice, an immediate improvement notice or a final improvement notice ;
- “local authority” means the council of a county borough, London borough or county district or the Common Council of the City of London, and in relation to Scotland means a local authority for the purposes of the Act of 1950 ; and, in relation to a dwelling or other premises, references to the local authority are references to the local authority in whose district the premises are situated ;
- “owner”, in relation to any land, means a person, other than a mortgagee not in possession, who is for the time being entitled to dispose of the fee simple, and in relation to Scotland has the meaning given by section 184(1) of the Act of 1950 ;
- “the person having control”—
  - (a) in relation to any premises in England and Wales, means the person who receives any rent (including a rack-rent) payable by the tenant (as defined in this section) of the premises, whether on his own account or as agent or trustee for any other person, or who would so receive the rent if the premises were let at a rack-rent, and for the purposes of this definition “rack-rent” means rent which is not less than two-thirds of the full net annual value of the premises, and
  - (b) in relation to any premises in Scotland has the meaning given by section 7(3) of the Act of 1950 ;
- “tenement” means a building which as constructed contained, and which contains, two or more flats ;
- “tenement block” means a building or a part of a building which was constructed in the form of, and consists of, two or more flats.

(2) In this Part of this Act, unless the context otherwise requires, "tenant"—

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(a) includes a sub-tenant and a tenant (as defined in section 12(1)(g) of the Rent and Mortgage Interest (Restrictions) Act 1920) who retains possession by virtue of the Rent Acts and not as being entitled to a tenancy, but does not include—

(i) in relation to England and Wales, a tenant holding under a lease granted for a term certain of more than twenty-one years at a rent of less than two-thirds of the full net annual value of the demised premises, or a mortgagee in possession,

(ii) in relation to Scotland, a tenant holding under a lease granted for a period of more than twenty-one years at a rent of less than two-thirds of the net annual value for rating purposes of the leased premises, or a heritable creditor in possession, and

(b) includes, in relation to a dwelling, a person employed in agriculture (as defined in section 17(1) of the Agricultural Wages Act 1948, or in relation to Scotland, section 17 of the Agricultural Wages (Scotland) Act 1949) who occupies or resides in the dwelling as part of the terms of his employment,

and "tenancy" shall be construed accordingly.

References in this Part of this Act to a tenant occupying a dwelling include, in the case of a tenant within paragraph (b) of this definition, a tenant residing in the dwelling and "occupation" and "occupied" and related expressions shall be construed accordingly; and in relation to a dwelling occupied by such a tenant "the person having control" of the dwelling means, in this Part of this Act, the employer or other person by whose authority the tenant occupies the dwelling.

(3) Sections 4 and 5 of the Act of 1957 or, in relation to Scotland, section 24 of the Act of 1962 and section 23 of the Act of 1950 shall apply for the determination for the purposes of this Part of this Act of any question whether any dwelling—

(a) is fit or unfit for human habitation, or

(b) will be likely, subject to normal maintenance, to remain fit for human habitation and available for use as a dwelling for a period of not less than fifteen years,

and in determining the question under paragraph (b) of this subsection the term "normal maintenance" shall include only such repairs as are reasonable having regard to the prospective life of the dwelling.

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## PART II

(4) This Part of this Act, in its application to England and Wales, shall be construed as one with the Act of 1957 and, in its application to Scotland, shall be construed as one with the Act of 1950.

## PART III

## ASSISTANCE FOR IMPROVEMENT OF DWELLINGS

*Standard grants and Minister's contributions to local authorities for provision of standard amenities*

Standard grants for provision of amenities below full standard.

45.—(1) An application may be made under section 4 of the Act of 1959 (grants for provision of standard amenities) proposing the carrying out of works which comprise the provision of part only of the standard amenities mentioned in that section notwithstanding that the dwelling is not already provided with all the remainder of those standard amenities if—

(a) the application contains a statement that it is not practicable at reasonable expense to provide the dwelling with all the standard amenities, and

(b) after the execution of the works the dwelling will be provided with at least the amenities comprised in the reduced standard as defined in section 43(5) of this Act,

and the application gives the facts on which the statement is based; and so much of section 4(3) of the Act of 1959 as requires a statement that the remaining amenities are already provided shall not apply.

(2) The local authority shall not approve the application unless they are satisfied as to the matters mentioned in paragraphs (a) and (b) of the foregoing subsection, and section 5(1) of the Act of 1959 (which requires the authority to approve an application in the circumstances there specified) shall have effect accordingly; and if the local authority are not satisfied as to the matters mentioned in paragraphs (a) and (b) of the foregoing subsection, and the applicant on being notified of their decision so requests, the local authority shall give to the applicant a written statement setting out their reasons for making their decision.

(3) In considering an application which states that it is not practicable at reasonable expense to provide the dwelling with all the standard amenities, the local authority shall have regard to the estimated cost of the works which would be required to provide the dwelling with all the standard amenities and the value which it is estimated that the dwelling (or the building of which the dwelling forms part) would have if works to provide the dwelling with all the standard amenities were carried out.

(4) In the application of this section to Scotland, for the references to section 4, section 4(3) and section 5(1) of the Act of 1959 there shall be substituted respectively references to section 19, section 19(3) and section 20(1) of that Act.

46.—(1) The amount of a standard grant shall, subject to this section, be one half of the cost shown to have been incurred in executing the works in respect of which it is made. Amount of standard grant.

(2) If any of the works are not exclusively for the purpose of providing one or more of the standard amenities, only so much of the cost of carrying out those works as is, in the opinion of the local authority, attributable to the provision of the standard amenity or standard amenities shall be taken into account under the foregoing subsection.

(3) Subject to this section, there shall be a limit on the amount of a standard grant determined in accordance with the following Table, and the limit shall depend on the number of items in the following Table which will be provided by the works and shall be the total of the amounts specified in column 2 of that Table for those items or £350, whichever is the less.

TABLE

<i>List of amenities</i>	<i>Amount allowed towards limit</i>
A fixed bath or shower in a bathroom or elsewhere.	£25 or, if the bathroom is being provided by the building of a new structure or the conversion of outbuildings attached to the dwelling (or to the building of which the dwelling forms part) and, before the time when the local authority approve the application, they have been satisfied that it is not reasonably practicable to provide the bathroom in any other way, such higher amount as the local authority shall fix at that time as being in their opinion one-half of the part of the cost to be reasonably incurred in executing the works, being the part of the cost attributable to the provision of the fixed bath or shower.
A wash-hand basin ...	£5
A hot and cold water supply at a fixed bath or shower.	£35
A hot and cold water supply at a wash-hand basin.	£15
A hot and cold water supply at a sink.	£25

## PART III

*List of amenities**Amount allowed towards limit*

A water closet ... .. £40 or if the works comprise the installation of a septic tank and, before the time when the local authority approve the application, they have been satisfied that the connection of the water closet with main drainage is not possible or reasonably practicable, such higher amount as the local authority shall fix at that time as being in their opinion one-half of the part of the cost to be reasonably incurred in executing the works, being the part of the cost attributable to the provision of the water closet.

Facilities for storing food £10

If the works comprise, in connection with all or any of the amenities provided, the bringing of a piped supply of cold water into the dwelling for the first time.

Such amount as the local authority shall fix at the time when they approve the application as being in their opinion one-half of the part of the cost to be reasonably incurred in executing the works, being the part of the cost attributable to the bringing of the piped supply into the dwelling.

(4) The local authority shall, when they approve the application, inform the applicant of any decision taken by them under the Table fixing a higher amount in respect of the cost attributable to the provision of a fixed bath or shower, or of a water closet, or fixing any amount in respect of the cost of bringing a piped supply of cold water into the dwelling.

(5) In determining the limit the amount specified for any item in the Table shall not be brought in more than once, and no account shall be taken of any amenity provided by the works if, at the time when the works were begun, the dwelling was provided with an amenity of that kind unless part of the cost incurred in executing the works is attributable to interference with or replacement of that amenity and the local authority are satisfied that it would not have been reasonably practicable to avoid the interference or replacement.

(6) References in this section to the cost incurred in executing or carrying out works shall include references to the cost of the employment in connection with the works of an architect, engineer, surveyor, land agent or other person in an advisory or supervisory capacity.

(7) The Minister may by order vary the provisions of subsections (3), (4) and (5) of this section in any respect.

An order under this subsection—

(a) may contain such transitional or other supplemental provisions as appear to the Minister to be expedient,



- (b) may be varied or revoked by a subsequent order, and  
 (c) shall be made by statutory instrument subject to annulment in pursuance of a resolution of either House of Parliament.

(8) The provisions of this section shall have effect as respects any application made under section 4 of the Act of 1959 after the coming into force of this section, and in substitution for the provisions of section 6 of the Act of 1959.

(9) In the application of this section to Scotland—

- (a) in subsection (6), for the words from “the cost of the employment” to the end there shall be substituted the words “fees payable to professional persons employed in connection with those works”;
- (b) in subsection (7), for the references to the Minister there shall be substituted references to the Secretary of State, and
- (c) in subsection (8), for the references to section 4 and section 6 of the Act of 1959 there shall be substituted respectively references to section 19 and section 21 of that Act.

47.—(1) This section shall apply as respects works to be carried out in compliance with an improvement notice served, or an undertaking accepted, under Part II of this Act. Standard grants for provision of amenities in accordance with Part II of Act.

(2) The form of an application under section 4 of the Act of 1959 as respects the works shall be such as the local authority may direct, and section 4(4) of the Act of 1959 (under which the applicant must state that he is the occupier or that the occupier has given his consent to the application) shall not apply to the application.

(3) If the works comprise the provision of a fixed bath or shower in a bathroom which is for the use of the occupants of more than one dwelling in a tenement block, the said section 4 shall apply in relation to the bathroom as if subsection (1) of that section did not require the standard amenities to be for the exclusive use of the occupants of a dwelling.

An order under the said section 4 may amend or repeal any of the provisions of this subsection.

(4) In the application of this section to Scotland—

- (a) in subsection (2), for the references to section 4 and section 4(4) of the Act of 1959 there shall be substituted respectively references to section 19 and section 19(4) of that Act;
- (b) subsection (3) shall not apply.

**PART III**  
Standard grants excluded for certain houses and other buildings in multiple occupation.

**48.**—(1) Section 4 of the Act of 1959 so far as it relates to applications made by virtue of section 45 of this Act shall not apply to an application made in respect of a dwelling which is or forms part of a house or building in respect of which the local authority are satisfied that they have power to serve a notice under section 15 of the Act of 1961 (which, as extended by section 21 of that Act, relates to the execution of works in houses and buildings in a state not suitable for multiple occupation).

(2) In the application of this section to Scotland, for the reference to section 4 of the Act of 1959 there shall be substituted a reference to section 19 of that Act.

Amendment of list of standard amenities.

**49.**—(1) For section 4(1)(c) of the Act of 1959 (which, as amended by section 30(2) of the Act of 1961, includes in the standard amenities a hot water supply at a bath or shower, a wash-hand basin and a sink) there shall be substituted the following paragraphs—

- “ (c) a hot and cold water supply at a fixed bath or shower which, if reasonably practicable, is to be in a bathroom ;
- (cc) a hot and cold water supply at a wash-hand basin ;
- (ccc) a hot and cold water supply at a sink ”.

This subsection shall have effect as respects applications made under the said section 4 after the commencement of this Act.

(2) Subject to this section, the fixed bath or shower mentioned in section 4(1)(a) of the Act of 1959 may, if it is not reasonably practicable for it to be provided in a bathroom, but it is reasonably practicable for it to be provided with a hot and cold water supply, be in a part of the dwelling which is not a bathroom or bedroom.

(3) This section shall not have effect so as to require a local authority to accept an application under the said section 4 as respects works which include the provision of a fixed bath or shower in a part of a dwelling which is not a bathroom unless the works are to be carried out in compliance with an improvement notice served, or an undertaking accepted, under Part II of this Act.

(4) An order under the said section 4 may amend or repeal any of the provisions of this section.

(5) In the application of this section to Scotland, for the references to section 4, section 4(1)(a) and section 4(1)(c) of the Act of 1959 there shall be substituted respectively references to section 19, section 19(1)(a) and section 19(1)(c) of that Act, and for the reference to section 30(2) of the Act of 1961 there shall be substituted a reference to section 17(1) of the Act of 1962.

**50.—(1)** An application may be made under section 13 of the Act of 1959 (contributions in respect of standard amenities provided by local authorities) proposing the carrying out of works which comprise the provision of part only of the standard amenities notwithstanding that the dwelling is not already provided with all the remainder of those standard amenities if—

**PART III**  
Minister's contributions to local authorities under s. 13 of Act of 1959.

- (a) the application contains a statement that it is not practicable at reasonable expense to provide the dwelling with all the standard amenities, and
- (b) after the execution of the works the dwelling will be provided with at least the amenities comprised in the reduced standard as defined in section 43(5) of this Act,

and the application gives the facts on which the statement is based; and so much of section 13(2) of the Act of 1959 as requires the application to state that the dwelling is already provided with the remaining amenities shall not apply.

(2) The Minister shall not approve the application unless satisfied as to the matters mentioned in paragraphs (a) and (b) of the foregoing subsection, and notwithstanding section 13(3) of the Act of 1959 (which requires the Minister to approve an application in the circumstances there specified) the Minister may approve or refuse the application as he thinks fit.

(3) In considering an application which states that it is not practicable at reasonable expense to provide the dwelling with all the standard amenities, the Minister shall have regard to the estimated cost of the works which would be required to provide the dwelling with all the standard amenities and the value which it is estimated that the dwelling (or the building of which the dwelling forms part) would have if works to provide the dwelling with all the standard amenities were carried out.

(4) This section shall not apply to Scotland.

**51.—(1)** A contribution under section 13 of the Act of 1959 shall be a sum payable annually for the twenty financial years beginning with the year in which the works in respect of which it is made are completed, equal to three-eighths of the annual loan charges referable to the amount specified in the following provisions of this section.

Amount of Minister's contributions under s. 13 of Act of 1959.

The said amount shall, subject to this section, be the cost shown to have been incurred in executing the works in respect of which the contribution is made.

(2) If any of the works are not exclusively for the purpose of providing one or more of the standard amenities, only so much of the cost of carrying out those works as is, in the opinion

## PART III

of the Minister, attributable to the provision of the standard amenity or standard amenities shall be taken into account under the foregoing subsection.

(3) Subject to this section, there shall be a limit on the amount of such a contribution determined in accordance with the following Table, and the limit shall depend on the number of items in the following Table which will be provided by the works and shall be the total of the amounts specified in column 2 of that Table for those items or £700, whichever is the less.

TABLE

<i>List of amenities</i>	<i>Amount allowed towards limit</i>
A fixed bath or shower in a bathroom or elsewhere.	£50 or, if the bathroom is being provided by the building of a new structure or the conversion of outbuildings attached to the dwelling (or to the building of which the dwelling forms part) and the Minister is satisfied that it is not reasonably practicable to provide the bathroom in any other way, such higher amount, not being more than the part of the cost of executing the works which is attributable to the provision of the fixed bath or shower, as the Minister may determine.
A wash-hand basin ...	£10
A hot and cold water supply at a fixed bath or shower.	£70
A hot and cold water supply at a wash-hand basin.	£30
A hot and cold water supply at a sink.	£50
A water closet ... ..	£80 or if the works comprise the installation of a septic tank and the Minister is satisfied that the connection of the water closet with main drainage is not possible or reasonably practicable, such higher amount, not being more than the part of the cost of executing the works which is attributable to the provision of the water closet, as the Minister may determine.
Facilities for storing food	£20
If the works comprise, in connection with all or any of the amenities provided, the bringing of a piped supply of cold water into the dwelling for the first time.	Such amount, if any, not being more than the part of the cost of executing the works which is attributable to the bringing of the piped supply into the dwelling, as the Minister may determine.

(4) In determining the limit the amount specified for any item in the Table shall not be brought in more than once, and no account shall be taken of any amenity provided by the works if, at the time when the works were begun, the dwelling was provided with an amenity of that kind unless part of the cost incurred in executing the works is attributable to interference with or replacement of that amenity and the Minister is satisfied that it would not have been reasonably practicable to avoid the interference or replacement.

(5) References in this section to the cost incurred in executing or carrying out works shall, where the local authority employ a person who is not one of their officers as an architect, engineer, surveyor, land agent or other person in an advisory or supervisory capacity in connection with the works, include the cost of his employment for that purpose.

(6) The Minister may by order contained in a statutory instrument vary the provisions of subsections (3) and (4) of this section in any respect and any such statutory instrument shall be subject to annulment in pursuance of a resolution of either House of Parliament.

(7) The Minister may by order contained in a statutory instrument reduce, as respects applications approved after such date as may be specified in the order, the proportion of the said annual loan charges, but not below one-third.

An order under this subsection—

(a) shall not be made unless a draft thereof has been approved by a resolution of the Commons House of Parliament ;

(b) shall not specify a date earlier than the date of the laying of the draft ;

and before laying such a draft the Minister shall consult with such associations of local authorities as appear to him to be concerned and with any local authority with whom consultation appear to him to be desirable.

(8) An order under this section—

(a) may contain such transitional or other supplemental provisions as appear to the Minister to be expedient, and

(b) may be varied or revoked by subsequent order.

(9) Section 29(3) of the Act of 1959 (which defines the annual loan charges referable to any amount) shall apply for the purposes of this section as it applies for the purposes of that Act.

(10) The provisions of this section shall have effect as respects any application made under section 13 of the Act of 1959 after the coming into force of this section, and in substitution for the provisions of section 14 of the Act of 1959.

(11) This section shall not apply to Scotland.

## PART III

Standard grants and Minister's contributions for dwellings provided after 1944 in England and Wales.

**52.—**(1) In section 4(6) and section 13(5) of the Act of 1959 (which restrict standard grants and contributions by the Minister under the said section 13 for dwellings provided after 1944 to cases where the dwelling was provided by a conversion before the end of 1958 of a pre-1945 building) for the words "the end of the year 1958" there shall be substituted the words "3rd October 1961".

(2) This section shall not apply to Scotland.

*Provision as to improvement grants and standard grants*

Duration of leasehold interest of applicant for improvement grant or standard grant in England and Wales.

**53.—**(1) If an applicant for an improvement grant or a standard grant as respects a single dwelling is, at the time when the application is made, occupying the dwelling and has an interest in the dwelling which constitutes a long tenancy at a low rent—

(a) section 31(3) of the Act of 1958 (which as amended by section 10 of the Act of 1959 prevents the making of improvement grants to a leaseholder if his unexpired term is less than fifteen years), and

(b) section 5(3) of the Act of 1959 (which contains a corresponding provision for standard grants),

shall apply in relation to that interest as if for the words "fifteen years" there were substituted the words "five years".

(2) This section shall not apply in relation to applications made before the coming into force of this section.

(3) In this section "long tenancy" and "tenancy at a low rent" have the meanings given by subsections (4) and (5) of section 2 of the Landlord and Tenant Act 1954.

(4) This section shall not apply to Scotland.

Conditions attaching to improvement grants and standard grants in England and Wales.

**54.—**(1) In section 33(1) of the Act of 1958 (which, as extended by section 7 of the Act of 1959, and as amended by section 11(1) of that Act, imposes conditions in connection with the making of improvement grants under Part II of the Act of 1958, and of standard grants, which operate for ten years) for the word "ten" there shall, as respects grants made before or after the coming into force of this section, be substituted the word "three".

(2) If under section 32(2) of the Act of 1958 an instalment of an improvement grant is paid before the completion of the works, and the works are not completed within twelve months of the date of payment of the instalment, then that instalment and any further sums paid by the local authority on account of the improvement grant shall, on being demanded by the local authority, forthwith become payable to them by the person to whom the instalment was paid and the instalment and any such payment shall carry interest at the rate prescribed by regulations under section 49 of the Act of 1958 from the date on

which it was paid by the local authority until repaid under this subsection.

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(3) Compound interest under section 34 of the Act of 1958 (enforcement of conditions attached to improvement grants and standard grants) shall be payable in respect of the period down to payment of the sum in question to the local authority, but shall not be payable in respect of any liability which has merged in a judgment debt in respect of the period for which it has so merged.

**55.**—(1) In section 114(1) of the Act of 1950 (which, as extended by section 22 of the Act of 1959, and as amended by section 24(2) of that Act, imposes conditions in connection with the making of improvement grants under Part VII of the Act of 1950, and of standard grants, which operate for ten years) for the word “ten” there shall, as respects grants made before or after the coming into force of this section, be substituted the word “three”.

Conditions attaching to improvement grants and standard grants in Scotland.

(2) If under section 112(2) of the Act of 1950 an instalment of an improvement grant is paid before the completion of the works, and the works are not completed within twelve months of the date of payment of the instalment, then that instalment and any further sums paid by the local authority on account of the improvement grant shall, on being demanded by the local authority, forthwith become payable to them by the person to whom the instalment was paid, and the instalment and any such payment shall carry interest at the rate prescribed by regulations under section 122 of the Act of 1950 from the date on which it was paid by the local authority until repaid under this subsection.

(3) Compound interest under section 114(2) of the Act of 1950 (enforcement of conditions attached to improvement grants) shall be payable in respect of the period down to the payment of the sum in question to the local authority.

**56.**—(1) Schedule 4 to the Act of 1958 (paragraph 4 of which includes a rent limit among the conditions to be observed by owners of dwellings in receipt of improvement grants or standard grants) shall, where that Schedule applies in consequence of the making of an improvement grant or standard grant on an application made after the coming into force of this section, have effect as if the following provisions of this section were included in that paragraph.

Conditions attaching to improvement grants and standard grants in England and Wales: rent limit.

(2) The rent payable by the occupier of the dwelling under a tenancy—

- (a) which is not a controlled tenancy, and
- (b) which is not a tenancy falling within paragraph (c) or (d) of section 33 of the Housing Repairs and Rents Act 1954 (which exclude from the operations of the

## PART III

Rent Acts certain tenancies where the interest of the landlord belongs to a housing association or a housing trust).

shall not exceed a rent at an annual rate equal to the limit imposed by this section, and so much of the said paragraph 4 as applies the limit imposed by section 20 of the Rent Act 1957 shall not apply to the rent under that tenancy.

(3) Subject to this section, the limit shall be the 1963 gross value of the dwelling together with—

- (a) the annual amount, ascertained in accordance with Schedule 2 to the Rent Act 1957, of any rates for the first rental period of the tenancy, being rates borne by the landlord or a superior landlord, and
- (b) such annual amount as may be agreed in writing between the landlord and the tenant or determined by the county court to be a reasonable charge for any services for the tenant provided by the landlord or a superior landlord during the first rental period of the tenancy, or any furniture which under the terms of the tenancy the tenant is entitled to use during that period.

In this subsection “first rental period” means, in relation to a tenancy subsisting on the date when the conditions take effect, the rental period comprising that date and, in the case of any other tenancy, the first rental period of the tenancy.

(4) Sections 2, 3, 4, 5 and 19 of the Rent Act 1957 (which enable the rent limit under that Act to be increased and confer jurisdiction on the county court in questions concerning that rent limit) shall apply in relation to the limit under this section and the tenancy as they apply to the rent limit under that Act and a controlled tenancy so, however, that—

- (a) in sections 3 and 4 of that Act as so applied for references to the basic rental period there shall be substituted references to the first rental period as defined in the last foregoing subsection, and
- (b) in section 5 of that Act as so applied for the reference to the commencement of that Act there shall be substituted a reference to 13th November 1963.

(5) In this section “1963 gross value”, in relation to a dwelling, means, subject to the provisions of Schedule 2 to this Act, the gross value thereof as shown in the valuation list on 13th November 1963 or, where the dwelling forms part only of a hereditament shown in that list, such proportion of the gross value shown in that list for that hereditament as may be agreed in writing between the landlord and the tenant or determined by the county court.

(6) The Minister may by regulations under section 49 of the Act of 1958 direct that in such cases as may be prescribed by



the regulations (including, if so provided, cases where conditions under Schedule 4 to that Act took effect before the coming into force of the regulations) this section and Schedule 2 to this Act shall have effect as if for 13th November 1963 there were substituted such later date, being a date after the valuation list which is in force on that date in 1963 ceases to be in force, as may be specified in the regulations, and regulations made in pursuance of this subsection may contain such transitional, consequential and other provisions as appear to the Minister to be expedient, including provisions for modification of the term "1963 gross value" and of references to 1st April 1964 in Schedule 2 to this Act.

(7) Section 25 of the Rent Act 1957 shall apply for the interpretation of this section.

(8) Section 12 of the Act of 1959 (under which the local authority may fix a rent limit higher than that prescribed by paragraph 4 of the said Schedule 4 to the Act of 1958) shall apply in relation to the said paragraph 4 as amended by this section, and accordingly—

(a) the references in subsections (1), (2) and (5) of the said section 12 to the limit imposed by section 20 of the Rent Act 1957 shall include references to the limit imposed by subsection (2) of this section, and

(b) in the said section 12(2) as applied by this section the reference to section 20(3) of the Rent Act 1957 shall be omitted.

(9) The provisions of this section, so far as providing for a limit higher than the limit imposed by section 20 of the Rent Act 1957, shall be without prejudice to any limit imposed under Schedule 4 to the Rent Act 1957 (transitional provisions on decontrol) or under Schedule 4 to the Act of 1958 as applied in relation to any improvement grant or standard grant made on an application which was made before the coming into force of this section.

(10) This section shall not apply to Scotland.

#### *Miscellaneous*

57.—(1) Any person who is liable to incur expenditure in complying with an immediate improvement notice or final improvement notice served, or an undertaking accepted, under Part II of this Act, or who is liable to make a payment as directed by a court under section 27(8) of this Act, may apply to the local authority for a loan.

(2) Subject to this section, if the local authority are satisfied that the applicant can reasonably be expected to meet obligations assumed by him in pursuance of this section in respect of a loan of the amount of the expenditure or payment to which the application relates, the local authority shall offer to enter

Duty of local authority in England and Wales to offer loans to meet expenses of compulsory improvement under Part II of Act.

**PART III**

into a contract with the applicant for a loan by the local authority to the applicant of that amount, to be secured to the local authority by a mortgage of the applicant's interest in the premises consisting of or comprising the dwelling or dwellings.

(3) Subject to this section, if the local authority are not so satisfied, but consider that the applicant can reasonably be expected to meet obligations assumed by him in pursuance of this section in respect of a loan of a smaller amount, the local authority may, if they think fit, offer to enter into a contract with the applicant for a loan by the local authority to the applicant of that smaller amount, to be secured as mentioned in the last foregoing subsection.

(4) Any contract entered into by the local authority under this section shall contain a condition to the effect that, if a standard grant or improvement grant becomes payable under section 4 of the Act of 1959 or section 30 of the Act of 1958 in respect of the expenditure or payment to which the application under this section relates, the local authority shall not be required to lend a sum greater than the amount of the expenditure or payment to which the application relates after deduction of the amount of the standard grant or, as the case may be, the improvement grant.

(5) The local authority shall not make an offer under the foregoing provisions of this section unless they are satisfied—

- (a) that the applicant's interest in the said premises amounts to an estate in fee simple absolute in possession or an estate for a term of years absolute which will not expire before the date for final repayment of the loan, and
- (b) that, according to a valuation made on behalf of the local authority, the amount of the principal of the loan does not exceed the value which it is estimated the mortgaged security will bear after improvement of the dwelling or dwellings to the full or, as the case may be, the reduced standard.

(6) The rate of interest payable on a loan under this section shall be such as the Minister may direct either generally or in any particular case, and the Minister may, if he thinks fit, give directions, either generally or in any particular case, as to the time within which a loan under this section, or any part of such a loan, is to be repaid.

(7) Subject to the foregoing provisions of this section, the contract offered by the local authority under this section shall require proof of title and shall contain such other reasonable terms as the local authority may specify in their offer.

(8) The local authority's offer may in particular include any such terms as are described in section 43(3)(c) of the Act of 1958 (repayment of principal and interest), and provision for the advance being made by instalments from time to time as the works of improvement progress.

(9) An application under this section must be made in writing within three months of the date when the improvement notice becomes operative or the undertaking is accepted or the payment is to be made as directed by the court, as the case may be, or such longer period as the local authority by permission given in writing may allow.

(10) References in this section to the dwelling are references to the dwelling to which the improvement notice or undertaking relates, or in respect of which the payment is to be made, and the reference to the improvement of the dwelling to the full standard or the reduced standard shall be construed as if contained in Part II of this Act.

(11) Where a standard grant or improvement grant is payable partly in respect of expenditure or a payment to which the application under this section relates, and partly in respect of other expenditure or another payment, the reference in subsection (4) of this section to a standard grant or improvement grant shall be taken as a reference to the part of the standard grant or improvement grant which in the opinion of the local authority is attributable to the expenditure or payment to which the application under this section relates.

(12) This section shall not apply to Scotland.

**58.**—(1) Any person who is liable to incur expenditure in complying with an immediate improvement notice or a final improvement notice served, or an undertaking accepted, under Part II of this Act in Scotland, or who is liable to make a payment as directed by the sheriff under section 27(8) of this Act, may apply to the local authority for a loan.

Duty of local authority in Scotland to offer loans to meet expenses of compulsory improvement under Part II of Act.

(2) Subject to this section, if the local authority are satisfied that the applicant can reasonably be expected to meet obligations assumed by him in pursuance of this section in respect of a loan of the amount of the expenditure or payment to which the application relates, the local authority shall offer to make a loan of that amount to the applicant, the loan to be secured to the local authority by a bond and disposition in security of the premises consisting of or comprising the dwelling, or by a bond and assignation in security of a lease of those premises, or by a bond and such other deed of security over the applicant's estate or interest in the said premises as may be agreed between the local authority and the applicant.

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(3) Subject to this section, if the local authority are not so satisfied, but consider that the applicant can reasonably be expected to meet obligations assumed by him in pursuance of this section in respect of a loan of a smaller amount, the local authority may, if they think fit, offer to make a loan of that smaller amount to the applicant, the loan to be secured as mentioned in the last foregoing subsection.

(4) Any offer made by the local authority under this section shall contain a condition to the effect that, if a standard grant or improvement grant becomes payable under section 19 of the Act of 1959 or section 111 of the Act of 1950 in respect of the expenditure or payment to which the application under this section relates, the local authority shall not be required to lend a sum greater than the amount of the expenditure or payment to which the application relates after deduction of the amount of the standard grant or, as the case may be, of the improvement grant.

(5) The local authority shall not make an offer under the foregoing provisions of this section unless they are satisfied—

(a) that the applicant's estate or interest in the said premises amounts to ownership or a lease for a period which will not expire before the date for final repayment of the loan, and

(b) that, according to a valuation made on behalf of the local authority, the amount of the principal of the loan does not exceed the value which it is estimated the subjects comprised in the security will bear after improvement of the dwelling or dwellings to the full or, as the case may be, the reduced standard.

(6) The rate of interest payable on a loan under this section shall be such as the Secretary of State may direct either generally or in any particular case, and the Secretary of State may, if he thinks fit, give directions, either generally or in any particular case, as to the time within which a loan under this section, or any part of such a loan, is to be repaid.

(7) Subject to the foregoing provisions of this section, the loan offered by the local authority under this section shall be subject to such reasonable terms as the local authority may specify in their offer.

(8) The local authority's offer may in particular include any such terms as are described in section 75(3)(c) of the Act of 1950 (repayment of principal and interest) and provision for the advance being made by instalments from time to time as the works of improvement progress.

(9) An application under this section must be made in writing within three months of the date when the improvement notice becomes operative or the undertaking is accepted or the payment is to be made as directed by the sheriff, as the case may be, or such longer period as the local authority by permission given in writing may allow.

(10) References in this section to the dwelling are references to the dwelling to which the improvement notice or undertaking relates or in respect of which the payment is to be made, and the reference to the improvement of the dwelling to the full standard or the reduced standard shall be construed as if contained in Part II of this Act.

(11) Where a standard grant or improvement grant is payable partly in respect of expenditure or a payment to which the application under this section relates, and partly in respect of other expenditure or another payment, the reference in subsection (4) of this section to a standard grant or improvement grant shall be taken as a reference to the part of the standard grant or improvement grant which in the opinion of the local authority is attributable to the expenditure or payment to which the application under this section relates.

**59.**—(1) If the person having control of a dwelling or other premises is served with an immediate improvement notice or a final improvement notice under Part II of this Act, that person or, if any such notice was served on a person as being one who received the rack-rent of the premises as agent or trustee for any other person, that other person may, by notice in writing served on the local authority at any time within six months from the date on which the improvement notice becomes operative require the local authority to purchase his interest in the premises in accordance with this section.

Compulsory improvement notice under Part II of Act: right to serve purchase notice.

(2) On service of a notice under the foregoing subsection the local authority shall be deemed to be authorised to acquire the interest of the said person in the premises compulsorily under the Lands Clauses Acts and to have served a notice to treat in respect of that interest on the date of the service of the notice under the foregoing subsection.

(3) Paragraphs 2, 3 and 5 of Schedule 2 to the Acquisition of Land (Authorisation Procedure) Act 1946 (which contain provisions modifying the Lands Clauses Acts in relation to compulsory purchases under that Act) shall apply in relation to compulsory purchases under this section.

(4) Within twenty-one days of receipt of a notice served by any person under subsection (1) of this section the local authority shall notify every other person who is to their knowledge an owner, lessee or mortgagee of the premises, or who is the occupier of the premises.

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## (5) In the application of this section to Scotland—

- (a) in subsection (1), for the reference to a person who received the rack-rent of the premises as agent or trustee for any other person there shall be substituted a reference to a person who received the rent of the premises as trustee, tutor, curator, factor or agent for or of any other person ;
- (b) in subsection (3), for the reference to paragraphs 2, 3 and 5 of Schedule 2 to the Acquisition of Land (Authorisation Procedure) Act 1946 there shall be substituted a reference to paragraphs 2 and 3 of Schedule 2 to the Acquisition of Land (Authorisation Procedure) (Scotland) Act 1947.

Amount of improvement grant for dwellings provided by conversion of houses of three or more storeys in England and Wales.

**60.**—(1) Section 32(1)(b) of the Act of 1958 (which limits the amount of an improvement grant under Part II of that Act for each dwelling provided by the improvement works to four hundred pounds or such other amount as may be prescribed) shall have effect in relation to a dwelling provided by a conversion of a house which consists of three or more storeys as if for the words “four hundred pounds” there were substituted the words “five hundred pounds”.

(2) The reference in the foregoing subsection to the number of storeys shall, if any of the dwellings provided by the improvement works is a dwelling all or part of which is in the basement, include the basement as one of the number of storeys of the house.

(3) The Minister’s power under the said section 32(1)(b) to vary the amount specified in that paragraph shall be exercisable separately as respects the amount of four hundred pounds mentioned in that section and as respects the amount of five hundred pounds substituted by this section in the cases specified in this section.

(4) This section shall not have effect as respects applications made to a local authority before the coming into force of this section.

Amount of improvement grant in Scotland.

**61.**—(1) Section 112(1)(b) of the Act of 1950 (which limits the amount of an improvement grant under Part VII of that Act for each dwelling provided by the improvement works to four hundred pounds or such other amount as may be prescribed) shall have effect as if for the words “four hundred pounds” there were substituted the words “five hundred pounds”.

(2) This section shall not have effect as respects applications made to a local authority before the coming into force of this section.

**62.**—(1) A contribution to a local authority under section 105 of the Act of 1950 (which authorises the Secretary of State to make payments towards the annual loss likely to be incurred by a local authority in carrying out approved proposals for the conversion or improvement of houses) shall, instead of being such a contribution as is mentioned in that section, be a contribution towards—

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Amount of  
exchequer  
payments  
under s. 105  
of Act of 1950,  
etc., in  
Scotland.

- (a) the cost of the works of conversion or improvement required for carrying out the proposals, and
- (b) any expense incurred by the local authority in acquiring interests in land for the purpose of giving effect to the proposals ;

and the following provisions of this section shall have effect with respect to such a contribution.

(2) The contribution shall be a sum equal to three-eighths of the annual loan charges referable to an amount determined in accordance with subsections (3) and (4) of this section, payable annually for the period of twenty financial years beginning with the year in which the carrying out of the proposals was completed or for such period, not exceeding sixty financial years beginning as aforesaid, as may be determined by the Secretary of State.

(3) The said amount shall be determined by the Secretary of State when approving the proposals and shall, subject to subsection (4) of this section, be the amount appearing to him to be the aggregate of—

- (a) the cost likely to be incurred by the local authority in carrying out the works, and
- (b) any expense likely to be incurred by the local authority in acquiring interests in land for the purpose of giving effect to the proposals.

(4) The amount so determined shall not exceed fourteen hundred pounds, or such other amount as may be specified by order of the Secretary of State, for each dwelling provided or improved by the works, unless the Secretary of State is satisfied in any particular case that in all the circumstances of the case there is good reason for determining a higher amount.

(5) The Secretary of State may by order reduce, as respects proposals approved after such date as may be specified in the order, the proportion of the said annual loan charges, but not below one-third.

(6) For the purposes of this section, the annual loan charges referable to any amount shall be the annual sum which, in the opinion of the Secretary of State, would fall to be provided by

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a local authority for the payment of interest on, and the repayment of, a loan of that amount repayable over the period of twenty years or, in a case where the Secretary of State has determined a longer period under subsection (2) of this section, that longer period.

(7) Any order made under this section shall be made by statutory instrument, and—

(a) a statutory instrument containing an order under subsection (4) of this section shall be subject to annulment in pursuance of a resolution of either House of Parliament; and

(b) an order under subsection (5) of this section—

(i) shall not be made unless a draft thereof has been approved by a resolution of the Commons House of Parliament;

(ii) shall not specify a date earlier than the date of the laying of the draft;

and before laying such a draft the Secretary of State shall consult with such associations of local authorities as appear to him to be concerned.

(8) The foregoing provisions of this section shall apply in relation to—

(a) contributions falling to be made by the Secretary of State to a local authority in pursuance of section 121 of the Act of 1950 (assistance towards improvement of housing accommodation by housing associations and development corporations under arrangements made by them with local authorities), and

(b) payments falling to be made by the Secretary of State to a housing association in pursuance of section 14 of the Act of 1962 (assistance towards improvement of housing accommodation by housing associations under arrangements made by them with the Secretary of State),

as they apply in relation to the contributions mentioned in subsection (1) of this section; and for the purposes of such application this section shall have effect—

(i) in relation to contributions under the said section 121, as if for the references to cost or expense incurred or likely to be incurred by a local authority, and to the approval of proposals by the Secretary of State, there were substituted respectively references to cost or expense incurred or likely to be incurred by a housing association or development corporation, and to the approval by the Secretary of State of arrangements made by a local authority with a housing association or development corporation;



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- (ii) in relation to payments under the said section 14, as if for the references to a local authority and to the approval of proposals by the Secretary of State there were substituted respectively references to a housing association and to the making of arrangements by the Secretary of State with a housing association ;

and subject to any other necessary modifications.

(9) A local authority submitting to the Secretary of State for approval such proposals as are mentioned in the said section 105 or such arrangements as are mentioned in the said section 121, and a housing association wishing to make with the Secretary of State such arrangements as are mentioned in the said section 14, shall furnish to the Secretary of State such estimates and such particulars as he may require for the purposes of this section.

(10) This section shall not affect the nature or amount of any contributions or payments falling to be made by the Secretary of State in connection with (as the case may be) proposals or arrangements approved, or arrangements made, before the coming into operation of this section.

63.—(1) The following enactments (which authorise the Minister to make contributions to local authorities in respect of houses converted or improved by them and dwellings provided by them with the standard amenities), that is—

(a) section 9 of the Act of 1958, and section 15 of the Act of 1959, and

(b) section 13 of the Act of 1959 and section 47 of this Act,

Exchequer contributions to the Commission for the New Towns and development corporations in respect of improvements.

shall apply as if references in those sections to a local authority included references to—

- (i) the Commission for the New Towns, and
- (ii) any development corporation established under the New Towns Act 1946.

(2) Section 105 of the Act of 1950 (which authorises the Secretary of State to make contributions to local authorities in respect of houses converted or improved by them) shall apply as if references in that section to a local authority included references to any development corporation established under the New Towns Act 1946.

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## HOUSES IN MULTIPLE OCCUPATION

*Amendments of Part II of Act of 1961*

64.—(1) Subject to this section, any expenses recoverable by a local authority under section 18(3) of the Act of 1961 (default powers of local authority as respects work to be carried out under Part II of that Act) together with interest accrued due thereon, shall, until recovered, be a charge on the premises

Recovery of local authority's expenses under Part II of Act of 1961.

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to which the notice relates and on all estates and interests therein.

The provisions of this subsection shall be in substitution for the provisions of section 18(4) of the Act of 1961 (which charges the expenses on the estate or interest of the person on whom the notice was served), and subsection (5) of that section (which relates to the enforcement of a charge) shall apply as if the reference to that subsection (4) were a reference to this subsection.

(2) On the date on which a local authority under the said section 18(3) serve a demand for expenses incurred by them, they shall also serve a copy of the demand on every person who is to their knowledge an owner or lessee or mortgagee of the house or building; and within twenty-one days from that date any person may appeal to the county court against the demand.

On the appeal no question may be raised which might have been raised on an appeal against the relevant notice under section 14(5) or 17(1) of the Act of 1961.

(3) Until the demand becomes operative in accordance with this section the charge under subsection (1) of this section shall not take effect, and accordingly in section 18(5) of the Act of 1961 for the words from "date" to the end of the subsection there shall be substituted the words "date when the charge takes effect".

(4) Any such demand shall, if no appeal is brought under this section, become operative on the expiration of twenty-one days from the date of service of the demand on the person on whom the relevant notice was served; and any such demand against which an appeal is brought shall, if and so far as it is confirmed on appeal, become operative on the final determination of the appeal.

(5) Any such demand shall, subject to the right of appeal conferred by this section, be final and conclusive as to any matters which can be raised on any such appeal and as to any matters which could have been raised on an appeal against the relevant notice under section 14(5) or 17(1) of the Act of 1961.

(6) In section 14(4) of the Act of 1961 (under which a local authority are to inform any owner or lessee of the serving of a notice under that section), and in section 15(4) of that Act (which, as extended by section 16 of that Act, contains corresponding provisions for sections 15 and 16) after the words "or lessee" there shall be inserted the words "or mortgagee".

(7) The right of appeal conferred by sections 14(5) and 17(1) of the Act of 1961 (appeal against notices under sections 14, 15 and 16) shall be exercisable not only by the person on whom the notice was served but also by any other person who is an owner, lessee or mortgagee of the house or building to which the notice relates.

(8) So much of section 18 of the Act of 1961 as authorises the recovery of expenses incurred by a local authority summarily as a civil debt shall cease to have effect.

(9) This section shall have effect as respects any notice served after the coming into force of this section.

(10) This section shall be construed as one with Part II of the Act of 1961.

**65.**—(1) Subject to this section, if a person on whom a notice has been served under section 14, section 15 or section 16 of the Act of 1961 (power to require execution of works) wilfully fails to comply with the notice, he shall be liable on summary conviction—

- (a) in the case of a first offence under this subsection, to a fine not exceeding one hundred pounds, and
- (b) in the case of a second or subsequent offence under this subsection, to a fine not exceeding one hundred pounds or to imprisonment for a term not exceeding three months, or to both.

(2) In section 18(2) of the Act of 1961 (under which the local authority can carry out works specified in such a notice before the time limited by the notice if notified by the person on whom the notice was served that he does not intend to do the work) for the words “does not intend” there shall be substituted the words “is not able”, and if the local authority on being so notified serve notice that they propose to do the work and relieve the person served with the notice from liability under this section, no liability shall arise under this section in respect of the notice requiring the execution of works.

(3) Subsection (1) of this section shall be without prejudice to the exercise by the local authority of their powers of carrying out the works under the said section 18.

(4) Section 159 of the Act of 1957 (which confers powers of entry for the purposes mentioned in that section) shall apply to entry for the purpose of ascertaining whether there has been an offence under this section, but so much of the said section 159 as requires notice to be given of the intended entry shall not apply to entry for the purpose mentioned in this subsection.

The provisions of this subsection are without prejudice to section 28(2) of the Act of 1961 (under which Part II of that Act is construed as one with the Act of 1957).

(5) For the purposes of this section, and of section 18(1) of the Act of 1961,—

- (a) where no appeal is brought against a notice under section 14, section 15 or section 16 of that Act, the notice is not complied with if the works specified in

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the notice are not completed within the period so specified, with any extension duly permitted by the local authority, and

- (b) where an appeal is brought against any such notice, the notice, in so far as it is confirmed on appeal, is not complied with if the works specified in the notice are not completed within twenty-eight days from the final determination of the appeal, or such longer period as the court in determining the appeal may fix.

(6) Subsections (4) and (5) of section 23 of the Act of 1961 (criminal liability of directors and other officers of body corporate) shall apply in relation to an offence punishable under this section.

Execution of works under Part II of Act of 1961.

**66.** Section 161 of the Act of 1957 (penalty for preventing execution of repairs) shall apply as if any reference in that section to Part II of that Act included a reference to Part II of the Act of 1961.

Overcrowded houses and execution of works in overcrowded houses.

**67.—(1)** If the condition of a house which, or a part of which, is let in lodgings, or which is occupied by members of more than one family, is, in the opinion of the local authority, defective in one or more of the ways described in section 15(1) of the Act of 1961, having regard to the number of individuals or households, or both, accommodated for the time being on the premises, the notice which the local authority may serve under that subsection may be a notice specifying the works which in the opinion of the local authority are required for rendering the premises reasonably suitable for occupation by a number of individuals or households smaller than the number accommodated for the time being on the premises.

(2) A notice served in pursuance of the foregoing subsection shall specify the number of individuals or households, or both, which in the opinion of the local authority the premises could reasonably accommodate if the works specified in the notice were carried out, and one of the grounds on which an appeal may be brought under section 17 of the Act of 1961 against such a notice shall be that the number so specified in the notice is unreasonably low.

(3) Where the local authority have in pursuance of the foregoing provisions of this section served a notice specifying the number of individuals or households, or both, which in the opinion of the local authority the premises could reasonably accommodate if the works specified in the notice were carried out, the local authority may adopt that number of individuals (or a number of individuals determined by reference to that number of households) in fixing a limit under section 19(1) of

the Act of 1961 (directions to prevent or reduce overcrowding in houses in multiple occupation) as respects the house.

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(4) No notice shall be served under section 15(1) of the Act of 1961 in pursuance of subsection (1) of this section as respects a building which is not a house but to which the said section 15 is applied by section 21 of the Act of 1961.

(5) In section 19(2) of the Act of 1961 (which imposes certain duties on the occupier for the time being of a house in respect of which a direction is given under that section fixing a limit as regards the numbers who should live there) the reference to the occupier for the time being of the house shall include a reference to any person who is for the time being entitled or authorised to permit individuals to take up residence in the house or any part of the house.

68.—(1) Where it is shown to the satisfaction of a justice of the peace, on sworn information in writing, that admission to premises specified in the information is reasonably required by a person employed by, or acting on the instructions of, a local authority for the purpose—

Warrant to authorise entry for purposes of Part II of Act of 1961.

- (a) of survey and examination to determine whether any powers under Part II of the Act of 1961 should be exercised in respect of the premises, or
- (b) of ascertaining whether there has been a contravention of any regulations or direction made or given under the said Part II,

the justice, subject to this section, may by warrant under his hand authorise that person to enter on the premises for the purposes mentioned in paragraphs (a) and (b) above, or for such of those purposes as may be specified in the warrant.

(2) A justice of the peace shall not grant a warrant under this section unless he is satisfied—

- (a) that admission to the premises has been refused and, except where the purpose specified in the information—
  - (i) is the survey and examination of premises to determine whether there has been a failure to comply with a notice under section 14, section 15 or section 16 of the Act of 1961, or
  - (ii) is to ascertain whether there has been a contravention of any regulations or direction made or given under Part II of the Act of 1961,

that admission was sought after not less than twenty-four hours' notice of the intended entry had been given to the occupier, or

## PART IV

(b) that an application for admission to the premises would defeat the object of the entry.

(3) Every warrant granted under this section shall continue in force until the purpose for which the entry is required has been satisfied.

(4) Any person who, in the exercise of a right of entry under this section, enters any premises which are unoccupied, or premises of which the occupier is temporarily absent, shall leave the premises as effectually secured against trespassers as he found them.

(5) Any power of entry conferred by this section—

(a) shall include power to enter, if need be, by force, and

(b) may be exercised by the person on whom it is conferred either alone or together with any other persons.

Management code to be available for certain tenement blocks.

**69.**—(1) If on 13th November 1963 all or any of the dwellings in a tenement block are without one or more of the standard amenities, sections 12 to 14 of the Act of 1961 shall, after the coming into force of this section, apply to the tenement block as if references in those sections to a house which, or a part of which, is let in lodgings or which is occupied by members of more than one family included references to the tenement block.

(2) If a local authority make an order under the said section 12 as applied by the foregoing subsection as respects a tenement block at a time when another order under that section is in force as respects one of the dwellings in the tenement block, they shall revoke the last-mentioned order.

(3) References to a house in sections 18 and 23 of the Act of 1961 shall include references to a tenement block to which this section applies.

(4) Expressions in this section to which meanings are given in Part II of this Act shall have the same meanings in this section.

Registers of houses in multiple occupation.

**70.**—(1) In section 22(1) of the Act of 1961 (registers of houses in multiple occupation) the words “At any time not less than three years from the commencement of this Act” shall cease to have effect.

(2) In section 22(3)(b) of the Act of 1961 (under which a duty of notifying the local authority that a house is registrable may be imposed as regards houses and buildings first becoming registrable after the compilation of the register) the words “as regards houses and buildings first becoming registrable after the compilation of the register” shall cease to have effect.

*Extension of Part II of Act of 1961 as amended to Scotland* PART IV

**71.**—(1) Part II of the Act of 1961 shall apply to Scotland subject to the adaptations set out in Part I of Schedule 3 to this Act, and for the purpose of amending the said Part II in relation to Scotland sections 64 to 70 of this Act shall apply to Scotland subject to the adaptations set out in Part II of that Schedule.

Extension of Part II of Act of 1961 as amended to Scotland.

(2) In accordance with the foregoing subsection Part II of the Act of 1961 shall have effect in Scotland as set out in Part III of Schedule 3 to this Act.

(3) In this Act, unless the context otherwise requires, references to Part II of the Act of 1961 or to any of the provisions of the said Part II shall include references to the said Part II or to that provision, as the case may be, as applied to Scotland by subsection (1) of this section.

*Restriction on recovery of possession after making of compulsory purchase order*

- 72.**—(1) The provisions of this section shall apply where—
- (a) a local authority have made an order under Part I of Schedule 1 to the Acquisition of Land (Authorisation Procedure) Act 1946, as applied to the acquisition of land under the Act of 1957, authorising the compulsory acquisition of a house which, or a part of which, is let in lodgings, or which is occupied by members of more than one family, and
  - (b) any premises forming part of that house are at a time in the relevant period occupied by a person (in this section referred to as “the former lessee”) who was the lessee of those premises when the order was made or became the lessee thereof after the order was made, but who is no longer the lessee thereof.

Restriction on recovery of possession after making of compulsory purchase order.

In this section “the relevant period” means the period of twelve months beginning with the making of the said order or, if at a time before the expiration of the said period of twelve months the Minister notifies the local authority that he declines to confirm the order, or the order is quashed by a court, the period beginning with the making of the order and ending with that time.

(2) Subject to this section, in proceedings in the county court instituted during the relevant period to enforce against the former lessee the right to recover possession of the premises the court may if it thinks fit—

- (a) suspend the execution of any order for possession of

## PART IV

the premises made in the proceedings for such period, not exceeding the period of twelve months beginning with the making of the said compulsory purchase order, and subject to such conditions, if any, as the court thinks fit, and

- (b) from time to time vary the period of suspension (but not so as to enlarge that period beyond the end of the said period of twelve months), or terminate it, and vary the terms of the order in other respects.

If at any time the Minister notifies the local authority that he declines to confirm the said compulsory purchase order, or that order is quashed by a court, or, whether before or after that order has been submitted to the Minister for confirmation, the local authority decide not to proceed with it, it shall be the duty of the local authority to notify the person entitled to the benefit of the order for possession of the premises, and that person shall be entitled, on applying to the court, to obtain an order terminating the period of suspension, but subject to the exercise of such discretion in fixing the date on which possession is to be given as the court might exercise apart from this subsection if it were then making an order for possession for the first time.

(3) Subject to this section, it shall not be lawful at any time in the relevant period for the person who, as against the former lessee, is entitled to possession of the premises to enforce against the former lessee, otherwise than by proceedings in the county court, the right to recover possession of the premises.

(4) Subsections (2) and (3) of this section shall not apply—

- (a) where the person so entitled is the local authority, or  
 (b) where the net annual value for rating of the premises exceeds the limit imposed by section 48 of the County Courts Act 1959 (jurisdiction in actions for recovery of land).

(5) If any person contravenes the provisions of subsection (3) of this section he shall, without prejudice to any liability or remedy to which he may be subject in civil proceedings, be liable on summary conviction to a fine not exceeding one hundred pounds or to imprisonment for a term not exceeding six months, or both.

(6) Subsections (4) and (5) of section 23 of the Act of 1961 (criminal liability of directors and other officers of body corporate) shall apply in relation to an offence punishable under this section.

(7) In the application of this section to Scotland—

- (a) for any reference to the Minister there shall be substituted a reference to the Secretary of State ;



- (b) in subsection (1), for the reference to the Acquisition of Land (Authorisation Procedure) Act 1946 and to the Act of 1957 there shall be substituted respectively references to the Acquisition of Land (Authorisation Procedure) (Scotland) Act 1947 and to the Act of 1950;
- (c) in subsection (2), for any reference to the county court there shall be substituted a reference to a court of competent jurisdiction;
- (d) for subsections (3), (4) and (5) there shall be substituted the following subsections:—

“ (3) Subject to this section, if at any time in the relevant period the person who, as against the former lessee, is entitled to possession of the premises enforces against the former lessee, otherwise than by proceedings in a court of competent jurisdiction, the right to recover possession of the premises, he shall, without prejudice to any liability or remedy to which he may be subject in civil proceedings, be guilty of an offence and liable on summary conviction to a fine not exceeding one hundred pounds or to imprisonment for a term not exceeding six months, or both.

(4) Subsections (2) and (3) of this section shall not apply where the person entitled to possession of the premises is the local authority.”

#### *Control orders*

73.—(1) A local authority may make an order under this section (in this Part of this Act referred to as a “control order”) as respects a house in their district which, or a part of which, is let in lodgings, or which is occupied by members of more than one family—

Making of control order.

- (a) if an order under section 12 of the Act of 1961 is in force as respects the house, or a notice has been served or direction given as respects the house under section 14, section 15 or section 19 of that Act, or
- (b) if it appears to the local authority that the state or condition of the house is such as to call for the taking of any such action as may be taken under any of those sections,

and if it appears to the local authority that the living conditions in the house are such that it is necessary to make the control order in order to protect the safety, welfare or health of persons living in the house.

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(2) A control order shall come into force when it is made, and as soon as practicable after making a control order the local authority shall, in exercise of the powers conferred in this Part of this Act, and having regard to the duties imposed on them by this Part of this Act, enter on the premises and take all such immediate steps as appear to them to be required to protect the safety, welfare or health of persons living in the house.

(3) As soon as practicable after making a control order the local authority shall—

(a) post a copy of the order, together with a notice as described in subsection (4) of this section, in some position in the house where it is accessible to those living in the house, and

(b) serve a copy of the order, together with such a notice, on every person who, to the knowledge of the local authority,—

(i) was, immediately before the coming into force of the control order, a person managing, or having control of, the house within the meaning of this Part of this Act, or

(ii) is an owner or lessee or mortgagee of the house.

(4) The notice mentioned above shall set out the effect of the order in general terms, referring to the rights of appeal against control orders conferred by this Part of this Act and stating the principal grounds on which the local authority consider it necessary to make a control order.

(5) As soon as practicable after the making of a control order, the control order shall be registered in the register of local land charges by the proper officer of the local authority in the prescribed manner.

The power conferred by section 15(6) of the Land Charges Act 1925 to make rules giving effect to the provisions of that section shall be exercisable for giving effect to the provisions of this subsection; and in this subsection “prescribed” means prescribed by rules made in the exercise of that power.

(6) In the application of this section to Scotland, subsection (5) shall not apply, but as soon as practicable after the making of a control order the local authority shall cause the order to be recorded in the General Register of Sasines.

General  
effect of  
control  
order.

74.—(1) While a control order is in force the local authority shall, subject to the provisions of the next following section relating to persons who are occupying parts of the house, have

the right to possession of the premises and the right to do (and authorise others to do) in relation to the premises anything which any person having an estate or interest in the premises would, but for the making of the control order, be entitled to do without incurring any liability to any such person except as expressly provided by this Part of this Act.

(2) Subject to the next following subsection, the local authority may, notwithstanding that they do not, under this section, have an interest amounting to an estate in law in the premises, create an interest in the premises which, as near as may be, has the incidents of a leasehold and, subject to the provisions of the next following section relating to the Rent Acts and to any other express provision of this Part of this Act, any enactment or rule of law relating to landlords and tenants or leases shall apply in relation to any interest created under this section, and in relation to any lease to which the local authority become a party under the next following section, as if the local authority were the legal owner of the premises.

(3) The local authority shall not, in exercise of the powers conferred by this section, create any right in the nature of a lease or licence which is for a fixed term exceeding one month, or which is terminable by notice to quit (or an equivalent notice) of more than four weeks:

Provided that this subsection shall not apply to a right created with the consent in writing of the person or persons who would have power to create that right if the control order were not in force.

(4) On the coming into force of a control order any order under section 12 of the Act of 1961, and any notice or direction under section 14, 15, 16 or 19 of that Act, shall cease to have effect as respects the house to which the control order applies, but without prejudice to any criminal liability incurred before the coming into force of the control order, or to the right of the local authority to recover any expenses incurred in carrying out any works.

(5) References in Part V of the Act of 1957 or in any other enactment to housing accommodation provided or managed by the local authority shall not include references to any house which is subject to a control order, but this subsection shall not be taken as restricting the powers of acquiring land by agreement or compulsorily conferred on local authorities by the said Part V.

(6) In the application of this section to Scotland—

(a) in subsection (2), for the references to an estate in law and to a leasehold, there shall be substituted

## PART IV

respectively references to an estate and to a lease, and for the reference to the legal owner of the premises there shall be substituted a reference to the owner of the premises ;

- (b) in subsection (5), for the words " Part V of the Act of 1957 " there shall be substituted the words " Parts V and VIII of the Act of 1950 ".

Effect of  
control order  
on persons  
occupying  
house.

**75.**—(1) This section applies to any person—

- (a) who, at the time when a control order comes into force, is occupying any part of the house, and  
(b) who at that time is not a person who has an estate or interest in the whole of the house.

(2) The last foregoing section shall not affect the rights or liabilities of a person to whom this section applies under any lease, licence or agreement, whether in writing or not, under which that person is occupying any part of the house at the time when the control order comes into force ; and—

- (a) any such lease, licence or agreement shall, while the control order is in force, have effect as if the local authority were substituted in the lease, licence or agreement for any party to the lease, licence or agreement who has an estate or interest in the house and who is not a person to whom this section applies, and  
(b) any such lease shall continue to have effect as near as may be as a lease notwithstanding that the rights of the local authority, as substituted for the lessor, do not amount to an estate in law in the premises.

(3) Section 33 of the Housing Repairs and Rent Act 1954 (which excludes lettings by local authorities from the Rent Acts) shall not apply to any lease or agreement under which a person to whom this section applies is occupying any part of the house, and if immediately before the control order came into force any person to whom this section applies was occupying part of the house under a tenancy to which the Rent Acts applied (including a statutory tenancy), nothing in this Part of this Act shall prevent the Rent Acts from continuing to apply after the coming into force of the control order.

(4) So much of any regulations made under section 13 of the Act of 1961 (regulations prescribing management code) as imposes duties on persons who live in a house to which the

regulations apply shall apply also to persons who live in a house as respects which a control order is in force.

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(5) Without prejudice to the rights conferred on the local authority by the last foregoing section, the local authority, and any person authorised in writing by the local authority, shall have the right at all reasonable times, as against any person having an estate or interest in a house which is subject to a control order, to enter any part of the house—

- (a) for the purpose of survey and examination, and
- (b) for the purpose of carrying out any works.

(6) If the occupier of any part of a house subject to a control order, after receiving notice of the intended action, prevents any officers, agents, servants or workmen of the local authority from carrying out any works in the house, a magistrates' court may order him to permit to be done on the premises everything which the local authority consider necessary, and if he fails to comply with the order he shall, in respect of each day during which the failure continues, be liable on summary conviction to a fine not exceeding twenty pounds.

(7) In the application of this section to Scotland—

- (a) in subsection (2), for the reference to an estate in law there shall be substituted a reference to an estate ;
- (b) in subsection (3), for the reference to section 33 of the Housing Repairs and Rent Act 1954 there shall be substituted a reference to section 25 of the Scottish Act of 1954 ;
- (c) in subsection (6), for the words " a magistrates' court " there shall be substituted the words " the sheriff or any two justices of the peace sitting in open court or any magistrate having jurisdiction in the place on proof thereof " .

**76.**—(1) A local authority may exclude from the provisions of a control order any part of the house which, when the control order comes into force, is occupied by a person who has an estate or interest in the whole of the house, and, except where the context otherwise requires, references in this Part of this Act to the house do not include references to any part of the house so excluded from the provisions of the control order.

Modification of control order where dispossessed proprietor resides in part of house.

(2) The rights conferred by subsection (5) of the last foregoing section shall, so far as reasonably required for the purpose of survey and examination of a part of a house subject to a control order, or for the purpose of carrying out any works in

## PART IV

that part of a house, be exercisable as respects the part of the house which is not subject to the control order.

Duty of local authority when control order is in force.

**77.**—(1) It shall be the duty of the local authority to exercise the powers conferred on them by a control order so as to maintain proper standards of management in the house and to take such action as is needed to remedy all the matters which they would have considered it necessary to remedy by the taking of action under Part II of the Act of 1961 if they had not made a control order.

(2) It shall be the duty of the local authority to make reasonable provision for insurance of the premises subject to the control order, including any part of the premises which, under the last foregoing section, is excluded from the provisions of the control order, against destruction or damage by fire or other cause, and premiums paid for the insurance of the premises shall, for the purposes of this Part of this Act, be treated as expenditure incurred by the local authority in respect of the premises.

Periodical payments to dispossessed proprietor.

**78.**—(1) In respect of the period during which the control order is in force the local authority shall be liable to pay to the dispossessed proprietor compensation at an annual rate of an amount equal to one half of the gross value for rating purposes of the house as shown in the valuation list on the date when the control order comes into force.

(2) Compensation due under this section shall be payable by quarterly instalments, the first instalment being payable three months after the date when the control order comes into force.

(3) Compensation under this section is to be considered as accruing due from day to day and shall be apportionable in respect of time accordingly.

(4) If at the time when compensation under this section accrues due the estate or interest of the dispossessed proprietor is subject to any mortgage or charge, the compensation shall be deemed to be comprised in that mortgage or charge.

(5) For the purposes of the references in this section to the gross value of the house—

(a) where after the date on which the control order comes into force the valuation list is altered so as to vary the gross value of the house, or of the hereditament of which the house forms part, and the alteration has effect from a date not later than the date on which the control order comes into force,

## PART IV

compensation shall be payable under this section as if the gross value of the house or hereditament shown in the valuation list on the date when the control order came into force had been the amount of that value shown in the list as altered, and

- (b) if the house forms part only of a hereditament, such proportion of the gross value shown in the valuation list for that hereditament as may be agreed in writing between the local authority and the person claiming the compensation shall be the gross value of the house, and
- (c) if the house consists of or forms part of more than one hereditament, the gross value shall be ascertained by determining the gross value of each hereditament or part as if it were a separate house and aggregating the gross values so determined,

and if any dispute arises under paragraph (b) of this subsection, the local authority or the person claiming the compensation may by means of a reference in writing submit the dispute for decision by a valuation officer appointed under the enactments relating to rating.

(6) In this Part of this Act, "dispossessed proprietor" means the person by whom the rents or other periodical payments to which the local authority become entitled on the coming into force of the control order would have been receivable but for the making of the control order, and the successors in title of that person; and if different persons are the dispossessed proprietors of different parts of the house, compensation payable under this section shall be apportioned between them in such manner as they may agree (or as may, in default of agreement, and on a reference in writing, be determined by a valuation officer appointed under the enactments relating to rating) according to the proportions of the gross value of the house properly attributable to the parts of the house in which they are respectively interested.

(7) This section shall apply to Scotland subject to the following modifications:—

- (a) for the references to gross value, to the valuation list and to a hereditament there shall be substituted respectively references to gross annual value, to the valuation roll and to lands and heritages;
- (b) in subsection (5), paragraph (c) shall not apply, and for the words from "and if any dispute" to the end there shall be substituted the words "and any dispute arising under paragraph (b) of this subsection shall be determined by the sheriff on the application of either party";

## PART IV

- (c) in subsection (6), for the words “ and on a reference in writing be determined by a valuation officer appointed under the enactments relating to rating ” there shall be substituted the words “ be determined by the sheriff on the application of any of such persons ”.

Scheme  
listing works  
involving  
capital  
expenditure.

**79.**—(1) After a control order has been made, the local authority shall prepare a scheme under this section and shall, not later than eight weeks after the date on which the control order comes into force, serve a copy of the scheme on every person who is, to the knowledge of the local authority—

- (a) a dispossessed proprietor, or
- (b) an owner or lessee or mortgagee of the house,

and on any other person on whom the local authority served a copy of the said control order.

(2) The scheme shall give particulars of all works which in the opinion of the local authority—

- (a) the local authority would have required to be carried out under Part II of the Act of 1961, or under any other enactment relating to housing or public health, and
- (b) constitute works involving capital expenditure.

(3) The scheme shall also—

- (a) include an estimate of the cost of carrying out the works of which particulars are given in the scheme; and
- (b) specify what is in the opinion of the local authority the highest number of individuals or households who should, having regard to the considerations set out in section 15(1) of the Act of 1961 (which deals with lighting, ventilation, water supply and other matters) live in the house from time to time, having regard to its existing condition and to its future condition as the works progress which the local authority carry out in the house, and
- (c) include an estimate of the balances which will from time to time accrue to the local authority out of the net amount of the rent and other payments received by the local authority from persons occupying the house after deducting—
  - (i) compensation payable by the local authority under section 78 and section 81 of this Act, and
  - (ii) all expenditure, other than expenditure of which particulars are given under subsection (2) of this section, incurred by the local authority in respect of the house while the control order is in



force, together with the appropriate establishment charges.

PART IV

(4) In this Part of this Act references to surpluses on revenue account as settled by the scheme are references to the amount included in the scheme by way of an estimate under subsection (3)(c) of this section, subject to any variation of the scheme made by the local authority under the following provisions of this section, or made by the court on an appeal or an application under the following provisions of this Part of this Act.

(5) The local authority may at any time vary the scheme in such a way as to increase the amount of the surpluses on revenue account as settled by the scheme for all or any periods (including past periods).

(6) The provisions of this section shall not affect the powers conferred on a local authority by section 74 of this Act and, accordingly, a local authority shall have power to carry out any works in a house which is subject to a control order whether or not particulars of those works have been included in a scheme under this section.

80.—(1) An account shall be kept by the local authority for the period during which the control order is in force showing—

- (a) the surpluses on revenue account as settled by the scheme, and
- (b) the expenditure incurred by the local authority in carrying out works of which particulars were given in the scheme.

Recovery of capital expenditure incurred in carrying out works included in scheme.

(2) Balances shall be struck in the account at half-yearly intervals so as to ascertain the amount of expenditure under subsection (1)(b) of this section which cannot be set off against the said surpluses on revenue account, and (except where the control order is revoked by the county court on an appeal against the control order and the account under this section is no longer needed) the final balance shall be struck at the date when the control order ceases to have effect.

(3) So far as, at the end of any half-yearly period, expenditure is not set off against the said surpluses on revenue account, the expenditure shall, for the purposes of this section, carry interest at the rate, or the highest rate, for the time being fixed under section 10(6) of the Act of 1957 until it is so set off or until the charge arising under this section is satisfied.

So far as there is any sum out of the surpluses on revenue account not required to meet any expenditure incurred by the local authority, it shall go to meet interest under this subsection.

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## PART IV

(4) Except where the control order is revoked by the county court on an appeal against the control order under the following provisions of this Part of this Act, on and after the time when the control order ceases to have effect (whether on revocation by a court hearing an appeal from the county court or on the termination or revocation of the control order under the following provisions of this Act) the expenditure reasonably incurred by the local authority in carrying out works of which particulars were given in the scheme, together with interest as provided in this section, shall, so far as not set off in accordance with this section against the surpluses on revenue account as settled by the scheme, be a charge on the premises, and on all estates and interests in the premises; and section 76 of this Act shall not apply so as to restrict references to the premises in this subsection to references to the part of the premises to which a control order is applied.

(5) The local authority shall for the purpose of enforcing the said charge have all the same powers and remedies under the Law of Property Act 1925 and otherwise as if they were mortgagees by deed having powers of sale and lease, of accepting surrender of leases and of appointing a receiver.

(6) The power of appointing a receiver under the last foregoing subsection shall be exercisable at any time after the expiration of one month from the date when the charge takes effect.

(7) For the purposes of this section references to the provisions of the scheme include references to those provisions as varied under this Part of this Act and if, when the control order ceases to have effect, proceedings under the following provisions of this Part of this Act are pending which may result in a variation of the scheme, those proceedings may be continued until finally determined; and if the charge under this section is enforced before the final determination of those proceedings, the local authority shall be liable to account for any money recovered by enforcing the charge which, having regard to the decision in the proceedings as finally determined, they ought not to have recovered.

(8) In the application of this section to Scotland—

- (a) in subsection (3), for the words from “or the highest rate” to the end there shall be substituted the words “for the time being fixed under section 8(3) of the Act of 1950 until it is so set off or until a demand for such expenditure is served by the local authority under the said section 8(3), as applied by subsection (8)(c) of this section.

So far as there is any sum out of the surpluses on revenue account not required to meet any expenditure incurred by the local authority, it shall go to meet interest under this subsection.”;

## PART IV

- (b) in subsection (4), the words “(whether on revocation by a court hearing an appeal from the county court or on the termination or revocation of the control order under the following provisions of this Act)” shall be omitted, and for the words from “be a charge” to the end there shall be substituted the words “be recoverable from the dispossessed proprietor”;
- (c) subsections (5) and (6) shall not apply, but subsections (3), (4) and (5) of section 8 of the Act of 1950 (which relate to the recovery by a local authority of expenses incurred by them in executing works on an insanitary house) shall, subject to any necessary modifications, apply for the purpose of enabling a local authority to recover from the dispossessed proprietor any expenditure which, by virtue of subsection (4) of this section, is recoverable from him as they apply for the purpose of enabling a local authority to recover the first-mentioned expenses;
- (d) section 16 of the Act of 1950 (appeals) shall apply in relation to a demand by a local authority for the recovery of any such expenditure and in relation to an order made by a local authority with respect to any such expenditure;
- (e) it shall be competent for a local authority to make a charging order in favour of themselves in respect of any such expenditure, and subsections (2) to (4) of section 20, and section 21, of the Act of 1950 shall, with 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 20 and as if any reference in the said section 21 to Part II of the Act of 1950 included a reference to this Part of this Act;
- (f) section 76 of this Act shall not apply so as to restrict the effect of any charging order made by virtue of paragraph (e) of this subsection to the part of the house to which a control order is applied;
- (g) in subsection (7), for the words from “and if the charge” to the end there shall be substituted the words “and if any expenditure which, by virtue of subsection (4) of this section, is recoverable from the dispossessed proprietor is recovered from him before the final determination of those proceedings, the local authority shall be liable to account for any money so recovered which, having regard to the decision in the proceedings as finally determined, they ought not to have recovered.”.

**PART IV**  
Effect of  
control  
order on  
furnished  
lettings.

**81.—(1)** Subject to this section, if on the date on which the control order comes into force there is any furniture in the house which a resident in the house has the right to use in consideration of periodical payments to the dispossessed proprietor (whether included in the rent payable by the resident or not), the right to possession of the furniture shall, on that date and as against all persons other than the resident, vest in the local authority and remain vested in the local authority while the control order remains in force.

(2) The local authority may, on the application in writing of the person owning any furniture to which the foregoing subsection applies, by notice served on that person not less than two weeks before the notice takes effect, renounce the right to possession of the furniture as conferred by that subsection.

(3) In respect of the period during which the local authority have the right to possession of any furniture in pursuance of subsection (1) of this section, the local authority shall be liable to pay to the dispossessed proprietor compensation in respect of the use of any furniture the right to possession of which vests under that subsection at such rate as the parties may agree or as may be determined by the tribunal constituted under section 1 of the Furnished Houses (Rent Control) Act 1946 for the district in which the house is situated.

(4) If the local authority's right to possession of any furniture conferred by subsection (1) of this section is a right exercisable as against more than one person interested in the furniture, any such person may apply to the county court for an adjustment of the rights and liabilities of those persons as regards the furniture, and the county court may make an order for any such adjustment of rights and liabilities either unconditionally or subject to such terms and conditions (including terms or conditions with respect to the payment of money by any party to the proceedings to any other party to the proceedings by way of compensation, damages or otherwise) as it thinks just and equitable.

(5) Subsections (2) and (3) of section 78 of this Act shall apply in relation to compensation under this section as they apply to compensation under that section, and if at the time when compensation under this section accrues due the furniture is subject to any charge, the compensation shall be deemed to be comprised in that charge.

(6) In this section "furniture" includes fittings and other articles.

(7) In the application of this section to Scotland—

(a) in subsection (3), for the reference to the Furnished Houses (Rent Control) Act 1946 there shall be substituted a reference to the Rent of Furnished Houses

- Control (Scotland) Act 1943, and for the word "district" there shall be substituted the word "area";
- (b) in subsection (5), the words from "and if" to the end shall be omitted.

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**82.—**(1) At any time after the making of a control order, but not later than the expiration of a period of six weeks from the date on which a copy of the relevant scheme is served in accordance with section 79(1) of this Act, any person having an estate or interest in the house, or, subject to the following provisions of this section, any other person, may appeal to the county court against the control order.

(2) The court may, before entertaining an appeal by a person who had not, when he brought the appeal, an estate or interest in the house, require the appellant to satisfy the court that he may be prejudiced by the making of the control order.

(3) The grounds of the appeal may be all or any of the following, that is—

- (a) that (whether or not the local authority have made an order or issued a notice or direction under any of the sections of the Act of 1961 mentioned in section 73(1)(a) of this Act) the state or condition of the house was not such as to call for the taking of any such action as may be taken under any of those sections;
- (b) that it was not necessary to make the control order in order to protect the safety, welfare or health of persons living in the house;
- (c) where part of the house was occupied by the dispossessed proprietor when the control order came into force, that it was practicable and reasonable for the local authority to exercise their powers under section 76 of this Act so as to exclude from the provisions of the control order a part of the house (or a greater part of the house than has been excluded);
- (d) that the control order is invalid on the ground that any requirement of this Act has not been complied with or on the ground of some informality, defect or error in or in connection with the control order.

(4) In so far as an appeal under this section is based on the ground that the control order is invalid, the court shall confirm the order unless satisfied that the interests of the appellant have been substantially prejudiced by the facts relied on by him.

(5) A control order shall, subject to the right of appeal conferred by this section, be final and conclusive as to any matter which could have been raised on any such appeal.

(6) Where a control order is revoked on an appeal under this section in Scotland the local authority shall as soon as prac-

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licable thereafter cause to be recorded in the General Register of Sasines a notice stating that the said control order has been revoked as aforesaid.

Appeal  
against  
scheme.

**83.**—(1) Within six weeks from the date on which a copy of the relevant scheme is served in accordance with section 79(1) of this Act, any person having an estate or interest in the house may appeal to the county court against that scheme on all or any of the following grounds, that is—

- (a) that having regard to the condition of the house and to the other circumstances, any of the works of which particulars are given in the scheme (whether already carried out or not) are unreasonable in character or extent, or are unnecessary ;
- (b) that any of the works do not involve expenditure which ought to be regarded as capital expenditure ;
- (c) that the number of individuals or households living in the house, as specified by the local authority in the scheme, is unreasonably low ;
- (d) that the estimate of the surpluses on revenue account in the scheme is unduly low on account of some assumptions, whether as to rents charged by the local authority or otherwise, made by the local authority in arriving at the estimate as to matters which are within the control of the local authority.

(2) Without prejudice to the right of appeal conferred by the foregoing subsection, either the local authority or any person having an estate or interest in the house may at any time apply to the county court for a review of the estimate of the surpluses on revenue account in the scheme.

(3) On an appeal or an application under this section the court may, as it thinks fit, confirm or vary the scheme (but on an application under subsection (2) not so as to affect the provisions of the scheme relating to the works).

(4) If an appeal has been brought against the control order and the court decide on the appeal to revoke the control order, the court shall not proceed with any appeal against the scheme relating to that control order.

(5) Proceedings on an appeal against a scheme shall, so far as practicable, be combined with proceedings on any appeal against the control order.

(6) On an application under subsection (2) of this section the surpluses on revenue account as settled by the scheme may be varied for all or any periods, including past periods, and the county court shall take into consideration whether in the period since the control order came into force the actual balances

mentioned in section 79(3)(c) of this Act have exceeded, or been less than, the surpluses on revenue account as settled by the scheme as for the time being in force, and shall also take into consideration whether there has been any change in circumstances such that the number of persons or households who should live in the house, or the net amount of the rents and other payments receivable by the local authority from persons occupying the house, ought to be greater or less than was originally estimated.

**84.—**(1) This section shall have effect if a control order is revoked by the county court on an appeal against the control order. Revocation of control order by court on appeal.

(2) The county court shall take into consideration whether the state or condition of the house is such that any action ought to be taken by the local authority under Part II of the Act of 1961 and shall take all or any of the following steps accordingly, that is—

- (a) approve the making of an order under section 12 of the Act of 1961,
- (b) approve the giving of a notice under section 14, 15 or 16 of the Act of 1961, or
- (c) approve the giving of a direction under section 19 of the Act of 1961,

and no appeal against any order or notice so approved shall lie under section 12(4), 14(5) or 17 of the Act of 1961.

(3) If the local authority are in the course of carrying out any works in the house which, if a control order were not in force, the local authority would have power to require some other person to carry out under Part II of the Act of 1961, or under any other enactment relating to housing or public health, and on the hearing of the appeal the court is satisfied that the carrying out of the works could not be postponed until after the determination of the appeal by the county court because the works were urgently required for the sake of the safety, welfare or health of persons living in the house, or of other persons, the court may suspend the revocation of the control order until the works have been completed.

(4) In respect of the period from the coming into force of the control order until its revocation by order of the court, the local authority shall, subject to this section, be liable to pay to the dispossessed proprietor the balances which from time to time accrued to the local authority out of the net amount of the rent and other payments received by the local authority while

**PART IV** the control order was in force from persons occupying the house after deducting—

- (i) compensation payable by the local authority under section 78 and section 81 of this Act, and
- (ii) all expenditure, other than capital expenditure, incurred by the local authority in respect of the house while the control order was in force, together with the appropriate establishment charges.

(5) For the purpose of enabling the local authority to recover capital expenditure incurred in carrying out works in the house in the period before the control order is revoked, the local authority may on the hearing of the appeal apply to the court for approval of those works on the ground that they were works which, if a control order had not been in force, the local authority could have required some person to carry out under Part II of the Act of 1961, or under any other enactment relating to housing or public health, and that the works could not be postponed until after the determination of the appeal by the county court because the works were urgently required for the sake of the safety, welfare or health of persons living in the house, or other persons.

(6) Any expenditure reasonably incurred by the local authority in carrying out the works approved under the last foregoing subsection—

- (a) may be deducted by the local authority out of the balances which the local authority are, under subsection (4) of this section, liable to pay to the dispossessed proprietor,
- (b) so far as not so deducted, shall be a charge on the premises, and on all estates and interests in the premises, and section 76 of this Act shall not apply so as to restrict references to the premises in this subsection to references to the part of the premises to which a control order is applied.

(7) The charge under the last foregoing subsection shall take effect as from the date when the control order is revoked and the expenditure so charged shall carry interest at the rate provided by section 80(3) of this Act from that date; and subsections (5) and (6) of the said section 80 shall apply to the charge.

(8) If the court is satisfied that the balances which the local authority are, under subsection (4) of this section, liable to pay to the dispossessed proprietor are unduly low for any reason within the control of the local authority, having regard to the desirability of observing the standards of management contained in regulations made under section 13 of the Act of 1961, and to



the other standards which the local authority ought to observe as to the number of persons living in the house and the rents which they ought to charge, the court shall direct that, for the purposes of the local authority's liability to the dispossessed proprietor under this section, the balances under subsection (4) of this section shall be deemed to be such greater sums as the court may direct:

Provided that the court shall not under this subsection give a direction which will afford to the dispossessed proprietor a sum greater than what he may, in the opinion of the court, have lost by the making of the control order.

(9) If on an appeal against the control order the county court decides that the control order should be revoked, the county court shall fix the date on which the control order is to be revoked without regard to whether an appeal has been or may be brought against the decision of the county court, but that shall not prevent the local authority from bringing an appeal in accordance with the provisions of section 108 of the County Courts Act 1959.

(10) If different persons are dispossessed proprietors in relation to different parts of the house, sums payable under this section by the local authority shall be apportioned between them in the manner provided by section 78(6) of this Act.

(11) In the application of this section to Scotland—

- (a) in subsection (6)(b), for the words from "shall be a charge" to the end there shall be substituted the words "shall be recoverable from the dispossessed proprietor";
- (b) subsection (7) shall not apply, but any expenditure recoverable from the dispossessed proprietor by virtue of subsection (6)(b) of this section shall carry interest at the rate provided by section 80(3) of this Act from the date when the control order is revoked; and paragraphs (c) to (f) of section 80(8) of this Act shall, with any necessary modifications, apply for the purpose of enabling a local authority to recover any such expenditure as if they were incorporated in this section;
- (c) subsection (9) shall not apply.

**85.**—(1) If on an appeal from the decision of the county court confirming a control order it is determined that the control order should be revoked, but the local authority satisfy the court hearing the appeal from the county court—

- (a) that they are in the course of carrying out any works in the house which, if a control order were not in force, the local authority would have power to require some

Revocation of control order by higher tribunal on appeal from the county court.

## PART IV

person to carry out under Part II of the Act of 1961, or under any other enactment relating to housing or public health, and

- (b) that the carrying out of the works could not be postponed until the time when the control order could no longer be revoked by order of any court on an appeal against the control order because the works were urgently required for the sake of safety, welfare or health of persons living in the house, or other persons,

the court may suspend the revocation of the control order until the works have been completed.

(2) If on the hearing by a county court of an appeal against a control order the appellant indicates that an appeal may be brought against any decision of the county court confirming the control order, and that any works ought not to be works the cost of which the local authority can recover under section 80 of this Act unless the control order is confirmed on the further appeal, the county court may direct that any such works shall not be works the cost of which may be recovered under section 80 of this Act—

- (a) if those works are begun before the time when the further appeal is finally determined, and  
 (b) if the control order is not confirmed on that further appeal.

(3) This section shall not apply to Scotland.

Termination  
of control  
order.

**86.**—(1) A control order shall cease to have effect at the expiration of a period of five years beginning with the date on which it came into force.

(2) The local authority may at any earlier time either on an application under this section, or on their own initiative, by order revoke a control order.

(3) Not less than twenty-one days before the local authority revoke a control order they shall serve notice of their intention to revoke the order on the persons occupying any part of the house, and on every person who is, to the knowledge of the local authority, an owner or lessee or mortgagee of the house.

(4) If any person applies to the local authority requesting the local authority to revoke a control order, and giving the grounds on which the application is made, the local authority shall, if they refuse the application, inform the applicant of their decision and of their reasons for rejecting the grounds advanced by the applicant; and if the local authority refuse the application or do not within forty-two days from the making of the application or within such further period as the applicant may in writing

allow, inform the applicant of their decision on the application, the applicant may appeal to the county court, and the county court may revoke the order:

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Provided that if an appeal has been brought under this section, then, except with the leave of the county court, another appeal shall not be so brought, whether by the same or a different appellant, in respect of the same control order until the expiration of a period of six months beginning with the final determination of the first-mentioned appeal.

(5) If on an appeal under the last foregoing subsection the local authority represent to the court that revocation of the control order would unreasonably delay completion of any works of which particulars were given in the relevant scheme under this Part of this Act and which the local authority have begun to carry out, the court shall take the representations into account and may, if they think fit, revoke the control order as from the time when the works are completed.

(6) If an appellant under this section has an estate or interest in the house which, apart from the rights conferred on the local authority by this Part of this Act, and apart from the rights of persons occupying any part of the house, would give him the right to possession of the house, and that estate or interest was, when the control order came into force, subject to a lease for a term of years which has subsequently expired, then if that person satisfies the court that he is in a position, and intends, if the control order is revoked, to demolish or reconstruct the house or to carry out substantial work of construction on the site of the house, the county court shall revoke the control order.

(7) Where in a case falling under the last foregoing subsection the court is not satisfied as therein mentioned, but would be so satisfied if the date of revocation of the control order were a date later than the date of the hearing of the appeal, the court shall, if the appellant so requires, make an order for the revocation of the control order on that later date.

(8) If on an appeal under this section the county court decides to revoke the control order, the court may make an order under which the revocation does not take effect until the time for appealing against the decision of the county court has expired and until any such appeal brought within that time has been finally determined.

(9) Where—

(a) the county court on an appeal under this section revokes the control order, or

## PART IV

- (b) the local authority propose to revoke a control order on their own initiative, and apply to the county court under this subsection,

the court may take all or any of the following steps, to take effect on the revocation of the control order, that is—

- (a) approve the making of an order under section 12 of the Act of 1961,  
 (b) approve the giving of a notice under section 14, 15 or 16 of the Act of 1961, or  
 (c) approve the giving of a direction under section 19 of the Act of 1961,

and no appeal against any order or notice so approved shall lie under section 12(4), 14(5) or 17 of the Act of 1961.

(10) Where the county court on an appeal under this section decide to revoke a control order for a house which by virtue of this Act will be charged with any sum in favour of the local authority the court may make it a condition of the revocation of the control order that the appellant first pays off to the local authority that sum, or such part of that sum as the court may specify.

(11) in the application of this section to Scotland—

- (a) where a control order is revoked by a local authority under subsection (2), or by the sheriff on an appeal under subsection (4), of this section, the local authority shall as soon as practicable thereafter cause to be recorded in the General Register of Sasines the revocation order made by them or, as the case may be, a notice stating that the said order has been revoked by the sheriff as aforesaid ;  
 (b) subsection (8) shall not apply ;  
 (c) for subsection (10) there shall be substituted the following subsection :—

“(10) Where the sheriff on an appeal under this section decides to revoke a control order in respect of a house from the dispossessed proprietor of which any amount will be recoverable by virtue of this Part of this Act, the sheriff may make it a condition of the revocation of the control order that the appellant first pays off to the local authority that amount, or such part of that amount as the sheriff may specify.”

Effect of  
cessation of  
control order.

**87.**—(1) Schedule 4 to this Act (which sets out the consequences of a control order ceasing to have effect) shall have effect for the purposes of this Part of this Act.

(2) Where the county court on an appeal against a control order, or on an appeal under the last foregoing section, revokes

a control order the court may authorise the local authority under section 74(2) of this Act to create interests which expire, or which the dispossessed proprietor can terminate, within six months from the time when the control order ceases to have effect, being interests which, notwithstanding subsection (3) of the said section 74, are for a fixed term exceeding one month, or are terminable by notice to quit (or an equivalent notice) of more than four weeks.

**88.**—(1) Either the lessor or the lessee under any lease of premises which consist of or comprise a house which is subject to a control order, other than a lease to which section 75(2) of this Act applies, may apply to the county court for an order under this section. Power of court to modify or determine lease.

(2) On any such application, the county court may make an order for the determination of the lease, or for its variation, and, in either case, either unconditionally or subject to such terms and conditions (including terms or conditions with respect to the payment of money by any party to the proceedings to any other party to the proceedings by way of compensation, damages or otherwise) as the court may think just and equitable to impose, regard being had to the respective rights, obligations and liabilities of the parties under the lease and to the other circumstances of the case.

(3) If on any such application the court is satisfied—

(a) that if the lease is determined and the control order is revoked the lessor will be in a position, and intends, to take all such action to remedy the condition of the house as the local authority consider would have to be taken in pursuance of the powers conferred on them by Part II of the Act of 1961, and

(b) that the local authority intend, if the lease is determined, to revoke the control order,

the county court shall exercise the jurisdiction conferred by this section so as to determine the lease.

**89.**—(1) It shall be the duty of the local authority to keep full accounts of their income and expenditure in respect of a house which is subject to a control order, and to afford to the dispossessed proprietor, or any other person having an estate or interest in the house, all reasonable facilities for inspecting, taking copies of and verifying those accounts. Facilities for dispossessed proprietor and other persons.

(2) While a control order is in force the local authority shall afford to the dispossessed proprietor, or any other person having an estate or interest in the house, any reasonable facilities requested by him for inspecting and examining the house.

## PART IV

Power to equip house subject to a control order.

**90.** The local authority may fit out, furnish and supply a house subject to a control order with such furniture, fittings and conveniences as appear to them to be required.

Interpretation and construction of Part IV.

**91.—(1)** In this Part of this Act, unless the context otherwise requires,—

“dispossessed proprietor” has the meaning given by section 78(6) of this Act;

“establishment charges” means, in relation to any expenditure incurred by a local authority, the proper addition to be made to that expenditure to take account of overhead expenditure incurred by the local authority, and to allow for a proper return on capital;

“licence”, in relation to Scotland, means any right or permission relating to land but not amounting to an estate or interest therein;

“person managing a house” has the meaning given by section 13(2) of the Act of 1961;

“the person having control”—

(a) in relation to any premises in England and Wales means the person who receives the rack-rent of the premises, whether on his own account or as agent or trustee of any other person, or who would so receive it if the premises were let at a rack-rent, and for the purposes of this definition “rack-rent” means rent which is not less than two-thirds of the full net annual value of the premises, and

(b) in relation to any premises in Scotland has the meaning given by section 7(3) of the Act of 1950;

“statutory tenant” means a tenant (as defined in section 12(1)(g) of the Increase of Rent and Mortgage Interest (Restrictions) Act 1920) who retains possession by virtue of the Rent Acts, and not as being entitled to a tenancy, and “statutory tenancy” shall be construed accordingly;

“surpluses on revenue account as settled by the scheme” has the meaning given by section 79(4) of this Act.

(2) References in this Part of this Act to the net amount of rents or other payments received by the local authority from persons occupying the house are references to the amount of the rent and other payments received by the local authority from those persons under leases or licences, or in respect of furniture to which section 81(1) of this Act applies, after deducting income tax paid or borne by the local authority in respect of those rents and other payments.

(3) References in this Part of this Act to expenditure incurred in respect of a house subject to a control order include, in a case where the local authority—

- (a) require persons living in a house to vacate their accommodation for any period while the local authority are carrying out works in the house, and
- (b) defray all or any part of the expenses incurred by or on behalf of those persons removing from and returning to the house, or provide housing accommodation for those persons for any part of that period,

references to the sums so defrayed by the local authority, and to the net cost of the local authority of so providing housing accommodation.

(4) For the purposes of this Part of this Act the withdrawal of an appeal shall be deemed the final determination thereof having the like effect as a decision dismissing the appeal.

(5) This Part of this Act, in its application to England and Wales, shall be construed as one with the Act of 1957 and, in its application to Scotland, shall be construed as one with the Act of 1950.

## PART V

### MISCELLANEOUS AND GENERAL

#### *Aluminium Houses*

92.—(1) A house to which this section applies is one—

- (a) provided by a local authority in the exercise of their powers to provide housing accommodation ;
- (b) completed during the period beginning with 1st January 1947 and ending with 31st December 1951 ;
- (c) approved for the purposes of the Act of 1946 by the Minister of Health or by the Minister ; and
- (d) of the type known to local authorities who have such powers as aforesaid as “ B.2 detached ” (being a type of one-storeyed house constructed substantially of alloy of which the principal component is aluminium).

Financial provisions in connection with premature demolition of “ B.2 ” houses.

(2) Where, after the coming into force of this section, a house to which this section applies is, with the previous approval of the Minister, demolished by or on behalf of the authority who provided it by reason of its having been (or being certain to become) irreparably damaged by corrosion or, before the coming into force of this section, such a house has, with the like approval, been so demolished by reason aforesaid, the following provisions shall have effect, that is to say—

- (a) the Minister shall, for each of the residuary contribution years, pay to the authority in respect of the house (in

## PART V

addition to the annual exchequer contributions in respect thereof) the sum mentioned in subsection (3) below ; and

- (b) where the amount of each of those contributions would, apart from this paragraph, be more than sixteen pounds ten shillings—
- (i) it shall, for each of those years, be reduced to sixteen pounds ten shillings, and
  - (ii) any liability to make a county council contribution in respect of the house for each of those years shall be determined.

(3) The sum referred to in subsection (2)(a) above is one equal to each of the annual instalments by means of which a loan, of an amount equal to what, by virtue of subsection (4) below, is to be taken to be the cost of the house, would fall to be repaid had it been raised on the completion of the house on terms that it should be repaid, with interest thereon at the appropriate rate, by means of sixty equal annual instalments of principal and interest combined falling due on the anniversary of the date on which it was raised, the first such instalment falling due on the first such anniversary.

For the purposes of this subsection the appropriate rate of interest—

- (a) if the house was completed on or before 2nd January 1948, is two-and-a-half per cent. ;
- (b) if the house was completed after that date, is three per cent.

(4) For the purposes of subsection (3) above, the cost of the house shall be taken to be the sum determined by the Minister, by reference to the net cost to the local authority who provided it of providing all the houses provided by them to which this section applies, to be the average cost to the authority of providing one such house, the net cost to the authority of providing all those houses being taken for this purpose to be the cost to the authority of providing them, as reduced by grants made to the authority under section 17 of the Act of 1946 in respect of any of them, and further reduced by leaving out of account expense incurred by the authority in acquiring the sites of those houses or in executing any of the following works in connection with them. that is to say—

- (a) works for the laying out of streets forming means of access to them ;
- (b) works (whether for the provision for the houses of sewerage facilities or a supply of electricity, gas or water, or for any other purpose whatsoever) executed outside the houses and any yard, garden, outhouse or appurtenances belonging to them.



(5) In accordance with subsection (2)(b) above—

(a) where, before the coming into force of this section, there has, for a residuary contribution year, been made to a local authority, in respect of a house to which this section applies which is, or has been, demolished as mentioned in that subsection, an annual exchequer contribution of an amount exceeding sixteen pounds ten shillings, the authority shall be liable to repay the excess to the Minister ; and

(b) where, before the coming into force of this section, there has, for any such year, been made to a local authority, in respect of such a house which is, or has been, demolished as aforesaid, a county council contribution, the authority shall be liable to repay it to the council of the county who made it.

(6) A liability which, by virtue of subsection (5)(a) above, a local authority are under to repay a sum to the Minister may be discharged in whole or part by way of deduction made by the Minister from any annual contribution payable by him to the authority, being a contribution the liability for whose payment by him under the Act of 1946 is preserved by section 59(4) of the Act of 1958 notwithstanding the repeal of the 1946 Act by that section.

(7) The amounts which by paragraph 1 of Schedule 5 to the Act of 1958 a local authority who are required to keep a Housing Revenue Account are required in each financial year to carry to the credit of that account shall include an amount equal to the sums payable by virtue of subsection (2)(a) above to the authority for that year.

(8) In this section —

(a) “ the Act of 1946 ” means the Housing (Financial and Miscellaneous Provisions) Act 1946 ;

(b) “ annual exchequer contributions ” means, in relation to a house to which this section applies, the annual contributions in respect of the house the liability for whose payment under the Act of 1946 to the local authority who provided it by the Minister is preserved by section 59(4) of the Act of 1958 notwithstanding the repeal of the Act of 1946 by that section ;

(c) “ county council contribution ” means, in relation to a house to which this section applies, the annual contribution in respect of the house the liability for whose payment under section 8 of the Act of 1946 to the local authority who provided it (where they were the council of a county district) by the council of the county in which the district is situated is preserved as aforesaid ;

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(d) “residuary contribution years” means, in relation to a house to which this section applies which is, or has been, demolished as mentioned in subsection (2) above, such of the sixty years following the completion of the house as remain unexpired at the expiration of the one in which the house is vacated in order that it may be demolished or, as the case may be, was vacated in order that it might be demolished.

(9) Subsections (1), (2), (3), (4) and (8) above shall apply in relation to a development corporation established under the New Towns Act 1946 and to a house provided by such a corporation as they apply in relation to a local authority and to a house provided by a local authority, but subject to the following modifications—

- (a) subsections (2)(b) and (8)(c) shall not apply ;
- (b) in subsection (4) the words “as reduced by grants made to the authority under section 17 of the Act of 1946 in respect of any of them, and further” shall be omitted ;
- (c) in subsection (8)(b), for the references to the Act of 1946 there shall be substituted references to section 8(2) of the New Towns Act 1946.

(10) This section shall apply to Scotland subject to the following modifications:—

- (a) subsection (2)(b)(ii), subsection (5)(b), subsection (8)(c) and subsection (9) shall not apply ;
- (b) for the references to the Minister of Health and to the Minister there shall be substituted references to the Secretary of State ;
- (c) in subsection (1)(c), for the reference to the Act of 1946 there shall be substituted a reference to the Housing (Financial Provisions) (Scotland) Act 1946 ;
- (d) in subsections (2) and (8)(b), references to the authority who provided a house to which this section applies shall include references to the authority to whom any such house belongs ;
- (e) in subsections (2)(b) and (5)(a), for the references to sixteen pounds ten shillings there shall be substituted references to twenty-one pounds ten shillings ;
- (f) in subsection (4), for the references to section 17 of the Act of 1946 and to appurtenances there shall be substituted respectively references to section 15 of the Housing (Financial Provisions) (Scotland) Act 1946 and to pertinents ;

- (g) in subsections (6) and (8)(b), for the references to an annual contribution the liability for whose payment under the Act of 1946 is preserved by section 59(4) of the Act of 1958 notwithstanding the repeal of the Act of 1946 by that section, there shall be substituted references to an annual contribution payable under section 84 or section 86 of the Act of 1950 ;
- (h) in subsection (7), for the reference to paragraph 1 of Schedule 5 to the Act of 1958 there shall be substituted a reference to section 138(1) of the Act of 1950.

(11) Any sums paid to local authorities under this section shall be paid out of money provided by Parliament.

**93.**—(1) The Minister may make arrangements with the Minister of Public Building and Works whereby, on behalf of and at the expense of the Minister, the Minister of Public Building and Works, if requested so to do by a local authority or development corporation, will demolish a house provided by them whose demolition has been approved under subsection (2) of the last foregoing section and (having demolished it) will, if so requested, execute such works as may be required for clearing the land constituting the site of the house of any substructure and other materials affixed to the land for the purposes of the erection of the house.

Arrangements for demolition of " B.2 " houses by Minister of Public Building and Works.

(2) Materials and other things rendered available by the demolition, after the coming into force of this section, of a house whose demolition is approved as aforesaid (whether the demolition is carried out by the local authority or development corporation who provided it or by the Minister of Public Building and Works under arrangements made as aforesaid) and materials and other things rendered available by the execution by that Minister, under such arrangements, of works for clearing land shall be held or disposed of for the benefit of the Crown in such manner as the Minister may determine.

(3) In this section "development corporation" means a development corporation established under the New Towns Act 1946.

(4) In the application of this section to Scotland—

- (a) for the references to the Minister there shall be substituted references to the Secretary of State ;
- (b) the references to a development corporation shall be omitted ;
- (c) in subsection (1), the reference to a house provided by a local authority shall include a reference to a house belonging to a local authority ;

## PART V

(d) in subsection (2), the reference to the local authority who provided a house whose demolition is approved shall include a reference to the local authority to whom any such house belongs.

(5) Any expenses incurred by the Minister in connection with arrangements under this section shall be paid out of money provided by Parliament.

Grants for replacement of corroded parts of "B.L.8" houses in England and Wales.

94.—(1) A house to which this section applies is one—

- (a) provided, completed and approved as mentioned in section 92(1) of this Act; and
- (b) of a type known to local authorities who have powers to provide housing accommodation as "B.L.8 semi-detached" (being a type of one-storeyed house constructed substantially of alloy of which the principal component is aluminium).

(2) Where, with the previous approval of the Minister, a house to which this section applies (other than one falling within subsection (3) below) is subjected by the authority who provided it to replacement of such of the parts thereof as have become, or are liable to become, corroded (whether the initiation of the works for replacement is before or after the coming into force of this section), the Minister shall pay to the authority such sum as is mentioned in subsection (4) below.

(3) In the case of a house to which this section applies which, before the coming into force of this section, has, at the instance of the Minister, been subjected as mentioned in subsection (2) above in accordance with a scheme heretofore promoted by him with the object of determining what it costs to subject a house to such replacement as is so mentioned, the Minister shall pay to the authority a sum equal to the cost incurred by them in subjecting the house to such replacement.

(4) The sum referred to in subsection (2) above is such sum (not exceeding two hundred pounds) as the Minister, having regard to the results obtained from the operation of any such scheme as is mentioned in subsection (3) above, with the approval of the Treasury determines to be equal to the reasonable average cost to local authorities of subjecting a house to which this section applies to such replacement as is mentioned in the said subsection (2).

(5) Any sums paid to local authorities under this section shall be paid out of money provided by Parliament.

(6) This section shall not apply to Scotland.

*Miscellaneous*

## PART V

**95.**—(1) For the purposes of section 12(1) of the Clean Air Act 1956 (which provides for the making by local authorities of payments for adaptations of fireplaces in dwellings other than new dwellings) and of section 13(1)(b) and (c) of that Act (under which the Minister may contribute to expenses incurred by a local authority in carrying out adaptations of fireplaces in dwellings owned or controlled by them or, in the exercise of their default powers, in other dwellings, but not in any new dwellings) a new dwelling means a dwelling which either—

Amendments  
of Clean Air  
Act 1956  
relating to  
dwellings.

- (a) was erected after the time when this section comes into force, or
- (b) was produced by conversion, after that time, of other premises, with or without the addition of premises erected after that time,

and for the purposes of this subsection, a dwelling or premises shall not be treated as erected or converted after that time unless the erection or conversion was begun thereafter.

(2) If, after an order has been made by a local authority under section 11 of the said Act of 1956 declaring any area to be a smoke control area (not being an order varying a previous order so made) and before notice of its making is first published in accordance with Schedule 1 to that Act, the authority pass a resolution designating any class of heating appliance as being, in their opinion, unsuitable for installation in that area as tending, by reason of its consumption of fuel (of whatever kind) or its consumption thereof at the times when it is generally used, to impose undue strain on the fuel resources available for that area then, if the order is confirmed, no payment shall be made by that authority under the said section 12(1) in respect of expenditure incurred in providing, or in executing works for the purpose of the installation of, any heating appliance of that class in or in connection with a dwelling within the area to which the order, as confirmed, relates; and accordingly all such expenditure shall be left out of account for the purposes of that subsection.

(3) No payment shall be made under the said section 12(1) by a local authority in respect of expenditure incurred after the coming into force of this section in providing, or in executing works for the purpose of the installation of, any heating appliance which, when the expenditure was incurred, fell within any class of appliance for the time being designated for the purposes of this subsection by the Minister as being in his opinion—

- (a) unsuitable for installation in the area of that authority as tending, by reason aforesaid, to impose undue strain on the fuel resources available for that area, or

## PART V

- (b) generally unsuitable for installation in England and Wales as tending, by reason aforesaid, to impose undue strain on the fuel resources available for England and Wales ;

and accordingly all such expenditure shall be left out of account for the purposes of that subsection :

Provided that this subsection shall not apply to expenditure in respect of which the approval of the local authority was given for the purposes of the said section 12(1) at a time (including any time before the coming into force of this section) when the appliance in question did not fall within a class of appliance for the time being designated for the purposes of this subsection by the Minister as regards the area of that authority or generally.

(4) For the purposes of the said section 12(1), the approval of a local authority to the incurring of expenditure may, if the authority think fit in the circumstances of any particular case, be given after the expenditure has been incurred if—

- (a) the expenditure was incurred at a time after the coming into force of this section, and
- (b) in the case of expenditure incurred in providing, or in executing works for the purpose of the installation of, a heating appliance, the appliance did not at that time, and does not when the approval is given, fall within a class of appliance for the time being designated by the Minister for the purposes of subsection (3) above as regards the area of that authority or generally.

(5) At any time after an order made by a local authority under section 11 of the said Act of 1956 has been confirmed, that authority may, if they think fit in the circumstances of any particular case, give their approval, for the purposes of the said section 12(1), to the incurring of expenditure which was incurred after the making but before the confirmation of the order, being expenditure such that, if the order had been confirmed immediately before it was incurred, they would, at the time when the approval is given under this subsection, have had power to give it under the last foregoing subsection ; and where the approval of a local authority is given under this subsection as regards any expenditure, the said section 12(1) shall apply in relation to that expenditure as if that expenditure had been incurred immediately after the confirmation of the order.

(6) In section 13(1)(a) of the said Act of 1956 (under which the Minister may contribute to expenses incurred by a local authority in making payments under the said section 12(1) which they are bound thereby to make) the words "which they are

bound thereby to make” shall cease to have effect except for the purposes of the application of that paragraph to expenses incurred before the coming into force of this section.

(7) The amount of the contribution which, under section 13(1)(c) of the said Act of 1956, the Minister may make in respect of any expenses incurred by a local authority in carrying out (in the exercise of the default powers conferred by section 12(2) or 12(3)(c) of that Act) adaptations required by a notice under the said section 12(2) in or in connection with a dwelling which is not a new dwelling shall, in the case of expenses so incurred after the coming into force of this section, be equal to four-sevenths of the amount arrived at by deducting from the amount of those expenses that fraction thereof (whether three-tenths or some smaller fraction determined by the local authority, in the case of those expenses, in pursuance of the said section 12(2) or 12(3)(c)) which the local authority have power to recover from the occupier or owner by virtue of the said section 12(2) or 12(3)(c).

(8) So much of section 13(2) of the said Act of 1956 as regulates the amount of a contribution made by the Minister under the said section 13(1)(c) shall not apply to any such contribution made in respect of expenses incurred after the coming into force of this section.

(9) In section 14(1) of the said Act of 1956 (which specifies, by reference to a list of works, the kinds of adaptations of fire-places to which sections 12 and 13 of that Act apply) after paragraph (c) there shall be added the following paragraph—

“(cc) providing gas ignition, electric ignition or any other special means of ignition ; or ” ;

and for the purposes of the said section 14(1) the provision of any igniting apparatus or appliance (whether fixed or not) operating by means of gas, electricity or any other special means shall be deemed to be the execution of works.

(10) In the application of this section to Scotland—

(a) for the references to the Minister there shall be substituted references to the Secretary of State, and

(b) in subsection (3), for the references to England and Wales there shall be substituted references to Scotland.

**96.**—(1) A local authority may if they think fit give assistance in respect of the provision of a separate service pipe for a house which has a piped supply of water from a water main, but no separate service pipe. Local authorities' power to assist in provision of separate service pipes for houses.

(2) Subject to this section, the assistance shall be by way of making a grant in respect of all or any part of the expenses incurred in the provision of the separate service pipe.

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(3) If the local authority are themselves the statutory water undertakers by whom water will be supplied by means of the separate service pipe, and themselves provide or assist in providing the separate service pipe, they may, instead of, or in addition to, making a grant under the last foregoing subsection, remit all or any part of the expenses incurred by them in providing the separate service pipe, being expenses which would otherwise be recoverable from a person having an interest in the house.

(4) The reference to expenses in subsection (2) of this section includes, in a case where all or any part of the works required for the provision of the separate service pipe are carried out by statutory water undertakers (whether in exercise of default powers or in any other case), a reference to sums payable by the owner of the house, or any other person, to the statutory water undertakers for carrying out the works.

(5) In this section "local authority" means the council of a county borough, London borough or county district or the Common Council of the City of London; and, in relation to any house, references to the local authority are references to the local authority in whose district the house is situated.

(6) In the application of this section to Scotland—

(a) for the references to the statutory water undertakers there shall be substituted references to the local water authority as defined in section 5(4) of the Water (Scotland) Act 1946;

(b) "local authority" means a local authority for the purposes of the Act of 1950.

Exchequer contributions for local authorities buying or holding unfit houses for temporary accommodation.

97.—(1) In section 13(2)(b) of the Act of 1958 (under which the Minister may make annual payments for fifteen years of three pounds to any local authority in respect of unfit houses bought or held by them) for the words "three pounds" there shall, in relation to houses approved for the purposes of that section after 13th November 1963, be substituted the words "eight pounds".

(2) In section 4(2)(b) of the Scottish Act of 1954 (under which the Secretary of State may make annual payments for fifteen years of seven pounds five shillings to any local authority in respect of unfit houses bought or held by them) for the words "seven pounds five shillings" there shall, in relation to houses approved for the purposes of that section after 13th November 1963, be substituted the words "twelve pounds five shillings".



**98.**—(1) Subject to the provisions of Part I of the Act of 1962—

PART V

Extension of  
exchequer  
subsidies for  
new houses  
provided by  
Scottish  
Special  
Housing  
Association.

(a) an annual exchequer subsidy shall be payable under the said Part I in respect of each new house provided by the Scottish Special Housing Association in the circumstances specified in paragraph (c) of section 23(1) of the Scottish Act of 1957 (which paragraph is set out in subsection (2) of this section) and in accordance with proposals approved by the Secretary of State for the purposes of the said Part I, and

(b) the amount of such subsidy shall be forty-two pounds ; and accordingly, in sections 1(1)(e) and 2(1)(d) of the Act of 1962 (which sections provide for the payment and amount of annual exchequer subsidies), after the words “ paragraph (b) ” there shall be inserted the words “ or paragraph (c) ”.

(2) Section 23(1) of the Scottish Act of 1957 (in paragraphs (a) and (b) of which are specified the circumstances in which new houses must be provided by the Scottish Special Housing Association in order that exchequer subsidies may be payable in respect of them under Part I of the Act of 1962) shall have effect as if at the end thereof there were inserted the following—

“ or

(c) houses provided in the district of any local authority in accordance with arrangements made with the approval of the Secretary of State as being desirable by reason of special circumstances for the provision of housing accommodation in any area for persons coming to that area in order to meet the urgent needs of industry, and so coming wholly, or, in the case of the council of a county (other than a county of a city), wholly or partly, from outside the district of the authority ”.

**99.**—(1) Where the Scottish Special Housing Association (hereafter in this section referred to as “ the Association ”) desire to acquire any land for—

Compulsory  
purchase  
of land by  
Scottish  
Special  
Housing  
Association.

(a) the provision of new houses by the Association in the circumstances specified in paragraph (a) or paragraph (b) or paragraph (c) of section 23(1) of the Scottish Act of 1957 ; or

(b) the provision of housing accommodation by the Association under a scheme submitted by them to the Secretary of State under section 18(1)(b) of the Act of 1962 ;

and the Association have made an application to the local authority in whose area the land is situated requesting them to acquire the land under Part V of the Act of 1950 for the

**PART V**

purpose of selling it or leasing it to the Association, then if the authority have power to acquire the land under the said Part V and the Association are satisfied, after consultation with the authority, that the authority are unwilling to acquire the land for that purpose or that the footing on which they are willing to do so involves the sale or leasing of the land to the Association subject to conditions which are unacceptable to the Association, the Association may themselves acquire the land compulsorily.

In this subsection "local authority" means a local authority for the purposes of the Act of 1950.

(2) The Association may, at the request of the Housing Corporation made in accordance with section 4(1) of this Act, acquire land compulsorily for selling it or leasing it to a housing society.

(3) The power of the Association to acquire any land compulsorily under subsection (1) or subsection (2) of this section shall be exercisable in any particular case on their being authorised to do so by the Secretary of State, and in relation to the compulsory purchase the Acquisition of Land (Authorisation Procedure) (Scotland) Act 1947 shall apply as if the Association were a local authority within the meaning of that Act, as if this Act had been in force immediately before the commencement of that Act, and as if in Part I of Schedule 1 to that Act (procedure for authorising compulsory purchases) references to an owner of any land comprised in the compulsory purchase order included references to the local authority in whose area the land is situated.

(4) Section 18(1) of the Act of 1962 (which confers power on the Secretary of State to make advances to the Association for the provision of housing accommodation) shall have effect as if it conferred power on the Secretary of State to make advances under that subsection to the Association for the purpose of assisting them to acquire any land compulsorily under this section.

(5) The Association may not dispose of any land acquired by them compulsorily under this section which is not required for the purposes for which it was acquired without the consent in writing of the Secretary of State.

(6) In the case of land which is situated partly in the area of one local authority and partly in the area of another, references in this section to the local authority in whose area the land is situated shall be construed as references to each of those local authorities.

**100.** Section 10 of the Scottish Act of 1957 (which empowers a local authority to make a town development scheme for the carrying out of development in conjunction with any housing accommodation proposed to be provided in their district in pursuance of arrangements such as are mentioned in section 8(1) of that Act) shall empower a local authority to include in a town development scheme proposals for the carrying out of development in conjunction with any housing accommodation already provided in their district in pursuance of any such arrangements, and accordingly in subsection (1) of the said section 10—

**PART V**  
**Amendment**  
**of s. 10(1) of**  
**Scottish**  
**Act of 1957.**

- (a) after the words “ any housing accommodation proposed to be provided ” there shall be inserted the words “ or already provided ”, and
- (b) after the words “ related to the proposals as to the housing accommodation ” there shall be inserted the words “ and related also to the housing accommodation already provided, if any ”.

**101.—(1)** The council of a county or of a large burgh in Scotland may make any contribution they think fit towards expenditure incurred by a local authority in connection with—

**Power to**  
**counties and**  
**large burghs**  
**in Scotland**  
**to contribute**  
**towards**  
**expense of**  
**housing**  
**elderly, infirm**  
**or handicapped**  
**persons.**

- (a) the provision, maintenance and management, under the Act of 1950, of housing accommodation for elderly, infirm or handicapped persons ; and
- (b) the exercise, in relation to housing accommodation so provided, or for the benefit of persons occupying such accommodation, of any of their functions under section 66, 67 or 68 of the said Act.

(2) Where an amount equal to the expenditure towards which any contribution is made under the foregoing subsection falls to be debited to the housing revenue account of the local authority, that authority shall carry to the credit of the account, in addition to the amounts which they are required to carry to the credit of that account under section 138 of the Act of 1950, an amount equal to the contribution under the foregoing subsection.

**102.—(1)** Where under any enactment in Part II of the Act of 1961, or Part II, Part III or Part IV of this Act, it is the duty of a local authority to serve any document on a person who is to the knowledge of the local authority the person having control of any premises (however defined), or a person managing any premises (however defined), or a person having an estate or interest in any premises (whether or not restricted to persons who are owners or lessees or mortgagees or to any other class of those having an estate or interest in premises) it shall be the duty of the local authority to take reasonable steps to identify the person or persons coming within the description in the enactment.

**Duties of local**  
**authority in**  
**connection**  
**with service of**  
**notices and**  
**other**  
**documents**  
**under**  
**Housing Acts.**

## PART V

(2) Any person having an estate or interest in any premises may for the purposes of the enactments mentioned in subsection (1) of this section give notice to the local authority of his interest in the premises, and the local authority shall enter the notice in their records.

Other minor amendments of Housing Acts.

**103.**—(1) Any notice, order or other document required or authorised to be served under the Act of 1957 or the Act of 1950, or any enactment required to be construed with either of those Acts, which is to be served on any person as being a person having control of any premises (however defined) may, if it is not practicable after reasonable enquiry to ascertain the name or address of that person, be served by addressing it to him by the description of “person having control of” the premises (naming them) to which it relates and by delivering it to some person on the premises or, if there is no person on the premises to whom it can be delivered, by affixing it, or a copy of it, to some conspicuous part of the premises.

(2) Where under any enactment in Part II of the Act of 1950, Part II of the Act of 1957, or Part II of the Act of 1961, or Part II or Part IV of this Act a document is to be served on the person having control of any premises (however defined), or on the person managing any premises (however defined), or on the owner of any premises (however defined), and more than one person comes within the description in the enactment, the document may be served on more than one of those persons.

(3) In section 69(3) of the Act of 1957 (under which a local authority may issue a certificate that a house is fit for human habitation and will remain so fit for a specified period, not being less than five nor more than ten years) for the word “ten” there shall be substituted the word “fifteen”.

(4) In section 161 of the Act of 1957 and in section 161(1)(b) of the Act of 1950 (penalty for preventing execution of repairs, etc.) references to an owner of any premises shall include references to a person having control of any premises (as defined in section 39(2) of the Act of 1957 or, as the case may be, section 7(3) of the Act of 1950, or in any corresponding definition).

(5) In section 178(1) and section 179(1) of the Act of 1957 (which contain general provisions relating to the form of notices, and to dispensations with service of notices) the proviso (which excepts notices under sections 26 and 30 of the Act relating to the substitution of a closing order for a demolition order and to payments for well-maintained houses) shall in each case cease to have effect.

*Supplemental*

Application to Isles of Scilly.

**104.** Section 57 of the Act of 1958 (application to Scilly Isles) shall apply in relation to this Act as it applies in relation to the provisions specified in subsection (3) of that section.

**105.—**(1) There shall be paid out of money provided by Parliament— PART V  
Financial provisions.

- (a) any administrative expenses incurred by the Minister or the Secretary of State for the purposes of this Act; and
- (b) any increase attributable to the provisions of this Act in the sums payable out of money so provided under any other enactment.

(2) There shall be paid into the Exchequer any sums falling to be so paid in consequence of any of the provisions of this Act.

**106.—**(1) In this Act, except where the context otherwise requires— General interpretation, and temporary modification as regards London.

- (a) “the Minister” means the Minister of Housing and Local Government, and
- (b) “lease” includes an underlease, sublease or any tenancy, and any agreement for a lease, underlease, sublease or tenancy, and “lessee”, “lessor” and “leasehold” shall be construed accordingly.

(2) In this Act—

- “the Act of 1950” means the Housing (Scotland) Act 1950;
- “the Scottish Act of 1954” means the Housing (Repairs and Rents) (Scotland) Act 1954;
- “the Act of 1957” means the Housing Act 1957;
- “the Scottish Act of 1957” means the Housing and Town Development (Scotland) Act 1957;
- “the Act of 1958” means the Housing (Financial Provisions) Act 1958;
- “the Act of 1959” means the House Purchase and Housing Act 1959;
- “the Act of 1961” means the Housing Act 1961;
- “the Act of 1962” means the Housing (Scotland) Act 1962.

(3) References in this Act to any enactment are references to that enactment as amended by or under any other enactment, including this Act.

(4) Until 1st April 1965 this Act shall have effect subject to the following modifications, that is to say—

- (a) in the definition of “local authority” in section 12, in section 44(1) and in section 96, for the words “London borough” there shall be substituted the words “metropolitan borough”;
- (b) in Part IV, “local authority” shall have, in relation to London, the meaning given by section 23(8) of the Act of 1961.

## PART V

(5) Subsection (5) (concurrent powers of Greater London Council) of section 21 of the London Government Act 1963 shall apply in relation to any of the powers of a local authority under this Act as it applies in relation to any of the powers of a local authority under any of the enactments referred to in subsection (1) of that section ; and, for the purposes of its application in accordance with this subsection, the said subsection (5) shall have effect as if the reference to that Act not being passed were a reference to that Act not being passed and this Act continuing to have effect subject to the modifications set out in subsection (4) of this section.

General  
application  
to Scotland.

**107.** The provisions of this section shall, in addition to any express provision for the application to Scotland of any provision of this Act, have effect for the general application of this Act to Scotland, that is to say—

- (a) for any reference in this Act to a mortgage, a mortgagor or a mortgagee there shall be substituted respectively a reference to a heritable security, a debtor in a heritable security and the creditor in a heritable security ;
- (b) “ heritable security ” has the same meaning in this Act as in the Conveyancing (Scotland) Act 1924 except that it includes a security constituted by *ex facie* absolute disposition or assignation ;
- (c) “ the Rent Acts ” means the Rent and Mortgage Interest Restrictions Acts 1920 to 1939 ;
- (d) any provision in this Act for an application to the county court shall be construed as a provision for an application to the sheriff, and references to the county court or to the court shall be construed accordingly ;
- (e) any application to the sheriff under this Act shall be conducted and disposed of in like manner as proceedings brought under the Small Debt (Scotland) Acts 1837 to 1889, and the determination of the sheriff on any such application shall be final and conclusive ;
- (f) any provision in this Act for an appeal to the county court shall be construed as a provision for an appeal to the sheriff, and references to the county court or to the court shall be construed accordingly ; and the provisions of section 166 of the Act of 1950 (other than subsection (3) of that section) shall apply to any such appeal to the sheriff as they apply to appeals to the sheriff under that Act.

- 108.**—(1) This Act may be cited as the Housing Act 1964, and—
- (a) the Act of 1957, the Act of 1958, the Act of 1959, the Act of 1961 and this Act may be cited together as the Housing Acts 1957 to 1964 ; and
- (b) the Housing (Scotland) Acts 1950 to 1962 and this Act may be cited together as the Housing (Scotland) Acts 1950 to 1964.

PART V  
Short title,  
citation,  
repeals,  
extent and  
commence-  
ment.

(2) The Acts mentioned in Schedule 5 to this Act shall be repealed to the extent specified in the third column of that Schedule.

(3) This Act, except paragraph 2(10) of Schedule 1, shall not extend to Northern Ireland.

(4) Subject to the following subsection, this Act shall come into force at the expiration of the period of one month beginning with the date on which it is passed.

(5) Part I of this Act and the following provisions of Part V of this Act, that is—

(a) section 99, and

(b) sections 104 to 107, except section 106(5).

shall come into force on the passing of this Act ; and the said section 106(5) shall come into force on 1st April 1965.

## SCHEDULES

## Section 1.

## SCHEDULE 1

## CONSTITUTION ETC. OF HOUSING CORPORATION

1. The Corporation shall be a body corporate with perpetual succession and a common seal.

2.—(1) The members of the Corporation, of whom there shall be not more than nine, shall be appointed by the Minister and the Secretary of State acting jointly, and the Minister and the Secretary of State so acting shall appoint one of those members to be Chairman and one to be Deputy Chairman.

(2) Subject to the following provisions of this Schedule, a member of the Corporation, and the Chairman and Deputy Chairman, shall hold and vacate office as such in accordance with the terms of his appointment.

(3) If the Chairman or Deputy Chairman of the Corporation ceases to be a member of the Corporation, he shall also cease to be Chairman or Deputy Chairman.

(4) A member of the Corporation may, by notice in writing addressed to the Minister or the Secretary of State, resign his membership, and the Chairman or Deputy Chairman may, by the like notice, resign his office as such.

(5) If the Minister and the Secretary of State are satisfied that a member of the Corporation—

- (a) has become bankrupt or made an arrangement with his creditors ; or
- (b) is incapacitated by physical or mental illness ; or
- (c) has been absent from meetings of the Corporation for a period longer than three consecutive months without the permission of the Corporation ; or
- (d) is otherwise unable or unfit to discharge the functions of a member, or is unsuitable to continue as a member,

they may remove him from his office as a member of the Corporation.

In the application of this sub-paragraph to Scotland, for the references in head (a) to a member's having become bankrupt and to a member's having made an arrangement with his creditors there shall be substituted respectively references to sequestration of a member's estate having been awarded and to a member's having made a trust deed for behoof of his creditors or a composition contract.

(6) A member of the Corporation who ceases to be a member or ceases to be Chairman or Deputy Chairman shall be eligible for re-appointment.

(7) The Minister may, out of moneys provided by Parliament, pay the persons holding office as Chairman, Deputy Chairman or member of the Corporation such remuneration in respect of that office as the Minister and the Secretary of State acting jointly



may with the consent of the Treasury determine, and the Corporation may pay to those persons such reasonable allowances as may be so determined in respect of expenses properly incurred by them in the performance of their duties.

(8) In the case of any such person as the Minister and the Secretary of State acting jointly may with the consent of the Treasury determine, the Minister may in respect of that person's office as Chairman, Deputy Chairman or member of the Corporation, pay out of moneys provided by Parliament such pension, allowance or gratuity to or in respect of him on his retirement or death, or such contributions or other payments towards provision for such pension, allowance or gratuity, as may be so determined; and as soon as may be after the making of any determination under this sub-paragraph, the Minister shall lay before each House of Parliament a statement of the amount of the pension, allowance or gratuity or the contributions or other payments towards pension, allowance or gratuity, as the case may be, payable in pursuance of the determination.

(9) Section 15 of the Local Government Superannuation Act 1953 (which enables local authorities to admit to their superannuation schemes employees of statutory undertakers) as extended by section 1(5) of this Act, shall apply to members of the Corporation as if they were employees of the Corporation; but where a member of the Corporation is admitted by virtue of this sub-paragraph to participate in the benefits of a superannuation fund maintained by a local authority, then—

- (a) the last foregoing sub-paragraph shall not apply to him; and
- (b) the Minister shall make out of moneys provided by Parliament any payments which in consequence of the admission agreement are required to be made to the superannuation fund in respect of him by the employing authority, and may make from his remuneration any deductions which in consequence of that agreement the employing authority might make in respect of his contributions to that fund.

(10) In Part II of Schedule 1 to the House of Commons Disqualification Act 1957 (which specifies the bodies of which the members are disqualified under that Act) as it applies to the House of Commons of the Parliament of the United Kingdom, after the entry relating to the Herring Industry Board, there shall be inserted the words "The Housing Corporation".

This sub-paragraph shall extend to Northern Ireland.

3.—(1) The quorum of the Corporation and the arrangements relating to its meetings shall, subject to any directions given by the Minister and the Secretary of State acting jointly, be such as the Corporation may determine.

(2) The validity of any proceedings of the Corporation shall not be affected by any vacancy among its members or by any defect in the appointment of any of its members.

4.—(1) The fixing of the seal of the Corporation shall be authenticated by the signature of the Chairman or of some other member

SCH. 1 authorised generally or specially by the Corporation to act for that purpose.

(2) Any document purporting to be a document duly executed under the seal of the Corporation shall be received in evidence and shall, unless the contrary is proved, be deemed to be so executed.

5. It shall be within the capacity of the Corporation as a statutory corporation to do such things and enter into such transactions as are incidental or conducive to the exercise or performance of their functions under this Act.

Section 56.

## SCHEDULE 2

### IMPROVEMENT AND STANDARD GRANTS : RENT LIMIT

1. If, in pursuance of a proposal made before 1st April 1964, or made on the ground of a change in the occupier or in the circumstances of occupation, the gross value shown for a hereditament in the valuation list is varied after 13th November 1963 then, as regards any rental periods (whether beginning before or after the variation) the 1963 gross value of a dwelling being or forming part of that hereditament shall be ascertained by reference to the gross value as so varied.

2. Where a dwelling was produced by the conversion of any premises and the conversion resulted in a change in the valuation list after 13th November 1963, any entry in that list before the change shall be disregarded.

3. Where a dwelling is or forms part of a hereditament for which no gross value was shown in the valuation list on 13th November 1963 (including cases where any gross value so shown is to be disregarded under paragraph 2 of this Schedule) section 56 of this Act and paragraph 1 of this Schedule shall have effect in relation to the dwelling as if for the references to that date there were substituted references to the first subsequent date on which a gross value for that hereditament was shown in the valuation list.

4. Where, in pursuance of a proposal made on the ground of a change in the occupier, or in the circumstances of occupation, the gross value shown in the valuation list is varied so as to take account of the state of the dwelling at a date after 13th November 1963, a reference to that date shall, in relation to that dwelling, be substituted for the reference in section 5 of the Rent Act 1957 as modified by section 56(4) of this Act to the said 13th November 1963.

5. Where a dwelling consists of or forms part of more than one hereditament, the 1963 gross value of the dwelling shall be ascertained by determining the 1963 gross value of each hereditament or part as if it were a separate dwelling and aggregating the gross values so determined.

## SCHEDULE 3

Section 71.

APPLICATION OF PART II OF ACT OF 1961 AS AMENDED  
TO SCOTLAND

## PART I

## ADAPTATIONS OF PART II OF ACT OF 1961

1. For any reference to the Housing Act 1957 there shall be substituted a reference to the Housing (Scotland) Act 1950.

2. (a) Any provision for an application to a county court shall be construed as a provision for an application to the sheriff, and references to a county court shall be construed accordingly; and any such application to the sheriff shall be conducted and disposed of in like manner as proceedings brought under the Small Debt (Scotland) Acts 1837 to 1889, and the determination of the sheriff on any such application shall be final and conclusive;

(b) Any provision for an appeal to a magistrates' court or to a county court shall be construed as a provision for an appeal to the sheriff, and references to a magistrates' court or to a county court shall be construed accordingly; and the provisions of section 166 of the Housing (Scotland) Act 1950 (other than subsection (3) of that section) shall apply to any such appeal to the sheriff as they apply to appeals to the sheriff under that Act.

3. For any reference to the Minister there shall be substituted a reference to the Secretary of State.

4. Any reference to an agent or trustee shall include a reference to a tutor, curator, or factor.

5. In section 12—

(a) in subsection (6), the reference to thirty-five days shall be a reference to forty-two days; and

(b) for subsection (7) there shall be substituted the following subsection—

“(7) As soon as practicable after an order under this section has come into force the local authority shall cause the order to be recorded in the General Register of Sasines, and if any such order is revoked the authority shall as soon as practicable cause to be recorded in the General Register of Sasines a notice stating that the order has been revoked.”

6. In section 13(1), for the words “in common use”, wherever they occur, there shall be substituted the words “used in common by persons living in the house”, and after paragraph (c) there shall be inserted the following paragraph—

“(cc) of the roof and windows forming part of the house”.

7. In section 15—

(a) in subsection (1)(a), for the reference to subsection (2) of section thirty-nine of the principal Act there shall be substituted a reference to section 7(3) of the principal Act; and

(b) in subsection (1)(b), the words “at a rackrent”, wherever they occur, shall be omitted.

## SCH. 3

## 8. In section 16—

- (a) in subsection (2), the words “under the Fire Services Act, 1947” shall be omitted, for the words “that Act” there shall be substituted the words “the Fire Services Act 1947”, and the words “and, in the administrative county of London, shall not serve such a notice except with the consent of the London County Council” shall be omitted;
- (b) “fire authority” means, in relation to any area, the authority for the time being constituted the fire authority for that area by the Fire Services Act 1947, except that in relation to an area the fire brigade for which is administered by such a joint committee as is mentioned in section 36(4)(b) of that Act, it means that joint committee.

## 9. In section 18—

- (a) for subsections (3) to (5) there shall be substituted the following subsections—

“(3) Subsections (3), (4) and (5) of section 8 of the principal Act (which relate to the recovery by a local authority of expenses incurred by them in executing works on an insanitary house) shall, subject to any necessary modifications, apply for the purpose of enabling a local authority to recover any expenses reasonably incurred by them under this section in carrying out works in pursuance thereof as they apply for the purpose of enabling a local authority to recover the first-mentioned expenses, so, however, that the expenses incurred by a local authority in carrying out works in pursuance of this section shall be recoverable from the person on whom the notice was served or, if he was only properly served with the notice as trustee, tutor, curator, factor or agent for or of 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.

(4) Section 16 of the Act of 1950 (appeals) shall apply in relation to a demand by a local authority for the recovery of expenses incurred by them in carrying out works in pursuance of this section and in relation to an order made by a local authority with respect to any such expenses.

(5) Where under this section 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 subsections (2) to (4) of section 20, and section 21, of the principal Act shall, with 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 20 and as if any reference in the said section 21 to Part II of the principal Act included a reference to this Part of this Act.”;

- (b) in subsection (6)(b), for the words from "the number" to "were executed" there shall be substituted the words "those works had not been executed";
- (c) subsection (7) shall not apply;
- (d) in subsection (8), the words "or the highest rate" shall be omitted, and for the reference to subsection (6) of section ten of the principal Act there shall be substituted a reference to section 8(3) of the principal Act;
- (e) subsection (9) shall not apply.
10. In section 19—
- (a) in subsection (8), for the reference to thirty-five days there shall be a reference to forty-two days;
- (b) in subsection (9)(c), after the word "names" there shall be inserted the words "ages and sex", and after the words "individuals and" there shall be inserted the words "the names of";
- (c) in subsection (11), the references to section ninety of the principal Act, and the words from "In this subsection" to the end, shall be omitted; and
- (d) in subsection (12), the words from "and shall be" to the end shall be omitted.
11. Section 20 shall not apply.
12. In section 21(1), after paragraph (b) there shall be inserted the words "(being in either case a building all the dwellings in which are owned by the same person)".
13. In section 22(4), for the reference to section one hundred and seventy of the principal Act there shall be substituted a reference to section 168 of the principal Act.
14. In section 23—
- (a) for subsection (2) there shall be substituted the following subsection—
- "(2) If the superior or owner of any lands and heritages gives notice to the local authority of his estate in those lands and heritages, the authority shall give to him notice of any proceedings taken by them in pursuance of the foregoing provisions of this Part of this Act in relation to those lands and heritages or any part thereof.";
- (b) in subsection (3), for the reference to any covenant or contract there shall be substituted a reference to any agreement or stipulation;
- (c) in subsection (7)—
- (i) for paragraph (a) there shall be substituted the following paragraph—
- "(a) any person holding the interest of the lessee under a sublease of the house; and";

## SCH. 3

(ii) in paragraph (b), "the Rent Acts" means the Rent and Mortgage Interest Restrictions Acts 1920 to 1939;

(d) subsections (8) and (9) shall not apply.

15. Sections 24 to 27 shall not apply.

## PART II

## ADAPTATIONS OF SECTIONS 64 TO 70 OF THIS ACT

1. In section 64—

(a) subsections (1) to (5) and (8) shall not apply;

(b) in subsections (6) and (7), for the references to a mortgagee there shall be substituted references to the creditor in a heritable security, and "heritable security" has the same meaning as in the Conveyancing (Scotland) Act 1924 except that it includes a security constituted by *ex facie* absolute disposition or assignation.

2. In section 65—

(a) in subsection (4), for the references to the Act of 1957 there shall be substituted references to the Act of 1950;

(b) in subsection (5)(b), for the reference to the court there shall be substituted a reference to the sheriff.

3. In section 66 for the reference to the Act of 1957 there shall be substituted a reference to the Act of 1950.

4. In section 68 any reference to a justice of the peace shall include a reference to the sheriff and to a magistrate.

5. In section 69 for the references to a tenement block there shall be substituted references to a tenement all the dwellings in which are owned by the same person.

## PART III

## PART II OF ACT OF 1961, AS AMENDED, IN ITS APPLICATION TO SCOTLAND

## "AMENDMENTS OF HOUSING (SCOTLAND) ACT 1950

*Houses in multiple occupation*

Power to apply management code to houses in multiple occupation.

12.—(1) If it appears to a local authority that a house which, or a part of which, is let in lodgings or which is occupied by members of more than one family is in an unsatisfactory state in consequence of failure to maintain proper standards of management and, accordingly, that it is necessary that the regulations made under the following provisions of this Part of this Act should apply to the house, the local authority may by order direct that those regulations shall so apply; and so long as the order is in force the regulations shall apply in relation to the house accordingly.

(2) Not less than twenty-one days before making an order under this section, the local authority shall—

(a) serve on an owner of the house, and on every person who is to their knowledge a lessee of the house, notice of their intention to make the order, and

(b) post such a notice in some position in the house where it is accessible to those living in the house,

and shall afford to any person on whom a notice is so served an opportunity of making representations regarding their proposal to make the order.

(3) An order under this section shall come into force on the date on which it is made, and the local authority shall within seven days from the making of the order—

(a) serve a copy of the order on an owner of the house and on every person who is to the knowledge of the local authority a lessee of the house, and

(b) post a copy of the order in some position in the house where it is accessible to those living in the house.

(4) A person on whom a copy of the order is served under the last foregoing subsection, and any other person who is a lessee of the house, may, within fourteen days from the latest date by which copies of the order are required to be served, appeal to the sheriff on the ground that the making of the order was unnecessary.

(5) On an appeal under the last foregoing subsection the sheriff shall take into account the state of the house at the time when the local authority under subsection (2) of this section served notice of their intention to make the order, as well as at the time of the making of the order, and shall disregard any improvement in the state of the house between those times unless the sheriff is satisfied that effective steps have been taken to ensure that the house will in future be kept in a satisfactory state; and if the sheriff allows the appeal, he shall revoke the order, but without prejudice to its operation prior to the revocation, and without prejudice to the making of a further order.

(6) A local authority may at any time on the application of a person having an estate or interest in the house revoke an order under this section, and if a local authority refuse an application under this subsection, or do not within forty-two days from the making of the application, or within such further period as the applicant may in writing allow, notify the applicant of their decision on the application, the applicant may appeal to the sheriff and the sheriff, if of opinion that there has been a substantial change in the circumstances since the making of the order, and that it is in other respects just to do so, may revoke the order.

(7) As soon as practicable after an order under this section has come into force the local authority shall cause the order to be recorded in the General Register of Sasines, and if any such order is revoked the authority shall as soon as practicable cause to be recorded in the General Register of Sasines a notice stating that the order has been revoked.

SCH. 3  
Regulations  
prescribing  
management  
code.

**13.—(1)** With a view to providing a code for the management of houses which may be applied under the last foregoing section, the Secretary of State may by regulations contained in a statutory instrument make provision for the purpose of ensuring that the person managing a house which, or a part of which, is let in lodgings or which is occupied by members of more than one family observes proper standards of management.

Without prejudice to the generality of the foregoing provisions of this section, regulations under this section may, in particular, require the person managing the house to ensure the repair, maintenance, cleansing and good order—

- (a) of all means of water supply and drainage in the house,
- (b) of kitchens, bathrooms and water closets used in common by persons living in the house,
- (c) of sinks and wash-basins used in common by persons living in the house,
- (cc) of the roof and windows forming part of the house,
- (d) of common staircases, corridors and passage ways, and
- (e) of outbuildings, yards and gardens used in common by persons living in the house,

and to make satisfactory arrangements for the disposal of refuse and litter from the house.

**(2)** For the purposes of the foregoing subsection and regulations made under this section, the person managing a house which, or a part of which, is let in lodgings or which is occupied by members of more than one family shall be defined as—

- (a) the person who is an owner or a lessee of the house and who, directly or through a trustee, tutor, curator, factor or agent, receives rents or other payments from persons who are tenants of parts of the house, or who are lodgers, and
- (b) where those rents or other payments are received through another person as his trustee, tutor, curator, factor or agent, that other person,

but the foregoing definition may be varied or replaced by regulations under this section.

**(3)** Regulations under this section—

- (a) may make different provision for different types of houses,
- (b) may provide for keeping a register of the names and addresses of those who are managers of houses,
- (c) may impose duties on persons who have an estate or interest in a house or any part of a house to which the regulations apply as to the giving of information to the local authority, and in particular may make it the duty of any person who acquires or ceases to hold an estate or interest in the house to notify the local authority,



SCH. 3

- (d) may impose duties on persons who live in the house for the purpose of ensuring that the person managing the house can effectively carry out the duties imposed on him by the regulations,
- (e) may authorise the local authority to obtain information as to the number of individuals or households accommodated in the house,
- (f) may make it the duty of the person managing the house to cause a copy of the order, and of the regulations, to be displayed in a suitable position in the house, and
- (g) may contain such other incidental and supplementary provisions as may appear to the Secretary of State to be expedient.

(4) If any person knowingly contravenes or without reasonable excuse fails to comply with any regulation under this section as applied under this Act in relation to any house he shall be liable on summary conviction—

- (a) where he has not previously been convicted of an offence under this section, to a fine not exceeding twenty pounds, and
- (b) where he has previously been convicted of an offence under this section, to imprisonment for a term not exceeding three months, or to a fine not exceeding one hundred pounds, or to both.

(5) A statutory instrument containing regulations under this section shall be subject to annulment in pursuance of a resolution of either House of Parliament.

14.—(1) If in the opinion of the local authority the condition of a house to which regulations under the last foregoing section for the time being apply is defective in consequence of neglect to comply with the requirements imposed by the regulations, or, in respect of a period falling wholly or partly before the regulations applied to the house, neglect to comply with standards corresponding to the requirements imposed by the regulations, the local authority may serve on the person managing the house (as defined by or under the last foregoing section) a notice specifying the works which in the opinion of the local authority are required to make good the neglect, and requiring the person on whom the notice is served to execute those works.

Power to require doing of work to make good neglect of proper standards of management.

(2) If it is not practicable after reasonable inquiry to ascertain the name or address of the person managing the house as so defined, the notice under this section may be served by addressing it to him by the description of 'manager of the house' (naming the house to which it relates) and by delivering it to some person on the premises.

(3) A notice under this section shall require the execution of the works within such period, being not less than twenty-one days from service of the notice, as may be specified in the notice, but that period may from time to time be extended by written permission of the local authority.

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(4) Where a local authority serve a notice on any person under this section they shall inform any other person who is to their knowledge an owner or lessee of the house or the creditor in a heritable security over the house of the fact that such a notice has been served.

(5) A person on whom a notice is served under this section and any other person who is an owner or lessee of the house, or the creditor in a heritable security over the house, to which the notice relates, may, within twenty-one days of service of the notice, or within such longer period as the local authority may in writing allow, appeal to the sheriff on any of the following grounds which are appropriate in the circumstances of the particular case—

- (a) that the condition of the house did not justify the local authority in requiring the execution of the works specified in the notice,
- (b) that there has been some informality, defect or error in, or in connection with, the notice,
- (c) that the local authority have refused unreasonably to approve the execution of alternative works, or that the works required by the notice to be executed are otherwise unreasonable in character or extent, or are unnecessary,
- (d) that the time within which the works are to be executed is not reasonably sufficient for the purpose, and
- (e) that some person other than the appellant is wholly or in part responsible for the state of affairs calling for the execution of the works, or will as the holder of an estate or interest in the premises derive a benefit from the execution of the works, and that that person ought to pay the whole or any part of the expenses of executing the works.

(6) If and so far as an appeal under this section is based on the ground of some informality, defect or error in, or in connection with, the notice, the sheriff shall dismiss the appeal if he is satisfied that the informality, defect, or error was not a material one.

(7) Where the grounds on which an appeal is brought under this section include the ground specified in paragraph (e) of subsection (5) of this section, the appellant shall serve a copy of his notice of appeal on each other person referred to, and on the hearing of the appeal the sheriff may make such order as he thinks fit with respect to the payment to be made by any such other person to the appellant, or, where the work is executed by the local authority, to the local authority.

Power to  
require  
execution of  
works of other  
descriptions.

15.—(1) If the condition of a house which, or a part of which, is let in lodgings, or which is occupied by members of more than one family, is, in the opinion of the local authority, so far defective with respect to any of the following matters, that is to say—

- natural and artificial lighting,
- ventilation,
- water supply,
- personal washing facilities,

drainage and sanitary conveniences,  
 facilities for the storage, preparation and cooking of food and  
 for the disposal of waste water, or  
 installations for space heating or for the use of space heating  
 appliances,

having regard to the number of individuals or households, or both,  
 accommodated for the time being on the premises, as not to be  
 reasonably suitable for occupation by those individuals or house-  
 holds, the local authority may serve either—

- (a) on the person having control of the house (as defined by  
 section 7(3) of the principal Act), or
- (b) on any person to whom the house is let, or on any person  
 who, as the trustee, tutor, curator, factor or agent of a per-  
 son to whom the house is let, receives rents or other pay-  
 ments from tenants of parts of the house or lodgers in the  
 house,

a notice specifying the works which in the opinion of the local  
 authority are required for rendering the premises reasonably suit-  
 able for such occupation as aforesaid, and requiring the person on  
 whom the notice is served to execute those works.

(2) If the local authority are satisfied that after the service of  
 the notice the number of individuals living on the premises has  
 been reduced to a level which will make the work specified in the  
 notice unnecessary, and that, either in consequence of their exercise  
 of the powers conferred by the following provisions of this Part of  
 this Act to limit the number of persons living on the premises or  
 otherwise, that number will be maintained at or below that level,  
 they may notify in writing the person on whom the notice was served  
 of the withdrawal of the notice, but the withdrawal of the notice  
 shall be without prejudice to the issue of a further notice.

(3) A notice under this section shall require the execution of the  
 works within such period, being not less than twenty-one days  
 from the service of the notice, as may be specified in the notice, but  
 that period may from time to time be extended by written permis-  
 sion of the local authority.

(4) Where a local authority serve a notice on any person under  
 this section they shall inform any other person who is to their  
 knowledge an owner or lessee of the house or the creditor in a  
 heritable security over the house of the fact that such a notice has  
 been served.

16.—(1) If it appears to a local authority that a house which,  
 or a part of which, is let in lodgings, or which is occupied by  
 members of more than one family, is not provided with such means  
 of escape from fire as the local authority consider necessary, the  
 local authority may, subject to this section, serve on any person  
 on whom a notice may be served under section 15 of this Act a  
 notice specifying the works which in the opinion of the local  
 authority are required to provide such means of escape, and requir-  
 ing the person on whom the notice is served to execute those works.

Provision of  
 means of  
 escape from  
 fire.

(2) A local authority who are not the fire authority for the  
 area in which the house is situated, or who have, under section 12

SCH. 3 of the Fire Services Act 1947, delegated all their functions in respect of that area to another fire authority, shall, before serving a notice under this section, consult with the fire authority concerned.

(3) Subsections (3) and (4) of section 15 of this Act shall apply to a notice under this section as they apply to a notice under that section.

(4) In this section 'fire authority' means, in relation to any area, the authority for the time being constituted the fire authority for that area by the Fire Services Act 1947, except that in relation to an area the fire brigade for which is administered by such a joint committee as is mentioned in section 36(4)(b) of that Act, it means that joint committee.

Right of appeal  
against notice  
requiring  
execution of  
works.

17.—(1) A person on whom a notice is served under either of the two last foregoing sections and any other person who is an owner or lessee of the house, or the creditor in a heritable security over the house, to which the notice relates, may, within twenty-one days from the service of the notice, or within such longer period as the local authority may in writing allow, appeal to the sheriff on any of the following grounds which are appropriate in the circumstances of the particular case—

- (a) that the condition of the house did not justify the local authority, having regard to the considerations in section 15(1) of this Act, in requiring the execution of the works specified in the notice, or, in the case of a notice under the last foregoing section, that the notice is not justified by the terms of that section,
- (b) that there has been some informality, defect or error in, or in connection with, the notice,
- (c) that the local authority have refused unreasonably to approve the execution of alternative works, or that the works required by the notice to be executed are otherwise unreasonable in character or extent, or are unnecessary,
- (d) that the time within which the works are to be executed is not reasonably sufficient for the purpose, and
- (e) that some person other than the appellant is wholly or in part responsible for the state of affairs calling for the execution of the works, or will as the holder of an estate or interest in the premises derive a benefit from the execution of the works, and that that person ought to pay the whole or any part of the expenses of executing the works.

(2) If and so far as an appeal under this section is based on the ground of some informality, defect or error in, or in connection with, the notice, the sheriff shall dismiss the appeal if he is satisfied that the informality, defect or error was not a material one.

(3) Where the grounds upon which an appeal under this section is brought include the ground specified in paragraph (e) of subsection (1) of this section, the sheriff, if satisfied that any other person referred to in the notice of appeal has had proper notice

of the appeal, may on the hearing of the appeal make such order as he thinks fit with respect to the payment to be made by that other person to the appellant or, where the work is executed by the local authority, to the local authority.

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(4) If on an appeal under this section against a notice served under section 15 of this Act the sheriff is satisfied that the number of persons living in the house has been reduced, and that adequate steps (whether by the exercise by the local authority of the powers conferred by the following provisions of this Part of this Act to limit the number of persons living in the house or otherwise) have been taken to prevent that number being again increased, the sheriff may if he thinks fit revoke the notice or vary the list of works specified in the notice.

18.—(1) If a notice under section 14, section 15 or section 16 of this Act is not complied with, then, after the expiration of the time within which the works are required to be executed or, if an appeal has been made against the notice and upon that appeal the notice has been confirmed with or without variation, and the works are not completed within twenty-eight days from the final determination of such appeal or 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 (with any variation made by the sheriff). Carrying out  
of works by  
local authority.

(2) Notwithstanding the foregoing subsection, if the person on whom the notice was served notifies the local authority in writing that he is not able to do the work in question, the local authority may, if they think fit, themselves do the work forthwith.

(3) Subsections (3), (4) and (5) of section 8 of the principal Act (which relate to the recovery by a local authority of expenses incurred by them in executing works on an insanitary house) shall, subject to any necessary modifications, apply for the purpose of enabling a local authority to recover any expenses reasonably incurred by them under this section in carrying out works in pursuance thereof as they apply for the purpose of enabling a local authority to recover the first-mentioned expenses, so, however, that the expenses incurred by a local authority in carrying out works in pursuance of this section shall be recoverable from the person on whom the notice was served or, if he was only properly served with the notice as trustee, tutor, curator, factor or agent for or of 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.

(4) Section 16 of the Act of 1950 (appeals) shall apply in relation to a demand by a local authority for the recovery of expenses incurred by them in carrying out works in pursuance of this section and in relation to an order made by a local authority with respect to any such expenses.

(5) Where under this section 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 subsections (2) to (4) of section 20, and section 21, of the principal Act shall, with any necessary

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modifications, apply to a charging order so made in like manner as they apply to a charging order made under the said section 20 and as if any reference in the said section 21 to Part II of the principal Act included a reference to this Part of this Act.

(6) If a local authority applies to the sheriff and satisfies him—

- (a) that any expenses reasonably incurred by them under this section (with the interest accrued due thereon) have not been, and are unlikely to be, recovered, and
- (b) that some person is profiting by the execution of the works in respect of which the expenses were incurred to obtain rents or other payments which would not have been obtainable if those works had not been executed,

the sheriff, if satisfied that that person has had proper notice of the application, may order him to make such payment or payments to the local authority as may appear to the sheriff to be just.

(8) Any interest payable under this section shall be at the rate for the time being fixed under section 8(3) of the principal Act.

Penalty for failure to execute works.

**18A.**—(1) Subject to this section, if a person on whom a notice has been served under section 14, section 15 or section 16 of this Act wilfully fails to comply with the notice, he shall be liable on summary conviction—

- (a) in the case of a first offence under this subsection, to a fine not exceeding one hundred pounds, and
- (b) in the case of a second or subsequent offence under this subsection to a fine not exceeding one hundred pounds or to imprisonment for a term not exceeding three months, or to both.

(2) If the local authority, after receiving notification in writing under section 18(2) of this Act from the person on whom the notice requiring the execution of works was served that he is not able to do the work in question, serve notice that they propose to do the work and relieve the person served with the notice from liability under this section, no liability shall arise under this section in respect of the notice requiring the execution of works.

(3) Subsection (1) of this section shall be without prejudice to the exercise by the local authority of their powers of carrying out the works under the said section 18.

(4) Section 159 of the principal Act (which confers powers of entry for the purposes mentioned in that section) shall apply to entry for the purpose of ascertaining whether there has been an offence under this section, but so much of the said section 159 as requires notice to be given of the intended entry shall not apply to entry for the purpose mentioned in this subsection.

The provisions of this subsection are without prejudice to section 28(2) of this Act.

(5) For the purposes of this section,—

- (a) where no appeal is brought against a notice under section 14, section 15 or section 16 of this Act, the notice is not complied with if the works specified in the notice are not

completed within the period so specified, with any extension duly permitted by the local authority, and

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- (b) where an appeal is brought against any such notice, the notice, in so far as it is confirmed on appeal, is not complied with if the works specified in the notice are not completed within twenty-eight days from the final determination of the appeal, or such longer period as the sheriff in determining the appeal may fix,

and for the purposes of this subsection the withdrawal of an appeal shall be deemed to be the final determination thereof having the like effect as a decision confirming the notice appealed against.

(6) Subsections (4) and (5) of section 23 of this Act shall apply in relation to an offence punishable under this section.

19.—(1) A local authority may, for the purposes of preventing the occurrence of, or remedying, a state of affairs calling for the service of a notice or a further notice under section 15 of this Act, fix as a limit for the house what is in their opinion the highest number of individuals who should, having regard to the considerations set out in section 15(1), live in the house in its existing condition, and give a direction applying that limit to the house.

Directions to prevent or reduce overcrowding in houses in multiple occupation.

(2) A direction under the foregoing subsection shall have effect so as to make it the duty of the occupier for the time being of the house—

- (a) not to permit any individual to take up residence in the house so as to increase the number of individuals living in the house to a number above the limit specified in the direction, and
- (b) where the number of individuals living in the house is for the time being above the limit so specified and any individual ceases to reside in the house, not to permit any other individual to take up residence in the house.

In this subsection the reference to the occupier for the time being of the house shall include a reference to any person who is for the time being entitled or authorised to permit individuals to take up residence in the house or in part of the house.

(3) References in the foregoing subsections to a house include references to part of a house, and the local authority shall have regard to the desirability of applying separate limits where different parts of a house are, or are likely to be, occupied by different persons.

(4) Not less than seven days before giving a direction under this section, the local authority shall—

- (a) serve on an owner of the house, and on every person who is to their knowledge a lessee of the house, notice of their intention to give the direction, and
- (b) post such a notice in some position in the house where it is accessible to those living in the house,

and shall afford to any person on whom a notice is so served an opportunity of making representations regarding their proposal to give the direction.

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(5) The local authority shall within seven days from the giving of the direction—

- (a) serve a copy of the direction on an owner of the house and on every person who is to the knowledge of the local authority a lessee of the house, and
- (b) post a copy of the direction in some position in the house where it is accessible to those living in the house.

(6) The power conferred by subsection (1) of this section may be exercised as regards any premises notwithstanding the existence of any previous direction under that subsection laying down a higher maximum.

(7) A local authority may at any time, having regard to any works which have been executed in the house, or any other change of circumstances, and on the application of any person having an estate or interest in the house, revoke any direction given under subsection (1) of this section, or vary it so as to allow more people to be accommodated in the house.

(8) If a local authority refuse an application under the last foregoing subsection, or do not within forty-two days from the making of such an application, or within such further period as the applicant may in writing allow, notify the applicant of their decision on the application, the applicant may appeal to the sheriff, and on the appeal the sheriff shall have power to revoke the direction or vary it in any manner in which it might have been varied by the local authority.

(9) The local authority may from time to time serve on the occupier of a house or part of a house in respect of which a direction under this section is in force a notice requiring him to furnish them within seven days with a statement in writing giving all or any of the following particulars, that is to say—

- (a) the number of individuals who are, on a date specified in the notice, living in the house or part of the house, as the case may be ;
- (b) the number of families or households to which those individuals belong ;
- (c) the names, ages and sex of those individuals and the names of the heads of each of those families or households ; and
- (d) the rooms used by those individuals and families or households respectively ;

and if the occupier makes default in complying with the requirements or furnishes a statement which to his knowledge is false in any material particular, he shall be liable on summary conviction to a fine not exceeding twenty pounds.

(10) If any person knowingly fails to comply with the requirements imposed on him by subsection (2) of this section, he shall be guilty of an offence under this subsection.



(11) A person committing an offence under the last foregoing subsection of this section shall be liable on summary conviction—

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- (a) where he has not previously been convicted of an offence under that subsection, to a fine not exceeding twenty pounds, and
- (b) where he has previously been convicted of an offence under that subsection, to imprisonment for a term not exceeding three months, or to a fine not exceeding one hundred pounds, or to both.

(12) The powers conferred by this section shall be exercisable whether or not a notice has been given under section 15 of this Act.

21.—(1) Sections 12 to 15 of this Act shall apply—

Application of ss. 12 to 15 to certain buildings comprising separate dwellings.

- (a) to a building which is not a house but comprises separate dwellings, two or more of which do not have a sanitary convenience and personal washing facilities accessible only to those living in the dwelling, and
- (b) to a building which is not a house but comprises separate dwellings, two or more of which are wholly or partly let in lodgings or occupied by members of more than one family,

(being in either case a building all the dwellings in which are owned by the same person) as if references in those sections to a house which, or a part of which, is let in lodgings or which is occupied by members of more than one family included references to any such building, but no direction shall be given under section 19 of this Act by virtue of this section in relation to such a building.

(2) If a local authority make an order under section 12 of this Act as applied by the foregoing subsection as respects a building at a time when another order under that section is in force as respects one of the dwellings in the building they shall revoke the last-mentioned order.

(3) References to a house in sections 17, 18 and 23 of this Act shall include references to a building to which this section applies.

22.—(1) A local authority may make and submit to the Secretary of State for confirmation by him a scheme authorising the local authority to compile and maintain a register for their area—

Registers of houses in multiple occupation.

- (a) of houses which, or a part of which, are let in lodgings, or which are occupied by members of more than one family, and
- (b) of buildings which comprise separate dwellings, two or more of which do not have a sanitary convenience and personal washing facilities accessible only to those living in the dwelling,

and the Secretary of State may if he thinks fit confirm the scheme with or without modifications.

(2) A scheme under this section shall not come into force until it has been confirmed and, subject to that, shall come into force

**SCH. 3** on such date as may be fixed by the scheme, or if no date is so fixed, at the expiration of one month after it is confirmed.

(3) A scheme under this section need not be for the whole of the local authority's area and need not be for every description of house or building falling within paragraphs (a) and (b) of subsection (1) of this section, and—

- (a) may prescribe the particulars to be inserted in the register, and
- (b) may make it the duty of persons prescribed by the scheme to notify the local authority of the fact that the house or building appears to be registrable, and to give the local authority all or any of the prescribed particulars as regards the house or building, and
- (c) may make it the duty of persons prescribed by the scheme to notify the local authority of any change which makes it necessary to alter the particulars inserted in the register as regards any house or building.

(4) Without prejudice to the provisions of section 168 of the principal Act (under which a local authority may require information as to the ownership of premises), a local authority may, for the purpose of ascertaining whether a house or building is registrable, and of ascertaining the particulars to be entered in the register as regards the house or building, require any person who has an estate or interest in, or who lives in, the house or building to state in writing any information in his possession which the local authority may reasonably require for that purpose, and any person who, having been required by a local authority in pursuance of this subsection to give to them any information, fails to give that information, or knowingly makes any misstatement in respect thereof, shall be liable on summary conviction to a fine not exceeding ten pounds.

(5) A scheme under this section may make a contravention or failure to comply with any provision in the scheme an offence under the scheme, and a person guilty of an offence under the scheme shall be liable on summary conviction to a fine not exceeding ten pounds.

(6) At least one month before a scheme is submitted to the Secretary of State for confirmation by him, notice of intention to submit the scheme shall be given in one or more newspapers circulating in the district of the local authority.

(7) As soon as a scheme under this section is confirmed by the Secretary of State, the local authority shall publish in one or more newspapers circulating in their district a notice stating the fact of such a scheme having been confirmed, and describing any steps which will have to be taken under the scheme by those concerned with registrable houses and buildings (other than steps which have only to be taken after a notice from the local authority), and naming a place where a copy of the scheme may be seen at all reasonable hours.

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(8) A copy of a scheme confirmed by the Secretary of State shall be printed and deposited at the offices of the local authority by whom it was made, and shall at all reasonable hours be open to public inspection without payment, and a copy thereof shall, on application, be furnished to any person on payment of such sum, not exceeding one shilling for every copy, as the local authority may determine.

(9) A scheme under this section may vary or revoke a previous scheme thereunder; and a local authority may at any time with the consent of the Secretary of State revoke a scheme by an order, notice of which shall be published by them in one or more newspapers circulating in their district.

(10) The production of a printed copy of a scheme purporting to be made by a local authority, upon which is indorsed a certificate purporting to be signed by the clerk to the authority stating—

- (a) that the scheme was made by the local authority,
- (b) that the copy is a true copy of the scheme,
- (c) that on a specified date the scheme was confirmed by the Secretary of State,

shall be prima facie evidence of the facts stated in the certificate, and without proof of the handwriting or official position of any person purporting to sign the certificate in pursuance of this section.

23.—(1) If on an application made by a person required by a notice under the foregoing provisions of this Part of this Act to execute any works it appears to the sheriff that any other person having an estate or interest in the premises has unreasonably refused to give any consent required to enable the works to be executed, the sheriff may give the necessary consent in place of that other person. Supplemental provisions.

(2) If the superior or owner of any lands and heritages gives notice to the local authority of his estate in those lands and heritages, the authority shall give to him notice of any proceedings taken by them in pursuance of the foregoing provisions of this Part of this Act in relation to those lands and heritages or any part thereof.

(3) Nothing in the foregoing provisions of this Part of this Act shall prejudice or interfere with the rights or remedies of any owner for breach, non-observance or non-performance of any agreement or stipulation entered into by a lessee in reference to any house in respect of which a notice requiring the execution of works is served by a local authority under the foregoing provisions of this Part of this Act, or as respects which regulations made under section 13 of this Act are for the time being in force; and if any owner is obliged to take possession of a house in order to comply with any such notice, the taking possession shall not affect his right to avail himself of any such breach, non-observance or non-performance which has occurred before he so took possession.

## SCH. 3

(4) Where an offence punishable under the foregoing provisions of this Part of this Act which has been 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, secretary or other similar officer of the body corporate, or any person purporting to act in any such capacity, he as well as the body corporate shall be deemed to be guilty of that offence and shall be liable to be proceeded against and punished accordingly.

(5) Where a person is convicted of an offence by virtue of the last foregoing subsection and the body corporate in question is under the foregoing provisions of this Part of this Act liable, as having been previously convicted of an offence, to a higher penalty than if it had not been previously convicted of any offence, that person shall be liable under the foregoing provisions of this Part of this Act to the same penalties as the body corporate, including the imprisonment to which it would be liable if a natural person:

Provided that he shall not be so liable if he shows that at the time of the first-mentioned offence he did not know of the body corporate's conviction for the earlier offence and that at the time of the earlier conviction he was not acting or purporting to act as a director, manager, secretary or other similar officer of the body corporate.

(6) Section 159 of the principal Act (which confers powers of entry for the purposes mentioned in that section) shall apply to entry for the purpose of ascertaining whether there has been a contravention of any regulation or direction made or given under the foregoing provisions of this Part of this Act, but so much of that section as requires notice to be given of the intended entry shall not apply to entry for the purpose mentioned in this subsection.

(7) In the foregoing provisions of this Part of this Act references to a lessee of a house and to a person to whom a house is let include references to—

(a) any person holding the interest of lessee under a sub-lease of the house; and

(b) any person who retains possession of the house by virtue of the Rent and Mortgage Interest Restrictions Acts 1920 to 1939 and not as being entitled to any tenancy;

and references to a person having an estate or interest in the house include references to any such person as is mentioned in paragraph (b) of this subsection.

Execution of works under Part II.

**23A.** Section 161 of the principal Act (penalty for preventing execution of repairs) shall apply as if any reference in that section to Part II of the principal Act included a reference to this Part of this Act.

Overcrowded houses and execution of works in overcrowded houses.

**23B.**—(1) If the condition of a house which, or a part of which, is let in lodgings, or which is occupied by members of more than one family, is, in the opinion of the local authority, defective in one or more of the ways described in section 15(1) of this Act, having regard to the number of individuals or households, or both,

accommodated for the time being on the premises, the notice which the local authority may serve under that subsection may be a notice specifying the works which in the opinion of the local authority are required for rendering the premises reasonably suitable for occupation by a number of individuals or households smaller than the number accommodated for the time being on the premises.

(2) A notice served in pursuance of the foregoing subsection shall specify the number of individuals or households, or both, which in the opinion of the local authority the premises could reasonably accommodate if the works specified in the notice were carried out, and one of the grounds on which an appeal may be brought under section 17 of this Act against such a notice shall be that the number so specified in the notice is unreasonably low.

(3) Where the local authority have in pursuance of the foregoing provisions of this section served a notice specifying the number of individuals or households, or both, which in the opinion of the local authority the premises could reasonably accommodate if the works specified in the notice were carried out, the local authority may adopt that number of individuals (or a number of individuals determined by reference to that number of households) in fixing a limit under section 19(1) of this Act as respects the house.

(4) No notice shall be served under section 15(1) of this Act in pursuance of subsection (1) of this section as respects a building which is not a house but to which the said section 15 is applied by section 21 of this Act.

**23C.**—(1) Where it is shown to the satisfaction of a justice of the peace, on sworn information in writing, that admission to premises specified in the information is reasonably required by a person employed by, or acting on the instructions of, a local authority for the purpose—

Warrant to  
authorise  
entry.

- (a) of survey and examination to determine whether any powers under this Part of this Act should be exercised in respect of the premises, or
- (b) of ascertaining whether there has been a contravention of any regulations or direction made or given under this Part, the justice, subject to this section, may by warrant under his hand authorise that person to enter on the premises for the purposes mentioned in paragraphs (a) and (b) above, or for such of those purposes as may be specified in the warrant.

(2) A justice of the peace shall not grant a warrant under this section unless he is satisfied—

- (a) that admission to the premises has been refused and, except where the purpose specified in the information is the survey and examination of premises to determine whether there has been a failure to comply with a notice under section 14, section 15 or section 16 of this Act, or is to ascertain whether there has been a contravention of any regulations or direction made or given under Part II of this Act, that admission was sought after not less than

## SCH. 3

twenty-four hours' notice of the intended entry had been given to the occupier, or

(b) that an application for admission to the premises would defeat the object of the entry.

(3) Every warrant granted under this section shall continue in force until the purpose for which the entry is required has been satisfied.

(4) Any person who, in the exercise of a right of entry under this section, enters any premises which are unoccupied, or premises of which the occupier is temporarily absent, shall leave the premises as effectually secured against trespassers as he found them.

(5) Any power of entry conferred by this section—

(a) shall include power to enter, if need be, by force, and

(b) may be exercised by the person on whom it is conferred either alone or together with any other persons.

(6) In this section any reference to a justice of the peace shall include a reference to the sheriff and to a magistrate.

Management code to be available for dwellings in certain tenements.

**23D.**—(1) If on 13th November 1963 all or any of the dwellings in a tenement are without one or more of the standard amenities, sections 12 to 14 of this Act shall, after the coming into force of this section, apply to the tenement as if references in those sections to a house which, or a part of which, is let in lodgings or which is occupied by members of more than one family included references to the tenement.

(2) If a local authority make an order under the said section 12 as applied by the foregoing subsection as respects a tenement at a time when another order under that section is in force as respects one of the dwellings in the tenement, they shall revoke the last-mentioned order.

(3) References to a house in sections 18 and 23 of this Act shall include references to a tenement to which this section applies.

(4) Expressions in this section to which meanings are given by Part II of the Housing Act 1964 shall have the same meaning in this section.

(5) In this section any references to a tenement are references to a tenement, all the dwellings in which are owned by the same person.

Applications and appeals to the sheriff.

**23E.**—(1) Any application to the sheriff under this Part of this Act shall be conducted and disposed of in like manner as proceedings brought under the Small Debt (Scotland) Acts 1837 to 1889, and the determination of the sheriff on any such application shall be final and conclusive.

(2) The provisions of section 166 of the principal Act (other than subsection (3) of that section) shall apply to any appeal to the sheriff under this Part of this Act as they apply to appeals to the sheriff under that Act.

*Miscellaneous*

SCH. 3

28.—(1) In this Part of this Act—

Interpretation  
and construction  
of Part II.

(a) 'the principal Act' means the Housing (Scotland) Act 1950,

(b) 'heritable security' has the same meaning as in the Conveyancing (Scotland) Act 1924 except that it includes a security constituted by *ex facie* absolute disposition or assignation.

(2) This Part of this Act shall be construed as one with the principal Act."

## SCHEDULE 4

Section 87.

## CONSEQUENCES OF CESSATION OF CONTROL ORDER

*Transfer of landlord's interest in tenancies and agreements*

1.—(1) On and after the date on which the control order ceases to have effect any lease, licence or agreement in which the local authority were substituted for any other party by virtue of section 75 of this Act shall have effect as if for the local authority there were substituted in the lease, licence or agreement the original party or his successor in title.

(2) On and after the date on which the control order ceases to have effect any agreement in the nature of a lease or licence created by the local authority shall have effect as if the dispossessed proprietor were substituted in the agreement for the local authority.

(3) If the dispossessed proprietor is a lessee, nothing in any superior lease shall impose any liability on the dispossessed proprietor or any superior lessee in respect of anything done in pursuance of the terms of an agreement in which the dispossessed proprietor is substituted for the local authority by virtue of this paragraph.

*Exclusion of s.11(2) of Rent Act 1957*

2. The foregoing paragraph shall not be construed as creating for the purposes of section 11(2) of the Rent Act 1957 (release from control under Rent Acts) any tenancy coming into operation on the date when the control order ceases to have effect.

*Cases where leases have been modified while control order was in force*

3. If under section 88 of this Act the county court modifies or determines a lease, the county court may include in the order modifying or determining the lease provisions for modifying the effect of paragraph 1 of this Schedule in relation to the lease.

*Interpretation*

4. References in this Schedule to the control order ceasing to have effect are references to its ceasing to have effect whether on revocation or in any other circumstances.

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## Section 108.

## SCHEDULE 5

## REPEALS

Chapter	Short Title	Extent of Repeal
14 Geo. 6. c. 34.	The Housing (Scotland) Act 1950.	In section 114(1)(b), sub-paragraph (iii).
4 & 5 Eliz. 2. c. 52.	The Clean Air Act 1956	In section 13(1)(a) (except for the purposes of the application of that paragraph to expenses incurred before the coming into force of section 95 of this Act) the word "the" before "payments" and the words "which they are bound thereby to make". Section 34(5).
5 & 6 Eliz. 2. c. 56.	The Housing Act 1957 ...	The proviso to section 178(1). The proviso to section 179(1).
6 & 7 Eliz. 2. c. 42.	The Housing (Financial Provisions) Act 1958.	In Schedule 4, paragraph 3(bb).
7 & 8 Eliz. 2. c. 33.	The House Purchase and Housing Act 1959.	Section 6, except in relation to applications under section 4 of the Act made before the commencement of this Act. In section 11(3) the words from "the following sub-paragraph" to "and the said". Section 14, except in relation to applications under section 13 of the Act made before the commencement of this Act. In section 24(3), sub-paragraph (iii) of the substituted paragraph (b). In Section 28(2) the words "subsection (6) of section fourteen".
9 & 10 Eliz. 2. c. 65.	The Housing Act 1961 ...	In section 18(1) the words from "after the expiration" to "may fix", in section 18(2) the words "before the expiration of the time mentioned in that subsection", in section 18(3) the words "or summarily as a civil debt" and section 18(4), 18(7) and 18(9). In section 22(1) the words from the beginning to "commencement of this Act". In section 22(3)(b) the words "as regards houses and buildings first becoming registrable after the compilation of the register". Section 30 (2).



Table of Statutes referred to in this Act

Short Title	Session and Chapter
Local Loans Act 1875 ... ..	38 & 39 Vict. c. 83.
Crofters Holdings (Scotland) Act 1886 ...	49 & 50 Vict. c. 29.
Industrial and Provident Societies Act 1893 ...	56 & 57 Vict. c. 39.
Increase of Rent and Mortgage Interest (Restrictions) Act 1920 ... ..	10 & 11 Geo. 5. c. 17.
Conveyancing (Scotland) Act 1924 ... ..	14 & 15 Geo. 5. c. 27.
Law of Property Act 1925 ... ..	15 & 16 Geo. 5. c. 20.
Land Charges Act 1925 ... ..	15 & 16 Geo. 5. c. 22.
National Loans Act 1939 ... ..	2 & 3 Geo. 6. c. 117.
Rent of Furnished Houses Control (Scotland) Act 1943 ... ..	6 & 7 Geo. 6. c. 44.
Furnished Houses (Rent Control) Act 1946 ...	9 & 10 Geo. 6. c. 34.
Water (Scotland) Act 1946 ... ..	9 & 10 Geo. 6. c. 42.
Housing (Financial and Miscellaneous Provisions) Act 1946 ... ..	9 & 10 Geo. 6. c. 48.
Acquisition of Land (Authorisation Procedure) Act 1946... ..	9 & 10 Geo. 6. c. 49.
Housing (Financial Provisions) (Scotland) Act 1946 ... ..	9 & 10 Geo. 6. c. 54.
New Towns Act 1946 ... ..	9 & 10 Geo. 6. c. 68.
National Health Service (Scotland) Act 1947...	10 & 11 Geo. 6. c. 27.
Fire Services Act 1947 ... ..	10 & 11 Geo. 6. c. 41.
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.
Companies Act 1948 ... ..	11 & 12 Geo. 6. c. 38.
Agricultural Wages Act 1948 ... ..	11 & 12 Geo. 6. c. 47.
Agricultural Holdings Act 1948 ... ..	11 & 12 Geo. 6. c. 63.
Agricultural Wages (Scotland) Act 1949 ... ..	12, 13 & 14 Geo. 6. c. 30.
Agricultural Holdings (Scotland) Act 1949 ...	12, 13 & 14 Geo. 6. c. 75.
Housing (Scotland) Act 1950 ... ..	14 Geo. 6. c. 34.
Magistrates' Courts Act 1952 ... ..	15 & 16 Geo. 6 & 1 Eliz. 2. c. 55.
Local Government Superannuation Act 1953...	1 & 2 Eliz. 2. c. 25.
Summary Jurisdiction (Scotland) Act 1954 ...	2 & 3 Eliz. 2. c. 48.
Housing (Repairs and Rents) (Scotland) Act 1954 ... ..	2 & 3 Eliz. 2. c. 50.
Housing Repairs and Rents Act 1954 ... ..	2 & 3 Eliz. 2. c. 53.
Landlord and Tenant Act 1954 ... ..	2 & 3 Eliz. 2. c. 56.
Crofters (Scotland) Act 1955 ... ..	3 & 4 Eliz. 2. c. 21.
Clean Air Act 1956 ... ..	4 & 5 Eliz. 2. c. 52.
House of Commons Disqualification Act 1957	5 & 6 Eliz. 2. c. 20.
Rent Act 1957 ... ..	5 & 6 Eliz. 2. c. 25.
Housing and Town Development (Scotland) Act 1957 ... ..	5 & 6 Eliz. 2. c. 38.
Housing Act 1957 ... ..	5 & 6 Eliz. 2. c. 56.
Housing (Financial Provisions) Act 1958 ...	6 & 7 Eliz. 2. c. 42.
County Courts Act 1959 ... ..	7 & 8 Eliz. 2. c. 22.
House Purchase and Housing Act 1959 ... ..	7 & 8 Eliz. 2. c. 33.
Town and Country Planning Act 1959 ... ..	7 & 8 Eliz. 2. c. 53.

Short Title	Session and Chapter
Town and Country Planning (Scotland) Act 1959 ... ..	7 & 8 Eliz. 2. c. 70.
Charities Act 1960 ... ..	8 & 9 Eliz. 2. c. 58.
Housing Act 1961 ... ..	9 & 10 Eliz. 2. c. 65.
Housing (Scotland) Act 1962 ... ..	10 & 11 Eliz. 2. c. 28.
Building Societies Act 1962 ... ..	10 & 11 Eliz. 2. c. 37.
London Government Act 1963 ... ..	1963. c. 33.



# Adoption Act 1964

## 1964 CHAPTER 57

An Act to provide for effect to be given to certain adoption orders made outside Great Britain; to facilitate the proof of adoption orders in different parts of the United Kingdom; and for connected purposes.

[16th July 1964]

**B**E IT ENACTED by the Queen'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) Any provision (however expressed) in any enactment passed before the commencement of this Act under which a person adopted in pursuance of an adoption order is for any purpose treated as the child of the adopter, or any other relationship is deduced by reference to such an order, shall have effect, as respects anything done or any event occurring after the commencement of this Act,—

- (a)* if it extends only to adoptions in pursuance of orders made in the United Kingdom, as extending also to adoptions in pursuance of orders made, whether before or after the commencement of this Act, in the Isle of Man or in any of the Channel Islands;
- (b)* if it extends only to adoptions in pursuance of orders made in England or in Great Britain, as extending also to adoptions in pursuance of orders made, whether before or after the commencement of this Act, elsewhere in the United Kingdom or in the Isle of Man or in any of the Channel Islands;

and section 17(3) of the Adoption Act 1958 and section 24(2) of the Succession (Scotland) Act 1964 (which enable trustees and personal representatives to convey or distribute property among the persons entitled thereto without ascertaining that no adoption order has been made which affects any interest

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therein) shall extend to any such order as is mentioned in this subsection.

(2) An order authorising adoption made outside Great Britain after the commencement of this Act shall also have the same effect as an adoption order—

- (a) for the purposes of sections 14(2) (transfer of rights under certain insurance policies) and 25 (entries in parochial registers of baptism) of the said Act of 1958, if the order is made in Northern Ireland; and
- (b) for the purposes of those sections and of section 15 (effect on affiliation orders &c.) of that Act, if the order is made in the Isle of Man or in any of the Channel Islands.

(3) An order authorising adoption made in the Isle of Man or in any of the Channel Islands shall have the same effect for the purposes of section 19 of the said Act of 1958 (citizenship) as an adoption order, if it is made after the commencement of this Act; and if such an order was made before the commencement of this Act in respect of a person who would have become a citizen of the United Kingdom and Colonies at the date of the order had this Act been then in force, he shall be a citizen of the United Kingdom and Colonies as from the commencement of this Act.

(4) Where a person adopted in pursuance of an order made, whether before or after the commencement of this Act, in Northern Ireland, the Isle of Man or in any of the Channel Islands has subsequently become a legitimated person, and the order is then revoked, the revocation shall not affect the operation of sections 16 and 17 of the said Act of 1958, or sections 23 and 24 of the said Act of 1964, as extended by subsection (1) of this section, in relation to an intestacy which occurred, or a disposition which was made, before the revocation.

(5) Any such provision as is mentioned in subsection (1) of this section which, by virtue of subsection (4) of section 53 of the said Act of 1958, applies in relation to orders under that section shall, as respects anything done after the commencement of this Act, apply also in relation to similar orders made, whether before or after the commencement of this Act, in Northern Ireland, the Isle of Man or any of the Channel Islands, and shall be construed accordingly; and any such order made after the commencement of this Act shall also have the same effect as an adoption order for the purposes of the provisions mentioned in subsection (2) of this section.

Evidence of  
adoptions  
etc.

2.—(1) Any document which under section 20(2) or section 22(2) of the Adoption Act 1958 or section 14(9) of the Adoption of Children Act (Northern Ireland) 1950 or any corresponding enactment of the Parliament of Northern Ireland for the time being in force is receivable as evidence of any matter in any part

of Great Britain or in Northern Ireland shall be so receivable also in the rest of Great Britain or, as the case may be, in Great Britain.

(2) In section 1(3) of the Fatal Accidents Act 1959 the words from "and for the purpose" to the end are hereby repealed.

7 & 8 Eliz. 2.  
c. 65.

3.—(1) Where the Registrar General or the Registrar General for Scotland is notified by the authority maintaining a register of adoptions in Northern Ireland, the Isle of Man or any of the Channel Islands that an order has been made in that country authorising the adoption of an infant to whom an entry in the Registers of Births (or, as the case may be, the Register of Births) or the Adopted Children Register relates, he shall cause the entry to be marked with the word "Adopted" or "Re-adopted", as the case may require, followed by the name, in brackets, of the country in which the order was made.

Registration  
of adoptions  
outside  
Great  
Britain.

(2) Where, after an entry has been so marked, the Registrar General or the Registrar General for Scotland is notified as aforesaid that the order has been quashed, that an appeal against the order has been allowed or that the order has been revoked, he shall cause the marking to be cancelled; and a copy or extract of an entry in any register, being an entry the marking of which is cancelled under this subsection, shall be deemed to be an accurate copy if and only if both the marking and the cancellation are omitted therefrom.

(3) The preceding provisions of this section shall apply in relation to orders corresponding to orders under section 53 of the said Act of 1958 as they apply in relation to orders authorising the adoption of an infant; but any marking of an entry required by virtue of this subsection shall consist of the word "Provisionally" followed by the words mentioned in subsection (1) of this section.

(4) Without prejudice to subsections (2) and (3) of this section, where, after an entry in the Registers of Births or the Register of Births has been marked in accordance with this section, the birth is re-registered under section 14 of the Births and Deaths Registration Act 1953 or section 2 of the Registration of Births, Deaths and Marriages (Scotland) (Amendment) Act 1934 (re-registration of birth of legitimated persons), the entry made on the re-registration shall be marked in the like manner.

1 & 2 Eliz. 2.  
c. 20.  
24 & 25 Geo. 5.  
c. 19.

4.—(1) This Act may be cited as the Adoption Act 1964.

Short title,  
citation,  
construction  
and extent.

(2) This Act, the Adoption Act 1958 and the Adoption Act 1960 may be cited together as the Adoption Acts 1958 to 1964.

(3) This Act shall be construed as one with the Adoption Act 1958.

8 & 9 Eliz. 2.  
c. 59.

(4) This Act, except so far as it extends the operation of section 19 of the Adoption Act 1958, does not extend to Northern Ireland.



# Resale Prices Act 1964

## 1964 CHAPTER 58

An Act to restrict the maintenance by contractual and other means of minimum resale prices in respect of goods supplied for resale in the United Kingdom; and for purposes connected therewith. [16th July 1964]

**B**E IT ENACTED by the Queen'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:—

### *Restriction of contractual and other means of maintaining minimum resale prices*

Avoidance of conditions for maintaining resale prices.

1.—(1) Subject to the provisions of this Act with respect to registration and to the powers of the Restrictive Practices Court thereunder, any term or condition of a contract for the sale of goods by a supplier to a dealer, or of any agreement between a supplier and a dealer relating to such a sale, shall be void in so far as it purports to establish or provide for the establishment of minimum prices to be charged on the resale of the goods in the United Kingdom; and it shall be unlawful for any supplier of goods (or for any association or person acting on behalf of such suppliers)—

- (a) to include in any contract of sale or agreement relating to the sale of goods any term or condition which is void by virtue of this section;
- (b) to require, as a condition of supplying goods to a dealer, the inclusion in any contract or agreement of any such term or condition, or the giving of any undertaking to the like effect;

(c) to notify to dealers, or otherwise publish on or in relation to any goods, a price stated or calculated to be understood as the minimum price which may be charged on the resale of the goods in the United Kingdom.

(2) This section applies to patented articles (including articles made by a patented process) as it applies to other goods; and notice of any term or condition which is void by virtue of this section, or which would be so void if included in a contract of sale or agreement relating to the sale of any such article, shall be of no effect for the purpose of limiting the right of a dealer to dispose of that article without infringement of the patent:

Provided that nothing in this section shall affect the validity, as between the parties and their successors, of any term or condition of a licence granted by the proprietor of a patent or by a licensee under any such licence, or of any assignment of a patent, so far as it regulates the price at which articles produced or processed by the licensee or assignee may be sold by him.

(3) Nothing in subsection (1)(a) of this section affects the enforceability of a contract of sale or other agreement, except in respect of the term or condition which is void by virtue of this section.

(4) Nothing in subsection (1)(c) of this section shall be construed as precluding a supplier, or any association or person acting on behalf of a supplier, from notifying to dealers or otherwise publishing prices recommended as appropriate for the resale of goods supplied or to be supplied by the supplier.

(5) References in subsection (2) of this section to patented articles shall include references to articles protected by the registration of a design and articles protected by plant breeders' rights or a protective direction under Schedule 1 to the Plant Varieties and Seeds Act 1964, and references in that subsection to a patent shall be construed accordingly.

2.—(1) Subject to the provisions of this Act with respect to registration, to the powers of the Restrictive Practices Court thereunder and to the next following section, it shall be unlawful for any supplier to withhold supplies of any goods from a dealer seeking to obtain them for resale in the United Kingdom on the ground that the dealer—

Prohibition of other measures for maintaining resale prices.

(a) has sold in the United Kingdom at a price below the resale price goods obtained, either directly or indirectly, from that supplier, or has supplied such goods, either directly or indirectly, to a third party who had done so: or

(b) is likely, if the goods are supplied to him, to sell them in the United Kingdom at a price below that price, or supply them, either directly or indirectly, to a third party who would be likely to do so.

(2) In this section “the resale price”, in relation to a sale of any description, means any price notified to the dealer or otherwise published by or on behalf of a supplier of the goods in question (whether lawfully or not) as the price or minimum price which is to be charged on or is recommended as appropriate for a sale of that description, or any price prescribed or purporting to be prescribed for that purpose by any contract or agreement between the dealer and any such supplier.

(3) For the purposes of this Act a supplier of goods shall be treated as withholding supplies of goods from a dealer—

- (a) if he refuses or fails to supply those goods to the order of the dealer ;
- (b) if he refuses to supply those goods to the dealer except at prices, or on terms or conditions as to credit, discount or other matters, which are significantly less favourable than those at or on which he normally supplies those goods to other dealers carrying on business in similar circumstances ; or
- (c) if, although he contracts to supply the goods to the dealer, he treats him in a manner significantly less favourable than that in which he normally treats other such dealers in respect of times or methods of delivery or other matters arising in the execution of the contract.

(4) For the purposes of this Act a supplier shall not be treated as withholding supplies of goods on any such ground as is mentioned in subsection (1) of this section if, in addition to that ground, he has other grounds which, standing alone, would have led him to withhold those supplies.

(5) In any case where, by virtue of this section, it would be unlawful for a supplier to withhold supplies of goods, it shall also be unlawful for him to cause or procure any other supplier to do so.

Exception for  
measures  
against loss  
leaders.

3.—(1) It shall not be unlawful by virtue of section 2 of this Act for a supplier to withhold supplies of any goods from a dealer, or to cause or procure another supplier to do so, if he has reasonable cause to believe that within the previous twelve months the dealer or any other dealer to whom the dealer supplies goods has been using as loss leaders any goods of the same or a similar description, whether obtained from that supplier or not.



(2) The reference in this section to the use of goods as loss leaders is a reference to a resale of the goods effected by the dealer, not for the purpose of making a profit on the sale of those goods, but for the purpose of attracting to the establishment at which the goods are sold customers likely to purchase other goods or otherwise for the purpose of advertising the business of the dealer:

Provided that a sale of goods shall not be treated for the purposes of this section as the use of those goods as loss leaders—

- (a) where the goods are sold by the dealer at a genuine seasonal or clearance sale, not having been acquired by the dealer for the purpose of being resold as mentioned in this section; or
- (b) where the goods are resold as mentioned in this section with the consent of the manufacturer of the goods or, in the case of goods made to the design of a supplier or to the order and bearing the trade mark of a supplier, of that supplier.

4.—(1) No criminal proceedings shall lie against any person on the ground that he has committed, or aided, abetted, counselled or procured the commission of, or conspired or attempted to commit or incited others to commit, any contravention of the foregoing provisions of this Act. Civil remedies for breach of restrictions.

(2) The obligation to comply with the said provisions is a duty owed to any person who may be affected by a contravention of them, and any breach of that duty is actionable accordingly (subject to the defences and other incidents applying to actions for breach of statutory duty).

(3) Without prejudice to the right of any person to bring civil proceedings by virtue of subsection (2) of this section, compliance with the foregoing provisions of this Act shall be enforceable by civil proceedings on behalf of the Crown for an injunction or other appropriate relief.

(4) If in proceedings brought against a supplier of goods in respect of a contravention of section 2 of this Act it is proved that supplies of goods were withheld by the supplier from a dealer, and it is further proved—

- (a) that down to the time when supplies were so withheld the supplier was doing business with the dealer or was supplying goods of the same description to other dealers carrying on business in similar circumstances; and
- (b) that the dealer, to the knowledge of the supplier, had within the previous six months acted as described

in paragraph (a) of subsection (1) of that section, or had indicated his intention to act as described in paragraph (b) of that subsection in relation to the goods in question,

it shall be presumed, unless the contrary is proved, that the supplies were withheld on the ground that the dealer had so acted or was likely so to act:

Provided that this subsection shall not apply where the proof that supplies were withheld consists only of evidence of requirements imposed by the supplier in respect of the time at which or the form in which payment was to be made for goods supplied or to be supplied.

*Provision for exemption of particular classes of goods*

Power of Court to exempt classes of goods.

5.—(1) Subject to the provisions of this Act, the Restrictive Practices Court may, on a reference made by the Registrar of Restrictive Trading Agreements, by order direct that goods of any class specified in the order (being goods of which particulars are entered in the register kept in accordance with those provisions) shall be exempted goods for the purposes of this Act; and where such an order is made—

- (a) section 1 of this Act shall not apply in relation to any contract of sale or other agreement relating to exempted goods of the class specified in the order, or anything done in relation to such goods; and
- (b) section 2 of this Act shall apply in relation to the withholding of supplies of such goods as if paragraph (b) of subsection (1) were omitted, and as if the reference in paragraph (a) of that subsection to goods obtained from the supplier did not include any exempted goods so obtained.

(2) An order under this section directing that goods of any class shall be exempted goods may be made by the Restrictive Practices Court if it appears to the Court that in default of a system of maintained minimum resale prices applicable to those goods—

- (a) the quality of the goods available for sale, or the varieties of the goods so available, would be substantially reduced to the detriment of the public as consumers or users of those goods; or
- (b) the number of establishments in which the goods are sold by retail would be substantially reduced to the detriment of the public as such consumers or users; or

- (c) the prices at which the goods are sold by retail would in general and in the long run be increased to the detriment of the public as such consumers or users ; or
- (d) the goods would be sold by retail under conditions likely to cause danger to health in consequence of their misuse by the public as such consumers or users ; or
- (e) any necessary services actually provided in connection with or after the sale of the goods by retail would cease to be so provided or would be substantially reduced to the detriment of the public as such consumers or users,

and in any such case that the resulting detriment to the public as consumers or users of the goods in question would outweigh any detriment to them as such consumers or users (whether by the restriction of competition or otherwise) resulting from the maintenance of minimum resale prices in respect of the goods.

(3) On a reference under this section in respect of goods of any class which have been the subject of proceedings in the Court under Part I of the Restrictive Trade Practices Act 1956 the Court may treat as conclusive any finding of fact made in those proceedings, and shall do so unless prima facie evidence is given of a material change in the relevant circumstances since those proceedings.

(4) In this section "necessary services", in relation to goods, means services which, having regard to the character of the goods, are required to guard against the risk of injury, whether to persons or to premises, in connection with the consumption, installation or use of the goods, or are otherwise reasonably necessary for the benefit of consumers or users ; and "consumers" and "users" include persons consuming or using for the purpose or in the course of trade or business or for public purposes.

6.—(1) It shall be the duty of the Registrar to prepare, compile and maintain for the purposes of this Act a register of goods in respect of which notices are given to him under this section, and to make reference to the Court under section 5 of this Act (subject to such directions as may be given by the Board of Trade with respect to the order in which such references are to be made) in respect of all goods of which particulars are for the time being entered in the register. Registration of goods for exemption.

(2) Within the period of three months from the commencement of this section, any supplier who supplies goods under arrangements for maintaining minimum prices on resale, or any trade association whose members consist of or include such suppliers, may give notice to the Registrar in respect of goods of any description so supplied by that supplier or those suppliers claiming registration in respect of those goods.

(3) Where a notice under this section is duly given in respect of goods of any description, the Registrar shall cause particulars of the goods, of the person giving the notice and of the arrangements described in the notice to be entered in the register; and until the Court makes or refuses to make an order under section 5 of this Act in respect of a class of goods consisting of or comprising the goods of which particulars are so entered the foregoing provisions of this Act shall apply in relation to those goods as if such an order had been made.

(4) The Registrar shall from time to time publish lists of the classes of goods of which particulars are entered in the register kept by him under this section; and in any legal proceedings (including proceedings under this Act)—

- (a) the fact that goods of any description are included in a class specified in a list so published shall be conclusive evidence that they are goods of which particulars are so entered; and
- (b) the fact that goods of any description are not included in any such class shall be prima facie evidence that they are not goods of which particulars are so entered.

(5) The Registrar shall also from time to time publish lists of the classes of goods in respect of which the Court has made, refused to make or discharged orders under this Act, and any such list may be combined with a list published under subsection (4) of this section.

(6) For the purpose of compiling the lists described in subsection (4) of this section and, subject to rules made by virtue of section 8(2) of this Act, for the purpose of making references to the Court under the said section 5 the Registrar may combine or divide the goods in respect of which notice is given to him under this section into such classes as appear to him to be appropriate.

Late applications to, and review of decisions by, the Court.

7.—(1) The Restrictive Practices Court may, upon application made under this subsection at any time after the expiration of the period mentioned in section 6(2) of this Act, make such an order as is described in section 5(1) of this Act in respect of goods of any class, not being goods of which particulars are entered in the register kept under the said section 6 or goods in respect of which a previous application has been made under this subsection.

(2) The Restrictive Practices Court may, upon application made under this subsection—

- (a) discharge any order previously made by the Court directing that goods of any class shall be exempted goods;

(b) make such an order in respect of any class of goods in respect of which the Court has previously refused to make such an order or has previously discharged such an order.

(3) An application under this section may be made by the Registrar, by any supplier of goods of the class in question or by any trade association whose members consist of or include suppliers of such goods.

(4) No application shall be made under this section except with the leave of the Court ; and such leave shall not be granted—

(a) in the case of an application under subsection (1) of this section, except upon prima facie evidence of facts upon which an order could be made in accordance with section 5(2) of this Act in respect of the goods in question, or could be so made if any detriment to the public resulting from the maintenance of minimum resale prices were disregarded ;

(b) in the case of an application under subsection (2) of this section, except upon prima facie evidence of a material change in the relevant circumstances since the last decision of the Court in respect of the goods in question under the said section 5 or subsection (1) or (2) of this section.

(5) The provisions of section 5(2) and (3) of this Act shall apply with the necessary modifications in relation to proceedings on an application under this section as they apply in relation to proceedings on a reference by the Registrar under that section.

8.—(1) The Registrar may make regulations for the purposes of registration under section 6 of this Act and for purposes connected therewith, and in particular—

Supplementary provisions as to registration, references and applications.

(a) for prescribing the manner in which notice claiming registration in respect of goods is to be given under that section ;

(b) for prescribing the particulars to be included in any such claim of the descriptions of goods to which it relates, and of any arrangements for maintaining minimum resale prices in respect of those goods, and the documents to be furnished in support of any such particulars ;

(c) for applying in relation to the register kept under the said section 6, subject to such modifications as may be prescribed by the regulations, any of the provisions

of section 11 of the Restrictive Trade Practices Act 1956 (general provisions as to the register under that Act);

and subsections (2) to (4) of section 19 of the said Act of 1956 (supplementary provisions as to regulations) shall apply to regulations under this subsection as they apply to regulations under that section.

(2) The Schedule to the said Act of 1956 (proceedings of the Restrictive Practices Court) and, so far as applicable, section 23 of that Act (rules of procedure) shall apply in relation to proceedings before the Court on a reference or application under this Act as they apply in relation to proceedings on an application under Part I of that Act, and as if references to agreements in the said section 23 included references to classes of goods:

Provided that notwithstanding anything in the said Schedule the Court may order the payment by the Registrar of all or any of the following costs incurred by any other party, that is to say—

(a) costs incurred on a reference under section 5 of this Act, or on an application under section 7(1) of this Act, in respect of any issue determined in favour of that party, being an issue which in the opinion of the Court substantially corresponds with an issue so determined in proceedings under Part I of the said Act of 1956; or

(b) costs incurred on an application under section 7(2) of this Act in respect of an issue determined in favour of that party.

(3) Rules made by virtue of subsection (2) of this section shall include provisions—

(a) for enabling the Court, on the application of the Registrar or of any party interested, to give directions with respect to the goods to be included in or excluded from any reference or application under section 5 or section 7 of this Act;

(b) for securing that retailers, and trade associations representing employees in the distributive trades, who have given notice to the Registrar within such time and in such manner as may be prescribed by the rules shall, if they have an interest in any such reference or application, be entitled, whether in consequence of a representation order or otherwise, to be represented before the Court in the proceedings.

(4) In section 1(5) of the said Act of 1956 (authentication and proof of documents issued by the Registrar) the reference

to Part I of that Act, and in section 34 of that Act (proceedings of the Board of Trade) the reference to that Act, shall include references to this Act.

### *Supplementary*

**9.**—(1) The maximum number of puisne judges of the High Court shall be increased by three, and accordingly in section 2(1) of the Supreme Court of Judicature (Consolidation) Act 1925 (as amended by the Criminal Justice Administration Act 1962) for the word “fifty-three” there shall be substituted the word “fifty-six”. Additional judges.

(2) The maximum number of judges of the Court of Session shall be increased by one, and accordingly in section 1(1) of the Administration of Justice (Scotland) Act 1948 (as amended by the Criminal Justice (Scotland) Act 1963) for the word “seventeen” there shall be substituted the word “eighteen”.

**10.**—(1) There shall be defrayed out of moneys provided by Parliament any expenses of the Registrar under this Act, and any increase attributable to this Act in the sums required to be so defrayed under section 35(1) of the Restrictive Trade Practices Act 1956. Expenses.

(2) There shall be defrayed out of the Consolidated Fund and out of moneys provided by Parliament respectively any increase attributable to section 9 of this Act in the sums required to be so defrayed.

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

“dealer” means a person carrying on a business of selling goods, whether by wholesale or by retail;

“the Registrar” means the Registrar of Restrictive Trading Agreements;

“supplier” means a person carrying on a business of selling goods other than a business in which goods are sold only by retail;

“trade association” means a body of persons (whether incorporated or not) which is formed for the purpose of furthering the trade interests of its members or the persons represented by its members.

(2) Where the dealer referred to in section 2(1)(a) or section 3(1) of this Act, or the supplier referred to in the said section 2(1)(a), is one of a group of inter-connected bodies corporate within the meaning of the Restrictive Trade Practices Act 1956,

the reference shall include a reference to any other dealer or, as the case may be, any other supplier who is also a member of that group.

Application to  
Scotland and  
Northern  
Ireland.

**12.—(1)** In its application to Scotland this Act shall have effect as if for references to an assignment and to an injunction there were substituted references respectively to an assignation and to an interdict.

(2) It is hereby declared that this Act extends to Northern Ireland, but the Parliament of Northern Ireland shall have the same power to pass Acts with respect to any matter as they would have had if this Act had not passed and, in the event of any inconsistency between any Act of the Parliament of Northern Ireland duly passed after the passing of this Act and any provision of or any regulation, rule or other instrument under this Act, the Act of the Parliament of Northern Ireland shall, in Northern Ireland, prevail.

Saving for  
statutory  
schemes.

**13.** Nothing in this Act shall apply to any agreement which is expressly authorised by any enactment, or by any scheme, order or other instrument made under any enactment, or to anything done pursuant to any such agreement, scheme, order or instrument.

**14.—(1)** This Act may be cited as the Resale Prices Act 1964.

(2) The provisions of this Act shall come into force as follows, that is to say—

- (a) section 8(1) and (4), sections 9 to 13 and this section, on the date of the passing of this Act ;
- (b) sections 5 to 7 and section 8(2) and (3) on the expiration of the period of one month beginning with that date ;
- (c) sections 1 to 4, on such date (not less than three months after the expiration of the last-mentioned period) as the Board of Trade may, by order made by statutory instrument, appoint.

(3) The transitional provisions set out in the Schedule to this Act shall have effect in relation to the coming into force of section 1 of this Act.

Short title,  
commence-  
ment and  
transitional  
provisions.



## SCHEDULE

## TRANSITIONAL PROVISIONS

1. Section 1 of this Act, so far as it affects the validity of any term or condition of a contract or agreement for or relating to the sale of any goods, or the effect of notice of any term or condition so relating, shall apply to contracts and agreements made and notices given before, as well as after, the commencement of that section, and accordingly,—

- (a) for the purposes of the jurisdiction of any court to grant an injunction in proceedings pending at the commencement of the said section 1, that section shall be treated as if it had come into force before the cause of action arose ; and
- (b) any injunction granted or undertaking given before the commencement of that section in or for the purposes of any proceedings shall be of no effect in so far as it would operate to require compliance with any term or condition which is void, or notice of which is invalidated, by virtue of that section.

2. Subsection (1)(c) of the said section 1 shall not apply to a publication consisting of the issue of goods having any such price as is therein mentioned marked on the goods or their container if that price was so marked before the date of the commencement of that section and the issue is made within the period of twelve months beginning with that date.

3. In relation to any goods, references in this Schedule to the commencement of section 1 of this Act are references to the time at which, by virtue of section 14(2)(c) of this Act or of any decision of the Court under section 5 or section 7 of this Act, the said section 1 takes effect in relation to those goods ; and the reference in paragraph 1(a) of this Schedule to the said section 1 having come into force shall be construed accordingly.

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*Table of Statutes referred to in this Act*

Short Title	Session and Chapter
Supreme Court of Judicature (Consolidation) Act 1925 ... ..	15 & 16 Geo. 5. c. 49.
Administration of Justice (Scotland) Act 1948 ... ..	12, 13 & 14 Geo. 6. c. 10.
Restrictive Trade Practices Act 1956 ... ..	4 & 5 Eliz. 2. c. 68.
Criminal Justice Administration Act 1962 ... ..	10 & 11 Eliz. 2. c. 15.
Criminal Justice (Scotland) Act 1963 ... ..	1963. c. 39.



# Protection of Birds Act 1954 (Amendment) Act 1964

## 1964 CHAPTER 59

An Act to provide that section 10 of the Protection of Birds Act 1954 shall no longer extend to Northern Ireland except so far as it relates to importation of birds or their eggs.  
[16th July 1964]

**B**E IT ENACTED by the Queen'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:—

Licences to import birds and eggs into Northern Ireland.

2 & 3 Eliz. 2.  
c. 30.

1. Section 10 of the Protection of Birds Act 1954 (which authorises the appropriate authority specified in subsection (2) of that section to grant licences for the killing, taking, selling or importation of wild birds specified in the licence or their nests or eggs) shall cease to extend to Northern Ireland except so far as it relates to the importation of birds or their eggs.

Short title.

2. This Act may be cited as the Protection of Birds Act 1954 (Amendment) Act 1964.



# Emergency Laws (Re-enactments and Repeals) Act 1964

## 1964 CHAPTER 60

An Act to repeal the remaining Defence Regulations (that is to say those set out in the Emergency Laws (Repeal) Act 1959), except the Defence (Armed Forces) Regulations 1939, and to re-enact certain of those Defence Regulations with modifications; and to continue for limited periods the Ships and Aircraft (Transfer Restriction) Act 1939 and certain powers of the Board of Trade relating to jute products.

[16th July 1964]

**B**E IT ENACTED by the Queen'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

#### RE-ENACTMENT OF DEFENCE REGULATIONS

1.—(1) The Board of Trade or the Secretary of State may by Hire-purchase order provide for imposing in respect of the disposal, acquisition control or possession of articles of any description under hire-purchase or credit-sale agreements, or under agreements for letting on hire, such prohibitions or restrictions as appear to the Board of Trade to be required for restricting excessive credit.

(2) In this section—

“credit-sale agreement” means an agreement for the sale of goods in which the whole or part of the purchase price is payable by instalments, whether the agreement is absolute or conditional;

## PART I

“hire-purchase agreement” means an agreement for the bailment of goods under which the bailee may buy the goods or under which the property in the goods will or may pass to the bailee, whether on the performance of any act by the parties to the agreement or any of them or in any other circumstances.

(3) Schedule 1 to this Act shall apply for the purposes of this section.

(4) In the application of this section to Scotland, for the definition in subsection (2) of hire-purchase agreement there shall be substituted the following definition:—

“‘hire-purchase agreement’ means any contract, in whatsoever terms it may be expressed and whether it be truly one of sale or hire, whereby goods are taken on hire by one person from another person in consideration of periodical payments to be made by the first mentioned person to the other person, with an option to the first mentioned person to become the buyer of the goods;”

Power of Treasury to prohibit action on certain orders as to gold, etc.

2.—(1) Where the Treasury are satisfied that action to the detriment of the economic position of the United Kingdom is being, or is likely to be, taken by the government of, or persons resident in, any country or territory outside the United Kingdom, the Treasury may give general or special directions prohibiting, either absolutely or to such extent as may be specified in the directions, the carrying out, except with permission granted by or on behalf of the Treasury, of any order given by or on behalf of the government of that country or territory or any person resident therein at the time when the directions were given or at any later time while the directions are in force, in so far as the order—

- (i) requires the person to whom the order is given to make any payment or to part with any gold or securities; or
- (ii) requires any change to be made in the persons to whose credit any sum is to stand or to whose order any gold or securities are to be held.

(2) Where any directions are given under this section with respect to any country or territory, a branch in that country or territory of any business, whether carried on by a body corporate or otherwise, shall, for the purposes of this section, be treated in all respects as if the branch were a body corporate resident in that country or territory.

(3) In this section, unless the context otherwise requires:—

“gold” means gold coin or gold bullion;

“security”, except in so far as is otherwise expressly provided, includes—

- (a) shares, stocks, bonds, notes, debentures, debenture stock and Treasury bills;

(b) a deposit receipt in respect of the deposit of securities ;

(c) a unit or a sub-unit of a unit trust ;

(d) an annuity granted under the Government Annuities Act, 1929, or to which either Part I or Part II of that Act applies, and a life assurance policy or other contract entered into with an assurance company for securing the payment in the future of any capital sum or sums or of an annuity ;

(e) a warrant conferring an option to acquire a security ;

(f) a share in an oil royalty ;

but does not include a bill of exchange or a promissory note ;

and references in this section to the United Kingdom shall be construed as if the Channel Islands and the Isle of Man were part of the United Kingdom.

(4) Any consent or permission granted by or on behalf of the Treasury under this section may be granted either absolutely or subject to conditions.

(5) This section, and directions having effect under this section, and the following provisions of this Act so far as they relate to this section, shall extend to the Channel Islands and the Isle of Man as if those islands were part of the United Kingdom.

3.—(1) The Board of Trade may by order provide for imposing in respect of the movement, transport, disposal or acquisition of any article situated outside the United Kingdom, or in respect of the re-export of any article from the United Kingdom, such prohibitions or restrictions as appear to the Board of Trade to be expedient having regard to any agreement or arrangement concluded in respect of defence matters, or any consultations held in respect of such matters, between Her Majesty's Government in the United Kingdom and the government of any country outside the United Kingdom. Temporary powers for purposes of defence.

(2) The Minister of Transport may by order provide for imposing in respect of the construction of ships such prohibitions or restrictions as appear to the Minister to be expedient having regard to any agreement or arrangement concluded in respect of defence matters, or any consultations held in respect of such matters, between Her Majesty's Government in the United Kingdom and the Government of any country outside the United Kingdom.

(3) Schedule 1 to this Act shall apply for the purposes of this section.

## PART I

(4) This section shall continue in force until the end of 1969, and may be continued in force thereafter under the following provisions of this section.

(5) Her Majesty may by Order in Council direct that this section shall continue for such further period from the end of 1969 as may be specified in the order, being a period not exceeding five years, and from time to time extend the period for which this section continues in force for further periods not exceeding five years.

A draft of an Order under this subsection shall not be submitted to Her Majesty in Council unless it has been approved by resolution of each House of Parliament.

## Welfare foods.

4.—(1) The Minister of Health or the Secretary of State may, so far as appears to any of those Ministers to be required for the purposes of any scheme administered by a government department for the provision of any welfare food, by order provide—

(a) for regulating or prohibiting—

(i) the acquisition, treatment, keeping, storage, transport, distribution, disposal, use or consumption of any welfare food other than liquid milk, and

(ii) the disposal, use or consumption of liquid milk, and

(b) for controlling the prices to be charged for any welfare food.

(2) In this section “welfare food” means liquid milk, dried milk, concentrated orange juice, cod liver oil or vitamin tablets.

(3) Schedule 1 to this Act shall apply for the purposes of this section.

(4) In the application of this section to Northern Ireland references to the Minister of Health shall be omitted.

## Medical supplies.

5.—(1) The Minister of Health or the Secretary of State may by order provide for controlling maximum prices to be charged for any medical supplies required for the purposes of the National Health Service Acts.

(2) The Minister of Health or the Secretary of State may by direction given with respect to any undertaking, or by order made with respect to any class or description of undertakings, being an undertaking or class or description of undertakings concerned with medical supplies required for the purposes of the National Health Service Acts, require persons carrying on the undertaking or undertakings of that class or description—

- (a) to keep such books, accounts and records relating to the undertaking as may be prescribed by the direction or, as the case may be, by the order or a notice served thereunder,
- (b) to furnish at such times, in such manner and in such form as may be so prescribed such estimates, returns or information relating to the undertaking as may be so prescribed,

and Schedule 1 to this Act shall apply for the purposes of this section.

(3) In this section "medical supplies" includes surgical, dental and optical materials and equipment.

(4) In the application of this section to Northern Ireland references to the Minister of Health shall be omitted.

6.—(1) The Minister of Agriculture, Fisheries and Food or the Secretary of State may by order provide for controlling maximum prices to be charged for liquid milk.

Temporary control by Minister of Agriculture, Fisheries and Food and Secretary of State of maximum prices of milk.

(2) Schedule 1 to this Act shall apply for the purposes of this section.

(3) This section shall continue in force until the end of 1969, and may be continued in force thereafter under the following provisions of this section.

(4) Her Majesty may by Order in Council direct that this section shall continue for such further period from the end of 1969 as may be specified in the order, being a period not exceeding five years, and from time to time extend the period for which this section continues in force for further periods not exceeding five years.

A draft of an Order under this subsection shall not be submitted to Her Majesty in Council unless it has been approved by resolution of each House of Parliament.

#### *Supplemental provisions*

7.—(1) Any order made under this Part of this Act, and any general direction given under section 2 of this Act, shall be made or given by statutory instrument which shall be subject to annulment in pursuance of a resolution of either House of Parliament.

Orders and directions.

(2) Any power conferred by this Part of the Act to make any order or give any direction shall be construed as including a power, exercisable in the like manner and subject to the like conditions, if any, to revoke or vary the order or direction.

(3) Any power of making orders under this Part of this Act shall include power to provide for any incidental and supplementary provisions for which the Minister making the order

## PART I

thinks it expedient for the purposes of the order to provide, including, in the case of orders under section 1 of this Act, provisions requiring persons to retain documents recording hire-purchase agreements and other agreements.

(4) An order under this Part of this Act may make such provisions (including provision for requiring any person to furnish any information) as the Minister making the order thinks necessary or expedient for facilitating the introduction or operation of a scheme of control for which provision has been made, or for which, in the opinion of the Minister, it will or may be found necessary or expedient that provision should be made, under this Part of this Act.

(5) An order under this Part of this Act may prohibit the doing of anything regulated by the order except under the authority of a licence granted by such authority or person as may be specified in the order, and may be made so as to apply either to persons or undertakings generally or to any particular person or undertaking or class of persons or undertakings, and so as to have effect either generally or in any particular area.

(6) Where under this Part of this Act two or more Ministers have power to make orders, the power may be exercised by them jointly or separately.

(7) The Interpretation Act 1889 shall apply to the interpretation of any order made under this Part of this Act as it applies to the interpretation of an Act of Parliament and for the purposes of section 38 of that Act any such order shall be deemed to be an Act of Parliament.

Notices,  
authorisations  
and proof of  
documents.

8.—(1) A notice to be served on any person for the purposes of this Part of this Act, or of any order or direction made or given under this Part of this Act, shall be deemed to have been duly served on the person to whom it is directed if—

(a) it is delivered to him personally, or

(b) it is sent by registered post or the recorded delivery service addressed to him at his last or usual place of abode or place of business.

(2) Where under this Part of this Act a person has power to authorise other persons to act thereunder, the power may be exercised so as to confer the authority either on particular persons or on a specified class of persons.

(3) Any permit, licence, permission or authorisation granted for the purposes of this Part of this Act may be revoked at any time by the authority or person empowered to grant it.

(4) Every document purporting to be an instrument made or issued by any Minister or other authority or person in pursuance of this Part of this Act, or of any provision having effect



under this Part of this Act, and to be signed by or on behalf of that Minister, authority or person shall be received in evidence and shall, until the contrary is proved, be deemed to be an instrument made or issued by that Minister, authority or person; and prima facie evidence of any such instrument as aforesaid may, in any legal proceedings (including arbitrations), be given by the production of a document purporting to be certified to be a true copy of the instrument by or on behalf of the Minister or other authority or person having power to make or issue the instrument.

PART I

9.—(1) Unless the contrary intention appears therefrom, any provisions contained in, or having effect under, this Part of this Act shall, in so far as they impose prohibitions, restrictions or obligations on persons, apply to all persons in the United Kingdom and all persons on board any British ship or aircraft, not being an excepted ship or aircraft, and to all other persons, wherever they may be, who are ordinarily resident in the United Kingdom and who are citizens of the United Kingdom and Colonies or British protected persons.

Territorial  
extent of  
Part I.

(2) In this section—

“British aircraft” means an aircraft registered in—

- (a) any part of Her Majesty’s dominions;
- (b) any country outside Her Majesty’s dominions in which for the time being Her Majesty has jurisdiction;
- (c) any country consisting partly of one or more colonies and partly of one or more such countries as are mentioned in the last foregoing subparagraph;

“British protected person” has the same meaning as in the British Nationality Acts 1948 to 1964;

“excepted ship or aircraft” means a ship or aircraft registered in any country for the time being listed in section 1(3) of the British Nationality Act 1948 or in any territory administered by the government of any such country, not being a ship or aircraft for the time being placed at the disposal of, or chartered by or on behalf of, Her Majesty’s Government in the United Kingdom.

*Offences and legal proceedings*

10.—(1) If, with intent to deceive, any person—

- (a) uses any document issued for the purposes of this Part of this Act or of any order made under this Part of this Act; or

False  
documents  
and false  
statements.

## PART I

- (b) has in his possession any document so closely resembling such a document as aforesaid as to be calculated to deceive ; or
- (c) produces, furnishes, sends or otherwise makes use of, for purposes connected with this Part of this Act or any order or direction made or given under this Part of this Act, any book, account, estimate, return, declaration or other document which is false in a material particular,

he shall be guilty of an offence against this Part of this Act.

(2) If, in furnishing any information for the purposes of this Part of this Act or of any order made under this Part of this Act, any person makes any statement which he knows to be false in a material particular, or recklessly makes any statement which is false in a material particular, he shall be guilty of an offence against this Part of this Act.

Restrictions  
on disclosing  
information.

11. No person who obtains any information by virtue of this Part of this Act shall, otherwise than in connection with the execution of this Part of this Act or of an order made under this Part of this Act, disclose that information except for the purposes of any criminal proceedings, or of a report of any criminal proceedings, or with permission granted by or on behalf of a Minister of the Crown.

Offences by  
corporations.

12.—(1) Where an offence under this Part 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, secretary or other similar officer of the body corporate or any person who was purporting to act in any such capacity, he, as well as the body corporate, shall be guilty of that offence and shall be liable to be proceeded against and punished accordingly.

(2) In this section, the expression “director”, in relation to a body corporate established by or under any enactment for the purpose of carrying on under national ownership any industry or part of an industry or undertaking, being a body corporate whose affairs are managed by its members, means a member of that body corporate.

## Penalties.

13.—(1) If any person contravenes or fails to comply with this Part of this Act, or any order made under this Part of this Act, or any direction given or requirement imposed under this Part of this Act or under any order made under this Part of this Act, he shall, save as otherwise expressly provided, be guilty of an offence against this Part of this Act ;

and, subject to any special provisions contained in this Part of this Act, a person guilty of an offence against this Part of this Act shall—

PART I

- (a) on summary conviction, be liable to imprisonment for a term not exceeding three months or to a fine not exceeding one hundred pounds, or to both ; or
- (b) on conviction on indictment, be liable to imprisonment for a term not exceeding two years or to a fine not exceeding five hundred pounds, or to both.

(2) Where a person convicted on indictment of an offence against this Part of this Act is a body corporate, no provision in this Part of this Act limiting the amount of the fine which may be imposed shall apply, and the body corporate shall be liable to a fine of such amount as the court thinks just.

14.—(1) No proceedings for an offence against an order or Legal direction under section 1, section 2 or section 3 of this Act shall be instituted in England and Wales except by or with the consent of the Director of Public Prosecutions or the Board of Trade or the Minister of Transport or the Treasury.

(2) Proceedings in respect of an offence alleged to have been committed by a person against an order or direction under section 1, section 2 or section 3 of this Act may be taken before the appropriate court in the United Kingdom having jurisdiction in the place where that person is for the time being.

### *Interpretation*

15. In this Part of this Act:—

Interpretation  
of Part I.

“ the National Health Service Acts ” means the National Health Service Acts 1946 to 1961, the National Health Service (Scotland) Acts 1947 to 1961 and the corresponding enactments of the Parliament of Northern Ireland ;

“ undertaking ” means any public utility undertaking or any undertaking by way of any trade or business ;

and any reference in this Part of this Act to articles shall be construed as including a reference to substances, vehicles, vessels or animals.

## PART II

### CONTINUANCE OF OTHER EMERGENCY LAWS, AND SUPPLEMENTAL PROVISIONS

16.—(1) The Ships and Aircraft (Transfer Restriction) Act 1939 (which, by virtue of section 11 of the Emergency Laws (Miscellaneous Provisions) Act 1947 no longer applies to air-craft) shall continue in force until the end of 1969, but subject to

The Ships and  
Aircraft  
(Transfer  
Restriction)  
Act 1939.

## PART II

the provisions of subsections (2) to (5) of section 4 of the Emergency Laws (Repeal) Act 1959 (which restrict the powers of the Minister of Transport under the said Act of 1939, and contain other modifications), and may be continued in force thereafter under the following provisions of this section.

(2) Her Majesty may by Order in Council direct that this section shall continue for such further period from the end of 1969 as may be specified in the order, being a period not exceeding five years, and from time to time extend the period for which this section continues in force for further periods not exceeding five years.

A draft of an Order under this section shall not be submitted to Her Majesty in Council unless it has been approved by a resolution of each House of Parliament.

Power of  
Board of  
Trade to  
trade in jute  
products.

17.—(1) The powers relating to jute conferred by section 3(2) of the Emergency Laws (Repeal) Act 1959 (which by virtue of certain orders made under the Ministers of the Crown (Transfer of Functions) Act 1946 are exercisable by the Board of Trade) shall, so far as they relate to the acquisition or disposal of jute bags, jute cloth and jute yarn, continue in force until the end of 1969 and accordingly subsection (2) of this section shall have effect in substitution for those powers.

(2) Until the end of 1969 the Board of Trade shall have power—

- (a) to acquire or dispose of jute bags, jute cloth and jute yarn ; and
- (b) to do all such things as appear to the Board of Trade necessary or expedient for the exercise of the foregoing powers.

Exercise of  
powers of  
Board of  
Trade.

18. Anything required or authorised by or under this Act to be done by, to or before the Board of Trade may be done by, to or before the President of the Board, any Minister of State with duties concerning the affairs of the Board, any secretary, under-secretary or assistant secretary of the Board or any person authorised in that behalf by the President ; and references in this Act to a Minister include references to the Board of Trade.

Expenses.

19. Any expenses incurred by any government department which are attributable to the provisions of this Act shall be defrayed out of moneys provided by Parliament.

Northern  
Ireland.

20.—(1) Subject to this section, this Act shall extend to Northern Ireland.

(2) Where by Part I of this Act any power is conferred upon the Secretary of State, then, in so far as the power is exercisable in relation to Northern Ireland, the Secretary of State may, to

such extent and subject to such restrictions as he thinks proper, by order delegate the power either to a department of the Government of Northern Ireland specified in the said order or to the appropriate department or departments of the said Government; and where any power is so delegated to the appropriate department or departments, it shall be exercised by such department or departments of the said Government as the Governor of Northern Ireland may by order specify.

(3) Where a power to make orders has been delegated in pursuance of the last foregoing subsection any order made in pursuance of that power, and any order made by virtue of that subsection by the Governor of Northern Ireland, shall be made by statutory instrument, and the Statutory Instruments Act 1946 shall apply in like manner as if the order had been made by the Secretary of State; and, in relation to any such delegation, the expression "government department" in the last foregoing section shall be construed as including a department of the Government of Northern Ireland.

(4) As from such date as the Secretary of State may by order contained in a statutory instrument appoint, orders made under section 4 of this Act shall not extend to Northern Ireland.

(5) Nothing in this Act shall restrict the powers of the Parliament of Northern Ireland to make laws with respect to any matter with respect to which that Parliament has power to make laws, and any laws made by that Parliament with respect to any such matters shall have effect notwithstanding anything in this Act, or in any order or other instrument made under this Act.

(6) In this Act the expression "Act" includes an Act of the Parliament of Northern Ireland, and references to enactments of the Parliament of the United Kingdom shall be construed as including references to those enactments as they apply in Northern Ireland.

21. The power of making an Order in Council under section 9(2)(b) of the Emergency Laws (Repeal) Act 1959 shall include power to extend the period for which the provisions of any such Order have effect, or otherwise to vary the provisions of any such Order. Channel Islands and Isle of Man.

22.—(1) This Act may be cited as the Emergency Laws (Re-enactments and Repeals) Act 1964. Short title, repeals, savings and construction.

(2) Subject to this section, the Acts and instruments mentioned in Schedule 2 to this Act shall be repealed to the extent specified in the third column of that Schedule.

## PART II

(3) Those repeals shall not affect any order, direction or other thing done or made or having effect under any provision so repealed and re-enacted in this Act with or without modification, and any such order or direction or other thing which was in force immediately before the commencement of this Act shall continue in force and shall have effect as if made under the corresponding provision of this Act and may be varied or revoked accordingly ; and references in this Act to orders made, directions given or other things done under any provision of this Act shall be construed accordingly.

(4) Without prejudice to subsection (3) of this section, an order having effect by virtue of that subsection under any section in Part I of this Act may be varied or revoked by a Minister having power to make orders under that section, although made by a different Minister, or by Ministers one of whom is a different Minister.

(5) The expiration of any provision of this Act shall, for all purposes, and in particular for the purposes of section 38 of the Interpretation Act 1889, have the same effect as if that provision had then been repealed by Act of Parliament.

## SCHEDULES

### SCHEDULE 1

#### PRODUCTION OF DOCUMENTS

Sections 1 and  
3 to 6.

1.—(1) For the purposes—

- (a) of securing compliance with any order made or direction given under the relevant section of this Act by or on behalf of a competent authority, or
- (b) of verifying any estimates, returns or information furnished to a competent authority in connection with the relevant section of this Act or any order made or direction given thereunder,

an officer of a competent authority duly authorised in that behalf shall have power, on producing (if required to do so) evidence of his authority, to require any person carrying on an undertaking or employed in connection with an undertaking to produce to the officer forthwith any documents relating to the undertaking which the officer may reasonably require for the purposes set out above in this paragraph.

(2) The power conferred by this paragraph to require any person to produce documents shall include power—

- (a) if the documents are produced—
  - (i) to take copies of them or extracts from them, and
  - (ii) to require that person, or, where that person is a body corporate, any other person who is a present or past officer of, or is employed by, the body corporate, to provide an explanation of any of them,
- (b) if the documents are not produced, to require the person who was required to produce them to state, to the best of his knowledge and belief, where they are.

(3) If any requirement to produce documents or provide an explanation or make a statement which is imposed by virtue of this paragraph is not complied with, the person on whom the requirement was so imposed shall be guilty of an offence and liable on summary conviction to imprisonment for a term not exceeding three months or to a fine not exceeding one hundred pounds, or to both:

Provided that where a person is charged with an offence under this sub-paragraph in respect of a requirement to produce any documents, it shall be a defence to prove that they were not in his possession or under his control and that it was not reasonably practicable for him to comply with the requirements.

2.—(1) If a justice of the peace is satisfied on information on oath laid on behalf of a competent authority, that there are any reasonable grounds for suspecting that there are on any premises any documents of which production has been required by virtue of the foregoing paragraph and which have not been produced in compliance with that requirement, the justice may issue a warrant authorising any constable, together with any other persons named in the warrant and any other constables, to enter the premises specified in the

## SCH. 1

information (using such force as is reasonably necessary for the purpose) and to search the premises and take possession of any documents appearing to be such documents as aforesaid, or to take in relation to any documents so appearing any other steps which may appear necessary for preserving them and preventing interference with them.

(2) Every warrant issued under this paragraph shall continue in force until the end of the period of one month after the date on which it is issued.

(3) Any documents of which possession is taken under this paragraph may be retained for a period of three months or, if within that period there are commenced any proceedings for an offence under this Act to which they are relevant, until the conclusion of those proceedings.

(4) Any person who obstructs the exercise of any right of entry or search conferred by virtue of a warrant under this paragraph, or who obstructs the exercise of any rights so conferred to take possession of any documents, shall be guilty of an offence and liable on summary conviction to imprisonment for a term not exceeding three months or to a fine not exceeding fifty pounds, or to both.

(5) In the application of this section to Scotland, any reference to a justice of the peace includes a reference to the sheriff and to a magistrate.

3. In this Schedule—

“competent authority” means a Minister of the Crown, and any authority or person on whom by virtue of the relevant section of this Act powers have been conferred by order of any such competent authority as aforesaid ;

“the relevant section of this Act” means any section of this Act applying this Schedule.

4. It is hereby declared that this Schedule is contained in Part I of this Act.



SCHEDULE 2

Section 22.

REPEALS

Chapter	Short Title	Extent of Repeal
7 & 8 Eliz. 2. c. 19.	The Emergency Laws (Repeal) Act 1959.	<p>Sections 1 and 2.</p> <p>In section 3(1) the words "Notwithstanding anything in section one of this Act".</p> <p>In section 3(2) the paragraph (<i>f</i>) inserted in section 6(1) of the Supplies and Services (Transitional) Powers Act 1945.</p> <p>Section 3(3) so far as it relates to section 6(1)(<i>f</i>) of the Supplies and Services (Transitional Powers) Act 1945.</p> <p>Section 4(1).</p> <p>Section 5.</p> <p>In section 8(1) the words from "having effect" to "Act and", and section 8(2).</p> <p>Section 9(1).</p> <p>Section 10(2) so far as it applies to section 4.</p> <p>In section 10(2) the words "one and"</p> <p>Schedule 1.</p> <p>All of Schedule 2 except Part C.</p> <p>Schedule 3.</p> <p>In Part II of Schedule 4 the entries relating to the Ships and Aircraft (Transfer Restriction) Act 1939, the Ceylon Independence Act 1947, The Ghana Independence Act 1957 and the Federation of Malaya Independence Act 1957.</p>
8 & 9 Eliz. 2. c. 52.	The Cyprus Act 1960.	Paragraph 11 of the Schedule.
8 & 9 Eliz. 2. c. 55.	The Nigeria Independence Act 1960.	Paragraph 9 of Schedule 2.
9 & 10 Eliz. 2. c. 16.	The Sierra Leone Independence Act 1961.	Paragraph 10 of Schedule 3.
10 & 11 Eliz. 2. c. 1.	The Tanganyika Independence Act 1961.	Paragraph 9 of Schedule 2.
10 & 11 Eliz. 2. c. 40.	The Jamaica Independence Act 1962.	Paragraph 9 of Schedule 2.
10 & 11 Eliz. 2. c. 54.	The Trinidad and Tobago Independence Act 1962.	Paragraph 9 of Schedule 2.
10 & 11 Eliz. 2. c. 57.	The Uganda Independence Act 1962.	Paragraph 9 of Schedule 3.
1963 c. 54 ...	The Kenya Independence Act 1963.	Paragraph 9 of Schedule 2.
1963 c. 55 ...	The Zanzibar Act 1963	Paragraph 9 of Schedule 1.
1964 c. 46 ...	The Malawi Independence Act 1964.	Paragraph 9 of Schedule 2.

## SCH. 2

Chapter or serial number	Title	Extent of repeal
S.I. 1955 No. 554.	The Transfer of Functions (Ministry of Food) Order 1955.	In Article 2(3) the words from "and the power" to "Regulations 1939".
S.I. 1959 No. 1829.	The Transfer of Functions (Construction of Ships) Order 1959.	Article 4(2). Article 2(1)(a).

*Table of Statutes referred to in this Act*

Short Title	Session and Chapter
Interpretation Act 1889 ... ..	52 & 53 Vict. c. 63.
Government Annuities Act 1929 ... ..	19 & 20 Geo. 5. c. 29.
Ships and Aircraft (Transfer Restriction) Act 1939	2 & 3 Geo. 6. c. 70.
Ministers of the Crown (Transfer of Functions) Act 1946.	9 & 10 Geo. 6. c. 31.
Statutory Instruments Act 1946 ... ..	9 & 10 Geo. 6. c. 36.
Emergency Laws (Miscellaneous Provisions) Act 1947.	11 & 12 Geo. 6. c. 10.
British Nationality Act 1948 ... ..	11 & 12 Geo. 6. c. 56.
Emergency Laws (Repeal) Act 1959 ... ..	7 & 8 Eliz. 2. c. 19.



# Animals (Restriction of Importation) Act 1964

## 1964 CHAPTER 61

An Act to restrict the importation of live animals of  
certain kinds. [16th July 1964]

**B**E IT ENACTED by the Queen'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 importation, save under the authority, and in accordance with the terms, of a licence granted by the Board of Trade, of a live animal of any of the kinds for the time being specified in the Schedule to this Act is hereby prohibited.

Restriction of  
importation  
of live animals  
of certain  
kinds.

(2) A licence under this section may be, to any degree, general or specific, and may be modified or revoked by the Board of Trade at any time.

(3) Without prejudice to liability to a penalty which he may have incurred under the Customs and Excise Act 1952, a person who contravenes, or fails to comply with, a term of a licence granted under this section shall be guilty of an offence and liable, on summary conviction, to a fine not exceeding £25, or to a term of imprisonment not exceeding, for a first offence, one month or, for a second or subsequent offence, three months, or to both such fine and such imprisonment.

15 & 16 Geo.  
6. and 1 Eliz.  
2. c. 44.

(4) A person commissioned by the Commissioners of Customs and Excise may require any person possessing or having control of a live animal of any of the kinds for the time being specified in the Schedule to this Act which is being or has been imported to furnish proof that the importation of the animal is or was

not unlawful by virtue of this section; and if such proof is not furnished to the satisfaction of the said Commissioners the animal shall be liable to forfeiture under the Customs and Excise Act 1952.

(5) For the purposes of the application of this section to Northern Ireland with respect to importation, for references to the Board of Trade there shall be substituted references to the Minister of Home Affairs for Northern Ireland.

Power of  
Secretary  
of State  
to vary  
Schedule.

2.—(1) If the Secretary of State, after consulting the Advisory Committee established under the next following section, is satisfied that the scope of the foregoing section should be extended so as to include wild animals of a kind appearing to him to stand in need of conservation (other than birds), or diminished so as to exclude animals of a kind appearing to him no longer to stand in need of conservation, he may by order make the necessary modifications in the Schedule to this Act.

(2) The power conferred by the foregoing subsection on the Secretary of State shall be exercisable by statutory instrument which shall be subject to annulment in pursuance of a resolution of either House of Parliament.

Advisory  
Committee on  
Importation  
of Animals.

3.—(1) There shall be established an Advisory Committee on the Importation of Animals consisting of such members as the Secretary of State may from time to time appoint.

(2) It shall be the duty of the said Committee to advise the Board of Trade, the Secretary of State or the Minister of Home Affairs for Northern Ireland upon any question which they or he may refer to the Committee in connection with the administration of this Act.

(3) Such sums, if any, as may be required to defray or contribute towards the expenses of the said Committee shall, to such amount as may be sanctioned by the Treasury, be defrayed out of moneys provided by Parliament.

Exercise of  
powers of  
Board of  
Trade.

4. Anything authorised by this Act to be done by the Board of Trade may be done by the President of the Board, any Minister of State with duties concerning the affairs of the Board, any secretary, under-secretary or assistant secretary of the Board, or any person authorised in that behalf by the President.

Short title  
and com-  
mencement.

5.—(1) This Act may be cited as the Animals (Restriction of Importation) Act 1964.

(2) This Act shall come into operation at the expiration of six months beginning with the day on which it is passed.

## SCHEDULE

### KINDS OF ANIMALS THE IMPORTATION OF INDIVIDUALS WHEREOF IS RESTRICTED

Callithricidae.  
Cebidae.  
Cercopithecidae.  
Dasyuridae.  
Daubentoniidae.  
Iguanidae.  
Indridae.  
Lemuridae.  
Macropodidae.

Peramelidae.  
Phalangeridae.  
Phascolomidae.  
Pongidae.  
Rhinocerotidae.  
Sphenodontidae.  
Tarsiidae.  
Testudinidae.





# Appropriation Act 1964

## 1964 CHAPTER 62

An Act to apply a sum out of the Consolidated Fund to the service of the year ending on 31st March 1965, and to appropriate the supplies granted in this Session of Parliament. [31st July 1964]

Most Gracious Sovereign,

**W**E, 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 Queen'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

1. The Treasury may issue out of the Consolidated Fund of the United Kingdom, and apply towards making good the supply granted to Her Majesty for the service of the year ending on 31st March 1965, the sum of £4,052,822,950. Issue of £4,052,822,950 out of the Consolidated Fund for the year ending 31st March 1965.

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 £4,052,822,950. 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 31st March 1965, and section 6 of the Treasury Bills Act 1877 (which relates 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 any interest payable thereon, out 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.

#### APPROPRIATION OF GRANTS

Appropriation of sums voted for supply services.

3. All sums granted by this Act and the other Acts mentioned in Schedule (A) annexed to this Act out of the said Consolidated Fund towards making good the supply granted to Her Majesty amounting, as appears by the said schedule, in the aggregate, to the sum of £6,696,158,660 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.

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.

54 & 55 Vict. c. 24.

In addition to the said sums granted out of the Consolidated Fund, there may be applied out of any money directed, under section 2 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.

Sanction of Treasury for temporary application of surpluses on certain votes for Navy, Army and Air Services, to meet deficiencies on other votes for the same service.

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 under 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.

**5.** Whereas under the powers given for the purpose by the Appropriation Acts 1962 and 1963 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:

Sanction for application of surpluses on certain Navy, Army and Air Votes for 1962-63. 10 & 11 Eliz. 2, c. 45. 1963, c. 26.

It is enacted that the application of those surpluses as shown in the said statements is hereby sanctioned.

**6.** This Act may be cited as the Appropriation Act 1964.

Short title.

**ABSTRACT**  
OF  
**SCHEDULES (A) and (B) to which this**  
**Act refers**

Section 3.

**SCHEDULE (A)**

Grants out of the Consolidated Fund    ...    ...    £6,696,158,660

Section 3.

**SCHEDULE (B)—APPROPRIATION OF GRANTS**

	Sums not exceeding					
	Supply Grants			Appropriations in Aid		
	£	s.	d.	£	s.	d.
1962-63 and 1963-64						
Part 1. Civil (Excess), 1962-63	10	0	0	99,039	14	6
Part 2. Ministry of Defence (Supplementary), 1963-64 -	616,000	0	0	*—79,000	0	0
Part 3. Army (Supplementary), 1963-64 - - - - -	4,500,000	0	0	*—3,590,000	0	0
Part 4. Air (Supplementary), 1963-64 - - - - -	1,900,000	0	0	3,500,000	0	0
Part 5. Civil Departments (Supplementary), 1963-64 -	93,670,600	0	0	26,476,418	0	0
£	100,686,610	0	0	26,406,457	14	6

\* Deficit.

SCHEDULE (B).—APPROPRIATION OF GRANTS—*continued*

	Sums not exceeding					
	Supply Grants			Appropriations in Aid		
	£	s.	d.	£	s.	d.
1964-65						
Part 6. Ministry of Defence (Central) - - - -	25,973,000	0	0	5,320,000	0	0
Part 7. Defence (Navy) - -	496,015,000	0	0	44,562,000	0	0
Part 8. Defence (Army) - -	523,010,800	0	0	66,611,000	0	0
Royal Ordnance Factories	2,400,000	0	0	31,450,000	0	0
Army Purchasing (Repayment) Services - - - -	2,000,000	0	0	—		
Part 9. Defence (Air) - -	503,800,000	0	0	57,060,000	0	0
TOTAL, DEFENCE - -£	1,553,198,800	0	0	205,003,000	0	0
Part 10. Civil, Class I - -	95,091,500	0	0	4,441,000	0	0
Part 11. Civil, Class II - -	207,861,000	0	0	6,483,500	0	0
Part 12. Civil, Class III - -	158,285,000	0	0	15,615,000	0	0
Part 13. Civil, Class IV - -	771,280,750	0	0	94,454,000	0	0
Part 14. Civil, Class V - -	380,148,000	0	0	19,653,900	0	0
Part 15. Civil, Class VI - -	2,764,296,000	0	0	306,725,000	0	0
Part 16. Civil, Class VII - -	217,321,000	0	0	82,444,750	0	0
Part 17. Civil, Class VIII - -	9,101,000	0	0	368,050	0	0
Part 18. Civil, Class IX - -	342,467,000	0	0	77,722,010	0	0
Part 19. Civil, Class X - -	7,527,000	0	0	9,540,200	0	0
Part 20. Civil, Class XI - -	88,895,000	0	0	3,441,300	0	0
TOTAL, CIVIL - -£	5,042,273,250	0	0	620,888,710	0	0
GRAND TOTAL - -£	6,696,158,660	0	0	852,298,167	14	6

SCHEDULE (A)

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GRANTS OUT OF THE CONSOLIDATED FUND

	£	s.	d.
For the service of the year ended 31st March 1963—			
Under Act 1964, c. 17   ...   ...   ...	10	0	0
For the service of the year ended 31st March 1964—			
Under Act 1964, c. 1   ...   ...   ...	40,084,000	0	0
Under Act 1964, c. 17   ...   ...   ...	60,602,600	0	0
For the service of the year ending on 31st March 1965—			
Under Act 1964, c. 17   ...   ...   ...	2,542,649,100	0	0
Under this Act   ...   ...   ...   ...	4,052,822,950	0	0
TOTAL   ...   ...   ...   ...   ...	£6,696,158,660	0	0

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**SCHEDULE (B).—PART 1**

**Civil  
(Excess),  
1962-63.**

**CIVIL (EXCESS), 1962-63**

**SUM granted, and sum which may be applied as appropriations in aid in addition thereto, to make good an excess on a certain grant for Civil Services for the year ended on 31st March 1963, viz. :—**

		Sums not exceeding					
		Supply Grants		Appropriations in Aid			
		£	s.	d.	£	s.	d.
<b>CLASS VI</b>							
<b>Vote</b>							
<b>23.</b>	<b>National Assistance Board</b>	-	-		99,039	14	6

Ministry of  
Defence  
(Supplemen-  
tary),  
1963-64.

SCHEDULE (B).—PART 2

MINISTRY OF DEFENCE (SUPPLEMENTARY), 1963-64

SUPPLEMENTARY SUM granted, and sum which may be applied as appropriations in aid in addition thereto, to defray the charge of the Ministry of Defence for the year ended on 31st March 1964, viz.:—

	Sums not exceeding	
	Supply Grants	Appropriations in Aid
	£	£
For the salaries and expenses of the Ministry of Defence; expenses in connection with International Defence Organisations, including international subscriptions; and certain grants in aid - - - - -	616,000	*-79,000

\* Deficit

SCHEDULE (B).—PART 3

Army  
(Supple-  
mentary),  
1963-64.

ARMY (SUPPLEMENTARY), 1963-64

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 Army Services for the year ended on 31st March 1964, viz.:—

	Sums not exceeding	
	Supply Grants	Appropriations in Aid
	£	£
Vote		
1. Pay, &c., of the Army - - - -	—	*—1,300,000
2. Reserve Forces, Territorial Army and Cadet Forces - - - -	640,000	*— 300,000
3. War Office - - - -	160,000	—
4. Civilians at Outstations - - - -	2,480,000	230,000
6. Supplies - - - -	210,000	400,000
7. Stores and Equipment - - - -	Cr. 8,800,000	*—2,500,000
8. Lands, Buildings and Works - - - -	1,120,000	*— 220,000
9. Miscellaneous Effective Services - - - -	8,360,000	170,000
10. Non-effective Services - - - -	330,000	*— 70,000
<b>TOTAL, ARMY (SUPPLEMENTARY), 1963-64</b> £	<b>4,500,000</b>	<b>*—3,590,000</b>

\*Deficit

Air  
(Supple-  
mentary),  
1963-64.

SCHEDULE (B).—PART 4

AIR (SUPPLEMENTARY), 1963-64

SCHEDULE OF SUPPLEMENTARY SUMS granted, and of the sums which may be applied as appropriations in aid in addition thereto, to meet expenditure, including a grant in aid, beyond the sum already provided in the grants for Air Services for the year ended on 31st March 1964, viz.:—

	Sums not exceeding	
	Supply Grants	Appropriations in Aid
	£	£
<b>Vote</b>		
1. Pay, &c., of the Air Force - - -	Cr. 500,000	800,000
3. Air Ministry - - - - -	198,500	—
4. Civilians at Outstations and the Meteorological Office - - - - -	1,700,000	—
5. Movements - - - - -	Cr. 500,000	500,000
6. Supplies - - - - -	300,000	300,000
7. Aircraft and Stores - - - - -	—	3,000,000
8. Lands and Works - - - - -	700,000	*— 700,000
9. Miscellaneous Effective Services - - -	1,500	—
11. Additional Married Quarters - - - -	—	*— 400,000
<b>TOTAL, AIR (SUPPLEMENTARY), 1963-64 -</b>	<b>£ 1,900,000</b>	<b>3,500,000</b>

\* Deficit



SCHEDULE (B).—PART 5

CIVIL DEPARTMENTS (SUPPLEMENTARY), 1963-64

Civil  
Departments  
(Supple-  
mentary),  
1963-64.

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 31st March 1964, viz.:—

Vote	Sums not exceeding	
	Supply Grants	Appropriations in Aid
	£	£
<b>CLASS I</b>		
1. For the salaries and expenses of the House of Lords - - - - -	11,000	2,000
2. For the salaries and expenses of the House of Commons, including certain grants in aid - - - - -	10,000	—
3. For the salaries and expenses of the Department of Her Majesty's Treasury and subordinate departments and of the First Secretary of State, the Lord Privy Seal, the Chancellor of the Duchy of Lancaster, and two Ministers without Portfolio - - - - -	216,000	8,000
6. For the salaries and expenses of the Customs and Excise Department, including a subscription to an international organisation - - - - -	758,000	47,000
7. For the salaries and expenses of the Inland Revenue Department - - - - -	984,000	318,000
8. For the salaries and expenses of the Department of the Comptroller and Auditor General - - - - -	4,000	4,000
9. For the salaries and expenses of the Civil Service Commission - - - - -	49,000	8,850
<b>CLASS II</b>		
1. For the salaries and expenses of the Department of Her Majesty's Secretary of State for Foreign Affairs; for sundry services; and for certain grants in aid - - - - -	1,000	—
2. For sundry grants and services connected with Her Majesty's Foreign Service, including subscriptions to certain international organisations and certain grants in aid - - - - -	582,000	—
4. For the salaries and expenses of the Department of Her Majesty's Secretary of State for Commonwealth Relations; for sundry services; and for certain grants in aid - - - - -	4,007,000	40,000

Civil  
Departments  
(Supple-  
mentary),  
1963-64.

SCHEDULE (B).—PART 5—*continued*

	Sums not exceeding	
	Supply Grants	Appropriations in Aid
	£	£
<b>CLASS II—<i>continued</i></b>		
Vote		
5. For sundry Commonwealth services, including subscriptions to certain international organisations and certain grants in aid - - - - -	2,124,000	—
6. For the salaries and expenses of the Department of Her Majesty's Secretary of State for the Colonies; for sundry services; and for grants in aid - - - - -	1,324,000	231,000
7. For sundry Colonial Services including subscriptions to certain international organisations and certain grants in aid	1,091,000	5,000
9. For the salaries and expenses of the Department of the Secretary for Technical Co-operation; for sundry foreign, Commonwealth and Colonial services; for subscriptions to certain international organisations; for certain grants in aid; and for certain expenditure on schemes made under the Colonial Development and Welfare Acts, 1959 and 1963 - -	1,000	*— 46,000
10. For the salaries and expenses of the Central African Office; for sundry services, loans, and a grant in aid - - - - -	4,082,000	—
12. For a grant in aid of the Commonwealth War Graves Commission and certain other expenses - - - - -	36,000	—
<b>CLASS III</b>		
2. For the salaries and expenses of the office of the Secretary of State for Scotland and of the Scottish Home and Health Department; for a grant to the Legal Aid (Scotland) Fund; for expenses in connection with fire, probation and sundry other services; and for grants in aid - - - - -	80,000	*— 2,000
4. For grants and expenses in connection with civil defence in Scotland and certain remanet expenditure - - - - -	280,000	10,000
6. For grants in respect of expenditure incurred by police authorities in Scotland, and expenses in connection with the police services - - - - -	57,000	2,000
7. For salaries and expenses in connection with the administration of prisons, borstal institutions, detention and remand centres in England and Wales -	1,000	80,000

\* Deficit

SCHEDULE (B).—PART 5—continued

Civil  
Departments  
(Supple-  
mentary),  
1963-64.

Vote	Sums not exceeding	
	Supply Grants	Appropriations in Aid
	£	£
<b>CLASS III—continued</b>		
11. For such of the salaries and expenses of the Supreme Court of Judicature, Court of Criminal Appeal and Courts-Martial Appeal Court as are not charged on the Consolidated Fund; the salaries and expenses of the Judge Advocate General and Judge Advocate of the Fleet, Pensions Appeal Tribunals, the Lands Tribunal, the Restrictive Practices Court and Council on Tribunals, certain other expenses, and a grant in aid - - -	1,000	148,000
12. For the salaries and expenses of the County Courts - - - - -	144,000	*—130,000
13. For a grant to the Legal Aid Fund - - -	1,342,000	—
14. For the salaries and expenses of the Law Officers' Department, the Department of Her Majesty's Procurator-General and Solicitor for the Affairs of Her Majesty's Treasury and the Department of the Director of Public Prosecutions; for the costs of prosecutions and other legal proceedings and of Parliamentary Agency - - - - -	73,000	74,000
15. For the salaries and expenses of the Lord Advocate's Department, of the Courts of Law and Justice, and of the Courts, Tribunals, &c., and for sundry services -	27,000	34,000
16. 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 Appeals in Northern Ireland and certain other expenses including a grant in aid - - - - -	1,000	6,000
<b>CLASS IV</b>		
1. For the salaries and expenses of the office of the Committee of Privy Council for Trade and subordinate departments and agencies - - - - -	356,000	103,000
2. For the expenditure of the Board of Trade on the promotion of trade, exports and industrial efficiency, and on trading and other services, including subscriptions to international organisations and grants in aid - - - - -	1,000	—

\* Deficit

Civil  
Departments  
(Supple-  
mentary),  
1963-64.

SCHEDULE (B).—PART 5—*continued*

Vote	Sums not exceeding	
	Supply Grants	Appropriations in Aid
	£	£
<i>CLASS IV—continued</i>		
4. For the salaries and expenses of the Export Credits Guarantee Department, including a subscription to an international organisation, and for payments under guarantees given after consultation with the Export Guarantees Advisory Council	1,000	901,000
5. For payments under Special Guarantees given or arising from other arrangements made by the Board of Trade in the national interest - - - -	2,000	548,000
6. For the salaries and expenses of the Ministry of Labour including those relating to the Employment Exchange service and the inspection of factories; for expenses, grants and loans in connection with employment, training, rehabilitation, &c.; for expenses of the Industrial Court; for a subscription to the International Labour Organisation; for grants in aid and sundry other services - - - -	1,000	556,000
7. For the salaries and expenses of the Ministry of Aviation for the administration of supply (including research, development and inspection), and of civil aviation; for contributions to certain international organisations, a grant in aid, a conditional grant, and sundry other services - - - -	1,000	—
10. For the salaries and expenses of the Ministry of Transport, the Coastguard, certain Tribunals and Committees and sundry other services including subscriptions to international organisations -	267,000	*— 40,000
11. For expenditure, including grants and loans to highway, &c., authorities on the construction, improvement and maintenance of roads, &c., in England and Wales and sundry services connected therewith; for expenditure on the collection of motor vehicle duties, &c., and the registration of motor vehicles in Great Britain; for road research and safety; and for sundry other services -	11,600,000	—
12. For expenditure, including grants and loans to highway, &c., authorities, on the construction and maintenance of roads, &c., in Scotland and sundry services connected therewith; and for sundry other services - - - -	1,043,000	*— 7,000
	*Deficit	

SCHEDULE (B).—PART 5—continued

Civil  
Departments  
(Supple-  
mentary),  
1963-64

	Sums not exceeding	
	Supply Grants	Appropriations in Aid
	£	£
<b>CLASS IV—continued</b>		
Vote		
13A. For loans to United Kingdom shipowners for shipbuilding purposes, and other expenses - - - - -	1,000	48,990
<b>CLASS V</b>		
1. For the salaries and expenses of the Ministry of Agriculture, Fisheries and Food; of the Agricultural Land Commission; of the Royal Botanic Gardens, Kew; and of the White Fish Authority and Scottish Committee - - - -	615,000	—
2. For the salaries and expenses of the Department of Agriculture and Fisheries for Scotland; for expenditure in connection with sundry agricultural, food, and transport and harbour services, including grants and grants in aid - - - -	1,000	—
3. For expenditure by the Ministry of Agriculture, Fisheries and Food on grants and subsidies for the encouragement of food production and the improvement of agriculture and for sundry other services -	1,000	—
4. For expenditure by the Department of Agriculture and Fisheries for Scotland on grants and subsidies for the encouragement of food production and the improvement of agriculture - -	929,000	—
7. For expenditure by the Ministry of Agriculture, Fisheries and Food in connection with sundry agricultural and food services including grants, grants in aid and certain subscriptions to international organisations - - - -	1,000	230,000
8. For expenditure by the Ministry of Agriculture, Fisheries and Food in connection with the procurement and maintenance of strategic reserves - - -	361,000	14,500,000
9. For grants, loans and expenses in connection with assistance to fishermen; grants and loans to the White Fish Authority; expenditure on research and development relating to fisheries and fish marketing and on the construction, improvement and maintenance of harbours and fishing facilities; subscriptions to certain international organisations and a grant in aid of the White Fish Marketing Fund - - -	1,000	—

Civil  
Departments  
(Supple-  
mentary),  
1963-64.

SCHEDULE (B).—PART 5—*continued*

	Sums not exceeding	
	Supply Grants	Appropriations in Aid
	£	£
<b>CLASS V—<i>continued</i></b>		
Vote		
10. In connection with Scottish fisheries and the United Kingdom herring industry for grants, loans and expenses in connection with assistance to fishermen, fishery protection, research and development relating to fisheries and fish marketing and the construction, improvement and maintenance of harbours and fishing facilities; and a grant in aid of the Herring Marketing Fund - - -	73,000	5,000
11. For a grant in aid of the Forestry Fund -	310,000	—
<b>CLASS VI</b>		
2. For salaries and expenses of the Scottish Development Department; for grants and expenses in connection with planning and redevelopment, water and sewerage, coast protection and sundry other services, including grants in aid -	1,000	—
4. For grants and other payments relating to the provision, improvement and repair of permanent and temporary housing accommodation in Scotland - - -	233,000	—
5. For general grants to local authorities in England and Wales - - - -	23,757,000	—
6. For general grants to local authorities in Scotland - - - -	3,636,000	—
8. For equalisation and transitional grants to local authorities in Scotland - - -	90,000	—
9. For the salaries and expenses of the Ministry of Education; for grants in connection with education, &c., for sundry services; and for subscriptions, &c. to certain international organisations	4,474,000	46,000
10. For the salaries and expenses of the Scottish Education Department; for grants in connection with education, &c.; and for sundry services - -	820,000	—
11. For expenditure by the Ministry of Education on superannuation allowances and gratuities, &c., in respect of teachers -	1,000	339,000
13. For the salaries and expenses of the Ministry of Health; for the expenses of certain committees, &c.; and for sundry services - - - -	145,000	*—11,000

\* Deficit

SCHEDULE (B).—PART 5—*continued*

Civil  
Departments  
(Supple-  
mentary),  
1963-64.

Vote	Sums not exceeding	
	Supply Grants	Appropriations in Aid
	£	£
<i>CLASS VI—continued</i>		
14. For the provision of hospital services, &c., under the National Health Service, &c., in England and Wales - - -	2,467,000	1,198,000
15. For the provision of Executive Councils' services under the National Health Service in England and Wales - - -	1,557,000	564,000
16. For the provision in England and Wales of certain miscellaneous services under the National Health Service, &c., and of certain welfare services; and for a subscription, &c., to the World Health Organisation and certain grants in aid -	763,000	15,000
17. For expenditure by the Ministry of Health on pensions, allowances, gratuities, &c., payable under Section 6(6) of the National Health Service Act 1946, or under Regulations made under Section 67 of that Act; and certain payments to the National Insurance Fund - - -	1,000	1,127,000
18. For the provision of services under the National Health Service in Scotland and other health and welfare services	1,068,000	256,000
19. For expenditure by the Scottish Home and Health Department on pensions, allowances and gratuities, &c., payable under Section 6(8) of the National Health Service (Scotland) Act 1947, or under Regulations under Section 66 of that Act; and certain payments to the National Insurance Fund - - -	1,000	159,000
20. For the salaries and expenses of the Ministry of Pensions and National Insurance including appellate, advisory and sundry other services and a subscription to an international organisation	530,000	2,601,000
23. For the salaries and expenses of the Department of the National Assistance Board and of certain Appeal Tribunals; assistance grants, &c.; non-contributory old age pensions, including pensions to blind persons; and sundry other services	7,747,000	300,000
<i>CLASS VII</i>		
1. For grants in aid and a grant towards the expenses of, and loans to, universities, colleges, &c., and for certain post-graduate studentships - - - -	5,082,000	—

Civil  
Departments  
(Supple-  
mentary),  
1963-64.

SCHEDULE (B).—PART 5—*continued*

	Sums not exceeding	
	Supply Grants	Appropriations in Aid
	£	£
<b>CLASS VII—<i>continued</i></b>		
<b>Vote</b>		
2. For the salaries and expenses of the Office of the Minister for Science - - -	15,000	*— 1,000
3. For payments towards meeting the expenses of the United Kingdom Atomic Energy Authority, for subscriptions, &c., to international projects and organisations, and for a grant in aid	1,000	—
4. For the salaries and expenses of the Department of Scientific and Industrial Research, including certain subscriptions to international organisations -	209,000	*— 22,000
5. For a grant in aid of the Medical Research Council - - - - -	125,000	—
7. For a grant in aid of the Nature Conservancy - - - - -	18,000	—
<b>CLASS VIII</b>		
1. For the salaries and expenses of the British Museum, including a purchase grant in aid - - - - -	33,000	15,000
2. For the salaries and expenses of the British Museum (Natural History), including a purchase grant in aid - - - - -	17,000	—
3. For the salaries and expenses of the Science Museum, including a purchase grant in aid - - - - -	2,000	—
4. For the salaries and expenses of the Victoria and Albert Museum, including purchase grants in aid - - - - -	27,000	*— 1,000
5. For the salaries and expenses of the Imperial War Museum, including a purchase grant in aid - - - - -	3,000	*— 1,872
6. For the salaries and expenses of the London Museum, including a purchase grant in aid - - - - -	4,000	—
7. For the salaries and expenses of the National Gallery, including a purchase grant in aid - - - - -	9,000	2,000
8. For the salaries and expenses of the National Maritime Museum, including a purchase grant in aid - - - - -	2,600	—
9. For the salaries and expenses of the National Portrait Gallery, including a purchase grant in aid - - - - -	3,000	1,000
10. For the salaries and expenses of the Tate Gallery, including a purchase grant in aid - - - - -	10,000	1,700

\* Deficit



SCHEDULE (B).—PART 5—continued

Civil  
Departments  
(Supple-  
mentary),  
1963-64.

	Sums not exceeding	
	Supply Grants	Appropriations in Aid
	£	£
<b>CLASS VIII—continued</b>		
<b>Vote</b>		
11. For the salaries and expenses of the Wallace Collection - - - -	1,000	—
15. For the salaries and expenses of the National Museum of Antiquities of Scotland, including a purchase grant in aid - - - - -	1,000	—
<b>CLASS IX</b>		
1. For the salaries and expenses of the Ministry of Public Building and Works	1,450,000	*— 100,000
2. For expenditure on public buildings in the United Kingdom, including a grant in aid, a purchase grant in aid and sundry other services - - - - -	3,991,000	*— 405,000
3. For expenditure on public buildings overseas - - - - -	763,000	—
4. For expenditure on works and buildings for the Admiralty - - - - -	400,000	2,450,000
7. For expenditure on Houses of Parliament buildings - - - - -	25,000	—
10. For grants and expenses in connection with historic buildings and ancient monuments - - - - -	30,000	34,000
14. For the salaries and expenses of the Department of the Government Actuary	1,000	7,000
16. For civil superannuation and other pensions and non-recurrent payments; and for certain other expenditure in connection therewith - - - - -	485,000	110,000
<b>CLASS X</b>		
2. For the salaries and expenses of the Crown Estate Office - - - - -	1,000	—
3. For the salaries and expenses of the Registry of Friendly Societies - - -	3,000	1,000
5. For the salaries and expenses of the National Debt Office and Pensions Commutation Board - - - - -	1,000	—
6. For the salaries and expenses of the establishment under the Public Works Loan Commission and the expenses of the Commission - - - - -	1,000	2,000
8. For the salaries and expenses of the Land Registry - - - - -	1,000	29,000
11. For the survey of Great Britain and other mapping services - - - - -	90,000	47,000

\* Deficit

Civil  
Departments  
(Supple-  
mentary),  
1963-64.

SCHEDULE (B).—PART 5—*continued*

	Sums not exceeding	
	Supply Grants	Appropriations in Aid
	£	£
<i>CLASS X—continued</i>		
Vote		
13. For the salaries and expenses of the Scottish Record Office - - -	1,000	1,000
14. For the salaries and expenses of the Office of the Registrar General - - -	1,000	—
15. For the salaries and expenses of the Department of the Registrar General of Births, Deaths and Marriages in Scotland - - - - -	2,000	2,750
16. For the salaries and expenses of the Department of the Registers of Scotland	1,000	6,000
<i>CLASS XI</i>		
1. For grants to, and grants in aid of, the British Broadcasting Corporation and for payments to the Postmaster General	1,000	—
3. For the salaries and expenses of the State Management Districts in Scotland -	1,000	19,000
4. For pensions and allowances to certain members of the former Indian and Burma Services and their dependants and to certain judges, including payments for the commutation of pensions; for certain payments to the Governments of India and Pakistan connected with pensions; and for sundry expenses -	477,000	—
5. For the payment of supplements to certain colonial and other overseas pensions, and of pensions, &c., in respect of service under the former Government of Palestine - - - - -	192,000	—
8. For a grant in aid of the Development Fund - - - - -	30,000	—
10. For certain miscellaneous expenses, a subscription to an international organisation and grants in aid - - - -	1,000	—
10A. For payments of Civil Service remuneration arising out of a decision to authorise an increase in pay of 3 per cent for certain classes and grades - - - -	17,000	—
<b>TOTAL, CIVIL DEPARTMENTS (SUPPLEMENTARY), 1963-64 - - -</b>	<b>£ 93,670,600</b>	<b>26,476,418</b>

SCHEDULE (B).—PART 6

Ministry of  
Defence  
(Central),  
1964-65.

MINISTRY OF DEFENCE (CENTRAL)

SUM granted, and sum which may be applied as appropriations in aid in addition thereto, to defray the charge of the Ministry of Defence (Central), which will come in course of payment during the year ending on 31st March 1965, viz. :—

	Sums not exceeding	
	Supply Grants	Appropriations in Aid
	£	£
For the salaries and expenses of the Central Defence Staffs, the Defence Secretariat and the Central Defence Scientific Staff and of certain joint service Establishments; expenses in connection with International Defence Organisations, including international subscriptions; and certain grants in aid - - - - -	25,973,000	5,320,000

Defence (Navy),  
1964-65.

SCHEDULE (B).—PART 7

DEFENCE (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 31st March 1965, including provision for officers, seamen, juniors and Royal Marines, and members of the Women's Royal Naval Service and Queen Alexandra's Royal Naval Nursing Service, to a number not exceeding 103,000, in addition to reserve forces, viz. :—

Vote	Sums not exceeding	
	Supply Grants	Appropriations in Aid
	£	£
1. For the pay, &c. of the Royal Navy and Royal Marines - - - - -	84,222,000	1,781,000
2. For the pay and expenses of the Royal Naval Reserve, the Royal Fleet Reserve and Cadet Forces, &c. - - - - -	1,323,000	500
3. For the salaries, wages and expenses of the Navy Department Headquarters - - -	10,657,000	77,000
4. For scientific services, including a grant in aid to the National Institute of Oceanography, and a subscription to the International Hydrographic Bureau -	28,025,000	1,403,000
5. For medical services, education and civilians on Fleet Services - - - -	14,615,000	367,500
6. For Naval Stores, Armament, Victualling and other Material Supply Services -	174,822,000	20,404,000
7. For the new construction, repair, &c., of Her Majesty's Ships, Aircraft and Weapons - - - - -	147,660,000	10,980,000
8. For lands and buildings - - - - -	962,000	2,479,000
9. For miscellaneous effective services - -	11,692,000	4,020,000
10. For non-effective services - - - - -	22,036,000	50,000
11. For certain additional married quarters -	1,000	3,000,000
<b>TOTAL, NAVY SERVICES . - - -£</b>	<b>496,015,000</b>	<b>44,562,000</b>

SCHEDULE (B).—PART 8

Defence (Army)  
1964-65.

DEFENCE (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 31st March 1965, including provision for Land Forces to a number not exceeding 229,000, all ranks, in addition to the Reserve Forces, Territorial Army, Cadet Forces and Malta Territorial Force, viz. :—

Vote	Sums not exceeding	
	Supply Grants	Appropriations in Aid
	£	£
1. For the pay, &c., of the Army - - -	156,610,000	11,120,000
2. For the Reserve Forces (to a number not exceeding 153,000 all ranks, including a number not exceeding 147,000 other ranks), Territorial Army (to a number not exceeding 221,000 all ranks), Cadet Forces and Malta Territorial Force -	21,480,000	880,000
3. For salaries, wages, &c., of civilian staff of the Army Department Headquarters-	6,479,000	71,000
4. For salaries, wages, &c., of civilians at outstations - - - - -	113,400,000	1,480,000
5. For movements - - - - -	27,520,000	1,370,000
6. For supplies - - - - -	42,730,000	8,010,000
7. For stores and equipment (including stores and equipment for research, design and development projects and inspection; disposal of stores; and certain capital and ancillary services) - - - -	107,500,000	21,000,000
8. For lands, buildings and works - - -	9,670,000	5,760,000
9. For miscellaneous effective services, including grants in aid (including a Supplementary sum of £800) - - - -	2,480,800	13,280,000
10. For non-effective services, including a grant in aid - - - - -	35,140,000	320,000
11. For certain additional married quarters -	1,000	3,320,000
<b>TOTAL, ARMY SERVICES - - - -£</b>	<b>523,010,800</b>	<b>66,611,000</b>
<b>Royal Ordnance Factories.</b>		
For operating the Royal Ordnance Factories	2,400,000	31,450,000
<b>Army Purchasing (Repayment) Services.</b>		
For expenditure incurred by the Army Department on the supply of munitions, common-user and other articles for the Government service and on miscellaneous supply - - - - -	2,000,000	—

2 M

Defence (Air),  
1964-65.

SCHEDULE (B).—PART 9

DEFENCE (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 31st March 1965, including provision for officers, airmen and airwomen for Air Force Service to a number not exceeding 140,000, all ranks, in addition to reserve and auxiliary services and cadet forces, viz.:—

	Sums not exceeding	
	Supply Grants	Appropriations in Aid
	£	£
Vote		
1. For the pay, &c., of the Air Force - -	136,500,000	7,570,000
2. For reserve and auxiliary services (to a number not exceeding 44,240, all ranks, for the Royal Air Force Reserve, and 1,260, all ranks, for the Royal Auxiliary Air Force) and cadet forces - - -	809,000	270,000
3. For salaries, wages, &c., of civilian staff of the Air Force Department Headquarters	4,550,000	60,000
4. For salaries, wages, &c., of civilians at out-stations and the Meteorological Office -	43,870,000	4,040,000
5. For movements - - - - -	13,700,000	2,220,000
6. For supplies - - - - -	51,000,000	7,640,000
7. For aircraft and stores - - - - -	234,250,000	20,250,000
8. For lands, buildings and works - -	3,130,000	5,370,000
9. For miscellaneous effective services including certain grants in aid and a subscription to the World Meteorological Organisation - - - - -	350,000	9,190,000
10. For non-effective services- - - -	15,640,000	150,000
11. For certain additional married quarters -	1,000	300,000
<b>TOTAL, AIR SERVICES - - - -£</b>	<b>503,800,000</b>	<b>57,060,000</b>

SCHEDULE (B).—PART 10

Civil,  
Class I,  
1964-65.

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 31st March 1965, viz.:—

Vote	Sums not exceeding	
	Supply Grants	Appropriations in Aid
	£	£
1. For the salaries and expenses of the House of Lords - - - - -	307,000	25,000
2. For the salaries and expenses of the House of Commons, including certain grants in aid - - - - -	1,787,000	7,000
3. For the salaries and expenses of the Department of Her Majesty's Treasury and subordinate departments and of the Lord Privy Seal, the Chancellor of the Duchy of Lancaster, and two Ministers without Portfolio - - - - -	4,417,000	228,000
4. For the salaries and expenses of the Department of Her Majesty's Most Honourable Privy Council - - - - -	54,000	3,000
5. For the salaries of Post Office Ministers- - - - -	7,500	—
6. For the salaries and expenses of the Customs and Excise Department, including a subscription to an international organisation - - - - -	22,660,000	1,510,000
7. For the salaries and expenses of the Inland Revenue Department - - - - -	63,550,000	2,288,000
8. For the salaries and expenses of the Department of the Comptroller and Auditor General - - - - -	707,000	162,000
9. For the salaries and expenses of the Civil Service Commission - - - - -	861,000	218,000
10. For the salaries and expenses of Royal Commissions, committees, special enquiries, shorthand reporting, &c., and for a grant in aid - - - - -	741,000	—
<b>TOTAL, CIVIL, CLASS I - - - - -</b>	<b>95,091,500</b>	<b>4,441,000</b>

Civil,  
Class II,  
1964-65.

SCHEDULE (B).—PART 11

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 31st March 1965, viz.:—

Vote	Sums not exceeding	
	Supply Grants	Appropriations in Aid
	£	£
1. For the salaries and expenses of the Department of Her Majesty's Secretary of State for Foreign Affairs; for sundry services; and for certain grants in aid (including a Supplementary sum of £52,000) - - -	32,021,000	3,760,500
2. For sundry grants and services connected with Her Majesty's Foreign Service, including subscriptions to certain international organisations and certain grants in aid (including a Supplementary sum of £1,561,000) - - - - -	23,339,000	—
3. For a grant in aid of the British Council - - -	5,388,000	—
4. For the salaries and expenses of the Department of Her Majesty's Secretary of State for Commonwealth Relations; for sundry services; and for certain grants in aid (Revised sum) (including a Supplementary sum of £9,839,000) - - -	40,273,000	221,000
5. For sundry Commonwealth services, including subscriptions to certain international organisations and certain grants in aid (Revised sum) (including a Supplementary sum of £13,155,000) - - -	38,350,000	—
6. For the salaries and expenses of the Department of Her Majesty's Secretary of State for the Colonies; for sundry services; and for grants in aid (including a Supplementary sum of £394,000) - - -	6,992,000	673,000
7. For sundry Colonial Services including subscriptions to certain international organisations and certain grants in aid (including a Supplementary sum of £1,931,000) - - - - -	14,679,000	78,000
8. For schemes made under the Colonial Development and Welfare Acts 1959 and 1963, for development in territories for which the Colonial Office is responsible - - - - -	9,000,000	—



SCHEDULE (B).—PART 11—*continued*

Civil,  
Class II,  
1964-65.

	Sums not exceeding	
	Supply Grants	Appropriations in Aid
	£	£
<b>Vote</b>		
9. For the salaries and expenses of the Department of the Secretary for Technical Co-operation; for sundry foreign, Commonwealth and Colonial services; for a subscription to an international organisation; for certain grants in aid; and for certain expenditure on schemes made under the Colonial Development and Welfare Acts 1959 and 1963 (including a Supplementary sum of £913,000) - -	35,641,000	1,751,000
11. For schemes made under the Colonial Development and Welfare Acts 1959 and 1963, for development in Central Africa (Revised sum) - - - -	855,000	—
12. For a grant in aid of the Commonwealth War Graves Commission and certain other expenses - - - -	1,323,000	—
<b>TOTAL, CIVIL, CLASS II - - -</b>	<b>£ 207,861,000</b>	<b>6,483,500</b>

Civil,  
Class III,  
1964-65.

SCHEDULE (B).—PART 12

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 31st March 1965, viz.:—

Vote	Sums not exceeding	
	Supply Grants	Appropriations in Aid
	£	£
1. For the salaries and expenses of the office of Her Majesty's Secretary of State for the Home Department; expenses and grants in connection with certain law, fire and sundry other services; and certain grants in aid (including a Supplementary sum of £1,000) - - - - -	13,223,000	3,648,000
2. For the salaries and expenses of the office of the Secretary of State for Scotland and of the Scottish Home and Health Department; for a grant to the Legal Aid (Scotland) Fund; for expenses in connection with fire, probation and sundry other services; and for grants in aid (including a Supplementary sum of £1,000) - - - - -	2,433,000	207,000
3. For grants and expenses in connection with civil defence and certain remanet expenditure; and for a grant in aid - - - - -	13,460,000	378,000
4. For grants and expenses in connection with civil defence in Scotland and certain remanet expenditure - - - - -	1,678,000	108,000
5. For grants in respect of expenditure incurred by police authorities in England and Wales, expenses in connection with the police services and a subscription to an international organisation - - - - -	80,110,000	554,000
6. For grants in respect of expenditure incurred by police authorities in Scotland, and expenses in connection with the police services - - - - -	8,275,000	19,000
7. For the salaries and expenses of prisons, borstal institutions, detention and remand centres in England and Wales - - - - -	22,058,000	1,915,000
8. For the salaries and expenses of prisons, borstal institutions, detention and remand centres in Scotland - - - - -	2,826,000	311,000

SCHEDULE (B).—PART 12—continued

Civil,  
Class III,  
1964-65.

Vote	Sums not exceeding	
	Supply Grants	Appropriations in Aid
	£	£
9. For grants and expenses in England and Wales in respect of approved schools, remand homes and voluntary homes, and for training in and research on child care - - - - -	5,209,000	170,000
10. For grants and expenses in Scotland in respect of approved schools, remand homes and voluntary homes, and for training in and research on child care -	869,000	13,000
11. For such of the salaries and expenses of the Supreme Court of Judicature, Court of Criminal Appeal and Courts-Martial Appeal Court as are not charged on the Consolidated Fund; the salaries and expenses of the Judge Advocate General and Judge Advocate of the Fleet, Pensions Appeal Tribunals, the Lands Tribunal, the Restrictive Practices Court and Council on Tribunals, certain other expenses, and a grant in aid - - -	1,000	3,029,000
12. For the salaries and expenses of the County Courts - - - - -	936,000	4,230,000
13. For a grant to the Legal Aid Fund - -	5,768,000	—
14. For the salaries and expenses of the Law Officers' Department, the Department of Her Majesty's Procurator-General and Solicitor for the Affairs of Her Majesty's Treasury and the Department of the Director of Public Prosecutions; for the costs of prosecutions and other legal proceedings and of Parliamentary Agency - - - - -	952,000	320,000
15. For the salaries and expenses of the Lord Advocate's Department, of the Courts of Law and Justice, and of the Courts, Tribunals, &c.; and for sundry services	401,000	666,000
16. 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 Appeals in Northern Ireland and certain other expenses including a grant in aid - - - - -	86,000	47,000
<b>TOTAL, CIVIL, CLASS III - - - - -</b>	<b>158,285,000</b>	<b>15,615,000</b>

Civil,  
Class IV,  
1964-65.

SCHEDULE (B).—PART 13

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 31st March 1965, 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 and agencies - - - - -	7,598,000	3,467,000
2. For the expenditure of the Board of Trade on the promotion of trade, exports and industrial efficiency, and on trading and other services, including subscriptions to international organisations and grants in aid (including a Supplementary sum of £8,750) - - - - -	8,068,750	70,000
3. For the promotion of local employment including a grant in aid - - - - -	36,201,000	82,000
4. For the salaries and expenses of the Export Credits Guarantee Department, including a subscription to an international organisation, and for payments under guarantees given after consultation with the Export Guarantees Advisory Council - - - - -	1,000	9,830,000
5. For payments under Special Guarantees given or arising from other arrangements made by the Board of Trade in the national interest - - - - -	1,000	1,499,000
6. For the salaries and expenses of the Ministry of Labour including those relating to the Employment Exchange service and the inspection of factories; for expenses, grants and loans in connection with employment, training, rehabilitation, &c.; for expenses of the Industrial Court; for a subscription to the International Labour Organisation, and sundry other services - - - - -	30,354,000	5,809,000
7. For the salaries and expenses of the Ministry of Aviation for the administration of supply (including research, development and inspection), and of civil aviation; for contributions to certain international organisations, a grant in aid, a conditional grant, and sundry other services - - - - -	261,800,000	43,400,000

SCHEDULE (B).—PART 13—continued

Civil,  
Class IV,  
1964—65.

	Sums not exceeding	
	Supply Grants	Appropriations in Aid
Vote	£	£
8. For expenditure by the Ministry of Aviation on the supply of aircraft and other equipment for the Government service and on miscellaneous supply - - -	21,500,000	—
9. For payments to the United Kingdom Atomic Energy Authority for outstanding liabilities in respect of the capital cost of plant being maintained as reserve capacity, and certain terminal expenses, and for payments to the Authority and to others for special materials and services - - - - -	61,009,000	—
10. For the construction, maintenance and operation of civil aerodromes, for civil air navigational services and for a subscription, &c., to Eurocontrol - -	12,145,000	17,774,000
11. For the salaries and expenses of the Ministry of Transport, the Coastguard, certain Tribunals and Committees and sundry other services including subscriptions to international organisations -	5,593,000	4,790,000
12. For expenditure, including grants and loans to highway, &c., authorities on the construction, improvement and maintenance of roads, &c., in England and Wales and sundry services connected therewith; for expenditure on the collection of motor vehicle duties, &c., and the registration of motor vehicles in Great Britain; for road research and safety; and for sundry other services - - - - -	181,181,000	5,300,000
13. For expenditure, including grants and loans to highway, &c., authorities, on the construction and maintenance of roads, &c., in Scotland and sundry services connected therewith; and for sundry other services - - - - -	23,306,000	21,000
14. For miscellaneous services connected with shipping, seamen, inland transport and ports, including the operation of a storm tide warning system, a geological survey for a Channel Tunnel and certain special and other services (including a Supplementary sum of £325,000) - -	2,383,000	305,000
15. For the expenditure of the Ministry of Transport in grant to the British Railways Board and the British Waterways Board in respect of deficits on their revenue accounts - - - - -	116,471,000	—

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Civil,  
Class IV,  
1964-65.

SCHEDULE (B).—PART 13—*continued*

	Sums not exceeding	
	Supply Grants	Appropriations in Aid
	£	£
Vote 16. For the salaries and expenses of the Ministry of Power; for expenditure on oil storage and distribution; and for sundry other services - - - -	3,669,000	2,107,000
TOTAL, CIVIL, CLASS IV - - - -	771,280,750	94,454,000

SCHEDULE (B).—PART 14

Civil  
Class V,  
1964–65.

CIVIL.—CLASS V

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 31st March 1965, viz.:—

	Sums not exceeding	
	Supply Grants	Appropriations in Aid
	£	£
<b>Vote</b>		
1. For the salaries and expenses of the Ministry of Agriculture, Fisheries and Food; of the Royal Botanic Gardens, Kew; and of the White Fish Authority and Scottish Committee - - -	23,400,000	483,000
2. For the salaries and expenses of the Department of Agriculture and Fisheries for Scotland; for expenditure in connection with sundry agricultural, food, and transport and harbour services, including grants and grants in aid - - -	8,613,000	1,160,000
3. For expenditure by the Ministry of Agriculture, Fisheries and Food on grants and subsidies for the encouragement of food production and the improvement of agriculture and for sundry other services -	93,420,000	30,000
4. For expenditure by the Department of Agriculture and Fisheries for Scotland on grants and subsidies for the encouragement of food production and the improvement of agriculture - - -	13,069,000	—
5. For expenditure by the Ministry of Agriculture, Fisheries and Food in implementation of agricultural price guarantees and for sundry other services	180,335,000	10,000
6. For expenditure by the Department of Agriculture and Fisheries for Scotland in implementation of agricultural price guarantees - - - -	23,770,000	—
7. For expenditure by the Ministry of Agriculture, Fisheries and Food in connection with sundry agricultural and food services including grants, grants in aid and certain subscriptions to international organisations - - - -	13,827,000	4,947,000
8. For expenditure by the Ministry of Agriculture, Fisheries and Food in connection with the procurement and maintenance of strategic reserves - -	2 273 000	13,000,000

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Civil,  
Class V,  
1964-65.

SCHEDULE (B).—PART 14—*continued*

	Sums not exceeding	
	Supply Grants	Appropriations in Aid
	£	£
<b>Vote</b>		
9. For grants, loans and expenses in connection with assistance to fishermen; grants and loans to the White Fish Authority; expenditure on research and development relating to fisheries and fish marketing and on the construction, improvement and maintenance of harbours and fishing facilities; subscriptions to certain international organisations and a grant in aid of the White Fish Marketing Fund - -	5,379,000	6,000
10. In connection with Scottish fisheries and the United Kingdom herring industry for grants, loans and expenses in connection with assistance to fishermen, fishery protection, research and development relating to fisheries and fish marketing and the construction, improvement and maintenance of harbours and fishing facilities; and a grant in aid of the Herring Marketing Fund - - -	2,862,000	17,900
11. For a grant in aid of the Forestry Fund	13,200,000	—
<b>TOTAL, CIVIL, CLASS V - - -£</b>	<b>380,148,000</b>	<b>19,653,900</b>



SCHEDULE (B).—PART 15

Civil,  
Class VI,  
1964-65.

CIVIL.—CLASS VI

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 31st March 1965, viz. :—

Vote	Sums not exceeding	
	Supply Grants	Appropriations in Aid
	£	£
1. For the salaries and expenses of the offices of the Minister of Housing and Local Government and Minister for Welsh Affairs and of the Minister of State for Welsh Affairs; grants and expenses in connection with water supply, water resources, sewerage, coast protection, storm damage relief, abating the pollution of the air, planning and redevelopment, new towns, national parks, rating relief and sundry other services; a subscription to an international organisation and a grant in aid (including a Supplementary sum of £9,662,000) - - -	28,336,000	967,000
2. For salaries and expenses of the Scottish Development Department; for grants and expenses in connection with planning and redevelopment, water and sewerage, coast protection and sundry other services, including grants in aid -	3,727,000	10,000
3. For grants and other payments relating to the provision, improvement and repair of permanent and temporary housing accommodation, and to emergency housing services in England and Wales (including a Supplementary sum of £4,000) - - - - -	81,974,000	1,365,000
4. For grants and other payments relating to the provision, improvement and repair of permanent and temporary housing accommodation in Scotland - - -	21,011,000	338,000
5. For general grants to local authorities in England and Wales - - - - -	625,179,000	—
6. For general grants to local authorities in Scotland - - - - -	73,042,000	—
7. For rate deficiency and exchequer equalisation grants to local authorities in England and Wales - - - - -	164,200,000	—
8. For equalisation and transitional grants to local authorities in Scotland - - -	24,420,000	—
		2 M 3*

Civil,  
Class VI,  
1964-65.

SCHEDULE (B).—PART 15—*continued*

	Sums not exceeding	
	Supply Grants	Appropriations in Aid
	£	£
Vote		
9A. For the salaries and expenses of the Department of Her Majesty's Secretary of State for Education and Science (Revised sum) - - - - -	4,349,000	62,000
9B. For expenditure by the Department of Her Majesty's Secretary of State for Education and Science on grants in connection with education, &c., for sundry services; and for subscriptions to certain international organisations (Revised sum) - - - - -	141,184,000	14,000
9C. For expenditure by the Department of Her Majesty's Secretary of State for Education and Science on awards to students (Revised sum) - - - - -	3,427,000	2,000
10. For the salaries and expenses of the Scottish Education Department; for grants in connection with education, &c.; and for sundry services - - - - -	27,961,000	13,000
11. For expenditure by the Ministry of Education on superannuation allowances and gratuities, &c., in respect of teachers - - - - -	1,000	47,357,000
12. For expenditure by the Scottish Education Department on superannuation allowances and gratuities, &c., in respect of teachers - - - - -	1,000	6,740,000
13. For the salaries and expenses of the Ministry of Health; for the expenses of certain committees, &c.; and for sundry services - - - - -	4,727,000	2,517,000
14. For the provision of hospital services, &c., under the National Health Service, &c., in England and Wales - - - - -	502,793,000	109,446,000
15. For the provision of Executive Councils' services under the National Health Service in England and Wales - - - - -	185,031,000	44,500,000
16. For the provision in England and Wales of certain miscellaneous services under the National Health Service, &c., and of certain welfare services; and for a subscription, &c., to the World Health Organisation and certain grants in aid (including a Supplementary sum of £2,651,000) - - - - -	46,950,000	2,072,000
17. For expenditure by the Ministry of Health on pensions, allowances, gratuities, &c., payable under Section 6(6) of the National Health Service Act 1946, or under Regulations made under Section 67 of that Act; and certain payments to the National Insurance Fund - - - - -	1,000	22,609,000

SCHEDULE (B).—PART 15—continued

Civil,  
Class VI,  
1964-65.

Vote	Sums not exceeding	
	Supply Grants	Appropriations in Aid
	£	£
18. For the provision of services under the National Health Service in Scotland and other health and welfare services - -	94,689,000	17,305,000
19. For expenditure by the Scottish Home and Health Department on pensions, allowances and gratuities, &c., payable under Section 6(8) of the National Health Service (Scotland) Act 1947, or under Regulations made under Section 66 of that Act; and certain payments to the National Insurance Fund - - -	1,000	2,551,000
20. For the salaries and expenses of the Ministry of Pensions and National Insurance including appellate, advisory and sundry other services and a subscription to an international organisation	8,054,000	44,091,000
21. For sums payable by the Exchequer to the National Insurance Fund and the Industrial Injuries Fund - - -	232,700,000	—
22. For payments in respect of family allowances - - - - -	143,475,000	25,000
23. For the salaries and expenses of the Department of the National Assistance Board and of certain Appeal Tribunals; assistance grants, &c.; non-contributory old age pensions, including pensions to blind persons; and sundry other services	236,206,000	4,730,000
24. For payments in respect of pensions, gratuities and allowances for disablement or death arising out of war, or service in the Armed Forces after 2nd September 1939, and for sundry other services, including national service grants - -	110,857,000	11,000
<b>TOTAL, CIVIL, CLASS VI- -</b>	<b>-£2,764,296,000</b>	<b>306,725,000</b>

Civil,  
Class VII,  
1964-65.

SCHEDULE (B).—PART 16

CIVIL.—CLASS VII

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 31st March 1965, viz.:—

	Sums not exceeding	
	Supply Grants	Appropriations in Aid
	£	£
Vote		
1. For the salaries and expenses of the University Grants Committee, for grants in aid and a grant towards the expenses of, and for loans to, universities, colleges, &c., and for certain post-graduate student-ships (including a Supplementary sum of £6,300,000) - - - - -	139,218,000	—
3. For payments towards meeting the expenses of the United Kingdom Atomic Energy Authority, for subscriptions, &c., to international projects and organisations, for the administration of a national stockpile of uranium ore and for a grant in aid - - - - -	35,087,000	79,846,000
4. For the salaries and expenses of the Department of Scientific and Industrial Research, including certain subscriptions to international organisations - - - - -	25,108,000	2,598,000
5. For a grant in aid of the Medical Research Council - - - - -	8,518,000	—
6. For a grant in aid of the Agricultural Research Council - - - - -	8,093,000	—
7. For a grant in aid of the Nature Conservancy - - - - -	797,000	—
8. For grants in aid of certain institutions and bodies concerned with science and for services connected therewith - - - - -	500,000	750
<b>TOTAL, CIVIL, CLASS VII - - - - -</b>	<b>217,321,000</b>	<b>82,444,750</b>

SCHEDULE (B).—PART 17

Civil,  
Class VIII,  
1964-65.

CIVIL.—CLASS VIII

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 31st March 1965, viz.:—

Vote	Sums not exceeding	
	Supply Grants	Appropriations in Aid
	£	£
1. For the salaries and expenses of the British Museum, including a purchase grant in aid - - - - -	1,367,000	300,000
2. For the salaries and expenses of the British Museum (Natural History), including purchase grants in aid - - - - -	772,000	17,000
3. For the salaries and expenses of the Science Museum, including a purchase grant in aid - - - - -	408,000	1,000
4. For the salaries and expenses of the Victoria and Albert Museum, including purchase grants in aid - - - - -	730,000	9,000
5. For the salaries and expenses of the Imperial War Museum, including a purchase grant in aid - - - - -	97,000	13,000
6. For the salaries and expenses of the London Museum, including a purchase grant in aid - - - - -	68,000	1,300
7. For the salaries and expenses of the National Gallery, including a purchase grant in aid - - - - -	357,000	2,000
8. For the salaries and expenses of the National Maritime Museum, including a purchase grant in aid (including a Supplementary sum of £15,000) - -	148,000	500
9. For the salaries and expenses of the National Portrait Gallery, including a purchase grant in aid - - - - -	64,000	6,500
10. For the salaries and expenses of the Tate Gallery, including purchase grants in aid - - - - -	232,000	2,600
11. For the salaries and expenses of the Wallace Collection - - - - -	60,000	6,000
12. For the salaries and expenses of the Royal Scottish Museum, including purchase grants in aid - - - - -	146,000	—
13. For the salaries and expenses of the National Gallery of Scotland, the Scottish National Gallery of Modern Art and the Scottish National Portrait Gallery, including purchase grants in aid	121,000	3,500

Civil,  
Class VIII,  
1964-65.

SCHEDULE (B).—PART 17—*continued*

	Sums not exceeding	
	Supply Grants	Appropriations in Aid
	£	£
Vote		
14. For the salaries and expenses of the National Library of Scotland, including a purchase grant in aid - - - -	146,000	5,500
15. For the salaries and expenses of the National Museum of Antiquities of Scotland, including a purchase grant in aid - - - -	40,000	150
16. For grants in aid of certain institutions and bodies connected with the arts - -	4,345,000	—
<b>TOTAL, CIVIL, CLASS VIII - -£</b>	<b>9,101,000</b>	<b>368,050</b>

SCHEDULE (B).—PART 18

Civil,  
Class IX,  
1964-65.

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 31st March 1965, viz.:—

Vote	Sums not exceeding	
	Supply Grants	Appropriations in Aid
	£	£
1. For the salaries and expenses of the Ministry of Public Building and Works	30,430,000	7,830,000
2. For expenditure on public buildings in the United Kingdom, including a grant in aid, a purchase grant in aid, and sundry other services	54,190,000	7,743,000
3. For expenditure on public buildings overseas	7,126,000	250,000
4. For expenditure on works and buildings for the Ministry of Defence (Navy Department)	24,750,000	6,442,000
5. For expenditure on works and buildings for the Ministry of Defence (Army Department)	61,454,000	4,010,000
6. For expenditure on works and buildings for the Ministry of Defence (Air Force Department)	47,500,000	7,110,000
7. For expenditure on works and buildings for the Ministry of Aviation	10,050,000	—
8. For expenditure on works and buildings for Royal Ordnance Factories	1,150,000	—
9. For expenditure on Houses of Parliament buildings	551,000	2,000
10. For expenditure on the Royal Palaces, including a grant in aid	833,000	57,000
11. For expenditure on Royal parks and pleasure gardens	1,386,000	118,000
12. For grants and expenses in connection with historic buildings and ancient monuments	1,459,000	173,000
13. For the salaries and expenses of the Rating of Government Property Department, and for rates and contributions in lieu of rates for property occupied by the Crown and premises occupied by representatives of Commonwealth and foreign countries and international organisations	26,000,000	1,220,000

Civil,  
Class IX,  
1964-65.

SCHEDULE (B).—PART 18—*continued*

Vote	Sums not exceeding	
	Supply Grants	Appropriations in Aid
	£	£
14. For the salaries and expenses of the Stationery Office; for stationery, printing, books, office equipment, &c.; for official publications; and for sundry services	20,150,000	9,900,010
15. For the salaries and expenses of the Central Office of Information - - - -	7,939,000	1,218,000
16. For the salaries and expenses of the Department of the Government Actuary, including a grant in aid - - - -	43,000	45,000
17. For a grant in aid of the Government Hospitality Fund - - - -	195,000	—
18. For civil superannuation and other pensions and non-recurrent payments; and for certain other expenditure in connection therewith - - - -	47,260,000	2,105,000
19. For non-effective annual allowances, gratuities and certain expenses in connection with superannuation in respect of Post Office employment - - - -	1,000	29,499,000
<b>TOTAL, CIVIL, CLASS IX - - - -</b>	<b>342,467,000</b>	<b>77,722,010</b>



SCHEDULE (B).—PART 19

Civil,  
Class X,  
1964-65.

CIVIL.—CLASS X

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 31st March 1965, viz.:—

Vote	Sums not exceeding	
	Supply Grants	Appropriations in Aid
	£	£
1. For the salaries and expenses of the Charity Commission for England and Wales -	318,000	200
2. For the salaries and expenses of the Crown Estate Office- - - - -	181,000	—
3. For the salaries and expenses of the Registry of Friendly Societies - - - -	133,000	9,000
4. For the salaries and expenses of the Royal Mint in the production of coins, medals, badges, dies, seals, &c., and for the withdrawal of coin - - - -	1,000	4,030,000
5. For the salaries and expenses of the National Debt Office and Pensions Commutation Board - - - -	1,000	82,000
6. For the salaries and expenses of the establishment under the Public Works Loan Commission and the expenses of the Commission- - - - -	1,000	60,000
7. For the salaries and expenses of the office of the Public Trustee - - - -	1,000	625,500
8. For the salaries and expenses of the Land Registry - - - - -	1,000	2,613,000
9. For the salaries and expenses of the War Damage Commission - - - -	222,000	4,400
10. For the salaries and expenses of the Office of the Registrar of Restrictive Trading Agreements (including a Supplementary sum of £19,000) - - - - -	173,000	100
11. For the survey of Great Britain and other mapping services - - - - -	3,820,000	1,308,000
12. For the salaries and expenses of the Public Record Office - - - - -	202,000	24,000
13. For the salaries and expenses of the Scottish Record Office - - - -	68,000	21,000
14. For the salaries and expenses of the Office of the Registrar General - - - -	848,000	461,000
15. For the salaries and expenses of the Department of the Registrar General of Births, Deaths and Marriages in Scotland -	111,000	45,000

Civil,  
Class X,  
1964-65.

SCHEDULE (B).—PART 19—*continued*

	Sums not exceeding	
	Supply Grants	Appropriations in Aid
	£	£
Vote		
16. For the salaries and expenses of the Department of the Registers of Scotland	1,000	257,000
17. For the salaries and expenses, including publicity, of the National Savings Committee - - - - -	1,445,000	—
TOTAL, CIVIL, CLASS X - - -£	7,527,000	9,540,200

SCHEDULE (B).—PART 20

CIVIL.—CLASS XI

Civil,  
Class XI,  
1964-65.

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 31st March 1965, viz.:-

Vote	Sums not exceeding	
	Supply Grants	Appropriations in Aid
	£	£
1. For grants to, and grants in aid of, the British Broadcasting Corporation and for payments to the Postmaster General	66,873,000	332,000
2. For the salaries and expenses of the Carlisle State Management District - - -	1,000	2,531,000
3. For the salaries and expenses of the State Management Districts in Scotland -	1,000	575,000
4. For pensions and allowances to certain members of the former Indian and Burma Services and their dependants and to certain judges, including payments for the commutation of pensions; for certain payments to the Governments of India and Pakistan connected with pensions; and for sundry expenses -	7,753,000	1,000
5. For the payment of supplements to certain colonial and other overseas pensions, and of pensions, &c., in respect of service under the former Government of Palestine - - - - -	1,722,000	—
6. For pensions, &c., and compensation allowances awarded to retired and disbanded members of the Royal Irish Constabulary, and to their widows, including annuities to the National Debt Commissioners in respect of commutation of compensation allowances - -	1,035,000	—
7. For charges in connection with land purchase in Northern Ireland, and the expenses of management of guaranteed stocks and bonds issued for the purpose of Irish land purchase - - - -	1,065,000	100
8. For a grant in aid of the Development Fund	1,561,000	—
9. For Her Majesty's foreign and other secret services - - - - -	8,000,000	—
10. For certain miscellaneous expenses, a subscription to an international organisation and grants in aid (including a Supplementary sum of £1,000) - -	798,000	2,200
11. To repay to the Civil Contingencies Fund certain miscellaneous advances - -	86,000	—
<b>TOTAL, CIVIL, CLASS XI - - -</b>	<b>88,895,000</b>	<b>3,441,300</b>

## SCHEDULE (C).—PART 1

## Section 5.

Navy Services, 1962-63, 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 - - -	—		—		944,899	14 9	134,946	17 10
2. Victualling and Cloth- ing for the Navy -	195,257	14 11	—		—		288,685	15 4
3. Medical Establish- ments and Services-	—		7,280	12 4*	39,102	2 7	—	
4. Civilians employed on Fleet Services - -	171,538	11 6	—		—		20,622	6 11
5. Educational Services -	—		—		46,301	11 10	35,545	2 10
6. Scientific Services -	—		329,335	8 5*	116,444	15 11	—	
7. Royal Naval Reserves -	—		—		8,195	1 0	424	2 10
8. Shipbuilding, Repairs, Maintenance, &c.: Section I—Personnel	—		—		745,136	1 7	43,960	5 2
Section II—Matériel	—		60,910	1 3*	1,153,354	0 9	—	
Section III— Contract Work	—		259,456	1 5*	28,417	9 3	—	
9. Naval Armaments -	—		—		396,523	15 7	101,678	13 10
10. Works, Buildings, Machinery and Repairs at Home and Abroad - - -	580,674	17 11	—		—		117,396	13 10
11. Miscellaneous Effective Services - - -	57,732	16 3	157,847	19 8	—		—	
12. Admiralty Office -	—		—		76,988	4 2	49,993	0 4
13. Non-effective Services -	—		4,113	5 5*	429,287	8 2	—	
14. Additional Married Quarters - - -	—		513,853	5 11*	513,853	5 11	—	

\* These deficiencies of receipts were wholly or partially offset by surpluses of estimated over actual gross expenditure.

SCHEDULE (C).—PART 2

Section 5.

Army Services, 1962-63, 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	483,075	16 2	—	—	—	—	274,315	11 1
2. Reserve Forces, Territorial Army and Cadet Forces - -	32,362	11 3	97,910	10 7	—	—	—	—
3. War Office - - -	—	—	—	—	119,626	0 0	9,571	18 7
4. Civilians - - -	37,357	14 11	—	—	—	—	2,460	0 0
5. Movements- - -	—	—	—	—	550,636	19 7	218,653	18 4
6. Supplies, &c. - -	—	—	—	—	223,493	17 10	291,250	13 7
7. Stores- - - -	—	—	—	—	2,884,772	17 11	967,490	14 8
8. Works, Buildings and Lands - - -	—	—	495,236	2 6*	3,198,808	10 10	—	—
9. Miscellaneous Effective Services - - -	339,303	10 5	—	—	—	—	40,745	11 3
10. Non-effective Services-	—	—	20,280	14 0*	38,546	1 11	—	—
11. Additional Married Quarters- - -	—	—	2,760,000	0 0*	663,357	16 9	—	—

\* These deficiencies of receipts were wholly or partially offset by surpluses of estimated over actual gross expenditure.

## Section 5.

## SCHEDULE (C).—PART 3

Air Services, 1962-63, 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 - - -	—		15,589	13 3*	229,226	15 4	—	
2. Reserve and Auxiliary Services - - -	—		967	13 9*	32,868	6 6	—	
3. Air Ministry - -	76,521	14 5	—		—		54,192	19 4
4. Civilians at Outstations and the Meteorological Office - -	—		54,644	5 5*	70,802	5 7	—	
5. Movements- - -	—		—		375,210	10 10	22,221	17 4
6. Supplies - - -	—		210,587	10 0*	1,110,993	17 3	—	
7. Aircraft and Stores -	—		—		2,172,090	18 7	1,628,962	14 0
8. Works and Lands -	—		—		1,204,663	4 10	499,167	11 6
9. Miscellaneous Effective Services - - -	—		277,395	0 5*	600,798	4 7	—	
10. Non-effective Services-	—		—		95,927	16 0	17,296	7 11
11. Additional Married Quarters- - -	—		1,774,999	0 0*	71,168	3 8	—	

\* These deficiencies of receipts were wholly or partially offset by surpluses of estimated over actual gross expenditure.



# Law of Property (Joint Tenants) Act 1964

## 1964 CHAPTER 63

An Act to amend the law with respect to land vested in joint tenants. [31st July 1964]

**B**E IT ENACTED by the Queen'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) For the purposes of section 36(2) of the Law of Assumptions Property Act 1925, as amended by section 7 of and the Schedule on sale of land to the Law of Property (Amendment) Act 1926, the survivor of by survivor of two or more joint tenants shall, in favour of a purchaser of the joint tenants. legal estate, be deemed to be solely and beneficially interested 15 & 16 Geo. 5. c. 20. if he conveys as beneficial owner or the conveyance includes a 16 & 17 Geo. 5. statement that he is so interested. c. 11.

Provided that the foregoing provisions of this subsection shall not apply if, at any time before the date of the conveyance by the survivor—

- (a) a memorandum of severance (that is to say a note or memorandum signed by the joint tenants or one of them and recording that the joint tenancy was severed in equity on a date therein specified) had been endorsed on or annexed to the conveyance by virtue of which the legal estate was vested in the joint tenants; or
- (b) a receiving order in bankruptcy made against any of the joint tenants, or a petition for such an order, had been registered under the Land Charges Act 1925, 15 & 16 Geo. 5. being an order or petition of which the purchaser has c. 22. notice, by virtue of the registration, on the date of the conveyance by the survivor.

(2) The foregoing provisions of this section shall apply with the necessary modifications in relation to a conveyance by the

personal representatives of the survivor of joint tenants as they apply in relation to a conveyance by such a survivor.

Retrospective and transitional provisions.

2. Section 1 of this Act shall be deemed to have come into force on 1st January 1926, and for the purposes of that section in its application to a conveyance executed before the passing of this Act a statement signed by the vendor or by his personal representatives that he was solely and beneficially interested shall be treated as if it had been included in the conveyance.

Exclusion of registered land.

3. This Act shall not apply to any land the title of which has been registered under the provisions of the Land Registration Acts 1925 and 1936.

Short title, construction, citation and extent.

4.—(1) This Act may be cited as the Law of Property (Joint Tenants) Act 1964, and shall be construed as one with the Law of Property Act 1925.

(2) The Law of Property Acts 1925 to 1932, and this Act, may be cited together as the Law of Property Acts 1925 to 1964.

(3) This Act extends to England and Wales only.





# Drugs (Prevention of Misuse) Act 1964

## 1964 CHAPTER 64

An Act to penalize the possession, and restrict the importation, of drugs of certain kinds.

[31st July 1964]

**B**E IT ENACTED by the Queen'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) Subject to any exemptions for which provision may be made by regulations made by the Secretary of State and to the following provisions of this section, it shall not be lawful for a person to have in his possession a substance for the time being specified in the Schedule to this Act unless—

Penalization of un-authorized possession of scheduled substances.

- (a) it is in his possession by virtue of the issue of a prescription by a duly qualified medical practitioner or a registered dental practitioner for its administration by way of treatment to him, or to a person under his care; or
- (b) it is in his possession by virtue of the issue of a prescription by a registered veterinary surgeon or a registered veterinary practitioner for its administration by way of treatment to an animal under his care; or
- (c) he is registered in a register kept for the purposes of this paragraph by the Secretary of State as a manufacturer of, or a dealer in bulk in, substances for the time being specified in that Schedule,

and a person who has a substance in his possession in contravention of the foregoing provision shall be liable—

- (i) on summary conviction, to a fine not exceeding £200 or to imprisonment for a term not exceeding six months, or to both;
- (ii) on conviction on indictment, to a fine or to imprisonment for a term not exceeding two years, or to both.

(2) Subsection (1) above shall not be taken to prohibit the possession by a person of any of the following kinds, namely,—

- (a) a duly qualified medical practitioner;
- (b) a registered dental practitioner;
- (c) a registered veterinary surgeon;
- (d) a registered veterinary practitioner;
- (e) a registered pharmaceutical chemist;
- (f) an authorised seller of poisons;
- (g) a person acting in accordance with the directions of a person of a kind specified in any of paragraphs (a) to (e) above;
- (h) a person appointed by the person in control of a hospital, clinic, nursing home or other institution providing medical, surgical, dental or veterinary treatment to be in charge of drugs kept there for the purpose of the administration thereof to patients by way of treatment;
- (i) a person in charge of a laboratory the recognised activities of which consist in, or include, the conduct of scientific education or research;
- (j) a public analyst appointed under section 89 of the Food and Drugs Act 1955;
- (k) a sampling officer within the meaning of the said Act of 1955;
- (l) a person employed or engaged in connection with a scheme for testing the quality or amount of the drugs and appliances supplied under the National Health Service Act 1946 and the regulations thereunder;

of a substance for the time being specified in the Schedule to this Act provided that it is in his possession for the purpose of his acting in the capacity of a person of that kind.

(3) Subsection (1) above shall not be taken to prohibit the possession, by the owner of a medical store-carrying ship, of a substance for the time being specified in the Schedule to this Act for the purpose of the administration thereof, by way of treatment, to persons on board of the ship, or to prohibit the possession, by the master of such a ship which does not carry on board as part of her complement a duly qualified medical practitioner, of such a substance for that purpose.

(4) Subsection (1) above shall not be taken to prohibit the possession of a substance by any servant of Her Majesty or constable acting in the course of his duty as such.

(5) The Secretary of State shall have power, in his discretion, to refuse to register a person in a register kept for the purposes of subsection (1)(c) above if, in the Secretary of State's opinion,

he is not a proper person to be registered, and to cancel the registration of a person who, in the Secretary of State's opinion, has ceased to be a person proper to be registered.

(6) This section shall, in its application to Scotland, have effect subject to the following modifications, namely,—

- (a) for references, in paragraphs (*j*) and (*k*) of subsection (2), to the Food and Drugs Act 1955 and for the reference in the said paragraph (*j*) to section 89 thereof there shall be substituted respectively references to the Food and Drugs (Scotland) Act 1956 and to section 27 thereof;
- (b) for the reference, in paragraph (*l*) of that subsection, to the National Health Service Act 1946 there shall be substituted a reference to the National Health Service (Scotland) Act 1947.

(7) This section shall, in its application to Northern Ireland, have effect subject to the following modifications, namely,—

- (a) for references to the Secretary of State there shall be substituted references to the Minister of Home Affairs for Northern Ireland;
- (b) for paragraphs (*j*), (*k*) and (*l*) of subsection (2) there shall be substituted the following paragraphs, namely,—
  - “( *j* ) a public analyst appointed under section 31 of the Food and Drugs Act (Northern Ireland) 1958;
  - ( *k* ) a sampling officer within the meaning of the said Act of 1958;
  - ( *l* ) a person appointed under section 8 of the Pharmacy and Poisons Act (Northern Ireland) 1925 as extended by section 13 of the Pharmacy and Poisons Act (Northern Ireland) 1955 by the Minister of Home Affairs for Northern Ireland as an inspector or additional inspector;
  - ( *m* ) a person employed or engaged in connection with a scheme for testing the quality or amount of the drugs and appliances supplied under the Health Services Act (Northern Ireland) 1948 and the regulations thereunder ”.

2. A constable may arrest without warrant a person who is found committing, or is reasonably suspected by the constable of having committed, an offence under section 1 of this Act if—

- (a) the constable has reasonable ground for believing that that person will abscond unless arrested; or
- (b) the name and address of that person are unknown to, and cannot be ascertained by, the constable; or

- (c) the constable is not satisfied that a name and address furnished by that person as his name and address are true.

Power to search for scheduled substances.

3.—(1) If a justice of the peace is satisfied by written information substantiated on oath that there is reasonable ground for suspecting that a substance for the time being specified in the Schedule to this Act is, in contravention of section 1 of this Act, in the possession of a person in any premises, he may grant a search warrant authorising any constable named in the warrant, at any time or times within one month from the date of the warrant, to enter, if need be by force, the premises named in the warrant, and to search the premises and any persons found therein and, if there is reasonable ground for suspecting that an offence under the said section 1 has been committed in relation to any such substance as aforesaid which may be found in the premises or in the possession of any such persons, to seize it.

(2) This section shall, in its application to any premises in Scotland, have effect subject to the following modifications, namely,—

- (a) for the reference to a justice of the peace there shall be substituted a reference to the sheriff, or a magistrate or justice of the peace, having jurisdiction in the place where the premises are situated;
- (b) for the reference to written information substantiated on oath there shall be substituted a reference to evidence on oath.

Disposal of substances in respect of possession of which offences have been committed.

4.—(1) The court by or before which a person is convicted of an offence under section 1 of this Act with respect to a substance may order any quantity of it which has been found in his possession to be forfeited.

(2) An order made under this section by a magistrates' court or, on appeal from a magistrates' court, by a court of quarter sessions, shall not take effect until the expiration of the ordinary time within which an appeal in the matter of the proceedings in which the order was made may be lodged (whether by giving notice of appeal or by applying for a case to be stated for the opinion of the High Court) or, where such an appeal is duly lodged, until the appeal is finally decided or abandoned.

(3) This section shall, in its application to Scotland, have effect with the substitution, for subsection (2), of the following subsection:—

“(2) An order made under this section shall not take effect until the expiration of the time within which an appeal under section 62 of the Summary Jurisdiction (Scotland)

Act 1954 may be taken in respect of the proceedings in which the order was made or, where such an appeal is taken, until the appeal is finally disposed of or abandoned”.

(4) This section shall, in its application to Northern Ireland, have effect with the substitution, for references to a magistrates' court, of references to a court of summary jurisdiction and, for the reference to a court of quarter sessions, of a reference to a county court.

5.—(1) The importation, save under the authority, and in accordance with the terms, of a licence granted by the Secretary of State, of a substance for the time being specified in the Schedule to this Act is hereby prohibited. Restriction of importation of scheduled substances.

(2) A licence under this section may be, to any degree, general or specific, and may be modified or revoked by the Secretary of State at any time.

(3) Without prejudice to liability to a penalty which he may have incurred under the Customs and Excise Act 1952, a person who contravenes, or fails to comply with, a term of a licence granted under this section shall be guilty of an offence and liable, on summary conviction, to a fine not exceeding £200 or to imprisonment for a term not exceeding six months, or to both.

(4) A person commissioned by the Commissioners of Customs and Excise may require any person possessing or having control of a substance for the time being specified in the Schedule to this Act which is being or has been imported to furnish proof that the importation of the substance is or was not unlawful by virtue of this section; and if such proof is not furnished to the satisfaction of the said Commissioners the substance shall be liable to forfeiture under the Customs and Excise Act 1952.

(5) A substance imported by a person under the authority, and in accordance with the terms, of a licence granted under this section shall be deemed not to be in his possession in contravention of section 1 of this Act.

(6) For the purposes of the application of this section to Northern Ireland with respect to importation, for references to the Secretary of State there shall be substituted references to the Minister of Home Affairs for Northern Ireland.

6. If it appears to the Secretary of State, after consultation with the Poisons Board, that a substance should be added to, or removed from, the Schedule to this Act, he may by order make the requisite modifications in that Schedule. Power to amend Schedule.

7.—(1) Any power conferred by this Act on the Secretary of State to make regulations or an order shall be exercisable by statutory instrument. Regulations and orders.

(2) A statutory instrument made under this Act by the Secretary of State (other than one containing an order providing for the addition of a substance to the Schedule to this Act) shall be subject to annulment in pursuance of a resolution of either House of Parliament.

(3) A statutory instrument containing such an order as aforesaid shall not be made unless a draft thereof has been laid before Parliament and has been approved by a resolution of each House of Parliament.

(4) Every regulation made under this Act by the Minister of Home Affairs for Northern Ireland shall be laid forthwith before each House of the Parliament of Northern Ireland, and if an Address is presented to the Governor of Northern Ireland within the period hereinafter mentioned praying that the regulation may be annulled, the Governor of Northern Ireland in Council may annul the regulation and it shall thenceforth be void, but without prejudice to the validity of anything previously done thereunder or to the making of a new regulation.

The period referred to in the foregoing provisions of this subsection is, in relation to either House of the Parliament of Northern Ireland, a period beginning with the day following that on which the regulation is laid before it and comprising ten days at least on which that House has sat, but not being in any case shorter in duration than twenty days; and days comprised in more than one Session of the Parliament of Northern Ireland may be reckoned for the purposes of this provision.

**Offences by corporations.**

8. Where an offence under this Act which has been 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, a director, manager, secretary or other similar officer of the body corporate, or any person who was purporting to act in any such capacity, he, as well as the body corporate, shall be guilty of that offence and shall be liable to be proceeded against accordingly.

**Interpretation.**

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

“ authorised seller of poisons ” has, for the purposes of the application of this Act to Great Britain, the meaning assigned to it by the Pharmacy and Poisons Act 1933 and, for the purposes of the application of this Act to Northern Ireland, the meaning assigned to it by the Pharmacy and Poisons Act (Northern Ireland) 1945;

“ master ” has the same meaning as in the Merchant Shipping Act 1894;

- “medical store-carrying ship” means a ship on board of which a supply of medicine and medical stores is required to be kept under section 200 of the Merchant Shipping Act 1894;
- “registered dental practitioner” means a person registered in the dentists register under the Dentists Act 1957;
- “registered pharmaceutical chemist” means, for the purposes of the application of this Act to Great Britain, a person registered in the register of pharmaceutical chemists established in pursuance of the Pharmacy Act 1852 and maintained in pursuance of section 2(1) of the Pharmacy Act 1954 and, for the purposes of the application of this Act to Northern Ireland, a person registered in the register of pharmaceutical chemists in pursuance of the Pharmacy and Poisons Acts (Northern Ireland) 1925 to 1955;
- “registered veterinary practitioner” means a person registered in the supplementary veterinary register in pursuance of the Veterinary Surgeons Act 1948;
- “registered veterinary surgeon” means a person registered in the register of veterinary surgeons in pursuance of the Veterinary Surgeons Act 1881.

10.—(1) The provisions of this Act, so far as they relate to matters with respect to which the Parliament of Northern Ireland has power to make laws, shall, for the purposes of section 6 of the Government of Ireland Act 1920, be deemed to be provisions of an Act passed before the day appointed for the purposes of that section.

Special provisions relating to Northern Ireland.

(2) Any reference in this Act to an enactment of the Parliament of the United Kingdom which extends to Northern Ireland shall be construed, in relation to Northern Ireland, as referring to that enactment as it applies in Northern Ireland.

(3) Any reference in this Act to an enactment of the Parliament of Northern Ireland 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.

11.—(1) This Act may be cited as the Drugs (Prevention of Misuse) Act 1964.

Short title and commencement.

(2) This Act, so far as relating to the registration of persons for the purposes of section 1(1)(c) thereof and to the licensing of the importation of substances, shall come into operation at the date of its passing, but save as aforesaid shall not come into operation until the expiration of the period of three months beginning with that date.

Sections  
1, 3, 4, 5, 6.

## SCHEDULE

### SUBSTANCES REFERRED TO IN THIS ACT

1.  $\beta$ -aminopropylbenzene.
2.  $\beta$ -aminoisopropylbenzene.
3. Any synthetic compound structurally derived from either of the substances aforesaid by substitution in the side chain or by ring closure therein (or by both such substitution and such closure), except ephedrine, N-ethylephedrine, N-methylephedrine, N-diethylaminoethylephedrine, oxethazaine, phenylpropanolamine, prenylamine and tropic acid N-ethyl-N-( $\gamma$ -picolyl) amide.
4. Chlorphentermine.
5. Pemoline.
6. Any salt of either of the substances specified in paragraphs 1 and 2 above, of a compound falling within paragraph 3 above or of either of the substances specified in paragraphs 4 and 5 above.
7. Any substance containing any proportion of either of the substances specified in paragraphs 1 and 2 above, of a compound falling within paragraph 3 above, of either of the substances specified in paragraphs 4 and 5 above or of such a salt as is mentioned in paragraph 6 above.

— *o* —

*Table of Statutes referred to in this Act*

Short Title	Session and Chapter
Pharmacy Act 1852 ... ..	15 & 16 Vict. c. 56.
Veterinary Surgeons Act 1881 ... ..	44 & 45 Vict. c. 62.
Merchant Shipping Act 1894 ... ..	57 & 58 Vict. c. 60.
Government of Ireland Act 1920 ... ..	10 & 11 Geo. 5. c. 67.
Pharmacy and Poisons Act 1933 ... ..	23 & 24 Geo. 5. c. 25.
National Health Service Act 1946 ... ..	9 & 10 Geo. 6. c. 81.
National Health Service (Scotland) Act 1947... ..	10 & 11 Geo. 6. c. 27.
Veterinary Surgeons Act 1948 ... ..	11 & 12 Geo. 6. c. 52.
Customs and Excise Act 1952 ... ..	15 & 16 Geo. 6. & 1 Eliz. 2. c. 44.
Summary Jurisdiction (Scotland) Act 1954 ... ..	2 & 3 Eliz. 2. c. 48.
Pharmacy Act 1954 ... ..	2 & 3 Eliz. 2. c. 61.
Food and Drugs Act 1955 ... ..	4 & 5 Eliz. 2. c. 16.
Food and Drugs (Scotland) Act 1956 ... ..	4 & 5 Eliz. 2. c. 30.
Dentists Act 1957 ... ..	5 & 6 Eliz. 2. c. 28.





# Zambia Independence Act 1964

## 1964 CHAPTER 65

An Act to make provision for, and in connection with, the establishment of Northern Rhodesia, under the name of Zambia, as an independent republic within the Commonwealth. [31st July 1964]

**B**E IT ENACTED by the Queen'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. On 24th October 1964 (in this Act referred to as “the appointed day”) the territories which immediately before the appointed day are comprised in Northern Rhodesia shall cease to be a protectorate and shall together become an independent republic under the name of Zambia; and on and after that day Her Majesty shall have no jurisdiction over those territories.

Establishment of Republic of Zambia.

2.—(1) Subject to the following provisions of this Act, on and after the appointed day all law which, whether being a rule of law or a provision of an Act of Parliament or of any other enactment or instrument whatsoever, is in force on that day or has been passed or made before that day and comes into force thereafter, shall, unless and until provision to the contrary is made by Parliament or some other authority having power in that behalf, have the same operation in relation to Zambia, and persons and things belonging to or connected with Zambia, as it would have apart from this subsection if on the appointed day Northern Rhodesia had been renamed Zambia but there had been no change in its status.

Operation of existing law.

(2) Part I of Schedule 1 to this Act (which relates to enactments applicable to Commonwealth countries having fully responsible status) and Part II of that Schedule (which relates to enactments excepted from the operation of the preceding subsection) shall have effect on and after the appointed day in relation to the enactments therein mentioned ; but that Schedule shall not extend to Zambia as part of its law.

(3) Subsection (1) of this section applies to the law of, or of any part of, the United Kingdom, the Channel Islands and the Isle of Man, and, in relation only to any enactment of the Parliament of the United Kingdom or any Order in Council made by virtue of any such enactment whereby any such enactment applies in relation to Northern Rhodesia, to law of any other country or territory to which that enactment or Order extends.

Consequential  
modifications  
of British  
Nationality  
Acts.

3.—(1) Subject to subsections (2) and (5) of this section, the British Nationality Acts 1948 to 1964 shall have effect on and after the appointed day as if in section 1(3) of the British Nationality Act 1948 (Commonwealth countries having separate citizenship) there were added at the end the words “and Zambia”, and as if—

- (a) in Schedule 1 to the British Protectorates, Protected States and Protected Persons Order in Council 1949 the words “Northern Rhodesia” were omitted, and
- (b) the paragraph set out in Schedule 2 to this Act were substituted for paragraph (b) of section 74(1) of the Federation of Rhodesia and Nyasaland (Dissolution) Order in Council 1963.

(2) A person who, immediately before the appointed day, is for the purposes of those Acts and of the said Order in Council of 1949 a British protected person by virtue of his connection with Northern Rhodesia shall not cease to be such a British protected person for any of those purposes by reason of anything contained in the preceding provisions of this Act, but shall so cease upon his becoming a citizen of Zambia.

(3) Except as provided by section 4 of this Act, any person who immediately before the appointed day is a citizen of the United Kingdom and Colonies shall on that day cease to be such a citizen if he becomes on that day a citizen of Zambia.

(4) Section 6(2) of the British Nationality Act 1948 (registration as citizens of the United Kingdom and Colonies of women who have been married to such citizens) shall not apply to a woman by virtue of her marriage to a person who on the appointed day ceases to be such a citizen under subsection (3) of this section, or who would have done so if living on the appointed day.

(5) Nothing in subsection (1) of this section shall affect the meaning of "protectorate" in any law or instrument passed or made before the passing of this Act, not being a law or instrument contained in or made under any of the British Nationality Acts 1948 to 1964.

4.—(1) Subject to subsection (5) of this section, a person shall not cease to be a citizen of the United Kingdom and Colonies under section 3(3) of this Act if he, his father or his father's father—

Retention of citizenship of United Kingdom and Colonies by certain citizens of Zambia.

- (a) was born in the United Kingdom or in a colony ; or
- (b) is or was a person naturalised in the United Kingdom and Colonies ; or
- (c) was registered as a citizen of the United Kingdom and Colonies ; or
- (d) became a British subject by reason of the annexation of any territory included in a colony.

(2) A person shall not cease to be a citizen of the United Kingdom and Colonies under the said section 3(3) if either—

- (a) he was born in a protectorate or protected state, or
- (b) his father or his father's father was so born and is or at any time was a British subject.

(3) A woman who is the wife of a citizen of the United Kingdom and Colonies shall not cease to be such a citizen under the said section 3(3) unless her husband does so.

(4) Subject to subsection (5) of this section, the reference in subsection (1)(b) of this section to a person naturalised in the United Kingdom and Colonies shall include a person who would, if living immediately before the commencement of the British Nationality Act 1948, have become a person naturalised in the United Kingdom and Colonies by virtue of section 32(6) of that Act (persons given local naturalisation in a colony or protectorate before the commencement of that Act).

(5) Any reference in this section to a colony, a protectorate or a protected state is a reference to a territory which is a colony, a protectorate or a protected state, as the case may be, within the meaning of the British Nationality Act 1948, on the appointed day, and accordingly does not include a reference to Zambia ; and subsection (1) of this section shall not apply to a person by virtue of any certificate of naturalisation granted or registration effected by the governor or government of a

territory outside the United Kingdom which is not such a colony, protectorate or protected state on the appointed day.

(6) Part III of the British Nationality Act 1948 (supplemental provisions) shall have effect for the purposes of this section as if this section were included in that Act.

Judicial  
Committee of  
Privy Council.

5.—(1) Her Majesty may by Order in Council confer on the Judicial Committee of the Privy Council such jurisdiction and powers in respect of appeals from any court having jurisdiction under the law of Zambia as may be specified in, or determined in accordance with any provisions contained in, the Order in Council.

(2) Any Order in Council under this section may contain such incidental and supplemental provisions as appear to Her Majesty to be expedient.

(3) Except so far as otherwise provided by or in accordance with an Order in Council under this section, and subject to such modifications as may be so provided, the Judicial Committee Act 1833 shall apply in relation to appeals and other proceedings in respect of which any jurisdiction is conferred under this section as it applies in relation to appeals to Her Majesty in Council.

(4) Provisions made in pursuance of this section may be included in any Order in Council revoking the Northern Rhodesia (Constitution) Order in Council 1963, as amended by any subsequent Order in Council:

(5) An Order in Council under this section may be made before, on or after the appointed day, and so much of any Order in Council as is made under this section may be varied or revoked by a further Order in Council, whether made before, on or after that day; but any Order in Council made under this section on or after the appointed day shall not extend to Zambia as part of its law.

Pending  
appeals to Her  
Majesty in  
Council.

6.—(1) Without prejudice to any power conferred by or under section 5 of this Act, Her Majesty may by Order in Council confer on the Judicial Committee of the Privy Council such jurisdiction in respect of appeals to Her Majesty in Council from the Court of Appeal for Northern Rhodesia, being appeals which are pending immediately before the appointed day, and in which the records have been registered in the Office of the Privy Council before that day, as appears to Her to be appropriate for giving effect to any arrangements to which this subsection applies.

(2) The preceding subsection applies to any arrangements—

- (a) made before the appointed day between Her Majesty's Government in the United Kingdom and the Government of Northern Rhodesia, or
- (b) made on or after the appointed day between Her Majesty's Government in the United Kingdom and the Government of Zambia,

for any such appeals to be continued before and disposed of by the said Committee.

(3) An Order in Council under this section may, if the arrangements so require, direct that any appeal continued before the Judicial Committee of the Privy Council under this section shall abate on a date specified in the Order unless it has been heard by the Committee before that date; and an Order containing such a direction may contain provisions to facilitate the hearing of any such appeal before that date, including provisions as to the sittings of the said Committee and provisions for expediting the steps to be taken by the parties preliminary to the hearing of an appeal.

(4) An Order in Council under this section may determine the practice and procedure to be followed on any appeal continued before the said Committee under this section, and in particular may provide for the form of any report or recommendation to be made by the Judicial Committee of the Privy Council in the exercise of the jurisdiction conferred on that Committee under this section, and for its transmission to such authority in Zambia as may be specified in the Order.

(5) Except so far as otherwise provided by an Order in Council under this section, and subject to such modifications as may be so provided, the Judicial Committee Act 1833 shall apply in relation to appeals continued before the Judicial Committee of the Privy Council under this section as it applied in relation to those appeals before the appointed day.

7.—(1) On and after the appointed day no court having Divorce jurisdiction under the law of Zambia shall, by virtue of the Divorce Colonial and Other Territories (Divorce Jurisdiction) Acts 1926 to 1950, have jurisdiction to make a decree for the dissolution of a marriage, or as incidental thereto to make an order as to any matter, unless proceedings for the decree were instituted before the appointed day.

(2) Except as provided by subsection (1) of this section, and subject to any provision to the contrary which may be made on or after the appointed day by or under any law made by any legislature established for Zambia, all courts having jurisdiction

under the law of Zambia shall on and after that day have the same jurisdiction under the said Acts as they would have had if this Act had not been passed.

(3) Any rules made on or after the appointed day under section 1(4) of the Indian and Colonial Divorce Jurisdiction Act 1926 for a court having jurisdiction under the law of Zambia shall, instead of being made by the Secretary of State with the concurrence of the Lord Chancellor, be made by such authority as may be determined by the law of Zambia; and so much of the said section 1(4) and of any rules in force thereunder as requires the approval of the Lord Chancellor to the nomination for any purpose of any judges of any such court shall cease to have effect.

(4) The references in subsection (1) of this section to proceedings for the dissolution of a marriage include references to proceedings for such a decree of presumption of death and dissolution of marriage as is authorised by section 16 of the Matrimonial Causes Act 1950.

Agreements  
relating to  
Barotseland.

8.—(1) Subject to the next following subsection, all agreements which immediately before the appointed day have effect as agreements between Her Majesty, or the Government of Northern Rhodesia, and the Litunga of Barotseland shall on that day cease to have effect in so far as immediately before that day they confer any rights, or impose any obligations, on Her Majesty or the Government of Northern Rhodesia.

(2) The preceding subsection shall not apply to the Barotseland Agreement 1964 (that is to say, the agreement, dated 18th May 1964, between the Government of Northern Rhodesia and the Litunga of Barotseland which provides that it may be cited by that title) or to any agreement, whether made before or after the passing of this Act, whereby that agreement has been varied or superseded.

(3) In this section “agreement” includes any concession, undertaking or understanding, whether given or made orally or in writing; and for the purposes of subsection (1) of this section it is immaterial, in relation to any agreement, whether Her Majesty or the Government of Northern Rhodesia or the Litunga of Barotseland was an original party to the agreement or not or whether there are any parties to the agreement other than Her Majesty and the said Government and Litunga.

Power to make  
consequential  
provisions.

9. Her Majesty may by Order in Council make such adaptations in any Act of Parliament passed before this Act, or in any instrument made or having effect under any such Act, as appear to Her necessary or expedient in consequence of the change in the status of Northern Rhodesia taking effect on the appointed day.

**10.—(1)** An Order in Council or other instrument made under any Act of Parliament passed before the appointed day, other than this Act, which varies or revokes a previous Order in Council or instrument in consequence of the change in the status of Northern Rhodesia taking effect on the appointed day, and any Order in Council under section 6 or section 9 of this Act, may, if made after the appointed day, be made so as to take effect on the appointed day.

Provisions as to Orders in Council and other instruments.

**(2)** An Order in Council under section 6 or section 9 of this Act—

- (a)* may contain such transitional or other incidental or supplemental provisions as appear to Her Majesty to be necessary or expedient;
- (b)* may be varied or revoked by a subsequent Order in Council; and
- (c)* shall be subject to annulment in pursuance of a resolution of either House of Parliament.

**11.—(1)** This Act may be cited as the Zambia Independence Act 1964.

Short title, interpretation and repeal.

**(2)** References in this Act to any enactment are references to that enactment as amended or extended by or under any other enactment.

**(3)** The Act mentioned in Schedule 3 to this Act shall on the appointed day be repealed to the extent specified in the third column of that Schedule.

## SCHEDULES

## SCHEDULE 1

## AMENDMENTS NOT AFFECTING THE LAW OF ZAMBIA

## PART I

EXTENSION OF CERTAIN ENACTMENTS APPLICABLE TO  
COMMONWEALTH COUNTRIES HAVING FULLY RESPONSIBLE STATUS*Diplomatic immunities*

1. In section 461 of the Income Tax Act 1952 (exemption from income tax in the case of certain Commonwealth representatives and their staffs)—

(a) in subsection (2), before the words "for any State" there shall be inserted the words "or Zambia";

(b) in subsection (3), before the words "and 'Agent-General'" there shall be inserted the words "or Zambia",

2. In section 1(6) of the Diplomatic Immunities (Commonwealth Countries and Republic of Ireland) Act 1952, before the words "and the Republic of Ireland" there shall be inserted the word "Zambia".

3. In section 1(5) of the Diplomatic Immunities (Conferences with Commonwealth Countries and Republic of Ireland) Act 1961, before the words "and the Republic of Ireland" there shall be inserted the word "Zambia".

*Financial*

4. In section 2 of the Import Duties Act 1958—

(a) in subsection (4), before the words "together with" there shall be inserted the word "Zambia"; and

(b) in subsection (9), for the words "Northern Rhodesia", in each place where they occur, there shall be inserted the word "Zambia";

and in sub-paragraph (a) of paragraph 7 of Schedule III to the Federation of Rhodesia and Nyasaland (Dissolution) Order in Council 1963 the words from "and Northern Rhodesia" to the end of the sub-paragraph shall be omitted.

*Armed forces*

5. In the definitions of "Commonwealth force" in section 225(1) of the Army Act 1955 and section 223(1) of the Air Force Act 1955, and in the definition of "Commonwealth country" in section 135(1) of the Naval Discipline Act 1957, at the end there shall be added the words "or Zambia".

6. In the Visiting Forces (British Commonwealth) Act 1933, section 4 (attachment and mutual powers of command) shall apply in relation to forces raised in Zambia as it applies in relation to forces raised in Dominions within the meaning of the Statute of Westminster 1931.



7. In the Visiting Forces Act 1952, in section 1(1)(a) (countries to which that Act applies) at the end there shall be added the words "Zambia or", and, until express provision with respect to Zambia is made by Order in Council under section 8 of that Act (application to visiting forces of law relating to home forces), any such Order for the time being in force shall be deemed to apply to visiting forces of Zambia.

8. In section 84(2) of the Offices, Shops and Railway Premises Act 1963 (exclusion of application to visiting forces) before the words "and any country" there shall be inserted the word "Zambia".

#### *Copyright*

9. If the Copyright Act 1911, so far as in force in the law of Zambia, is repealed or amended by that law at a time when sub-paragraph (2) of paragraph 39 of the Seventh Schedule to the Copyright Act 1956 (which applies certain provisions of that Act in relation to countries to which the said Act of 1911 extended) is in force in relation to Zambia, the said sub-paragraph (2) shall thereupon cease to have effect in relation thereto.

#### *Commonwealth Institute*

10. In section 8(2) of the Imperial Institute Act 1925, as amended by the Commonwealth Institute Act 1958 (power to vary the provisions of the said Act of 1925 if an agreement for the purpose is made with the governments of certain territories which for the time being are contributing towards the expenses of the Commonwealth Institute) at the end there shall be added the words "and Zambia".

### PART II

#### EXCEPTIONS FROM S.2(1) OF ACT

11. Section 2(1) of this Act shall not apply to the Army Act 1955, the Air Force Act 1955 or the Naval Discipline Act 1957.

12. Notwithstanding anything in section 2(1) or section 3(5) of this Act,—

- (a) the Colonial Development and Welfare Act 1959 shall not apply in relation to Zambia as if it were a colony within the meaning of that Act, and
- (b) section 2(7)(b) of the Civil Aviation (Licensing) Act 1960 shall not apply in relation to Zambia as if it were a protectorate within the meaning of that Act.

### SCHEDULE 2

#### FEDERATION OF RHODESIA AND NYASALAND (DISSOLUTION) ORDER IN COUNCIL 1963

##### *Paragraph substituted for section 74(1)(b)*

- "(b) any reference in those Acts to a period of residence in a protectorate included any period of residence in Northern Rhodesia or Nyasaland before the dissolution of the Federation, any period of residence in Northern Rhodesia after the dissolution of the Federation but before 24th October 1964 and any period of residence in Nyasaland after the dissolution of the Federation but before 6th July 1964."

## SCHEDULE 3

## REPEAL

Chapter	Short Title	Extent of Repeal
6 & 7 Eliz. 2. c. 10.	The British Nationality Act 1958.	In section 1, subsections (1)(b) and (3). In section 3(1)(c) the words “(except Northern Rhodesia or Nyasaland)”.

Table of Statutes referred to in this Act

Short Title	Session and Chapter
Judicial Committee Act 1833 ... ..	3 & 4 Will. 4. c. 41.
Copyright Act 1911 ... ..	1 & 2 Geo. 5. c. 46.
Imperial Institute Act 1925 ... ..	15 & 16 Geo. 5. c. cvii.
Indian and Colonial Divorce Jurisdiction Act 1926.	16 & 17 Geo. 5. c. 40.
Statute of Westminster 1931 ... ..	22 & 23 Geo. 5. c. 4.
Visiting Forces (British Commonwealth) Act 1933	23 & 24 Geo. 5. c. 6.
British Nationality Act 1948 ... ..	6 & 7 Eliz. 2. c. 10.
Matrimonial Causes Act 1950 ... ..	14 Geo. 6. c. 25.
Income Tax Act 1952 ... ..	15 & 16 Geo. 6. & 1 Eliz. 2. c. 10.
Diplomatic Immunities (Commonwealth Countries and Republic of Ireland) Act 1952.	15 & 16 Geo. 6. & 1 Eliz. 2. c. 18.
Visiting Forces Act 1952 ... ..	15 & 16 Geo. 6. & 1 Eliz. 2. c. 67.
Army Act 1955 ... ..	3 & 4 Eliz. 2. c. 18.
Air Force Act 1955 ... ..	3 & 4 Eliz. 2. c. 19.
Copyright Act 1956 ... ..	4 & 5 Eliz. 2. c. 74.
Naval Discipline Act 1957 ... ..	5 & 6 Eliz. 2. c. 53.
Import Duties Act 1958 ... ..	6 & 7 Eliz. 2. c. 6.
Commonwealth Institute Act 1958 ... ..	6 & 7 Eliz. 2. c. 16.
Colonial Development and Welfare Act 1959 ...	7 & 8 Eliz. 2. c. 71.
Civil Aviation (Licensing) Act 1960 ... ..	8 & 9 Eliz. 2. c. 38.
Diplomatic Immunities (Conferences with Commonwealth Countries and Republic of Ireland) Act 1961.	9 & 10 Eliz. 2. c. 11.
Offices, Shops and Railway Premises Act 1963 ...	1963 c. 41.



# Young Persons (Employment) Act 1964

## 1964 CHAPTER 66

An Act to extend the kinds of occupations in the case of which the hours of employment of young persons employed therein are regulated by the Young Persons (Employment) Act 1938 and to increase the penalty for an offence against section 1 of that Act.

[31st July 1964]

**B**E IT ENACTED by the Queen'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. At the end of section 7(1) of the Young Persons (Employment) Act 1938 (which specifies the kinds of occupations in the case of which the hours of employment of young persons employed therein are regulated by that Act) there shall be added the following paragraph:—

“(i) employment at premises in England or Wales in which, or in part of which, intoxicating liquor (within the meaning of the Licensing Act 1964) may, otherwise than by virtue of section 63 of that Act, for the time being lawfully be sold or supplied on one or more days of the week (other than Good Friday) after eleven in the evening, not being premises where such liquor may be sold or supplied as aforesaid by virtue of an order under section 74(4) of that Act or of a licence under section 151 of the Customs and Excise Act 1952, premises to which, by virtue of section 87(1) of the said Act of 1964, section 59 thereof does not apply, a canteen in which the sale or supply of such liquor is carried on under the authority of the Secretary of State or a licensed canteen within the meaning of the said Act of 1964”.

Increase of penalty for breach of section 1 of 1938 Act.

2. The maximum amount of the fine that, by virtue of section 1(8) of the Young Persons (Employment) Act 1938, may be imposed on the employer of a young person on his conviction of an offence consisting in a contravention of, or failure to comply with, the foregoing provisions of that section shall, where he is convicted of such an offence committed after the commencement of this Act, instead of being £10 be £20 if it is his first conviction and £50 if it is a subsequent one.

Financial provisions.

3. Any increase attributable to the provisions of this Act in the sums payable out of moneys provided by Parliament by way of Rate-deficiency Grant or Exchequer Equalisation Grant under the enactments relating to local government in England and Wales or in Scotland shall be defrayed out of moneys so provided.

Short title, citation and commencement.

4.—(1) This Act may be cited as the Young Persons (Employment) Act 1964, and the Young Persons (Employment) Act 1938 and this Act may be cited together as the Young Persons (Employment) Acts 1938 and 1964.

(2) This Act shall come into operation on 3rd January 1965.



# Local Government (Development and Finance) (Scotland) Act 1964

## 1964 CHAPTER 67

An Act to enable local authorities in Scotland to develop, and assist in the development of, land and to make provision for the disposal of litter and the advertising of amenities; to empower such authorities to set up certain capital funds and renewal and repair funds, to borrow by means of bonds and to allow discount for early payment of rates; and for purposes connected with the matters aforesaid. [31st July 1964]

**B**E IT ENACTED by the Queen'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

#### DEVELOPMENT

1.—(1) A local authority may, for the benefit or improvement of their area, erect any building and construct or carry out works on land. Power to develop land.

(2) The consent of the Secretary of State shall be requisite to the carrying out of an operation under the power conferred by the foregoing subsection; and any such consent may be given—

- (a) either in respect of a particular operation or in respect of operations of any class,
- (b) either in respect of a particular local authority or in respect of local authorities of any class, and
- (c) either subject to or free from conditions or limitations.

(3) For the purpose of enabling him to determine whether he shall give the consent mentioned in the last foregoing subsection, the Secretary of State may direct such advertisement by the local authority as appears to him to be desirable.

**PART I**

(4) Nothing in this section shall prevent the exercise by a local authority of power to develop land under section 19 of the Town and Country Planning (Scotland) Act 1945 (which gives power to develop land held under that Act for planning purposes).

Additional  
power to  
develop  
land.

**2.**—(1) Notwithstanding anything contained in section 1 of this Act, a local authority may, for the purpose of—

- (a) preserving or enhancing the natural beauty of land in their area, or
  - (b) enabling land in their area to be brought into use or restoring or improving its appearance, where the land appears to them to be derelict, neglected or unsightly,
- carry out such work as appears to them to be expedient.

(2) Without prejudice to the generality of the foregoing subsection, a local authority may—

- (a) for the purpose of enabling members of the public to enjoy the countryside,
  - (i) provide on land in their area picnic places, footpaths, seats, shelters, public conveniences, view-point stances and indicators, and
  - (ii) provide passenger ferries;
- (b) for the purpose of enabling members of the public to engage in boating, fishing, water sports, or similar activities, provide piers, jetties, boatslips, landing places and landing stages.

Nothing in this subsection shall authorise the carrying out of any operation in contravention of section 34 of the Coast Protection Act 1949 (which provides for the restriction of works detrimental to navigation).

(3) In this section—

- “footpath” includes gates, stiles, steps, bridges and other ancillary works;
- “indicator” includes signposts, milestones, plaques, panoramic drawings and other means of indicating landmarks, together with any necessary mountings therefor;
- “picnic places” includes equipment ancillary thereto;
- “provide” includes maintain and improve.

Powers  
supplementary  
to sections  
1 and 2.

**3.**—(1) The powers conferred by sections 1 and 2 of this Act—

- (a) may be exercised by a local authority either on land belonging to them, or, with the consent of all persons having an interest therein, on other land; and

(b) shall include power to manage any land so far as relates to anything done thereon by or on behalf of the local authority and to maintain any works carried out under the said powers.

(2) Where a local authority exercise their powers under either of the said sections on land not belonging to them, any power conferred by those sections or by paragraph (b) of the foregoing subsection shall include power—

(a) to make arrangements by agreement for the exercise of the power on behalf of the local authority by some other person on such terms as may be specified in the agreement, and

(b) to make an agreement with persons having an interest in the land fixing the terms on which the local authority will exercise their said powers.

(3) The terms mentioned in the last foregoing subsection shall include, where appropriate, provision for securing public access to the land on which any works will have been carried out or facilities provided under the said powers and generally for safeguarding the interest of the public in any such works or facilities.

4.—(1) A local authority may provide and maintain receptacles for the deposit of litter (in this section referred to as “litter bins”), and may within their area set up litter bins in any place situated—

Disposal  
of litter.

(a) in or adjacent to any road maintainable, or public way maintained, by them, or

(b) on any land owned or occupied by them.

(2) A local authority shall from time to time empty and cleanse any litter bins set up by them under the foregoing subsection, and may so deal with any other litter bins set up in any place in their area, being a place situated as mentioned in the last foregoing subsection; and they may in such manner as they think fit remove and dispose of litter taken from such litter bins or any litter found lying in any such place.

(3) For the purpose of the exercise of their powers under the last foregoing subsection a local authority may provide and use such plant or apparatus for treating or disposing of litter as they may think necessary.

(4) The powers conferred on a local authority by this section shall be exercisable in relation to any place in their area which is not situated as mentioned in subsection (1) of this section, but in relation to such a place the powers shall be so exercisable—

(a) only with the consent of all persons having an interest in the land on which the place is situated;

**PART I**

(b) on such terms as may be arranged between the local authority and those persons.

(5) A local authority may arrange by agreement for any power conferred or duty imposed on them by this section to be exercised or performed on their behalf by some other person on such terms as may be specified in the agreement.

(6) The provisions of this section shall have effect in substitution for the corresponding provisions of any local enactment regarding the provision of litter bins and the removal and disposal of litter by a local authority, and every such corresponding provision shall cease to have effect.

(7) In this section, "litter" includes derelict vehicles, vessels or scrap metal and rubbish of any description.

**Power to  
advertise  
amenities.**

**5.—(1)** County councils shall have the like powers as are conferred on town councils by section 1 of the Local Authorities (Publicity) Act 1931 (which empowers a town council to contribute to organisations advertising amenities), and accordingly there shall be added at the end of subsection (2) of that section the words "or a county council".

(2) County councils and district councils shall have the like powers as are conferred on town councils by section 1 of the Health Resorts and Watering Places Act 1936 (which empowers a town council to advertise the amenities of the burgh), and accordingly section 1(1) of that Act shall have effect as if references therein to the council of a burgh and to a burgh included—

(a) references respectively to a county council and the landward part of a county, and

(b) references respectively to a district council and a district.

(3) The proviso to section 1(1) of the said Act of 1936 (which prevents a council from advertising amenities in any newspaper published in their area) shall cease to have effect.

(4) So much of subsection (3) of section 191 of the Local Government (Scotland) Act 1947 as relates to expenditure under the said Acts of 1931 and 1936 (but not the proviso to the said subsection (3)) shall apply with any necessary modifications in relation to expenditure incurred by a county council or district council under those Acts as extended by this section, as it applies to expenditure incurred by a town council under those Acts.

**Supplementary  
provisions.**

**6.—(1)** A local authority may make contributions towards expenditure incurred or to be incurred by any other local



authority or by any voluntary organisation in the doing of anything which could have been done under this Part of this Act by the first-mentioned local authority ; and a local authority may receive from any other person contributions towards expenditure incurred or to be incurred by them under this Part of this Act.

PART I

In this subsection "voluntary organisation" means any body of persons, whether corporate or unincorporate, carrying on or proposing to carry on an undertaking otherwise than for profit.

(2) Where any person having such an interest in any land as enables him to bind the land enters into any agreement relating to the land with a local authority acting in exercise of powers conferred on them by this Part of this Act, the agreement may be recorded in the Register of Sasines, and if so recorded shall be enforceable at the instance of the local authority against persons deriving title to the land from the person who entered into the agreement:

Provided that any such agreement shall not be enforceable against a third party who shall have in good faith and for value acquired right (whether completed by infeftment or not) to the land prior to the agreement being recorded as aforesaid, or against any person deriving title from such third party.

(3) Expenditure incurred by a district council under or by virtue of this Part of this Act shall not be taken into account in any calculation as to the limit of one shilling per pound imposed on such a council by section 226 of the *Local Government (Scotland) Act 1947*.

## PART II

### FINANCE

7.—(1) For the purpose of enabling any person to whom a local authority have sold, feued or let, or agreed to sell, feu or let, any land to erect a building on that land, the local authority may, subject to the provisions of this section, advance money to that person. Power to make advances for erection of buildings.

(2) An advance made under this section, together with interest thereon, shall be secured over the land in respect of which the advance is made.

(3) The amount of the principal of an advance made under this section shall not exceed three quarters of the amount which it is estimated will be the value of the land secured as aforesaid when the building for the erection of which the advance is made has been erected.

(4) An advance made under this section shall carry interest at a rate not less than one quarter per cent. greater than the

## PART II

lower rate fixed by the Treasury under section 2 of the Public Works Loans Act 1964 in respect of loans to local authorities made on the date on which the terms of the advance are settled and for the same period as the advance, or at such other rate as the Secretary of State may, on the application of the local authority, fix.

(5) An advance made under this section shall be repayable within a period not exceeding 30 years and either by instalments of principal or by an annuity of principal and interest combined.

(6) The security for an advance made under this section—

- (a) shall be taken at the time of the making of the advance or, in the case of an agreement to sell, feu or let the land, at the time of the conveyance or grant of the feu or lease of the land ; and
- (b) shall be constituted by a bond and disposition in security, an assignation in security of a lease or an *ex facie* absolute disposition or assignation.

Power to  
 establish  
 certain special  
 funds.

8.—(1) Subject to the provisions of this Act, a local authority may establish either or both of the following funds, that is to say—

- (a) a capital fund, to be used for defraying any expenditure of the authority to which capital is properly applicable, or in providing money for repayment of the principal of loans (but not any payment of interest on loans) ;
- (b) a renewal and repair fund, to be used for the purpose of defraying expenditure to be incurred from time to time in repairing, maintaining, replacing and renewing any buildings, works, plant, equipment or articles belonging to the authority.

(2) In relation to a county council, the power conferred by the last foregoing subsection shall be construed as a power to establish—

- (a) either or both of the funds therein mentioned in respect of any of the following areas of the county—
  - (i) the landward area ;
  - (ii) the landward area and the small burghs ;
  - (iii) the landward area and all the burghs ;
- (b) a renewal and repair fund for any special district of the county formed under section 146 of the Local Government (Scotland) Act 1947.

(3) A fund established by a local authority under this section shall not be used to meet, directly or indirectly, any expenditure incurred by the authority for the purposes of a statutory under-

taking of the authority, being a transport, district heating, harbour, dock, pier or ferry undertaking or a market or civic restaurant.

In this subsection, "pier" and "ferry" do not include a pier or ferry provided under section 2(2) of this Act.

(4) Pending the application of any such fund as aforesaid for the purposes authorised by this section, the moneys in the fund shall (unless applied in any other manner authorised by any enactment) be invested in statutory securities; and any income arising from the investment of those moneys, or otherwise from the application of the fund, shall be added to the fund.

(5) Notwithstanding anything contained in this section, any such fund as aforesaid which has been established in respect of any area by a county council under subsection (2)(a) (ii) or (iii) above, and any income therefrom, shall be used only for defraying expenditure attributable to functions in respect of which the territorial extent of the county council's responsibilities is identical with that area.

(6) The provisions of this section shall be in addition to and not in substitution for any other enactment authorising a local authority to establish a fund for a purpose for which a fund may be established under this section; and where such a fund has been established by a local authority before the commencement of this Act, the Secretary of State may, by order made by statutory instrument on the application of that authority, make provision for the amalgamation of that fund with any corresponding fund established by that authority under this section.

(7) In this section "statutory securities" means—

(a) any security in which trustees are for the time being authorised by law to invest trust moneys,

(b) any mortgage, bond, debenture, debenture stock, stock, annuity or other security created by a local authority, and

(c) any feu-duty or ground annual,

but does not include any security transferable by delivery.

(8) An order made under this section shall be made by statutory instrument which shall be subject to annulment in pursuance of a resolution of the House of Commons.

9.—(1) A local authority by whom a capital fund is established under section 8 of this Act may pay into that fund— Capital funds.

(a) any sums derived from the sale of any property of the local authority, not being property held by them for any such purposes as are mentioned in subsection (3) of section 8 of this Act;

## PART II

- (b) the whole or any part of the surplus of the revenue income over the revenue expenditure of the county fund or, as the case may be, the burgh fund, on the last day of any financial year of the local authority ; and
- (c) such sums as the local authority may from time to time by resolution direct.

(2) The aggregate amount paid in any year by a local authority into all their capital funds under paragraphs (b) and (c) of the foregoing subsection shall not, except with the consent of the Secretary of State, exceed the equivalent of the product of a rate of sixpence in the pound for the area of the local authority, calculated on the basis of the product for that year of a rate of one penny in the pound within the meaning of section 9(1) of the Local Government (Financial Provisions) (Scotland) Act 1963.

In this subsection, in relation to the capital funds established by a county council, "the product of a rate of one penny in the pound" means the sum of the penny rate products (within the meaning of section 9(1) of the said Act of 1963) of all the local authorities included in the areas to which the capital funds relate.

(3) Except as provided by this section, all moneys applied from any such capital fund may, if the local authority think fit, be repaid from the account to which those moneys are advanced by such annual instalments (with or without interest) and within such period as the local authority may determine.

(4) No payment shall be made by a county council into any capital fund established in respect of any area under section 8(2) above unless the payment is derived from that area or is attributable to functions in respect of which the territorial extent of the county council's responsibilities is identical with that area.

Renewal and  
repair funds.

**10.**—(1) A local authority by whom a renewal and repair fund is established under section 8 of this Act may from time to time pay into that fund such sums as they may by resolution direct.

(2) Subsection (4) of the last foregoing section shall apply to payments into a renewal and repair fund under this section as it applies to payments into a capital fund under that section.

(3) The purposes for which any such renewal and repair fund may be applied shall not include the defraying of expenditure of an undertaking of the local authority in respect of which the authority are authorised to provide a reserve fund, or in connection with any building in respect of which the authority are required under the enactments relating to housing to keep a housing repairs account.

**11.—**(1) The means by which a local authority who are authorised to borrow money may raise that money shall, without prejudice to the exercise of any power to raise the money by any other means, include the issue of bonds (hereafter in this Act referred to as “local authority bonds”) in accordance with the provisions of this Act. PART II  
Power to borrow by means of bonds.

(2) The provisions set out in the Schedule to this Act shall have effect with respect to local authority bonds.

(3) In accordance with the provisions of this section, section 260(1) of the Local Government (Scotland) Act 1947 shall be amended by the insertion after paragraph (e) of the words “or (f) by the issue of bonds in accordance with section 11 of the Local Government (Development and Finance) (Scotland) Act 1964”.

(4) In any enactment passed before this Act, a reference to Part XII or section 260 of the Local Government (Scotland) Act 1947 shall be construed as including a reference to the foregoing provisions of this section.

**12.—**(1) A local authority may by resolution direct that an allowance by way of discount not exceeding two and one-half per cent. shall be made on the amount due in respect of rates from every person who shall pay (without any allowance or deduction other than that mentioned in this subsection) the net amount of rates due by him before such date as the local authority shall prescribe. Power to allow discount on rates.

(2) While any resolution under this section is in force there shall be included in every demand note to which a resolution under this section applies a statement of the effect of the resolution including the date after which payment must be made in full.

(3) The local authority may at any time revoke or vary a resolution made under this section but not so as to prejudice any rights which have accrued to any person in any financial year by virtue of this section.

### PART III

#### MISCELLANEOUS PROVISIONS

**13.** A local authority may pay subscriptions in respect of corporate membership of any society or body formed to acquire, preserve, maintain or improve rights of way. Membership of rights of way societies.

**14.—**(1) On the application of any local authority directly concerned, the Secretary of State may, subject to the provisions of this section, by order repeal or amend any provision in any Power to amend local Acts.

## PART III

local Act passed before this Act, or in any Act passed before this Act and confirming a provisional order, where it appears to him that the provision is inconsistent with, or has become unnecessary in consequence of, any provision of this Act.

(2) Before making an order under this section the Secretary of State shall consult with any local authority appearing to him to be concerned, not being a local authority by whom an application for the making of the order was made.

(3) An order made under this section—

(a) may contain such transitional, supplemental or incidental provisions as appear to the Secretary of State to be expedient, and

(b) shall be made by statutory instrument which shall be subject to annulment in pursuance of a resolution of either House of Parliament.

## Expenses.

15. There shall be paid out of moneys provided by Parliament any increase attributable to this Act in the sums payable out of moneys so provided by way of Exchequer Equalisation Grant under the enactments relating to local government in Scotland.

## Interpretation.

16.—(1) In this Act, except where the context otherwise requires—

“erect” includes extend, alter and re-erect, and “erection” shall be construed accordingly;

“land” includes any structure or erection thereon, land covered with water and any interest or right in or over land;

“local authority” means a town council, county council or joint county council of a combined county and, except in Part II of this Act, includes a district council.

(2) Any reference in this Act to any enactment shall be construed as a reference to that enactment as amended or extended by or under any other enactment.

## Short title and extent.

17.—(1) This Act may be cited as the Local Government (Development and Finance) (Scotland) Act 1964.

(2) This Act shall extend to Scotland only.

## SCHEDULE

### Section 11.

#### LOCAL AUTHORITY BONDS

1.—Local authority bonds issued by a local authority shall, subject to the next following paragraph,—

- (a) bear interest at such rate as the local authority may determine at the time of the issue of the bonds ;
- (b) be issued in denominations of five pounds and multiples of five pounds ;
- (c) be issued for periods of not less than one year.

2. The period for which any local authority bonds are issued by a local authority may be extended for such further period as the local authority and the persons entitled to repayment of the money raised by the issue of those bonds agree and during that further period shall bear interest at such rate as may be so agreed.

3. The provisions of section 115 of the Stamp Act 1891 (which relates to composition for stamp duty) shall, with the necessary modifications, apply in the case of any local authority by whom local authority bonds are issued as if those bonds were stock or funded debt of the authority within the meaning of that section.

4. Local authority bonds may be issued by a local authority at such price as the authority may from time to time determine, but not, without the consent of the Secretary of State, at a discount.

5.—(1) Local authority bonds shall, without prejudice to the foregoing provisions of this Schedule, be issued, transferred, dealt with and redeemed upon such terms and in accordance with such provisions as may be prescribed by regulations made by the Secretary of State with the approval of the Treasury ; and any such regulations may, in relation to any local authority bonds, apply (with or without modifications) any provisions of any enactments relating to stock or debentures issued by or mortgages created by a local authority.

(2) The power to make regulations under the foregoing subparagraph shall be exercisable by statutory instrument ; and an instrument containing such regulations shall be subject to annulment in pursuance of a resolution of either House of Parliament.

**CH. 67    *Local Government (Development and Finance)*  
*(Scotland) Act 1964***

*Table of Statutes referred to in this Act*

Short Title	Session and Chapter
Stamp Act 1891 ... ..	54 & 55 Vict. c. 39.
Local Authorities (Publicity) Act 1931 ...	21 & 22 Geo. 5. c. 17.
Health Resorts and Watering Places Act 1936...	26 Geo. 5. c. 48.
Town and Country Planning (Scotland) Act 1945 ... ..	8 & 9 Geo. 6. c. 33.
Local Government (Scotland) Act 1947 ...	10 & 11 Geo. 6. c. 43.
Coast Protection Act 1949 ... ..	12, 13 & 14 Geo. 6. c. 74.
Local Government (Financial Provisions) (Scot- land) Act 1963... ..	1963, c. 12.
Public Works Loans Act 1964 ... ..	1964, c. 9.





# New Towns (No. 2) Act 1964

## 1964 CHAPTER 68

An Act to provide that orders designating new town areas or extensions thereof shall be subject to annulment by either House of Parliament. [31st July 1964]

**B**E IT ENACTED by the Queen'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) Any order under section 1 of the New Towns Act 1946 shall be made by statutory instrument. Orders to be subject to annulment.
- (2) Any such statutory instrument made after the end of the year 1964 shall be subject to annulment in pursuance of a resolution of either House of Parliament if— 9 & 10 Geo. 6 c. 68.
- (a) the order it contains is one designating an area as the site of a proposed new town or designating an additional area of not less than five hundred acres which would extend the area of a new town by not less than ten per cent.; and
  - (b) an objection to the order was duly made by a local planning authority and had not been withdrawn at the time the order was made.
- 2.—(1) This Act may be cited as the New Towns (No. 2) Act 1964 and shall be included among the Acts which may be cited as the New Towns Acts 1946 to 1964. Short title, citation and extent.
- (2) This Act does not extend to Northern Ireland.



# Scrap Metal Dealers Act 1964

## 1964 CHAPTER 69

An Act to amend the law relating to dealers in scrap metal and similar goods, and to dealers in marine stores, and for purposes connected therewith.

[31st July 1964]

**B**E IT ENACTED by the Queen'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:—

Registration of  
scrap metal  
dealers.

1.—(1) Every local authority shall maintain a register of persons carrying on business in their area as scrap metal dealers; and, after the expiration of three months beginning with the commencement of this Act, no person shall carry on business as a scrap metal dealer in the area of a local authority unless the appropriate particulars relating to him are for the time being entered in the register maintained by the authority under this section.

(2) For the purposes of this section a person carrying on business as a scrap metal dealer shall be treated as carrying on that business in the area of a local authority if, but only if,—

- (a) a place in that area is occupied by him as a scrap metal store, or
- (b) no place is occupied by him as a scrap metal store, whether in that area or elsewhere, but he has his usual place of residence in that area, or
- (c) no place is occupied by him as a scrap metal store, whether in that area or elsewhere, but a place in that area is occupied by him wholly or partly for the purposes of that business.

(3) Any person at the commencement of this Act carrying on, or thereafter proposing to carry on, business as a scrap metal

dealer in the area of a local authority may apply to the authority, on furnishing the authority in writing with the appropriate particulars relating to him, or, as the case may be, with what would be the appropriate particulars relating to him if he were then carrying on the business, to enter those particulars in the register maintained by the authority under this section; and where such an application is made, the local authority shall thereupon enter those particulars relating to the applicant in the register.

(4) For the purposes of this section the appropriate particulars relating to a scrap metal dealer, in relation to the area of a local authority, are—

- (a) the full name of the dealer ;
- (b) the address—
  - (i) if the dealer is an individual, of his usual place of residence ;
  - (ii) if the dealer is a body corporate, of its registered or principal office ;
- (c) the address of each place in the area (if any) which is occupied by the dealer as a scrap metal store ;
- (d) if the business is carried on in the circumstances mentioned in subsection (2)(b) of this section, the fact that the business is so carried on ;
- (e) if the business is carried on in the circumstances mentioned in subsection (2)(c) of this section, the fact that the business is so carried on, and the address of the place which is occupied by the dealer as mentioned in that paragraph.

(5) Where the appropriate particulars relating to a scrap metal dealer are for the time being entered in the register maintained by a local authority under this section,—

- (a) if any event occurs which involves an alteration of those particulars, the dealer shall give notice of the alteration to the local authority and the authority shall thereupon amend the register accordingly ;
- (b) if the dealer ceases to carry on business as a scrap metal dealer in the area of the local authority, he shall give notice of that fact to the authority and the authority shall thereupon cancel the entry relating to him in the register ;

and any notice required to be given to a local authority under this subsection shall be given within the period of twenty-eight days beginning with the day on which the event in question occurs.

(6) The entry of the appropriate particulars relating to a scrap metal dealer in the register maintained by a local authority under this section shall include a note of the day on which the entry is made ; and—

- (a) any such entry shall be cancelled by the authority at the end of the period of three years beginning with the said day, unless before the end of that period the dealer applies to the authority for the registration to be continued for a further period of three years, and
- (b) where such an application has been made, the preceding paragraph shall apply, with respect to each successive period of three years, as if the reference in the paragraph to the said day were a reference to the day as from which the registration was last continued under that paragraph.

(7) Any person who carries on business as a scrap metal dealer in contravention of subsection (1) of this section, or who fails to comply with the requirements of subsection (5) of this section as to the notice specified in paragraph (a) thereof, shall be guilty of an offence, and liable on summary conviction to a fine not exceeding £100.

(8) Any person who fails to comply with the requirements of subsection (5) of this section as to the notice specified in paragraph (b) thereof shall be guilty of an offence and liable on summary conviction to a fine not exceeding £10.

(9) It shall be the duty of every local authority to enforce the preceding provisions of this section with respect to persons carrying on business as scrap metal dealers in their area.

(10) In relation to the carrying on of business as a scrap metal dealer by a local authority in their area, this section shall apply with the modifications that the following provisions, that is to say, subsection (3), subsection (6)(a) and (b), and subsection (8) shall be omitted, and for subsection (5) there shall be substituted the following subsection :—

“ (5) Where the appropriate particulars relating to a local authority who are carrying on business as a scrap metal dealer are for the time being entered in the register maintained by that local authority under this section, —

- (a) if any event occurs which involves the alteration of those particulars, the authority shall thereupon amend the register ;
- (b) if the local authority cease to carry on business as a scrap metal dealer in their area, they shall thereupon cancel the entry relating to them in the register.”

2.—(1) Subject to the provisions of this and the next following section, every scrap metal dealer shall, at each place occupied by him as a scrap metal store, keep a book for the purposes of this section, and shall enter in the book the particulars required by this section with respect to— Records of dealings.

- (a) all scrap metal received at that place, and
- (b) all scrap metal either processed at, or despatched from, that place:

Provided that at any such place a scrap metal dealer may at his option keep two books for the purposes of this section, one for recording the said particulars with respect to scrap metal falling within paragraph (a) of this subsection and the other for recording the said particulars with respect to scrap metal falling within paragraph (b) thereof, but shall not at any one place and at any one time have in use, for the purposes of this section, more than one book for recording the said particulars with respect to scrap metal falling within each of those paragraphs.

(2) The said particulars, in the case of scrap metal falling within paragraph (a) of the preceding subsection, are—

- (a) the description and weight of the scrap metal ;
- (b) the date and time of the receipt of the scrap metal ;
- (c) if the scrap metal is received from another person, the full name and address of that person ;
- (d) the price, if any, payable in respect of the receipt of the scrap metal, if that price has been ascertained at the time when the entry in the book relating to that scrap metal is to be made ;
- (e) where the last preceding paragraph does not apply, the value of the scrap metal at the time when the entry is to be made as estimated by the dealer ;
- (f) in the case of scrap metal delivered at the place in question by means of a mechanically propelled vehicle bearing a registration mark (whether the vehicle belongs to the dealer or not), the registration mark borne by the vehicle.

(3) The said particulars, in the case of scrap metal falling within subsection (1)(b) of this section, are—

- (a) the description and weight of the scrap metal ;
- (b) the date of processing or, as the case may be, despatch of the scrap metal, and, if processed, the process applied ;
- (c) in the case of scrap metal despatched on sale or exchange, the full name and address of the person to whom the scrap metal is sold or with whom it is

exchanged, and the consideration for which it is sold or exchanged ;

- (d) in the case of scrap metal processed or despatched otherwise than on sale or exchange, the value of the scrap metal immediately before its processing or dispatch as estimated by the dealer.

(4) Any particulars required to be entered in a book by virtue of the preceding provisions of this section, in respect of scrap metal falling within subsection (1)(a) of this section, shall be so entered immediately after the receipt of the scrap metal at the place in question ; and any particulars so required to be entered, in respect of scrap metal falling within subsection (1)(b) of this section, shall be so entered immediately after the processing or despatch.

(5) Any book kept by a person in pursuance of subsection (1) of this section shall be a bound book kept exclusively for the purposes of this section and shall be retained by him until the end of the period of two years beginning with the day on which the last entry was made in the book.

(6) Any person who fails to comply with any of the requirements imposed on him by this section shall be guilty of an offence and liable on summary conviction to a fine not exceeding £100.

(7) In this section “ processing ”, in relation to scrap metal, includes melting down and any other process whereby the material ceases to be scrap metal, but does not include dismantling or breaking up, and “ processed ” shall be construed accordingly.

Special provisions as to records in certain cases.

3.—(1) Where a person, who is registered by a local authority under this Act as a scrap metal dealer, satisfies the authority that he carries on, or proposes to carry on, the business of a scrap metal dealer as part of the business of an itinerant collector, and not otherwise, the authority may make an order directing that, while the order remains in force, he shall be exempt from the requirements of the last preceding section, but instead shall be subject to the following requirements, that is to say,—

- (a) that, on the sale by him of any scrap metal, he shall obtain from the purchaser a receipt showing the weight of the scrap metal comprised in the sale and the aggregate price at which it is sold ; and
- (b) that he shall keep every such receipt as he is required to obtain under the preceding paragraph, until the end of the period of two years beginning with the day on which the receipt is obtained, in such a way as to be able to produce it on demand to any person authorised,

in accordance with the following provisions of this Act, to require its production.

(2) A local authority shall not make an order under the preceding subsection except after consultation with the chief officer of police for the police area (or, if more than one, for every police area) in which the area of the local authority, or any part of their area, is comprised.

(3) An order under subsection (1) of this section may be revoked at any time by the local authority by whom it was made.

(4) Any person who fails to comply with any of the requirements imposed on him by virtue of the foregoing provisions of this section shall be guilty of an offence and liable on summary conviction to a fine not exceeding £100.

(5) Where a scrap metal dealer does not occupy any place as a scrap metal store, but for the time being no order under subsection (1) of this section is in force exempting him from the requirements of the last preceding section, the provisions of that section shall apply to him subject to the following modifications, that is to say,—

- (a) any reference to keeping a book at each place occupied by the dealer as a scrap metal store shall be construed as a reference to keeping a book either at his usual place of residence or at any other place occupied by him wholly or partly for the purposes of his business as a scrap metal dealer ;
- (b) any reference to the receipt of scrap metal at a place shall be construed as a reference to the receipt of scrap metal for the purposes of that business ;
- (c) any reference to the processing of scrap metal at a place, or to the despatch of scrap metal from a place, shall be construed as a reference to the disposal of scrap metal in the course of that business ;
- (d) subsection (4) of that section shall be omitted, and any particulars required to be entered in a book by virtue of this subsection shall be so entered as soon as is practicable.

(6) Where a scrap metal dealer occupies a place as a scrap metal store, but for the time being no order under subsection (1) of this section is in force exempting him from the requirements of the last preceding section, and any scrap metal is, for the

purposes of his business as a scrap metal dealer, received otherwise than at a place so occupied by him and is disposed of in the course of that business without its being received at such a place, then—

- (a) the obligation imposed by subsection (1) of the last preceding section to enter particulars in a book or books shall extend to the entry, as soon as is practicable, of the like particulars with respect to that scrap metal as would be required by subsections (2) and (3) of the last preceding section if they were modified so that—
  - (i) any reference therein to the receipt of scrap metal at a place were construed as a reference to the receipt of scrap metal for the purposes of that business; and
  - (ii) any reference therein to the processing of scrap metal at a place or to the despatch of scrap metal from a place, were construed as a reference to the disposal of scrap metal in the course of that business;
- (b) if the dealer occupies more than one place as a scrap metal store, the particulars required by virtue of the preceding paragraph shall be entered in the book or books kept by him under the last preceding section at such of the places so occupied by him as is the nearer, or, as the case may be, the nearest, to the place at which the scrap metal is received for the purposes aforesaid; and
- (c) subsection (4) of the last preceding section shall not have effect in relation to the particulars so required.

Power for court to impose additional requirements on convicted dealers.

**4.—(1) Where a person—**

- (a) is convicted of the offence of carrying on business as a scrap metal dealer in contravention of section 1(1) of this Act, or
- (b) being a person for the time being registered under this Act as a scrap metal dealer, is convicted of an offence under section 2 of this Act, or is convicted of any offence which, in the opinion of the court convicting him, is an offence involving dishonesty,

the court by which he is convicted may, if it thinks fit, make an order directing that, while the order is in force, he shall be subject to the requirements specified in the next following subsection, in addition to the requirements which apply to him under the preceding provisions of this Act.



(2) The said requirements are that, at any place occupied by him as a scrap metal store,—

- (a) no scrap metal shall be received between the hours of six o'clock in the evening and eight o'clock in the morning ;
- (b) all scrap metal received at that place shall be kept, in the form in which it is received there, for a period of not less than seventy-two hours beginning with the time when it is so received.

(3) An order under subsection (1) of this section shall specify a period, not exceeding two years, for which the order (if not revoked) is to remain in force ; and any such order may at any time, on the application of the person to whom the order relates, be revoked by the court by which the order was made.

(4) If any requirement of an order under subsection (1) of this section is contravened, the person to whom the order relates shall be guilty of an offence and liable on summary conviction to a fine not exceeding £100 and the court by which he is convicted may, if it thinks fit, make in relation to him a further order under that subsection.

5.—(1) If a scrap metal dealer acquires any scrap metal from a person apparently under the age of sixteen years, whether the scrap metal is offered by that person on his own behalf or on behalf of another person, he shall be guilty of an offence and liable on summary conviction to a fine not exceeding £10: Other offences relating to scrap metal.

Provided that, where a person is charged with an offence under this subsection, it shall be a defence to prove that the person from whom he acquired the scrap metal was in fact of or over the age of sixteen years.

(2) Any person who, on selling scrap metal to a scrap metal dealer, gives the dealer a false name or false address shall be guilty of an offence and liable on summary conviction to a fine not exceeding £10.

6.—(1) Subject to the provisions of this section, any constable shall have a right at all reasonable times— Rights of entry and inspection.

- (a) to enter and inspect any place for the time being entered in a register under section 1 of this Act as a place which is occupied by a scrap metal dealer as a scrap metal store, or as a place which is occupied by a scrap metal dealer wholly or partly for the purposes of his business ;

(b) to require production of, and to inspect, any scrap metal kept at that place and any book which the dealer is required by this Act to keep at that place, or, as the case may be, any receipt which the dealer is required to keep as mentioned in section 3(1)(b) of this Act, and to take copies of or extracts from any such book or receipt.

(2) Subject to the provisions of this section, if any officer of a local authority duly authorised in writing by the authority in that behalf has reasonable grounds for believing that a place in the area of the authority is being used as a scrap metal store, and that place is not for the time being entered in the register kept by the authority under section 1 of this Act as a place which is occupied as a scrap metal store, the officer shall have a right at any reasonable time, on producing (if required to do so) evidence of his authority, to enter that place for the purpose of ascertaining whether it is being used as a scrap metal store.

(3) If a justice of the peace is satisfied by information on oath that admission to a place specified in the information is reasonably required in order to secure compliance with the provisions of this Act, or to ascertain whether those provisions are being complied with, he may by warrant under his hand authorise a person having a right of entry to that place in accordance with the preceding provisions of this section to enter that place at any time within one month from the date of the warrant, if need be by force.

(4) Except under the authority of a warrant granted under the last preceding subsection, no person shall be entitled by virtue of this section to enter any place by force.

(5) Any person who obstructs the exercise of any right of entry or inspection conferred by this section, or who fails to produce any book or other document which a person has a right to inspect thereunder, shall be guilty of an offence and liable on summary conviction to a fine not exceeding £20.

**Partnerships.**

7.—(1) In relation to any person who carries on, or proposes to carry on, the business of a scrap metal dealer in partnership with any other person,—

(a) this Act shall have effect as if any reference to the occupation of a place by a person as a scrap metal store were a reference to the occupation of that place for the purposes of the partnership by that person, alone or jointly with a member of the partnership or by another member of the partnership alone; and

(b) the particulars which that person is required by section 1(3) of this Act to furnish shall include, in addition

to those specified in section 1(4) of this Act, the name under which the partnership is carried on, the name and place of residence of each other member of the partnership who is an individual and the name and registered or principal office of each other member of the partnership who is a body corporate.

(2) Where a place is occupied as a scrap metal store for the purposes of a business carried on in partnership, there shall not be kept at that place in compliance with section 2(1) of this Act more than one book, or, in accordance with the proviso to the said section 2(1), two books, and the requirements imposed on a person by that section in respect of that place shall, if complied with by a partner, be taken to be complied with by that person.

8. Any increase attributable to the provisions of this Act in <sup>Financial</sup> the sums payable out of moneys provided by Parliament by <sup>provisions.</sup> way of Rate-deficiency Grant or Exchequer Equalisation Grant under the enactments relating to local government in England and Wales or in Scotland shall be defrayed out of moneys so provided.

9.—(1) For the purposes of this Act a person carries on <sup>Interpretation.</sup> business as a scrap metal dealer if he carries on a business which consists wholly or partly of buying and selling scrap metal, whether the scrap metal sold is in the form in which it was bought or otherwise, other than a business in the course of which scrap metal is not bought except as materials for the manufacture of other articles and is not sold except as a by-product of such manufacture or as surplus materials bought but not required for such manufacture; and “scrap metal dealer” (where that expression is used in this Act otherwise than in a reference to carrying on business as a scrap metal dealer) means a person who (in accordance with the preceding provisions of this subsection) carries on business as a scrap metal dealer.

(2) In this Act, except in so far as the context otherwise requires, the following expressions have the meanings hereby assigned to them respectively, that is to say:—

“ article ” includes any part of an article ;

“ itinerant collector ” means a person regularly engaged in collecting waste materials, and old, broken, worn out or defaced articles, by means of visits from house to house ;

“ local authority ” means the council of a county borough or county district, the Common Council of the City of London or the council of a London borough ;

15 & 16 Geo. 6  
& 1 Eliz. 2.  
c. 55.

“magistrates’ court” has the same meaning as in the Magistrates’ Courts Act 1952 ;

“place” includes any land, whether consisting of enclosed premises or not ;

“scrap metal” includes any old metal, and any broken, worn out, defaced or partly manufactured articles made wholly or partly of metal, and any metallic wastes, and also includes old, broken, worn out or defaced tooltips or dies made of any of the materials commonly known as hard metal or of cemented or sintered metallic carbides ;

“scrap metal store” means a place where scrap metal is received or kept in the course of the business of a scrap metal dealer.

(3) Any reference in the preceding provisions of this Act to metal, except in the phrases “hard metal” and “metallic carbides”, shall be taken as a reference to any of the following metals, that is to say, aluminium, copper, iron, lead, magnesium, nickel, tin and zinc, or, subject to the next following subsection, to brass, bronze, gunmetal, steel, white metal or any other alloy of any of the said metals.

(4) For the purposes of this Act, a substance being an alloy referred to in the last preceding subsection shall not be treated as being such an alloy if, of its weight, two per cent. or more is attributable to gold or silver or any one or more of the following metals, that is to say, platinum, iridium, osmium, palladium, rhodium and ruthenium.

(5) Any reference in this Act to a person registered under this Act as a scrap metal dealer is a reference to a person in respect of whom the particulars required by section 1 of this Act are for the time being entered in a register maintained by a local authority under that section.

10 & 11 Eliz. 2.  
c. 13.

(6) Any reference in this Act to a registration mark borne by a vehicle is a reference to any mark which is displayed on the vehicle and is of a kind usually displayed on mechanically propelled vehicles for the purpose of complying with the provisions of the Vehicles (Excise) Act 1962 as to registration marks.

(7) Except in so far as the context otherwise requires, any reference in this Act to an enactment is a reference to that enactment as amended by or under any other enactment.

Repeals.

**10.—**(1) The provisions of this Act shall have effect in substitution for the enactments relating to dealers in old metals and to dealers in marine stores (which are specified in the Schedule to this Act) in so far as, by virtue of so much of those enactments as is specified in column 3 of that Schedule, they relate to any such dealers as aforesaid.

(2) In accordance with the preceding subsection, the enactments specified in the Schedule to this Act are hereby repealed to the extent specified in column 3 of that Schedule.

(3) The Secretary of State may, after consultation with any local authority or county council appearing to him to be concerned, by order repeal any provision of any local Act being a provision which is not specified in Part II of the said Schedule and which appears to him to be unnecessary having regard to the provisions of this Act, or to be inconsistent with the provisions of this Act, and may by that order make such amendments of that or any other local Act as appear to him to be necessary in consequence of the repeal and such transitional provision as appears to him to be necessary or expedient in connection with the matter.

(4) The power to make orders under the last preceding subsection shall be exercisable by statutory instrument; and any instrument containing such an order shall be subject to annulment in pursuance of a resolution of either House of Parliament.

**11.—**(1) This Act may be cited as the Scrap Metal Dealers Act 1964.

Short title,  
commence-  
ment and  
extent.

(2) This Act shall come into operation on the 1st April 1965.

(3) This Act shall not extend to Scotland or to Northern Ireland.

## SCHEDULE

## ENACTMENTS REPEALED

## PART I

## PUBLIC GENERAL ENACTMENTS

Chapter	Short Title	Extent of Repeal
24 & 25 Vict. c. 110.	The Old Metal Dealers Act 1861.	The whole Act.
34 & 35 Vict. c. 112.	The Prevention of Crimes Act 1871.	Section 13 and the Schedule.
38 & 39 Vict. c. 25.	The Public Stores Act 1875.	Section 11.
57 & 58 Vict. c. 60.	The Merchant Shipping Act 1894.	Sections 538 to 542.
7 Edw. 7. c. 53	The Public Health Acts Amendment Act 1907.	Section 86.
23 & 24 Geo. 5. c. 12.	The Children and Young Persons Act 1933.	Section 9.

## PART II

## LOCAL ENACTMENTS

Chapter	Short Title	Extent of Repeal
7 & 8 Vict. c. xl	The Manchester Police Act 1844.	In section 181, the words "or Marine Stores". In section 182, the words "or the Business of a Dealer in Marine Stores", and the words "Licensed Dealer in Marine Stores" or, as the case may be'. In section 188, the words "a Dealer in Marine Stores, or". In section 189, the words "Dealer in Marine Stores, or" and the words "Licensed Dealer in Marine Stores" or, as the case may be'.

Chapter	Short Title	Extent of Repeal
25 & 26 Vict. c. ccv.	The Salford Improvement Act 1862.	In section 326, the words " or Marine Stores ". In section 327, the words " " Licensed Dealer in Marine Stores " or, as the case may be ' . In section 334, the words " Dealer in Marine Stores, or " .
28 & 29 Vict. c. cccxi.	The Oldham Borough Improvement Act 1865.	In section 230, the words " or in Marine Stores or in old Metals " .
31 & 32 Vict. c. civ.	The Barrow-in-Furness Corporation Act 1868.	Sections 173 to 176.
31 & 32 Vict. c. cxxvii.	The Halifax Corporation Waterworks and Improvement Act 1868.	In section 90, the words " or in Marine Stores, or in old Metals, " .
32 & 33 Vict. c. cxx.	The St. Helens Improvement Act 1869.	In section 308, the words " or marine stores " . In section 309, the words " " Licensed Dealer in Marine Stores " , or, as the case may be, ' . In section 316, the words " dealer in marine stores, or " .
32 & 33 Vict. c. cxxxi.	The Wolverhampton Improvement Act 1869.	Sections 264 to 267.
34 & 35 Vict. c. cli.	The Huddersfield Improvement Act 1871.	Section 271, except as applied by section 83 of the Huddersfield Improvement Act 1880, and as it applies to persons dealing in the old metal specified in section 118 of the Huddersfield Corporation Act 1949.
34 & 35 Vict. c. cliv.	The Burnley Borough Improvement Act 1871.	In section 369, the words " or in marine stores or in old metals " .
34 & 35 Vict. c. clxi.	The Cardiff Improvement Act 1871.	Sections 28 to 31.
35 & 36 Vict. c. cxlix.	The Rochdale Improvement Act 1872.	In section 188, the words " or in marine stores or in old metals " .
40 & 41 Vict. c. ccvii.	The Margate Extension and Improvement Act 1877.	In section 43, the words " marine store dealers " and the words from " the term marine store dealer " to the words " any description, and " .
42 & 43 Vict. c. xcii.	The Warrington Corporation Lighting and Improvement Act 1879.	Sections 26 to 30, except as they apply to rag-and-bone men.
43 & 44 Vict. c. ccxv.	The Derby Improvement Act 1879.	Sections 105 to 114.

Chapter	Short Title	Extent of Repeal
43 & 44 Vict. c. cxxvii.	The Wigan Improvement Act 1880.	In section 46, the words from "anchors, cables, sails" to the words "old metal goods, or" and the words "or marine stores of any description".
45 & 46 Vict. c. ccxlix.	The Macclesfield Corporation Act 1882.	In section 82, the words "or in marine stores or in old metals".
5 Edw. 7. c. i.	The Leeds Corporation (Consolidation) Act 1905.	Sections 221 to 226.
1 & 2 Geo. 5. c. cxvii.	The St. Helens Corporation Act 1911.	In section 101 (1) and 101 (4), the words "or marine stores" in each place where they occur.
3 & 4 Geo. 5. c. xcvi.	The Bradford Corporation Act 1913.	Section 71.
8 & 9 Geo. 5. c. lxi.	The Sheffield Corporation (Consolidation) Act 1918.	Section 482.
11 & 12 Geo. 5. c. lxxiv.	The Liverpool Corporation Act 1921.	Section 502, as it applies to dealers in marine stores other than persons specified in subsection 1 (A) of that section, and in section 502 (1), the words "and any public Act in force in the city with respect to dealers in marine stores", paragraph (B), and the words from "and the provisions" to the end of the subsection.
11 & 12 Geo. 5. c. xciii.	The Wigan Corporation Act 1921.	In section 147 (2), the words "or marine stores".
23 & 24 Geo. 5. c. lxxxiii.	The Middlesbrough Corporation Act 1933.	In section 365 (1), the words "marine store dealers", and the words from 'the term "marine store dealer"' to the words "1894, and".
1 & 2 Geo. 6. c. lii.	The Blackburn Corporation Act 1938.	Section 18.
12, 13 & 14 Geo. 6. c. xliii.	The Bolton Corporation Act 1949.	In section 113, in subsection (1), the words "of a dealer in marine stores or"; in subsection (7), the words "a dealer in marine stores or" and the words "'Licensed dealer in marine stores" or'; and in subsection (12), the words "or marine stores" in each place where they occur.
6 & 7 Eliz. 2. c. i.	The Wallasey Corporation Act 1958.	In section 126, in subsection (1), the words from "and (b) any person" to the end of the subsection.



Chapter	Short Title	Extent of Repeal
<b>7 &amp; 8 Eliz. 2. c. xli.</b>	<b>The Bootle Corporation Act 1959.</b>	<b>In section 69, in subsection (1), paragraph (a), and the words from ‘the expression “metal”’ to the end of the subsection.</b>



# Riding Establishments Act 1964

## 1964 CHAPTER 70

An Act to regulate the keeping of riding establishments; and for purposes connected therewith. [31st July 1964]

**B** E IT ENACTED by the Queen'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:—

Licensing of riding establishments.

**1.**—(1) No person shall keep a riding establishment except under the authority of a licence granted in accordance with the provisions of this Act.

(2) Every local authority may, on application being made to them for that purpose by a person who is an individual over the age of eighteen years or a body corporate, being a person who is not for the time being disqualified,—

- (a) under this Act from keeping a riding establishment ; or
- (b) under the Protection of Animals (Cruelty to Dogs) Act 1933, from keeping a dog ; or
- (c) under the protection of Animals (Cruelty to Dogs) (Scotland) Act 1934, from keeping a dog ; or
- (d) under the Pet Animals Act 1951, from keeping a pet shop ; or
- (e) under the Protection of Animals (Amendment) Act 1954, from having the custody of animals ; or
- (f) under the Animal Boarding Establishments Act 1963, from keeping a boarding establishment for animals ;

and on payment of a fee of ten shillings, grant a licence to that person to keep a riding establishment at such premises in their area as may be specified in the application and subject to compliance with such conditions as may be specified in the licence.

(3) Where an application for the grant of a licence for the keeping of a riding establishment at any premises is made to a

local authority, they shall not proceed to a decision in the matter unless they have received and considered a report by a veterinary surgeon or veterinary practitioner authorised by them to carry out inspections under the next following section of an inspection of the premises carried out by him within the period of twelve months immediately preceding the date on which the application is received by the local authority or on or after that date, being a report containing such particulars as in their view enable them to determine whether the premises are suitable for the keeping thereat of a riding establishment, and describing the condition of the premises and of any horses found thereon or anything thereat.

(4) In determining whether to grant a licence for the keeping of a riding establishment by any person at any premises, a local authority shall in particular (but without prejudice to their discretion to withhold a licence on any grounds) have regard to whether that person appears to them to be suitable and qualified, either by experience in the management of horses or otherwise, to be the holder of such a licence and to the need for securing—

- (a) that there will be available at all times, for horses, accommodation suitable as respects construction, size, number of occupants, lighting, ventilation, drainage, and cleanliness ;
- (b) that in the case of horses maintained at grass, there will be maintained for them at all times during which they are so maintained adequate pasture and shelter ;
- (c) that horses will be adequately supplied with suitable food, drink and (except, in the case of horses maintained at grass, so long as they are so maintained) bedding material, and will be adequately exercised and rested and (so far as necessary) visited at suitable intervals ;
- (d) that all reasonable precautions will be taken to prevent and control the spread among horses of infectious or contagious diseases ;
- (e) that appropriate steps will be taken for the protection of horses in case of fire ;
- (f) that horses will be maintained in a good state of health and that, in the case of a horse kept for the purpose of its being let out on hire for riding or a horse kept for the purpose of its being used in providing instruction in riding, the horse will be suitable for the purpose for which in that case it is kept ;
- (g) that adequate accommodation will be provided for forage, bedding, stable equipment and saddlery ;

and shall specify such conditions in the licence, if granted by them, as appear to the local authority necessary or expedient

in the particular case for securing all the objects specified in paragraphs (a) to (g) of this subsection.

(5) Any person aggrieved by the refusal of a local authority to grant such a licence, or by any condition subject to which such a licence is proposed to be granted, may appeal to a magistrates' court; and the court may on such an appeal give such directions with respect to the issue of a licence or, as the case may be, with respect to the conditions subject to which a licence is to be granted as it thinks proper.

(6) Any such licence shall (according to the applicant's requirements) relate to the year in which it is granted or to the next following year. In the former case, the licence shall come into force at the beginning of the day on which it is granted, and in the latter case it shall come into force at the beginning of the next following year.

(7) Subject to the provisions hereinafter contained with respect to cancellation, any such licence shall remain in force for one year beginning with the day on which it comes into force and shall then expire.

(8) In the event of the death of a person who is keeping a riding establishment at any premises under the authority of a licence granted under this Act, that licence shall be deemed to have been granted to his personal representatives in respect of those premises and shall, notwithstanding subsection (7) of this section (but subject to the provision hereinafter contained with respect to cancellation), remain in force until the end of the period of one year beginning with the death and shall then expire:

Provided that the local authority by whom the licence was granted may from time to time on the application of those representatives, extend or further extend the said period of one year if the authority are satisfied that the extension is necessary for the purpose of winding up the deceased's estate and that no other circumstances make it undesirable.

(9) Any person who contravenes the provisions of subsection (1) of this section shall be guilty of an offence; and if any condition subject to which a licence is granted in accordance with the provisions of this Act is contravened or not complied with, the person to whom the licence was granted shall be guilty of an offence.

(10) In the application of this section to Scotland, in subsection (5) for any reference to a magistrates' court there shall be substituted a reference to the sheriff.

2.—(1) A local authority may, subject to the provisions of this section, authorise in writing any such person as the following,

namely, an officer of theirs, an officer of any other local authority, a veterinary surgeon and a veterinary practitioner, to inspect any such premises in their area as the following, that is to say,—

- (a) any premises where they have reason to believe a person is keeping a riding establishment;
- (b) any premises as respects which a licence granted in accordance with the provisions of this Act is for the time being in force; and
- (c) any premises as respects which a licence has been applied for under this Act.

(2) Any person authorised under this section may, on producing his authority if so required, enter at all reasonable times any premises which he is authorised under this section to enter and inspect them and any horses found thereon or any thing therein for the purpose (except in the case of any such premises as are mentioned in paragraph (a) of the foregoing subsection) of making a report to the local authority for the purposes of section 1(3) of this Act or for the purpose of ascertaining whether an offence has been or is being committed against this Act.

(3) A local authority shall not authorise a veterinary surgeon or veterinary practitioner to inspect any premises under this section except one chosen by them from a list of such persons drawn up jointly by the Royal College of Veterinary Surgeons and the British Veterinary Association.

(4) Any person who wilfully obstructs or delays any person in the exercise of his powers of entry or inspection conferred by subsection (2) above shall be guilty of an offence.

**3.—(1) If any person—**

**Offences.**

- (a) at a time when a horse is in such a condition that its riding would be likely to cause suffering to the horse, lets out the horse on hire or uses it for the purpose of providing, in return for payment, instruction in riding or for the purpose of demonstrating riding;
- (b) supplies for a horse which is let out on hire by him for riding equipment which is used in the course of the hiring and suffers, at the time when it is supplied, from a defect of such a nature as to be apparent on inspection and as to be likely to cause suffering to the horse or an accident to the rider;
- (c) fails to provide such curative care as may be suitable, if any, for a sick or injured horse which is kept by him with a view to its being let out on hire or used for a purpose mentioned in paragraph (a) of this subsection;
- (d) in keeping a riding establishment knowingly permits any person, who is for the time being disqualified under

this Act from keeping a riding establishment, to have control or management of the keeping of the establishment ; or

- (e) with intent to avoid inspection under section 2 of this Act, conceals, or causes to be concealed, any horse maintained by the riding establishment ;

he shall be guilty of an offence under this Act.

(2) A person who for the purpose of obtaining the grant of a licence under this Act gives any information which he knows to be false in a material particular or makes a statement which he knows to be so false or recklessly gives any information which is so false or recklessly makes any statement which is so false shall be guilty of an offence under this Act.

Penalties and disqualifications.

4.—(1) Any person guilty of an offence under any provision of this Act other than section 2(4) thereof shall be liable on summary conviction to a fine not exceeding £25 or to imprisonment for a term not exceeding three months or to both such fine and such imprisonment.

(2) Any person guilty of an offence under section 2(4) of this Act shall be liable on summary conviction to a fine not exceeding £25.

(3) Where a person is convicted of any offence under this Act or of any offence under the Protection of Animals Act 1911 or the Protection of Animals (Scotland) Act 1912 or the Pet Animals Act 1951 or the Animal Boarding Establishments Act 1963, the court by which he is convicted may cancel any licence held by him under this Act and may, whether or not he is the holder of such a licence, disqualify him from keeping a riding establishment for such period as the court thinks fit.

(4) A court which has ordered the cancellation of a person's licence, or his disqualification in pursuance of the last foregoing subsection may, if it thinks fit, suspend the operation of the order pending an appeal.

Power of local authorities to prosecute.

5.—(1) A local authority in England or Wales may subject to the provisions of this section prosecute proceedings for any offence under this Act committed in the area of the authority.

(2) In England and Wales no proceedings for an offence under section 1(9) of this Act in respect of a contravention of or failure to comply with a condition subject to which a licence is granted in accordance with the provisions of this Act shall be instituted except by a local authority, and a local authority shall not institute any such proceedings except after receiving and considering a report by a veterinary surgeon or veterinary practitioner authorised by them to carry out inspections under section 2 of this Act being a report which in their opinion indicates that such an offence has been committed.

6.—(1) References in this Act to the keeping of a riding establishment shall, subject to the provisions of this section, be construed as references to the carrying on of a business of keeping horses for either or both of the following purposes, that is to say, the purpose of their being let out on hire for riding or the purpose of their being used in providing, in return for payment, instruction in riding, but as not including a reference to the carrying on of such a business—

- (a) in a case where the premises where the horses employed for the purposes of the business are kept are occupied by or under the management of the Secretary of State for Defence ; or
- (b) solely for police purposes ; or
- (c) by the Zoological Society of London ; or
- (d) by the Royal Zoological Society of Scotland.

(2) Where a university provides courses of study and examinations leading to a veterinary degree to which relates an order made under section 1 of the Veterinary Surgeons Act 1948 (which section enables the Privy Council, where a university provides such courses, and it appears to the Privy Council that the courses are of the standard therein mentioned, to direct that a holder of the degree to which the courses lead shall be qualified to be a member of the Royal College of Veterinary Surgeons), horses kept by the university for use in the instruction of students undergoing such courses shall, during the continuance in force of the order, be deemed for the purposes of the foregoing subsection not to be kept as mentioned in that subsection.

(3) For the purposes of this Act a person keeping a riding establishment shall be taken to keep it at the premises where the horses employed for the purposes of the business concerned are kept.

(4) In this Act the following expressions have the meanings respectively assigned to them, that is to say—

“horse” includes any mare, gelding, pony, foal, colt, filly or stallion and also any ass, mule or jennet ;

“local authority” means the council of a county borough, the council of a London borough or the Common Council of the City of London ; as respects any non-county borough or urban district which has according to the last published census for the time being a population of 20,000 or upwards, the council of the borough or urban district ; and as respects any other area the council of the county ; and in Scotland means the council of any county or any burgh ;

“premises” includes land ;

“veterinary practitioner” means a person who is for the time being registered in the Supplementary Veterinary Register in pursuance of the Veterinary Surgeons Act 1948 ;

“veterinary surgeon” means a person who is for the time being registered in the Register of Veterinary Surgeons in pursuance of the Veterinary Surgeons Act 1881.

Transitional provision.

7. Notwithstanding anything in this Act, a person who, immediately before the date of commencement of this Act, was keeping a riding establishment at any premises, and who is not disqualified as mentioned in section 1(2) of this Act, shall be entitled to keep such an establishment at those premises without a licence under this Act—

- (a) for the period of one month beginning with that date ; and
- (b) if before the expiration of that period he applies for a licence under this Act in respect of those premises, until the licence is granted or finally refused or the application is withdrawn.

Repeal.

8. The Riding Establishments Act 1939 is hereby repealed.

Short title, commencement and extent.

9.—(1) This Act may be cited as the Riding Establishments Act 1964.

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

(3) This Act shall come into operation on 1st April 1965.

*Table of Statutes referred to in this Act*

Short Title	Session and Chapter
Veterinary Surgeons Act 1881 ... ..	44 & 45 Vict. c. 62.
Protection of Animals Act 1911 ... ..	1 & 2 Geo. 5. c. 27.
Protection of Animals (Scotland) Act 1912 ... ..	2 & 3 Geo. 5. c. 14.
Protection of Animals (Cruelty to Dogs) Act 1933	23 & 24 Geo. 5. c. 17.
Protection of Animals (Cruelty to Dogs) (Scotland) Act 1934 ... ..	24 & 25 Geo. 5. c. 25.
Veterinary Surgeons Act 1948 ... ..	11 & 12 Geo. 6. c. 52.
Pet Animals Act 1951 ... ..	14 & 15 Geo. 6. c. 35.
Protection of Animals (Amendment) Act 1954 ...	2 & 3 Eliz. 2. c. 40.
Animal Boarding Establishments Act 1963 ...	1963. c. 43.





# Trading Stamps Act 1964

## 1964 CHAPTER 71

An Act to make provision with respect to trading stamps, including provision for regulating the issue, use and redemption of trading stamps; to provide for regulating the business of issuing and redeeming trading stamps; and for purposes connected with the matters aforesaid.  
[31st July 1964]

**B**E IT ENACTED by the Queen'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) No person other than a company or an industrial and provident society shall carry on business as the promoter of a trading stamp scheme.

Restrictions on persons who may carry on business as promoters of trading stamp schemes.

(2) If and so long as a private company carries on business as the promoter of a trading stamp scheme, the company shall be deemed not to be a private company for the purposes of the following provisions of the Companies Act 1948, that is to say—

- (a) section 129 (exemption from requirements of section 127 as to documents to be annexed to annual return);
- (b) section 143(1) (duty to forward to registrar copies of certain resolutions and agreements);
- (c) section 161(1) and (2) (qualification of auditors);
- (d) section 190(1) (prohibition of loans to directors).

(3) If a person carries on business in contravention of subsection (1) of this section he shall be liable—

- (a) on conviction on indictment to a fine of any amount, and
- (b) on summary conviction to a fine not exceeding one hundred pounds.

(4) In this and the next following section—

“company” means a company formed and registered under the Companies Act 1948 or an existing company within the meaning of that Act, and “private company” has the same meaning as in that Act;

“industrial and provident society” means a society registered under the Industrial and Provident Societies Act 1893.

Statements required on face of trading stamps.

2.—(1) No person shall after the coming into force of this section issue any trading stamp, or cause any trading stamp to be issued, or deliver any trading stamp to any person in connection with the sale of any goods or the performance of any services, unless such trading stamp bears on its face in clear and legible characters a value expressed in or by reference to current coin of the realm.

(2) As from the coming into force of this section it shall be the duty of a company or industrial and provident society carrying on business as the promoter of a trading stamp scheme to secure that all trading stamps issued under the scheme bear on their face in clear and legible characters—

(a) in the case of a company, either the name of the company or a business name registered in respect of the company under the Registration of Business Names Act 1916;

(b) in the case of an industrial and provident society, the name of the society.

(3) A person guilty of a contravention of subsection (1) of this section or of a failure to comply with subsection (2) of this section shall on summary conviction be liable to a fine not exceeding—

(a) in the case of an offence by a promoter of a trading stamp scheme, one hundred pounds, and

(b) in the case of an offence by some other person, twenty pounds.

Redemption of trading stamps for cash.

3.—(1) If the holder of any number of redeemable trading stamps which have an aggregate cash value of not less than five shillings so requests, the promoter of the trading stamp scheme shall redeem them by paying over their aggregate cash value.

(2) The holder may exercise his right under the foregoing subsection—

(a) by presenting the stamps at any reasonable time at the promoter's registered office, or

(b) by sending the stamps by post to that office with sufficient instructions as to the manner in which the cash value is to be paid over,

or in any other manner afforded by the promoter.

(3) The obligation under this section in the case of an aggregate cash value which includes a fraction of a penny shall be arrived at by taking the sum to the nearest penny below the aggregate cash value.

(4) In this section “redeemable trading stamps” means trading stamps delivered after the coming into force of this section in accordance with a trading stamp scheme upon or in connection with the purchase of any goods or the obtaining of any services for money, and “the holder”, in relation to such a trading stamp, means the person to whom it was so delivered or any person who holds it without notice of any defect in title.

(5) Subject to the following subsection this section shall also apply to trading stamps so delivered before the date of the coming into force of this section if a cash value is stated on their face.

(6) This section shall not apply—

(a) to trading stamps which have been so delivered before the date of the coming into force of this section and which show on their face that they were so delivered before that date, or

(b) to trading stamps which have been so delivered not later than six months after the passing of this Act and which show on their face, instead of any reference to any kind of value to the holder, a value indicating the sum paid on the purchase or other transaction in connection with which they were delivered or some other value which, having regard to the terms of the trading stamp scheme, it would be unreasonable to take as their value for the purposes of redemption under this section.

(7) Any agreement under which the rights conferred by this section on holders of redeemable trading stamps are surrendered or modified shall be void.

4.—(1) Subject to subsection (2) of this section, in every redemption of trading stamps for goods there shall be—

(a) an implied warranty on the part of the promoter of the trading stamp scheme that he has a right to give the goods in exchange,

(b) an implied warranty that the person obtaining the goods shall have and enjoy quiet possession of the goods,

Warranties to be implied on redemption of trading stamps for goods.

- (c) an implied warranty that the goods shall be free from any charge or encumbrance in favour of any third party, not declared or known to the person obtaining the goods before or at the time of redemption,
- (d) an implied warranty that the goods shall be of merchantable quality, except that, if the person obtaining the goods has examined the goods before or at the time of redemption, there shall be no implied warranty as regards defects which the examination ought to have revealed.

(2) The foregoing subsection shall have effect subject to the terms on which the redemption is made, so far as those terms expressly exclude or modify the warranties implied by that subsection.

Catalogues and stamp books to include name and address of promoter.

5.—(1) Every catalogue published by or on behalf of the promoter of a trading stamp scheme which indicates (whether by reference to a stated number of filled stamp books or otherwise) the number of trading stamps required to obtain anything described in the catalogue, and every stamp book published by or on behalf of the promoter of such a scheme, shall contain a prominent statement of the name of the promoter and the address of the promoter's registered office.

(2) If the promoter of a trading stamp scheme publishes, issues or distributes a catalogue or stamp book which fails to comply with any of the requirements of this section, he shall be liable on summary conviction to a fine not exceeding one hundred pounds.

Advertisements referring to value of trading stamps.

6.—(1) It shall be unlawful for the promoter of a trading stamp scheme, or for any person carrying on a trade or business in which a trading stamp scheme is operated, after the coming into force of this section to issue or publish, or cause to be issued or published, an advertisement in any medium which conveys, or purports to convey, the cash value of any trading stamps—

- (a) by means of a statement which associates the worth of any trading stamps with what the holder pays or may pay to obtain them, or
- (b) in terms which are misleading or deceptive.

(2) A person contravening this section shall be liable on summary conviction to a fine not exceeding fifty pounds.

(3) For the purposes of this section an advertisement issued by way of display or exhibition in a public place shall be treated

as issued on every day on which it is so displayed or exhibited, but in proceedings brought by virtue of this subsection in a case where the display or exhibition began before the date of the coming into force of this section, it shall be a defence to show that the defendant had taken all reasonable steps to secure that the display or exhibition was terminated before the date.

7.—(1) In the case of every shop in which a trading stamp scheme is operated— Display of information in shops.

(a) there shall be kept posted a notice stating the cash value of the trading stamps issued under the scheme and giving such particulars as will enable customers readily to ascertain the number of trading stamps, if any, to which they are entitled on any purchase or other transaction, and

(b) if any current catalogue has been published for the trading stamp scheme by or on behalf of the promoter, a copy of that catalogue shall be kept where it can be conveniently consulted by customers.

(2) A notice under this section shall be posted in such characters and in such a position as to be conveniently read by customers.

(3) If without reasonable excuse any of the foregoing provisions of this section are not complied with in the case of any shop, the occupier or other person having control of the shop shall be liable on summary conviction to a fine not exceeding twenty pounds.

(4) If any person pulls down, injures or defaces any notice posted in pursuance of this section, he shall be liable on summary conviction to a fine not exceeding twenty pounds.

(5) In this section “current catalogue” means any such catalogue as is described in section 5(1) of this Act, being a catalogue which has not been superseded or withdrawn.

8. Where any offence under this Act committed by a corporation is proved to have been committed with the consent or connivance of any director, manager, secretary or other officer of the corporation, he, as well as the corporation, shall be deemed to be guilty of that offence and shall be liable to be proceeded against and punished accordingly. Offences committed by corporations.

9. Summary proceedings against a person for an offence under this Act may be taken before the court having jurisdiction in the place where that person is for the time being or, in the case of a body corporate, for the time being has a place of business. Venue in summary proceedings.

**Interpretation.** 10.—(1) In this Act, unless the context otherwise requires, the following expressions have the meanings hereby assigned to them respectively, that is to say—

- “cash value” means, in relation to any trading stamp, the value stated on such stamp ;
- “corporation” means any body corporate, whether incorporated in Great Britain or elsewhere ;
- “goods” includes vehicles, vessels, aircraft and animals, and generally includes articles and property of any description ;
- “purchase” includes acquisition by way of hire-purchase within the meaning of the Advertisements (Hire-Purchase) Act 1957 ;
- “to redeem” means, in relation to any trading stamps, to exchange such stamps (whether by delivering up the stamps or by suffering the same to be cancelled or otherwise howsoever) for money or for goods or for any other benefit, allowance, concession or advantage (but not including the service or repair by the seller or manufacturer of the goods upon or in connection with the purchase of which the stamps are delivered or the replacement of such goods if defective) ; and the expressions “redeemable” and “redemption” shall be construed accordingly ;
- “shop” includes any premises, and any vehicle, stall or place other than premises, on or in which any retail trade or business is carried on ;
- “stamp” means any stamp, coupon, voucher, token or similar device, whether adhesive or not, other than lawful money of the realm ;
- “stamp book” means a book or similar article in or to which it is intended that trading stamps shall be affixed ;
- “trading stamp” means a stamp which is, or is intended to be, delivered to any person upon or in connection with the purchase by that person of any goods (other than a newspaper or other periodical of which the stamp forms part or in which it is contained) and is, or is intended to be, redeemable (whether singly or together with other such stamps) by that or some other person :

Provided that a stamp shall not be deemed to be a trading stamp if—

- (a) it is delivered or is intended to be delivered to a person (in this definition called “the purchaser”) upon or in connection with the purchase of any goods by the purchaser, and

(b) it is not intended to be, and is not, redeemable from any person other than (i) the person (in this definition called "the seller") from whom the purchaser purchased those goods or (ii) any person from whom the seller (whether directly or indirectly) acquired those goods, and

(c) in the case where a business is carried on at six or more separate retail establishments, the stamp is one of a kind obtainable at no more than six of those retail establishments, and not obtainable by the public elsewhere, and the arrangements under which it is redeemable are entirely separate from arrangements under which any other stamps, whether trading stamps or not, are redeemable,

and references in this definition to the purchase of goods include references to the obtaining of services for money ;

"trading stamp scheme" means any arrangements for making trading stamps available for use in shops or elsewhere, together with arrangements for their redemption, and "promoter", in relation to a trading stamp scheme, includes, in a case where a person carrying on a retail trade or business assumes responsibility for the redemption of trading stamps, that person.

(2) For the purposes of this Act, a person shall be deemed to be a director of a corporation if he occupies in relation thereto the position of a director, by whatever name called, or is a person in accordance with whose directions or instructions the directors of the corporation or any of them act:

Provided that a person shall not, by reason only that the directors of a corporation act on advice given by him in a professional capacity, be taken to be a person in accordance with whose directions or instructions those directors act.

11.—(1) This Act may be cited as the Trading Stamps Act 1964.

Short title,  
extent and  
commence-  
ment.

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

(3) Section 1 of this Act shall come into force at the expiration of a period of six months beginning with the date of the passing of this Act, and sections 2 to 7 of this Act shall come into force at the expiration of a period of twelve months beginning with that date.



*Table of Statutes referred to in this Act*

Short Title	Session and Chapter
<b>Industrial and Provident Societies Act 1893</b> ...	56 & 57 Vict. c. 39.
<b>Registration of Business Names Act 1916</b> ...	6 & 7 Geo. 5. c. 58.
<b>Companies Act 1948</b> ... ..	11 & 12 Geo. 6. c. 38.
<b>Advertisements (Hire Purchase) Act 1957</b> ...	5 & 6 Eliz. 2. c. 41.





# Fishery Limits Act 1964

## 1964 CHAPTER 72

An Act to extend the British fishery limits and amend the definition of “sea-fishing” in the Sea Fisheries Act 1883.  
[31st July 1964]

**B**E IT ENACTED by the Queen’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) For the purposes of the Sea Fisheries Acts the fishery <sup>British</sup> limits of the British Islands shall be the seas surrounding the fishery <sup>limits.</sup> United Kingdom, the Channel Islands and the Isle of Man to a distance of twelve miles from the baselines from which the breadth of the territorial sea is measured and shall be divided into—

- (a) the exclusive fishery limits, that is to say, the said fishery limits to a distance of six miles from those baselines; and
- (b) the remainder, in this section referred to as “the outer belt”.

(2) The following provisions shall have effect with respect to foreign fishing boats within the outer belt—

- (a) if the boat is not registered in a country for the time being designated under this Act, section 7 of the Sea Fisheries Act 1883 shall apply as it applies with respect to the exclusive fishery limits;
- (b) if the boat is registered in a country for the time being so designated, the boat shall not fish or attempt to fish except in an area and for any description of sea fish so designated in relation to that country;

and any contravention of this subsection shall be treated as a contravention of the said section 7.

(3) For the purpose of giving effect to any Convention, agreement or arrangement providing for sea-fishing by foreign fishing boats the Ministers may by order designate any country outside the United Kingdom, the Channel Islands and the Isle of Man, and the area in which and descriptions of sea fish for which fishing boats registered in that country may fish in the outer belt, and any such order shall be made by statutory instrument and may be varied or revoked by a subsequent order so made.

(4) Notwithstanding anything in subsection (1) of this section, the fishery limits of the British Islands shall not include any part of the sea which is beyond the median line between the coasts of England or the Channel Islands and France, that is to say a line every point of which is equidistant from the nearest points on the low water lines of those coasts or any other line agreed between the government of the United Kingdom and the government of France.

Temporary concessions.

2. In relation to fishing boats registered in such of the countries designated by an order under section 1 of this Act as may be specified in that order for the purposes of this section, the said section 1 shall have effect—

(a) until the end of the year 1965; and

(b) so far as concerns any area where the base line of the territorial sea is a straight line other than a bay-closing line or is a straight line exceeding ten miles, until the end of the year 1966;

as if subsection (1) referred to three instead of six miles.

Interpretation, amendments, repeals and saving.

3.—(1) In this Act—

“fishing boat” means a vessel of whatever size, and in whatever way propelled, which is for the time being employed in sea-fishing;

“foreign fishing boat” means a fishing boat which is neither registered in the United Kingdom, the Channel Islands or the Isle of Man nor exempted from registration by regulations under section 373 of the Merchant Shipping Act 1894;

“mile” means nautical mile;

“Sea Fisheries Acts” means any enactments for the time being in force relating to sea-fishing, including any enactment relating to fishing for shellfish, salmon or migratory trout and any such enactment passed by the Parliament of Northern Ireland; and

“the Ministers” means the Minister of Agriculture, Fisheries and Food and the Secretaries of State con-

cerned with sea-fishing in Scotland and Northern Ireland respectively.

(2) So much of the definition of "sea-fishing" in the Sea Fisheries Act 1883 as excludes fishing for salmon shall cease to have effect.

(3) The enactments mentioned in Schedule 1 to this Act shall have effect subject to the amendments specified in that Schedule, being amendments consequential on the extension of the fishery limits of the British Islands.

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

(5) Nothing in section 7 of the Sea Fisheries Act 1883 or section 1(2) of this Act shall prohibit or restrict fishing by French fishing boats in any area with respect to which special provision for fishing by such boats is made by any agreement or arrangement between the government of the United Kingdom and the government of France.

4.—(1) This Act extends to Northern Ireland.

Provisions as to Northern Ireland.

(2) References in the Government of Ireland Act 1920 to the portion of Ireland within the jurisdiction of the Parliament of Northern Ireland shall be construed as including, in relation to any matter concerning or connected with fishing, so much of the fishery limits of the British Islands as is adjacent to Northern Ireland but is not nearer to any point on the coasts of Scotland than to any point on the coasts of Northern Ireland.

(3) For the purposes of section 6 of that Act (conflict of laws) so much of this Act as relates to matters with respect to which the Parliament of Northern Ireland has power to make laws shall be deemed to be contained in an Act passed before the day appointed for the purposes of that section.

5.—(1) This Act may be cited as the Fishery Limits Act 1964.

Short title and commencement.

(2) This Act shall come into operation on such day as the Ministers may by order made by statutory instrument appoint.

## SCHEDULES

### Section 3.

### SCHEDULE 1

#### CONSEQUENTIAL AMENDMENTS

##### THE HERRING FISHERIES (SCOTLAND) ACT 1860

In section 2, in the definition of "the coasts of Scotland", for the words "within the distance of three miles from the mainland or adjacent islands" there shall be substituted the words "surrounding Scotland which are within the fishery limits of the British Islands".

##### THE HERRING FISHERIES (SCOTLAND) ACT 1867

In section 11, in the definition of "the coasts of Scotland" for the words "within the distance of three miles from the mainland or adjacent islands" there shall be substituted the words "surrounding Scotland which are within the fishery limits of the British Islands".

##### THE FISHERIES (DYNAMITE) ACT 1877

In section 3, for the words "within one marine league of the coast" there shall be substituted the words "within such part of the fishery limits of the British Islands as is mentioned in section 4(2) of the Fishery Limits Act 1964".

##### THE SEA FISHERIES (CLAM AND BAIT BEDS) ACT 1881

In section 2, for the words from "within the territorial waters" to "1878" there shall be substituted the words "within the fishery limits of the British Islands".

##### THE SEA FISHERIES ACT 1883

The word "exclusive" shall be omitted in sections 4, 5, 18, 25 and 31.

In section 12, for the words "exclusive limits" there shall be substituted the words "fishery limits".

##### THE SEA FISHERIES (SCOTLAND) AMENDMENT ACT 1885

In section 4 the word "exclusive" shall be omitted.

##### THE SEA FISHERIES REGULATION ACT 1888

In paragraph (a) of section 1(1) for the words from "within" to "fishing" there shall be substituted the words "within the national or territorial waters of the United Kingdom".

##### THE STEAM TRAWLING (IRELAND) ACT 1889

In section 3, for the words from "within three miles" to "coast of Ireland" there shall be substituted the words "within the national or territorial waters of the United Kingdom adjacent to Northern Ireland".

**THE FISHERIES ACT 1891**

SECT. 1

In section 5 the word “ exclusive ” shall be omitted.

**THE WHALE FISHERIES (SCOTLAND) ACT 1907**

In section 3(4), for the words “ within three miles of low-water mark of any part of the coast of Scotland ” there shall be substituted the words “ in any waters off the coast of Scotland which are within the fishery limits of the British Islands ”.

**THE WHALE FISHERIES (IRELAND) ACT 1908**

In section 3(4), for the words “ within three miles of low-water on any part of the coast of Ireland ” there shall be substituted the words “ within such part of the fishery limits of the British Islands as is mentioned in section 4(2) of the Fishery Limits Act 1964 ”.

**THE SALMON AND FRESHWATER FISHERIES ACT 1923**

In section 9(a) for the words from “ territorial waters ” to “ Wales ” there shall be substituted the words “ waters adjoining the coast of England and Wales and within the fishery limits of the British Islands ”.

**THE SEA-FISHING INDUSTRY ACT 1933**

In section 3 the following subsection shall be inserted after subsection (1):—

“(1A) An order under this section may be so made as to extend to nets or other fishing gear carried in any waters adjacent to the United Kingdom and within the fishery limits of the British Islands by fishing boats registered in any country outside the United Kingdom or not registered in any country ”.

In section 4(5) and in section 4A for the words “ within the limits of the territorial waters adjacent to the United Kingdom ” there shall be substituted the words “ in waters adjacent to the United Kingdom and within the fishery limits of the British Islands ”.

**THE WHALING INDUSTRY (REGULATION) ACT 1934**

In section 17(1) for the definition of “ coastal waters ” there shall be substituted the following :

“ coastal waters ” means—

(a) in relation to the United Kingdom, the Channel Islands and the Isle of Man, so much of the waters adjoining those countries respectively as is within the fishery limits of the British Islands ; and

(b) in relation to any other country, so much of the waters adjoining that country as is within the distance to which provisions of the law of that country corresponding to the provisions of this Act extend.

**THE WHITE FISH AND HERRING INDUSTRIES ACT 1948**

In section 2(5) for the words from “ within the limits ” to “ adjacent to the United Kingdom ” there shall be substituted the words

SCH. 1

“in any waters adjacent to the United Kingdom which are within the fishery limits of the British Islands”.

**THE SALMON AND FRESHWATER FISHERIES (PROTECTION)  
(SCOTLAND) ACT 1951**

In section 4(a), for the words “up to the limit of territorial waters” there shall be substituted the words “within the fishery limits of the British Islands”.

**THE SEA FISH INDUSTRY ACT 1959**

In section 7, in subsections (3) and (6), for the words from “within the limits” to “adjacent to the United Kingdom” there shall be substituted the words “in any waters adjacent to the United Kingdom which are within the fishery limits of the British Islands”.

**THE SEA FISH INDUSTRY ACT 1962**

In subsection (1) of section 10 and of section 11, there shall be substituted—

- (a) in paragraph (a) for the words from “limits” to “Great Britain” the words “fishery limits of the British Islands” and
- (b) in paragraph (b) for the words from “within” to the end of the paragraph, the words “in any waters adjacent to Great Britain and within those limits”.

In section 12(6)(b), for the words from “within” to “adjacent to the United Kingdom” there shall be substituted the words “in any waters adjacent to the United Kingdom and within the fishery limits of the British Islands”.

In section 16(1) the word “exclusive” shall be omitted.

In section 35(3) for the words from “within the limits” to “adjacent to Northern Ireland” there shall be substituted the words “within such part of the fishery limits of the British Islands as is mentioned in section 4(2) of the Fishery Limits Act 1964”.

## SCHEDULE 2

Section 3

## ENACTMENTS REPEALED

Chapter	Short Title	Extent of Repeal
6 & 7 Vict. c. 79.	The Sea Fisheries Act 1843.	The whole Act.
31 & 32 Vict. c. 45.	The Sea Fisheries Act 1868.	Sections 3 and 4. In section 5, the definition of "consular officer". Sections 6 to 21. Section 59. Section 61. Section 63 from the beginning to "satisfaction of the court". Schedule 1.
46 & 47 Vict. c. 22.	The Sea Fisheries Act 1883.	In section 4, the word "exclu- sive". In section 5, the word "exclu- sive". In section 18, the word "exclu- sive". Section 24. In section 25, the word "exclu- sive", the words from "the North Sea" to "or within" and the words from "the Con- vention" to "or by". In section 28, the definition of "exclusive fishery limits of the British Islands", and in the definition of "sea-fishing" the words from "shall not" to "aforesaid". Section 30. In section 31, the word "exclu- sive". Schedule 2.
48 & 49 Vict. c. 70.	The Sea Fisheries (Scotland) Amend- ment Act 1885.	In section 4, the word "exclu- sive".
54 & 55 Vict. c. 37.	The Fisheries Act 1891.	In section 5, the word "exclu- sive".
57 & 58 Vict. c. 60.	The Merchant Shipping Act 1894.	In section 374, the words from "either for an offence" to "1868, or".
8 & 9 Eliz. 2. c. 7.	The Sea Fish Industry Act 1959.	Section 5(5). In section 8, in paragraph (c) of subsection (1), the words from "for the words" to "United Kingdom".
10 & 11 Eliz. 2. c. 31.	The Sea Fish Industry Act 1962.	In section 16(1) the word "exclusive."

*Table of Statutes referred to in this Act*

Short Title	Session and Chapter
Herring Fisheries (Scotland) Act 1860 ... ..	23 & 24 Vict. c. 92.
Herring Fisheries (Scotland) Act 1867 ... ..	30 & 31 Vict. c. 52.
Fisheries (Dynamite) Act 1877 ... ..	40 & 41 Vict. c. 65.
Sea Fisheries (Clam and Bait Beds) Act 1881 ... ..	44 & 45 Vict. c. 11.
Sea Fisheries Act 1883 ... ..	46 & 47 Vict. c. 22.
Sea Fisheries (Scotland) Amendment Act 1885 ... ..	48 & 49 Vict. c. 70.
Sea Fisheries Regulation Act 1888 ... ..	51 & 52 Vict. c. 54.
Steam Trawling (Ireland) Act 1889 ... ..	52 & 53 Vict. c. 74.
Fisheries Act 1891 ... ..	54 & 55 Vict. c. 37.
Merchant Shipping Act 1894 ... ..	57 & 58 Vict. c. 60.
Whale Fisheries (Scotland) Act 1907 ... ..	7 Edw. 7. c. 41.
Whale Fisheries (Ireland) Act 1908 ... ..	8 Edw. 7. c. 31.
Government of Ireland Act 1920 ... ..	10 & 11 Geo. 5. c. 67.
Salmon and Freshwater Fisheries Act 1923 ... ..	13 & 14 Geo. 5. c. 16.
Sea-Fishing Industry Act 1933 ... ..	23 & 24 Geo. 5. c. 45.
Whaling Industry (Regulation) Act 1934 ... ..	24 & 25 Geo. 5. c. 49.
White Fish and Herring Industries Act 1948 ... ..	11 & 12 Geo. 6. c. 51.
Salmon and Freshwater Fisheries (Protection) (Scotland) Act 1951.	14 & 15 Geo. 6. c. 26.
Sea Fish Industry Act 1959 ... ..	8 & 9 Eliz. 2. c. 7.
Sea Fish Industry Act 1962 ... ..	10 & 11 Eliz. 2. c. 31.





# British North America Act 1964

## 1964 CHAPTER 73

An Act to amend the British North America Act 1867.  
[31st July 1964]

**W**HEREAS the Senate and House of Commons of Canada in Parliament assembled have submitted an Address to Her Majesty praying that Her Majesty may graciously be pleased to cause a measure to be laid before the Parliament of the United Kingdom for the enactment of the provisions hereinafter set forth:

Be it therefore enacted by the Queen'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. Section 94A of the British North America Act 1867 is hereby repealed and the following substituted therefor:—

<p>“Legislation respecting old age pensions and supplementary benefits.”</p>	<p>94A. The Parliament of Canada may make laws in relation to old age pensions and supplementary benefits, including survivors' and disability benefits irrespective of age, but no such law shall affect the operation of any law present or future of a provincial legislature in relation to any such matter.”</p>	<p>Amendment as to legislation respecting old age pensions. 30 &amp; 31 Vict. c. 3.</p>
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2. This Act may be cited as the British North America Act 1964; and the British North America Acts 1867 to 1960 and this Act may be cited together as the British North America Acts 1867 to 1964.



# Obscene Publications Act 1964

## 1964 CHAPTER 74

An Act to strengthen the law for preventing the publication for gain of obscene matter and the publication of things intended for the production of obscene matter. [31st July 1964]

**B**E IT ENACTED by the Queen'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:—

Obscene  
articles  
intended for  
publication  
for gain.  
7 & 8 Eliz.  
2. c. 66.

1.—(1) In section 2(1) of the Obscene Publications Act 1959 (under which it is an offence punishable on summary conviction or on indictment to publish an obscene article, whether for gain or not) after the words “any person who, whether for gain or not, publishes an obscene article” there shall be inserted the words “or who has an obscene article for publication for gain (whether gain to himself or gain to another)”.

(2) For the purpose of any proceedings for an offence against the said section 2 a person shall be deemed to have an article for publication for gain if with a view to such publication he has the article in his ownership, possession or control.

(3) In proceedings brought against a person under the said section 2 for having an obscene article for publication for gain the following provisions shall apply in place of subsections (5) and (6) of that section, that is to say,—

(a) he shall not be convicted of that offence if he proves that he had not examined the article and had no reasonable cause to suspect that it was such that his having it would make him liable to be convicted of an offence against that section; and

(b) the question whether the article is obscene shall be determined by reference to such publication for gain

of the article as in the circumstances it may reasonably be inferred he had in contemplation and to any further publication that could reasonably be expected to follow from it, but not to any other publication.

(4) Where articles are seized under section 3 of the Obscene Publications Act 1959 (which provides for the seizure and forfeiture of obscene articles kept for publication for gain), and a person is convicted under section 2 of that Act of having them for publication for gain, the court on his conviction shall order the forfeiture of those articles:

Provided that an order made by virtue of this subsection (including an order so made on appeal) shall not take effect until the expiration of the ordinary time within which an appeal in the matter of the proceedings in which the order was made may be instituted or, where such an appeal is duly instituted, until the appeal is finally decided or abandoned; and for this purpose—

- (a) an application for a case to be stated or for leave to appeal shall be treated as the institution of an appeal; and
- (b) where a decision on appeal is subject to a further appeal, the appeal shall not be deemed to be finally decided until the expiration of the ordinary time within which a further appeal may be instituted or, where a further appeal is duly instituted, until the further appeal is finally decided or abandoned.

(5) References in section 3 of the Obscene Publications Act 1959 and this section to publication for gain shall apply to any publication with a view to gain, whether the gain is to accrue by way of consideration for the publication or in any other way.

2.—(1) The Obscene Publications Act 1959 (as amended by Negatives, etc. for production of obscene articles.) shall apply in relation to anything which is intended to be used, either alone or as one of a set, for the reproduction or manufacture therefrom of articles containing or embodying matter to be read, looked at or listened to, as if it were an article containing or embodying that matter so far as that matter is to be derived from it or from the set.

(2) For the purposes of the Obscene Publications Act 1959 (as so amended) an article shall be deemed to be had or kept for publication if it is had or kept for the reproduction or manufacture therefrom of articles for publication; and the question whether an article so had or kept is obscene shall—

- (a) for purposes of section 2 of the Act be determined in accordance with section 1(3)(b) above as if any reference there to publication of the article were a reference to

publication of articles reproduced or manufactured from it; and

- (b) for purposes of section 3 of the Act be determined on the assumption that articles reproduced or manufactured from it would be published in any manner likely having regard to the circumstances in which it was found, but in no other manner.

Citation,  
commence-  
ment and  
extent.

3.—(1) This Act may be cited as the Obscene Publications Act 1964, and this Act and the Obscene Publications Act 1959 may be cited together as the Obscene Publications Acts 1959 and 1964.

(2) This Act shall come into operation on the expiration of one month beginning with the date of the passing thereof.

(3) This Act shall not extend to Scotland or to Northern Ireland.



# Public Libraries and Museums Act 1964

## 1964 CHAPTER 75

An Act to place the public library service provided by local authorities in England and Wales under the superintendence of the Secretary of State, to make new provision for regulating and improving that service and as to the provision and maintenance of museums and art galleries by such authorities, and for purposes connected with the matters aforesaid. [31st July 1964]

**B**E IT ENACTED by the Queen'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 public library service*

1.—(1) From the commencement of this Act it shall be the duty of the Secretary of State to superintend, and promote the improvement of, the public library service provided by local authorities in England and Wales, and to secure the proper discharge by local authorities of the functions in relation to libraries conferred on them as library authorities by or under this Act. Secretary of State to superintend library service.

(2) Every library authority shall furnish such information, and provide such facilities for the inspection of library premises, stocks and records, as the Secretary of State may require for carrying out his duty under this section.

2.—(1) There shall be two Library Advisory Councils, one for England (excluding Monmouthshire) and the other for Wales and Monmouthshire, and it shall be the duty of each Council to advise the Secretary of State upon such matters connected with the provision or use of library facilities whether under this National Advisory Councils.

Act or otherwise as they think fit, and upon any questions referred to them by him.

(2) The members of each Council shall be appointed by the Secretary of State, and he shall appoint a member of each Council to be chairman thereof and shall appoint an officer of the Department of Education and Science to be secretary thereto.

(3) Each Council shall include persons who have had experience of the administration of the service provided by library authorities and also persons who have had experience of the administration of libraries managed by bodies other than those authorities.

(4) The persons appointed to be members of either Council shall hold and vacate office in accordance with the terms of their respective appointments, and on ceasing to be members shall be eligible for re-appointment :

Provided that a member may at any time by notice in writing to the Secretary of State resign his office.

(5) Each Council shall determine its own procedure, but the quorum at meetings of a Council shall be such as may be determined by the Secretary of State.

Regional  
councils for  
inter-library  
co-operation.

3.—(1) As soon as may be after the commencement of this Act, the Secretary of State shall by order designate as library regions areas together extending to the whole of England and Wales.

(2) The Secretary of State, after consultation with the library authorities within the region, shall make a scheme for each library region providing—

(a) for the constitution, incorporation and functioning of a library council for the region consisting of persons representing each of those authorities and such other persons as may be provided for by the scheme, and having a duty to make and supervise the working of arrangements for facilitating the co-operation of those authorities with one another and with other bodies within or outside the region having functions in relation to libraries ; and

(b) for the observance by each of those authorities of any requirements made by the library council, including requirements as to the payment by the authority of contributions towards the expenses of the council, and containing such other provisions directed to the promotion of inter-library co-operation within and outside the region as may appear to the Secretary of State to be expedient.

(3) At least a majority of the library council for a region shall consist of members of library authorities within the region, and an authority none of whose members is included in the

library council shall be represented on the council by such of the persons so included as may be determined in accordance with the scheme establishing the council.

(4) A power conferred by this section to make an order or scheme shall be exercisable by statutory instrument, which shall be subject to annulment in pursuance of a resolution of either House of Parliament; and an order or scheme made under this section may be varied or revoked by a further order or scheme thereunder:

Provided that before varying or revoking a scheme the Secretary of State shall consult the library council in question as well as the relevant library authorities.

(5) The Secretary of State may, with a view to improving the efficiency of the public library service or promoting its development, require any library council established under this section to enter into and carry into effect arrangements with another such council or with any other body having functions in relation to libraries.

4.—(1) Subject to the provisions of this Act, each of the following local authorities shall be a library authority, that is to say—

Library  
authorities  
and areas.

- (a) the council of a county or county borough;
- (b) the council of a London borough, and the Common Council of the City of London;
- (c) the council of a non-county borough or urban district where either—
  - (i) the council was a library authority immediately before the commencement of this Act, or
  - (ii) the council has been approved by the Secretary of State under section 6(3) below,

and any other local authority being a library authority immediately before the commencement of this Act shall at that commencement cease to be a library authority.

(2) The functions of a library authority as such shall be exercisable within an area (in this Act referred to as a "library area") consisting of the administrative area of the authority, or—

- (a) in the case of a county council, consisting of so much of its administrative area as excludes the library area of any other library authority, or
- (b) in the case of a joint board established under section 5 below, consisting of the areas which, if the authorities constituting the board were library authorities, would form their library areas,

and may also be exercised elsewhere than within its library area if the authority thinks fit.

## Joint boards.

**5.—(1)** The Secretary of State may with the agreement of two or more library authorities by order provide for the formation of a joint board consisting of those authorities, which, from the date on which it begins to exercise its functions, shall be a library authority in lieu of those authorities; and without prejudice to the operation of section 293(1) of the Local Government Act 1933 (which authorises the application of that Act to joint boards) the order may provide for the incorporation of the joint board, for its procedure (including quorum), and for the manner in which its expenses are to be defrayed.

The said section 293(1) shall apply to the formation under this section of a joint board comprising the Common Council of the City of London as if the Common Council were a local authority within the meaning of the said Act of 1933.

**(2)** On the date on which a joint board established under this section begins to exercise its functions—

- (a)* the library officers of the authorities constituting the board shall by the operation of this provision be transferred to and become officers of the joint board; and
- (b)* the library assets and liabilities of those authorities shall, save as may be otherwise provided by the order setting up the board, be transferred by the operation of this provision to the board.

**(3)** The Secretary of State may on the application of an authority comprised in a joint board established under this section by order provide for the dissolution of the board, and on its dissolution the authorities constituting the board shall again become library authorities:

Provided that if any of those authorities is the council of a non-county borough or urban district the order may, at the request of the council or where the population of the borough or urban district is less than 40,000, provide that the council shall not so become a library authority.

**(4)** On the dissolution of a joint board established under this section—

- (a)* each library officer of the board shall by the operation of this provision—
  - (i)* where at the formation of the board he was a library officer of one of the authorities which on the dissolution of the board again become library authorities, be transferred to and again become an officer of that authority;
  - (ii)* in any other case be transferred to and become an officer of such authority (being one of the authorities which on the dissolution of the board again



become library authorities) as may be agreed between those authorities or, in default of agreement, determined by the Secretary of State ;

- (b) the library assets and liabilities of the board shall be divided among the said authorities as provided by the order dissolving the board.

6.—(1) Where—

- (a) the council of a non-county borough or urban district was a library authority immediately before a date (in this section referred to as a “ review date ”), being the date of the commencement of this Act or falling ten years after that or any subsequent review date, and
- (b) the population of the borough or urban district at the review date is less than 40,000,

Special provisions as to non-county boroughs and urban districts.

the Secretary of State, if, after consulting the council of the borough or urban district and also the county council or, where the county council is comprised in a joint board established under section 5 above, the joint board, and after taking account of any likely changes in the area and population of the borough or urban district and of other relevant matters, he is of opinion that to do so would lead to an improvement in the library facilities made available under this Act in the borough or urban district, may at any time before the next review date by order provide that on a date specified in the order the council of the borough or urban district shall cease to be a library authority.

(2) The power to make an order under subsection (1) above shall be exercisable by statutory instrument, which shall be subject to annulment in pursuance of a resolution of either House of Parliament.

(3) Where the council of a non-county borough or urban district was not a library authority immediately before a review date but the population of its administrative area at that date is not less than 40,000, the Secretary of State may on an application made by the council within six months after that date approve the council as a library authority, and where he does so the council shall become a library authority on a date specified by him in giving notice of his approval to the council.

(4) Before determining an application under subsection (3) above the Secretary of State shall consult the county council or, where the county council is comprised in a joint board established under section 5 above, the joint board.

(5) Where the council of a non-county borough or urban district is a library authority it may at any time resolve to relinquish its functions as such, and if the Secretary of State by

order confirms the resolution the council shall cease to be a library authority on such date as is specified in that behalf in the order.

(6) Where, under any provision of this Act other than section 5 above, the council of a non-county borough or urban district at any time ceases to be a library authority—

- (a) the library officers of the council shall by the operation of this provision be transferred to and become officers of the authority assuming the library functions of the council, that is to say, where after that time the library area of the council will be comprised in the library area of a joint board, that joint board, and in any other case the county council ; and
- (b) the library assets and liabilities of the council shall, save as may be otherwise directed by the Secretary of State, be transferred by the operation of this provision to the said authority.

(7) Where the council of a non-county borough or urban district is approved by the Secretary of State under subsection (3) above he may by order make such provision as he thinks fit with respect to the transfer to the council of any library assets and liabilities of the county council or, where the county council is comprised in a joint board established under section 5 above, of the joint board, being assets and liabilities which relate, or are referable, to the library area of the approved council.

General  
duty of  
library  
authorities.

7.—(1) It shall be the duty of every library authority to provide a comprehensive and efficient library service for all persons desiring to make use thereof, and for that purpose to employ such officers, to provide and maintain such buildings and equipment, and such books and other materials, and to do such other things, as may be requisite :

Provided that although a library authority shall have power to make facilities for the borrowing of books and other materials available to any persons it shall not by virtue of this subsection be under a duty to make such facilities available to persons other than those whose residence or place of work is within the library area of the authority or who are undergoing full-time education within that area.

(2) In fulfilling its duty under the preceding subsection, a library authority shall in particular have regard to the desirability—

- (a) of securing, by the keeping of adequate stocks, by arrangements with other library authorities, and by any other appropriate means, that facilities are avail-

able for the borrowing of, or reference to, books and other printed matter, and pictures, gramophone records, films and other materials, sufficient in number, range and quality to meet the general requirements and any special requirements both of adults and children ; and

- (b) of encouraging both adults and children to make full use of the library service, and of providing advice as to its use and of making available such bibliographical and other information as may be required by persons using it ; and
- (c) of securing, in relation to any matter concerning the functions both of the library authority as such and any other authority whose functions are exercisable within the library area, that there is full co-operation between the persons engaged in carrying out those functions.

8.—(1) Except as provided by this section, no charge shall be made by a library authority (otherwise than to another library authority) for library facilities made available by the authority. Restriction on charges for library facilities.

(2) A library authority may make a charge not exceeding such amount as may be specified in that behalf by the Secretary of State—

- (a) for notifying a person that a book or other article reserved by him has become available for borrowing, or
- (b) in respect of failure to return a book or other article before the end of the period for which it was lent.

(3) A library authority may make a charge for the borrowing of any article, except that where under section 7(1) above the authority is under a duty to make facilities for borrowing available to a person the authority shall not charge that person for borrowing—

- (a) a book, journal, pamphlet or similar article, or
- (b) a reproduction made by photographic or other means of the whole or a part of any such article.

(4) A library authority may make a charge for supplying book catalogues or indexes, or any similar articles, where the articles become the property of the persons to whom they are supplied.

(5) Where facilities made available to any person by a library authority go beyond those ordinarily provided by the authority as part of the library service the authority may make a charge for the provision of those facilities.

9.—(1) A library authority may make contributions towards the expenses of another library authority or of any other person providing library facilities for members of the public. Contributions and grants.

(2) The Secretary of State may make grants to any body which maintains book catalogues or indexes to which all library authorities are permitted to refer, or otherwise makes available to all library authorities facilities likely to assist them in the discharge of their duty under section 7(1) above.

Default  
powers of  
Secretary  
of State.

**10.—(1) If—**

- (a) a complaint is made to the Secretary of State that any library authority has failed to carry out duties relating to the public library service imposed on it by or under this Act ; or
- (b) the Secretary of State is of opinion that an investigation should be made as to whether any such failure by a library authority has occurred,

and, after causing a local enquiry to be held into the matter, the Secretary of State is satisfied that there has been such a failure by the library authority, he may make an order declaring it to be in default and directing it for the purpose of removing the default to carry out such of its duties, in such manner and within such time, as may be specified in the order.

(2) If a library authority with respect to which an order has been made under the preceding subsection fails to comply with any requirement of the order, the Secretary of State, instead of enforcing the order by mandamus or otherwise,—

- (a) if the authority is the council of a non-county borough or urban district, may make an order providing that on a date specified therein the council shall cease to be a library authority, or
- (b) if the authority is a joint board, may make an order providing that on a date specified therein the board shall be dissolved and—

(i) that on its dissolution the authorities constituting the board, other than any council of a non-county borough or urban district with a population less than 40,000, shall again become library authorities ;

(ii) that any council of a non-county borough or urban district comprised in the board with a population less than 40,000 shall or shall not so become a library authority, as the Secretary of State thinks fit ;

(iii) that the functions relating to the public library service of such of those library authorities as may be specified in that behalf in the order shall be transferred to the Secretary of State, or

(c) in any other case, may make an order providing that the functions of the authority relating to the public library service shall be transferred to the Secretary of State.

(3) A power conferred by subsection (2) above to make an order shall be exercisable by statutory instrument, which shall be subject to annulment in pursuance of a resolution of either House of Parliament.

(4) Where functions of a library authority have been transferred to the Secretary of State under subsection (2) above he may at any time by order transfer those functions back to the authority, and the order may contain such supplemental provisions as may appear to him to be expedient for that purpose.

(5) Section 324 of the Public Health Act 1936 (which relates to expenses incurred in exercising the functions of a body in default under that Act) shall apply in relation to expenses incurred by the Secretary of State in exercising the functions of a library authority as if the Secretary of State were the Minister therein referred to and the reference to a local authority included any library authority.

11.—(1) A library authority to which an officer is transferred by the operation of any provision of this Act shall be under a duty to secure that—

Supplemental provisions as to transfers of officers, assets and liabilities.

(a) so long as he continues in the employment of the authority by virtue of the transfer and until he is served with a statement in writing of new terms and conditions of employment, he enjoys terms and conditions of employment not less favourable than those he enjoyed immediately before the date of transfer ; and

(b) the said new terms and conditions are such that—

(i) so long as he is engaged in duties reasonably comparable to those in which he was engaged immediately before the date of transfer, the scale of his salary or remuneration, and

(ii) the other terms and conditions of his employment,

are not less favourable than those he enjoyed immediately before the date of transfer.

(2) Section 60(2) of the Local Government Act 1958 (which requires provision to be made by regulations for the payment in certain cases of compensation for loss of employment or loss or diminution of emoluments) shall apply as respects persons—

(a) who suffer loss of employment or loss or diminution of emoluments in consequence of their transfer by the operation of any provision of this Act, or

(b) who, being officers of a county council or a joint board established under section 5 of this Act, suffer loss of employment or loss or diminution of emoluments in consequence of a reduction in the library area of the county council or joint board resulting from the approval of the council of a non-county borough or urban district as a library authority,

as it applies in the cases there provided.

(3) Where any library officers or library assets and liabilities have been transferred by the operation of this Act from one local authority to another, those authorities may by agreement provide for the making of such adjustments in relation to their respective property, rights and liabilities as appear to them to be desirable having regard to the transfer, and any such agreements may in particular provide for the making of payments by either party thereto.

(4) Where it appears to the Secretary of State that having regard to any such transfer it is desirable that any such adjustment as is mentioned in subsection (3) above (including any payment by either of the authorities concerned) should be made, he may, subject to any agreement made under that subsection and after consultation with the authorities concerned, by directions make provision for that adjustment.

(5) Where any question arises as to whether any library officers or library assets and liabilities have been transferred by the operation of this Act from one local authority to another, that question shall be determined by the Secretary of State.

(6) The provisions of Schedule 1 to this Act shall have effect as respects superannuation and other benefits in the cases there provided.

#### *Museums and art galleries*

Provision  
and  
maintenance  
of museums  
and galleries.

**12.—**(1) A local authority may provide and maintain museums and art galleries within its administrative area or elsewhere in England or Wales, and may do all such things as may be necessary or expedient for or in connection with the provision or maintenance thereof:

Provided that a local authority not being a library authority and not already maintaining a museum or art gallery under this section shall not provide a museum or art gallery thereunder without the consent of the Secretary of State; and that consent may be given subject to such conditions as the Secretary of State thinks fit, and he may at any time vary or revoke any of the conditions.

(2) A local authority maintaining a museum or art gallery under this section may with the consent of the Secretary of

State enter into an agreement with any other local authority empowered to maintain it for the transfer of the museum or gallery and its collections to that authority.

**13.—**(1) A local authority may make a charge for admission to a museum or art gallery maintained by it under section 12 of this Act. Charges for admission to museums and galleries.

(2) In determining whether, and in what manner, to exercise its powers under this section in relation to a museum or gallery, a local authority shall take into account the need to secure that the museum or gallery plays its full part in the promotion of education in the area, and shall have particular regard to the interests of children and students.

**14.** A local authority being a library authority or maintaining a museum or art gallery under section 12 above may make contributions towards expense incurred by any person— Contributions to expenses of museums and galleries.

(a) in providing or maintaining a museum or art gallery in any place within England or Wales, or

(b) in providing advisory or other services or financial assistance for the benefit of a museum or art gallery in any such place.

**15.—**(1) A local authority maintaining a museum or art gallery under section 12 of this Act may establish a fund to be used for the purchase of objects for exhibition in any museum or art gallery for the time being so maintained by the authority. Power to establish fund for purchase of exhibits.

(2) Where at the time a fund is established by it under this section a local authority maintains under a local Act a fund which it is authorised to use for the purchase of such objects as aforesaid, the Minister of Housing and Local Government may, by order made on the application of the local authority, provide for the amalgamation of the funds.

(3) The provisions of Schedule 2 to this Act shall apply with respect to the management of a fund established by a local authority under this section.

(4) This section shall not apply to the council of a parish or the council of a borough included in a rural district.

### *General*

**16.** The Secretary of State may hold an inquiry into any matter relating to the functions of a local authority under this Act. Inquiries.

**17.** The Secretary of State shall annually lay before each House of Parliament a report on the exercise of his functions under this Act. Annual report.

Compulsory acquisition of land.

**18.**—(1) The Secretary of State may authorise any local authority being a library authority to purchase compulsorily any land which it requires for the purposes of its functions under this Act, and 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.

(2) In subsection (1) above “land” includes any interest in or right over land.

Byelaws.

**19.**—(1) A local authority may make byelaws regulating the use of facilities provided by the authority under this Act and the conduct of persons in premises where those facilities are provided, and the Secretary of State shall be the person by whom byelaws so made are to be confirmed.

(2) Without prejudice to section 251 of the Local Government Act 1933 (under which byelaws may include provisions for imposing fines), byelaws made under this section may include provisions for enabling officers of the local authority to exclude or remove from premises maintained by the authority under this Act any person who contravenes the byelaws.

(3) As well as complying with section 250(7) of the said Act of 1933 (which requires byelaws, when confirmed, to be made available to the public), a local authority shall cause a copy of byelaws made by it and in force under this section to be displayed in any premises maintained by the authority under this Act to which the public have access.

Use of premises for educational or cultural events.

**20.** A local authority maintaining premises under this Act may use the premises, or allow them to be used (whether in return for payment or not), for the holding of meetings and exhibitions, the showing of films and slides, the giving of musical performances, and the holding of other events of an educational or cultural nature, and in connection therewith may, notwithstanding anything in section 8 above, make or authorise the making of a charge for admission.

Expenses of county councils.

**21.**—(1) Expenses of a county council under this Act in respect of the public library service shall not be charged on any non-county borough or urban district outside the library area of the county council; and expenses of a county council relating to the provision or maintenance of a museum or art gallery under this Act or in respect of contributions by the council under section 14 above shall be charged on the administrative area of any local authority maintaining a museum or art gallery under section 12 above only with the consent of that local authority.

(2) A condition imposed in relation to a local authority under the proviso to section 12(1) above may require the authority to give consent under the preceding subsection.



(3) Where a county council is comprised in a joint board established under section 5 of this Act—

- (a) references in subsection (1) above to the library area of the council shall be construed as references to the area which would be its library area if the joint board did not exist and each authority comprised in it were a library authority ; and
- (b) references therein to a local authority maintaining a museum or art gallery under section 12 above shall not include the county council.

**22.** There shall be defrayed out of moneys provided by Parliament any expenses incurred by the Secretary of State for the purposes of this Act and any increase attributable to this Act in the sums payable out of moneys so provided by way of Rate-deficiency Grant or Exchequer Equalisation Grant under the enactments relating to local government in England and Wales or in Scotland. Expenses of Secretary of State, etc.

**23.** The provisions of this Act shall have effect notwithstanding any inconsistent provision in a local Act, and any public library maintained by a library authority at the commencement of this Act under a power conferred by a local Act shall thereafter be treated as maintained under this Act and not under that power ; but save as aforesaid nothing in this Act shall be taken to derogate from the provisions of any local Act. Local Acts.

**24.—**(1) The Secretary of State may, after consultation with the Council of the Isles of Scilly, by order made by statutory instrument provide that this Act shall apply to those Isles, subject to such modifications as may be specified in the order, as if the Isles were a county and the Council thereof were the county council. Isles of Scilly.

(2) An order under this section may contain such transitional provisions as may appear to the Secretary of State, after such consultation as aforesaid, to be expedient ; and may be varied or revoked by a subsequent order thereunder.

**25.** In this Act—

- “ library area ” has the meaning assigned to it by section 4(2) of this Act ;
- “ library assets and liabilities ” means property held by a local authority solely or mainly for the purposes of any functions exercisable by it in relation to the public library service and rights and liabilities to which the authority is entitled or subject by reason of the exercise of such functions ;

Interpretation.

“library authority” means a library authority under this Act or, in relation to a time before the commencement of this Act, under the Public Libraries Acts 1892 to 1919 ;

“library officer” means an officer of a local authority employed by the authority solely or mainly for the purposes of any functions exercisable by it in relation to the public library service ;

“local authority” means the council of a county, county borough, London borough, county district or parish, or the Common Council of the City of London, or the council of a borough included in a rural district, or a joint board established under section 5 of this Act ;

“officer” includes a servant ;

“population” means population as estimated in the latest estimate published by the Registrar General for England and Wales.

Short title,  
repeals etc.,  
commence-  
ment and  
extent.

**26.—**(1) This Act may be cited as the Public Libraries and Museums Act 1964.

(2) The enactments specified in the first and second columns of Schedule 3 to this Act are hereby repealed to the extent specified in the third column of that Schedule.

(3) In the proviso to section 94 of the Local Government Act 1933 inserted by section 10(1) of the Education Act 1946 (by virtue of which teachers in institutions maintained or assisted by a local education authority are excepted from disqualification from membership of local authority committees appointed for certain purposes), the following shall be substituted for paragraph (c):—

“(c) appointed under this Act for purposes connected with the execution of the Public Libraries and Museums Act 1964 ;”.

(4) In section 193(5) of the Local Government Act 1933 (which restricts the sums which can be required to be raised in any financial year to meet the expenses of a parish meeting), after the words “the adoptive Acts” there shall be inserted the words “or the Public Libraries and Museums Act 1964” ; and in Schedule 1 to the Parish Councils Act 1957 (which specifies expenses of a parish council which are to be disregarded for the purposes of section 193(3) of the Local Government Act 1933), the following shall be substituted for paragraph 2:—

“2. Any expenditure under the Public Libraries and Museums Act 1964”.

(5) Byelaws in force immediately before the commencement of this Act under section 7 of the Museums and Gymnasiums Act 1891 or section 3 of the Public Libraries Act 1901 shall not be invalidated by the repeal of those Acts but shall have effect as if they had been made, and confirmed by the Secretary of State, under section 19 of this Act.

(6) Paragraphs (a) and (b) of section 6(6) of this Act shall apply in relation to a parish council which at the commencement of this Act ceases to be a library authority as they apply in relation to the council of a non-county borough or urban district which at any time ceases to be a library authority.

(7) This Act shall come into force on 1st April 1965.

(8) This Act shall not extend to Scotland or Northern Ireland.

## SCHEDULES

## Section 11.

## SCHEDULE 1

SUPERANNUATION AND OTHER BENEFITS IN CASES OF  
TRANSFER ETC.

1.—(1) Subject to the following sub-paragraphs, any provisions contained in or made under—

- (a) the Local Government Superannuation Acts 1937 to 1953, the Superannuation (Miscellaneous Provisions) Act 1948 or the National Insurance Act 1959, or
- (b) any Act passed after the passing of this Act whereby any of those Acts is amended, extended or superseded, or
- (c) any local Act under which any authority maintains a superannuation fund,

shall, in relation to a library officer transferred by the operation of this Act from one local authority to another, have effect (save in so far as, in the case of a provision coming into operation after the passing of this Act, the contrary is expressly provided) as if his employment by those authorities were one continuous employment.

(2) Sub-paragraph (1) above shall not have effect for the purposes of section 29 of the Local Government Superannuation Act 1937 (which provides for the payment of transfer values on a change from one superannuation fund to another), but, with respect to any transfer values which apart from any direction under this sub-paragraph would, in the case of a transfer of a library officer, be payable under the said section 29 by the administering authority or joint committee maintaining one superannuation fund (in this sub-paragraph referred to as the transferor fund) to the administering authority or joint committee maintaining another superannuation fund, the Minister of Housing and Local Government, if in the circumstances he considers it equitable to do so, may give directions for securing that—

- (a) no such transfer values will be payable in consequence of the transfer ;
- (b) the assets comprised in the transferor fund will be apportioned in such manner as the administering authorities or joint committees concerned may agree or, in default of such agreement, the said Minister may determine ; and
- (c) in respect of such part of those assets as may be so agreed or determined, such financial adjustments (whether by way of the transfer of assets or the making of a payment or both) as may be so agreed or determined shall be made ;

and any directions given under this sub-paragraph may include such incidental, supplementary and consequential provisions as the said Minister considers appropriate.

A direction shall not be given under section 11(4) of this Act with respect to any matter as to which a direction is authorised to be given under this sub-paragraph.

(3) In any case where the pensions provisions to which, by virtue of his employment as such, a library officer transferred by the operation of this Act is subject immediately before the transfer are not the same as the pensions provisions to which he becomes so subject immediately thereafter, the second-mentioned provisions shall have effect in relation to him as if they required him to make the like contributions (if any) as he would have been liable to make, and conferred on him rights corresponding with those which he would have enjoyed, if he had remained subject to the first-mentioned provisions, and as if they conferred on the authority to which he is transferred any discretionary power to pay pensions or increased pensions which was exercisable under the first-mentioned provisions by the authority from which he was transferred. SCH. 1

(4) Sub-paragraph (1) above shall not affect the power to make regulations under section 36(6) of the Local Government Superannuation Act 1937 with respect to such administrative action to be taken by local authorities as is mentioned in Schedule 3 to that Act, and, except as may be expressly provided in the regulations, shall not affect the operation of any such regulations.

2. Any such statutory resolution as is mentioned in section 3(2)(b) or (c) (designation of persons as contributory employees) of the Local Government Superannuation Act 1937 which—

(a) was passed by the authority from which a library officer is transferred by the operation of this Act, and

(b) is in force at the time the transfer takes effect,

in so far as immediately before that time it applies to the library officer transferred, shall continue in force and have effect in relation to him as if it had been passed by the authority to which he is transferred.

3. Where, immediately before the time at which library officers of any description are transferred by the operation of this Act from one local authority to another, it was the prevailing practice of the first-mentioned authority, in relation to officers of that description, to exercise beneficially (that is to say, so as to secure the making by the authority of payments or of increased payments) any discretionary power exercisable by it by virtue of any pensions provisions, it shall be the duty of the other authority, in relation to those officers, to exercise that power (or any corresponding power under the pensions provisions for the time being in force) in a way which is not less beneficial than that practice; and section 35 of the Local Government Superannuation Act 1937 shall apply to any question arising under this paragraph.

4.—(1) Where a joint board established under section 5 of this Act is dissolved, and at any time before its dissolution a gratuity by way of periodical payments or an annuity—

(a) was granted to any person by the board on his ceasing to be employed by the board, or

(b) was granted to the widow or any other dependant of a person who died while in the employment of the board, or who died during the currency of such a gratuity granted to him as mentioned in paragraph (a) above,

SCH. 1

and, if the board had not been dissolved at that time, one or more payments in respect of that gratuity would under the terms of the grant have fallen to be made by the board after that time (whether the board would have been obliged to make those payments or not), those payments shall be made by such authority (being one of the authorities which on the dissolution of the board again become library authorities) as the Secretary of State may determine.

(2) Without prejudice to sub-paragraph (1) above, where for the purposes of any pensions provision the board, if it had not been dissolved, would at any time after the date on which it is dissolved have been the employing authority or former employing authority in relation to—

(a) a person who before that time died while in the employment of the board, or otherwise ceased to be employed by the board ; or

(b) the widow or any other dependant of such a person,

such authority (being one of the authorities which on the dissolution of the board again become library authorities) as the Secretary of State may determine shall be treated as being at that time the employing authority or former employing authority for those purposes in relation to that person, or to that person's widow or other dependant, as the case may be.

5. In this Schedule—

“pensions” includes lump sums and gratuities ;

“pensions provision” means a provision relating to pensions contained in or made under a general or local Act.

Section 15.

## SCHEDULE 2

### MANAGEMENT OF FUNDS FOR PURCHASE OF EXHIBITS

#### *Payments into fund*

1. No payment shall be made into the fund (hereinafter referred to as the “art fund”) unless the payment is authorised or required to be made by the following provisions of this Schedule.

2.—(1) There may be paid into the art fund from the county fund or, as the case may be, the general rate fund such sums as the local authority determine, but, except with the consent of the Minister of Housing and Local Government,—

(a) the aggregate of sums so paid in any financial year shall not exceed the product of a rate of one-fifth of a penny in the pound for the administrative area of the authority for that year ;

(b) a sum shall not be so paid if the payment thereof would cause the balance of the art fund to exceed the product of a rate of one penny in the pound for that area for that year.

(2) The above references to the product of a rate for an area shall, where there is more than one rating area within the area,

be construed as references to the aggregate product of a rate of the amount in question for all rating areas within the area.

SCH. 2

(3) The product of a rate of any amount for a rating area shall for the purposes of this paragraph be taken to be the product of a rate of that amount for that area ascertained, in the case of an area other than a county borough, in accordance with rules made for the purposes of section 9(2) of the Rating and Valuation Act 1925, or, in the case of a county borough, in accordance with rules made by the Minister of Housing and Local Government for the purposes of Part I of the Local Government Act 1958.

3. Where any object previously kept for exhibition in a museum or art gallery maintained by the local authority under section 12 of this Act is sold by the authority, and the proceeds of sale are not subject to any trust the terms of which prevent their being used for the purchase of other objects for exhibition either in that museum or gallery or in any other museum or art gallery for the time being so maintained, the proceeds of sale or any part thereof may be paid into the art fund.

#### *Power of investment*

4. Until it is required for the purposes of the art fund, money therein may be invested by the local authority in the like investments as trustees are for the time being by law authorised to make, and for this purpose section 7 of the Trustee Investments Act 1961 (which applies the preceding sections of the Act to persons, other than trustees, having trustee investment powers) shall have effect as if this Act had been passed before that Act:

Provided that for the purpose of the making of investments by the authority under this paragraph, paragraph 9 of Part II of Schedule 1 to that Act (which specifies local authorities whose securities are to be authorised investments<sup>3</sup>) shall not apply to the authority or to a joint board comprising the authority and established under section 5 of this Act.

5. Income arising from investments made under paragraph 4 above shall be carried to the county fund or the general rate fund, as the case may be, and an equivalent sum shall be paid from that fund into the art fund.

#### *Application of foregoing provisions to joint boards*

6. Where the local authority is a joint board established under section 5 of this Act—

- (a) references in this Schedule to the county fund or general rate fund shall be construed as references to the general revenues of the joint board, and references to the administrative area of the local authority shall be construed as references to the library area of the joint board;
- (b) the proviso to paragraph 4 above shall be treated as disapplying paragraph 9 of Part II of Schedule 1 to the Trustee Investments Act 1961 in relation to the authorities constituting the joint board as well as in relation to the board itself.

## Section 26.

## SCHEDULE 3

## REPEALS

Chapter	Short title	Extent of repeal
54 & 55 Vict. c. 22.	The Museums and Gymnasiums Act 1891.	The whole Act, so far as unrepealed.
55 & 56 Vict. c. 53.	The Public Libraries Act 1892.	The whole Act.
56 & 57 Vict. c. 11.	The Public Libraries (Amendment) Act 1893.	The whole Act.
56 & 57 Vict. c. 73.	The Local Government Act 1894.	Section 7(1)(e).
61 & 62 Vict. c. 53.	The Library Offences Act 1898.	In section 3, paragraph (a).
1 Edw. 7. c. 19.	The Public Libraries Act 1901.	The whole Act.
9 & 10 Geo. 5. c. 93.	The Public Libraries Act 1919.	The whole Act.
15 & 16 Geo. 5. c. 90.	The Rating and Valuation Act 1925.	Section 2(6).
23 & 24 Geo. 5. c. 51.	The Local Government Act 1933.	In section 305, in the definition of "The Adoptive Acts" the words "and (e) The Public Libraries Acts 1892 to 1919". In Schedule 7, the reference to the Public Libraries Acts 1892 to 1919.
9 & 10 Geo. 6. c. 49.	The Acquisition of Land (Authorisation Procedure) Act 1946.	In Schedule 4, the entry relating to the Public Libraries Act 1919.
9 & 10 Geo. 6. c. 50.	The Education Act 1946.	Section 14(3).
8 & 9 Eliz. 2. c. 58.	The Charities Act 1960.	In Schedule 6, the entry relating to the Public Libraries Act 1892.
1963 c. 33 ...	The London Government Act 1963.	Section 56.

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Table of Statutes referred to in this Act

Short Title	Session and Chapter
Museums and Gymnasiums Act 1891 ... ..	54 & 55 Vict. c. 22.
Public Libraries Act 1901 ... ..	1 Edw. 7. c. 19.
Rating and Valuation Act 1925 ... ..	15 & 16 Geo. 5. c. 90.
Local Government Act 1933 ... ..	23 & 24 Geo. 5. c. 51.
Public Health Act 1936 ... ..	26 Geo. 5 & 1 Edw. 8. c. 49.
Local Government Superannuation Act 1937 ...	1 Edw. 8 & 1 Geo. 6. c. 68.
Acquisition of Land (Authorisation Procedure) Act 1946.	9 & 10 Geo. 6. c. 49.
Education Act 1946 ... ..	9 & 10 Geo. 6. c. 50.
Superannuation (Miscellaneous Provisions) Act 1948	11 & 12 Geo. 6. c. 33.
Parish Councils Act 1957 ... ..	5 & 6 Eliz. 2. c. 42.
Local Government Act 1958 ... ..	6 & 7 Eliz. 2. c. 55.
National Insurance Act 1959 ... ..	7 & 8 Eliz. 2. c. 47.
Trustee Investments Act 1961 ... ..	9 & 10 Eliz. 2. c. 62.





# Malicious Damage Act 1964

## 1964 CHAPTER 76

An Act to extend the jurisdiction of magistrates' courts under section 14 of the Criminal Justice Administration Act 1914, and otherwise to amend that section.

[31st July 1964]

**B** E IT ENACTED by the Queen'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) In subsection (1) of section 14 of the Criminal Justice Administration Act 1914 (summary trial for malicious damage to property) for the words “twenty pounds”, in both places where those words occur, there shall be substituted the words “one hundred pounds” and for the words “further amount” there shall be substituted the word “amount”; and accordingly that subsection shall have effect as set out in the Schedule to this Act.

Amendment of Criminal Justice Administration Act 1914 section 14. 4 & 5 Geo. 5. c. 58.

(2) This section applies only to offences committed after the commencement of this Act.

2.—(1) This Act may be cited as the Malicious Damage Act 1964.

Short title and extent.

(2) This Act does not extend to Scotland or Northern Ireland.

**SCHEDULE****CRIMINAL JUSTICE ADMINISTRATION ACT 191  
SECTION 14(1) AS AMENDED**

14.—(1) If any person wilfully or maliciously commits any damage to any real or personal property whatsoever, either of a public or private nature, and the amount of the damage does not, in the opinion of the court, exceed one hundred pounds, he shall be liable on summary conviction—

- (a) if the amount of the damage, in the opinion of the court, exceeds five pounds, to imprisonment for a term not exceeding three months or to a fine not exceeding one hundred pounds; and
- (b) if the amount of the damage is, in the opinion of the court, five pounds or less, to imprisonment for a term not exceeding two months or to a fine not exceeding five pounds;

and in either case to the payment of such amount as appears to the court reasonable compensation for the damage so committed which last-mentioned amount shall be paid to the party aggrieved:

Provided that this provision shall not apply where the alleged offender acted under a fair and reasonable supposition that he had a right to do the act complained of.



# Local Government (Pecuniary Interests) Act 1964

## 1964 CHAPTER 77

An Act to amend sections 76 and 123 of the Local Government Act 1933, and sections 52 and 90 of the London Government Act 1939. [31st July 1964]

**B**E IT ENACTED by the Queen'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) For the purposes of section 76 of the Local Government Act 1933 (duty of members of authorities to disclose pecuniary interests and abstain from voting etc.) a member shall not be treated as having a pecuniary interest in any contract or other matter by reason only of any interest—

(a) of that member, or

(b) of any company, body or person connected with him as mentioned in subsection (2) of that section,

which is so remote or insignificant that it cannot reasonably be regarded as likely to influence a member in the consideration or discussion of, or in voting on, any question with respect to that contract or matter.

(2) In proviso (i) to the said subsection (2) (connection with public bodies to be disregarded) the expression "public body" shall include, and be deemed always to have included, any body established for the purpose of carrying on under national ownership any industry or part of an industry or undertaking, the

Pecuniary interests of members.  
23 & 24  
Geo. 5. c. 51.

governing body of any university, university college, college in a university or college of advanced technology, and the National Trust for Places of Historic Interest or Natural Beauty incorporated by the National Trust Act 1907.

7 Edw. 7.  
c. cxxxvi.

(3) In subsection (4) of that section (power to give general notice of certain interests) after the words "in the employment of a specified person" there shall be inserted the words "or that he or his spouse is the tenant of any premises owned by the authority", and after the words "or to that person" there shall be inserted the words "or to those premises".

(4) In subsection (6) of that section (penalties) for the words "a fine not exceeding fifty pounds" there shall be substituted, in relation to any offence committed after the commencement of this Act, the words "a fine not exceeding two hundred pounds".

(5) The power of a county council and of the Minister under subsection (8) of that section to remove any disability imposed by that section shall include power to remove, either indefinitely or for any period, any such disability which would otherwise attach to any member (or, in the case of the power of the Minister, any member or any class or description of member) by reason of such interests, and in respect of such matters, as may be specified by the county council or, as the case may be, the Minister.

(6) Nothing in that section shall preclude any person from taking part in the consideration or discussion of, or voting on, any question whether an application should be made to a county council or the Minister for the exercise of the powers conferred by the said subsection (8).

**Pecuniary  
interests of  
officers and  
servants.**

2.—(1) For the purposes of section 123 of the said Act of 1933 (duty of officers and servants of authorities to disclose pecuniary interests in contracts) an officer or servant shall not be treated as having a pecuniary interest in any contract by reason only of any interest—

(a) of that officer or servant, or

(b) of any company, body or person connected with him as mentioned in subsection (2) of section 76 of that Act,

which is so remote or insignificant that it cannot reasonably be regarded as likely to influence an officer or servant in discharging his duties.

(2) In subsection (3) of the said section 123 for the words "a fine not exceeding fifty pounds" there shall be substituted, in relation to any offence committed after the commencement of this Act, the words "a fine not exceeding two hundred pounds."

**3.—(1)** The foregoing provisions of this Act shall apply to **Application**  
**London—** **to London.**

- (a) as if, in section 1, for references to section 76 of the said Act of 1933 there were substituted references to section 52 (and, in subsection (2), section 90) of the London Government Act 1939, for the word “authority” in 2 & 3 Geo. 6 subsection (3) there were substituted the words “borough c. 40. council”, and references in subsections (5) and (6) to a county council were omitted; and
- (b) as if, in section 2, for references to section 123, subsection (2) of section 76 and subsection (3) of section 123 of the said Act of 1933 there were substituted respectively references to section 90, subsection (2) of section 90, and subsection (4) of section 90 of the said Act of 1939.

(2) This section shall cease to have effect on 1st April 1965.

**4.—(1)** This Act may be cited as the **Local Government** **Short title**  
**(Pecuniary Interests) Act 1964.** **and extent.**

(2) This Act does not extend to Scotland or Northern Ireland.



# Betting, Gaming and Lotteries Act 1964

## 1964 CHAPTER 78

An Act to amend the Betting, Gaming and Lotteries Act 1963 with respect to gaming machines and with respect to the provision of amusements with prizes.

[31st July 1964]

**B**E IT ENACTED by the Queen'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:—

Gaming machines.  
1963 c. 2.

1. In section 33(2)(b) of the Betting, Gaming and Lotteries Act 1963 (which imposes the condition with respect to gaming by means of a gaming machine that the stake required to be hazarded in order to play the game once does not exceed sixpence) the words "required to be" are hereby repealed.

Provision of certain amusements with prizes at certain commercial entertainments.

2.—(1) Where any amusement with prizes provided under section 49 of the Betting, Gaming and Lotteries Act 1963 (which relates to the provision of amusements with prizes at certain commercial entertainments) takes the form of a game played by means of a machine, being a game which is made playable by the insertion into the machine of one or more coins or tokens, then, in addition to the conditions set out in subsection (3) of that section, the conditions set out in subsections (2) and (3) of this section shall be observed.

(2) In respect of any one playing of the game a successful player shall not receive any article other than one, and one only, of the following, namely—

- (a) a money prize not exceeding one shilling;
- (b) a prize other than money of a value not exceeding five shillings;

- (c) one or more tokens of a nominal value exchangeable (so far as not used for further playing of the game) for prizes other than money on the basis of a prize or prizes of a value or aggregate value not exceeding five shillings for a number of tokens equal to the maximum number of tokens which can be won at any one playing of the game.

(3) A player's success at the game shall not entitle any person to, or to exchange any prize or token for, any benefit other than those provided for by subsection (2) of this section.

(4) In subsection (2) of the said section 49, the reference to the conditions set out in subsection (3) of that section shall be construed as including a reference to the conditions set out in subsections (1) to (3) of this section; and in subsection (4) of that section the reference to the condition set out in subsection (3)(d) of that section shall be construed as including a reference to the condition set out in subsection (3) of this section.

3.—(1) Where under Schedule 6 to the Betting, Gaming and Lotteries Act 1963 an application is made to the local authority for the grant or renewal of a permit for the provision of amusements with prizes on any premises which are not an amusement place, then, in exercising the discretion conferred upon them by paragraph 2 of that Schedule, and without prejudice to any ground on which the local authority might have refused to grant or renew the permit if this subsection had not been passed, the local authority may refuse to grant or renew the permit on the ground that, by reason of the purposes for which, or the persons by whom, or any circumstances in which, the premises are, or are to be, used, it is undesirable that amusements with prizes should be provided thereon.

Permits for the provision of amusements with prizes.

(2) On any such application in respect of such premises as aforesaid—

(a) the powers of a local authority under the said paragraph 2 shall include power to grant or renew the permit subject to a condition limiting the amusements which may be provided on the premises under the permit to such games played by means of a machine as are mentioned in section 2(1) of this Act, with or without a further condition limiting the number of the machines which may be so provided for the playing of such games; and

(b) there shall be the like right of appeal to a court of quarter sessions or, in Scotland, to the sheriff from the imposition of any such condition by the local authority as there would be under paragraph 6 or 7 of the said Schedule 6 from a refusal by the authority of the application; and on any such appeal the court or sheriff may revoke the condition imposed by the authority or substitute therefor

any other condition which might have been imposed by the authority under paragraph (a) of this subsection; and where any permit is held subject to a condition imposed under this subsection and that condition is contravened, the holder of the permit shall be guilty of an offence and section 52 of the said Act of 1963 (which relates to penalties and forfeitures for offences under that Act) shall apply as if this subsection were contained in that Act.

(3) The court by or before whom the holder of any permit under the said Schedule 6 is convicted of an offence under subsection (2) of this section or under section 49(2) of the said Act of 1963, being an offence in connection with the premises to which the permit relates, may, if the court thinks fit, order that the permit shall be forfeited and cancelled; and subsections (2) and (3) of section 11 of the said Act of 1963 (which relate to appeals from the forfeiture and cancellation of bookmaker's permits) shall apply to an order under this subsection as they apply to an order under subsection (1) of that section.

(4) So much of paragraph 3 of the said Schedule 6 as restricts the grounds on which an application for the renewal of a permit under the said Schedule 6 may be refused shall apply only to a permit in respect of premises which are an amusement place; and accordingly, in the said paragraph 3, after the words "such a permit" there shall be inserted the words "in respect of any premises which are an amusement place as defined by section 3(6) of the Betting, Gaming and Lotteries Act 1964".

(5) Notwithstanding anything in paragraph 3 of the said Schedule 6, a local authority may refuse to grant or renew a permit under that Schedule in respect of any premises if they or their authorised representatives have been refused reasonable facilities to inspect the premises.

(6) In this section, the expression "amusement place" means premises used, or to be used, wholly or mainly—

- (a) for the provision of amusements by means of machines; or
- (b) for the purposes of a pleasure fair consisting wholly or mainly of amusements.

4.—(1) This Act may be cited as the Betting, Gaming and Lotteries Act 1964.

(2) The Betting, Gaming and Lotteries Act 1963, the Dog Racing (Betting Days) Act 1963 and this Act may be cited together as the Betting, Gaming and Lotteries Acts 1963 to 1964.

(3) Section 2 of this Act shall not come into operation until 31st October 1965.

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

Citation,  
commence-  
ment and  
extent.  
1963 c. 42.





# Statute Law Revision Act 1964

## 1964 CHAPTER 79

An Act to revise the statute law by repealing obsolete, spent, unnecessary or superseded enactments.  
[31st July 1964]

**B**E IT ENACTED by the Queen'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 Acts and Measures specified in columns 1 and 2 of the Schedule to this Act (which to the extent specified in column 3 of that Schedule are obsolete, spent or unnecessary or have been superseded by other enactments) are hereby repealed to that extent. Repeal of  
obsolete, &c.,  
enactments.
2. 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 day appointed for the purposes of section 6 of the Government of Ireland Act 1920. Saving for  
powers of  
Parliament of  
Northern  
Ireland.  
10 & 11  
Geo. 5. c. 67.
3. This Act may be cited as the Statute Law Revision Act 1964. Short title.

## SCHEDULE

## ENACTMENTS REPEALED

*Commonwealth Enactments*

Chapter	Short Title	Extent of Repeal
6 Geo. 3. c. 12.	The American Colonies Act 1766.	The whole Act.
22 Geo. 3. c. 75.	The Colonial Leave of Absence Act 1782.	The whole Act.
1 & 2 Geo. 4. c. 28.	The West Africa Act 1821.	The whole Act.
9 Geo. 4. c. 74.	The Criminal Law (India) Act 1828.	The whole Act.
16 & 17 Vict. c. 86.	The Liberated Africans Act 1853.	The whole Act.
25 & 26 Vict. c. 55.	The Jamaica Loan Act 1862.	The whole Act.
31 & 32 Vict. c. 26.	The Indian Railway Companies Act 1868.	The whole Act.
35 & 36 Vict. c. 19.	The Pacific Islanders Protection Act 1872.	The whole Act.
36 & 37 Vict. c. 43.	The Indian Railway Companies Act 1873.	The whole Act.
38 & 39 Vict. c. 51.	The Pacific Islanders Protection Act 1875.	In section 1, the words from "shall be construed" to "each of them" and the word "separately". Sections 2 to 5 and 8 to 10.
39 & 40 Vict. c. 46.	The Slave Trade Act 1876.	The whole Act.
42 & 43 Vict. c. 41.	The Indian Guaranteed Railways Act 1879.	The whole Act.
50 & 51 Vict. c. 11.	The Conversion of India Stock Act 1887.	The whole Act.

*Consolidated Fund and Appropriation Enactments*

SCH.

Chapter	Short Title	Extent of Repeal
11 & 12 Geo. 6. c. 18.	The Consolidated Fund (No. 1) Act 1948.	The whole Act.
11 & 12 Geo. 6. c. 50.	The Appropriation Act 1948.	The whole Act.
12, 13 & 14 Geo. 6. c. 24.	The Consolidated Fund (No. 1) Act 1949.	The whole Act.
12, 13 & 14 Geo. 6. c. 48.	The Appropriation Act 1949.	The whole Act.
14 Geo. 6. c. 1.	The Consolidated Fund Act 1950.	The whole Act.
14 Geo. 6. c. 16.	The Appropriation Act 1950.	The whole Act.
14 & 15 Geo. 6. c. 12.	The Consolidated Fund Act 1951.	The whole Act.
14 & 15 Geo. 6. c. 16.	The Consolidated Fund (No. 2) Act 1951.	The whole Act.
14 & 15 Geo. 6. c. 44.	The Appropriation Act 1951.	The whole Act.
15 & 16 Geo. 6. & 1 Eliz. 2. c. 1.	The Consolidated Fund (No. 3) Act 1951.	The whole Act.
15 & 16 Geo. 6. & 1 Eliz. 2. c. 16.	The Consolidated Fund Act 1952.	The whole Act.
15 & 16 Geo. 6. & 1 Eliz. 2. c. 38.	The Appropriation Act 1952.	The whole Act.
1 & 2 Eliz. 2. c. 6.	The Consolidated Fund Act 1953.	The whole Act.

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Chapter	Short Title	Extent of Repeal
1 & 2 Eliz. 2. c. 8.	The Consolidated Fund (No. 2) Act 1953.	The whole Act.
1 & 2 Eliz. 2. c. 35.	The Appropriation Act 1953.	The whole Act.
2 & 3 Eliz. 2. c. 2.	The Consolidated Fund (No. 3) Act 1953.	The whole Act.
2 & 3 Eliz. 2. c. 22.	The Consolidated Fund Act 1954.	The whole Act.
2 & 3 Eliz. 2. c. 45.	The Appropriation Act 1954.	The whole Act.
3 & 4 Eliz. 2. c. 3.	The Consolidated Fund Act 1955.	The whole Act.
3 & 4 Eliz. 2. c. 16.	The Appropriation Act 1955.	The whole Act.
4 & 5 Eliz. 2. c. 3.	The Appropriation (No. 2) Act 1955.	The whole Act.
4 & 5 Eliz. 2. c. 32.	The Consolidated Fund Act 1956.	The whole Act.
4 & 5 Eliz. 2. c. 55.	The Appropriation Act 1956.	The whole Act.
5 & 6 Eliz. 2. c. 7.	The Consolidated Fund Act 1957.	The whole Act.
5 & 6 Eliz. 2. c. 10.	The Consolidated Fund (No. 2) Act 1957.	The whole Act.
5 & 6 Eliz. 2. c. 63.	The Appropriation Act 1957.	The whole Act except sections 6 and 7.
6 & 7 Eliz. 2. c. 7.	The Consolidated Fund Act 1958.	The whole Act.

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Chapter	Short Title	Extent of Repeal
6 & 7 Eliz. 2. c. 18.	The Consolidated Fund (No. 2) Act 1958.	The whole Act.
6 & 7 Eliz. 2. c. 57.	The Appropriation Act 1958.	The whole Act.
7 & 8 Eliz. 2. c. 15.	The Consolidated Fund Act 1959.	The whole Act.
7 & 8 Eliz. 2. c. 59.	The Appropriation Act 1959.	The whole Act.
8 & 9 Eliz. 2. c. 10.	The Consolidated Fund Act 1960.	The whole Act.
8 & 9 Eliz. 2. c. 45.	The Appropriation Act 1960.	The whole Act.
9 & 10 Eliz. 2. c. 7.	The Consolidated Fund Act 1961.	The whole Act.
9 & 10 Eliz. 2. c. 12.	The Consolidated Fund (No. 2) Act 1961.	The whole Act.
9 & 10 Eliz. 2. c. 59.	The Appropriation Act 1961.	The whole Act.
10 & 11 Eliz. 2. c. 7.	The Consolidated Fund Act 1962.	The whole Act.
10 & 11 Eliz. 2. c. 11.	The Consolidated Fund (No. 2) Act 1962.	The whole Act.
10 & 11 Eliz. 2. c. 45.	The Appropriation Act 1962.	The whole Act.

*Defence Loans Enactments*

Chapter	Short Title	Extent of Repeal
1 Edw. 8. & 1 Geo. 6. c. 13.	The Defence Loans Act 1937.	The whole Act.

2 Q\*

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Chapter	Short Title	Extent of Repeal
2 & 3 Geo. 6. c. 8.	The Defence Loans Act 1939.	The whole Act.
2 & 3 Geo. 6. c. 31.	The Civil Defence Act 1939.	Section 83(2).
2 & 3 Geo. 6. c. 38.	The Ministry of Supply Act 1939.	Section 16(2).
2 & 3 Geo. 6. c. 117.	The National Loans Act 1939.	In Schedule 1, the words "Section one of the Defence Loans Act 1937 (1 Edw. 8. & 1 Geo. 6. c. 13)".

*Ecclesiastical Enactments*

Chapter or Number	Short Title	Extent of Repeal
1 Geo. 1 Stat. 2. c. 10.	The Queen Anne's Bounty Act 1714.	The preamble. Sections 1, 3, 10 to 13, 16, 19 and 20.
43 Geo. 3. c. 107.	The Queen Anne's Bounty Act 1803.	The whole Act.
45 Geo. 3. c. 84.	The Queen Anne's Bounty Act 1805.	The whole Act.
1 & 2 Vict. c. 20.	The Queen Anne's Bounty Act 1838.	The whole Act, except sections 20, 21 and 22.
3 & 4 Vict. c. 113.	The Ecclesiastical Commissioners Act 1840.	Sections 75 and 78 to 82.
4 & 5 Vict. c. 39.	The Ecclesiastical Commissioners Act 1841.	Section 27.
13 & 14 Vict. c. 94.	The Ecclesiastical Commissioners Act 1850.	In section 1, the words from "and every Church Estates Commissioner shall" onwards. In section 4, the words from "unless" to "mentioned". Sections 5 to 7, 10 to 15, 22, 23 and 26.

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Chapter or Number	Short Title	Extent of Repeal
14 & 15 Vict. c. 104.	The Episcopal and Capitul- ar Estates Act 1851.	The whole Act.
17 & 18 Vict. c. 116.	The Episcopal and Capitul- ar Estates Act 1854.	The whole Act.
19 & 20 Vict. c. 55.	The Church Building Commissioners (Trans- fer of Powers) Act 1856.	The whole Act.
21 & 22 Vict. c. 57.	The Ecclesiastical Leasing Act 1858.	Section 6.
22 & 23 Vict. c. 46.	The Episcopal and Capitul- ar Estates Act 1859.	Section 1.
23 & 24 Vict. c. 124.	The Ecclesiastical Com- missioners Act 1860.	The whole Act, except sections 12 to 15, and 42.
29 & 30 Vict. c. 111.	The Ecclesiastical Com- missioners Act 1866.	Sections 3 to 5, 12, 13 and 19.
31 & 32 Vict. c. 114.	The Ecclesiastical Com- mission Act 1868.	Sections 5 to 8, 11 and 15.
12 & 13 Geo. 5. c. 50.	The Expiring Laws Act 1922.	In Schedule 1, the entry num- bered (4).
16 & 17 Geo. 5. No. 4.	The Ecclesiastical Com- missioners Measure 1926.	Sections 3, 7, 8, 9 and the Schedule.
18 & 19 Geo. 5. No. 2.	The Tithe (Administration of Trusts) Measure 1928.	The whole Measure $\dagger$ except sections 6 and 17.
26 Geo. 5. & 1 Edw. 8. c. 43.	The Tithe Act 1936.	Section 46.
26 Geo. 5. & 1 Edw. 8. No. 5.	The Ecclesiastical Com- missioners (Powers) Measure 1936.	In section 3, in subsection (1), the words from the beginning to " and also " and the words " by instrument under their seal ", and subsection (2).

## SCH.

Chapter or Number	Short Title	Extent of Repeal
1 Edw. 8. & 1 Geo. 6. No. 1.	The Queen Anne's Bounty (Powers) Measure 1937.	In section 2(2), the words " or to moneys standing to the credit of a benefice in the Tithe Revenue Account of Queen Anne's Bounty by virtue of the Tithe (Administration of Trusts) Measure 1928 ". Sections 10 to 13.
2 & 3 Geo. 6. No. 1.	The Queen Anne's Bounty (Powers) Measure 1939.	Sections 2 and 6.
5 & 6 Geo. 6. No. 2.	The Loans (Postponement of Repayment) Measure 1942.	The whole Measure.
8 & 9 Geo. 6. No. 1.	The Emergency Legislation Measure 1944.	The whole Measure.
8 & 9 Eliz. 2. No. 1.	The Church Property (Miscellaneous Provisions) Measure 1960.	Section 19(3) and (4).

*Excess Profits Duty Enactments*

Chapter	Short Title	Extent of Repeal
5 & 6 Geo. 5. c. 89.	The Finance (No. 2) Act 1915.	Sections 38 to 44. Section 45(1) to (7). Schedule 4.
6 & 7 Geo. 5. c. 24.	The Finance Act 1916.	Part III. In section 69(1), the words from " Part III of this Act " onwards.
7 & 8 Geo. 5. c. 31.	The Finance Act 1917.	Part III. In section 34, in subsection (1), the words " or excess profits duty or munitions Exchequer payments " (in both places where they occur) and the words " may specify different securities in respect of different duties and payments, and ", and in subsection (4), the proviso.



SCH.

Chapter	Short Title	Extent of Repeal
7 & 8 Geo. 5. c. 31— <i>cont.</i>	The Finance Act 1917 — <i>cont.</i>	In section 38(1), the words “ Part III of this Act shall be construed together with Part III of the Finance (No. 2) Act 1915 ”.
8 & 9 Geo. 5. c. 15.	The Finance Act 1918.	Part III. In section 45(1), the words from “ Part III of this Act ” onwards.
9 & 10 Geo. 5. c. 32.	The Finance Act 1919.	Part IV. In section 38(1), the words from “ Part IV of this Act ” onwards.
10 & 11 Geo. 5. c. 18.	The Finance Act 1920.	Parts IV and V. Section 61, except in so far as it relates to income tax. In section 64(1), the words from “ Part IV of this Act ” onwards.
11 & 12 Geo. 5. c. 32.	The Finance Act 1921.	Part III. In section 65(1), the words “ Part III of this Act shall be construed together with Part III of the Finance (No. 2) Act 1915 ”. Schedules 1 and 2.
12 & 13 Geo. 5. c. 17.	The Finance Act 1922.	Part III.
14 & 15 Geo. 5. c. 21.	The Finance Act 1924.	Section 34.
16 & 17 Geo. 5. c. 22.	The Finance Act 1926.	Part V.
17 & 18 Geo. 5. c. 42.	The Statute Law Revision Act 1927.	The Schedule.
23 & 24 Geo. 5. c. 19.	The Finance Act 1933.	Section 44.

SCH.

Chapter	Short Title	Extent of Repeal
15 & 16 Geo. 6. & 1 Eliz. 2. c. 10.	The Income Tax Act 1952.	Section 530(1)(c).

*Land Improvement Enactments*

Chapter	Short Title	Extent of Repeal
12 & 13 Vict. c. xci.	The General Land Drainage and Improvement Company's Act 1849.	The whole Act.
23 & 24 Vict. c. clxix.	The Land Loan and Enfranchisement Company's Act 1860.	The whole Act.
27 & 28 Vict. c. 114.	The Improvement of Land Act 1864.	The words (immediately before section 78) " And with regard to charging lands with money subscribed for the construction of railways, be it enacted as follows ", and sections 78 to 89.
34 & 35 Vict. c. clviii.	The Thames Valley Drainage Act 1871.	The whole Act.
37 & 38 Vict. c. xxii.	The Thames Valley Drainage Act 1874.	The whole Act.
52 & 53 Vict. c. 30.	The Board of Agriculture Act 1889.	In Schedule 1, in Part II, the entries relating to the General Land Drainage and Improvement Company's Act 1849, the Scottish Drainage and Improvement Company's Act 1856, the Land Loan and Enfranchisement Company's Act 1860, the Scottish Drainage and Improvement Company's Amendment Act 1860, the Thames Valley Drainage Act 1871 and the Thames Valley Drainage Act 1874.

*Land Tax Enactments*

SCH.

Chapter	Short Title	Extent of Repeal
1 & 2 Vict. c. 2.	The Civil List Act 1837.	In section 14, the words "net and clear of all taxes or charges for or in respect of any land tax and".
8 & 9 Vict. c. 124.	The Leases Act 1845.	In Schedule 2, in paragraph 2, in column II, the words "excepting land tax, and".
20 & 21 Vict. c. 31.	The Inclosure Act 1857.	In section 10, the words "land tax".
56 & 57 Vict. c. 27.	The Land Tax Commissioners Names Act 1893.	The whole Act.
62 & 63 Vict. c. 25.	The Land Tax Commissioners' Names Act 1899.	The whole Act.
8 Edw. 7. c. 36.	The Small Holdings and Allotments Act 1908.	In section 61(3), the words "land tax, or".
1 & 2 Geo. 6. c. 18.	The Land Tax Commissioners Act 1938.	The whole Act.

*Superannuation Enactments*

Chapter	Short Title	Extent of Repeal
4 & 5 Will. 4. c. 24.	The Superannuation Act 1834.	Sections 18, 22, 23, 25 and 26.
22 Vict. c. 26.	The Superannuation Act 1859.	Sections 3, 11 and 15. In section 17, the words from "nor shall any person" to "such allowance". The Schedule.
50 & 51 Vict. c. 67.	The Superannuation Act 1887.	Sections 6 and 10.

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SCH.

Chapter	Short Title	Extent of Repeal
55 & 56 Vict. c. 40.	The Superannuation Act 1892.	Sections 2 and 3. In section 4(1), the words from "and includes" to "1877" (where last occurring).
9 & 10 Geo. 5. c. 40.	The Retired Officers (Civil Employment) Act 1919.	The whole Act.
25 & 26 Geo. 5. c. 23.	The Superannuation Act 1935.	Section 15.
12, 13 & 14 Geo. 6. c. 44.	The Superannuation Act 1949.	Sections 37 and 50(2). In Schedule 2, in paragraph 7, the words "Subject to the provisions of the next follow- ing paragraph", and para- graph 8.

*Miscellaneous Enactments*

Chapter	Short Title	Extent of Repeal
6 Ann. c. 14 (Ir.).	The Billeting Act (Ireland) 1707.	The whole Act.
5 Geo. 3. c. 49.	The Bank Notes (Scot- land) Act 1765.	In section 1, the words "that from and after the fifteenth day of May one thousand seven hundred and sixty-six" and the words from "and that from and after" onwards. In section 3, the words "after the said fifteenth day of May one thousand seven hundred and sixty-six".
7 Geo. 3. c. 9.	The Justices Oaths Act 1766.	The whole Act.
7 Geo. 3. c. 48.	The Public Companies Act 1767.	The whole Act.
41 Geo. 3. (U.K.) c. 105.	The Witnesses on Peti- tions Act 1801.	The whole Act.

SCH.

Chapter	Short Title	Extent of Repeal
42 Geo. 3. c. 85.	The Criminal Jurisdiction Act 1802.	Sections 2 to 6.
49 Geo. 3. c. 126.	The Sale of Offices Act 1809.	In section 1, the words from "and also to all offices" to "East Indies".
3 & 4 Vict. c. 90.	The Infant Felons Act 1840.	The whole Act.
3 & 4 Vict. c. 111.	The Joint Stock Companies Act 1840.	The whole Act.
5 & 6 Vict. c. 79.	The Railway Passenger Duty Act 1842.	Section 24.
11 & 12 Vict. c. 42.	The Indictable Offences Act 1848.	Section 31.
14 & 15 Vict. c. 49.	The Preliminary Inquiries Act 1851.	The whole Act.
17 & 18 Vict. c. 94.	The Public Revenue and Consolidated Fund Charges Act 1854.	Section 8. In Schedule (A), the words "10 & 11 Vict. cap. 47." and the words "Augmentation of stipends to Scotch clergy, under the Acts 50 Geo. 3 cap. 84; 4 Geo. 4 cap. 79; 5 Geo. 4 cap. 72 and cap. 90". In Schedule (B), the words "Salaries and contingencies of the General Register Office of Births, Deaths, and Marriages, Ireland . . . 7 & 8 Vict. c. 81", the words "expenses in the Court of Chancery in Ireland under the Acts . . . 11 & 12 Vict. c. 132" and the words "Pay, superannuations, and all other expenses of the constabulary police in Ireland . . . 9 & 10 Vict. c. 97. 10 & 11 Vict. c. 100".

SCH.

Chapter	Short Title	Extent of Repeal
25 & 26 Vict. c. 69.	The Harbours Transfer Act 1862.	Sections 3 and 4.
26 & 27 Vict. c. 33.	The Revenue Act 1863.	Section 14.
29 & 30 Vict. c. 25.	The Exchequer Bills and Bonds Act 1866.	Sections 24 and 25. In section 26, the words from "as well" to "this Act" (in the third place where they occur). In section 30, the words "made out and issued in pursuance of any former Act or Acts, or".
42 & 43 Vict. c. 44.	The Lord Clerk Register (Scotland) Act 1879.	In section 9, the proviso.
43 & 44 Vict. c. 22.	The Merchant Shipping (Fees and Expenses) Act 1880.	The whole Act.
45 & 46 Vict. c. 49.	The Militia Act 1882.	Section 54.
50 & 51 Vict. c. 16.	The National Debt and Local Loans Act 1887.	Section 6(3). Sections 9 and 10.
51 & 52 Vict. c. 2.	The National Debt (Conversion) Act 1888.	Part III. In section 32, the definitions of "the Bank" and "financial year".
54 & 55 Vict. c. 72.	The Coinage Act 1891.	Section 1.
55 & 56 Vict. c. 48.	The Bank Act 1892.	In section 5(1), the words "at the rate of two pounds fifteen shillings per cent. per annum, until the fifth day of April, one thousand nine hundred and three, and after that day," and the words from "Provided that" onwards.
55 & 56 Vict. c. 56.	The Coroners Act 1892.	Section 1(8).

SCH.

Chapter	Short Title	Extent of Repeal
6 Edw. 7. c. 55.	The Public Trustee Act 1906.	In section 7(2), the words " or the growing produce thereof."
7 Edw. 7. c. 4.	The Destructive Insects and Pests Act 1907.	Section 1(2).
8 Edw. 7. c. 16.	The Finance Act 1908.	Section 10(1).
10 Edw. 7 & 1 Geo. 5. c. 8.	The Finance (1909-10) Act 1910.	Section 88(2). Section 93. In section 96(2), the words " or Part VII "
1 & 2 Geo. 5. c. 2.	The Revenue Act 1911.	Section 18.
5 & 6 Geo. 5. c. 56.	The War Loan (Trustees) Act 1915.	The whole Act.
7 & 8 Geo. 5. c. 25.	The Courts (Emergency Powers) Act 1917.	The whole Act.
9 & 10 Geo. 5. c. 20.	The Scottish Board of Health Act 1919.	In section 4(1), paragraph ( <i>f</i> ), in paragraph ( <i>g</i> ) the words " the Vaccination (Scotland) Acts 1863 to 1907 ", and paragraph ( <i>h</i> ).
9 & 10 Geo. 5. c. 50.	The Ministry of Transport Act 1919.	In section 2(1), in the proviso, paragraph (iii). Sections 3, 6, 15 and 29. In section 30(2), the definition of " easement ". In Schedule 2, in paragraph 1(1), the words " or any draft Order in Council under section 9 of this Act is submitted to Parliament " and the words " or Order in Council " in both places where they occur; in paragraph 1(3), the words " being in the case of a draft order a person " and the words from " and in the case " to " proposed works "; and in paragraph 1(4), the words " or submitting the draft Order in Council to Parliament " and the words " or submit the draft Order in Council to Parliament " in both places where they occur.

SCH.

Chapter	Short Title	Extent of Repeal
9 & 10 Geo. 5. c. 64.	The Courts (Emergency Powers) Act 1919.	The whole Act.
2 & 3 Geo. 6. c. 14.	The China (Currency Stabilisation) Act 1939.	The whole Act.
9 & 10 Geo. 6. c. 6.	The Chartered and Other Bodies (Resumption of Elections) Act 1945.	The whole Act.
11 & 12 Geo. 6. c. 29.	The National Assistance Act 1948.	In Schedule 1, in paragraph 6, the words "or the growing produce thereof".
11 & 12 Geo. 6. c. 67.	The Gas Act 1948.	In section 45(2), the words "or the growing produce thereof".
14 Geo. 6. c. 17.	The Agriculture (Miscellaneous Provisions) Act 1950.	Sections 2 and 3.
14 & 15 Geo. 6. c. 8.	The European Payments Union (Financial Provisions) Act 1950.	In section 3(5), the words "or the growing produce thereof".
14 & 15 Geo. 6. c. 14.	The Festival of Britain (Sunday Opening) Act 1951.	The whole Act.
4 & 15 Geo. 6. c. 39.	The Common Informers Act 1951.	In the Schedule, the entries relating to the Acts 5 Edw. 3 c. 5 and 1 & 2 Jac. 1 c. 5 and to the Linen (Trade Marks) Act 1744 and the Lighting and Watching Act 1833.
14 & 15 Geo. 6. c. 53.	The Midwives Act 1951.	In section 11, in paragraph (b) of the proviso to subsection (1), the words from "or exempt" to "nursing homes" and, in subsection (3), the words "one hundred and ninety-two and" and the words "two hundred and forty-six and".



SCH.

Chapter	Short Title	Extent of Repeal
15 & 16 Geo. 6 & 1 Eliz. 2. c. 13.	The Festival Pleasure Gardens Act 1952.	So much of the Schedule as relates to the Festival of Britain (Sunday Opening) Act 1951.
15 & 16 Geo. 6 & 1 Eliz. 2. c. 62.	The Agriculture (Calf Subsidies) Act 1952.	In section 1(3), the words from "either" to "fifty-one" and the words from "or, if" onwards.





# Statute Law Revision (Scotland) Act 1964

## 1964 CHAPTER 80

An Act to revise the statute law of Scotland by repealing obsolete, spent, unnecessary, or superseded enactments, and to facilitate the citation of statutes.

[31st July 1964]

**B**E IT ENACTED by the Queen'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 Acts of the Parliaments of Scotland specified in Schedule 1 to this Act (which to the extent specified in column 3 of that Schedule are obsolete, spent or unnecessary or have been superseded by other enactments) are hereby repealed to that extent. Repeal of obsolete etc. enactments.

2. Each of the Acts specified in Schedule 2 to this Act may, without prejudice to any other mode of citation, be cited by the short title specified in relation thereto in column 3 of that Schedule. Citation of Acts.

3. The Schedules to this Act are to be read as referring to the Revised Edition of the Acts of the Parliaments of Scotland prepared under the direction of the Statute Law Committee and printed by authority in 1908. Reference of Schedules to 1908 Revised Edition.

4. This Act may be cited as the Statute Law Revision (Scotland) Act 1964. Short Title.

## SCHEDULES

## SCHEDULE 1

## ENACTMENTS REPEALED

Session and Chapter	Title or Subject matter	Extent of Repeal	Citation in 12mo. Edition
1424 c. 12	Of cruifis and yarifis ...	The whole Act ... ..	1424 c. 11
1425 c. 3	Undir quhat lawifis the kingifis lieigifis salbe governyt	The whole Act ... ..	1425 c. 48
1427 c. 8	De causifis mercatorum extra regnum decedencium tractandifis	The whole Act ... ..	1426 c. 88
1429 c. 3	Anent excepcionifis agane the kingifis breifis	The whole Act ... ..	1429 c. 113
1429 c. 20	Of soverte askit be ony of the kingifis leigifis that hes doute of his life	The words from " be his athe " to the end.	1429 c. 129
1469 c. 12	Anent the distrenyng of tenandifis for the lordifis dettifis	The words from " And als the Oure lorde " to the end.	1469 c. 36
1478 c. 6	For observyng of the act anent the cruifis sett in watterifis	The whole Act ... ..	1477 c. 73
1481 c. 14	Memorandum of a delivrance of the lordifis of Counsale anent a revocacione maid be a woman havand conjunctfement eftir hir husbandifis deceifis	The whole Act ... ..	1481 c. 83
1491 c. 6	Of landifis fallin in ward to oure soverane lord or ony uthir baroun	The words from " landifis happinnifis " to " Realme Spirituale or temporale or ", and the words from " and ane Reasonable levin " to the end.	1491 c. 25
1491 c. 7	Of the tennentifis of landifis that fallifis in ward or ar uthir wayis alterit	In the title the words " fallifis in ward or ". In the Act the words " quhene ony landifis fallifis in ward or " and the words " or wed-setting ".	1491 c. 26
1503 c. 21	Of airifis and executourifis persewit for dettifis of thair faderifis or forbearifis	The whole Act ... ..	1503 c. 76
1535 c. 14	The remeid for distructioun of housifis places woddifis forestifis orchardifis yardifis and hanyngifis of landifis fallin in ward	In the title the words " fallin in ward ". In the Act the words from " And that all schireffifis " to " his frenndifis ", the words " wardatourifis of sic landifis ", and the words from " And that the lordifis auditourifis " to the end.	1535 c. 15

SCH. 1

Session and Chapter	Title or Subject matter	Extent of Repeal	Citation in 12mo. Edition
1535 c. 38	Interpretatioun of the lawis tuiching the rychtis of superiouris to the males and dewiteis of the landis of thaim that hes bene yeir and dav at the horne	The whole Act ... ..	1535 c. 32
14th March 1540 c. 10	Ratificatioune of the Institutioune of the college of iustice	The words from " And attour gevis " to " expeditioun of Justice ".	1540 c. 93
1540 c. 22	The panis Imput to wrangous Jugis	The words from " Provvyding alwayis " to the end.	1540 c. 104
1540 c. 23	Provisioun and panis of thame committand fraud in Alienatioun or vthirwyis	The whole Act ... ..	1540 c. 105
1540 c. 41	That na legat be ressaut in this realme	The whole Act ... ..	—
1551 c. 11	Anent thame that maryis twa sindrie wyfis or husbandis levand togiddir undevorsit	The whole Act ... ..	1551 c. 19
1555 c. 12	Anent the maner of the warning of tennentis to flit and remove fra landis mylnis fischingis and possessiounis quhatsumever	The whole Act ... ..	1555 c. 39
1555 c. 16	Anent the ressavng of nulliteis be way of exceptiounis or replis	The whole Act ... ..	1555 c. 42
1555 c. 25	Anent the executioun of the actis maid for stanching of the slaying of wyld foulis and wyld beistis with additioun	The whole Act ... ..	1555 c. 51
1563 c. 3	Ratificatioun of the act of King James IV anent cruvis and fische dammis — with additioun	The whole Act ... ..	1563 c. 68
1563 c. 8	Anent mansis and gleibis	The whole Act ... ..	1563 c. 72
1563 c. 17	Anent the creatioun of notaris	The words " vnder the pane of deid ", the words " examinat and ", the words " and College of Justice ", and the words from " And gif ony " to the end.	1563 c. 79
1567 c. 22	Anent the supplicatioun geuin in be the Lordis of Sessioun for declaratioun in Parliament gif the saidis Lordis of Sessioun be Jugeis to ony infetment or gift grantit or confirmit in Parliament	The whole Act ... ..	1567 c. 18

## SCH. 1

Session and Chapter	Title or Subject matter	Extent of Repeal	Citation in 12mo. Edition
1572 c. 5	The explanation of the act anent manses and gleibis	The whole Act ... ..	1572 c. 48
1572 c. 15	Anent the reparatioun of the Paroche Kirkis	The whole Act ... ..	1572 c. 54
1578 c. 6	The gleibis of the ministerie and redaris Salbe frie of thair teyndis	The whole Act ... ..	1578 c. 62
1578 c. 13	Anent dowbill confirmatioun of fewis kirklandis and Landis haldin Immediatlie of our souerane Lord	The whole Act ... ..	1578 c. 66
1579 c. 8	Dischargeing of mercattis and Labouring on sondayis or playing and drinking in tyme of sermone	In the title the words "and Labouring" and the words "or playing and drinking in tyme of sermone". In the Act from the beginning to the words "sonday Thairfoir" and from the words "nor yit within kirkis" to the end.	1579 c. 70
1579 c. 16	Aganis sic as troublis thair nyctbouris be criminale persute saikles	The words from "of mere malice" to "vpoun thair informatioun", the words from "and summonis assyses" to "ffor remeid quhairof", and the words from "That the saidis vniust persewaris" to "proces of law And".	1579 c. 78
1579 c. 18	Anent the inserting of witnesses in obligatiounis and writtis of importance	The words "twa famous" and the words "four famous".	1579 c. 80
1579 c. 20	Anent prescriptioun in causses of remouing	The whole Act ... ..	1579 c. 82
1579 c. 37	Anent the admissioun of priuie writtingis charges and commandis be the lordis of sessioun	The whole Act ... ..	1579 c. 92
1579 c. 38	Anent the admissioun of the ordiner lordis of the sessioun and Reformatioun of certane abuses	The whole Act ... ..	1579 c. 93
1581 c. 2	Anent prouisioun of ministeris and certane stipendis for thame at all paroche kirkis and appointing of Commissioneris for ordering thairof	In the title the words "and appointing of Commissioneris for ordering thairof".	1581 c. 100
1581 c. 23	Anent deforcementis breking of arreitmentis and alienationis maid	The words "escheit of thair guidis moveabill and" and the words from "Nochtwithstanding the Richt" to the end.	1581 c. 118

SCH. 1

Session and Chapter	Title or Subject matter	Extent of Repeal	Citation in 12mo. Edition
1584 c. 15	Ane act anent the better executioun of decreittis	The words from "of this present parliament" to "consent foirsaid".	1584 c. 139
1584 c. 11	Ane act explanand the act of parliament maid of befor Anent subscribing and seling of wryittis of greit Importance	The whole Act ... ..	1584 c. 4
1585 c. 1	Ane Act aganis the authouris of slaunderous spechis or Writtis	The whole Act ... ..	1585 c. 10
1585 c. 6	Ane Act aganis leaguis and bandis	The whole Act ... ..	1585 c. 12
1587 c. 6	For pvnishment of the committaris of disordouris in the kirk in tyme of divine serouice or forcearis of ministeris in thair office and functioun	The whole Act ... ..	1587 c. 27
1587 c. 37	Aganis extraordinier impositionis layed vpoun victuallis	The words "vnder the pane of" and the words from "and thay forder to be punist" to the end.	1587 c. 54
1587 c. 43	Aganis slayeris of deir and vtheris wyld beastis	The whole Act ... ..	1587 c. 59
1587 c. 54	For the help and augmentation of the kingis Maiesties rentis in his thesaurarie and casualities	Section 8, and in section 10 the words from "That the thesaurair" to "agree and".	1587 c. 75 c. 77
1592 c. 9	Anent depositions of vnqualifet personis frome thair functionis and Beneficis	The words "ather pronuncit already or" and the words "prouydit sen his hienes coronatioun".	1592 c. 117
1592 c. 10	Anent Manses and gleibis in cathedrall and abbay kirkis	The whole Act ... ..	1592 c. 118
1592 c. 50	Anent the aige and qualities of the lordis of sessioun	The whole Act ... ..	1592 c. 134
1592 c. 72	Anent deforceing and trubling of the kingis officiaris of armes	From the beginning to the words "ryplie aduysit," and from the words "deforcearis and persewaris" to the words "purchest Quhilkis".	1592 c. 152
1592 c. 75	Anent the taxatioun of burrowis	The whole Act ... ..	1592 c. 155
1593 c. 8	Anent the ministeris gleibis	The whole Act ... ..	1593 c. 165
1593 c. 9	Act for relief of ministeris that ar trublit be pensionaris or taxmen	The whole Act ... ..	1593 c. 166
1593 c. 12	Act that na particuler act of parliament sall preiuge the ministeris in thair levingis	The whole Act ... ..	1593 c. 169

## SCH. 1

Session and Chapter	Title or Subject matter	Extent of Repeal	Citation in 12mo. Edition
1593 c. 22	Act for pvnement of thame that trublis the parliament sessioun and vther Jugementis	The whole Act ... ..	1593 c. 177
1593 c. 25	That the wreittar insert his name in the body of the wreitt	The whole Act ... ..	1593 c. 179
1593 c. 34	Act for the better executioun of decreittis and actis in burrowis	In the title the words "in burrowis". In the Act the words from "ITEM" to "THAIR-FOIR", the word "all", the words from "gevin be provest" to "Jurisdiction", and the words from "lyk as" to "preceptis".	1593 c. 181
1593 c. 39	Anent the commoun gude of burrowis	The whole Act ... ..	1593 c. 185
1594 c. 8	For the better observing of the sabboth day	The whole Act ... ..	1594 c. 201
1594 c. 9	For relief of thame quhais landis ar or sall be designit for manses and gleibis To ministeris	The whole Act ... ..	1594 c. 202
1594 c. 22	Anent the declyning of the senatouris off the college of iustice quha ar father brother or sone to the pairties	The words "ordiner or extraordinar".	1594 c. 212
1594 c. 26	Anent the bying of landis and possessionis dependand in pley be Jugeis or memberis of courtis	The words "ordiner or extraordinar".	1594 c. 220
1594 c. 35	Anent the priuilegis of burrowis	The whole Act ... ..	1594 c. 225
1594 c. 36	Anent the vphalding of decayed landis within burgh	The whole Act ... ..	1594 c. 226
1597 c. 40	The panis of Law burroues Suld be payit be him quha for his disobedience is denunceit Rebell The cautioner may be Perseuit or the Principall	In the title the words "be him quha for his disobedience is denunceit Rebell", and in the Act the words "passe to the horne and".	1597 c. 273
1597 c. 41	The Paine of the generall band is deuidit betuix the king and the Pairtie	The whole Act ... ..	1597 c. 274
1600 c. 22	Anent hornyngis ...	The word "relaxationis" and the words "and Interdictionis".	1600 c. 13
1600 c. 29	Anent the mariage of adulterous personis	The whole Act ... ..	1600 c. 20
1600 c. 30	Registeris of the schireclerkis to be markit be the Clerk of Register and his depputtis and thair extractis to be markit be thame selfis	The whole Act ... ..	1600 c. 21
1606 c. 6	Anent gleibis in pasturage and sowmes grass	The whole Act ... ..	1606 c. 7



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Session and Chapter	Title or Subject matter	Extent of Repeal	Citation in 12mo. Edition
1606 c. 9	Act Anent directing of Lettres of hornying on schireffis stewartis and baillies decreittis	The whole Act ... ..	1606 c. 10
1606 c. 12	Anent laying of lynt in Lochis	The whole Act ... ..	1606 c. 13
1606 c. 16	Act for staying of all vnlauchfull conventionis within burgh and for assisting of the magistrattis in the executioun of thair offices	The whole Act ... ..	1606 c. 17
1607 c. 6	Act Anent woddis parkis planting dowcattis et cetera	The words from "Considering" to "saidis Estaittis", the words from "shall be fundin" to "brakis dowcattis", the word "ather", the words "the privie counsall or", the word "vther", the words "at the optioun of the pairtie complenar", and the words from "And the secrete counsall" to the end.	1607 c. 3
1609 c. 22	Act ordenning Letteris of hornying to be direct vpoun admirallis decreittis	The whole Act ... ..	1609 c. 15
1612 c. 7	Ane Act allowing hornying vpon ane sympill charge of fyftene dayes to be direct vpoun Commisars decretis	The whole Act ... ..	1612 c. 7
1617 c. 3	Anent the plantatioun of kirkis	The whole Act ... ..	1617 c. 3
1617 c. 6	Anent furnesing of Necessaris for Ministratioune of the Sacramentis	The whole Act ... ..	1617 c. 6
1617 c. 15	Anent the Escheat of lyfrent takis	The whole Act ... ..	1617 c. 15
1621 c. 5	Anent the Plantatioun of kirkis As yit Vnplantit	The whole Act ... ..	1621 c. 5
1621 c. 10	Act declairing summes Grasse gevin to the Ministeris for thair gleibis to be teyndfrie	The whole Act ... ..	1621 c. 10
1621 c. 18	A ratificatioun of the act of the lordis of counsell and Sessioun made in Julij 1620 aganis vnlauchfull dispositiounes and alienationis made be dyvoures and banckruptis	The words from "FINALLIE THE LORDIS" to the end.	1621 c. 18
1621 c. 22	Anent Counterfuteing And making of fals Wreatis	The whole Act ... ..	1621 c. 22
1621 c. 31	Anent hunting and hauling	The whole Act ... ..	1621 c. 31

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Session and Chapter	Title or Subject matter	Extent of Repeal	Citation in 12mo. Edition
1633 c. 6	Against the inverting of pious donations	The whole Act ... ..	1633 c. 6
1633 c. 7	Anent invading of ministers	The whole Act ... ..	1633 c. 7
1633 c. 8	Ratificatioun of the act of commissioun anent the ministers provis-iounes	The whole Act ... ..	1633 c. 8
1633 c. 15	Anent his Majesties ann-witie of Teinds	The whole Act ... ..	1633 c. 15
1633 c. 17	Anent the Rate and pryce of Teinds	The whole Act ... ..	1633 c. 17
1633 c. 19	Commissioun for valuatione of teinds not Valued rectifieing of the valuationes of the same alreadie maid And other particulars thairin contenit	The whole Act ... ..	1633 c. 19
1661 c. 12	Act anent his Majesties prerogative in making of Leagues and the Convention of the Subjects	The whole Act ... ..	1661 c. 4
1661 c. 67	Commission for Plantation of Kirks and valuation of Teinds	The whole Act ... ..	1661 c. 61
1661 c. 211	Act anent the precedencie of the President of the Session the Lord Register the Lord Advocat and Thesaurer Deput	In the title the words "and Thesaurer Deput". In the Act the words from "Having at lenth heard" to "And accordingly", the words "above-mentioned Hes in reasone had And", and the words "and the Thesaurer Deput the last".	—
1661 c. 215	Act against curseing and beating of Parents	The whole Act ... ..	1661 c. 20
1661 c. 218	Act anent execution of poinding to follow vpon Shirreffs Commissers and other inferior Judges decreits	In the title the words "Shirreffs Commissers and other". In the Act the words from "Considering" to "preiudice forsaid", the words "the said Shirreffs Commissers and other", the words "contained in the said act", and the words "by the said act".	1661 c. 29
1661 c. 239	Act appointing the pursuer of the thief to have the goods stollen from him restored	The whole Act ... ..	1661 c. 26
1661 c. 244	Act concerning heretable and moveable Bands	The words from "nor to fall" to the end.	1661 c. 32
1661 c. 246	Act against clandestine and unlawfull Marriages	The whole Act ... ..	1661 c. 34

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Session and Chapter	Title or Subject matter	Extent of Repeal	Citation in 12mo. Edition
1661 c. 281	Act for the due observation of the Sabbath day	The words from "The Kings Maiestie" to "otherwise Thairfor", the words from "salmond fishing going" to "carieing of loads", the words "and all other prophanation thairof whatsoever", the words from "the summe of Tuentie pund" to "the said sume of", and the words from "for everie other" to "justices of peace".	1661 c. 18
1661 c. 283	Act anent Arreistments	The words from "And it is heirby" to "the said date".	1661 c. 51
1661 c. 331	Act in favours of Laik Patrons of Provostries Prebendaries Chaplaries and Altarages	The whole Act ... ..	1661 c. 54
1661 c. 338	Commission and Instructions to the Justices of Peace and Constables	The words from "And if any of the saids persons" to "good and lawfull in themselfis" and the words from "AND at what time" to "against them according to law".	1661 c. 38
1663 c. 12	Act anent ruinous houses in Royall Burghs	The whole Act ... ..	1663 c. 6
1663 c. 31	Act anent Manses and Gleibs and poiding for Ministers stipends	In the title the words "and poiding for Ministers stipends". In the Act the words from "and others" to "their entrie", the words from "whair competent manses" to "fyve hundreth merks And", the words from "Ordaines the heritors of the parochie" to "in maner forsaid", and the words from "In lykmaner" to the end.	1663 c. 21
1663 c. 34	Commission for plantation of Kirks and valuation of Teinds	The whole Act ... ..	1663 c. 28
1669 c. 7	Act for the ordering of Suspensions of the Benefices and Stipends of the Clergy	The whole Act ... ..	1669 c. 6
1669 c. 15	Act concerning Interruptions	The words from "And in caice" to "threescore days".	1669 c. 10
1669 c. 37	Act for repairing High ways and Bridges	The whole Act ... ..	1669 c. 16

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Session and Chapter	Title or Subject matter	Extent of Repeal	Citation in 12mo. Edition
1669 c. 39	Act Anent Adjudications	The whole Act ... ..	1669 c. 18
1672 c. 39	Commission for plantation of Kirks and Valuation of Teinds	The whole Act ... ..	1672 c. 15
1672 c. 40	Act concerning the Regulation of the Judicatories	In the part concerning the SESSION, Article 1, Article 18, Article 25, Article 31, and in Article 32 the words from "as also" to "shires in tyme coming" and the words from "And in the severall shires" to "pairties damage". In the part concerning the JUSTICE COURTS, in Article 10 the words "except in cases of Treason and Rebellion against the King".	1672 c. 16
1681 c. 79	Act concerning Declinators	The words "ordinary or extraordinary" wherever they occur, and the words "the Lords of Privy Council and Exchequer And".	1681 c. 13
1681 c. 82	Act concerning the Jurisdiction of the Admiral Court	The whole Act ... ..	1681 c. 16
1681 c. 108	Act for rectification of valuations of the Shires and declaring Coal and Salt not to bear any part of the supplie	The whole Act ... ..	—
1685 c. 14	Act explaining the nyinth act of the Parliament 1669 concerning Prescriptions	The words "that at making of", the words from "the cases" to "Therfor His Majesty", and the words from "all such actions" to "that time and" (where first occurring).	1685 c. 14
1685 c. 15	Act explaining the tenth act of the Parliament 1669 anent Interruptions	The whole Act ... ..	1685 c. 15
1685 c. 35	Act and Commission for Plantation of Kirks and Valuation of Tiends	The whole Act ... ..	1685 c. 28
1685 c. 40	Act anent Messengers Fees	The whole Act ... ..	1685 c. 35
1685 c. 56	Act in favours of the Inhabitants of Orkney and Zetland	The whole Act ... ..	1685 c. 43
1686 c. 29	Act for writinge Sasines be way of book	The whole Act ... ..	1686 c. 17
1686 c. 30	Act appoynting the Publication of the testimonies of witnesses	The words from "And that ther" to the end.	1686 c. 18
1686 c. 33	Act anent the Registration of Sasines and Reversions	The whole Act ... ..	1686 c. 19

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Session and Chapter	Title or Subject matter	Extent of Repeal	Citation in 12mo. Edition
1686 c. 34	Act and Commission for plantation of Kirks and Valuation of Teynds	The whole Act ... ..	1686 c. 22
1690 c. 16	Act Dischargeing Generall Letters of Horning	The whole Act ... ..	1690 c. 13
1690 c. 53	Act concerning Patronages	The whole Act ... ..	1690 c. 23
1690 c. 63	Act and Commission for Plantation of Kirks and Valuation of Teinds	The words from "Forasmuch as" to "gospel Therefore", the words from "and to the Earles" to "Parliament 1633", the words from "with power also" to "sold or bought", the words from "And to appoint" to "Commissioners abovespefeit", the words from "And it is alwayes" to "Commissione for the tyme", and the words from "And their Majesties" to the end.	1690 c. 30
1693 c. 23	Act concerning the Registers of Sasines Reversions &c.	The words from "All under the pain" to the end.	1693 c. 14
1693 c. 38	Act for Settling the Quiet and Peace of the Church	The words from "having first taken" to "thereanent Do also".	1693 c. 22
1693 c. 39	Act Renewing the Commission for Plantation of Kirks and Valuation of Teinds	The whole Act ... ..	1693 c. 23
1693 c. 40	Act anent the Term of Whitsunday	The words from "for further" to "current Parliament" and the words "was since the date of the forsaid Act and".	1693 c. 24
1693 c. 41	Act anent Parsonages ...	The whole Act ... ..	1693 c. 25
1693 c. 45	Act anent the Common Good of Royall Burrowes	The whole Act ... ..	1693 c. 28
1693 c. 51	Act and Ratification anent the Communication of Trade to Burghs of Barony and Regality	The whole Act ... ..	1693 c. 30
1695 c. 6	Act anent the Justice Court	The whole Act ... ..	1695 c. 4
1695 c. 35	Act against Intruding into Churches without a Legal Call and Admission thereto	The whole Act ... ..	1695 c. 22
1695 c. 51	Act concerning the Church	The whole Act ... ..	1695 c. 27

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Session and Chapter	Title or Subject matter	Extent of Repeal	Citation in 12mo. Edition
1695 c. 54	Act for Preservation of Meadows Lands and Pasturages lying adjacent to sand hills	The words from "and particularly" to "Bent and Juniper" and the words from "the one halfe" to the end.	1695 c. 30
1695 c. 71	Act anent Letters passing the Signet	The whole Act ... ..	1695 c. 40
1696 c. 5	Act for Declaring nottour Bankrupt	The words from "under diligence" to "insolvent shall", the words from "and repute" to "forcible defending", the words from "and that from the time" to "Parliament Declares," and the words from "And lastly" to the end.	1696 c. 5
1696 c. 14	Act in favours of Universities Schools and Hospitals	The whole Act ... ..	1696 c. 14
1696 c. 18	Act anent Registration of Seasins and other writts and diligences	The whole Act ... ..	1696 c. 18
1698 c. 2	Act for preventing of disorders in the Supplying and Planting of vacant Churches	The whole Act ... ..	1698 c. 2
1698 c. 3	Act against Pocknet fishing upon the Water of Forth	The whole Act ... ..	1698 c. 3
1698 c. 6	Act against Clandestine and Irregular Marriages	The whole Act ... ..	1698 c. 6
1698 c. 11	Act for the Ease of small Vassalls of Bishops Lands now holden of the King	The whole Act ... ..	1698 c. 11
1698 c. 35	Act for preserving of Planting	The whole Act ... ..	1698 c. 16
1698 c. 39	Act for settleing the Communication of Trade	The whole Act ... ..	1698 c. 20
1700 c. 6	Act for preventing wrongous Imprisonments and against undue delays in Tryals	The words from "and the Judge or Officiar" to "hereafter exprest", the words "under the pain of wrongous imprisonment", the words "under the penaltyforsaid", the words from "under the penalty of wrongous imprisonment" (where first occurring) to "making of this Act", the words from "under the penalty of wrongous imprisonment" (where second occurring) to "forsaid crime or offence", the words "Lords of his Majesties	1701 c. 6

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Session and Chapter	Title or Subject matter	Extent of Repeal	Citation in 12mo. Edition
1706 c. 6	Act for Securing the Protestant Religion and Presbyterian Church Government	<p>Privy Council or " (where first occurring), the words from " Declaring that the liberation " to " after tryal by sentence ", the words from " under the pains " to " all public trust ", and the words from " And it is hereby " to the end.</p> <p>The words from " And that in all time comeing no Professors " to " may be thereto provided ".</p>	1707 c. 6
1706 c. 7	Act Ratifying and Approving the Treaty of Union of the Two Kingdoms of SCOTLAND and ENGLAND	<p>In Article VI the words from " excepting and reserving " to the end of the Article.</p> <p>In Article VII the words from " excepting only " to the end of the Article.</p> <p>Article IX.</p> <p>In Article XIX the words from " And that all Admiralty Jurisdictions " to " proper to be made by the Parliament of Great Britain ", and the words from " And that there be a Court of Exchequer " to the end of the Article.</p> <p>Article XXII.</p> <p>In the Tenor of the Act for securing the Protestant Religion and Presbyterian Church Government the words from " And that in all time comeing no Professors " to " may be thereto provided ".</p>	1707 c. 7
1706 c. 8	Act settling the manner of Electing the Sixteen Peers and Forty Five Commoners to Represent Scotland in the Parliament of Great Britain	<p>In the title the words from " manner " to " Forty Five ".</p> <p>The remainder of the Act, except the words from " It is always " to the end.</p>	1707 c. 8
1706 c. 10	Act anent Plantation of Kirks and Valuation of Teinds	The whole Act ... ..	1707 c. 9
1706 c. 91	Act for preserving the Game	The whole Act ... ..	1707 c. 13

## SCHEDULE 2

## SHORT TITLES

Session and Chapter	Title or Subject matter	Short Title	Citation in 12mo. Edition
1424 c. 13	Of mynis of golde and silver	The Royal Mines Act 1424	1424 c. 12
1424 c. 25	Of hostilaris in burowis townis and thruchfaris	The Innkeepers Act 1424	1424 c. 24
1429 c. 20	Of soverte askit be ony of the kingis liegis that hes doute of his life	The Lawburrows Act 1429	1429 c. 129
1449 c. 6	Of takis of landis for termes	The Leases Act 1449 ...	1449 c. 18
1469 c. 3	Tuiching the new Inventionis of selling of landis be chartir and sesing and takin again of reversionis	The Reversion Act 1469	1469 c. 27
1469 c. 4	Anent the prescriptioun of obligationis nocht folowit within the space of twenty yeris	The Prescription Act 1469	1469 c. 28
1469 c. 12	Anent the distreyning of tenandis for the lordis dettis	The Diligence Act 1469...	1469 c. 36
1474 c. 6	Anent the breif of tutorie	The Tutors Act 1474 ...	1474 c. 51
1474 c. 9	Anentis the Act of prescripcione of obligationis	The Prescription Act 1474	1474 c. 54
1487 c. 17	That certane commissionaris of borrowis convene in ilk yere	The Royal Burghs Act 1487	1487 c. 111
1491 c. 6	Of landis fallin in ward to oure soverane lord or ony uthir baroun	The Liferent Caution Act 1491	1491 c. 25
1491 c. 7	Of the tennentis of landis that ar uthir wayis alterit	The Leases Act 1491 ...	1491 c. 26
1491 c. 19	Of the commoun gud of all burrowis	The Common Good Act 1491	1491 c. 36
1503 c. 9	Anent recent spulye ...	The Spuilzie Act 1503 ...	1503 c. 65
1503 c. 45	Anent the distreynyeing of oxin hors or othir gudis pertening to the pleucht	The Diligence Act 1503	1503 c. 98
1532 c. 2	Concerning the ordour of Justice and the institution of ane college of cunning and wise men for the administracioun of Justice	The College of Justice Act 1532	1537 cc. 36-41
1535 c. 14	The remeid for destructione of housis places woddis forestis orchartis yardis and hanyngis of landis	The Liferent Caution Act 1535	1535 c. 15
3rd Dec. 1540 c. 10	The ordour of summoning of all personis In ciuil actiounes	The Citation Act 1540 ...	1540 c. 75
14th March 1540 c. 10	Ratificatioun of the Institutione of the college of iustice	The College of Justice Act 1540	1540 c. 93



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Session and Chapter	Title or Subject matter	Short Title	Citation in 12mo. Edition
1540 c. 22	The panis Imput to wrangous Jugis	The Judges Act 1540 ...	1540 c. 104
1540 c. 37	That na faith be gevin to euidentis selit without subscripcioun be the principale or notare	The Subscription of Deeds Act 1540	1540 c. 117
1555 c. 3	Anent warning fra redevit landis and the pane for non removing	The Lands Redemption Act 1555	1555 c. 30
1555 c. 6	The ordour for summoning of parteis to compeir befor the Justice or uthers jugeis	The Citation Act 1555 ...	1555 c. 33
1560 c. 1	The Confessioun of fayth professed and beleued be the protestantis within the Realme of scotland publischeit be thame in parliament and be the estaitis thair of ratifeit and apprevit as hailsome and sound doctrine groundit vpone the infallibill trowth of godis word	The Confession of Faith Ratification Act 1560	—
1560 c. 2	Concerning the jurisdiction and autoritie of the bischope of Rome callit the Paip	The Papal Jurisdiction Act 1560	—
1563 c. 17	Anent the creatioun of notaris	The Notaries Act 1563 ...	1563 c. 79
1567 c. 8	Anent the Kingis aith to be geuin at his Coronatioun	The Coronation Oath Act 1567	1567 c. 8
1567 c. 12	Anent the iurisdiction of the kirk	The Church Jurisdiction Act 1567	—
1567 c. 15	Anent thame that committis incest	The Incest Act 1567 ...	1567 c. 14
1567 c. 16	Anent lauchfull marriage of the awin blude in degreis not forbiddin be Goddis worde	The Marriage Act 1567	1567 c. 15
1578 c. 11	The Ratificioun of the preuilegis of burrowis with additioun	The Burghs Act 1578 ...	1578 c. 64
1579 c. 6	Anent the trew and haly kirk and of thame declarit not to be of the same	The Church Act 1579 ...	1579 c. 68
1579 c. 7	Anent the iurisdiction of the kirk	The Church Jurisdiction Act 1579	1579 c. 69
1579 c. 8	Dischargeing of mercattis on sondayis	The Sunday Act 1579 ...	1579 c. 70
1579 c. 13	For pwnishment of persons that contempnandlie remanis rebellis and at the horne	The Registration Act 1579	1579 c. 75
1579 c. 16	Aganis sic as troublis thair nychtbouris be criminale persute saikles	The Criminal Letters Act 1579	1579 c. 78
1579 c. 18	Anent the inserting of witnesses in obligatiounis and writtis of importance	The Subscription of Deeds Act 1579	1579 c. 80

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Session and Chapter	Title or Subject matter	Short Title	Citation in 12mo. Edition
1579 c. 19	Anent prescriptioun in causes of spylie and eiectionis	The Prescription (Ejections) Act 1579	1579 c. 81
1579 c. 21	Anent prescriptioun in certane causes of debt	The Prescription Act 1579	1579 c. 83
1579 c. 45	Declaratioun Anent the preving of lettres of hornyng and executionis thair of be witnesses	The Hornings Act 1579...	1579 c. 94
1581 c. 2	Anent prouisioun of ministeris and certane stipendis for thame at all parochie kirkis	The Stipends Act 1581 ...	1581 c. 100
1581 c. 22	Additioun to the act of Lawborrowis	The Lawburrows Act 1581	1581 c. 117
1581 c. 23	Anent deforcementis breking of arrestmentis and alienationis maid in defraud of creditouris	The Breach of Arrestment Act 1581	1581 c. 118
1581 c. 26	Anent the conuentioun of burrowis	The Convention of Burghs Act 1581	1581 c. 119
1584 c. 2	Ane act confirming the kingis maiesties Royall power over all statis and subiectis within this Realme	The Sovereignty Act 1584	1584 c. 129
1584 c. 4	Ane act dischargeing all Jurisdictionis and Jugementis not approuit be Parliament and all assembleis and conventionis without our souerane lordis speciall licence and Commandement	The Unlawful Jurisdictions Act 1584	1584 c. 131
1584 c. 6	That ministeris sall not be Jugeis nor exerce ony vther ordinar office that may abstract thame fra thair office	The Disqualification of Ministers Act 1584	1584 c. 133
1584 c. 15	Ane act anent the better execution of decreittis	The Execution of Decrees Act 1584	1584 c. 139
1584 c. 10	Anent decreittis gevin vpoun dowbill poinding or horning	The Decrees in Absence Act 1584	1584 c. 3
1585 c. 25	Declaratioun of the lord Hamiltoun To be curatour to the erle of arrane his brother	The Curators Act 1585	1585 c. 18
1587 c. 30	For reformatioun of the extraordinar nowmer and monyfauld abuses of officiaris of Armes	The Officers of Arms Act 1587	1587 c. 46
1587 c. 37	Aganis extraordinar impositionis layed vpoun victuallis	The Tolls Act 1587 ...	1587 c. 54
1587 c. 54	For the help and augmentatioun of the kingis Maiesties rentis in his thesaurarie and casualties	The Jurors Act 1587 ...	1587 c. 75, c. 77

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Session and Chapter	Title or Subject matter	Short Title	Citation in 12mo. Edition
1587 c. 57	For the furtherance and furthsetting of the criminall justice ower all the Realme	The Criminal Justice Act 1587	1587 c. 91, c. 92
1587 c. 114	Act inhibiting the burrows to sell or dispone thair fredomes without consent of the estates in parliament	The Burghs Act 1587 ...	1587 c. 113
1592 c. 8	Act for abolisheing of the actis contrair the trew religioun	The General Assembly Act 1592	1592 c. 116
1592 c. 9	Anent depositioun of vnqualifiet personis frome thair functionis and Beneficis	The Deposition of Ministers Act 1592	1592 c. 117
1592 c. 29	Concerning the office of lyoun king of armes and his brether heraldis	The Lyon King of Arms Act 1592	1592 c. 127
1592 c. 31	For furthering of the kingis commoditie be the Mynes and metallis	The Mines and Metals Act 1592	—
1592 c. 59	That the Copies of lettres or chargis be subscriyvit be the executor thair of	The Citation Act 1592 ...	1592 c. 141
1592 c. 61	That Compensatioun de liquido ad liquidum be admittit in all Jugementis	The Compensation Act 1592	1592 c. 143
1592 c. 62	Anent damage and expenses of pley	The Expenses Act 1592	1592 c. 144
1592 c. 72	Anent deforceing and trubling of the kingis officiaris of armes	The Deforcement Act 1592	1592 c. 152
1593 c. 34	Act for the better execution of decreittis and actis	The Hornings Act 1593...	1593 c. 181
1594 c. 22	Anent the declyning of the senatouris off the college of justice quha ar father brother or sone to the pairties	The Declinature Act 1594	1594 c. 212
1594 c. 24	That nane salbe compellit to produce procuratories or instrumentis of resignatioun preceptis of clare constat or vther preceptis of sesing of landis or annuelrentis possessit be thame befor the space of fourtie yeiris	The Prescription Act 1594	1594 c. 218
1594 c. 26	Anent the bying of landis and possessionis dependand in pley be Jugeis or memberis of courtis	The Land Purchase Act 1594	1594 c. 220
1594 c. 27	That cautioun be found in actionis of eiection	The Ejection Caution Act 1594	1594 c. 217
1594 c. 30	For pvnishment of parricide	The Parricide Act 1594	1594 c. 224

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Session and Chapter	Title or Subject matter	Short Title	Citation in 12mo. Edition
1597 c. 3	Kirkyard dylkis suld be biggit	The Kirk Dykes Act 1597	1597 c. 232
1597 c. 17	All fewis may be decernit null ffor nocht payment of the dewtie albeit na provisioun be maid thairanent in the infestment	The Feu-duty Act 1597	1597 c. 250
1597 c. 40	The panis of Law burroues Suld be payit . . The cautioner may be Perseuit or the Principall	The Lawburrows Act 1597	1597 c. 273
1600 c. 22	Anent hornyngis ...	The Hornings Act 1600...	1600 c. 13
1600 c. 23	The negligencie of the kingis officiaris may be supplyit be thair successouris	The Crown Proceedings Act 1600	1600 c. 14
1606 c. 1	Act anent the kingis maiesteis prerogatiue	The Sovereignty Act 1606	1606 c. 1
1607 c. 6	Act Anent woddis parkis planting dowcattis et cetera	The Theft Act 1607 ...	1607 c. 3
1607 c. 13	Act in fauouris of the frie burrowis Regal aganis vnfremen	The Convention of Burghs Act 1607	1607 c. 6
1617 c. 12	Anent prescriptioun of heretable Rightis	The Prescription Act 1617	1617 c. 12
1617 c. 13	Anent reduction of Retouris and summondis of Errour	The Reduction Act 1617	1617 c. 13
1617 c. 14	Anent Exequutores ...	The Executors Act 1617	1617 c. 14
1617 c. 16	Anent the Registratioun of reuersiones Seasingis and vtheris writis	The Registration Act 1617	1617 c. 16
1617 c. 17	Anent the Lowsing of Arrestmentis	The Arrestments Act 1617	1617 c. 17
1617 c. 19	Anent Dowcattis ...	The Dovecotes Act 1617	1617 c. 19
1621 c. 6	Act anent Comprysingis	The Diligence Act 1621	1621 c. 6
1621 c. 7	Anent adjudicatiounes ...	The Adjudication Act 1621	1621 c. 7
1621 c. 18	A ratificatioun of the act of the lordis of counsell and Sessioun made in Julij 1620 aganis vnauchfull dispositiones and alienationis made be dyvoures and bankruptis	The Bankruptcy Act 1621	1621 c. 18
1621 c. 20	Act ordaning annuelrent to be dew efter Horning	The Hornings Act 1621...	1621 c. 20
1633 c. 3	Anent his Majesties royall prerogative and Apparell of kirkmen	The Sovereignty Act 1633	1633 c. 3
1661 c. 6	Act anent the Kingis Majesties prerogative in choiseing and appointing of the Officers of State, Lords of Privy Council and Session	The Crown Appointments Act 1661	1661 c. 2

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1661 c. 7	Act anent his Maiesties Prerogative in calling and dissolving of Parliamentis and making of Lawis	The Parliament Act 1661	1661 c. 3
1661 c. 13	Act anent his Maiesties Prerogative in the Militia and in making of Peace and War or treaties and leagues with forraine Princes or Estates	The Prerogative Act 1661	1661 c. 5
1661 c. 47	Act allowing Messingers of Armes to execute Summons of Treason	The Messengers of Arms Act 1661	—
1661 c. 211	Act anent the precedencie of the President of the Session the Lord Register the Lord Advocat	The Precedence Act 1661	—
1661 c. 218	Act anent execution of poinding to follow vpon inferior Judges decreits	The Poinding Act 1661 ...	1661 c. 29
1661 c. 243	Act concerning the Registration of Comprisings	The Registration Act 1661	1661 c. 31
1661 c. 244	Act concerning heretable and moveable Bands	The Bonds Act 1661 ...	1661 c. 32
1661 c. 247	Act anent the redemption of the fee of Lands granted under reversion from the aires and assignays of the fiars	The Redemptions Act 1661	—
1661 c. 281	Act for the due observation of the Sabbath day	The Sunday Act 1661 ...	1661 c. 18
1661 c. 283	Act anent Arrestments	The Arrestments Act 1661	1661 c. 51
1661 c. 284	Act for planting and inclosing of ground	The March Dykes Act 1661	1661 c. 41
1661 c. 338	Commission and Instructions to the Justices of Peace and Constables	The Justices of the Peace Act 1661	1661 c. 38
1661 c. 344	Act for ordering the payment of Debts betuixt Creditor and Debitor	The Diligence Act 1661	1661 c. 62
1663 c. 4	Act in favours of Minors anent the dueties of the lands comprised from them.	The Minority Act 1663 ...	1663 c. 10
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1669 c. 5	Act concerning poinding befor the days of the charge expyre	The Poinding Act 1669 ...	1669 c. 4
1669 c. 14	Act concerning Prescriptions	The Prescription Act 1669	1669 c. 9
1669 c. 15	Act concerning Interruptions	The Interruptions Act 1669	1669 c. 10
1669 c. 38	Act anent inclosing of Ground	The March Dykes Act 1669	1669 c. 17

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1669 c. 95	Ratification in favours of the Lord Lyon King at armes &c.	The Lyon King of Arms Act 1669	—
1672 c. 2	Act Concerning Pupils and Minors and their Tutors and Curators	The Tutors and Curators Act 1672	1672 c. 2
1672 c. 6	Act Discharging Second Summonds &c.	The Summons Execution Act 1672	1672 c. 6
1672 c. 16	Act concerning writs passing the great and privie Sealls	The Writs Act 1672 ...	1672 c. 7
1672 c. 24	Act for the Ann due to the Executors of Ministers	The Ann Act 1672 ...	1672 c. 13
1672 c. 40	Act concerning the Regulation of the Judicatories	The Courts Act 1672 ...	1672 c. 16
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1672 c. 47	Act concerning the privileges of the Office of Lyon King at Armes	The Lyon King of Arms Act 1672	1672 c. 21
1681 c. 5	Act concerning probative witnesses in writs and Executions	The Subscription of Deeds Act 1681	1681 c. 5
1681 c. 79	Act concerning Declinators	The Declinature Act 1681	1681 c. 13
1681 c. 83	Act concerning the Sale of Bankrupts Lands	The Judicial Sale Act 1681	1681 c. 17
1681 c. 85	Act concerning the Oaths of Minors	The Oaths of Minors Act 1681	1681 c. 19
1681 c. 86	Act concerning Bills of Exchange	The Bills of Exchange Act 1681	1681 c. 20
1685 c. 14	Act explaining the nynth act of the Parliament 1669 concerning Prescriptions	The Prescription Act 1685	1685 c. 14
1686 c. 4	Act ordaining Interlocutors to be subscribed by the Judges	The Interlocutors Act 1686	1686 c. 3
1686 c. 5	Act ordaining all executions to be subscribed by the witnesses without necessity of stamping	The Citation Act 1686 ...	1686 c. 4
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1686 c. 30	Act appoynting the Publication of the testimonies of witnesses	The Evidence Act 1686...	1686 c. 18
1689 c. 28	The Declaration of the Estates of the Kingdom of Scotland containing the Claim of Right and the offer of the Croune to the King and Queen of England	The Claim of Right ...	1689 c. 13
1689 c. 4 1690 c. 7	Act abolishing Prelacie Act Ratifying the Confession of Faith and settling Presbyterian Church Government	The Prelacy Act 1689 ... The Confession of Faith Ratification Act 1690	1689 c. 3 1690 c. 5

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Session and Chapter	Title or Subject matter	Short Title	Citation in 12mo. Edition
1690 c. 49	Act anent the sale of Bankrupts Lands	The Judicial Sale Act 1690	1690 c. 20
1690 c. 56	Act anent the Confirmation of Testaments	The Confirmation Act 1690	1690 c. 26
1690 c. 61	Act in favours of the small vassalls of Kirklands who now hold of their Majesties	The Udal Tenure Act 1690	1690 c. 32
1690 c. 63	Act and Commission for Plantation of Kirks and Valuation of Teinds	The Teinds Act 1690 ...	1690 c. 30
1693 c. 21	Act concerning Citations to the first and second Dyets	The Citation Act 1693 ...	1693 c. 12
1693 c. 22	Act concerning the preference of Real Rights	The Real Rights Act 1693	1693 c. 13
1693 c. 23	Act concerning the Registers of Sasines Reversions &c.	The Register of Sasines Act 1693	1693 c. 14
1693 c. 24	Act for Summar Registrations and Discharging Transferrings active	The Registration Act 1693	1693 c. 15
1693 c. 31	Act anent the Signing of Interlocutors immediately after Voting	The Interlocutors Act 1693	1693 c. 18
1693 c. 38	Act for Settling the Quiet and Peace of the Church	The Ministers Act 1693...	1693 c. 22
1693 c. 40	Act anent the Term of Whitsunday	The Removings Act 1693	1693 c. 24
1693 c. 42	Act anent the Lords of Session their Advising with open doors	The Court of Session Act 1693	1693 c. 26
1693 c. 43	Act anent Advising Criminal Processes with open doors	The Criminal Procedure Act 1693	1693 c. 27
1695 c. 7	Act anent Principals and Cautioners	The Cautioners Act 1695	1695 c. 5
1695 c. 8	Act Regulating the Sale and Payment of Bankrupts Estates	The Judicial Sale Act 1695	1695 c. 6
1695 c. 36	Act anent Lands lying Run-rig	The Runrig Lands Act 1695	1695 c. 23
1695 c. 54	Act for Preservation of Meadows Lands and Pasturages lying adjacent to sand hills	The Soil Preservation Act 1695	1695 c. 30
1695 c. 69	Act concerning the Dividing of Commonties	The Division of Commonties Act 1695	1695 c. 38
1695 c. 72	Act anent Executry and Moveables	The Confirmation Act 1695	1695 c. 41
1696 c. 5	Act for Declaring nottour Bankrupt	The Bankruptcy Act 1696	1696 c. 5
1696 c. 8	Act anent the Nomination of Tutors and Curators	The Tutors and Curators Act 1696	1696 c. 8
1696 c. 9	Act of Prescription anent Tutors and Curators accompts	The Prescription Act 1696	1696 c. 9
1696 c. 15	Act allowing Securities &c. to be written book ways	The Deeds Act 1696 ...	1696 c. 15

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Session and Chapter	Title or Subject matter	Short Title	Citation in 12mo. Edition
1696 c. 19	Act for Registrating of Summonds that shall be made use of for Interruptions	The Interruptions Act 1696	1696 c. 19
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1696 c. 25	Act anent Blank Bonds and Trusts	The Blank Bonds and Trusts Act 1696	1696 c. 25
1696 c. 35	Act against Killers of Black Fish and Destroyers of the Fry and Smolts of Salmond	The Salmon Act 1696 ...	1696 c. 33
1696 c. 38	Act anent Inland Bills and Precepts	The Inland Bills Act 1696	1696 c. 36
1696 c. 41	Act anent Registration of Writts after the Granters decease	The Registration Act 1696	1696 c. 39
1698 c. 4	Act concerning Registration of Probative Writs	The Registration Act 1698	1698 c. 4
1700 c. 6	Act for preventing wrongous Imprisonments and against undue delays in Tryals	The Criminal Procedure Act 1701	1701 c. 6
1705 c. 48	Act for advancing and establishing the Fishing Trade in and about this Kingdom	The Fisheries Act 1705...	1705 c. 2
1706 c. 6	Act for Securing the Protestant Religion and Presbyterian Church Government	The Protestant Religion and Presbyterian Church Act 1707	1707 c. 6
1706 c. 7	Act Ratifying and Approving the Treaty of Union of the Two Kingdoms of SCOTLAND and ENGLAND	The Union with England Act 1707	1707 c. 7
1706 c. 8	Act settling the Commoners to Represent Scotland in the Parliament of Great Britain	The Election Act 1707 ...	1707 c. 8





# Diplomatic Privileges Act 1964

## 1964 CHAPTER 81

An Act to amend the law on diplomatic privileges and immunities by giving effect to the Vienna Convention on Diplomatic Relations; and for purposes connected therewith. [31st July 1964]

**B**E IT ENACTED by the Queen'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 following provisions of this Act shall, with respect Replacement to the matters dealt with therein, have effect in substitution of existing law. for any previous enactment or rule of law.

2.—(1) Subject to section 3 of this Act, the Articles set out Application in Schedule 1 to this Act (being Articles of the Vienna Convention of Vienna on Diplomatic Relations signed in 1961) shall have the Convention. force of law in the United Kingdom and shall for that purpose be construed in accordance with the following provisions of this section.

(2) In those Articles—

“agents of the receiving State” shall be construed as including any constable and any person exercising a power of entry to any premises under any enactment (including any enactment of the Parliament of Northern Ireland);

“national of the receiving State” shall be construed as meaning citizen of the United Kingdom and Colonies;

“Ministry for Foreign Affairs or such other ministry as may be agreed” shall be construed as meaning the department of the Secretary of State concerned ;

and, in the application of those Articles to Scotland, any reference to attachment or execution shall be construed as a reference to the execution of diligence, and any reference to the execution of a judgment as a reference to the enforcement of a decree by diligence.

(3) For the purposes of Article 32 a waiver by the head of the mission of any State or any person for the time being performing his functions shall be deemed to be a waiver by that State.

(4) The exemption granted by Article 33 with respect to any services shall be deemed to except those services from any class of employment which is insurable employment, or in respect of which contributions are required to be paid, under the National Insurance (Industrial Injuries) Acts 1946 to 1964, the National Insurance Acts 1946 to 1964, any enactment for the time being in force amending any of those Acts, or any corresponding enactment of the Parliament of Northern Ireland, but not so as to render any person liable to any contribution which he would not be required to pay if those services were not so excepted.

(5) Articles 35, 36 and 40 shall be construed as granting any privilege or immunity which they require to be granted.

(6) The references in Articles 37 and 38 to the extent to which any privileges and immunities are admitted by the receiving State and to additional privileges and immunities that may be granted by the receiving State shall be construed as referring respectively to the extent to which any privileges and immunities may be specified by Her Majesty by Order in Council and to any additional privileges and immunities that may be so specified.

Restriction of  
privileges and  
immunities.

3.—(1) If it appears to Her Majesty that the privileges and immunities accorded to a mission of Her Majesty in the territory of any State, or to persons connected with that mission, are less than those conferred by this Act on the mission of that State or on persons connected with that mission, Her Majesty may by an Order in Council withdraw such of the privileges and immunities so conferred from the mission of that State or from such persons connected with it as appears to Her Majesty to be proper.

(2) An Order in Council under this section shall be disregarded for the purposes of paragraph (a) of the proviso to section 4 of the British Nationality Act 1948 (citizenship of children of certain persons possessing diplomatic immunity).

11 & 12 Geo.  
6. c. 56.

4. If in any proceedings any question arises whether or not any person is entitled to any privilege or immunity under this Act a certificate issued by or under the authority of the Secretary of State stating any fact relating to that question shall be conclusive evidence of that fact. Evidence.

5.—(1) In section 14(1) of the Aliens Restriction (Amendment) Act 1919 (saving for diplomatic persons) for the words “head of a foreign diplomatic mission or any member of his official staff or household” there shall be substituted the words “member of a mission (within the meaning of the Diplomatic Privileges Act 1964) or any person who is a member of the family and forms part of the household of such a member”. Consequential amendments.  
9 & 10 Geo. 5  
c. 92.

(2) In paragraph (a) of the proviso to section 4 of the British Nationality Act 1948 for the words from “possesses such immunity” to “His Majesty” there shall be substituted the words “is a person on whom any immunity from jurisdiction is conferred by or under the Diplomatic Privileges Act 1964 or on whom such immunity from jurisdiction as is conferred by that Act on a diplomatic agent is conferred by or under any other Act”.

6.—(1) No recommendation shall be made to Her Majesty in Council to make an Order under section 2 of this Act unless a draft thereof has been laid before Parliament and approved by resolution of each House of Parliament; and any statutory instrument containing an Order under section 3 of this Act shall be subject to annulment in pursuance of a resolution of either House of Parliament. Orders in Council.

(2) Any power to make an Order conferred by the foregoing provisions of this Act includes power to vary or revoke an Order by a subsequent Order.

7.—(1) Where any special agreement or arrangement between the Government of any State and the Government of the United Kingdom in force at the commencement of this Act provides for extending— Saving for certain bilateral arrangements.

(a) such immunity from jurisdiction and from arrest or detention, and such inviolability of residence, as are conferred by this Act on a diplomatic agent; or

(b) such exemption from customs duties, taxes and related charges as is conferred by this Act in respect of articles for the personal use of a diplomatic agent;

to any class of person, or to articles for the personal use of any class of person, connected with the mission of that State, that immunity and inviolability or exemption shall so extend, so long as that agreement or arrangement continues in force.

(2) The Secretary of State shall publish in the London, Edinburgh and Belfast Gazettes a notice specifying the States with which and the classes of person with respect to which such an agreement or arrangement as is mentioned in subsection (1) of this section is in force and whether its effect is as mentioned in paragraph (a) or paragraph (b) of that subsection, and shall whenever necessary amend the notice by a further such notice; and the notice shall be conclusive evidence of the agreement or arrangement and the classes of person with respect to which it is in force.

Short title,  
interpretation,  
commence-  
ment, repeal  
and saving.

8.—(1) This Act may be cited as the Diplomatic Privileges Act 1964.

(2) This Act shall be construed as if Southern Rhodesia were a State.

(3) This Act shall come into force on such day as Her Majesty may by Order in Council appoint.

(4) The enactments mentioned in Schedule 2 to this Act are hereby repealed to the extent specified in column 3 of that Schedule.

(5) Any Order in Council under the Diplomatic Immunities Restriction Act 1955 which is in force immediately before the commencement of this Act shall, so far as it could have been made under section 3 of this Act, have effect as if so made.

4 & 5 Eliz. 2.  
c. 21.

## SCHEDULES

### SCHEDULE 1

Section 2.

#### ARTICLES OF VIENNA CONVENTION HAVING THE FORCE OF LAW IN THE UNITED KINGDOM

##### ARTICLE 1

For the purpose of the present Convention, the following expressions shall have the meanings hereunder assigned to them :

- (a) the " head of the mission " is the person charged by the sending State with the duty of acting in that capacity ;
- (b) the " members of the mission " are the head of the mission and the members of the staff of the mission ;
- (c) the " members of the staff of the mission " are the members of the diplomatic staff, of the administrative and technical staff and of the service staff of the mission ;
- (d) the " members of the diplomatic staff " are the members of the staff of the mission having diplomatic rank ;
- (e) a " diplomatic agent " is the head of the mission or a member of the diplomatic staff of the mission ;
- (f) the " members of the administrative and technical staff " are the members of the staff of the mission employed in the administrative and technical service of the mission ;
- (g) the " members of the service staff " are the members of the staff of the mission in the domestic service of the mission ;
- (h) a " private servant " is a person who is in the domestic service of a member of the mission and who is not an employee of the sending State ;
- (i) the " premises of the mission " are the buildings or parts of buildings and the land ancillary thereto, irrespective of ownership, used for the purposes of the mission including the residence of the head of the mission

##### ARTICLE 22

1. The premises of the mission shall be inviolable. The agents of the receiving State may not enter them, except with the consent of the head of the mission.

2. The receiving State is under a special duty to take all appropriate steps to protect the premises of the mission against any intrusion or damage and to prevent any disturbance of the peace of the mission or impairment of its dignity.

3. The premises of the mission, their furnishings and other property thereon and the means of transport of the mission shall be immune from search, requisition, attachment or execution.

##### ARTICLE 23

1. The sending State and the head of the mission shall be exempt from all national, regional or municipal dues and taxes in respect of the premises of the mission, whether owned or leased, other than such as represent payment for specific services rendered.

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2. The exemption from taxation referred to in this Article shall not apply to such dues and taxes payable under the law of the receiving State by persons contracting with the sending State or the head of the mission.

## ARTICLE 24

The archives and documents of the mission shall be inviolable at any time and wherever they may be.

## ARTICLE 27

1. The receiving State shall permit and protect free communication on the part of the mission for all official purposes. In communicating with the Government and other missions and consulates of the sending State, wherever situated, the mission may employ all appropriate means, including diplomatic couriers and messages in code or cipher. However, the mission may install and use a wireless transmitter only with the consent of the receiving State.

2. The official correspondence of the mission shall be inviolable. Official correspondence means all correspondence relating to the mission and its functions.

3. The diplomatic bag shall not be opened or detained.

4. The packages constituting the diplomatic bag must bear visible external marks of their character and may contain only diplomatic documents or articles intended for official use.

5. The diplomatic courier, who shall be provided with an official document indicating his status and the number of packages constituting the diplomatic bag, shall be protected by the receiving State in the performance of his functions. He shall enjoy personal inviolability and shall not be liable to any form of arrest or detention.

6. The sending State or the mission may designate diplomatic couriers *ad hoc*. In such cases the provisions of paragraph 5 of this Article shall also apply, except that the immunities therein mentioned shall cease to apply when such a courier has delivered to the consignee the diplomatic bag in his charge.

7. A diplomatic bag may be entrusted to the captain of a commercial aircraft scheduled to land at an authorised port of entry. He shall be provided with an official document indicating the number of packages constituting the bag but he shall not be considered to be a diplomatic courier. The mission may send one of its members to take possession of the diplomatic bag directly and freely from the captain of the aircraft.

## ARTICLE 28

The fees and charges levied by the mission in the course of its official duties shall be exempt from all dues and taxes.

ARTICLE 29

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The person of a diplomatic agent shall be inviolable. He shall not be liable to any form of arrest or detention. The receiving State shall treat him with due respect and shall take all appropriate steps to prevent any attack on his person, freedom or dignity.

ARTICLE 30

1. The private residence of a diplomatic agent shall enjoy the same inviolability and protection as the premises of the mission.

2. His papers, correspondence and, except as provided in paragraph 3 of Article 31, his property, shall likewise enjoy inviolability.

ARTICLE 31

1. A diplomatic agent shall enjoy immunity from the criminal jurisdiction of the receiving State. He shall also enjoy immunity from its civil and administrative jurisdiction, except in the case of :

- (a) a real action relating to private immovable property situated in the territory of the receiving State, unless he holds it on behalf of the sending State for the purposes of the mission ;
- (b) an action relating to succession in which the diplomatic agent is involved as executor, administrator, heir or legatee as a private person and not on behalf of the sending State ;
- (c) an action relating to any professional or commercial activity exercised by the diplomatic agent in the receiving State outside his official functions.

2. A diplomatic agent is not obliged to give evidence as a witness.

3. No measures of execution may be taken in respect of a diplomatic agent except in the cases coming under sub-paragraphs (a), (b) and (c) of paragraph 1 of this Article, and provided that the measures concerned can be taken without infringing the inviolability of his person or of his residence.

4. The immunity of a diplomatic agent from the jurisdiction of the receiving State does not exempt him from the jurisdiction of the sending State.

ARTICLE 32

1. The immunity from jurisdiction of diplomatic agents and of persons enjoying immunity under Article 37 may be waived by the sending State.

2. The waiver must always be express.

3. The initiation of proceedings by a diplomatic agent or by a person enjoying immunity from jurisdiction under Article 37 shall preclude him from invoking immunity from jurisdiction in respect of any counter-claim directly connected with the principal claim.

4. Waiver of immunity from jurisdiction in respect of civil or administrative proceedings shall not be held to imply waiver of immunity in respect of the execution of the judgment, for which a separate waiver shall be necessary.

## SCH. 1

## ARTICLE 33

1. Subject to the provisions of paragraph 3 of this Article, a diplomatic agent shall with respect to services rendered for the sending State be exempt from social security provisions which may be in force in the receiving State.

2. The exemption provided for in paragraph 1 of this Article shall also apply to private servants who are in the sole employ of a diplomatic agent, on condition:

- (a) that they are not nationals of or permanently resident in the receiving State ; and
- (b) that they are covered by the social security provisions which may be in force in the sending State or a third State.

3. A diplomatic agent who employs persons to whom the exemption provided for in paragraph 2 of this Article does not apply shall observe the obligations which the social security provisions of the receiving State impose upon employers.

4. The exemption provided for in paragraphs 1 and 2 of this Article shall not preclude voluntary participation in the social security system of the receiving State provided that such participation is permitted by that State.

5. The provisions of this Article shall not affect bilateral or multilateral agreements concerning social security concluded previously and shall not prevent the conclusion of such agreements in the future.

## ARTICLE 34

A diplomatic agent shall be exempt from all dues and taxes, personal or real, national, regional or municipal, except:

- (a) indirect taxes of a kind which are normally incorporated in the price of goods or services ;
- (b) dues and taxes on private immovable property situated in the territory of the receiving State, unless he holds it on behalf of the sending State for the purposes of the mission ;
- (c) estate, succession or inheritance duties levied by the receiving State, subject to the provisions of paragraph 4 of Article 39 ;
- (d) dues and taxes on private income having its source in the receiving State and capital taxes on investments made in commercial undertakings in the receiving State ;
- (e) charges levied for specific services rendered ;
- (f) registration, court or record fees, mortgage dues and stamp duty, with respect to immovable property, subject to the provisions of Article 23.

## ARTICLE 35

The receiving State shall exempt diplomatic agents from all personal services, from all public service of any kind whatsoever, and from military obligations such as those connected with requisitioning, military contributions and billeting.



## ARTICLE 36

1. The receiving State shall, in accordance with such laws and regulations as it may adopt, permit entry of and grant exemption from all customs duties, taxes, and related charges other than charges for storage, cartage and similar services, on :

(a) articles for the official use of the mission ;

(b) articles for the personal use of a diplomatic agent or members of his family forming part of his household, including articles intended for his establishment.

2. The personal baggage of a diplomatic agent shall be exempt from inspection, unless there are serious grounds for presuming that it contains articles not covered by the exemptions mentioned in paragraph 1 of this Article, or articles the import or export of which is prohibited by the law or controlled by the quarantine regulations of the receiving State. Such inspection shall be conducted only in the presence of the diplomatic agent or of his authorised representative.

## ARTICLE 37

1. The members of the family of a diplomatic agent forming part of his household shall, if they are not nationals of the receiving State, enjoy the privileges and immunities specified in Articles 29 to 36.

2. Members of the administrative and technical staff of the mission, together with members of their families forming part of their respective households, shall, if they are not nationals of or permanently resident in the receiving State, enjoy the privileges and immunities specified in Articles 29 to 35, except that the immunity from civil and administrative jurisdiction of the receiving State specified in paragraph 1 of Article 31 shall not extend to acts performed outside the course of their duties. They shall also enjoy the privileges specified in Article 36, paragraph 1, in respect of articles imported at the time of first installation.

3. Members of the service staff of the mission who are not nationals of or permanently resident in the receiving State shall enjoy immunity in respect of acts performed in the course of their duties, exemption from dues and taxes on the emoluments they receive by reason of their employment and the exemption contained in Article 33.

4. Private servants of members of the mission shall, if they are not nationals of or permanently resident in the receiving State, be exempt from dues and taxes on the emoluments they receive by reason of their employment. In other respects, they may enjoy privileges and immunities only to the extent admitted by the receiving State. However, the receiving State must exercise its jurisdiction over those persons in such a manner as not to interfere unduly with the performance of the functions of the mission.

## ARTICLE 38

1. Except in so far as additional privileges and immunities may be granted by the receiving State, a diplomatic agent who is a

**SCH. 1** national of or permanently resident in that State shall enjoy only immunity from jurisdiction, and inviolability, in respect of official acts performed in the exercise of his functions.

2. Other members of the staff of the mission and private servants who are nationals of or permanently resident in the receiving State shall enjoy privileges and immunities only to the extent admitted by the receiving State. However, the receiving State must exercise its jurisdiction over those persons in such a manner as not to interfere unduly with the performance of the functions of the mission.

#### ARTICLE 39

1. Every person entitled to privileges and immunities shall enjoy them from the moment he enters the territory of the receiving State on proceeding to take up his post or, if already in its territory, from the moment when his appointment is notified to the Ministry for Foreign Affairs or such other ministry as may be agreed.

2. When the functions of a person enjoying privileges and immunities have come to an end, such privileges and immunities shall normally cease at the moment when he leaves the country, or on expiry of a reasonable period in which to do so, but shall subsist until that time, even in case of armed conflict. However, with respect to acts performed by such a person in the exercise of his functions as a member of the mission, immunity shall continue to subsist.

3. In case of the death of a member of the mission, the members of his family shall continue to enjoy the privileges and immunities to which they are entitled until the expiry of a reasonable period in which to leave the country.

4. In the event of the death of a member of the mission not a national of or permanently resident in the receiving State or a member of his family forming part of his household, the receiving State shall permit the withdrawal of the movable property of the deceased, with the exception of any property acquired in the country the export of which was prohibited at the time of his death. Estate, succession and inheritance duties shall not be levied on movable property the presence of which in the receiving State was due solely to the presence there of the deceased as a member of the mission or as a member of the family of a member of the mission.

#### ARTICLE 40

1. If a diplomatic agent passes through or is in the territory of a third State, which has granted him a passport visa if such visa was necessary, while proceeding to take up or to return to his post, or when returning to his own country, the third State shall accord him inviolability and such other immunities as may be required to ensure his transit or return. The same shall apply in the case of any members of his family enjoying privileges or immunities who are accompanying the diplomatic agent, or travelling separately to join him or to return to their country.

2. In circumstances similar to those specified in paragraph 1 of this Article, third States shall not hinder the passage of members of the administrative and technical or service staff of a mission, and of members of their families, through their territories.

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3. Third States shall accord to official correspondence and other official communications in transit, including messages in code or cipher, the same freedom and protection as is accorded by the receiving State. They shall accord to diplomatic couriers, who have been granted a passport visa if such visa was necessary, and diplomatic bags in transit the same inviolability and protection as the receiving State is bound to accord.

4. The obligations of third States under paragraphs 1, 2 and 3 of this Article shall also apply to the persons mentioned respectively in those paragraphs, and to official communications and diplomatic bags, whose presence in the territory of the third State is due to *force majeure*.

## Section 8.

## SCHEDULE 2

## ENACTMENTS REPEALED

Chapter	Short Title	Extent of Repeal
7 Anne. c. 12.	The Diplomatic Privileges Act 1708.	The whole Act.
12, 13 & 14 Geo. 6. c. 41.	The Ireland Act 1949.	Section 2(2).
14 Geo. 6. c. 14.	The International Organisations (Immunities and Privileges) Act 1950.	In section 4(1) the words "and rule of law".
15 & 16 Geo. 6. and 1 Eliz. 2. c. 10.	The Income Tax Act 1952.	In section 119, subsections (3) and (4). Section 461 so far as it relates to members of mission as defined in Article 1 in Schedule 1 to this Act.
15 & 16 Geo. 6. and 1 Eliz. 2. c. 18.	The Diplomatic Immunities (Commonwealth Countries and Republic of Ireland) Act 1952.	In section 1, subsection (1), in subsection (2)(a) the words "(other than persons on whom immunity is conferred by the preceding subsection)", subsection (4), and in subsection (5)(a) the words "by or" and the words from "on himself" to "staff, or" in the second place where those words occur.
4 & 5 Eliz. 2. c. 21.	The Diplomatic Immunities Restriction Act 1955.	The whole Act.
5 & 6 Eliz. 2. c. 6.	The Ghana Independence Act 1957.	In Schedule 2, in paragraph 2, the words from "and the proviso" to the end.
9 & 10 Eliz. 2. c. 11.	The Diplomatic Immunities (Conferences with Commonwealth Countries and Republic of Ireland) Act 1961.	In section 1, in subsection (1) the words "and rule of law", and in subsection (4) the words from "a citizen of the United Kingdom" to "country shall", the word "be" where it first occurs and the words from "and the name" to "this subsection".
10 & 11 Eliz. 2. c. 21.	The Commonwealth Immigrants Act 1962.	In section 17, in subsection (1) the words "whether under any rule of law or".



# Education Act 1964

## 1964 CHAPTER 82

An Act to enable county schools and voluntary schools to be established for providing full-time education by reference to age-limits differing from those specified in the Education Act 1944, as amended by the Education (Miscellaneous Provisions) Act 1948; to enable maintenance allowances to be granted in respect of pupils at special schools who would be over compulsory school age, or, in Scotland, over school age, but for section 38(1) of the said Act of 1944 or section 32(4) of the Education (Scotland) Act 1962; and for purposes connected with the matters aforesaid. [31st July 1964]

**B**E IT ENACTED by the Queen'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:—

### *Provisions relating to England and Wales*

1.—(1) Where a local education authority intend to establish a new county school, or persons other than a local education authority propose that a new school proposed to be established by them, or by persons whom they represent, should be maintained by a local education authority as a voluntary school, and the authority or persons in question submit proposals for that purpose to the Secretary of State under section 13 of the Education Act 1944, the proposals may, if the authority or persons submitting the proposals think fit,—

- (a) specify an age which is below the age of ten years and six months and an age which is above the age of twelve years, and

(b) provide that the school shall be established for providing full-time education suitable to the requirements of pupils whose ages are between the ages so specified.

(2) If the Secretary of State approves (with or without modification) any such proposals which make provision as mentioned in the preceding subsection, he shall by order direct that for the purposes of the Education Acts 1944 to 1962 the school shall be deemed to be a primary school, or shall be deemed to be a secondary school, as may be specified in the order.

(3) The powers conferred by this section shall be exercisable—

(a) notwithstanding anything contained in the Education Acts 1944 to 1962, and, in particular, in section 7 of the Education Act 1944 (which relates to the stages in which the statutory system of public education is to be organised), but

(b) without prejudice to the exercise of any other power conferred by those Acts.

Maintenance allowances in respect of pupils at special schools in England and Wales.

2. Regulations made under section 81(c) of the Education Act 1944 (which relates to the grant of certain allowances in respect of pupils over compulsory school age) may include provision empowering local education authorities to grant maintenance allowances in respect of persons who—

(a) being registered pupils at special schools, are by virtue of section 38(1) of that Act deemed to be of compulsory school age, but

(b) apart from the said section 38(1), would be over compulsory school age.

#### *Provisions relating to Scotland*

Maintenance allowances in respect of pupils at special schools in Scotland.

3. Section 32(4) of the Education (Scotland) Act 1962 (which provides that certain children in attendance at special schools shall be deemed to be of school age until they attain the age of sixteen) shall not apply for the purposes of section 49(2)(c) of that Act (which relates to the grant of maintenance allowances in respect of persons over school age who are attending schools); and accordingly any question whether a person is over school age for the purposes of the said section 49(2)(c) shall be determined as if the said section 32(4) had not been enacted.

#### *Supplementary provisions*

Financial provisions.

4. There shall be paid out of moneys provided by Parliament—

(a) any increase attributable to this Act in the sums payable out of moneys so provided by way of Rate-deficiency Grant or Exchequer Equalisation Grant under the

enactments relating to local government in England and Wales or in Scotland;

- (b) any increase in the sums payable out of moneys so provided under the said enactments in respect of general grants, being an increase arising from any increase in the expenditure relevant to the fixing of the aggregate amounts of those grants which is attributable to the provisions of this Act;
- (c) any increase attributable to this Act in the sums payable out of moneys so provided under section 107 of the Education Act 1944 or under section 1(2) of the Education Act 1959.

5.—(1) This Act may be cited as the Education Act 1964. Short title,  
citation,

(2) The Education Acts 1944 to 1962 and this Act (except section 3 thereof) may be cited together as the Education Acts 1944 to 1964. construction  
and extent.

(3) The Education (Scotland) Acts 1939 to 1963 and this Act (except sections 1 and 2 thereof) may be cited together as the Education (Scotland) Acts 1939 to 1964.

(4) This Act, in its application to England and Wales, shall be construed as one with the Education Acts 1944 to 1953.

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

(6) Sections 1 and 2 of this Act shall not extend to Scotland; and section 3 of this Act shall not extend to England and Wales.

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

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*Table of Statutes referred to in this Act*

Short Title	Session and Chapter
Education Act 1944     ...     ...     ...     ...	7 & 8 Geo. 6. c. 31.
Education Act 1959     ...     ...     ...     ...	7 & 8 Eliz. 2. c. 60.
Education (Scotland) Act 1962     ...     ...     ...	10 & 11 Eliz. 2. c. 47.



# New Forest Act 1964

## 1964 CHAPTER 83

An Act to alter the perambulation of the New Forest, to make further provision for the New Forest, to amend the New Forest Acts 1877 to 1949 and for purposes connected with the matters aforesaid. [31st July 1964]

**B**E IT ENACTED by the Queen'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:—

Alteration of perambulation of New Forest.

1.—(1) (a) Subject to the provisions of this Act the perambulation of the New Forest shall be altered so as to include the areas shown coloured pink on the deposited plans (hereinafter referred to as “the added areas”) and so as to exclude the areas shown coloured green on the said plans (hereinafter referred to as “the excluded areas”).

(b) The perambulation of the New Forest as altered by paragraph (a) of this subsection shall be that shown by the inner edge of the red line on the deposited plans.

(2) The powers of the verderers under the New Forest Acts 1877 to 1949 and the provisions of the byelaws made by the verderers under those Acts and for the time being in force shall extend and apply within the added areas and shall cease to apply within the excluded areas.

(3) The byelaws made from time to time by the Forestry Commissioners under section 2 of the Forestry Act 1927 with respect to the New Forest shall subject to the provisions of that section and of section 16(3) of this Act apply to any lands within the added areas over which rights of common of pasture exist.



(4) Subject to the provisions of this Act the lands which are designated on the additional plans certified under section 4(4) of the New Forest Act 1949 (hereinafter referred to as "the Act of 1949") as extended by section 2(3) of this Act as lands to which are attached rights of common of pasture or a privilege of pasture over any part of the added areas shall be treated as lands to which are attached rights of common of pasture within the perambulation of the New Forest as altered by this Act.

(5) (a) In this Act "the deposited plans" means the plans deposited in connection with the Bill for this Act in the office of the Clerk of the Parliaments House of Lords and in the Private Bill Office of the House of Commons and with the Clerk of the Hampshire County Council and the Clerk of the Wilts County Council on 25th November 1963 and the plan so deposited on 24th February 1964 and "the deposited book of reference" means the book of reference to the deposited plans deposited in the offices and with the Clerks aforesaid on 25th November 1963 containing the names of the owners or reputed owners, lessees or reputed lessees, and occupiers of the land which may be used under the provisions of section 3 of this Act.

(b) The sheet numbered 2 in the plans deposited in the offices and with the Clerks aforesaid on 25th November 1963, having been superseded by the plan so deposited on 24th February 1964, shall be deemed to be omitted from the said plans.

2.—(1) In this section "the additional plans" means the plans referred to in subsection (2) of this section.

Designation of additional lands entitled to rights of common of pasture, etc.

(2) The Forestry Commissioners shall, after consultation with the owners of lands within the added areas over which rights of common of pasture exist or over which a privilege of pasture was exercisable on 1st December 1963, prepare additional plans designating the lands to which are attached rights of common of pasture over any part of the added areas, specifying in relation to the lands the rights attached thereto respectively and also designating the lands to which a privilege of pasture over any part of the added areas was attached on 1st December 1963 specifying in relation to the lands the nature of that privilege.

(3) The provisions of section 4(2), 4(3) and 4(4) of the Act of 1949 shall extend and apply for the purpose of regulating the manner in which the additional plans are to be brought to the notice of persons concerned, the manner in which any objection to the additional plans is to be determined and the manner in which copies of the additional plans are to be certified.

(4) The copies of the additional plans certified under section 4(4) of the Act of 1949 as extended by the last foregoing

subsection shall be conclusive for all purposes whether any, and if so what, rights of common of pasture are attached to any land shown on the additional plans and whether any, and if so what, privilege of pasture is attached to any such land.

(5) One of the said copies of the additional plans shall be deposited and kept at the Public Record Office, and the other shall be kept at the office of the verderers and shall be available for inspection at all reasonable times on payment of such fee not exceeding one shilling as the verderers may determine.

Fencing, etc.

3.—(1) In this section “the hatched areas” means the lands shown hatched black on the deposited plans and described in the deposited book of reference.

(2) Notwithstanding anything in any other enactment or any right of the commoners, the verderers may on a presentment and with the consent of the Minister of Agriculture, Fisheries and Food (hereinafter referred to as “the Minister”) erect a fence or fences along or adjacent to the perambulation of the New Forest as altered by this Act for the purpose of containing animals within the perambulation of the New Forest as so altered and regulating access by animals thereto:

Provided that:—

- (a) the powers conferred upon the verderers by this subsection shall only be exercisable on land forming part of the open waste lands of the Forest or on land within the hatched areas;
- (b) the verderers shall exercise their powers under this subsection with due regard to the interests of amenity;
- (c) the verderers shall not exercise their powers under this subsection within the prescribed distance from the centre line of any highway which consists of or comprises a made-up carriageway as defined by the Highways Act 1959 without the consent of the highway authority and otherwise than in accordance with such conditions as they may impose.
- (d) in exercising their powers under this subsection the verderers shall provide to the satisfaction of the Minister sufficient gates to permit reasonable access by animals to land within the perambulation of the New Forest as so altered and sufficient gates or stiles to permit reasonable public access thereto on foot.

(3) The verderers may with the consent of the Minister enter into such agreement with a highway authority as may be requisite for the purpose of securing the provision, alteration, improvement and maintenance of cattle-grids by that authority under the powers conferred by Part V of the Highways Act 1959.

(4) Notwithstanding anything in any other enactment or any right of the commoners, the verderers may with the consent of the Minister erect drift fencing at such places within the open waste lands of the Forest and at such other places within the hatched areas as they consider expedient for reducing danger to animals from vehicular traffic and danger to such traffic from animals:

Provided that:—

- (a) the verderers shall exercise their powers under this subsection with due regard to the interests of amenity;
- (b) the verderers shall not erect drift fencing within the prescribed distance from the centre line of any highway which consists of or comprises a made-up carriageway as defined by the Highways Act 1959 without the consent of the highway authority and otherwise than in accordance with such conditions as they may impose.

(5) For the purposes of subsections (2) and (4) of this section the prescribed distance shall be thirty-five feet in the case of a trunk road and twenty-five feet in the case of any other highway.

(6) Notwithstanding anything in any other enactment or any right of the commoners, where the verderers are satisfied that there is within the perambulation of the New Forest as altered by this Act an unfenced or inadequately fenced source of danger to persons or animals they may with the consent of the Minister erect such fencing as will obviate the danger:

Provided that nothing in this subsection shall prejudice or derogate from the powers of a local authority under section 144 of the Highways Act 1959.

(7) (a) In any case in which, under the powers conferred on them by the foregoing subsection, the verderers propose to erect fencing on or adjacent to any land they shall, before applying to the Minister for his consent, serve notice on the owner and occupier of such land (unless, in either case, his identity cannot after reasonable enquiry be ascertained) specifying their proposals and the period, which shall not be less than twenty-eight days, within which notice of objection to the proposals may be sent in writing to the verderers, and including notice of the right of appeal under paragraph (b) of this subsection.

(b) (i) A person on whom notice is served under the foregoing paragraph may, within twenty-eight days after receiving the notice thereof, appeal to the Minister against the proposals to which the notice relates.

(ii) An appeal under this paragraph shall be made by notice in writing to the Minister, which shall indicate the grounds of the objection; and on any such appeal the Minister shall,

if either the appellant or the verderers so desire, afford to each of them an opportunity of appearing before, and being heard by, a person appointed by the Minister for the purpose.

(8) The highway authority shall not unreasonably withhold their consent under the provisions of subsections (2) and (4) of this section and if any dispute arises as to whether their consent has been unreasonably withheld or as to the reasonableness of any conditions they have imposed the matter shall be referred to arbitration in the manner provided by section 17(8) of the Act of 1949.

(9) Nothing in this section shall affect the powers and duties of any drainage authority as defined by the Land Drainage Act 1930 or the operation of any byelaw made by any such authority.

Fencing of  
road from  
Southampton  
to  
Christchurch.

4.—(1) At any time after such date as the Minister of Transport may, on the application of the highway authority and in agreement with the Minister and the verderers, appoint by order, the highway authority shall, notwithstanding anything in any enactment or any right of the commoners, have power to enclose so much of the road from Southampton to Christchurch (A.35) as lies within the open waste lands of the Forest and any land transferred to them under section 17 of the Act of 1949 for the purposes of any of their functions as the highway authority for the said road:

Provided that—

- (a) the highway authority shall not under this subsection erect any fence above the level of the road except after consultation with the verderers and with due regard to the interests of amenity;
- (b) the highway authority shall provide such crossings as appear to them, after consultation with the verderers, to be reasonably necessary for enabling animals at large in the Forest to pass under or round enclosures made in the exercise of their powers under this subsection;
- (c) in exercising their powers under this section the highway authority shall provide to the satisfaction of the Minister sufficient gates or stiles to permit reasonable public access to or across the said road on foot.

(2) The highway authority in carrying out the enclosure authorised by the last foregoing subsection shall take such steps as appear to them, after consultation with the verderers, reasonably practicable for securing that after the completion of the enclosure animals will be prevented from entering or leaving the Forest along the said road:

Provided that in complying with this subsection the highway authority shall provide reasonable facilities for the passage of driven animals onto and off the Forest.

(3) In respect of the power conferred by subsection (1) of this section, compensation shall be payable to the verderers for the interference with the exercise of the rights of the commoners, whether over the land authorised to be enclosed or other land, being compensation of such amount as may be determined by the Minister and the Minister of Transport after consultation with the verderers and the highway authority to represent the capital loss from the said interference, and in determining the said amount regard shall be had, among other matters, to the extent to which that interference will be lessened by the provision of crossings.

(4) Compensation payable under the last foregoing subsection shall be payable on the date appointed under subsection (1) of this section.

(5) The power to make an order conferred by subsection (1) of this section on the Minister of Transport shall be exercisable by statutory instrument.

(6) The verderers shall not unreasonably withhold their agreement under the provisions of subsection (1) of this section and if any dispute arises as to whether their agreement has been unreasonably withheld the matter shall be referred to arbitration in the manner provided by section 17(8) of the Act of 1949.

5.—(1) In this section the expression “structure” means a wall, fence or similar erection and the expression “means of access” has the same meaning as in section 221 of the Town and Country Planning Act 1962. Means of access to New Forest.

(2) Without prejudice to the provisions of any other enactment, where a structure or hedge is for the time being situated along or adjacent to or forms part of the perambulation of the New Forest as altered by this Act no such structure or hedge shall be altered so as to provide or enlarge a means of access to places within the said perambulation unless there shall have been provided in connection with such means of access to the satisfaction of the verderers and in accordance with such conditions as they may impose a cattle-grid or such other works (if any) for preventing or restricting the passage of animals as may be required by the verderers.

(3) Any cattle-grid or other works provided under the provisions of the foregoing subsection shall be maintained to the satisfaction of the verderers.

(4) If any person contravenes the foregoing provisions of this section he shall be liable to a fine not exceeding fifty pounds; and the verderers may themselves provide or, as the case may be, maintain the cattle-grid or other works which should have

been provided or maintained and recover the expenses of so doing from that person.

Amendment  
of  
section 18 of  
Act of 1949.

6. Section 18(1) of the Act of 1949 shall have effect as if the following paragraph were added at the end thereof:—

“(e) with the agreement of the verderers authorise the appropriation by the Forestry Commissioners of land forming part of the open waste lands of the Forest for camping sites, the provision by the Forestry Commissioners or their agents on such land for the use of those occupying such camping sites of any services or facilities for their health or convenience, the erection by the Forestry Commissioners on such land of buildings or other works for use in connection with the provision of such services or facilities and the enclosure by the Forestry Commissioners of land so appropriated in so far as its enclosure is necessary to preserve the land for use for those purposes.”

Pannage time.

7. Notwithstanding anything in any other enactment or in any decision given thereunder, the time of pannage in the Forest shall as from the passing of this Act cease to be the period from 25th September to 22nd November inclusive in each year but shall be such period not being less than sixty consecutive days as may be fixed by the Forestry Commissioners annually after consultation with the verderers.

Extension of  
section 15 of  
Act of 1949.

8. The provisions of section 15 of the Act of 1949 shall extend so as to authorise the verderers to make arrangements for enclosing land in the Forest for the purpose of keeping in animals where by reason of severe weather conditions it is desirable to do so for the prevention of suffering and any land so enclosed shall be laid open so soon as it appears to the verderers that the severe weather conditions have come to an end.

Travelling  
expenses.

9. The reasonable travelling expenses incurred by any verderer appointed under paragraph (c) of section 1 of the Act of 1949 in attending a court of swainmote or a court of verderers or any meeting of a committee thereof may be paid by the Minister or by the body making the appointment.

Creation, etc.,  
of new  
ornamental  
woods.

10.—(1) The verderers may on a presentment authorise the Forestry Commissioners to enclose any part of the open waste lands of the Forest for the purpose of creating new ornamental woods therein and of preserving and regenerating them from time to time and to carry out in enclosures made by virtue of this section such forestry operations as appear to them to be requisite:

Provided that no one enclosure made by virtue of this section shall exceed twenty acres in area and the total area of land enclosed under this section shall not exceed five hundred acres.

(2) Any enclosure made by virtue of this section shall be laid open so soon as the verderers with the agreement of the Forestry Commissioners determine that to do so will not prejudice the purposes for which the enclosure was made.

(3) For the purposes of giving effect to the requirements of section 8 of the New Forest Act 1877 that the ancient and ornamental woods in the Forest shall be preserved, the Forestry Commissioners shall after consultation with the verderers carry out in the unenclosed parts of those woods all such silvicultural maintenance works as may from time to time be necessary.

11. The byelaws made from time to time by the Forestry Commissioners under section 2 of the Forestry Act 1927 with respect to the New Forest shall continue to apply—

As to byelaws of Forestry Commissioners.

(a) to any land which has been or may be transferred under section 16 or section 17 of the Act of 1949 as if the transfer had never taken place ;

(b) to any other land which may be enclosed under section 4 of this Act :

Provided that nothing in this section shall prejudice or derogate from any powers of a highway authority.

12. Section 25 of the New Forest Act 1877 shall have effect as if for the words "two pounds" there were substituted the words "ten pounds" and as if the words "or in the case of a continuing offence the sum of ten shillings for every day during which such offence is continued after conviction for the first offence" were omitted therefrom.

Amendment of New Forest Act 1877.

13. Section 2(4) of the Forestry Act 1927 shall have effect in relation to byelaws made by the Forestry Commissioners with respect to the New Forest as if for the words "five pounds" there were substituted the words "ten pounds".

Amendment of section 2 of Forestry Act 1927.

14.—(1) The expenses of the Minister under this Act shall be defrayed out of moneys provided by Parliament.

Expenses.

(2) The expenses of the Forestry Commissioners under this Act shall be defrayed out of the Forestry Fund.

(3) Any increase attributable to the provisions of this Act in the sums payable out of moneys provided by Parliament by way of Rate-Deficiency Grant or Exchequer Equalisation Grant under the enactments relating to local government in England and Wales or in Scotland shall be defrayed out of moneys so provided.

15.—(1) In the performance of their functions under the New Forest Acts 1877 to 1964 the Forestry Commissioners and the verderers shall have regard to the desirability of conserving flora, fauna and geological or physiographical features of special interest.

Preservation of amenity.

(2) In this section "functions" includes powers and duties.

Saving for  
National  
Trust.

**16.—(1)** In this section "The National Trust" means The National Trust for Places of Historic Interest or Natural Beauty.

(2) Except as provided by section 3 of this Act, nothing in this Act shall prejudice or derogate from any of the provisions of the National Trust Acts 1907 to 1953 or any byelaw made thereunder.

(3) No byelaws made by the verderers under the New Forest Acts 1877 to 1949 or by the Forestry Commissioners under section 2 of the Forestry Act 1927 and for the time being in force shall take away or injuriously affect any estate, interest, right of common or other right in, over or affecting any land held by The National Trust within the added areas without the consent of The National Trust.

(4) In carrying out their duties under section 2(2) of this Act in relation to lands held by The National Trust within the added areas over which rights of common of pasture exist or over which a privilege of pasture was exercisable on 1st December 1963, the Forestry Commissioners shall not designate any lands without the consent of The National Trust, but such consent shall not be unreasonably withheld and if any dispute arises as to whether such consent has been unreasonably withheld the matter shall be determined by the Minister.

(5) In exercising their powers under section 3(2) of this Act in relation to lands held by The National Trust the verderers shall provide to the satisfaction of The National Trust sufficient stiles to permit reasonable public access to such lands on foot.

(6) The verderers shall not exercise their powers under section 3(4) or 3(6) of this Act on lands held by The National Trust without the consent of The National Trust.

Short title,  
construction  
and citation.

**17.—(1)** This Act may be cited as the New Forest Act 1964.

(2) This Act shall be construed as one with the New Forest Act 1877 and this Act and the New Forest Acts 1877 to 1949 may be cited together as the New Forest Acts 1877 to 1964.

*Table of Statutes referred to in this Act*

Short Title	Session and Chapter
New Forest Act 1877 ... ..	40 & 41 Vict. c. cxxi.
Forestry Act 1927 ... ..	17 & 18 Geo. 5. c. 6.
Land Drainage Act 1930 ... ..	20 & 21 Geo. 5. c. 8.
New Forest Act 1949 ... ..	12, 13 & 14 Geo. 6. c. 69.
Highways Act 1959 ... ..	7 & 8 Eliz. 2. c. 25.
Town and Country Planning Act 1962 ...	10 & 11 Eliz. 2. c. 38.





# Criminal Procedure (Insanity) Act 1964

## 1964 CHAPTER 84

An Act to amend the form of the special verdict required by section 2 of the Trial of Lunatics Act 1883 and the procedure for determining whether an accused person is under a disability such as to constitute a bar to his being tried; to provide for an appeal against such a special verdict or a finding that the accused is under such a disability; to confer on the court of trial and the Court of Criminal Appeal further powers of making orders for admission to hospital; to empower the prosecution to put forward evidence of insanity or diminished responsibility; and for purposes connected with the matters aforesaid. [31st July 1964]

**B**E IT ENACTED by the Queen'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 special verdict required by section 2 of the Trial of Lunatics Act 1883 (hereinafter referred to as a "special verdict") shall be that the accused is not guilty by reason of insanity; and accordingly in subsection (1) of that section for the words from "a special verdict" to the end there shall be substituted the words "a special verdict that the accused is not guilty by reason of insanity".

2.—(1) A person in whose case a special verdict is returned may appeal against the verdict to the Court of Criminal Appeal—

- (a) on any ground of appeal which involves a question of law alone, and
- (b) with the leave of the Court of Criminal Appeal or upon the certificate of the judge or chairman of the court before which he came for trial that it is a fit case for appeal, on any ground of appeal which

involves a question of fact alone or a question of mixed law and fact or any other ground which appears to the court to be a sufficient ground of appeal ;

and the Court of Criminal Appeal on any such appeal shall subject as hereinafter provided allow the appeal if they think that the special verdict should be set aside on the ground that it is unreasonable or cannot be supported having regard to the evidence, or that the order of the court giving effect to the special verdict should be set aside on the ground of a wrong decision of any question of law or that on any ground there was a miscarriage of justice, and shall in any other case dismiss the appeal.

(2) The Court of Criminal Appeal may dismiss an appeal against a special verdict if of opinion that notwithstanding that the point raised in the appeal might be decided in favour of the appellant no substantial miscarriage of justice has actually occurred.

(3) Where apart from this subsection—

(a) an appeal against a special verdict would fall to be allowed, and

(b) none of the grounds for allowing it relates to the question of the insanity of the accused,

the Court of Criminal Appeal may dismiss the appeal if of opinion that but for the insanity of the accused the proper verdict would have been that he was guilty of an offence other than the offence charged.

(4) This and the next following section shall be construed as one with the Criminal Appeal Act 1907 ; and—

(a) references in sections 7, 8, 15(2), 18(1), 19, and 20(2) of that Act, and in the definition of “appellant” in section 21 thereof, to a person’s being convicted shall include references to his being the subject of a special verdict ;

(b) the reference in section 11 of that Act to a person’s being in custody shall not include a reference to his being in custody in consequence of a special verdict.

Supplementary provisions where appeal against special verdict allowed.

3.—(1) Where in accordance with the foregoing section an appeal against a special verdict is allowed :—

(a) if the ground, or one of the grounds, for allowing the appeal is that the finding of the jury as to the insanity of the accused ought not to stand and the Court of Criminal Appeal are of opinion that the proper verdict would have been that he was guilty of an offence (whether the offence charged or any other offence of which the jury could have found him guilty), the court shall substitute for the special verdict a verdict of guilty of that offence, and shall have the like powers

of punishing or otherwise dealing with the accused and other powers as the court before which he was tried would have had if the jury had come to the substituted verdict ;

- (b) in any other case, the Court of Criminal Appeal shall substitute for the verdict of the jury a verdict of acquittal :

Provided that where the offence mentioned in paragraph (a) is one for which the sentence is fixed by law, the sentence shall (whatever the circumstances) be one of imprisonment for life.

(2) The term of any sentence passed by the Court of Criminal Appeal in the exercise of the powers conferred by subsection (1)(a) of this section shall, unless the court otherwise direct, begin to run from the time when it would have begun to run if passed in the proceedings in the court before which the accused was tried.

In relation to a person sentenced to Borstal training, the reference in this subsection to the term of a sentence shall be construed as a reference to the periods during which, under the Prison Act 1952, he may be detained in a Borstal institution.

4.—(1) Where on the trial of a person the question arises Unfitness to (at the instance of the defence or otherwise) whether the plead. accused is under disability, that is to say under any disability such that apart from this Act it would constitute a bar to his being tried, the following provisions shall have effect.

(2) The court, if having regard to the nature of the supposed disability the court are of opinion that it is expedient so to do and in the interests of the accused, may postpone consideration of the said question (hereinafter referred to as "the question of fitness to be tried") until any time up to the opening of the case for the defence, and if before the question of fitness to be tried falls to be determined the jury return a verdict of acquittal on the count or each of the counts on which the accused is being tried that question shall not be determined.

(3) Subject to the foregoing subsection, the question of fitness to be tried shall be determined as soon as it arises.

(4) The question of fitness to be tried shall be determined by a jury ; and—

(a) where it falls to be determined on the arraignment of the accused, then if the trial proceeds the accused shall be tried by a jury other than that which determined that question ;

(b) where it falls to be determined at any later time it shall be determined by a separate jury or by the jury by whom the accused is being tried, as the court may direct.

(5) Where in accordance with subsection (2) or (3) of this section it is determined that the accused is under disability, the trial shall not proceed or further proceed.

(6) For the purpose of providing an appeal against a finding of the jury that the accused is under disability, section 2 of this Act (except subsection (3)) shall apply as if references to a special verdict included references to such a finding; and—

- (a) where the question of fitness to be tried was determined later than on arraignment, an appeal under section 2 of this Act against a finding that the accused was under disability may be allowed (notwithstanding that the finding was properly come to) if the Court of Criminal Appeal are of opinion that the case is one in which the accused should have been acquitted before the question of fitness to be tried was considered,
- (b) if the court are of that opinion, the court shall, in addition to quashing the finding, direct a verdict of acquittal to be recorded,
- (c) subject to paragraph (b) above, where an appeal is allowed against a finding that the accused is under disability, the appellant may be tried accordingly for the offence with which he was charged, and the court may make such orders as appear to the court to be necessary or expedient pending any such trial for his custody, admission to bail or continued detention under the Mental Health Act 1959.

(7) Sections 73, 74 and 76 of the Mental Health Act 1959 (which provide for the removal to or from hospital of persons committed for trial, etc.) shall apply to persons ordered under subsection (6)(c) of this section to be kept in custody pending trial as those sections apply to persons described in subsection (2)(a) to (c) of section 73, and Part V of that Act shall apply to persons for whose continued detention under the Act an order is made under subsection (6)(c) of this section as if they had been so ordered to be kept in custody pending trial and were detained in pursuance of a transfer direction together with a direction restricting discharge; and in the said section 76—

- (a) the words “the court having jurisdiction to try or otherwise deal with him” shall be substituted in subsection (1) for the words “the court to which he was committed or by which he was remanded, as the case may be,” and in subsection (2)(a) for the words “the court to which he was committed or by which he was remanded”; and
- (b) the words “a person awaiting trial” shall be substituted in subsection (2)(b) for the words “a person committed for trial”.

## 5.—(1) Where—

- (a) a special verdict is returned, or
- (b) on an appeal against conviction the Court of Criminal Appeal are of opinion that the proper verdict would have been a special verdict, or
- (c) a finding is recorded that the accused is under disability, or
- (d) on an appeal against conviction or against a special verdict the Court of Criminal Appeal are of opinion that the case is not one where there should have been a verdict of acquittal, but that there should have been a finding that the accused was under disability,

Orders for  
admission  
to hospital.

the court shall make an order that the accused be admitted to such hospital as may be specified by the Secretary of State.

(2) Subject to the foregoing subsection, where in accordance with section 3(1)(b) of this Act the Court of Criminal Appeal substitute a verdict of acquittal, and the court are of opinion—

- (a) that the appellant is suffering from mental disorder of a nature or degree which warrants his detention in a hospital under observation (with or without other medical treatment) for at least a limited period; and
- (b) that he ought to be so detained in the interests of his own health or safety or with a view to the protection of other persons,

the court shall make an order that the appellant be admitted for observation to such hospital as may be specified by the Secretary of State.

(3) The provisions in that behalf of Schedule 1 to this Act shall have effect in relation to orders for admission to hospital made under this section.

(4) Subject to the provisions of the said Schedule, if while a person is detained in pursuance of an order under paragraph (c) of subsection (1) of this section the Secretary of State, after consultation with the responsible medical officer, is satisfied that the said person can properly be tried, the Secretary of State may remit that person to prison, or to a remand centre provided under section 43 of the Prison Act 1952, for trial at the next quarter sessions, or as the case may be assizes, for the place where but for the order he would have been tried; and on his arrival at the prison or remand centre the order under subsection (1)(c) shall cease to have effect.

In relation to persons ordered under section 2 of the Criminal Lunatics Act 1800 to be kept in custody this subsection and paragraph 2(2) of Schedule 1 to this Act shall apply as if the order were an order under subsection (1)(c) of this section.

(5) In section 72(6)(a) of the Mental Health Act 1959 (removal to hospital of persons detained under orders made in criminal proceedings) the exception for an order under an enactment to which section 71 of that Act applies shall extend to orders under subsection (1) of this section; and in section 5(4) of the Administration of Justice Act 1960 (interim detention of respondent pending appeal to House of Lords) any reference to an order or direction under Part V of the Mental Health Act 1959 shall include a reference to an order under subsection (1)(a) or (c) of this section.

Evidence by prosecution of insanity or diminished responsibility.

6. Where on a trial for murder the accused contends—

(a) that at the time of the alleged offence he was insane so as not to be responsible according to law for his actions; or

(b) that at that time he was suffering from such abnormality of mind as is specified in subsection (1) of section 2 of the Homicide Act 1957 (diminished responsibility),

the court shall allow the prosecution to adduce or elicit evidence tending to prove the other of those contentions, and may give directions as to the stage of the proceedings at which the prosecution may adduce such evidence.

Courts-martial.

7. In the Army Act 1955 and the Air Force Act 1955, in the Naval Discipline Act 1957 and in the Courts-Martial (Appeals) Act 1951 there shall be made at the places mentioned in the first column in Parts I, II and III respectively of Schedule 2 to this Act the amendments provided for by that Schedule (being amendments designed to make in relation to courts-martial provision similar to sections 1 to 5 of this Act).

Short title, interpretation, commencement, extent and repeals.

8.—(1) This Act may be cited as the Criminal Procedure (Insanity) Act 1964.

(2) In this Act—

“special verdict” has the meaning assigned by section 1 of this Act,

“under disability” has the meaning assigned by section 4 of this Act,

“verdict of acquittal” does not include a special verdict, and any reference to acquittal shall be construed accordingly,

and other expressions used in this Act and in the Mental Health Act 1959 have the same meanings in this Act as in Part V of that Act; and references to that Act in sections 139 to 141 thereof shall include references to Schedule 1 to this Act.

(3) This Act shall come into operation at the time of expiration of a period of one month beginning with the day on which it was passed:

Provided that—

- (a) sections 1, 4(1) to (5), 5(1)(a) and (c) and 6 shall not apply where the accused was arraigned before the said time ;
  - (b) sections 2, 4(6) and 5(1)(b) and (d) shall apply whenever the accused was arraigned, but section 2 shall not apply where a special verdict was returned before the said time, section 4 (6) where a finding that the accused is under disability was recorded before that time, or section 5(1)(b) or (d) where the hearing of the appeal began before that time ;
  - (c) section 7 shall apply in relation to courts-martial whenever commenced, except that it shall not have effect in relation to any finding come to by a court-martial before the said time or affect the procedure in a court-martial commenced before that time for determining the question whether the accused is unfit to stand his trial.
- (4) This Act, except as respects courts-martial and matters arising out of proceedings in courts-martial, shall extend to England and Wales only.
- (5) The following provisions are hereby repealed subject to any exception mentioned, that is to say:—
- (a) the Criminal Lunatics Act 1800 and subsections (2) and (4) of section 2 of the Trial of Lunatics Act 1883 shall be repealed except as respects cases where the accused was arraigned before the time mentioned in subsection (3) of this section ; and
  - (b) section 5(4) of the Criminal Appeal Act 1907 shall be repealed except as respects appeals the hearing of which began before the said time ; and
  - (c) in section 71 of the Mental Health Act 1959 subsection (1) and in subsection (3) the words from the beginning to “ Criminal Appeal Act 1907 ; and ”, together with the words “ the aforementioned enactments and ”, shall be repealed except as respects cases where an order was made before the said time, and subsection (5) shall be repealed ; and
  - (d) in paragraph 15(2) of Schedule 2 to the Revision of the Army and Air Force Acts (Transitional Provisions) Act 1955 the words from “ in subsection (4) ” to “ finding ; and ”, and in Schedule 5 to the Naval Discipline Act 1957 the words from “ In section six ” to “ 1957 ” where next occurring, shall be repealed except as respects cases where the finding of the court-martial was come to before the said time.

## SCHEDULES

### SCHEDULE 1

#### EFFECT OF ORDERS FOR ADMISSION TO HOSPITAL

Section 5.

1.—(1) An order for admission to hospital under subsection (1) or (2) of section 5 of this Act shall be sufficient authority for any person acting under the authority of the Secretary of State to take the person to whom the order relates and convey him at any time within the period of two months, in the case of an order under the said subsection (1), or seven days, in the case of an order under the said subsection (2), beginning with the date on which the order was made to the hospital specified by the Secretary of State.

(2) The court by which any such order as aforesaid is made may give such directions as it thinks fit for the conveyance of the person to whom the order relates to a place of safety and his detention therein pending his admission to the hospital within the relevant period mentioned in the foregoing sub-paragraph.

(3) Where a person is admitted within the said period to the hospital specified by the Secretary of State, any such order as aforesaid shall be sufficient authority for the managers to detain him in the hospital in accordance with the provisions of the Mental Health Act 1959, as applied by the next following paragraph in the case of an order under the said subsection (1) or paragraph 3 of this Schedule in the case of an order under the said subsection (2).

2.—(1) A person who is admitted to a hospital in pursuance of an order under subsection (1) of section 5 of this Act shall be treated for the purposes of the said Act of 1959 as if he had been so admitted in pursuance of a hospital order made, on the date of the first-mentioned order, under section 60 of that Act, together with an order restricting discharge made under section 65 of that Act without limitation of time.

(2) For the purposes of subsection (4) of section 5 of this Act a person shall not be treated as detained in pursuance of an order at any time after the Secretary of State has directed (under section 66 of the said Act of 1959) that the said person shall cease to be subject to the special restrictions set out in the said section 65.

3. A person who is admitted to a hospital in pursuance of an order under subsection (2) of section 5 of this Act shall be treated for the purposes of Part IV of the said Act of 1959 as if he had been admitted on the date of the order in pursuance of an application for admission for observation duly made under the said Part IV.

4. In the application of subsection (5) of section 63 of the said Act of 1959 to orders under subsection (1)(a) and (c) of section 5 of this Act, the proviso to section 63(5) shall have effect as if the reference to a conviction included a reference to a special verdict and to a finding that the accused was under disability.



## SCHEDULE 2

Section 7.

## AMENDMENTS RELATING TO COURTS-MARTIAL

## PART I

## AMENDMENTS OF ARMY ACT 1955 AND AIR FORCE ACT 1955

- Section 108 ... .. After the words " has sentenced the accused " (petitions against finding or sentence) there shall be inserted the words " or has found the accused to be unfit to stand his trial or to be not guilty by reason of insanity ".
- Section 110(2) ... At the end of the subsection there shall be (substitution by confirming officer of different finding) added the words " or a confirming officer may, if he is of opinion that the case is not one where there should have been a finding of not guilty, but that there should have been a finding that the accused was unfit to stand his trial, substitute a finding that the accused was unfit to stand his trial ".
- Section 116(1) ... The words " by reason of insanity " shall be (finding of unfitness to stand trial) omitted, and at the end of the subsection there shall be added the words:—  
 " For purposes of this subsection ' unfit to stand his trial ' means under any disability such as apart from the Criminal Procedure (Insanity) Act 1964 would constitute a bar to a trial on indictment in England or Wales ".
- Section 116(2) ... For the words " was guilty of that offence but (finding of insanity at time of offence charged) was insane at the said time " there shall be substituted the words " was not guilty of that offence by reason of insanity ".
- After section 116(4) ... There shall be inserted as subsection (4A) of section 116:—  
 " (4A) Where on the trial of a person by court-martial the question arises (at the instance of the defence or otherwise) whether the accused is unfit to stand his trial, the following provisions shall have effect:—  
 (a) the court, if having regard to the nature of the supposed disability the court is of opinion that it is expedient to do so and in the interests of the accused, may postpone consideration of the question until any time up to the opening of the case for the defence, and if before the

SCH. 2 After section 116(4)—*cont.*

question falls to be determined the court finds the accused not guilty of the charge or each of the charges on which he is being tried, the question shall not be determined;

(b) subject to paragraph (a) above, the question shall be determined as soon as it arises;

(c) where the accused is found unfit to stand his trial, the trial shall not proceed or further proceed, but if the question is determined at a time later than on arraignment, the confirming officer or reviewing authority may substitute a finding of not guilty (other than a finding of not guilty by reason of insanity), if of opinion that the court should before that time have come to such a finding."

Section 116(5) ...  
(revision, confirmation and review of finding of guilty but insane)

(1) There shall be omitted from the beginning of the subsection to the words "save as aforesaid".

(2) In the phrase "other findings of guilty" the word "other" shall be omitted.

After section 116(5)...

There shall be added as subsections (6) and (7) of section 116:—

"(6) Where the confirming officer or reviewing authority substitutes for a finding of not guilty by reason of insanity a finding of guilty of an offence, the confirming officer or reviewing authority shall have the like powers of sentencing the accused and other powers as the court-martial would have had on the like finding of guilty, and any sentence imposed shall be promulgated and have effect as would a sentence duly substituted by the confirming officer or reviewing authority for a sentence of the court-martial:

Provided that the confirming officer or reviewing authority shall not have power by virtue of this subsection to impose a sentence of death, and where apart from this proviso a sentence of death would be required by law, the sentence shall (whatever the circumstances) be one of imprisonment for life.

After section 116(5)—*cont.*

(7) Where in pursuance of a finding of not guilty by reason of insanity a person is detained under section 71 of the Mental Health Act 1959, section 64 of the Mental Health (Scotland) Act 1960 or section 57 of the Mental Health Act (Northern Ireland) 1961, and the reviewing authority quashes the finding (without substituting another finding), then if the reviewing authority is of opinion—

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(a) that the person in question is suffering from mental disorder (within the meaning of the Mental Health Act 1959) of a nature or degree which warrants his detention in a hospital under observation (with or without other medical treatment) for at least a limited period; and

(b) that he ought to be so detained in the interests of his own health or safety or with a view to the protection of other persons,

the reviewing authority shall make an order for his continued detention under the Act; and the order shall be sufficient authority for him to be detained, and the Act shall apply, as if on the date of the order he had been admitted to the hospital in pursuance of an application duly made under the Act (being in England or Wales an application for admission for observation).

In this subsection any reference to the Mental Health Act (Northern Ireland) 1961 or any provision thereof includes any corresponding Act or provision for the time being in force in Northern Ireland.”

Section 134 ...  
(persons not to be  
tried for offences  
already disposed of)

(1) At the end of subsection (2)(a) there shall be added the words “ or of a finding by the court-martial that he is not guilty of the offence by reason of insanity ”.

(2) In subsection (3) after the words “ a finding of guilty of an offence ” there shall be inserted the words “ or of a finding of not guilty of an offence by reason of insanity ”.

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## PART II

## AMENDMENTS OF NAVAL DISCIPLINE ACT 1957

Section 63 ... (1) In subsection (1)(a) the words “ by reason  
(findings of insane of insanity ” shall be omitted, and at the  
at time of trial or end of the subsection there shall be added  
offence) the words:—

“ For purposes of this subsection ‘ unfit to stand his trial ’ means under any disability such as apart from the Criminal Procedure (Insanity) Act 1964 would constitute a bar to a trial on indictment in England or Wales.”

(2) At the end of the section there shall be added as subsection (3):—

“ (3) Where on the trial of a person by court-martial the question arises (at the instance of the defence or otherwise) whether the accused is unfit to stand his trial, the following provisions shall have effect:—

(a) the court, if having regard to the nature of the supposed disability the court is of opinion that it is expedient to do so and in the interests of the accused, may postpone consideration of the question until any time up to the opening of the case for the defence, and if before the question falls to be determined the court finds the accused not guilty of the charge or each of the charges on which he is being tried, the question shall not be determined;

(b) subject to paragraph (a) above, the question shall be determined as soon as it arises;

(c) where the accused is found unfit to stand his trial, the trial shall not proceed or further proceed.”

Section 70(1)... (review of findings of guilty and sentences) ... After the words “ and any sentence awarded in respect of such a finding ” there shall be inserted the words “ and any finding by a court-martial under section 63(1) of this Act that a person is unfit to stand his trial or is not guilty by reason of insanity ”.

- SCH. 2
- Section 70(2)... .. After the words "by a court-martial" there shall be inserted the words "or found thereunder to be unfit to stand his trial or to be not guilty by reason of insanity".
- (petitions against finding or sentence)
- Section 70(3)... .. After the words "against a conviction by court-martial under this Part of this Act" there shall be inserted the words "or a finding of a court-martial under section 63(1)", and after the words "that conviction" there shall be added the words "or finding".
- (effect on duty to review, where appeal against conviction is lodged)
- Section 71 ... .. (1) In subsection (1)(b) after the words "some other finding of guilty" there shall be inserted the words "or of not guilty by reason of insanity".
- (power to quash or alter findings)
- (2) At the end of subsection (1) there shall be added as paragraphs (c) and (d):—
- (c) where the finding is that the accused was unfit to stand his trial, and that question was determined at a time later than on the commencement of the trial, substitute a finding of not guilty (other than a finding of not guilty by reason of insanity), if the Defence Council are of opinion that the court should before that time have come to such a finding;
- (d) substitute a finding that the accused was unfit to stand his trial, if the Defence Council are of opinion that the case is not one where there should have been a finding of not guilty, but that there should have been a finding that the accused was unfit to stand his trial."
- (3) After subsection (4) there shall be added as subsections (5) and (6):—
- (5) Where a finding of guilty of an offence is substituted by the Defence Council under this section for a finding of not guilty by reason of insanity, the Defence Council shall have the like powers of sentencing the accused and other powers as the court-martial would have had on the like finding of guilty, and the sentence shall be treated for all purposes as the sentence of the court-martial:
- Provided that the Defence Council shall not have power by virtue of this subsection to impose a sentence of death, and where apart from this proviso a

SCH. 2 Section 71—*cont.*

sentence of death would be required by law, the sentence shall (whatever the circumstances) be one of imprisonment for life.

(6) Where in pursuance of a finding of not guilty by reason of insanity a person is detained under section 71 of the Mental Health Act 1959, section 64 of the Mental Health (Scotland) Act 1960 or section 57 of the Mental Health Act (Northern Ireland) 1961, and the Defence Council quash the finding (without substituting another finding), then if the Defence Council are of opinion—

- (a) that the person in question is suffering from mental disorder (within the meaning of the Mental Health Act 1959) of a nature or degree which warrants his detention in a hospital under observation (with or without other medical treatment) for at least a limited period; and
- (b) that he ought to be so detained in the interests of his own health or safety or with a view to the protection of other persons,

the Defence Council shall make an order for his continued detention under the Act; and the order shall be sufficient authority for him to be detained, and the Act shall apply, as if on the date of the order he had been admitted to the hospital in pursuance of an application duly made under the Act (being in England or Wales an application for admission for observation).

In this subsection any reference to the Mental Health Act (Northern Ireland) 1961 or any provision thereof includes any corresponding Act or provision for the time being in force in Northern Ireland.”

## PART III

## AMENDMENTS OF COURTS-MARTIAL (APPEALS) ACT 1951

Section 6(4) ...  
(powers of Court  
where appellant  
insane at time of  
offence charged)

There shall be substituted for the subsection:—

“(4) If, on an appeal, the Court are of opinion—

- (a) that the proper finding would have been a finding of not guilty by reason of insanity; or

Section 6(4)—*cont.*

(b) that the case is not one where there should have been a finding of not guilty, but that there should have been a finding that the accused was unfit to stand his trial;

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the Court shall order the appellant to be kept in custody under section 63 of the Naval Discipline Act 1957, section 116 of the Army Act 1955 or section 116 of the Air Force Act 1955, as the case may require, in like manner as on a finding of not guilty by reason of insanity or a finding of unfitness to stand trial by the court-martial by which the appellant was convicted."

After section 13 ... There shall be inserted as section 13A the section set out at the end of this Part of this Schedule.

Section 20 ... At the end of the section there shall be added (special references to the Court) as subsection (3):—

"(3) This section shall apply in the case of a finding by a court-martial of not guilty by reason of insanity as it applies in the case of the conviction of a person by court-martial, and references in subsection (2) to the person convicted shall be construed accordingly."

*Section 13A to be inserted in Courts-Martial (Appeals) Act 1951*

13A.—(1) A person found by a court-martial to be unfit to stand his trial, or to be not guilty of an offence by reason of insanity, may, with the leave of the Court, appeal to the Court against the finding; and (subject to the provisions of this section) in relation to any such appeal this Part of this Act, except section 6(1) to (4), shall apply as it applies in relation to an appeal by a person convicted against his conviction (with the necessary adaptations of references to a person convicted or to a conviction). Appeals against findings of unfitness to stand trial or of not guilty by reason of insanity.

(2) Where apart from this subsection—

- (a) an appeal against a finding of not guilty by reason of insanity would fall to be allowed; and
- (b) none of the grounds for allowing it relates to the question of the insanity of the appellant;

the Court may dismiss the appeal if of opinion that but for the insanity of the appellant the proper finding would have been that he was guilty of an offence other than the offence charged.

(3) Where an appeal against a finding of not guilty by reason of insanity is allowed, section 5(2) of this Act shall not apply, but—

- (a) if the ground, or one of the grounds, for allowing the appeal is that the finding as to the appellant's insanity ought not to stand and the Court are of opinion that the proper finding

## SCH. 2

would have been a finding of guilty of an offence (whether the offence charged or any other offence of which the court-martial could have found him guilty), the Court shall substitute for the finding of the court-martial a finding of guilty of that offence, and shall have the like powers of sentencing him and other powers as the court-martial would have had on the like finding of guilty, and section 6(5) of this Act shall apply as in the case of a sentence passed by the Court under the preceding subsections of that section;

- (b) in any other case, the Court shall substitute for the finding a finding of not guilty:

Provided that the Court shall not have power by virtue of this subsection to impose a sentence of death, and where apart from this proviso a sentence of death would be required by law, the sentence shall (whatever the circumstances) be one of imprisonment for life.

(4) Where in pursuance of a finding of not guilty by reason of insanity a person is detained under section 71 of the Mental Health Act 1959, section 64 of the Mental Health (Scotland) Act 1960 or section 57 of the Mental Health Act (Northern Ireland) 1961, and the Court in accordance with subsection (3)(b) above substitute a finding of not guilty, then (subject to section 6(4) of this Act as applied by this section) if the Court are of opinion—

- (a) that the person in question is suffering from mental disorder (within the meaning of the Mental Health Act 1959) of a nature or degree which warrants his detention in a hospital under observation (with or without other medical treatment) for at least a limited period; and
- (b) that he ought to be so detained in the interests of his own health or safety or with a view to the protection of other persons,

the Court shall make an order for his continued detention under the Act; and the order shall be sufficient authority for him to be detained, and the Act shall apply, as if on the date of the order he had been admitted to the hospital in pursuance of an application duly made under the Act (being in England or Wales an application for admission for observation).

In this subsection any reference to the Mental Health Act (Northern Ireland) 1961 or any provision thereof includes any corresponding Act or provision for the time being in force in Northern Ireland.

(5) Where there is an appeal against a finding that the accused was unfit to stand his trial, then—

- (a) where that question was determined by the court-martial at a time later than on arraignment or, in the case of a naval court-martial, later than on the commencement of the trial, the appeal may be allowed (notwithstanding that the finding was properly come to) if the Court are of opinion that the case is one in which the court-martial should before that time have come to a finding of not guilty;
- (b) if the Court are of that opinion, the Court shall substitute a finding of not guilty, and the appellant shall then not be



liable to be tried by a court-martial or by any other court for the offence with which he was charged;

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- (c) subject to paragraph (b) above, where the appeal is allowed, the appellant may be tried accordingly for the said offence, and if he is for the time being detained under the Mental Health Act 1959, the Mental Health (Scotland) Act 1960 or the Mental Health Act (Northern Ireland) 1961, the Court may make such order as appears to the Court necessary or expedient pending any such trial for his continued detention under that Act.

In this subsection references to a finding of not guilty do not include a finding of not guilty by reason of insanity.

— *oo* —

*Table of Statutes referred to in this Act*

Short Title	Session and Chapter
Criminal Lunatics Act 1800 ... ..	39 & 40 Geo. 3. c. 94.
Trial of Lunatics Act 1883 ... ..	46 & 47 Vict. c. 38.
Criminal Appeal Act 1907 ... ..	7 Edw. 7. c. 23.
Courts-Martial (Appeals) Act 1951 ... ..	14 & 15 Geo. 6. c. 46.
Prison Act 1952 ... ..	15 & 16 Geo. 6. & 1 Eliz. 2. c. 52.
Army Act 1955 ... ..	3 & 4 Eliz. 2. c. 18.
Air Force Act 1955 ... ..	3 & 4 Eliz. 2. c. 19.
Revision of the Army and Air Force Acts (Transitional Provisions) Act 1955.	3 & 4 Eliz. 2. c. 20.
Homicide Act 1957 ... ..	5 & 6 Eliz. 2. c. 11.
Naval Discipline Act 1957 ... ..	5 & 6 Eliz. 2. c. 53.
Mental Health Act 1959 ... ..	7 & 8 Eliz. 2. c. 72.
Mental Health (Scotland) Act 1960 ... ..	8 & 9 Eliz. 2. c. 61.
Administration of Justice Act 1960 ... ..	8 & 9 Eliz. 2. c. 65.



# John F. Kennedy Memorial Act 1964

## 1964 CHAPTER 85

An Act to vest in the United States of America a site at Runnymede forming part of the Crown Estate to be preserved in perpetuity in memory of the late President John F. Kennedy for the use and enjoyment of the public under the control and management of the Trustees of the Kennedy Memorial Fund.

[31st July 1964]

**W**HEREAS it has been arranged between Her Majesty's Government and the Government of the United States of America, with Her Majesty's approval, that a site at Runnymede forming part of the Crown Estate (being the land described in the Schedule to this Act and delineated upon plans deposited with the Public Record Office and presented to Parliament by the Prime Minister by Command of Her Majesty) be transferred to and vested in the United States of America by way of gift from Her Majesty, to be preserved in perpetuity for the use and enjoyment of the public in memory of the late President John F. Kennedy under the control and management of the Trustees hereinafter mentioned:

AND WHEREAS by virtue of a Trust Deed dated the 4th day of July 1964 and made between The Right Honourable Alderman Clement James Harman, Lord Mayor of London, of the one part, and the Trustees therein named of the other part, copies of which have been presented to Parliament as aforesaid, the money and property comprised in the Kennedy Memorial Fund therein mentioned (representing money subscribed by the public for the purpose) are to be held by those Trustees, and other Trustees to be appointed under the said Deed and their successors, upon the following Trusts, that is to say—

- (a) to secure and lay out as a place for the benefit of the public and to which the public will have access the said site at Runnymede, and protect, preserve and maintain that site as a place to which the public have access;

(b) to establish scholarships for students of either sex from all regions of the United Kingdom at all or any of the following places of education in the State of Massachusetts, namely Harvard University, Radcliffe College and the Massachusetts Institute of Technology:

AND WHEREAS it is expedient to make provision by Act of Parliament for the transfer and vesting of the said site at Runnymede as aforesaid, and for giving effect to the trusts of the said Deed so far as they relate thereto:

Be it therefore enacted by the Queen'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 land described in the Schedule to this Act is hereby transferred to and vested in the United States of America for an estate in fee simple absolute, to be held in perpetuity under the control and management of the Trustees of the Kennedy Memorial Fund for the use and enjoyment of the public in accordance with the said Trust Deed. Transfer of site to United States of America.

2.—(1) In relation to the said land, the Trustees of the Kennedy Memorial Fund shall have all such rights and powers, and shall be subject to all such obligations, as if they were owners of the estate hereby vested in the United States of America, and may exercise those rights and powers in any manner consistent with the purposes of section 1 of this Act and of the said Trust Deed so far as it relates to the land. Functions of trustees.

(2) The power of the Trustees to control and manage the said land shall include power to determine the times at which and the conditions subject to which the public may have access thereto.

3.—(1) This Act may be cited as the John F. Kennedy Memorial Act 1964. Short title and commencement.

(2) This Act shall come into force on such date as the Treasury may by order appoint, being a date not earlier than the termination of any tenancy which subsists in the said land at the passing of this Act.

**SCHEDULE****THE SITE AT RUNNYMEDE**

All that piece or parcel of land comprising three acres or thereabouts in the Parish of Egham in the County of Surrey being part of the pasture land comprised in Enclosures numbered 15 and 16 respectively on the Ordnance Survey Map of the said Parish Sheets No. Surrey IV 8, 4 & 7 (Edition of 1914) and part of the footpath shown as Enclosure No. 24<sup>a</sup> on the said Map which said land on the north-east side adjoins open meadow the property of the National Trust for Places of Historic Interest and Natural Beauty and on the south-east side adjoins a plantation the property of the said National Trust and on the remaining sides adjoins property forming part of the Crown Estate and known as Priest Hill Englefield Green.



# Malta Independence Act 1964

## 1964 CHAPTER 86

An Act to make provision for, and in connection with, the attainment by Malta of fully responsible status within the Commonwealth. [31st July 1964]

**B**E IT ENACTED by the Queen'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) On and after such day as Her Majesty may by Order in Council appoint (in this Act referred to as “the appointed day”) Her Majesty's Government in the United Kingdom shall have no responsibility for the government of Malta. Fully responsible status of Malta.

(2) No Act of the Parliament of the United Kingdom passed on or after the appointed day shall extend, or be deemed to extend, to Malta as part of its law; and on and after that day the provisions of Schedule 1 to this Act shall have effect with respect to the legislative powers of Malta.

2.—(1) On and after the appointed day the British Nationality Acts 1948 to 1964 shall have effect as if in section 1(3) of the British Nationality Act 1948 (Commonwealth countries having separate citizenship) there were added at the end the words “and Malta”. Consequential modifications of British Nationality Acts.

(2) Except as provided by section 3 of this Act, any person who immediately before the appointed day is a citizen of the United Kingdom and Colonies shall on that day cease to be such a citizen if he becomes on that day a citizen of Malta.

(3) Section 6(2) of the British Nationality Act 1948 (registration as citizens of the United Kingdom and Colonies of women who

have been married to such citizens) shall not apply to a woman by virtue of her marriage to a person who on the appointed day ceases to be such a citizen under subsection (2) of this section, or who would have done so if living on the appointed day.

Retention of citizenship of United Kingdom and Colonies by certain citizens of Malta.

3.—(1) Subject to subsection (5) of this section, a person shall not cease to be a citizen of the United Kingdom and Colonies under section 2(2) of this Act if he, his father or his father's father—

- (a) was born in the United Kingdom or in a colony; or
- (b) is or was a person naturalised in the United Kingdom and Colonies; or
- (c) was registered as a citizen of the United Kingdom and Colonies; or
- (d) became a British subject by reason of the annexation of any territory included in a colony.

(2) A person shall not cease to be a citizen of the United Kingdom and Colonies under the said section 2(2) if either—

- (a) he was born in a protectorate or protected state, or
- (b) his father or his father's father was so born and is or at any time was a British subject.

(3) A woman who is the wife of a citizen of the United Kingdom and Colonies shall not cease to be such a citizen under the said section 2(2) unless her husband does so.

(4) Subject to subsection (5) of this section, the reference in subsection (1)(b) of this section to a person naturalised in the United Kingdom and Colonies shall include a person who would, if living immediately before the commencement of the British Nationality Act 1948, have become a person naturalised in the United Kingdom and Colonies by virtue of section 32(6) of that Act (persons given local naturalisation in a colony or protectorate before the commencement of that Act).

(5) Any reference in this section to a colony, a protectorate or a protected state is a reference to a territory which is a colony, a protectorate or a protected state, as the case may be, within the meaning of the British Nationality Act 1948, on the appointed day, and accordingly does not include a reference to Malta; and subsection (1) of this section shall not apply to a person by virtue of any certificate of naturalisation granted or registration effected by the governor or government of a territory outside the United Kingdom which is not such a colony, protectorate or protected state on the appointed day.

(6) Part III of the British Nationality Act 1948 (supplemental provisions) shall have effect for the purposes of this section as if this section were included in that Act.

4.—(1) Notwithstanding anything in the Interpretation Act 1889, the expression “colony” in any Act of the Parliament of the United Kingdom passed on or after the appointed day shall not include Malta. Consequential modification and repeal of other enactments

(2) On and after the appointed day—

(a) the expression “colony” in the Army Act 1955, the Air Force Act 1955 and the Naval Discipline Act 1957 shall not include Malta; and

(b) in the definitions of “Commonwealth force” in sections 225(1) and 223(1) respectively of the said Acts of 1955, and in the definition of “Commonwealth country” in section 135(1) of the said Act of 1957, at the end there shall be added the words “or Malta”.

(3) No Order in Council made on or after the appointed day under section 1 of the Army and Air Force Act 1961 shall operate to continue either of the said Acts of 1955 in force as part of the law of Malta.

(4) On and after the appointed day the provisions specified in Schedule 2 to this Act shall have effect subject to the amendments respectively specified in that Schedule, and Her 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 Her Majesty to be necessary in consequence of section 1 of this Act.

(5) Any Order in Council under the last preceding subsection may be varied or revoked by a subsequent Order in Council under that subsection, and may, if made after the appointed day, be made so as to take effect on that day; and any statutory instrument made under that subsection shall be subject to annulment in pursuance of a resolution of either House of Parliament.

(6) As from the appointed day the enactments specified in Schedule 3 to this Act are hereby repealed to the extent specified in relation thereto in the third column of that Schedule.

(7) Subsections (4) and (5) of this section, Schedule 2 to this Act and any Order in Council made under subsection (4) of this section shall not extend to Malta as part of its law.

5.—(1) In this Act, and in any amendment made by this Act Interpretation.  
in any other enactment, “Malta” means the Island of Malta and all other territories which at the passing of this Act are comprised in the State of Malta, and “the existing Constitution Order” means the Malta (Constitution) Order in Council 1961 as amended by the Malta (Constitution) (Amendment) Order in

Council 1962 and by the Malta (Constitution) (Modification) Order in Council 1963 and by any further Order in Council made before the appointed day.

(2) References in this Act to any enactment are references to that enactment as amended or extended by or under any other enactment.

Short title.

**6.** This Act may be cited as the Malta Independence Act 1964.



## SCHEDULES

### SCHEDULE 1

Section 1.

#### LEGISLATIVE POWERS OF MALTA

1. The Colonial Laws Validity Act 1865 shall not apply to any law made on or after the appointed day by the legislature of Malta.

2. No law and no provision of any law made on or after the appointed day by that legislature shall be void or inoperative on the ground that it is repugnant to the law of England, or to the provisions of any Act of the Parliament of the United Kingdom, including this Act, or to any order, rule or regulation made under any such Act, and, subject to paragraph 5 of this Schedule, the powers of that legislature shall include the power to repeal or amend any such Act, order, rule or regulation in so far as it is part of the law of Malta.

3. The legislature of Malta shall have full power to make laws having extra-territorial operation.

4. Without prejudice to the generality of the preceding provisions of this Schedule—

(a) sections 735 and 736 of the Merchant Shipping Act 1894 shall be construed as if references therein to the legislature of a British possession did not include references to the legislature of Malta; and

(b) section 4 of the Colonial Courts of Admiralty Act 1890 (which requires certain laws to be reserved for the signification of Her Majesty's pleasure or to contain a suspending clause), and so much of section 7 of that Act as requires the approval of Her Majesty in Council to any rules of court for regulating the practice and procedure of a Colonial Court of Admiralty, shall cease to have effect in Malta.

5. Nothing in this Act shall confer on the legislature of Malta any power to repeal, amend or modify the constitutional provisions otherwise than in such manner as may be provided for in those provisions; and for the purposes of this paragraph "the constitutional provisions" means the following, that is to say—

(a) this Act;

(b) any Order in Council revoking the existing Constitution Order and providing for a new constitution for Malta to come into effect on the appointed day;

(c) any law, or instrument made under a law, of the legislature of Malta which, being a law or instrument made on or after the appointed day, amends, modifies, re-enacts with or without amendment or modification, or makes different provision in lieu of, any provisions of this Act, of the Order in Council first mentioned in this paragraph, or of any such law or instrument previously made.

## Section 4.

## SCHEDULE 2

## AMENDMENTS NOT AFFECTING THE LAW OF MALTA

*Diplomatic immunities*

1. In section 461 of the Income Tax Act 1952 (exemption from income tax in the case of certain Commonwealth representatives and their staffs)—

(a) in subsection (2), before the words “for any state” there shall be inserted the words “or Malta”;

(b) in subsection (3), before the words “and ‘Agent-General’” there shall be inserted the words “or Malta”.

2. In section 1(6) of the Diplomatic Immunities (Commonwealth Countries and Republic of Ireland) Act 1952, before the words “and the Republic of Ireland” there shall be inserted the word “Malta”.

3. In section 1(5) of the Diplomatic Immunities (Conferences with Commonwealth Countries and Republic of Ireland) Act 1961, before the words “and the Republic of Ireland” there shall be inserted the word “Malta”.

*Financial*

4. In section 2(4) of the Import Duties Act 1958, before the words “together with” there shall be inserted the word “Malta”.

*Visiting forces*

5. In the Visiting Forces (British Commonwealth) Act 1933, section 4 (attachment and mutual powers of command) shall apply in relation to forces raised in Malta as it applies in relation to forces raised in Dominions within the meaning of the Statute of Westminster 1931.

6. In the Visiting Forces Act 1952—

(a) in section 1(1)(a) (countries to which that Act applies) at the end there shall be added the words “Malta or”;

(b) in section 10(1)(a) the expression “colony” shall not include Malta;

and, until express provision with respect to Malta is made by Order in Council under section 8 of that Act (application to visiting forces of law relating to home forces), any such Order for the time being in force shall be deemed to apply to visiting forces of Malta.

*Ships and aircraft*

7. In section 427(2) of the Merchant Shipping Act 1894, as substituted by section 2 of the Merchant Shipping (Safety Convention) Act 1949, before the words “or in any” there shall be inserted the words “or Malta”.

8. In the proviso to section 6(2) of the Merchant Shipping Act 1948, at the end there shall be added the words “or Malta”.

9. In the definition of “excepted ship or aircraft” in paragraph 3 of Schedule 3 to the Emergency Laws (Repeal) Act 1959, before the words “or in any” there shall be inserted the words “or Malta”.

SCH. 2

10. The Ships and Aircraft (Transfer Restriction) Act 1939 shall not apply to any ship by reason only of its being registered in or licensed under the law of Malta; and the penal provisions of that Act shall not apply to persons in Malta (but without prejudice to the operation with respect to any ship to which that Act does apply of the provisions thereof relating to the forfeiture of ships).

11. In the Whaling Industry (Regulation) Act 1934, the expression "British ship to which this Act applies" shall not include a British ship registered in Malta.

12. In section 2(7)(b) of the Civil Aviation (Licensing) Act 1960, the expression "colony" shall not include Malta.

*Copyright*

13. If the Copyright Act 1911, so far as in force in the law of Malta, is repealed or amended by that law at a time when sub-paragraph (2) of paragraph 39 of Schedule 7 to the Copyright Act 1956 (which applies certain provisions of that Act in relation to countries to which the said Act of 1911 extended) is in force in relation to Malta, the said sub-paragraph (2) shall thereupon cease to have effect in relation thereto.

*Commonwealth Institute*

14. In section 8(2) of the Imperial Institute Act 1925, as amended by the Commonwealth Institute Act 1958 (power to vary the provisions of the said Act of 1925 if an agreement for the purpose is made with the governments of certain territories which for the time being are contributing towards the expenses of the Commonwealth Institute) at the end there shall be added the words "and Malta".

SCHEDULE 3

Section 4.

ENACTMENTS REPEALED

Chapter	Short Title	Extent of Repeal
22 & 23 Geo. 5. c. 43.	The Malta Constitution Act 1932.	The whole Act.
26 Geo. 5. & 1 Edw. 8. c. 29.	The Malta (Letters Patent) Act 1936.	The whole Act.
7 & 8 Eliz. 2. c. 14.	The Malta (Letters Patent) Act 1959.	The whole Act.



*Table of Statutes referred to in this Act*

Short Title	Session and Chapter
Colonial Laws Validity Act 1865 ... ..	28 & 29 Vict. c. 63.
Interpretation Act 1889 ... ..	52 & 53 Vict. c. 63.
Colonial Courts of Admiralty Act 1890 ... ..	53 & 54 Vict. c. 27.
Merchant Shipping Act 1894 ... ..	57 & 58 Vict. c. 60.
Copyright Act 1911 ... ..	1 & 2 Geo. 5. c. 46.
Imperial Institute Act 1925 ... ..	15 & 16 Geo. 5. c. xvii.
Statute of Westminster 1931 ... ..	22 & 23 Geo. 5. c. 4. .
Visiting Forces (British Commonwealth) Act 1933 ... ..	23 & 24 Geo. 5. c. 6.
Whaling Industry (Regulation) Act 1934 ... ..	24 & 25 Geo. 5. c. 49.
Ships and Aircraft (Transfer Restrictions) Act 1939 ... ..	2 & 3 Geo. 6. c. 70.
Merchant Shipping Act 1948 ... ..	11 & 12 Geo. 6. c. 44.
British Nationality Act 1948 ... ..	11 & 12 Geo. 6. c. 56.
Merchant Shipping (Safety Convention) Act 1949 ... ..	12, 13 & 14 Geo. 6. c. 43.
Income Tax Act 1952 ... ..	15 & 16 Geo. 6. & 1 Eliz. 2. c. 10.
Diplomatic Immunities (Commonwealth Countries and Republic of Ireland) Act 1952 ... ..	15 & 16 Geo. 6. & 1 Eliz. 2. c. 18.
Visiting Forces Act 1952 ... ..	15 & 16 Geo. 6. & 1 Eliz. 2. c. 67.
Army Act 1955 ... ..	3 & 4 Eliz. 2. c. 18.
Air Force Act 1955 ... ..	3 & 4 Eliz. 2. c. 19.
Copyright Act 1956 ... ..	4 & 5 Eliz. 2. c. 74.
Naval Discipline Act 1957 ... ..	5 & 6 Eliz. 2. c. 53.
Import Duties Act 1958 ... ..	6 & 7 Eliz. 2. c. 6.
Commonwealth Institute Act 1958 ... ..	6 & 7 Eliz. 2. c. 16.
Emergency Laws (Repeal) Act 1959 ... ..	7 & 8 Eliz. 2. c. 19.
Civil Aviation (Licensing) Act 1960 ... ..	8 & 9 Eliz. 2. c. 39.
Diplomatic Immunities (Conferences with Commonwealth Countries and Republic of Ireland) Act 1961 ... ..	9 & 10 Eliz. 2. c. 11.
Army and Air Force Act 1961 ... ..	9 & 10 Eliz. 2. c. 52.



# Shipping Contracts and Commercial Documents Act 1964

## 1964 CHAPTER 87

An Act to secure Her Majesty's jurisdiction against encroachment by certain foreign requirements in respect of the carriage of goods or passengers by sea and in respect of the production of documents and furnishing of information. [31st July 1964]

**B**E IT ENACTED by the Queen'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) If it appears to the Minister of Transport (in this section referred to as "the Minister")—
- (a) that measures have been taken by or under the law of any foreign country for regulating or controlling the terms or conditions upon which goods or passengers may be carried by sea, or the terms or conditions of contracts or arrangements relating to such carriage; and
- (b) that those measures, in so far as they apply to things done or to be done outside the territorial jurisdiction of that country by persons carrying on business in the United Kingdom, constitute an infringement of the jurisdiction which, under international law, belongs to the United Kingdom,

Foreign measures affecting United Kingdom shipping.

the Minister may by order direct that this section shall apply to those measures, either generally or in their application to such cases as may be specified in the order.

(2) Where an order is in force under subsection (1) of this section in relation to any measures—

- (a) it shall be the duty of every person in the United Kingdom who carries on a business consisting of or comprising the carriage of goods or passengers by sea to give notice to the Minister of any requirement or prohibition imposed or threatened to be imposed on him pursuant to those measures so far as this section applies to them, including any requirement to submit any contract or other document for approval thereunder; and
- (b) the Minister may give to any person in the United Kingdom who carries on such a business such directions for prohibiting compliance with any such requirement or prohibition as he considers proper for maintaining the jurisdiction of the United Kingdom.

(3) The power of the Minister to make orders under subsection (1) of this section shall include power to revoke an order by a subsequent order and shall be exercisable by statutory instrument; and any statutory instrument made by virtue of this section shall be subject to annulment in pursuance of a resolution of either House of Parliament.

(4) Any directions to be given by the Minister under subsection (2) of this section may be either general or special, and may prohibit compliance with any requirement or prohibition either absolutely or in such cases or subject to such conditions as to consent or otherwise as may be specified in the directions; and general directions given under that subsection shall be published in such manner as appears to the Minister to be appropriate.

Directions with respect to documents required by foreign courts, etc.

2.—(1) If it appears to any Minister of the Crown authorised to act under this section—

- (a) that any person in the United Kingdom has been or may be required to produce or furnish to any court, tribunal or authority of a foreign country any commercial document which is not within the territorial jurisdiction of that country, or any commercial information to be compiled from documents not within that jurisdiction; and
- (b) that the requirement constitutes or would constitute an infringement of the jurisdiction which, under international law, belongs to the United Kingdom,

that Minister may give directions to that person prohibiting him from complying with the requirement in question, or from complying with that requirement except to such extent or subject to such conditions as may be specified in the directions.

(2) The following Ministers are hereby authorised to act under this section, that is to say a Secretary of State, the President of

the Board of Trade, the Minister of Aviation, the Minister of Power and the Minister of Transport.

(3) For the purposes of this section any request or demand for the supply of a document or information which, pursuant to the requirement of any court, tribunal or authority of a foreign country, is addressed to a person in the United Kingdom shall be treated as a requirement to produce or furnish that document or information to that court, tribunal or authority, and directions under this section may be given accordingly for prohibiting compliance therewith.

(4) In this section “ commercial document ” and “ commercial information ” mean respectively a document or information relating to a business of any description and “ document ” includes any record or device by means of which material is recorded or stored.

3.—(1) Any person who wilfully fails to comply with section 1(2)(a) of this Act or contravenes any directions under this Act shall be liable on conviction on indictment to a fine which, in the case of an individual, shall not exceed £1,000.

(2) No proceedings for an offence punishable under this section shall be instituted in England and Wales or Northern Ireland except—

(a) in the case of a failure to comply with section 1(2)(a) of this Act, by the Minister of Transport; and

(b) in the case of a contravention of directions under this Act, by the Minister by whom those directions were given, or in either case with the consent of the Attorney General or, as the case may be, the Attorney General for Northern Ireland.

(3) Proceedings against any person for an offence punishable under this section may be taken before the appropriate court in the United Kingdom having jurisdiction in the place where that person is for the time being.

4.—(1) This Act may be cited as the Shipping Contracts and Commercial Documents Act 1964.

(2) It is hereby declared that this Act extends to Northern Ireland.

(3) Her Majesty may by Order in Council direct that this Act shall extend with such exceptions, adaptations and modifications, if any, as may be specified in the Order to any territory outside the United Kingdom, being a territory for the international relations of which Her Majesty's Government in the United Kingdom are responsible.



# Refreshment Houses Act 1964

## 1964 CHAPTER 88

An Act for the better regulation of refreshment houses within the meaning of the Refreshment Houses Act 1860. [31st July 1964]

**B**E IT ENACTED by the Queen'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:—

Charges in,  
and touting  
for, refresh-  
ment houses.

1.—(1) Where this subsection applies to a refreshment house, it shall not be lawful to make any charge for or in connection with the entertainment of persons in the refreshment house during the hours of late opening, whether for the supply of food or drink, for admission, for service of any description or for any other matter, except any reasonable charge for the use of cloak-room or toilet facilities, unless—

- (a) a tariff of charges made in the refreshment house is during those hours kept displayed in such positions and in such manner that it can conveniently be read by persons frequenting the refreshment house (and, if so required by subsection (4) below, can be so read by any such person before entering); and
- (b) the charge is specified for the matter in question in the tariff or is less than a charge so specified.

(2) Where this subsection applies to a refreshment house, it shall not be lawful to seek to obtain custom for the refreshment house by means of personal solicitation outside and in the vicinity of the refreshment house.

(3) Subsection (1) or (2) above, or both, shall apply to a refreshment house if, but only if, the licensing authority have



(before or after the commencement of this Act) made that a condition of the grant or renewal of a licence for the refreshment house, and have not revoked the condition; and a licensing authority may impose such a condition in any case where it appears to them desirable in order to ensure that persons frequenting the refreshment house are not misled as to the nature or cost of the entertainment provided.

(4) Where subsection (1) applies, the tariff of charges must be able to be read before entering by any person frequenting the refreshment house if it is so stated by the condition applying the subsection, and on any renewal of the licence the condition may be varied so as to include or omit any such statement.

(5) In the event of any contravention of subsection (1) or (2) above the keeper of the refreshment house and any person responsible for the contravention (other than a person who did not know of the condition applying the subsection) shall be guilty of an offence; and where a person is charged with such an offence, it shall be for him to show that he did not know of the condition.

(6) In this section "the hours of late opening" means any period between the hours of ten o'clock at night and five o'clock on the following morning during which the refreshment house is open.

2. The holder of a licence in respect of a refreshment house, on any change of address which affects the list or register of licences kept by the licensing authority, shall notify the authority in writing of the new address to be entered in the list or register as his place of abode; and if he fails to do so within two weeks after the change of address, he shall be guilty of an offence and liable on summary conviction to a fine not exceeding twenty pounds.

Notice of  
change of  
address.

3.—(1) A person guilty of an offence under section 1 of this Act, or of an offence committed after the commencement of this Act under section 9, 18 or 32 of the Refreshment Houses Act 1860 (failure to take out licence, refusing admission to police, and permitting unlawful gaming or assembly of prostitutes, thieves or drunken and disorderly persons) shall be liable on summary conviction to a fine not exceeding two hundred pounds, or to imprisonment for a term not exceeding three months, or to both.

Penalties  
for offences.

23 & 24 Vict.  
c. 27.

(2) On a person's conviction in relation to any premises of any of the offences to which this subsection applies, that is to say,—

(a) offences under section 1 of this Act or under section 9, 18 or 32 of the Refreshment Houses Act 1860; and

- 1964 c. 26.
- (b) offences under section 160 (sale of intoxicating liquor without licence) of the Licensing Act 1964 committed by the keeper of a refreshment house ; and
  - (c) offences under section 84(2) (supply or consumption of intoxicating liquor at parties organised for gain) of the Licensing Act 1964 committed by the keeper of a refreshment house in connection with parties at the refreshment house ;

the court by or before which he is convicted may make a disqualification order, and section 100(2) and section 101 of the Licensing Act 1964 shall apply to a disqualification order under this subsection as they apply to a disqualification order under section 100 of that Act.

1 & 2 Eliz. 2.  
c. 46.

(3) In subsection (2)(b) and (c) above the references to section 160 and to section 84(2) of the Licensing Act 1964 shall include references to the corresponding provisions (repealed by that Act) of the Licensing Act 1953 ; and in the Refreshment Houses Act 1860 and the Licensing Act 1964 there shall be made the amendments provided for by the Schedule to this Act (being amendments consequential on the passing of this section).

Citation,  
interpretation,  
extent and  
commence-  
ment.

4.—(1) This Act may be cited as the Refreshment Houses Act 1964, and this Act and the Refreshment Houses Act 1860 may be cited together as the Refreshment Houses Acts 1860 and 1964.

(2) In this Act “refreshment house” has the same meaning as in the Refreshment Houses Act 1860, “licence” means a licence under that Act, and “licensing authority” shall be construed accordingly.

(3) Nothing in this Act extends to Scotland or to Northern Ireland.

(4) This Act shall come into force at the beginning of April 1965.

## SCHEDULE

CONSEQUENTIAL AMENDMENTS OF REFRESHMENT HOUSES  
ACT 1860 AND LICENSING ACT 1964

1. In the Refreshment Houses Act 1860 the words "shall be guilty of an offence" shall (except in relation to offences committed before the commencement of this Act) be substituted—

- (a) in section 9 for the words following the words "under the authority of this Act"; and
- (b) in section 18 for the words following the words "the person so licensed"; and
- (c) in section 32 for the words following the words "in or upon his premises".

2.—(1) In section 100 of the Licensing Act 1964, for subsection (1) there shall be substituted—

"(1) Where a person is convicted of an offence to which this section applies committed by him in respect of premises for which, at the time of the offence, he held a Part IV licence, the court by or before which he is convicted may make a disqualification order under this section.";

and there shall be omitted subsection (3) and in subsection (4) the words "Paragraph (b) of subsection (1) of".

(2) In the Licensing Act 1964 paragraph 1 of Schedule 13 and in paragraph 3 of Schedule 14 the words "and of sections 9, 18 and 32 of the Refreshment Houses Act 1860" are hereby repealed, except as respects offences committed before the commencement of this Act.



# Hairdressers (Registration) Act 1964

## 1964 CHAPTER 89

An Act to provide for the registration of hairdressers; and for purposes connected therewith. [31st July 1964]

**B**E IT ENACTED by the Queen'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:—

Establishment of Hairdressing Council.

1.—(1) There shall be a body to be called the Hairdressing Council which shall have the functions assigned to it by this Act.

(2) The Hairdressing Council shall be constituted in accordance with Part I of Schedule 1 to this Act and the supplementary provisions contained in Part II of that Schedule shall have effect with respect to the Council.

Register of hairdressers.

2. The Hairdressing Council shall before the appointed day establish and thereafter maintain a register to be called "the register of hairdressers" containing the names, addresses, qualifications and such other particulars as may be prescribed of all persons who are entitled under the provisions of this Act to be registered therein and who apply in the prescribed manner to be so registered, and the form of hairdressing which such persons are qualified to practise.

Qualifications for registration.

3.—(1) Subject to the provisions of this Act and to rules under section 6 of this Act, a person shall be entitled to be registered by the Hairdressing Council in the register if he applies for registration after such date as the Council may by order appoint for the purposes of this section and satisfies the Council that—

(a) he has—

(i) served a period of apprenticeship ; or

(ii) attended a course of training approved by the Council under section 4 of this Act conducted at an institution so approved or partly at one such institution and partly at another or others ; and

(b) he has attained a reasonable and sufficient standard to qualify him to practise the form of hairdressing in respect of which he makes the application.

(2) Subject as aforesaid, a person shall be entitled to be registered by the Hairdressing Council in the register if he applies for registration and satisfies the Council that he has been engaged in or practising hairdressing (other than as an apprentice or while undergoing a course of training in hairdressing) for a period of not less than three years before the appointed day.

(3) On registering any person under this section the Council shall issue to him a certificate of registration.

4.—(1) Subject to the provisions of this section, the Hairdressing Council may approve for the purposes of this Act— Approval of courses, qualifications and institutions.

(a) any course of training which the Hairdressing Council considers is designed to confer on persons completing it sufficient knowledge and skill for the practice of hairdressing ;

(b) any qualification which, as the result of an examination taken in conjunction with a course of training approved by the Hairdressing Council under this section, is granted to candidates reaching a standard at the examination indicating, in the opinion of the Council, that they have sufficient knowledge and skill to practise hairdressing ;

(c) any institution which the Hairdressing Council considers is properly organised and equipped for conducting the whole or any part of a course of training approved by the Hairdressing Council under this section ;

and may refuse its approval under this section or withdraw such an approval previously given ; and notice of the giving, refusal or withdrawal of such an approval shall be served by the Hairdressing Council on the body or person affected.

(2) The power of approval conferred on the Hairdressing Council by subsection (1) of this section shall include power to approve—

(a) a course of training prepared by the Hairdressing Council and conducted either under arrangements made by the Hairdressing Council or otherwise ;

(b) a qualification awarded by the Hairdressing Council as a result of an examination held under arrangements made by the Hairdressing Council.

(3) The withdrawal of an approval under this section shall not prejudice the registration or entitlement to registration of any person who was registered or entitled to registration by virtue of that approval immediately before it was withdrawn.

(4) Any reference in this section to a body or person affected, in relation to an approval, is a reference to the body or person who applied for the approval.

Supervision  
of approved  
institutions  
and examina-  
tions.

5. It shall be the duty of the Hairdressing Council to keep themselves informed of the nature of the instruction given at institutions approved under section 4 of this Act to persons attending courses approved under that section and of the examinations in hairdressing the passing of which may be prescribed by the Council as being a condition of registration under this Act.

Supplementary  
provisions  
as to the  
register.

6.—(1) The Hairdressing Council may make rules with respect to the form and keeping of the register and the making of entries, alterations and corrections therein and, in particular—

- (a) regulating the making of applications for registration and providing for the evidence to be produced in support of any such application ;
- (b) providing for the notification to the Council of any change in the particulars entitling a person to be registered ;
- (c) prescribing a fee to be charged on the entry of a name in, or the restoration of a name to, the register ;
- (d) prescribing a fee to be charged in respect of the retention in the register of any name in any year subsequent to the year in which that name was first entered in the register ;
- (e) authorising the registrar of the Hairdressing Council to refuse to enter a name in or restore it to the register until a fee prescribed for the entry or restoration has been paid and to remove from the register the name of a person who, after the prescribed notices and warnings, fails to pay the fee prescribed in respect of the retention of that name in the register ;
- (f) prescribing anything required or authorised to be prescribed by the provisions of this Act relating to the register.

(2) Rules under this section which provide for the erasure of a name from the register on failure to pay a fee shall provide for its restoration thereto on the making of the prescribed application in that behalf and on payment of that fee and any additional fee prescribed in respect of the restoration.

(3) Rules under this section prescribing fees may provide for the charging of different fees in different classes of cases.

7.—(1) The Hairdressing Council shall cause the register to be published within six months of the appointed day and as often thereafter as they think fit. Publication of register.

(2) Where the register is not published in any year after the first publication thereof, the Council shall cause any alterations in the entries in the register which have been made since the last publication thereof to be published within that year.

8.—(1) The Hairdressing Council shall set up two committees to be known as the investigating committee and the disciplinary committee respectively, of which— Investigating and disciplinary committees.

(a) the investigating committee shall be charged with the duty of conducting a preliminary investigation into any case where it is alleged that a person registered by the Hairdressing Council is liable to have his name removed from the register, and of deciding whether the case should be referred to the disciplinary committee ; and

(b) the disciplinary committee shall be charged with the duty of considering and determining any case referred to it by the investigating committee and any other case of which the disciplinary committee has cognisance under subsection (3) of the next following section.

(2) The provisions of Part I of Schedule 2 to this Act shall have effect with respect to the constitution of the investigating and disciplinary committees, and the provisions of Part II of that Schedule shall have effect with respect to the procedure of the disciplinary committee.

9.—(1) Where—

(a) a person who is registered by the Hairdressing Council is convicted by any court in the United Kingdom of a criminal offence which, in the opinion of the disciplinary committee, renders him unfit to be registered ; or

(b) such a person is judged by the disciplinary committee to be guilty of serious negligence in any professional respect ; or

(c) the disciplinary committee is satisfied that the name of such a person has been fraudulently entered on the register maintained by the Hairdressing Council :

the committee, may, if it thinks fit, direct that the person's name shall be removed from the register.

Removal of names from register for crime, etc.

(2) When the disciplinary committee directs that a person's name shall be removed from the register, the committee shall cause notice of the direction to be served on that person.

(3) A person whose name is removed from the register in pursuance of a direction of the disciplinary committee under this section shall not be entitled to be registered in the register again except in pursuance of a direction in that behalf given by the committee on the application of that person; and a direction under this section for the removal of a person's name from the register may prohibit an application under this subsection by that person until the expiration of such period from the date of the direction (and where he has duly made such an application, from the date of his last application) as may be specified in the direction.

Return of  
certificates of  
registration.

10. Where the name of any person is removed from the register in pursuance of this Act that person shall within seven days of receiving notice thereof deliver up to the Council his certificate of registration.

Notices, etc.

11.—(1) In this Act the expression "notice" means a notice in writing.

(2) Any notice authorised or required to be served under this Act may, without prejudice to any other method of service but subject to any provision to the contrary in rules under this Act be served by post; and for the purpose of the application to this subsection of section 26 of the Interpretation Act 1889 (which relates to service by post) the proper address of a person to whose registration such a notice relates shall be his address on the register.

52 & 53 Vict.  
c. 63.

The  
Registrar.

12.—(1) There shall be a registrar of the Hairdressing Council and he shall hold and vacate office in accordance with the terms of his appointment.

(2) The first registrar and each of his successors shall be appointed by the Hairdressing Council.

Accounts.

13.—(1) The Council shall keep accounts of all sums received or paid by them and the accounts shall be audited by auditors appointed by the Council.

(2) No person shall be qualified to be appointed an auditor under the last foregoing subsection unless he is a member or, in the case of a firm, all the partners therein are members of one or more of the following bodies:—

the Institute of Chartered Accountants in England and Wales;



the Institute of Chartered Accountants of Scotland ;  
 the Association of Certified and Corporate Accountants ;  
 the Institute of Chartered Accountants in Ireland ;  
 any other body of accountants established in the United  
 Kingdom and for the time being recognised for the  
 purposes of section 161(1)(a) of the Companies Act  
 1948 by the Board of Trade.

11 & 12 Geo.  
6. c. 38.

(3) Copies of the accounts of the Council shall be furnished to any person on application and on payment of such reasonable sum as the Council may determine.

14. The Hairdressing Council shall have no powers as regards negotiating questions of service, charges, wages or conditions of employment of hairdressers as between employer and employees or otherwise.

Limitation on  
powers of  
Council.

15. In this Act, unless the context otherwise requires, the following expressions shall have the meanings hereby respectively assigned to them, that is to say :—

Interpreta-  
tion.

“ the appointed day ” means the 1st January 1966 ;

“ functions ” includes powers and duties ;

“ hairdressing ” means the following :—

shaving, cutting, shampooing, tinting, dyeing, bleaching, waving, curling, straightening, setting, or dressing of the hair, upon the scalp or face, with or without the aid of any apparatus or appliance, preparation or substance ; the hand or vibro massage of the scalp or face ;

“ prescribed ” means prescribed by rules under this Act ;

“ the register ” means the register of hairdressers to be maintained in pursuance of section 2 of this Act ;

“ registered person ” means a person who is registered under section 3 of this Act.

16.—(1) This Act may be cited as the Hairdressers (Registration) Act 1964.

Short title  
and extent.

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

## SCHEDULES

## Section 1.

## SCHEDULE 1

## CONSTITUTION OF THE COUNCIL AND SUPPLEMENTARY PROVISIONS

## PART I

## CONSTITUTION OF THE COUNCIL

## 1. The Council shall consist of:—

- (1) four persons, who (subject to the provisions of paragraph 2 of this Schedule) shall be registered persons and who shall be employers of persons engaged in hairdressing, or self-employed persons engaged in hairdressing, of whom two shall be appointed by the National Hairdressers Federation and two shall be appointed by the Incorporated Guild of Hairdressers, Wigmakers and Perfumers;
- (2) four persons, who (subject to the provisions of paragraph 2 of this Schedule) shall be registered persons and who shall be employees engaged in hairdressing, to be appointed by the Union of Shop, Distributive and Allied Workers;
- (3) one person appointed by the President of the British Medical Association;
- (4) one person appointed by the President of the Royal College of Physicians of London;
- (5) five persons appointed (subject to the provisions of paragraph 2 of this Schedule) by the members of the Council appointed under sub-paragraphs (1) and (2) of this paragraph from among persons appearing to them to have had wide experience of, and shown capacity in, industry, commerce, administration, finance, or the practice of the law, or to have, in some other respect, special knowledge or experience that would be of value to the Council in the exercise and performance of its functions.

2.—(1) The persons first to be appointed in pursuance of sub-paragraphs (1) and (2) of paragraph 1 of this Schedule shall not be registered persons but shall be persons who at the passing of this Act are employers of persons engaged in hairdressing or persons self-employed in hairdressing or (as the case may be) employees engaged in hairdressing and shall be persons registered by the Hairdressers' Registration Council, that is to say, the company registered by that name under the Companies (Consolidation) Act

8 Edw. 7. c. 69. 1908.

(2) The persons first to be appointed in pursuance of sub-paragraph (5) of paragraph 1 of this Schedule shall be appointed by the Hairdressers' Registration Council from among persons appearing to it to have the qualifications mentioned in that sub-paragraph.

3.—(1) Before the National Hairdressers Federation and the Incorporated Guild of Hairdressers, Wigmakers and Perfumers proceed to appoint the Members of the Hairdressing Council under sub-paragraph (1) of paragraph 1 of this Schedule they shall consult together and shall ensure that not less than two of the persons to be appointed under the said sub-paragraph (1) shall be persons engaged in ladies' hairdressing.

(2) Not less than two of the persons to be appointed under sub-paragraph (2) of paragraph 1 of this Schedule shall be persons engaged in ladies' hairdressing.

## PART II

### SUPPLEMENTARY PROVISIONS RELATING TO THE HAIRDRESSING COUNCIL

4. The Hairdressing Council shall be a body corporate with perpetual succession and a common seal.

5. The first members of the Hairdressing Council shall be appointed within six months of the passing of this Act.

6.—(1) Of the members first appointed under sub-paragraphs (1) and (2) of paragraph 1 of this Schedule one-fourth shall retire on the thirty-first day of December in each of the years 1965, 1966, 1967 and 1968.

(2) The term of office of the members subsequently appointed under those sub-paragraphs shall be four years.

(3) For the purposes of sub-paragraph (1) of this paragraph the order of retirement of members shall be determined in default of agreement by lot at a meeting of the Council within four months after the first meeting of the Council, the lots being drawn under the direction of the person presiding at the meeting.

7. The term of office of the members appointed under sub-paragraphs (3) to (5) of paragraph 1 of this Schedule shall be three years.

8. A member of the Hairdressing Council may at any time by notice in writing addressed to the registrar resign his office.

9.—(1) A person appointed to fill a casual vacancy among the members of the Council shall hold office during the remainder of the term of office of the person in whose place he is appointed.

(2) Any vacancy other than a casual vacancy in the membership of the Hairdressing Council shall be filled before the date on which the vacancy will occur.

10.—(1) The Hairdressing Council shall have power to do anything which in their opinion is calculated to facilitate the proper discharge of their functions.

(2) The Council shall, in particular, have power :—

(a) to appoint, in addition to a registrar, such officers and servants as the Council may determine ;

SCH. 1

- (b) to pay to the members of the Council or their committees such fees for attendance at meetings of the Council or their committees and such travelling and subsistence allowances while attending such meetings or while on any other business of the Council as the Council may determine ;
- (c) to pay to their officers and servants such remuneration as the Council may determine ;
- (d) as regards any officers or servants in whose case they may determine to do so, to pay to, or in respect of them, such pensions and gratuities, or provide and maintain for them such superannuation schemes (whether contributory or not), as the Council may determine.

(3) The powers of the Council may be exercised notwithstanding any vacancy, and no proceedings of the Council shall be invalidated by any defect in the appointment of a member.

11. The Hairdressing Council may make regulations for regulating the meetings and proceedings of the Council.

12. No business shall be transacted at a meeting of the Hairdressing Council unless at least five members are present.

Section 8.

## SCHEDULE 2

## THE INVESTIGATING AND DISCIPLINARY COMMITTEE

## PART I

## CONSTITUTION OF THE COMMITTEES

1.—(1) The Council shall make rules regulating the membership of each of the committees, and the times and places of the meetings, quorum and mode of summoning members of the disciplinary committee ; but a person shall not be eligible for membership of either committee unless he is a member of the Council.

(2) Such rules shall secure that no person who acted as a member of the investigating committee with respect to any case shall act as a member of the disciplinary committee with respect to that case.

## PART II

## PROCEDURE OF DISCIPLINARY COMMITTEE

2.—(1) Subject to the next following sub-paragraph, the Council shall make rules as to the procedure to be followed and the rules of evidence to be observed in proceedings before the disciplinary committee, and in particular—

- (a) 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 by the rules, to the person alleged to be liable to have his name removed from the register ;

- (b) for determining who, in addition to the person aforesaid, shall be a party to the proceedings ;
- (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 by the rules ;
- (e) for requiring proceedings before the committee to be held in public except so far as may be provided by the rules.

(2) As respects proceedings for the registration of a person whose name was previously removed from the register by direction of the disciplinary committee, the Council shall have power to make rules with respect to all or any of the matters mentioned in the foregoing sub-paragraph, but shall not be required to do so ; and separate rules under this paragraph may be made as respects such proceedings.

3.—(1) For the purpose of advising the disciplinary committee on questions of law arising in proceedings before it, there shall in all such proceedings be an assessor to the committee who shall be a barrister, advocate or solicitor of not less than ten years standing.

(2) The power of appointing an assessor for the disciplinary committee shall be exercisable by the Council but if no assessor appointed by the Council is available to act in any particular proceedings the committee may itself appoint an assessor qualified as aforesaid for those proceedings.

(3) Except in the case of an assessor appointed by the committee itself under sub-paragraph (2) above, an assessor may be appointed under this paragraph either generally or for any particular proceedings or class of proceedings, and shall hold and vacate office in accordance with the terms of the instrument under which he is appointed.



# Spray Irrigation (Scotland) Act 1964

## 1964 CHAPTER 90

An Act to enable river purification boards in Scotland in pursuance of their functions to control the abstraction of water for the purpose of spray irrigation; and for purposes connected therewith. [31st July 1964]

**B**E IT ENACTED by the Queen'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:—

Power to  
control spray  
irrigation.  
14 & 15 Geo. 6.  
c. 66.

1.—(1) For the purpose of assisting them in the performance of the duties laid on them by section 17(1) of the Rivers (Prevention of Pollution) (Scotland) Act 1951 (which relates among other things to the promotion of the cleanliness of rivers and the conservation of water resources) a river purification board may make application to the Secretary of State for an order to control in respect of any stream or locality in their area the abstraction of water for the purpose of spray irrigation, and after consideration of the application the Secretary of State may, if he thinks fit, and in accordance with the provisions of the Schedule to this Act, make a control order.

(2) Where the Secretary of State in performance of the duty laid on him by section 1 of the Water (Scotland) Act 1946 or by section 1(1) of the said Act of 1951 (which provisions among other things lay a duty on the Secretary of State to promote the conservation of water and the cleanliness of rivers) is satisfied that in relation to any stream or locality the question of a control order should be considered, he may require the river purification board concerned to make application under the foregoing subsection for such an order and the board shall comply with any such requirement.

9 & 10 Geo. 6.  
c. 42.

(3) The provisions of the Schedule to this Act shall have effect with regard to applications for, and to the making, coming into operation, and the validity of, a control order.

(4) In this Act—

“*spray irrigation*” means the irrigation of land or plants (including seeds) by means of water or other liquid emerging (in whatever form) from apparatus designed or adapted to eject liquid into the air in the form of jets or spray ;

“*control order*” means an order made under this section ;

“*control area*” means all streams and localities to which a control order relates, but does not include any underground stream, or any body of water, whether underground or otherwise, which is not a stream.

2.—(1) On the coming into force of a control order no person shall for the purpose of spray irrigation abstract water from the control area, or cause or permit any other person so to abstract water, except in pursuance of a licence under this Act granted by the river purification board concerned and except in accordance with the provisions of that licence, unless the operation of the licence has been suspended by virtue of a declaration made under section 7(2) of this Act.

Regulation by licence of spray irrigation in control area.

(2) Any person guilty of a contravention of the provisions of the foregoing subsection shall be liable on summary conviction to a fine not exceeding £50.

3.—(1) A person may apply for a licence to abstract water for the purpose of spray irrigation from a stream specified in his application where he is the occupier of land contiguous to that stream or where he will be such an occupier on the date when the licence comes into force.

Licences.

(2) Subject to the following provisions of this Act any such licence shall remain in force for one calendar year, and any application therefor shall be made not later than the 15th day of September in the year immediately preceding the year for which it is proposed that the licence is to be in force.

(3) An application for a licence under this section shall be made to the appropriate river purification board and shall contain such information as to the source of supply, the point of abstraction of water, the amount of water to be abstracted, the land to be irrigated, the purpose of the irrigation, and other matters relevant to consideration of the application, as that board may require.

(4) It shall be the duty of a river purification board

(a) in each year, as soon as may be after the date mentioned in subsection (2) of this section, to publish in a local newspaper circulating in each area to which a

control order relates, a notice stating briefly the nature of any applications made to them for licences in that area and where and when particulars of those applications may be inspected ; and

- (b) to maintain at their office a register containing particulars of any application made or licence granted for the purposes of this Act to be open to public inspection free of charge at all reasonable hours ; and the particulars of any such application or licence shall be entered in that register within seven days of the receipt of the application, or as the case may be, the granting of the licence.

(5) Any person who objects to such an application may, not later than the 15th day of October in the year in which the application is made, make representations accordingly in writing to the board.

(6) A river purification board, having regard to their statutory duties, and after consideration of an application and any representations against it duly made—

- (a) may grant a licence either unconditionally or containing such conditions as they may reasonably impose, which, without prejudice to that generality, may include conditions as to the means of abstraction of water, the point of abstraction of water, the amount of water to be abstracted during any period, and the periods during which water may be abstracted, or
- (b) may refuse to consent to the application, and in the case of refusal of consent the board shall communicate in writing their decision and the reasons therefor to the applicant.

(7) Where a river purification board fail to inform an applicant of their decision on his application by the 15th day of November in the year in which the application is made, the application shall be deemed to have been granted unconditionally, and the board shall issue a licence accordingly.

(8) Where on an application under this section the applicant is aggrieved by the decision of the river purification board, he may, within 28 days of his receipt of that decision appeal by notice in writing to the Secretary of State ; and the applicant shall, within that time, serve a copy of that notice on the river purification board.

(9) Where an appeal is brought as aforesaid, the Secretary of State may allow or dismiss the appeal, or may cancel or vary any condition attached to the licence, whether the appeal relates to that condition or not, and may deal with the application as if it had been made to him in the first instance.



(10) Where any representations have been made under subsection (5) of this section, the Secretary of State, before determining the appeal, shall require the river purification board to serve a copy of the notice of appeal on each of the persons who made those representations; and the Secretary of State, in determining the appeal, shall take into account any further representations in writing received by him from those persons within such time as he may direct.

(11) Before determining any appeal under this section the Secretary of State shall, if the applicant or the river purification board or any person who under subsection (5) of this section has made representations regarding the application so desire, afford to them an opportunity of appearing before and being heard by a person appointed by the Secretary of State for the purpose.

(12) The decision of the Secretary of State on any appeal under this section shall be final.

(13) On the granting of a licence under this section there shall be payable to the river purification board by the holder of the licence a fee of £5 or such other sum as the Secretary of State may by order prescribe.

(14) Any licence granted under this section shall specify—

- (a) the person to whom and the land to which it relates;
- (b) the year in respect of which it is to be in force;
- (c) the purpose for which the water is to be abstracted for spray irrigation under the licence; and
- (d) any conditions to which the licence is subject by virtue of this section.

(15) In any action brought against a person in respect of the abstraction of water from a source of supply, it shall be a defence for him to prove that the water was abstracted in pursuance of a licence under this Act, and that the provisions of the licence were complied with.

4.—(1) A river purification board may at any time consider an application for a licence in respect of abstraction of water from a particular source of supply from a person who satisfies them that in all the circumstances he could not reasonably comply with the provisions of subsection (2) of the last foregoing section regarding applications, and the provisions of that section except subsection (2) and paragraph (a) of subsection (4) shall, subject to the next following subsection, apply to such an application and to any licence granted in pursuance thereof.

Special provisions regarding late application for a licence.

(2) On making an application under the foregoing subsection or under section 6(2) of this Act and section 3 as applied thereby, the applicant shall publish in a local news-

paper, circulating in the area where the licence would have or has effect, a notice stating briefly the nature of his application, and in relation to that application the dates mentioned in subsections (5) and (7) of the last foregoing section shall not apply, but—

(a) representations against the application may not be entertained if made later than 14 days from the date of publication of the notice as aforesaid ;

(b) the board shall have 28 days from the said date to arrive at a decision in relation to the application ;

and subsections (5) and (7) of the last foregoing section shall have effect accordingly.

(3) A licence granted by virtue of subsection (1) of this section shall, subject to the provisions of this Act, remain in force until the end of the calendar year in respect of which it was granted.

**Transfer of licences.**

5.—(1) Where the holder of a current licence under this Act or of any such licence for the calendar year next following ceases to occupy the land specified in the licence, the licence shall be transferred to the succeeding occupier and the register kept under section 3 of this Act and the licence shall be amended and have effect accordingly.

(2) Where an application for a licence under the last two foregoing sections has been made but not yet granted, and the person making the application ceases to occupy the land to which the licence would relate, the river purification board to whom the application was made shall, at the request of the succeeding occupier, consider the application as having been made by him in the first instance.

**Revocation and variation of licences.**

6.—(1) A river purification board may revoke a licence granted by them under this Act if the holder is convicted of an offence under section 2 of this Act in connection with that licence.

(2) A river purification board may on the application of the holder of a licence vary that licence ; and, where the effect of the variation would be to increase the quantity of water authorised to be abstracted, the provisions of section 3 as read with section 4(2) of this Act shall apply with any necessary modifications to the application for variation and to the variation of the licence as they apply to applications for, and the grant of, licences under that section.

**Special provisions for shortage or abundance of water.**

7.—(1) Where by reason of exceptional shortage of rain or other emergency it appears to a river purification board that it is necessary to impose a temporary restriction on the abstraction of water, they may restrict or suspend the operation of any

licence under this Act relating to a stream or locality affected by the shortage or emergency :

Provided that if occasioned by exceptional shortage of rain that restriction or, as the case may be, that suspension shall apply equitably to all licences relating to the stream or locality in question.

(2) Where by reason of abundance of water it appears to a river purification board that restrictions on the abstraction of water from a stream or locality may be temporarily relaxed or suspended, the board may so declare, and while such a declaration has effect the operation of licences under this Act relating to the stream or locality in question shall be relaxed to the extent authorised by the declaration (which shall apply equitably to all such licences) or, as the case may be, shall be suspended.

(3) A river purification board shall communicate any decision taken by them under this section to the holders of licences affected thereby.

**8.** There shall be paid out of moneys provided by Parliament— Expenses.

- (a) any expenses incurred by the Secretary of State under this Act ; and
- (b) any increase attributable to the provisions of this Act in the sums payable under any other enactment out of moneys so provided.

**9.—**(1) This Act may be cited as the Spray Irrigation (Scotland) Act 1964.

Construction, citation and extent.

(2) This Act shall be construed as one with the Rivers (Prevention of Pollution) (Scotland) Act 1951, and the reference in section 20(1)(b) of the said Act of 1951 to an authorisation granted under that Act shall be construed as including a reference to a licence granted under this Act.

(3) This Act shall come into operation at the expiration of the period of one month beginning with the day on which it is passed.

(4) This Act shall extend to Scotland only.

## Section 1.

## SCHEDULE

## PROVISIONS AS TO APPLICATIONS FOR, MAKING, COMING INTO OPERATION, AND VALIDITY OF, CONTROL ORDERS

## 1. An application for a control order—

- (a) shall specify all streams or localities to which the control order sought by the application would relate and all such other relevant information as the Secretary of State may from time to time require ; and
- (b) without prejudice to the foregoing generality, after a date to be appointed by the Secretary of State, shall, so far as practicable, include a statement of what the river purification board concerned consider to be the minimum acceptable flows for each such stream, as measured at control points described in that statement.

2. On making an application for a control order the river purification board concerned shall in two successive weeks publish in at least one local newspaper circulating in their area and in the area to which the control order would relate, and in the Edinburgh Gazette, a notice—

- (a) stating the general effect of the application ;
- (b) specifying a place in the said area where a copy of the application and of any relevant map or plan may be inspected by any person free of charge at all reasonable hours during a period of 28 days from the date of the first publication of the notice ; and
- (c) stating that, within the said period, any person may by notice in writing to the Secretary of State object to the application.

3.—(1) Not later than the date on which the said notice is first published as aforesaid, the river purification board shall serve a copy thereof (together with a copy of the application and of any relevant map or plan) on the following—

- (a) every local authority whose area is comprised wholly or partly in the proposed control area ;
- (b) any statutory body the exercise of whose functions may be affected by the control order if made ;
- (c) any body or association appearing to the river purification board to represent persons who in their opinion may be affected by the control order if made ; and
- (d) every person known to the river purification board to have any interest in any land to which the control order applied for would relate :

Provided that where it appears to the Secretary of State, from representations made to him by the board, that compliance with head (d) of this sub-paragraph would be unduly onerous, it shall be sufficient compliance if the board, having submitted proposals in this regard to the Secretary of State, take such steps as he may direct as respects service of the said copy documents upon such of the persons referred to in the said head (d) as in his opinion may be

materially affected by the control order if made, and as respects further publication of those documents.

(2) In this paragraph the expression "statutory body" means any body exercising functions conferred on it by or under any enactment.

4. Not later than the date on which the said notice is first published as aforesaid, the river purification board shall cause a copy thereof to be displayed in a prominent position in the area to which the control order applied for would relate.

5. If before the expiration of the said period of 28 days an objection is received by the Secretary of State from any party on whom a copy of the said notice is required by paragraph 3 of this Schedule to be served, or from any other party appearing to the Secretary of State to be likely to be affected by the proposed control order or, as the case may be, to represent persons likely to be so affected, and the objection is not withdrawn, the Secretary of State shall cause a public local inquiry to be held.

6. The provisions of subsections (2) to (9) of section 355 of the Local Government (Scotland) Act 1947 (which relate to the holding of local inquiries) shall apply in relation to a public local inquiry held under the foregoing paragraph as they apply in relation to local inquiries held under the said section 355. 10 & 11 Geo. 6. c. 43.

7. After considering any objections to the application which are not withdrawn and, where a public local inquiry is held, the report of the person who held the inquiry, the Secretary of State may make a control order as proposed in the application or with such modifications to these proposals as (subject to the next following sub-paragraph) he thinks fit, or may refuse to make a control order:

Provided that the Secretary of State shall not make a control order with any modification to the proposals in the application unless he has first—

- (a) intimated the terms of the modification to the parties on whom a copy of the notice mentioned in paragraph 3 of this Schedule is required by that paragraph to be served and on any other person who in the Secretary of State's opinion may be affected by the modification;
- (b) given them an opportunity to make representations thereanent; and
- (c) considered any representations so made.

8. The power to make a control order shall be exercisable by statutory instrument and shall include power to vary or revoke any control order by a subsequent control order.

9. If the Secretary of State makes a control order the river purification board shall publish in the manner prescribed by paragraph 2 of this Schedule a notice stating that the order has been made, and naming a place where a copy of the order may be seen at all reasonable hours, and paragraphs 3 and 4 of this Schedule shall apply to any such notice as they apply to a notice required to be published by the said paragraph 2.

10. If any person aggrieved by a control order desires to question the validity thereof, or of any provision contained therein, on the grounds that it is not within the powers of this Act, or on the grounds that any requirement of this Act has not been complied with in relation to the making of the order, he may, within six weeks from the date on which the notice required by the last foregoing paragraph is first published, make an application to the Court of Session, and on any such application the Court—

- (a) may suspend the operation of the control order, or of any provision contained therein, 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 that the control order, or any provision contained therein, is not within the powers of this Act, or that the interests of the applicant have been substantially prejudiced by a failure to comply with any such requirement as aforesaid, may quash the order, or any provision contained therein, either generally or in so far as it affects any property of the applicant.

11. Subject to the provisions of the last foregoing paragraph, a control order shall not, either before or after it has been made, be questioned in any legal proceedings whatsoever, and shall become operative on the date on which the notice required by paragraph 9 of this Schedule is first published.



# Divorce (Scotland) Act 1964

## 1964 CHAPTER 91

An Act to amend the law of Scotland relating to divorce and to other consistorial causes; to facilitate reconciliation in such causes; to confer new powers on the courts to award interim aliment; and for purposes connected with the matters aforesaid. [31st July 1964]

**B**E IT ENACTED by the Queen'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. Any presumption of condonation which arises from the continuance or resumption of marital intercourse may be rebutted on the part of a husband, as well as on the part of a wife. Presumption as to condonation rebuttable.

2.—(1) In an action of divorce or of separation on the grounds of adultery or of cruelty, the adultery or cruelty shall not be held to have been condoned by reason only of a continuation or a resumption of co-habitation between the parties for any one period not exceeding three months, or of anything done during such co-habitation, if it is proved that co-habitation was continued or resumed, as the case may be, with a view to effecting a reconciliation. Temporary cohabitation with a view to reconciliation not condonation.

(2) In calculating for the purposes of section 1(1)(a) of the Divorce (Scotland) Act 1938 the period for which the defender has persisted in desertion of the pursuer, no account shall be taken of any one period not exceeding three months during which the parties resumed co-habitation with a view to a reconciliation. 1 & 2 Geo. 6. c. 50.

Willingness of deserted spouse to adhere.

**3.**—Any rule of law which requires that the pursuer in an action of divorce on the ground of desertion shall satisfy the court of his willingness to adhere to the defender throughout the period specified in section 1(1)(a) of the said Act of 1938 shall cease to have effect; but it shall be a defence in any such action that during that period the pursuer has refused a genuine and reasonable offer by the defender to adhere.

No requirement of protection in divorce for cruelty.

**4.** In an action of divorce for cruelty under section 1 of the Divorce (Scotland) Act 1938 the court shall not be required to have regard to the need for present or future protection of the pursuer.

Restriction of certain defences.

**5.**—(1) In an action of divorce on the ground of desertion, it shall no longer be a defence that the pursuer has committed adultery, unless it appears to the court that the adultery was a cause of the defender's desertion of the pursuer, or a cause of the defender persisting in such desertion during the period specified in section 1(1)(a) of the Divorce (Scotland) Act 1938.

(2) Where cruelty is alleged against a party to a consistorial action, it shall not be a defence that the party against whom the allegation is made—

- (a) was at the material time suffering from insanity, or
- (b) had no malicious intent towards the other party.

Extension of powers of court to award aliment.

**6.** Without prejudice to its other powers to award aliment, it shall be competent for the court in an action of interim aliment to grant decree of interim aliment where it is satisfied that the pursuer is with just cause living in separation from the defender by reason of the desertion or other conduct of the defender.

Amendment of section 2 of the Divorce (Scotland) Act 1938.

**7.** For section 2 of the Divorce (Scotland) Act 1938 there shall be substituted the following section:—

“ Financial provision on divorce on ground of incurable insanity.

(1) Where a decree of divorce has been granted on the ground specified in section 1(1)(b) of this Act the court may make such order, if any, as having regard to the respective means of the parties it shall think fit, for the payment by either party to the marriage to which the action relates, or out of any estate belonging to him or held for his behoof, or, in the event of his predeceasing the other party to the said marriage, by his executors, of a capital sum or an annual or periodical allowance to or for the behoof of the other party to the marriage or of any children of the marriage.



(2) Any order made under the last foregoing subsection may be varied or recalled by a subsequent order ”.

8. In this Act, “ the court ” means— Interpretation.

(a) in relation to divorce proceedings, the Court of Session ; and

(b) in relation to other consistorial proceedings, that Court or the sheriff.

9. This Act may be cited as the Divorce (Scotland) Act 1964. Citation.





# Finance (No. 2) Act 1964

## 1964 CHAPTER 92

An Act to grant certain duties, to alter other duties and to make further provision in connection with Finance.

[17th December 1964]

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 Queen'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

#### INCOME TAX

1.—(1) Income tax for the year 1965-66 shall be charged at the standard rate of 8s. 3d. in the pound, and, in the case of an individual whose total income exceeds £2,000, at such higher rates in respect of the excess as Parliament may hereafter determine. Charge of income tax for 1965-66.

(2) Section 220(1) of the Income Tax Act 1952 (reduced rate relief), as amended by section 2(7) of the Finance Act 1955, section 19(2) of the Finance Act 1959 and section 12(5) of the Finance Act 1963, shall be amended, as respects the year of assessment 1965-66 and subsequent years of assessment, by the substitution for the words "seven shillings and ninepence" in each place where they occur of the words "eight shillings and threepence", and by the substitution for the words "3s. 9d." and "1s. 9d." of the words "4s. 3d." and "2s. 3d." 1952 c. 10. 1955 c. 15. 1959 c. 58. 1963 c. 25.

## PART II

## CUSTOMS AND EXCISE

*Hydrocarbon oils, etc.*

Hydrocarbon oils, petrol substitutes and power methylated spirits.

2.—(1) There shall be charged on hydrocarbon oils imported into the United Kingdom a duty of customs at the rate of three shillings and threepence a gallon.

(2) A duty of excise at the same rate as the duty of customs charged under subsection (1) of this section shall be charged—

(a) on hydrocarbon oils produced in the United Kingdom which, on or after 1st January 1965, are delivered for home use from a refinery or from other premises used for the production of hydrocarbon oils or from any bonded storage for hydrocarbon oils, and which are not chargeable with the customs duty on hydrocarbon oils;

(b) on any petrol substitute which, on or after 1st January 1965, is sent out from the premises of a person producing or dealing in petrol substitutes and which was not acquired by him duty paid under this paragraph; and

(c) on spirits used for making power methylated spirits (payable by the methylator immediately after the spirits have been so used).

(3) The duties charged by subsections (1) and (2) of this section are instead of the duties of customs and excise specifically charged on hydrocarbon oils, petrol substitutes and spirits used for making power methylated spirits by any Act other than this Act, but this subsection shall not affect excise duty under section 2 of the Finance Act 1950 (hydrocarbon oils) or section 3 of that Act (petrol substitutes) becoming chargeable before 1st January 1965 (which by virtue of the said section 2, as amended by the Hydrocarbon Oils (Excise Duty) Order 1953, is at a rate 1s. 3d. per gallon less than the customs duty on hydrocarbon oils); and the reference in subsection (2)(b) of this section to duty paid under that paragraph includes duty paid under the said section 3 of the Finance Act 1950.

(4) This section shall have effect as from 6 o'clock in the evening on 11th November 1964.

*Temporary charges on imports*

Charge of temporary customs duty.

3.—(1) Subject to section 4 of this Act, there shall be charged on all goods imported into the United Kingdom a duty of customs which, subject to subsection (9) of this section, shall be fifteen per cent. of the value of the goods.

(2) Duty under this section chargeable on any goods shall be chargeable in addition to any other duty of customs for the time being chargeable thereon and, notwithstanding the provisions of section 3(1) of the Import Duties Act 1958 or of any other provision contained in an Act other than this Act, the charge of duty under this section shall not affect liability to customs duty chargeable under any other enactment or the amount of any such duty. 1958 c. 6.

(3) Without prejudice to the last foregoing subsection, the definition of "revenue duty" in Article 2(4) of the Import Duties (General) (No. 3) Order 1961 (under which duty under the Import Duties Act 1958 is, in certain cases, only chargeable so far as the relevant rate of duty exceeds the revenue duty) shall not include duty under this section. S.I. 1961/403.

(4) The charge of duty under this section shall not affect liability to purchase tax under Group 35 in Part I of Schedule 1 to the Purchase Tax Act 1963 (which charges manufactured beverages but excludes those chargeable with any duty of customs specifically charged on spirits, beer, or wine and preparations thereof). 1963 c. 9.

(5) Section 259 of the Customs and Excise Act 1952 (duties in respect of dutiable parts or ingredients) shall not have effect in relation to duty under this section. 1952 c. 44.

(6) Duty under this section in respect of goods entered for warehousing shall become chargeable at the time when, under section 28(2) of the Customs and Excise Act 1952, the goods are so entered for warehousing; and, so far as relates to duty under this section—

(a) section 34(2)(a) of that Act (incidence of duty) shall apply to goods so entered for warehousing as if they were goods entered for home use, and to the exclusion of section 88 and section 34(2)(b) of that Act (under which the incidence of duty is in general determined as at the time of removal from warehouse), and

(b) section 196 of that Act (time of payment of duty on hydrocarbon oils removed to a refinery), and section 6(1)(2) of the Finance Act 1964 (delivery of hydrocarbon oils for home use without payment of duty), shall not apply. 1964 c. 49.

(7) Section 9 of the Finance Act 1961 (power to introduce surcharges or rebates in respect of customs and excise duties) shall not apply to duty under this section. 1961 c. 36.

(8) For the purposes of section 10 of the Finance Act 1901 (under which the burden of a new duty imposed on a seller under a contract made before the new duty takes effect may, in the absence of agreement to the contrary, be transferred to the

## PART II

buyer) as it applies in relation to duty under this section, any terms in a contract expressly or impliedly making a seller liable for all customs duties (or all customs duties with exceptions not affecting duty under this section) shall not be deemed to amount to an agreement to the contrary (that is to say, to an agreement that the said section 10 shall not apply).

(9) The Treasury may from time to time by order reduce, or further reduce, the rate of duty of fifteen per cent. specified in subsection (1) of this section.

An order under this subsection—

- (a) may apply (subject always to section 4 of this Act) either generally or as respects goods of descriptions specified in the order, and
- (b) may provide that the duty shall cease to be in force, either generally or as respects goods of descriptions specified in the order, and
- (c) may vary or revoke a previous order under this subsection, but not so as to increase or reimpose duty on any goods, and
- (d) shall be made by statutory instrument subject to annulment in pursuance of a resolution of the House of Commons.

(10) Duty under this section shall be deemed to have come into force on 27th October 1964 and, in respect of goods so chargeable as from a date before the passing of this Act, shall become recoverable from the importer on the date of the passing of this Act.

(11) Subject to the next following subsection, duty under this section shall cease to be in force at the end of November 1965.

(12) The Treasury may by order in a statutory instrument, of which a draft has been approved by resolution of the House of Commons, direct that duty under this section shall continue in force until the end of November 1966.

Goods  
exempted  
from duty.

4.—(1) Duty under section 3 of this Act shall not be charged on goods of the descriptions specified in Schedule 1 to this Act (being goods classified in accordance with the Customs Tariff 1959).

(2) The Treasury may by order add to Schedule 1 to this Act any description of goods specified in the order.

(3) An order under subsection (2) of this section—

- (a) subject to subsection (4) of this section, may amend the provisions of Schedule 1 to this Act,

(b) subject to subsection (4) of this section, may vary or revoke a previous order under the said subsection (2), and

(c) subject to subsection (5) of this section, shall be made by statutory instrument subject to annulment in pursuance of a resolution of the House of Commons.

(4) An order under subsection (2) of this section may exclude any description of goods specified in the order from Schedule 1 to this Act (so as to charge goods of that description with duty under section 3 of this Act) if and only if it appears to the Treasury that having regard to the descriptions of goods which, apart from the order, are so chargeable, the exemption withdrawn by the order is anomalous, and the order declares that it is made in pursuance of this subsection.

(5) An order made in pursuance of the last foregoing subsection shall not be subject to annulment as provided by subsection (3)(c) of this section but shall be laid before the House of Commons after being made; and the order shall cease to have effect at the end of twenty-eight days after that on which it is made (but without prejudice to anything previously done under the order or to the making of a new order) unless at some time before the end of those twenty-eight days the order is approved by resolution of the House of Commons.

In reckoning for the purposes of this subsection any period of twenty-eight days, no account shall be taken of any time during which Parliament is dissolved or prorogued or during which the House of Commons is adjourned for more than four days.

(6) Subject to subsection (3)(a) of this section, Schedule 1 to this Act shall be construed in accordance with the interpretative provisions at the end of that Schedule.

5.—(1) The Commissioners may allow drawback in respect of duty under section 3 of this Act on the exportation of goods in such circumstances and subject to such conditions as they may direct. Drawback

(2) The drawback may be in respect of duty paid on the goods, or in respect of duty paid on goods from which exported goods are manufactured or produced or which are incorporated in exported goods, and the rate of drawback may be determined in such manner and by reference to such matters as the Commissioners may determine.

(3) Where drawback is allowable on the exportation of the goods in respect of an ad valorem duty of customs not charged under section 3 of this Act the principles to be applied by the Commissioners in determining the drawback to be allowed under this section in respect of any duty under section 3 of this Act paid in respect of the goods shall be the same as the principles on which that other drawback is determined.

## PART II

(4) The rate of drawback under this section on the exportation of goods produced or manufactured from imported articles or materials charged with duty under section 3 of this Act—

(a) shall be fixed by reference either to the quantity of the imported articles or materials (or any goods produced or manufactured from those articles or materials) actually contained in the exported goods or to the quantity of the exported goods, and

(b) shall not be such as appears calculated on the average to result in the duty drawn back amounting to more than the duty paid.

(5) Except where the Commissioners, having regard to any special circumstances, otherwise determine, drawback shall not be allowed under this section if since duty under section 3 of this Act became chargeable on the imported articles or materials those articles or materials, or any goods produced or manufactured from them, have been used in the United Kingdom otherwise than by being incorporated in other goods or otherwise than by being used in the production or manufacture of other goods from them.

1952 c. 44. (6) The Commissioners may dispense with the requirements of section 267(2)(b) of the Customs and Excise Act 1952 (requiring a declaration by a claimant for a drawback) so far as relates to drawback under this section.

(7) Where the Commissioners are satisfied that it is intended to deal with any goods chargeable with duty under section 3 of this Act in such a manner that those goods, or goods produced or manufactured from them, will be eligible for drawback under this section, they may, instead of allowing the drawback, afford the like relief by remitting, subject to such conditions and restrictions as they may impose, all or any part of the duty so chargeable.

(8) Section 103(1) of the Customs and Excise Act 1952 (warehousing on drawback of British compounded spirits or spirits of wine) shall not apply to drawback of duty under section 3 of this Act unless the goods are warehoused under the said section 103 for exportation or for use as stores; and section 137 (beer duty drawback) and section 309(5) of that Act (removal of goods to the Isle of Man) shall not apply in relation to duty under section 3 of this Act.

(9) References in this section to goods produced or manufactured from any articles or materials shall be construed as including cases where the goods are produced or manufactured from those articles or materials, or wholly or partly from other articles or materials produced or manufactured from those articles or materials; and for the purposes of any such reference,



and of any reference in this section to goods incorporated in articles or materials, any packing, container or get-up of exported goods shall be treated as forming part of the goods.

PART II

6.—(1) Schedule 2 to this Act (which authorises the giving of certain reliefs) shall apply for the purposes of this Act. Supplemental provisions.

(2) The Commissioners may by regulations in a statutory instrument provide that any of the provisions of the Customs and Excise Act 1952 shall, as they apply in relation to duty under section 3 of this Act, have effect subject to such exceptions or modifications as may be specified in the regulations, and the regulations may include such supplemental and incidental provisions as appear to the Commissioners to be expedient. 1952 c. 44.

Regulations under this subsection shall be subject to annulment in pursuance of a resolution of either House of Parliament.

#### *Export rebates*

7.—(1) The provisions of this section shall have effect for the purpose of affording relief in respect of duties of customs and excise chargeable on hydrocarbon oils, vehicle excise duty (including such duty chargeable in Northern Ireland) and purchase tax incurred in connection with the production, manufacture or carriage of goods exported from the United Kingdom on or after 26th October 1964. Payment of rebates.

(2) If on an application made at such time and in such manner as the Commissioners may by regulations prescribe it is shown to the satisfaction of the Commissioners—

- (a) that goods of any class or description were exported from the United Kingdom on or after the said date and within the period to which the application relates ; and
- (b) that those goods were produced or manufactured in the United Kingdom ; and
- (c) that those goods were so exported under, or for the purposes or in consequence of, a transaction for which the applicant is responsible ; and
- (d) that the applicant is a person ordinarily resident, or, in the case of a body corporate, incorporated, in the United Kingdom, or (not being such a person) has produced or manufactured those goods in the course of a trade or business carried on by him in the United Kingdom ;

the applicant shall be entitled, subject to the following provisions of this Act, to obtain from the Commissioners a rebate of the amount prescribed in relation to goods of that class or description by an order made by the Treasury for the purposes of this section ; and any such rebate shall be paid out of the sums

## PART II

received by the Commissioners on account of duties of customs and excise and purchase tax.

(3) The amount so prescribed shall be expressed as a percentage of the export value of the goods determined in accordance with Schedule 3 to this Act.

(4) For the purposes of paragraph (a) of subsection (2) above the supply of goods to any ship or aircraft in the United Kingdom for use as stores, or the supply of goods for use in the United Kingdom for repairing or refitting any ship or aircraft, shall not be treated as the exportation of those goods notwithstanding that the ship or aircraft subsequently leaves the United Kingdom.

(5) The Treasury may by order make provision as to the cases in which goods are or are not to be treated for the purposes of paragraph (b) of subsection (2) above as produced or manufactured in the United Kingdom, and different provision may be made in relation to goods of different classes or descriptions.

(6) For the purposes of paragraph (c) of subsection (2) above goods shall be treated as exported under, or for the purposes or in consequence of, a transaction for which the applicant is responsible if, and only if,—

(a) either—

(i) the goods were exported under a contract of sale of the goods to a person not ordinarily resident, or, in the case of a body corporate, not incorporated, in the United Kingdom or to the government or any public authority of any country outside the United Kingdom, or were sold to such a person, government or authority before or after being exported ; or

(ii) the goods were exported under a contract for the hiring out of those goods for use outside the United Kingdom by such a person, government or authority for a period of not less than one year, or were so hired out before or after being exported ;

and the applicant is beneficially entitled to the price or rental accruing under the contract or, as the case may be, the sale or hiring in question ; or

(b) the goods were permanently exported for use outside the United Kingdom in a trade or business carried on by the applicant or any company directly or indirectly controlled by him and no application in respect of those goods can be made by virtue of paragraph (a) of this subsection.

(7) The payment of rebate on any application made by virtue of subsection (6)(a) above in respect of any ship or aircraft shall be subject to such conditions as the Treasury may by order

prescribe; and no application shall be made by virtue of subsection (6)(b) above in respect of any ship or aircraft or any part thereof.

(8) An applicant shall not be eligible for a rebate by virtue of an application as respects any period unless—

(a) the export value of the goods to which the application relates (determined in accordance with Schedule 3 to this Act), or

(b) the export value of those goods, when taken with the export value of the goods (determined as aforesaid) to which any other applications made by that applicant in respect of other periods in the same year relate,

is not less than £2,000.

In this subsection references to a year are references to a year beginning with October and ending with the following September, and if regulations under subsection (2) of this section prescribe periods in respect of which applications are to be made which are periods any of which fall partly before and partly after the end of a year as so defined, the regulations may make such modifications of the foregoing provisions of this subsection as will enable those provisions to apply to whole periods.

(9) No application for rebate shall be made in respect of any goods by virtue of any such contract, sale, hiring or exportation for use as is mentioned in subsection (6) above if a rebate was payable in respect of those goods on an application made by virtue of any previous such contract, sale, hiring or exportation for use, or would have been so payable if such an application had been made, except that, where a rebate was or would have been payable on an application made by virtue of a previous hiring or contract of hire, the person who made or could have made that application may make a further application by virtue of any subsequent sale or hiring of those goods.

In determining for the purposes of this subsection whether a rebate was or would have been payable, subsection (8) above shall be disregarded.

(10) Any order under this section may be varied or revoked by a subsequent order and shall be made by statutory instrument subject to annulment in pursuance of a resolution of the House of Commons; and any regulations under this section shall be made by statutory instrument and shall be subject to annulment in pursuance of a resolution of either House of Parliament.

(11) For the purposes of this section the time of exportation of any goods shall be deemed to be, where the goods are exported by sea or air, the time when the ship or aircraft carrying them leaves the port or airport where they were loaded for

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exportation ; where the goods are exported by land, the time when they are cleared by the proper officer at the last customs station on their way to the boundary ; and, where they are exported by post, the time when they are posted.

Advances and repayments of rebate.

8.—(1) If an applicant for rebate under the last foregoing section in respect of any goods satisfies the Commissioners—

- (a) that the conditions for the payment of the rebate mentioned in paragraphs (a), (b) and (d) of subsection (2) of that section are satisfied in respect of those goods ; and
- (b) that there are reasonable grounds for believing that the condition mentioned in paragraph (c) of that subsection will, within a reasonable time, be satisfied on the sale or hiring out of those goods for any consideration ;

the Commissioners may pay the rebate notwithstanding that that condition has not then been satisfied, but subject to such conditions as they think necessary for securing the repayment of the whole or any part of the rebate if the goods are not sold or hired out for that consideration within such time as they may determine.

(2) The Commissioners may, if they think fit, require any person to whom a rebate has been paid on an application under the last foregoing section to repay the whole or any part of that rebate, or may withhold the whole or any part of any rebate which would otherwise be payable to any person on such an application—

- (a) where the application was made by virtue of paragraph (a) of subsection (6) of that section, if the relevant contract of sale or hire is subsequently varied or discharged or the price or rental, or any part thereof, accruing under that contract or the sale or hiring in question is not subsequently received by the applicant in accordance with that contract, sale or hiring ;
- (b) where the application was made by virtue of paragraph (a)(i) or (b) of that section, if the goods are subsequently re-imported into the United Kingdom by the applicant, by any person associated with him in business (within the meaning of paragraph 5 of Schedule 6 to the Customs and Excise Act 1952) or by any person acting in pursuance of any arrangement made with the applicant or any such person.

1952 c. 44.

(3) It shall be the duty of any person to whom a rebate has been paid under the last foregoing section, or who has made an application for such a rebate, to inform the Commissioners of any event which would entitle them to require the repayment of.

or to withhold, the whole or any part of that rebate by virtue of this section, and any person who fails to comply with this subsection shall be liable to a penalty of one hundred pounds; and in any proceedings by the Commissioners against any person under this section for the recovery of the whole or any part of any rebate paid to him it shall be for that person to prove that he is entitled to retain the sum sought to be recovered.

9.—(1) Any officer or person authorised by the Commissioners may require any person who has been concerned at any stage with goods in respect of which an application has been made under section 7 of this Act, or with any payment in respect of those goods, to furnish, within such time as that officer or person may require, such information as may be reasonably necessary to enable the Commissioners to determine whether any rebate is payable under that section or repayable under section 8 of this Act and the amount of any such rebate or repayment, and to produce any books or accounts or other document of whatever nature relating to those goods or to any payment in respect of those goods for inspection by that officer or person at such time and place as he may require. Powers of Commissioners, interpretation &c.

(2) Any such officer or person shall be entitled to take extracts from or make copies of any document produced to him under the foregoing subsection.

(3) If any person fails to comply with any requirement under subsection (1) above he shall be liable to a penalty of one hundred pounds, together with a further penalty of ten pounds for each day during which failure to comply with the requirement continues.

(4) Any officer or person authorised by the Commissioners shall have the right, on production if so required of his authority, at all reasonable times to enter and inspect any premises used in connection with the production, manufacture, packing, storage or carriage of goods in respect of which an application has been made under section 7 of this Act for the purpose of ascertaining whether the conditions for the payment of rebate in respect of those goods are satisfied.

(5) Without prejudice to the application in relation to this and the two last foregoing sections, and to anything done under them, of those provisions of the Customs and Excise Act 1952 which apply in relation to the customs and excise Acts and assigned matters (as defined in that Act), the following provisions of that Act shall apply in relation to rebates under section 7 of this Act as they apply in relation to drawbacks, allowances or repayments under that Act, that is to say, section 270 (time limit on payment), section 271(1) (offences in connection with claims) and section 301(2) (recovery of overpayments). 1952 c. 44.

## PART II

1962 c. 13.

(6) Notwithstanding anything in section 5(4) of the Vehicles (Excise) Act 1962 (which requires duties levied under that Act to be paid into the Exchequer) or in any Order in Council under that section, the Treasury may give directions for the payment to the Commissioners, at such times and in such manner as the Treasury may determine, out of the duties so levied of such sums as the Treasury think fit having regard to the extent to which rebates under section 7 of this Act are designed to afford relief in respect of such duties ; and any sums so paid shall be treated for the purposes of section 11 of the Customs and Excise Act 1952 (disposal of duties of customs and excise) as money received by the Commissioners on account of duties of customs and excise.

1952 c. 44.

(7) In the two last foregoing sections references to sale include references to barter and references to price shall be construed accordingly, references to rental are references to the consideration accruing in respect of the hiring out of any goods (whether or not payable periodically), and (except in subsections (1) to (5) of section 7) references to the United Kingdom include references to the Isle of Man.

1961 c. 36.

(8) For the avoidance of doubt it is hereby declared that references to rebate in section 9 of the Finance Act 1961 do not include references to rebate under section 7 of this Act.

## PART III

## GENERAL

Short title,  
construction  
and repeals.

**10.**—(1) This Act may be cited as the Finance (No. 2) Act 1964.

1963 c. 9.

(2) Part I of this Act shall be construed as one with the Income Tax Acts and Part II of this Act shall be construed as one with the Customs and Excise Act 1952 ; and nothing in Part II of this Act shall be construed as applying to purchase tax by virtue of section 25(1) of the Purchase Tax Act 1963 (which applies for purchase tax purposes enactments relating to customs generally).

(3) 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 or applied by or under any other enactment, including this Act.

(4) The enactments mentioned in Schedule 4 to this Act are hereby repealed to the extent mentioned in the third column of that Schedule.

## SCHEDULES

## SCHEDULE 1

Section 4.

## EXEMPTED GOODS

Description of goods (employing the Customs Tariff 1959)	Title of tariff chapter, or summary of tariff heading
Chapter 1 (all headings)	Live animals.
Chapter 2 (all headings)	Meat and edible meat offals.
Chapter 3 (all headings)	Fish, crustaceans and molluscs.
Chapter 4 (all headings)	Dairy produce; birds' eggs; natural honey.
Chapter 5 (all headings)	Products of animal origin, not else- where specified or included.
Chapter 7 (all headings)	Edible vegetables and certain roots and tubers.
Chapter 8 (all headings)	Edible fruit and nuts; peel of melons or citrus fruit.
Chapter 9 (all headings)	Coffee, tea, maté and spices.
Chapter 10 (all headings)	Cereals.
Chapter 11 (all headings)	Products of the milling industry; malt and starches; gluten; inulin.
Chapter 12 (all headings)	Oil seeds and oleaginous fruit; miscellaneous grains, seeds and fruit; industrial and medical plants; straw and fodder.
Chapter 13 (all headings)	Raw vegetable materials of a kind suitable for use in dyeing or in tanning; lacs; gums, resins and other vegetable saps and extracts.
Chapter 14 (all headings)	Vegetable plaiting and carving materials; vegetable products not elsewhere specified or included.
Chapter 15 (all headings)	Animal and vegetable fats and oils and their cleavage products; pre- pared edible fats; animal and vegetable waxes.
Chapter 16 (all headings)	Preparations of meat, of fish, of crustaceans or molluscs.
Chapter 17 (all headings)	Sugars and sugar confectionery.
Chapter 18 (all headings)	Cocoa and cocoa preparations.
Chapter 19 (all headings)	Preparations of cereals, flour or starch; pastrycooks' products.
Chapter 20 (all headings)	Preparations of vegetables, fruit or other parts of plants.
Chapter 21 (all headings)	Miscellaneous edible preparations.
22.10 ... ..	Vinegar and substitutes for vinegar.
Chapter 23 (all headings)	Residues and waste from the food industries; prepared animal fodder.
24.01 ... ..	Unmanufactured tobacco.
Chapter 25 (all headings)	Salt; sulphur; earths and stone; plastering materials, lime and cement.
Chapter 26 (all headings)	Metallic ores, slag and ash.

## SCH. 1

Description of goods (employing the Customs Tariff 1959)	Title of tariff chapter, or summary of tariff heading
Chapter 27 (all headings)	Mineral fuels, mineral oils and products of their distillation; bituminous substances; mineral waxes.
Bromine and iodine within 28.01.	
Silicon, selenium and tellurium within 28.04.	
Mercury within 28.05 ...	
Arsenic trioxide within 28.11.	
Methane within 29.01.	
31.01 ... ..	Guano.
Natural sodium nitrate within 31.02.	
Basic slag within 31.03.	
All goods within 31.04 except potassium chloride (analytical reagent quality).	Mineral or chemical fertilisers, potassic.
Fertilisers within 31.05 consisting of natural potassium nitrate together with natural sodium nitrate.	
32.01 ... ..	Tanning extracts of vegetable origin. Colouring matter of vegetable origin or animal origin.
32.04 ... ..	
33.01 ... ..	Essential oils (terpeneless or not); concretes and absolutes; resinoids.
All goods within 35.01 except casein glues.	Casein, caseinates and other casein derivatives.
35.02 ... ..	Albumins, albuminates and other albumin derivatives.
Edible gelatin within 35.03.	Exposed film and plates.
37.04, 37.05, 37.06 and 37.07.	
Flux calcined diatomite within 38.03.	
38.05 ... ..	Tall oil.
38.06 ... ..	Concentrated sulphite-lye.
38.07 ... ..	Spirits of turpentine and other terpenic solvents; crude dipentene; sulphite turpentine; pine oil.
38.08 ... ..	Rosin and resin acids and derivatives; rosin spirit and rosin oils.
Calcined bauxite within 38.19.	
40.01 ... ..	Natural rubber.
40.03 and 40.04 ... ..	Reclaimed and waste rubber.
41.01 ... ..	Raw hides and skins.



Description of goods (employing the Customs Tariff 1959)	Title of tariff chapter, or summary of tariff heading	SCH. 1
<b>Leather within 41.02, 41.03, 41.04 and 41.05, other than dressed leather.</b>		
41.09 ... ..	Leather parings and waste.	
43.01 ... ..	Raw furskins.	
44.01 to 44.12 ... ..	Wood, not planed or further manu- factured.	
45.01 and 45.02 ... ..	Natural cork and waste cork.	
47.01 and 47.02 ... ..	Paper-making materials (pulp and waste paper).	
49.01 to 49.07 ... ..	Books, newspapers, maps, charts, manuscripts, typewcripts, stamps, etc.	
<b>Trade advertising material within 49.09 and 49.10, being material the primary purpose of which is to stimulate travel outside the United Kingdom.</b>		
<b>Trade advertising material within 49.11, being pub- lications, illustrated or not, the primary purpose of which is to stimulate study or travel outside the United Kingdom, or to advertise exhibi- tions held outside the United Kingdom.</b>		
<b>Printed matter within 49.11, being— parts of books or booklets in the form of printed pictures or illustrations not bearing a text, or printed documents, printed diagrams and printed archi- tectural, engineering and similar indus- trial designs or plans, not being trade advertising material.</b>		
<b>Photographic prints within 49.11 imported in a packet not exceeding 8 ounces in gross weight which does not form part of a larger consignment</b>		

SCH. 1	Description of goods (employing the Customs Tariff 1959)	Title of tariff chapter, or summary of tariff heading
	50.01, 50.02 and 50.03 ...	Silk worm cocoons, raw silk and silk waste.
	53.01 ... ..	Sheep's or lamb's wool, not carded or combed.
	53.02 ... ..	Other animal hair, not carded or combed.
	53.03 and 53.04 ... ..	Waste of sheep's or lamb's wool or of other animal hair.
	53.05 ... ..	Sheep's or lamb's wool, or other animal hair, carded or combed.
	54.01 and 54.02 ... ..	Unspun flax and ramie.
	55.01, 55.02, 55.03 and 55.04	Raw cotton, linters and waste ; cotton, carded or combed.
	57.01, 57.02, 57.03 and 57.04	Unspun hemp, jute and other vegetable textile fibres.
	Chapter 63 (all headings)	Old clothing and other textile articles ; rags.
	71.01 to 71.10 ... ..	Pearls, synthetic and natural, precious and semi-precious stones and precious metals not fully manufactured.
	71.11 ... ..	Waste and scrap of precious metals.
	Chapter 72 ... ..	Coin.
	73.01 ... ..	Pig iron, cast iron and spiegeleisen, in pigs, blocks, lumps and similar forms.
	73.02 ... ..	Ferro-alloys.
	73.03, 73.04 and 73.05 ...	Iron and steel waste, scrap, shot, grit and powder.
	74.01 and 74.02 ... ..	Copper matte ; unwrought copper ; copper waste and scrap ; master alloys.
	75.01 ... ..	Nickel mattes ; unwrought nickel ; nickel waste and scrap.
	Unwrought nickel electroplating anodes within 75.05.	
	76.01 ... ..	Unwrought aluminium and waste and scrap.
	77.01 ... ..	Unwrought magnesium and waste and scrap.
	Waste and scrap beryllium within 77.04 and unwrought beryllium within 77.04.	
	78.01 ... ..	Unwrought lead ; lead waste and scrap.
	79.01 ... ..	Unwrought zinc ; zinc waste and scrap.
	80.01 ... ..	Unwrought tin ; tin waste and scrap.
	Chapter 81 (all headings)	Certain base metals employed in metallurgy and articles thereof.

Description of goods (employing the Customs Tariff 1959)	Title of tariff chapter, or summary of tariff heading	SCH. 1
Aircraft within 88.02 of a maximum total weight exceeding 18,000 lbs. (maximum total weight to be that authorised in the certificate of airworthiness in force in respect of the aircraft or, if there is no such certificate in force, ascertained in such manner as the Commissioners may direct).		
Ships and other descriptions of goods within 89.01, 89.02 and 89.03, if of a gross tonnage of 80 tons or more (ascertained in accordance with the Merchant Shipping Acts or, if not ships with a gross tonnage under those Acts, ascertained in such manner as the Commissioners may direct).		
Fishing vessels within 89.01 of the kind commonly known as Danish-type seiners with a fuel carrying capacity of not less than 500 gallons.		
89.04	Vessels for breaking up.	
Sound recordings not produced in quantity and not for general sale, within 92.12.		
Chapter 99 (all headings)	Works of art, collectors' pieces and antiques.	

1. References in this Schedule to the provisions of the Customs Tariff 1959 are references to those provisions as for the time being in force.

2. The titles of chapters of the Customs Tariff 1959 and summaries of headings of the tariff in column 2 of this Schedule are provided for ease of reference only, and do not affect the descriptions in column 1 of this Schedule.

## Section 6.

## SCHEDULE 2

## RELIEF FROM TEMPORARY CUSTOMS DUTY

*Goods used in shipbuilding, repairing or refitting*

1.—(1) The Commissioners may remit or repay duty—

- (a) in respect of goods taken into a registered shipbuilding yard (whether or not on direct consignment from outside the United Kingdom) if satisfied that it is intended to use them in the yard as components, parts, preservatives or finishes of any ship being built, repaired or refitted in the yard, or of any such ship's equipment or machinery, and
- (b) in respect of goods of descriptions for the time being prescribed for the purposes of section 5(3) of the Import Duties Act 1958 (relief for goods used in the construction and repair of boilers or propelling machinery of ships, and of accessories of such boilers and machinery) if satisfied that it is intended to use them (outside a registered shipbuilding yard) as components, parts, preservatives or finishes of the boilers or propelling machinery of ships, or of the accessories of such boilers and machinery,

1958 c. 6.

but subject (in cases under both paragraph (a) and paragraph (b)) to such conditions and restrictions as the Commissioners may think fit to impose for the purpose of securing that duty is paid if the goods are used in a way not qualifying for remission or repayment of duty under this paragraph.

(2) Except where the Commissioners, having regard to any special circumstances, otherwise determine, duty shall not be remitted or repaid under this paragraph in respect of any goods which, before being used in a way otherwise qualifying for remission or repayment of duty under this paragraph, were used in some other way.

(3) Sub-paragraph (1)(a) of this paragraph shall not apply in relation to any ship of a description which is not for the time being included in Schedule 1 to this Act, and if the boilers or propelling machinery, or accessories thereof, in which goods qualifying for remission or repayment of duty under sub-paragraph (1)(b) of this paragraph have been used as components or parts are used in a ship of a description which is not for the time being included in Schedule 1 to this Act, duty remitted or repaid in respect of those goods under this paragraph shall again become payable.

(4) In this paragraph "registered shipbuilding yard" has the meaning assigned to it by section 5(5) of the Import Duties Act 1958.

*Goods used in building, repairing or servicing aircraft or for tests or experiments*

2.—(1) The Commissioners may remit or repay duty in respect of goods—

- (a) if satisfied that it is intended to use them as components or parts of any aircraft of a maximum total weight exceeding 18,000 pounds in the course of building, repairing, refitting, maintaining or servicing the aircraft ; or

- (b) if and so far as the relief appears to the Commissioners to be necessary or expedient with a view to conforming with an international agreement relating to the importation of materials, parts or components to be subjected to tests or experiments in the course of designing or developing a type of aircraft of a maximum total weight exceeding 18,000 pounds,

but subject to such conditions and restrictions as the Commissioners may think fit to impose for the purpose of securing that duty is paid if the goods are used in a way not qualifying for remission or repayment of duty under this paragraph.

(2) A maximum total weight for the purposes of this paragraph is that authorised in the certificate of airworthiness in force in respect of the aircraft or, if there is no such certificate in force, is that ascertained in such manner as the Commissioners may direct.

*Goods exported or intended for export*

3.—(1) So far as relates to duty under section 3 of this Act, section 38 of the Customs and Excise Act 1952 (under which imported goods may be warehoused without payment of duty) shall not apply to goods entered for warehousing unless the Commissioners are satisfied that the goods— 1952 c. 44.

- (a) are being warehoused for the purpose of exportation or use as stores, or use in a way qualifying for remission or repayment of duty under paragraph 1 or paragraph 2 of this Schedule ; or
- (b) are goods which are being warehoused in the course of a trade or business in which the major part of the goods of the kind in question which are imported in the course of the trade or business are re-exported.

(2) Goods warehoused without payment of duty under paragraph (a) of the foregoing sub-paragraph shall not be removed from warehouse, or otherwise removed from the control of the Commissioners, for any purpose, other than a purpose for which they may be warehoused without payment of duty, except with the permission of the Commissioners given on being satisfied that it is impracticable to use the goods for any purpose for which goods may be warehoused under this paragraph without payment of duty, and except after the duty chargeable has been paid or secured to the satisfaction of the Commissioners.

(3) Goods warehoused without payment of duty under sub-paragraph (1)(b) of this paragraph shall not be removed from warehouse, or otherwise removed from the control of the Commissioners, for home use except after the duty chargeable has been paid or secured to the satisfaction of the Commissioners.

4.—(1) Duty shall not under section 3(10) of this Act be payable in respect of goods shown to the satisfaction of the Commissioners to have been consigned for exportation or for use as stores before the date of the passing of this Act if security is given to the satisfaction of the Commissioners for their exportation or for use as stores, and the Commissioners may remit duty becoming chargeable by virtue

SCH. 2

of the said section 3(10) before the date of the passing of this Act in respect of goods entered for transit or transhipment or in respect of warehoused goods as respects which the Commissioners are satisfied that they are intended for exportation, or for use as stores, or for use in a way qualifying for remission or repayment of duty under paragraph 1 or paragraph 2 of this Schedule.

(2) Paragraph 3(2) of this Schedule shall apply in relation to warehoused goods in respect of which duty is remitted under the foregoing sub-paragraph as it applies to goods warehoused without payment of duty in accordance with paragraph 3(1) of this Schedule.

*Reduction of duty on goods re-imported after processing*

5.—(1) Where there are imported into the United Kingdom any goods which—

- (a) have been previously exported from the United Kingdom (whether produced there or not), and
- (b) after being so exported have undergone outside the United Kingdom a process which has not changed their form or character, and
- (c) if they had not undergone that process, would on their importation have been exempted from duty by virtue of section 35 or section 36 of the Customs and Excise Act 1952 (goods re-imported without undergoing any process),

1952 c. 44.

then, subject to the provisions of this paragraph, any duty which apart from this paragraph would be chargeable on their importation shall be reduced by the amount specified in the next following sub-paragraph or, if equal to or less than that amount, shall not be charged.

(2) Subject to the next following sub-paragraph, the amount referred to above is, in the case of any goods, the amount of the duty chargeable (apart from any relief under the said section 35 or section 36 or under this paragraph) on the importation of the like goods which are in the same state as the goods in question were in when exported from the United Kingdom.

(3) For the purposes of this paragraph, any sum contracted to be paid for the execution of a process on any goods shall be prima facie evidence of the difference attributable to that process between the value of the goods and the value of the like goods referred to in sub-paragraph (2) above; but this provision shall be without prejudice to the powers of the Commissioners under any enactment as to the ascertainment of the value of goods.

(4) For the purpose of determining whether any goods would have been exempted from duty as mentioned in sub-paragraph (1)(c) above under section 36 of the Customs and Excise Act 1952 duty chargeable on them on a previous importation into the United Kingdom but not required to be paid shall be deemed not to have been chargeable.

*Articles for scientific research, etc.*

6.—(1) Articles intended to be used in scientific research, or for a purpose connected with the advancement of any branch of learning or art or with the promotion of any sport, and not intended

to be sold, or to be used for any purpose which is substantially a commercial purpose, shall qualify for relief from duty under section 3 of this Act in accordance with this paragraph.

SCH. 2

(2) In relation to articles of the description in sub-paragraph (1) above (which is the same as the description in paragraph 3 of Schedule 4 to the Import Duties Act 1958 (goods qualifying for exemption under Treasury directions)) section 6 of that Act (power to exempt particular importations of certain goods) shall have effect as if any reference to any import duty (that is any duty under section 1 of that Act) included a reference to duty under section 3 of this Act.

*Goods specially designed for the education, scientific or cultural advancement of the blind*

7.—(1) The Import Duty Reliefs (No. 4) Order 1958 (goods specially designed for the education, scientific or cultural advancement of the blind) shall apply in relation to duty under section 3 of this Act as it applies in relation to duty under section 1 of the Import Duties Act 1958. S.I. 1958/1976.

(2) References in section 10 of the Import Duties Act 1958 (offences in connection with applications for relief) to relief under section 5 of that Act, or subsection (1) of that section, shall include references to relief given by virtue of this paragraph.

*Diplomatic privileges*

8. For the purpose of giving effect to any exemption from duty conferred by the Diplomatic Privileges Act 1964, or by any other enactment, or provision having effect under an enactment, which is framed by reference to diplomatic privileges of the kind specified in the said Act of 1964, the Commissioners may, subject to such conditions and restrictions as they may impose,—

- (a) allow goods to be warehoused or delivered or removed on importation without payment of duty, and
- (b) where duty has been paid in respect of warehoused goods, repay the duty on delivery of the goods from warehouse to the person entitled to the exemption.

*Spirits used in manufacture or for medical or scientific purposes*

9. Where under section 111, 112 or 122 of the Customs and Excise Act 1952 duty on imported spirits charged under section 1 of the Finance Act 1964 is remitted or repaid or reduced, duty under section 3 of this Act on those spirits shall be repaid or remitted. 1952 c. 44. 1964 c. 49.

*Interpretation*

10. Except where the context otherwise requires, references in this Schedule to duty are references to duty under section 3 of this Act.

## Section 7.

## SCHEDULE 3

## EXPORT REBATES: PROVISIONS FOR DETERMINING EXPORT VALUE

*Preliminary*

1.—(1) The provisions of this Schedule shall have effect for determining the export value of any goods in respect of which an application is made under section 7 of this Act ; and in this Schedule “the relevant transaction” means the transaction by virtue of which the application is so made.

(2) Except where the relevant transaction is the exportation of goods for use outside the United Kingdom in a trade or business carried on by the applicant or by any company directly or indirectly controlled by him, the export value of the goods shall be taken to be the relevant consideration for the goods determined in accordance with paragraph 2 or 3 of this Schedule, except that, if it appears to the Commissioners that the relevant consideration as so determined is greater than the value of the goods determined in accordance with paragraphs 4 to 6 of this Schedule and the Commissioners so decide, the export value shall be taken to be the value of the goods determined in accordance with those paragraphs.

The making by the Commissioners of a payment the amount of which is fixed on the footing that the export value of the goods is to be determined by reference to paragraph 2 or 3 or, as the case may be, paragraphs 4 to 6 of this Schedule shall not be taken as constituting the making of a final decision by the Commissioners under this sub-paragraph.

(3) Where the relevant transaction is the exportation of goods for use outside the United Kingdom in a trade or business carried on by the applicant or by any company directly or indirectly controlled by him, the export value of the goods shall be taken to be the value of the goods, determined in accordance with paragraphs 4 and 5 of this Schedule.

*Relevant consideration : sale*

2.—(1) Where the relevant transaction is the exportation of goods under a contract of sale or the sale of the goods before or after exportation, the relevant consideration shall, subject to this paragraph, be the price under that contract or sale.

(2) If the terms of the sale or contract of sale are such that the seller bears any of the following, that is, any freight, insurance or other costs, charges or expenses incurred in respect of the goods after they leave the port or place of export, the price shall be reduced for the purposes of this paragraph by an amount reflecting the burden thus assumed by the seller.

In this sub-paragraph the reference to costs, charges or expenses incurred in respect of the goods after they leave the port or place of export does not include, where the goods are sold after being exported, any expenses relating to the sale.



(3) If the whole or any part of the purchase price is payable twelve months or more after the time when the property in the goods passes, the price shall be reduced for the purposes of this paragraph by an amount representing the discount which would be chargeable for obtaining payment at that earlier time at a rate of interest equal to the bank rate then prevailing.

*Relevant consideration : hiring*

3.—(1) Where the relevant transaction is the exportation of goods under a contract for the hiring out of those goods, or the hiring out of the goods before or after exportation, the relevant consideration shall, subject to this paragraph, be the aggregate of the rental payable under that contract or hiring.

(2) If the terms of the hiring or contract of hiring are such that the person from whom the goods are hired bears any of the following, that is, any freight, insurance or other costs, charges or expenses incurred in respect of the goods after they leave the port or place of export, the aggregate of the rental shall be reduced for the purposes of this paragraph by an amount reflecting the burden thus assumed by that person.

In this sub-paragraph, the reference to costs, charges or expenses incurred in respect of the goods after they leave the port or place of export does not include, where the goods are hired out after being exported, any expenses relating to the hiring out.

(3) Any instalment of rental payable twelve months or more after the time when possession of the goods passes shall be reduced for the purposes of sub-paragraph (1) of this paragraph by an amount representing the discount which would be chargeable for obtaining payment at that earlier time at a rate of interest equal to the bank rate then prevailing.

(4) Where goods are hired out for an indefinite period the relevant consideration shall be the rental received by the applicant subject to any reduction to be made under sub-paragraph (2) of this paragraph, and payments on account of rebate in respect of such rental may be made from time to time as the rental is received.

*Determination of value*

4.—(1) Subject to the following provisions of this Schedule, the value of the goods shall be taken to be the price which they would fetch at the time of export on a sale in the open market between buyer and seller independent of each other.

(2) For the purposes of this paragraph, the price shall be determined on the assumption that the buyer will bear freight, insurance and all other costs, charges and expenses incurred in respect of the goods after they leave the port or place of export.

(3) Where the relevant transaction is the exportation of goods which are sold after being exported—

(a) the date as at which the goods are to be valued under sub-paragraph (1) of this paragraph shall be the date when they are sold as part of the relevant transaction, and

SCH. 3

- (b) costs, charges and expenses relating to the sale incurred before or on that sale shall be disregarded for the purposes of sub-paragraph (2) of this paragraph.

5.—(1) For the purposes of paragraph 4 above, a sale in the open market between buyer and seller independent of each other presupposes—

- (a) that the goods are the sole consideration for the price paid, and  
 (b) that the price is not influenced by any commercial, financial or other relationship, whether by contract or otherwise, between the seller or any person associated in business with him and the buyer or any person associated in business with him (other than the relationship created by the sale of the goods in question), and  
 (c) that neither the seller nor any person associated in business with him has provided any part of the price, and that no part of the price will be returned to the buyer or any person associated in business with him.

(2) For the purposes of this paragraph, two persons shall be deemed to be associated in business with one another if, whether directly or indirectly, either of them has any interest in the business or property of the other, or both have a common interest in any business or property, or some third person has an interest in the business or property of both of them.

6.—(1) Where the relevant transaction is of the kind described in paragraph 3(1) of this Schedule the value of the goods shall be that ascertained under paragraph 4 of this Schedule or that ascertained under the following sub-paragraph, whichever is the less.

(2) The value of the goods under this sub-paragraph shall be taken to be the aggregate of the rental which could be obtained, at the time of the contract of hire, on a contract of hire for the period for which the goods are hired in the open market between owner and hirer independent of each other.

(3) Paragraph 4(2) and (3)(b) and paragraph 5 of this Schedule shall apply with any necessary modifications for the purposes of the last foregoing sub-paragraph.

#### *Disputes*

7.—(1) Any dispute as to the determination of any amount under this Schedule shall be referred to a referee (not being an official of any government department) appointed by the Lord Chancellor ; and the procedure on any such reference shall be such as the referee may determine.

(2) The foregoing sub-paragraph shall not have effect and any amount falling to be determined under this Schedule in relation to the rebate payable to any person shall be that fixed by the Commissioners, unless, within three months from the time when the Commissioners' final determination of that amount is communicated to that person, or such longer time as they may allow, a notice requiring a reference under that sub-paragraph has been served on the Commissioners.

*Interpretation*

SCH. 3

8.—(1) In this Schedule—

“sale” includes barter and references to price shall be construed accordingly ;

“rental” means the consideration accruing in respect of the hiring out of goods (whether or not payable periodically) ; and

“bank rate” means the minimum rate at which the Bank of England will lend to a discount house having access to the Discount Office of the Bank.

(2) Any reference in this Schedule to any price, rental or other sum shall, where that sum is expressed in a foreign currency, be treated as a reference to the equivalent of that sum calculated as the Commissioners may direct.

## SCHEDULE 4

Section 10.

## REPEALS

Session and Chapter	Short Title	Extent of repeal
18 & 19 Geo. 5. c. 17.	The Finance Act 1928.	Section 2.
1 & 2 Geo. 6. c. 46.	The Finance Act 1938.	Section 3. Section 55(2).
14 Geo. 6. c. 15	The Finance Act 1950.	Section 3 (1st January 1965). Section 50(2).
14 & 15 Geo. 6. c. 43.	The Finance Act 1951.	Section 1.
15 & 16 Geo. 6 & 1 Eliz. 2. c. 44.	The Customs and Excise Act 1952.	In Schedule 11 paragraph 23.
5 & 6 Eliz. 2. c. 2.	The Hydrocarbon Oil Duties (Temporary Increase) Act 1956.	The whole Act.
7 & 8 Eliz. 2. c. 58.	The Finance Act 1959.	Section 19(2) (end of year 1964-65).
10 & 11 Eliz. 2. c. 44.	The Finance Act 1962.	In section 1 subsection (2)(c) and subsection (4)(c) (1st January 1965).
1964 c. 49 ...	The Finance Act 1964.	Section 5(1).



# Gambia Independence Act 1964

## 1964 CHAPTER 93

An Act to make provision for, and in connection with, the attainment by The Gambia of fully responsible status within the Commonwealth. [17th December 1964]

**B**E IT ENACTED by the Queen'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:—

Fully  
responsible  
status of  
The Gambia.

1.—(1) On and after 18th February, 1965 (in this Act referred to as “the appointed day”) all those territories which immediately before the appointed day are comprised either in the Colony of the Gambia or in the Protectorate of the Gambia shall together form part of Her Majesty's dominions under the name of The Gambia; and on and after that day Her Majesty's Government in the United Kingdom shall have no responsibility for the government of those territories.

(2) No Act of the Parliament of the United Kingdom passed on or after the appointed day shall extend, or be deemed to extend, to The Gambia as part of its law; and on and after that day the provisions of Schedule 1 to this Act shall have effect with respect to the legislative powers of The Gambia.

(3) Subsection (1) of this section shall not affect the operation in The Gambia or any part thereof of any enactment, or any other instrument having the effect of law, passed or made before the appointed day.

2.—(1) Subject to subsection (2) of this section, the British Nationality Acts 1948 to 1964 shall have effect on and after the appointed day as if in section 1(3) of the British Nationality Act 1948 (Commonwealth countries having separate citizenship) there were added at the end the words “and The Gambia”, and as if in Schedule 1 to the British Protectorates, Protected States and Protected Persons Order in Council 1949 the words “Gambia Protectorate” were omitted.

Consequential modifications of British Nationality Acts, 1948 c. 56. S.I. 1949 No. 140.

(2) A person who, immediately before the appointed day, is for the purposes of the said Acts and Order in Council a British protected person by virtue of his connection with the Protectorate of the Gambia shall not cease to be such a British protected person for any of those purposes by reason of anything contained in the preceding provisions of this Act, but shall so cease upon his becoming a citizen of The Gambia.

(3) Except as provided by section 3 of this Act, any person who immediately before the appointed day is a citizen of the United Kingdom and Colonies shall on that day cease to be such a citizen if he becomes on that day a citizen of The Gambia.

(4) Section 6(2) of the British Nationality Act 1948 (registration as citizens of the United Kingdom and Colonies of women who have been married to such citizens) shall not apply to a woman by virtue of her marriage to a person who on the appointed day ceases to be such a citizen under subsection (3) of this section, or who would have done so if living on the appointed day.

3.—(1) Subject to subsection (5) of this section, a person shall not cease to be a citizen of the United Kingdom and Colonies under section 2(3) of this Act if he, his father or his father's father—

Retention of citizenship of United Kingdom and Colonies by certain citizens of The Gambia.

- (a) was born in the United Kingdom or in a colony; or
- (b) is or was a person naturalised in the United Kingdom and Colonies; or
- (c) was registered as a citizen of the United Kingdom and Colonies; or
- (d) became a British subject by reason of the annexation of any territory included in a colony.

(2) A person shall not cease to be a citizen of the United Kingdom and Colonies under the said section 2(3) if either—

- (a) he was born in a protectorate or protected state, or
- (b) his father or his father's father was so born and is or at any time was a British subject.

(3) A woman who is the wife of a citizen of the United Kingdom and Colonies shall not cease to be such a citizen under the said section 2(3) unless her husband does so.

(4) Subject to subsection (5) of this section, the reference in subsection (1)(b) of this section to a person naturalised in the United Kingdom and Colonies shall include a person who would, if living immediately before the commencement of the British Nationality Act 1948, have become a person naturalised in the United Kingdom and Colonies by virtue of section 32(6) of that Act (persons given local naturalisation in a colony or protectorate before the commencement of that Act).

1948 c. 56.

(5) Any reference in this section to a colony, a protectorate or a protected state is a reference to a territory which is a colony, a protectorate or a protected state, as the case may be, within the meaning of the British Nationality Act 1948, on the appointed day, and accordingly does not include a reference to The Gambia or any part thereof; and subsection (1) of this section shall not apply to a person by virtue of any certificate of naturalisation granted or registration effected by the governor or government of a territory outside the United Kingdom which is not such a colony, protectorate or protected state on the appointed day.

(6) Part III of the British Nationality Act 1948 (supplemental provisions) shall have effect for the purposes of this section as if this section were included in that Act.

Consequential  
modification  
of other  
enactments.  
1889 c. 63.

4.—(1) Notwithstanding anything in the Interpretation Act 1889, the expression “colony” in any Act of the Parliament of the United Kingdom passed on or after the appointed day shall not include The Gambia or any part thereof.

(2) On and after the appointed day—

1955 c. 18.  
1955 c. 19.  
1957 c. 53.

(a) the expression “colony” in the Army Act 1955, the Air Force Act 1955 and the Naval Discipline Act 1957 shall not include The Gambia or any part thereof; and

(b) in the definitions of “Commonwealth force” in sections 225(1) and 223(1) respectively of the said Acts of 1955, and in the definition of “Commonwealth country” in section 135(1) of the said Act of 1957, at the end there shall be added the words “or The Gambia”.

1961 c. 52.

(3) No Order in Council made on or after the appointed day under section 1 of the Army and Air Force Act 1961 shall operate to continue either of the said Acts of 1955 in force as part of the law of The Gambia.

(4) On and after the appointed day the provisions specified in Schedule 2 to this Act shall have effect subject to the amendments respectively specified in that Schedule, and Her 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 Her Majesty to be necessary in consequence of section 1 of this Act.

(5) Any Order in Council under the last preceding subsection may be varied or revoked by a subsequent Order in Council under that subsection, and may, if made after the appointed day, be made so as to take effect on that day; and any statutory instrument made under that subsection shall be subject to annulment in pursuance of a resolution of either House of Parliament.

(6) Subsections (4) and (5) of this section, Schedule 2 to this Act and any Order in Council made under subsection (4) of this section shall not extend to The Gambia as part of its law.

5.—(1) Her Majesty may by Order in Council made before the appointed day confer on the Judicial Committee of the Privy Council such jurisdiction in respect of appeals from any court having jurisdiction under the law of The Gambia, and in respect of any proceedings concerning judges of any such court, as appears to Her Majesty to be appropriate. Judicial Committee of Privy Council.

(2) An Order in Council under this section may determine the classes of cases in which, and the conditions as to leave and otherwise subject to which, any such appeal or other proceedings may be entertained by the said Committee, and the practice and procedure to be followed in any such proceedings, and—

- (a) may confer on the said Committee any of the jurisdiction or powers possessed by any court under the law of The Gambia;
- (b) may require that the decisions of the said Committee in exercise of any jurisdiction conferred under this section shall be enforced in the same way as decisions of any court having jurisdiction under the law of The Gambia;
- (c) may exclude an appeal to Her Majesty in Council, whether as of right or by special leave, in all or any cases; and
- (d) may contain transitional provisions with respect to appeals to Her Majesty in Council and other proceedings which are pending on the appointed day, and may contain such other incidental or supplemental provisions as appear to Her Majesty to be expedient.

(3) Except so far as otherwise provided by an Order in Council under this section, and subject to such modifications as may be so provided, the Judicial Committee Act 1833 shall apply in relation to appeals and other proceedings in respect of which any jurisdiction is conferred under this section as it applies in relation to appeals to Her Majesty in Council. 1833 c. 41.

(4) Provisions made in pursuance of this section may be included in any Order in Council revoking the existing Constitution Order.

(5) So much of any Order in Council as is made under this section may be varied or revoked by a further Order in Council, whether made before, on or after the appointed day; but any Order in Council made under this section on or after the appointed day shall not extend to The Gambia as part of its law.

Interpretation.  
S.I. 1962  
No. 826;  
1963 No. 1629;  
1964 No. 1190.

6.—(1) In this Act “the existing Constitution Order” means the Gambia (Constitution) Order in Council 1962 as amended by the Gambia (Constitution) (Amendment) Order in Council 1963 and by the Gambia (Constitution) (Amendment) Order 1964 and by any further Order in Council made before the appointed day.

(2) References in this Act to any enactment are references to that enactment as amended or extended by or under any other enactment.

Short title.

7. This Act may be cited as the Gambia Independence Act 1964.



## SCHEDULES

## SCHEDULE 1

## LEGISLATIVE POWERS OF THE GAMBIA

1. The Colonial Laws Validity Act 1865 shall not apply to any law made on or after the appointed day by the legislature of The Gambia. 1865 c. 63.

2. No law and no provision of any law made on or after the appointed day by that legislature shall be void or inoperative on the ground that it is repugnant to the law of England, or to the provisions of any Act of the Parliament of the United Kingdom, including this Act, or to any order, rule or regulation made under any such Act, and, subject to paragraph 5 of this Schedule, the powers of that legislature shall include the power to repeal or amend any such Act, order, rule or regulation in so far as it is part of the law of The Gambia.

3. The legislature of The Gambia shall have full power to make laws having extra-territorial operation.

4. Without prejudice to the generality of the preceding provisions of this Schedule—

- (a) sections 735 and 736 of the Merchant Shipping Act 1894 shall be construed as if references therein to the legislature of a British possession did not include references to the legislature of The Gambia ; and 1894 c. 60.
- (b) section 4 of the Colonial Courts of Admiralty Act 1890 (which requires certain laws to be reserved for the signification of Her Majesty's pleasure or to contain a suspending clause) and so much of section 7 of that Act as requires the approval of Her Majesty in Council to any rules of court for regulating the practice and procedure of a Colonial Court of Admiralty shall cease to have effect in The Gambia. 1890 c. 27.

5. Nothing in this Act shall confer on the legislature of The Gambia any power to repeal, amend or modify the constitutional provisions otherwise than in such manner as may be provided for in those provisions ; and for the purposes of this paragraph "the constitutional provisions" means the following, that is to say—

- (a) this Act ;
- (b) any Order in Council revoking the existing Constitution Order and providing for a new constitution for The Gambia to come into effect on the appointed day ;
- (c) any law, or instrument made under a law, of the legislature of The Gambia which, being a law or instrument made on or after the appointed day, amends, modifies, re-enacts with or without amendment or modification, or makes different provision in lieu of, any provisions of this Act, of the Order in Council first mentioned in this paragraph, or of any such law or instrument previously made.

## SCHEDULE 2

## AMENDMENTS NOT AFFECTING THE LAW OF THE GAMBIA

*Diplomatic immunities*

- 1952 c. 10. 1. In section 461 of the Income Tax Act 1952 (exemption from income tax in the case of certain Commonwealth representatives and their staffs)—
- (a) in subsection (2), before the words “for any state” there shall be inserted the words “or The Gambia”;
- (b) in subsection (3), before the words “and ‘Agent-General’” there shall be inserted the words “or The Gambia”.
- 1952 c. 18. 2. In section 1(6) of the Diplomatic Immunities (Commonwealth Countries and Republic of Ireland) Act 1952, before the words “and the Republic of Ireland” there shall be inserted the words “The Gambia”.
- 1961 c. 11. 3. In section 1(5) of the Diplomatic Immunities (Conferences with Commonwealth Countries and Republic of Ireland) Act 1961, before the words “and the Republic of Ireland” there shall be inserted the words “The Gambia”.

*Financial*

- 1958 c. 6. 4. In section 2(4) of the Import Duties Act 1958, before the words “together with” there shall be inserted the words “The Gambia”.

*Visiting forces*

- 1933 c. 6. 5. In the Visiting Forces (British Commonwealth) Act 1933, section 4 (attachment and mutual powers of command) shall apply in relation to forces raised in The Gambia as it applies in relation to forces raised in Dominions within the meaning of the Statute of Westminster 1931.
- 1931 c. 4 (22 & 23 Geo. 5).
- 1952 c. 67. 6. In the Visiting Forces Act 1952—
- (a) in section 1(1)(a) (countries to which that Act applies) at the end there shall be added the words “The Gambia or”;
- (b) in section 10(1)(a) the expression “colony” shall not include The Gambia or any part thereof;
- and, until express provision with respect to The Gambia is made by Order in Council under section 8 of that Act (application to visiting forces of law relating to home forces), any such Order for the time being in force shall be deemed to apply to visiting forces of The Gambia.

*Ships and aircraft*

- 1894 c. 60.  
1949 c. 43. 7. In section 427(2) of the Merchant Shipping Act 1894, as set out in section 2(1) of the Merchant Shipping (Safety Convention) Act 1949, before the words “or in any” there shall be inserted the words “or The Gambia”.

8. In the proviso to section 6(2) of the Merchant Shipping Act 1948, at the end there shall be added the words " or The Gambia ". Sch. 2 1948 c. 44.

9. The Ships and Aircraft (Transfer Restriction) Act 1939 shall not apply to any ship by reason only of its being registered in or licensed under the law of The Gambia ; and the penal provisions of that Act shall not apply to persons in The Gambia (but without prejudice to the operation with respect to any ship to which that Act does apply of the provisions thereof relating to the forfeiture of ships). 1939 c. 70.

10. In the Whaling Industry (Regulation) Act 1934, the expression " British ship to which this Act applies " shall not include a British ship registered in The Gambia. 1934 c. 49.

11. In section 2(7)(b) of the Civil Aviation (Licensing) Act 1960, the expression " colony " shall not include The Gambia or any part thereof. 1960 c. 38.

#### *Copyright*

12. If the Copyright Act 1911, so far as in force in the law of The Gambia, is repealed or amended by that law at any time when sub-paragraph (2) of paragraph 39 of Schedule 7 to the Copyright Act 1956 (which applies certain provisions of that Act in relation to countries to which the said Act of 1911 extended) is in force in relation to The Gambia, the said sub-paragraph (2) shall thereupon cease to have effect in relation thereto. 1911 c. 46. 1956 c. 74.

#### *Commonwealth Institute*

13. In section 8(2) of the Imperial Institute Act 1925, as amended by the Commonwealth Institute Act 1958 (power to vary the provisions of the said Act of 1925 if an agreement for the purpose is made with the governments of certain territories which for the time being are contributing towards the expenses of the Commonwealth Institute), at the end there shall be added the words " and The Gambia ". 1925 ch. xvii. 1958 c. 16.



# Expiring Laws Continuance Act 1964

## 1964 CHAPTER 94

An Act to continue certain expiring laws.  
[17th December 1964]

**B**E IT ENACTED by the Queen'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 certain  
expiring  
enactments.

1.—(1) The Acts mentioned in columns 1 and 2 of Part I of the Schedule to this Act (which, to the extent specified in column 3 of that Part, are limited to expire at the end of December 1964) shall, to that extent, continue in force till the end of December 1965.

(2) The Acts mentioned in columns 1 and 2 of Part II of the Schedule to this Act (which, to the extent specified in column 3 of that Part, are limited to expire at the end of March 1965) shall, to that extent, continue in force till the end of March 1966.

1959 c. 19.

(3) Section 3 of the Emergency Laws (Repeal) Act 1959 shall continue in force till the end of December 1965; and accordingly section 10(3) of that Act shall not have effect in so far as it provides for the repeal, as from the end of December 1964, of sections 10 and 14 of the Ministry of Supply Act 1939 and the Supplies and Services (Transitional Powers) Act 1945.

1939 c. 38.  
1945 c. 10 (9 &  
10 Geo. 6).

1964 c. 26.  
1953 c. 46.

(4) Part VII of the Licensing Act 1964 (which, on the 1st January 1965, will replace Part II of the Licensing Act 1953 and is limited to expire at the end of March 1965) shall continue in force till the end of March 1966.

2.—(1) This Act may be cited as the Expiring Laws Continuance Act 1964. Short title and application to Northern Ireland.

(2) Except in so far as it continues section 1 of the Aliens Restriction (Amendment) Act 1919, continues section 3 of the Emergency Laws (Repeal) Act 1959 and amends section 10(3) thereof, and continues Part I of, and Schedule 1 to, the Commonwealth Immigrants Act 1962, this Act shall not extend to Northern Ireland. 1919 c. 92.  
1959 c. 19.  
1962 c. 21.

## SCHEDULE

### ACTS CONTINUED

#### PART I

#### ACTS CONTINUED TILL END OF DECEMBER 1965

Chapter	Short Title	Extent to which Act is temporary in Duration and is continued in Force
9 & 10 Geo. 5. c. 92.	The Aliens Restriction (Amendment) Act 1919.	Section 1.
1 & 2 Eliz. 2. c. 23.	The Accommodation Agencies Act 1953.	The whole Act.
10 & 11 Eliz. 2. c. 21.	The Commonwealth Immigrants Act 1962.	Part I and Schedule 1.

#### PART II

#### ACTS CONTINUED TILL END OF MARCH 1966

Chapter	Short Title	Extent to which Act is temporary in Duration and is continued in Force
6 & 7 Geo. 6. c. 44.	The Rent of Furnished Houses Control (Scotland) Act 1943.	The whole Act.
9 & 10 Geo. 6. c. 34.	The Furnished Houses (Rent Control) Act 1946.	The whole Act.



# Travel Concessions Act 1964

## 1964 CHAPTER 95

An Act to remove certain restrictions on the power of local authorities to make arrangements for the granting of travel concessions and to adjust the class of persons to whom such concessions may be granted on the raising of the school age. [17th December 1964]

**B**E IT ENACTED by the Queen'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:—

Travel  
concessions.

1955 c. 26.

1.—(1) Any local authority operating a public service vehicle undertaking may make arrangements for the granting of travel concessions to qualified persons travelling on the public service vehicles run by the authority or any of those vehicles to which the arrangements relate, whether or not the concessions are established travel concessions within the meaning of section 1 of the Public Service Vehicles (Travel Concessions) Act 1955.

(2) Accordingly the following provisions of that Act, namely,—

- (a) the word “ established ” in subsection (1) of section 1;
- (b) subsection (3) of section 1; and
- (c) the Schedule;

are hereby repealed.

(3) On the extension of the compulsory school age (in Scotland school age) to sixteen years, that is to say—

- (a) in England and Wales, on the coming into force of an Order in Council under section 35 of the Education Act 1944; and

1944 c. 31.

(b) in Scotland, on the coming into force of regulations under section 32 of the Education (Scotland) Act 1962; 1962 c. 47. subsection (2) of section 1 of the said Act of 1955 (which defines the expression “qualified persons”) shall have effect as if in paragraph (b) and paragraph (c) thereof for the word “fifteen” there were substituted the word “sixteen”.

(4) There shall be defrayed out of moneys provided by Parliament any increase attributable to this Act in the sums payable out of moneys so provided by way of Rate-deficiency Grant or Exchequer Equalisation Grant under the enactments relating to local government in England and Wales or in Scotland.

2.—(1) This Act may be cited as the Travel Concessions Act 1964 and this Act and the Public Service Vehicles (Travel Concessions) Act 1955 may be cited together as the Travel Concessions Acts 1955 and 1964. Short title, citation, construction and extent.

(2) This Act shall be construed as one with the Public Service Vehicles (Travel Concessions) Act 1955. 1955 c. 26.

(3) This Act does not extend to Northern Ireland.







# National Insurance &c. Act 1964

## 1964 CHAPTER 96

An Act to amend the provisions as to contributions (other than graduated contributions) and benefits under the National Insurance Acts 1946 to 1964 and the National Insurance (Industrial Injuries) Acts 1946 to 1964; to abolish the earnings rule for widowed mother's allowance and widow's pension under the first-mentioned Acts; to improve the allowances payable out of the Industrial Injuries Fund in respect of incapacities arising from pre-1948 employment; to make, with a view to facilitating the preparation of Acts to consolidate the aforementioned Acts and the Family Allowances Acts 1945 to 1964, provision designed to avoid or remove minor doubts, anomalies and differences, and minor complications in administration, in those Acts; and for connected purposes.

[17th December 1964]

**B**E IT ENACTED by the Queen'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) In Schedule 1 (Rates of contributions) to the Insurance Act, for Parts I to IV as set out in Schedule 1 to the National Insurance Act 1963 there shall be substituted the provisions set out in Schedule 1 to this Act.

Amendments  
as to  
contributions  
and benefits  
under  
Insurance  
Act.  
1963 c. 7.  
1959 c. 47.

(2) In section 1(2) of the National Insurance Act 1959 (under which contributions to the National Insurance Fund are to go up in each of the four years 1965, 1970, 1975 and 1980)—

(a) for the words from “four years” to “eighty” there shall be substituted the words “three years 1970, 1975 and 1980”;

(b) in the proviso, for the word “four” there shall be substituted the word “three”.

(3) In Schedule 2 to the Insurance Act, for Part I (Rates of periodical benefits and of increases for dependants) as set out in Schedule 2 to the said Act of 1963 there shall be substituted the provisions set out in Schedule 2 to this Act.

1957 c. 1  
(6 & 7 Eliz. 2).  
1960 c. 5  
(9 & 10 Eliz. 2).  
(4) The amount of maternity grant shall be increased from sixteen pounds to twenty-two pounds and home confinement grant shall cease to be payable; and Part II of Schedule 2 to the Insurance Act as set out in Part II of Schedule 4 to the National Insurance (No. 2) Act 1957 and amended by section 2(3) of the National Insurance Act 1960 and section 1(4) of the said Act of 1963 shall have effect accordingly.

1964 c. 10.  
(5) Section 17(3) of the Insurance Act as substituted by section 4(1) of the Family Allowances and National Insurance Act 1964 (which imposes an earnings rule with respect to widowed mother's allowance and widow's pension) shall cease to have effect; and the age up to which a woman may be awarded a widow's pension shall be raised from sixty to sixty-five, and accordingly—

(a) in sections 17(1)(c), 17(2)(c), 18(1)(a) and 18(4)(a) of the Insurance Act, for the words “pensionable age” there shall be substituted the words “the age of sixty-five”; and

1957 c. 26.  
(b) section 2(1)(c) of the National Insurance Act 1957 shall cease to have effect.

1961 c. 6  
(10 & 11  
Eliz. 2).  
(6) In section 5(1)(a)(iii) of the Insurance Act (which as amended by section 7(3) of the Family Allowances and National Insurance Act 1961 authorises the making of regulations providing for excepting insured persons from liability to pay contributions when they are not in receipt of an income exceeding two hundred and eight pounds a year) for the words from “exceeding” onwards there shall be substituted the words “exceeding two hundred and sixty pounds a year or such higher annual income as may from time to time be prescribed”.

(7) The enactments specified in paragraphs 14 to 17, 18(a), 19, 20 and 21 of Schedule 5 to this Act shall have effect subject to the amendments respectively specified in those paragraphs, being amendments consequential on subsection (1) or (3) of this section.

(8) The provisions of this section increasing retirement pensions shall not be taken as affecting the provisions of section 74 of the Insurance Act relating to non-contributory pensions.

2.—(1) In Part I (Rates of contributions) of Schedule 2 to the Industrial Injuries Act, for the table set out in Part I of Schedule 3 to the National Insurance Act 1963 there shall be substituted the table set out in Schedule 3 to this Act. Amendments as to contributions and benefits under Industrial Injuries Act. 1963 c. 7.

(2) The rates or amounts of benefit under the Industrial Injuries Act shall be determined in accordance with Schedule 4 to this Act; and accordingly the enactments specified in paragraphs 1 to 13, 18(b) and (c) and 22 of Schedule 5 to this Act shall have effect subject to the amendments respectively specified in those paragraphs.

3.—(1) The Workmen's Compensation and Benefit (Supplementation) Act 1956 (which provides for the payment of allowances out of the Industrial Injuries Fund in cases of injury or disease arising out of pre-1948 employment and resulting in total disablement or incapacity for work), as amended by section 5(1) of the National Insurance Act 1963, shall have effect with the substitution in section 2 of a rate of allowance of 85 shillings a week for the rate of 65 shillings a week. Improved allowances in respect of incapacities arising from pre-1948 employment. 1956 c. 51.

(2) Section 1(2) of the Family Allowances and National Insurance Act 1961 (which among other things provides for the payment out of the Industrial Injuries Fund of improved allowances in respect of incapacities arising from pre-1948 employment) shall, in relation to the payment of allowances for periods of incapacity for work falling after the coming into force of this subsection, be amended by the substitution for paragraphs (a) and (b) of the following, that is to say— 1961 c. 6 (10 & 11 Eliz. 2).

“(a) shall be amended by the substitution in subsections (2) and (8) of section 2 of references to 98 shillings and 6 pence and to 82 shillings and 6 pence for the references to 56 shillings and 40 shillings (which operate to limit the maximum weekly rate of allowance under any scheme); and

(b) subject to subsection (4) below, shall authorise the making and variation of schemes so as to provide for the payment of allowances at a weekly rate not exceeding 42 shillings and 6 pence to persons who are or have since the passing of this Act been entitled to weekly payments by way of workmen's compensation in consequence of an accident happening after the beginning of the year 1924”;

and in paragraph 1(d) of Schedule 1 to the said Act of 1961 for the words from “shall not” onwards there shall be substituted the words “shall not exceed 42 shillings and 6 pence.”.

(3) The Industrial Diseases (Benefit) Acts 1951 and 1954 (which authorise the making of schemes for the payment of allowances out of the Industrial Injuries Fund in cases of

disease arising out of pre-1948 employment but not entitling the sufferer to workmen's compensation) shall be amended by the substitution in section 3(2) of the Pneumoconiosis & Byssinosis Benefit Act 1951 of the words "or, if the disablement is not total, 50 shillings" for the words "or, if the disablement is not total, 42 shillings and 6 pence" (which were substituted by section 5(3) of the said Act of 1963); and any scheme under the said Acts of 1951 and 1954 which is in force at the coming into force of this subsection shall have effect accordingly.

1951 c. 4  
(15 & 16  
Geo. 6 &  
1 Eliz. 2).

Minor  
amendments  
preparatory to  
consolidation.

4. The provisions of Schedule 6 to this Act shall have effect with a view to facilitating the preparation of Acts to consolidate in co-ordinated and assimilated form the National Insurance Acts 1946 to 1964, the National Insurance (Industrial Injuries) Acts 1946 to 1964, and the Family Allowances Acts 1945 to 1964, being provisions designed to avoid or remove minor doubts, anomalies and differences and minor complications in administration.

Financial  
provisions.

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

(a) any increase attributable to this Act in the sums payable out of moneys so provided—

(i) under section 2(b) of the Industrial Injuries Act or section 1(3) of the National Insurance Act 1959 (exchequer supplements); or

(ii) under the Family Allowances Act 1945, whether on account of allowances or of the expenses of the Minister;

(b) subject to the provision made by section 60 of the Industrial Injuries Act for reimbursement out of the Industrial Injuries Fund or by section 38 of the Insurance Act for reimbursement out of the National Insurance Fund, any increase attributable to this Act in the expenses of the Minister or of any other government department which are payable out of moneys so provided by virtue of either of those sections as amended or applied by any subsequent enactment;

1959 c. 47.

1945 c. 41.

1961 c. 15.

1961 c. 6  
(10 & 11  
Eliz. 2).

and for the purpose of this section the expenses of the Minister shall include sums paid by the Minister under section 19(2) of the Post Office Act 1961 which, in accordance with section 13 of the Family Allowances and National Insurance Act 1961, are treated for the purposes of the Family Allowances Act 1945, the Insurance Act or the Industrial Injuries Act as expenses of the Minister in carrying those Acts into effect.

**6.—(1)** This Act may be cited as the National Insurance &c. Act 1964. Citation,  
commence-  
ment, repeals,  
extent,  
interpretation,  
etc.

**(2)** This Act, so far as it relates to the subject matters of the following Acts respectively, shall be included among the Acts which may be cited together as—

- (a)** the National Insurance Acts 1946 to 1964 ;
- (b)** the National Insurance (Industrial Injuries) Acts 1946 to 1964 ;
- (c)** the Family Allowances Acts 1945 to 1964.

**(3)** Schedule 7 to this Act shall have effect with respect to the commencement of this Act and to the transitional and other matters there dealt with.

**(4)** Subject to any transitional provisions in the said Schedule 7, the enactments mentioned in Schedule 8 to this Act are hereby repealed to the extent mentioned in the third column of that Schedule.

**(5)** Without prejudice to the operation, in relation to any matters arising out of this Act, of any provisions relating to Northern Ireland of the Acts referred to in subsection (2) of this section, this Act shall not extend to Northern Ireland.

**(6)** In this Act—

- (a)** “the Insurance Act” means the National Insurance 1946 c. 67. Act 1946 ;
- (b)** “the Industrial Injuries Act” means the National 1946 c. 62. Insurance (Industrial Injuries) Act 1946.

**(7)** 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 or applied by any other enactment, including any enactment contained in this Act.

## SCHEDULES

Section 1(1).

## SCHEDULE 1

PROVISIONS TO BE SUBSTITUTED IN SCHEDULE 1 TO  
INSURANCE ACT

## CONTRIBUTION RATES

## PART I

*Employed Persons*

Description of employed person  1	Weekly Rate of Contribution	
	Unless by virtue of a non-participating employment 2	If by virtue of a non-participating employment 3
	s. d.	s. d.
Men between the ages of 18 and 70 (not including men over the age of 65 who have retired from regular employment)—		
Earning remuneration at a weekly rate exceeding 100s. ... ..	10 2½	12 7½
Earning remuneration at a weekly rate of 100s. or less ... ..	5 11½	7 2½
Women between the ages of 18 and 65 (not including women over the age of 60 who have retired from regular employment)—		
Earning remuneration at a weekly rate exceeding 100s. ... ..	8 10½	10 4½
Earning remuneration at a weekly rate of 100s. or less ... ..	5 1½	5 10½
Boys under the age of 18 ... ..	7 2½	
Girls under the age of 18 ... ..	5 10½	

For the purposes of this Part and Part II of this Schedule a person shall be deemed to be earning remuneration at a weekly rate of 100 shillings or less if, but only if, his remuneration does not include the provision of board and lodging by the employer and the rate of the remuneration neither exceeds, nor is deemed in accordance with regulations made under section 78(5) of this Act to exceed, 100 shillings a week, and to be earning remuneration at a weekly rate exceeding 100 shillings in any other case.

**PART II**  
**Employers**

SCH. 1

Description of employed person 1	Weekly Rate of Contribution	
	Unless by virtue of a non-participating employment 2	If by virtue of a non-participating employment 3
	s. d.	s. d.
<b>Men over the age of 18—</b>		
Earning remuneration at a weekly rate exceeding 100s. or not being liable to pay a contribution as an employed person ...	11 5½	13 10½
Earning remuneration at a weekly rate of 100s. or less and being liable to pay a contribution as an employed person ...	15 8½	19 3½
<b>Women over the age of 18—</b>		
Earning remuneration at a weekly rate exceeding 100s. or not being liable to pay a contribution as an employed person ...	9 11½	11 5½
Earning remuneration at a weekly rate of 100s. or less and being liable to pay a contribution as an employed person ...	13 8½	15 11½
<b>Boys under the age of 18</b> ... ..	7 11½	
<b>Girls under the age of 18</b> ... ..	6 6½	

For the purposes of this Part of this Schedule a person over pensionable age, not being an insured person, shall be treated as an employed person if he would be an insured person were he under pensionable age and would be an employed person were he an insured person.

**PART III**  
**Self-Employed Persons**

Description of self-employed person 1	Weekly Rate of Contribution 2
	s. d.
<b>Men between the ages of 18 and 70 (not including men over the age of 65 who have retired from regular employment)</b> ... ..	15 10
<b>Women between the ages of 18 and 65 (not including women over the age of 60 who have retired from regular employment)</b> ... ..	13 2
<b>Boys under the age of 18</b> ... ..	9 0
<b>Girls under the age of 18</b> ... ..	7 6

2 X 2\*

## SCH. 1

PART IV  
Non-Employed Persons

Description of non-employed person 1	Weekly Rate of Contribution 2
Men between the ages of 18 and 65 ... ..	s. d. 12 1
Women between the ages of 18 and 60 ... ..	9 5
Boys under the age of 18 ... ..	6 11
Girls under the age of 18 ... ..	5 4

## Section 1(3).

## SCHEDULE 2

PROVISIONS TO BE SUBSTITUTED IN PART I OF SCHEDULE 2 TO  
INSURANCE ACT*Rates of periodical benefits and of increases for dependants*

1	2	3	4	5	6
Description of Benefit	Weekly rate	Increase for only, elder or eldest quali- fying child	Increase for second quali- fying child	Increase for each additional quali- fying child	Increase for adult dependant (where payable)
	s. d.	s. d.	s. d.	s. d.	s. d.
1. Unemployment or sick- ness benefit under s. 11—					
(a) in the case of a person over the age of 18, not being a married woman ...	80 0	22 6	14 6	14 6	50 0
(b) in the case of a person under the age of 18, not being a married woman—					
(i) during any period during which that person is entitled to an increase of benefit in respect of a child or adult dependant ...	80 0	22 6	14 6	14 6	50 0
(ii) during any other period ... ..	45 6	—	—	—	—
(c) in the case of a married woman over the age of 18—					
(i) during any period during					



SCH. 2

1 Description of Benefit	2 Weekly rate	3 Increase for only, elder or eldest quali- fying child	4 Increase for second quali- fying child	5 Increase for each additional quali- fying child	6 Increase for adult dependant (where payable)
	s. d.	s. d.	s. d.	s. d.	s. d.
1. Unemployment or sick- ness benefit under s. 11— <i>cont.</i>					
which she is en- titled to an in- crease of benefit in respect of her husband, or dur- ing which she is not residing with her husband nor is he contributing to her mainten- ance at not less than the relevant rate ... ..	80 0	22 6	14 6	14 6	50 0
(ii) during any other period ... ..	55 0	22 6	14 6	14 6	50 0
(d) in the case of a married woman under the age of 18—					
(i) during any period during which she is en- titled to an in- crease of benefit in respect of her husband, or dur- ing which she is entitled to an in- crease of benefit in respect of a child or an adult dependant other than her husband and she is not residing with her husband nor is he contributing to her maintenance at not less than the relevant rate	80 0	22 6	14 6	14 6	50 0
(ii) during any other period during which she is en- titled to an in- crease of benefit in respect of a child or adult dependant ... ..	55 0	22 6	14 6	14 6	50 0
(iii) during any other period ... ..	45 6	—	—	—	—

2 X 3\*

## SCH. 2

1 Description of Benefit	2 Weekly rate	3	4	5	6
		Increase for only, elder or eldest quali- fying child	Increase for second quali- fying child	Increase for each additional quali- fying child	Increase for adult dependant (where payable)
	s. d.	s. d.	s. d.	s. d.	s. d.
2. Unemployment or sickness benefit at a weekly rate determined under s. 26 ...	—	22 6	14 6	14 6	50 0
3. Maternity allowance ...	80 0	22 6	14 6	14 6	50 0
4. Widow's allowance ...	112 6	40 0	32 0	30 0	—
5. Widowed mother's allowance ... ..	80 0	40 0	32 0	30 0	—
6. Widow's pension ...	80 0	—	—	—	—
7. Guardian's allowance ...	40 0	—	—	—	—
8. Retirement pension—					
(a) where the pension is payable to a woman by virtue of her husband's insurance and he is alive ... ..	50 0	22 6	14 6	14 6	—
(b) in any other case ...	80 0	22 6	14 6	14 6	50 0
9. Child's special allowance	40 0	—	32 0	30 0	—

1. In paragraphs 1(c)(i) and 1(d)(i) of the above table “the relevant rate” means a weekly rate equal to the difference under that table between the rates of benefit applying if the husband is, and if he is not, contributing to the wife's maintenance at not less than the relevant rate.

2. In paragraph 2 of the above table column 6 shall have effect subject to section 26(2)(c) of this Act as substituted by section 2(3) of the National Insurance Act 1957 and amended by paragraph 17 of Schedule 5 to the National Insurance &c. Act 1964.

3. In paragraph 3 of the above table, the increases of maternity allowance specified in columns 3 to 6 apply only in so far as provided for by regulations under section 8 of the National Insurance Act 1953.

1957 c. 26.

1953 c. 29.

## SCHEDULE 3

Section 2(1).

TABLE TO BE SUBSTITUTED IN PART I OF SCHEDULE 2 TO  
INDUSTRIAL INJURIES ACT*Weekly Rates of Contributions payable by Insured Persons  
and Employers*

Class of insured person to whom rate applies  1	Weekly rate of contribution	
	By the insured person 2	By the employer 3
Men over the age of 18 ... ..	9d.	10d.
Women over the age of 18 ... ..	6d.	7d.
Boys under the age of 18 ... ..	5d.	5d.
Girls under the age of 18 ... ..	3d.	4d.

## SCHEDULE 4

Section 2(2).

RATE OR AMOUNT OF BENEFIT ETC. UNDER  
INDUSTRIAL INJURIES ACT

Description of benefit, etc.	Amount
1. Injury benefit under s. 11 (weekly rate).	(a) for any period during which the beneficiary is over the age of 18 or is entitled to an increase of benefit in respect of a child or adult dependant ... .. 135s. (b) for any period during which the beneficiary is between the ages of 17 and 18 and not entitled as aforesaid ... .. 101s. 3d. (c) for any period during which the beneficiary is under the age of 17 and not entitled as afore- said ... .. 67s. 6d.
2. Maximum disablement gratuity under s. 12(6).	£450.

2 X 4\*

SCH. 4

Description of benefit, etc.	Amount																				
<p>3. Disablement pension under s. 12(7) (weekly rate).</p>	<p>(a) for any period such as is mentioned in paragraph 1(a) of this Schedule, for the several degrees of disablement set out in the first column of the following Table the respective amounts set out in the second column of that Table;</p> <p>(b) for any period such as is mentioned in paragraph 1(b) of this Schedule, three-quarters of the appropriate amount specified in that Table;</p> <p>(c) for any period such as is mentioned in paragraph 1(c) of this Schedule, one-half of the appropriate amount so specified.</p> <div style="text-align: center;"> <p><b>TABLE</b></p> <table border="0"> <thead> <tr> <th><i>Degree of disablement</i></th> <th><i>Weekly rate</i></th> </tr> </thead> <tbody> <tr> <td>100 per cent.</td> <td>135s.</td> </tr> <tr> <td>90 per cent.</td> <td>121s. 6d.</td> </tr> <tr> <td>80 per cent.</td> <td>108s.</td> </tr> <tr> <td>70 per cent.</td> <td>94s. 6d.</td> </tr> <tr> <td>60 per cent.</td> <td>81s.</td> </tr> <tr> <td>50 per cent.</td> <td>67s. 6d.</td> </tr> <tr> <td>40 per cent.</td> <td>54s.</td> </tr> <tr> <td>30 per cent.</td> <td>40s. 6d.</td> </tr> <tr> <td>20 per cent.</td> <td>27s.</td> </tr> </tbody> </table> </div>	<i>Degree of disablement</i>	<i>Weekly rate</i>	100 per cent.	135s.	90 per cent.	121s. 6d.	80 per cent.	108s.	70 per cent.	94s. 6d.	60 per cent.	81s.	50 per cent.	67s. 6d.	40 per cent.	54s.	30 per cent.	40s. 6d.	20 per cent.	27s.
<i>Degree of disablement</i>	<i>Weekly rate</i>																				
100 per cent.	135s.																				
90 per cent.	121s. 6d.																				
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70 per cent.	94s. 6d.																				
60 per cent.	81s.																				
50 per cent.	67s. 6d.																				
40 per cent.	54s.																				
30 per cent.	40s. 6d.																				
20 per cent.	27s.																				
<p>4. Unemployability supplement under s. 13 (increase of weekly rate of disablement pension).</p>	<p>(a) for any period such as is mentioned in paragraph 1(a) of this Schedule ... .. 80s.</p> <p>(b) for any period such as is mentioned in paragraph 1(b) or (c) of this Schedule ... .. 45s. 6d.</p>																				
<p>5. Maximum increase under s. 14 of weekly rate of disablement pension in cases of special hardship.</p>	<p>54s., or the amount (if any) by which the weekly rate of the pension, apart from any increase under s. 15, 17, or 18, falls short of 135s., whichever is the less.</p>																				
<p>6. Maximum increase under s. 15 of weekly rate of disablement pension where constant attendance needed.</p>	<p>(a) except in cases of exceptionally severe disablement ... .. 55s.</p> <p>(b) in any case ... .. 110s.</p>																				

SCH. 4

Description of benefit, etc.	Amount
7. Increase under s. 17 of weekly rate of injury benefit or disablement pension in respect of children.	(a) in respect of only, elder or eldest child of beneficiary's family 22s. 6d. (b) in respect of each additional child of beneficiary's family 14s. 6d.
8. Increase under s. 18 of weekly rate of injury benefit or disablement pension in respect of adult dependant.	50s.
9. Widow's pension under s. 19— (a) weekly rate where payable by virtue of s. 19(3) (a)–(e). (b) maximum higher weekly rate for prescribed period after deceased's death.	90s. 112s. 6d.
10. Widower's pension under s. 20 (weekly rate).	90s.
11. Allowance under s. 21 in respect of children of deceased's family— (a) weekly rate of allowance under s. 21(1).  (b) increase under s. 21(1A)	(i) in respect of only, elder or eldest qualifying child ... 22s. 6d. (ii) in respect of each additional qualifying child ... 14s. 6d. (i) in respect of only, elder or eldest qualifying child ... 17s. 6d. (ii) in respect of second qualifying child ... 17s. 6d. (iii) in respect of each additional qualifying child ... 15s. 6d.
12. Maximum under s. 29(1)(a) of aggregate of weekly benefit payable for successive accidents.	(a) for any period such as is mentioned in paragraph 1(a) of this Schedule ... 135s. (b) for any period such as is mentioned in paragraph 1(b) of this Schedule— (i) apart from any increase under s. 14 ... 101s. 3d. (ii) including any such increase 135s. (c) for any period such as is mentioned in paragraph 1(c) of this Schedule ... 67s. 6d.

Sections 1(7),  
2(2).

### SCHEDULE 5

#### AMENDMENTS CONSEQUENTIAL ON SS. 1(1) AND (3) AND 2(2)

#### *The National Insurance (Industrial Injuries) Act 1946* (9 & 10 Geo. 6. c. 62)

1. For section 11(3) there shall be substituted—

“(3) Injury benefit shall be an allowance payable at the appropriate weekly rate specified in paragraph 1 of Schedule 4 to the National Insurance &c. Act 1964, and the amount payable for any day of incapacity shall be one-sixth of the weekly rate”.

2. In section 12(6)(a), for the words from “but” onwards there shall be substituted the words “but not in any case exceeding the amount specified in paragraph 2 of Schedule 4 to the National Insurance &c. Act 1964 ; and”.

3. In section 12(7), for the words from “payable” to the words “that Schedule” there shall be substituted the words “payable at the appropriate weekly rate specified in paragraph 3 of Schedule 4 to the said Act of 1964” ; and proviso (b) to section 12(7) and Schedule 3 shall cease to have effect.

4. For section 13(1) there shall be substituted—

“(1) The weekly rate of a disablement pension shall, if as the result of the relevant loss of faculty the beneficiary is incapable of work and likely to remain permanently so incapable, be increased by the appropriate amount specified in paragraph 4 of Schedule 4 to the National Insurance &c. Act 1964”.

5. For so much of section 14(1) as precedes paragraph (a) thereof there shall be substituted—

“(1) The weekly rate of a disablement pension shall, subject to the following provisions of this section, be increased by an amount not exceeding the appropriate amount specified in paragraph 5 of Schedule 4 to the National Insurance &c. Act 1964 if as the result of the relevant loss of faculty the beneficiary” ;  
and section 14(3) from “and the” onwards shall cease to have effect.

6. For subsections (1) and (2) of section 15 there shall be substituted—

“(1) Where a disablement pension is payable in respect of an assessment of one hundred per cent., then, if as the result of the relevant loss of faculty the beneficiary requires constant attendance, the weekly rate of the pension shall be increased by an amount, not exceeding the appropriate amount specified in paragraph 6 of Schedule 4 to the National Insurance &c. Act 1964, determined in accordance with regulations by reference to the extent and nature of the attendance required by the beneficiary”.

7. In section 17(1), for the words from “increased” onwards there shall be substituted the words “increased by the appropriate amount or amounts specified in paragraph 7 of Schedule 4 to the National Insurance &c. Act 1964”.

8. In section 18, for so much of subsection (1) as precedes paragraph (a) thereof there shall be substituted—

“(1) The weekly rate of injury benefit shall be increased by the amount specified in paragraph 8 of Schedule 4 to the National Insurance &c. Act 1964 for any period during which”.

9. In section 19, for so much of subsection (3) as precedes paragraph (a) thereof there shall be substituted—

“(3) Subject to the following provisions of this section, the weekly rate of a pension payable under this section shall be that specified in paragraph 9(a) of Schedule 4 to the National Insurance &c. Act 1964”.

10. In section 19(4), for the words “not exceeding” onwards there shall be substituted the words “not exceeding that specified in paragraph 9(b) of Schedule 4 to the said Act of 1964 as may be prescribed”.

11. For section 20(2) there shall be substituted—

“(2) In the case of a widower, death benefit shall be a pension at the weekly rate specified in paragraph 10 of Schedule 4 to the National Insurance &c. Act 1964 commencing from the death of the deceased and payable for life”.

12. In section 21, as amended by paragraph 1 of Schedule 1 to the Family Allowances and National Insurance Act 1964, for 1964 c. 10. subsections (1), (1A) and (1B) there shall be substituted—

“(1) Subject to the provisions of Schedule 4 to this Act, where at his death the deceased had a family which included a child or children, then, for any period during which a person has a family which includes that child or one or more of those children, that person shall be entitled in respect of that child or in respect of each respectively of those children to death benefit by way of an allowance at the appropriate weekly rate specified in paragraph 11(a) of Schedule 4 to the National Insurance &c. Act 1964.

(1A) Subject to the provisions of Schedule 4 to this Act, where the person to whom an allowance under subsection (1) of this section is payable is the widow of the deceased and is for the time being also entitled to death benefit (other than a gratuity) under section 19 of this Act, the weekly rate of that allowance shall be increased by the appropriate amount specified in paragraph 11(b) of Schedule 4 to the said Act of 1964.”

13. In section 29—

(a) in subsection (1)(a), for the words from “exceeding” onwards there shall be substituted the words “exceeding the appropriate amount specified in paragraph 12 of Schedule 4 to the National Insurance &c. Act 1964”;

## SCH. 5

- (b) in subsection (2), for the words “ a case to which sub-paragraph (ii) or (iii) of that paragraph applies ” there shall be substituted the words “ the case of a beneficiary under the age of seventeen ”.

*The National Insurance Act 1946*  
(9 & 10 Geo. 6. c. 67)

1964 c. 10. 14. In section 10(2)(a), the words “ and Part IA ” inserted by paragraph 1(1) of Schedule 2 to the Family Allowances and National Insurance Act 1964 shall cease to have effect.

15. In section 23 as amended by paragraph 1(3) of Schedule 2 to the said Act of 1964, for subsections (1), (1A) and (1B) there shall be substituted—

“ (1) Subject in the case of a retirement pension to the following provisions of this section, the weekly rate of unemployment benefit, sickness benefit, a retirement pension or a widow’s allowance shall, for any period for which the beneficiary has a family which includes a child or children, be increased in respect of that child or each respectively of those children by the appropriate amount specified in relation to the benefit in question in column 3, 4 or 5 of Part I of Schedule 2 to this Act.

(1B) The weekly rate of a widowed mother’s allowance payable by virtue of section 17(1)(b)(i) of this Act shall be increased for any period in respect of the child or, if more than one, each respectively of the children falling within paragraph (aa), (bb) or (cc) of the said section 17(1)(b)(i) for the time being included in her family by the appropriate amount specified in relation to that allowance in the said column 3, 4, or 5.”

16. In section 24(1), for the words “ the fifth column ” there shall be substituted the words “ column 6 ”.

1957 c. 26.

17. In section 26(2)(c) as substituted by section 2(3) of the National Insurance Act 1957, for the words from “ that section ” onwards there shall be substituted the words “ the amount of any increase of the weekly rate of unemployment or sickness benefit shall be that which would have been applicable by virtue of that section in the case of such an increase of the weekly rate of the retirement pension ”.

*The National Assistance Act 1948*  
(11 & 12 Geo. 6. c. 29)

18. In paragraph 5(2) of Schedule 2 as amended by section 3(1) of the Family Allowances and National Insurance Act 1964—

- (a) in sub-paragraphs (e)(i) and (ii) and (f)(i), for the words “ Part IA ” there shall be substituted the words “ Part I ” ;
- (b) in sub-paragraph (e)(iii), for the words from “ under ” onwards there shall be substituted the words “ under sub-paragraph (i) or (ii) of paragraph 11(b) of Schedule 4 to the National Insurance &c. Act 1964 ;
- (c) in sub-paragraph (f)(ii), for the words from “ under ” onwards there shall be substituted the words “ under sub-paragraph (iii) of the said paragraph 11(b) ”.



*The National Insurance Act 1953*  
(1 & 2 Eliz. 2. c. 29)

SCH. 5

19. In section 8(3) as amended by paragraph 4 of Schedule 4 to the National Insurance Act 1960—

1960 c. 5  
(9 & 10 Eliz. 2).

- (a) in paragraph (a), for the words from “such amount in respect of that child” onwards there shall be substituted the words “the appropriate amount in respect of that child or each respectively of those children specified in relation to maternity allowance in column 3, 4 or 5 of Part I of Schedule 2 to the principal Act”;
- (b) in paragraph (b), for the words “the fifth column” there shall be substituted the words “column 6”.

*The National Insurance Act 1957*  
(5 & 6 Eliz. 2. c. 26)

20. In section 5(3), for the words from “the weekly rate of the allowance” to the end of paragraph (b) there shall be substituted the words “the weekly rate of the allowance shall be the amount specified in relation thereto in column 2 of Part I of Schedule 2 to the principal Act increased in respect of each respectively of those children other than the elder or eldest by the appropriate amount specified in relation to that allowance in column 4 or 5 of the said Part I”.

*The National Health Service Contributions Act 1957*  
(5 & 6 Eliz. 2. c. 34)

21. Any provision of this Act or of any other Act, whether passed before or after this Act, which may be cited together with the Insurance Act in a citation which uses the phrase “the National Insurance Acts” shall be included among the National Insurance Acts within the meaning of the National Health Service Contributions Act 1957; but any reference in the said Act of 1957 to contributions under the National Insurance Acts shall be construed as a reference only to contributions under section 2(2) of the Insurance Act.

*The Family Allowances and National Insurance Act 1964*  
(1964 c. 10)

22. In paragraph 2(2) of Schedule 1, for the words “Part II of the Table in the foregoing paragraph” there shall be substituted the words “paragraph 11(b) of Schedule 4 to the National Insurance &c. Act 1964.”.

SCHEDULE 6

Section 4.

MINOR AMENDMENTS PREPARATORY TO CONSOLIDATION  
*Introductory*

1. In this Schedule—

“the Act of 1945” means the Family Allowances Act 1945; 1945 c. 41.

“the Act of 1957” means the National Insurance Act 1957; 1957 c. 26.

“the Act of 1961” means the Family Allowances and National Insurance Act 1961. 1961 c. 6  
(10 & 11 Eliz. 2).

## SCH. 6

*Collection of contributions*

S.I. 1948/1274.

2. Section 6(5) of the Insurance Act (which provides for the making of arrangements with any employer who is liable to pay employer's contributions under that Act whereby, in respect of persons engaged by that employer through an employment exchange or other agency approved by the Minister, or in the employ of that employer on the date of the arrangement, certain duties of the employer under that Act are to be undertaken on behalf of the employer by the employment exchange or other agency) shall have effect as if for the words from "whereby" to "by the Minister" there were substituted the words "and whose practice it is to engage persons through an employment exchange or other agency approved by the Minister, whereby, in respect of persons so engaged by that employer"; and the said section 6(5) shall apply to contributions or employers under the Industrial Injuries Act as it applies to contributions or employers under the Insurance Act, and accordingly Part IV of Schedule 2 to the Industrial Injuries Act (which as amended by regulation 12(1) of the National Insurance and Industrial Injuries (Collection of Contributions) Regulations 1948 makes provision corresponding to that of the said section 6(5)) and the said regulation 12(1) shall cease to have effect.

3. Regulation 7 of the said regulations of 1948 (which relates to the recovery by an employer of an insured person's contributions under the Insurance Act or the Industrial Injuries Act paid by the employer) shall have effect, and be deemed always to have had effect—

- (a) as if in the proviso to paragraph (1) of that regulation for the words "next following paragraph" there were substituted the words "two next following paragraphs"; and
- (b) notwithstanding anything in the proviso to section 5(1) of the Industrial Injuries Act;

and accordingly the proviso to the said section 5(1) shall cease to have effect.

*Other provisions as to contributions*

4. So much of section 61(c) of the Insurance Act as provides that, for the purpose of calculating the yearly average of the contributions paid by or credited to a person entering into insurance under the age of sixteen, he shall not be deemed to attain or to have attained school leaving age before the date on which he attains the age of sixteen shall apply also to any person who enters into insurance over the age of sixteen if he attained that age after 5th July 1948.

5. In the following enactments, in the following places respectively, that is to say—

- (a) in section 3(4) of the Industrial Injuries Act and in section 2(6) of the Insurance Act (which provide that an employer or insured person who fails to pay any contribution which he is liable to pay under the Act in question shall be guilty of an offence) and in section 3(3) of the National Insurance

1959 c. 47.

SCH. 6

- Act 1959 (which applies the said section 2(6) to cases where a person fails to pay sums which he is required by certain regulations so to pay), after the words "fails to pay", and
- (b) in section 9(7) of the said Act of 1959 (which relates to the making of payments in lieu of contributions), after the word "make", and
- (c) in section 69(1) of the Industrial Injuries Act (which makes provision with respect to an employer convicted of the offence under the said section 3(4) of failing to pay a contribution) after the word "contribution",

there shall be inserted the words "at or within the time prescribed for the purpose", and in the said sections 3(3) and 9(7), after the word "failure" wherever it occurs, there shall be inserted the word "so"; but where under any provision of the said section 69 or of regulations made under section 8(1)(e) of the Insurance Act a person convicted of an offence would, but for this paragraph, be liable to pay a sum to the Industrial Injuries Fund or the National Insurance Fund in respect of a contribution under the Industrial Injuries Act or the Insurance Act or of an amount by way of a payment in lieu of contributions under the said Act of 1959, he shall not be so liable under that provision unless that contribution or amount remains unpaid at the date of the conviction.

#### *Benefit in respect of children*

6. The Act of 1945, the Industrial Injuries Act and the Insurance Act shall have effect as if in section 21(2) of the Act of 1945 (which provides that for the purposes of that Act a child being legitimate issue of a deceased spouse of any person by an earlier marriage of the deceased spouse to another shall be treated as issue of that person) after the word "another" there were inserted the words "including such a marriage which is a void marriage within the meaning of section 2 of the Legitimacy Act 1959".

1959 c. 73.

7. Section 30(2) of the Industrial Injuries Act (which provides that, except in certain cases, where a person is entitled to benefit under section 21 of that Act in respect of a child of his family, the allowances payable for that family under the Act of 1945 shall be such only as would be payable if that child were not included in the family) shall cease to have effect.

8. For the avoidance of doubt, it is hereby declared that for the purposes of section 6(4) of the Act of 1957 (which provides that an amount otherwise payable in respect of a child shall not be payable unless one of the conditions specified in the said section 6(4) is satisfied) a child's special allowance is to be treated as a payment in respect of an only, elder or eldest child with respect to whom the conditions specified in section 5(2)(b) and (c) of that Act are satisfied, without prejudice, however, to any payment by way of an increase of the allowance in respect of any other such child under section 5(3) of that Act.

9. Where a person is entitled in respect of a child to a guardian's allowance under the Insurance Act, the amount, if any, payable to that or any other person by way of any other benefit under that

SCH. 6 Act or the Industrial Injuries Act in respect of children of any family shall be such, and such only, as would be payable if the first-mentioned child were not included or treated as included in any family; and accordingly, in regulation 5 of the National Insurance (Overlapping Benefits) Regulations 1948 as in force immediately before the commencement of this Act, paragraphs (1A), (1B) and (1C), and in paragraph (2) the words "and in sub-paragraphs (A)(ii) and (B)(ii) of paragraph (1A)" shall cease to have effect.

S.I. 1948/2711. 10. Section 3(3) of the Act of 1961 (which provides that a married woman shall not be entitled to any increase of benefit under section 17 of the Industrial Injuries Act in respect of children of her family for any period during which she is residing with her husband and he is not incapable of self-support) shall apply to any increase of benefit under the Insurance Act for a child of the family of a woman and her husband as it applies to an increase of benefit under the said section 17; and accordingly regulation 11 of the National Insurance (Married Women) Regulations 1948 and regulation 12(4) of the National Insurance (Maternity Benefit and Miscellaneous Provisions) Regulations 1954 (which make the like provision with respect to benefit under the Insurance Act) shall cease to have effect.

S.I. 1948/1470.

S.I. 1954/189.

*Other provisions as to benefit*

11. In section 21(5) of the Insurance Act (which provides that a woman who on attaining pensionable age is married shall not be entitled to a retirement pension by virtue of her own insurance unless the number of contributions paid by or credited to her in respect of the period between the date of the marriage and her attaining that age is not less than one half of the number of complete contribution weeks in the period)—

- (a) after the word "unless" there shall be inserted the word "either"; and
- (b) at the end there shall be added the words "or the said period is less than three years".

12. For the avoidance of doubt, section 21(6) of the Insurance Act (which allows a woman who immediately before attaining pensionable age is a widow to elect that, in calculating for the purpose of her right to a retirement pension by virtue of her own insurance the yearly average of the contributions paid by or credited to her, her husband's contributions may in certain circumstances be taken into account instead of her own) shall have effect, and be deemed always to have had effect, as if in paragraph (a) for the words "her husband's death" there were substituted the words "the death of her husband (being, if she has been married more than once, her last husband)".

13. For the avoidance of doubt, section 5(3) of the Act of 1961 (which provides that except in certain cases the said section 5, in relation to a retirement pension payable to a woman by virtue of her husband's insurance, shall have effect in place of section 20(4) of the Insurance Act as applied by section 21(3) of that Act) shall have effect and be deemed always to have had effect as if at the

end of the said section 5(3) there were added the words "but subject to subsection (5) of the said section 20 as so applied". SCH. 6

14. For the purposes of section 4(5) of the National Insurance Act 1959 (which provides that, where a person does not retire from regular employment on attaining pensionable age, then for the purpose of calculating the graduated retirement benefit payable to him from the date of his retirement there shall be added to the amount of the graduated contributions properly paid by him one-half of the aggregate graduated retirement benefit which would have been payable to him for the period before that date if he had retired from regular employment on attaining pensionable age), the Minister may by regulations provide for treating all or any of the graduated contributions paid by a person in the income tax year in which he attained pensionable age as having been paid before, or as having been paid after, the day on which he attained that age, whether or not the contribution in question was so paid. 1959 c. 47.

*Disqualification for, and interim payment of, benefit*

15. The following provisions of the Industrial Injuries Act (which relate to the disentitlement of persons to benefit in certain circumstances) shall be amended as follows, that is to say—

(a) in section 32(2)—

(i) for the words "the forfeiture of injury benefit by a claimant or beneficiary" there shall be substituted the words "disqualifying a claimant or beneficiary for the receipt of injury benefit";

(ii) for the words "the forfeiture of benefit by a claimant or beneficiary" there shall be substituted the words "disqualifying a claimant or beneficiary for the receipt of benefit";

(b) in the proviso to section 32(2)—

(i) for the words "the forfeiture of benefit" there shall be substituted the words "disqualification for the receipt of benefit";

(ii) for the word "forfeiture" in the last place where it occurs there shall be substituted the word "disqualification";

(c) in section 57(1)(e), for the words "forfeiture of benefit in respect of pneumoconiosis by any person" there shall be substituted the words "disqualification for the receipt of benefit in respect of pneumoconiosis of any person";

(d) in sections 32(2) and 57(1)(e) and (f)(ii), for the words "reasonable cause" wherever they occur there shall be substituted the words "good cause";

and any reference in any regulations made by virtue of the said section 32(2) or 57(1)(e) or (f)(ii) and in force at the commencement of this paragraph shall be construed as if amendments corresponding to those made by this paragraph in the said sections 32(2) and 57(1)(e) and (f)(ii) had been made in those regulations.

SCH. 6

16. Regulations under section 52(1) of the Industrial Injuries Act (which relates to interim payments in respect of a claim for benefit) may make provision for treating any benefit paid to any person by virtue of the regulations which it is subsequently decided is not payable as paid on account of any other benefit under that Act or the Insurance Act which it is decided was payable to him in respect of the same period.

*Determination of questions*

17. For the avoidance of doubt, it is hereby declared that any decision of the Minister in the exercise of his discretion by virtue of the Schedule to the Act of 1945 may be given so as to have effect with respect to a period before the date of the decision.

1959 c. 18.

18. For the avoidance of doubt, it is hereby declared that the repeal by the Family Allowances and National Insurance Act 1959 of the word "not" where it first occurs in section 43(2) of the Insurance Act as originally enacted does not affect the method, or the effect, of the determination of any such question as by paragraph (b) of the said section 43(2) is excluded from the operation of that paragraph.

19. Any requirement by virtue of Part III of the Industrial Injuries Act or section 43 of the Insurance Act that a claim or question shall be submitted to an insurance officer for determination either by that officer or by a tribunal to which that claim or question is referred for the purpose by that officer shall include power to submit different aspects of the same claim or question to different insurance officers for such determination.

*Provisions relating to subordinate legislation*

20. Section 61(2) of the Industrial Injuries Act (which requires the Minister to refer to the Industrial Injuries Advisory Council for consideration and advice any proposals to make regulations under that Act) shall not apply to regulations under section 84 of that Act (which relates to reciprocal arrangements for Northern Ireland), without prejudice, however, to the power of the Minister so to refer any proposals to make such regulations.

1956 c. 47.

21. In section 76(1) of the Insurance Act (which provides that regulations under certain of the provisions of that 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) after the words "sixty-seven" there shall be inserted the words "or under section 2 of the National Insurance Act 1956"; and section 3 of the said Act of 1956 (which makes the like provision with respect to regulations under the said section 2 as is made by the said section 76(1)) shall cease to have effect.

22. Where any regulations to which subsection (5) of section 77 of the Insurance Act applies are laid before Parliament at a time when Parliament is not sitting, the requirement of that subsection that there shall be laid together with the regulations such a report and such a statement as are mentioned in that subsection shall be deemed to be satisfied as respects either House of Parliament if

that report and that statement are laid before that House not later than the second day on which that House sits after the laying of the regulations.

SCH. 6

23. In paragraph 14(1)(b) of Schedule 3 to the Act of 1961 (which extends to the provisions of any enactment directed to be construed as one with the Insurance Act the powers conferred by that Act or any enactment construed as one with it to prescribe modifications of, or exceptions or additions to, the provisions of that Act) after the words "additions to" there shall be inserted the words "or to prescribe or make provision by Order in Council for modifications or adaptations of".

#### *Miscellaneous amendments*

24. In section 34(2) of the Industrial Injuries Act (which defines approved hospital treatment) the words "with the approval of the Minister" shall cease to have effect.

25. Regulations under section 59 of the Insurance Act shall no longer be required to provide for excepting a woman from insurance during any period during which she is married and is a non-employed person, but shall continue to provide for excepting a woman from liability to pay ungraduated contributions as an insured person during any period during which she is married; and accordingly, in subsection (2)(a) of the said section 59, sub-paragraph (i) and in sub-paragraph (ii) the words "and is not excepted from insurance" shall cease to have effect.

26. For the avoidance of doubt, it is hereby declared that the power conferred by section 78(5) of the Insurance Act to prescribe the basis of the calculation or estimation for the purposes of that Act of a person's earnings or the rate of a person's remuneration includes power to prescribe that payments of a particular class or description made or falling to be made to or by that person shall, to such extent as may be prescribed, be disregarded or, as the case may be, be deducted from the amount of his earnings or remuneration.

27. In Part II of Schedule 1 to the Industrial Injuries Act, paragraph 4 (by virtue of which certain employment of a casual nature is not an insurable employment) shall cease to have effect.

28. In section 7(7) of the National Insurance Act 1959, proviso (a) (which provides that no certificate that an employment is to be treated as a non-participating employment and no cancellation, surrender or variation of such a certificate shall have effect from a date earlier than the beginning of the contribution week following that in which it is issued or made) shall have effect as if at the beginning there were inserted the words "except in such circumstances as may be prescribed".

29. Where, under any enactment or otherwise, payments fall to be made by way of adjustment between the National Insurance Fund and the Industrial Injuries Fund, then, in such cases or classes of case as the Minister may with the consent of the Treasury determine, the amount due from either of those Funds to the other shall

**SCH. 6** be taken to be such as may be so determined and payments on account thereof shall be made at such times and in such manner as the Minister may with the like consent direct.

Section 6(3).

## SCHEDULE 7

### COMMENCEMENT, TRANSITIONAL PROVISIONS AND CONSTRUCTION

#### *General provisions for appointed days*

1.—(1) The provisions of this Act shall not come into force until such day as the Minister may by order appoint, and different days may be appointed for different purposes of this Act or for the same purposes in relation to different cases or classes of case.

(2) Any such order may—

(a) if the day thereby appointed is appointed for some only of the purposes of this Act or in relation only to some cases or classes of case, contain such incidental or supplemental provisions as appear to the Minister to be necessary or expedient as respects the period or any part of the period when this Act is to have a partial operation only, and, in particular, provisions modifying and supplementing, in relation to the period to which the order is to apply, the provisions of this Act or any Act amended by this Act ;

(b) be varied or revoked by a subsequent order under this subparagraph.

(3) Any statutory instrument containing an order under this paragraph shall be laid before Parliament after being made.

#### *Effect of awards made before, or in respect of the period beginning before, appointed or prescribed day*

2.—(1) Where an award of any benefit under the Industrial Injuries Act or the Insurance Act has been made, whether before or after the passing of this Act, before the day appointed or prescribed for the payment of benefit of the description to which the award relates at a higher weekly rate by virtue of this Act or any regulations made in consequence thereof, then, subject to such exceptions or conditions as may be prescribed by regulations made by the Minister, the benefit shall, without any claim being made therefor, become payable (except as respects any period falling before that day) at the higher weekly rate, and the award shall have effect accordingly.

(2) Where any such award—

(a) is made after a day has been appointed or prescribed for the payment of benefit of the description to which the award relates at a higher weekly rate or within a higher maximum weekly rate by virtue of this Act or any regulations made in consequence thereof ; and

(b) is made before that day,

the award may provide for the benefit to be paid, as from that day, at the higher weekly rate, or as the case may be, at any weekly rate within the higher maximum rate.



*Variation of disablement gratuities*

SCH. 7

3. Any regulations made in consequence of this Act varying the scale of disablement gratuities prescribed under section 12(6) of the Industrial Injuries Act may provide that the scale as varied shall apply only in cases where the period taken into account by the assessment of the extent of the disablement in respect of which the gratuity is awarded begins or began after such day as may be prescribed.

*Widow's pension*

4. Where, at the day appointed under this Schedule in relation to the provisions of this Act increasing the age up to which a woman may be awarded a widow's pension, a widow under the age of sixty-five is, or but for her earnings would be, in receipt of a retirement pension and either—

- (a) immediately before her retirement she was, or would but for her earnings have been, entitled to a widow's pension ; or
- (b) the retirement pension is, or but for an election by her under section 21(4) of the Insurance Act would be, a pension by virtue of her deceased husband's insurance,

then, subject to any regulations made by the Minister, a widow's pension may be paid to her without any further claim or award.

*Maternity grant*

5. The provisions of this Act increasing maternity grants shall not affect—

- (a) the amount of such a grant where the confinement occurred before the day appointed in relation to those provisions under this Schedule ; or
- (b) the amount of any such grant to which a woman has become entitled before the said day by virtue of regulations made under section 14(4) of the Insurance Act as set out in Schedule 1 to the National Insurance Act 1953 :

1953 c. 29.

Provided that regulations made by the Minister may provide for increasing to the amount provided for by this Act the amount of a maternity grant to which a woman has become entitled before the said day (whether payment has already been made or not) if the confinement in question has not occurred before that day and her pregnancy has not been otherwise terminated before that day.

*Home confinement grant*

6. The provisions of this Act abolishing home confinement grant shall not affect entitlement to or the amount of such a grant where the confinement occurred before the day appointed in relation to those provisions under this Schedule.

## SCH. 7

*Benefit in respect of children*

1957 c. 26.

7. Where, in the case of any such payment in respect of a child as is mentioned in paragraphs (a) to (f) of section 6(4) of the National Insurance Act 1957, being a payment for a period beginning on or after the day appointed under this Schedule in relation to the provisions of this Act increasing the amount of that payment, account is to be taken under paragraph (ii) of the said section 6(4) of contributions to the cost of providing for that child for a period before that day, the amount with which the weekly rate of those contributions is to be compared under the said paragraph (ii) shall be that which would have been payable apart from that paragraph if this Act had not been passed.

*Allowances in respect of incapacities arising from pre-1948 employment*

1956 c. 51.

8.—(1) Where an allowance under the Workmen's Compensation and Benefit (Supplementation) Act 1956, or under the Industrial Diseases (Benefit) Acts 1951 and 1954, is or has been awarded before the increase date, the allowance shall, without any claim being made, become payable (except as respects any period falling before the increase date) at the higher weekly rate provided for by section 3 of this Act, and the award shall have effect accordingly.

(2) Where any such award is made before the increase date, but after that date has been appointed, the award may provide for the allowance to be paid as from that date at the higher weekly rate.

(3) In the foregoing provisions of this paragraph "the increase date" means the day appointed for the higher weekly rate to become effective under subsection (1) or subsection (3), as the case may be, of section 3 of this Act.

1951 c. 22.

(4) Section 1(4) of the Workmen's Compensation (Supplementation) Act 1951, so far as it prohibits the making of a scheme under that Act unless a draft of the scheme has been laid before Parliament and approved by a resolution of each House, shall not apply to any such scheme made before the expiration of the period of six months beginning with the date of the passing of this Act if the statutory instrument containing the scheme states that the scheme is made in consequence of this Act; but any statutory instrument containing a scheme which, by virtue of the foregoing provision, is not required to be laid and approved in draft as aforesaid before being made shall be subject to annulment in pursuance of a resolution of either House of Parliament.

*Assistance grants*

1963 c. 7.

9. Section 6 of the National Insurance Act 1963 (which makes transitory provision as to assistance grants) shall have effect for the purposes of this Act as if—

(a) in subsection (1), for the words "the passing of this Act" there were substituted the words "19th November 1964"; and

- (b) for any other reference to that Act or Schedule 4 thereto there were substituted a reference to this Act or, as the case may be, this Schedule.

SCH. 7

*General transitional provision as to regulations*

10. Section 61(2) of the Industrial Injuries Act (which requires any proposal to make regulations to be referred to the Industrial Injuries Advisory Council for consideration and advice) and section 77 of the Insurance Act (which requires a preliminary draft of regulations to be submitted to the National Insurance Advisory Committee before the regulations are made or, in certain cases, before a draft is laid before Parliament) shall not apply to any regulations made, or to any draft of regulations laid before Parliament, before the expiration of the period of six months beginning with the date of the passing of this Act if the instrument containing the regulations or, as the case may be, the draft of that instrument states that the regulations are made in consequence of this Act.

*Construction*

11. This Act—

- (a) in so far as it relates to the subject matter of the National Insurance Acts 1946 to 1964 shall be construed as one with the Insurance Act ;
- (b) in so far as it relates to the subject matter of the National Insurance (Industrial Injuries) Acts 1946 to 1964 shall be construed as one with the Industrial Injuries Act.

SCHEDULE 8

Section 6(4).

ENACTMENTS REPEALED

Chapter	Short Title	Extent of Repeal
9 & 10 Geo. 6. c. 62.	The National Insurance (Industrial Injuries) Act 1946.	Section 3(5) from "and" onwards. In section 5(1), the proviso. In section 12(7), proviso (b). Section 14(3) from "and the" onwards. Section 30(2). In section 34(2), the words "with the approval of the Minister". In Schedule 1, paragraph 4 of Part II. Part IV of Schedule 2. Schedule 3.

## SCH. 8

Chapter	Short Title	Extent of Repeal
9 & 10 Geo. 6. c. 67.	The National Insurance Act 1946.	In section 10(1)(c), the words "home confinement grant". In section 10(2)(a), the words "and Part IA" and the words "a home confinement grant." Section 14A. Section 17(3). Section 59(2)(a)(i). In section 59(2)(a)(ii), the words "and is not excepted from insurance". Part IA of Schedule 2.
11 & 12 Geo. 6. c. 42.	The National Insurance (Industrial Injuries) Act 1948.	Section 1(2)(a)(i) and (3).
14 & 15 Geo. 6. c. 34.	The National Insurance Act 1951.	Section 3(2).
1 & 2 Eliz. 2. c. 29.	The National Insurance Act 1953.	Section 4(3). In Schedule 1, paragraph 6.
4 & 5 Eliz. 2. c. 47.	The National Insurance Act 1956.	In section 2, the words "subsection (3) of section 17 and" and the words "allowance or" in both places where they occur. Section 3.
4 & 5 Eliz. 2. c. 50.	The Family Allowances and National Insurance Act 1956.	In the Schedule, paragraph 5.
5 & 6 Eliz. 2. c. 26.	The National Insurance Act 1957.	Section 2(1)(c).
7 & 8 Eliz. 2. c. 47.	The National Insurance Act 1959.	Section 5(5) from "but" onwards.
9 & 10 Eliz. 2. c. 5.	The National Insurance Act 1960.	Section 2(3). In Schedule 1, paragraph 4 of Part III. In Schedule 4, paragraph 4(a).
9 & 10 Eliz. 2. c. 13.	The National Health Service Contributions Act 1961.	In Schedule 2, paragraph 1(1) to (4) and (6) and paragraph 1(5) from the beginning to "sub-paragraphs".
10 & 11 Eliz. 2. c. 6.	The Family Allowances and National Insurance Act 1961.	In Schedule 3, paragraph 13(3).
1963 c. 7.	The National Insurance Act 1963.	Section 1(1), (3), (4) and (5). Section 2(1). Section 4. Section 5(1) to (3). Schedules 1 to 3. In Schedule 4, paragraph 9.

SCH. 8

Chapter	Short Title	Extent of Repeal
1964 c. 10.	The Family Allowances and National Insurance Act 1964.	Section 2(1) and (4). Section 3(3). Section 4(1), (3) and (4). In Schedule 1, paragraph 1. Schedule 2



# Protection from Eviction Act 1964

1964 CHAPTER 97

An Act to restrict eviction from dwellings ; to postpone the decontrol of formerly requisitioned dwellings ; and for purposes connected therewith. [17th December 1964]

**B**E IT ENACTED by the Queen'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:—

Restriction on  
recovery of  
possession.

1.—(1) Where any premises have been let as a dwelling and on the termination, whether before or after the commencement of this Act, of the tenancy (in this Act referred to as the former tenancy) any of the following persons remains in occupation of the premises or part of them and in residence therein, that is to say,—

- (a) the tenant under the former tenancy ;
- (b) any person to whom the premises or part thereof have been lawfully sublet as a dwelling ;
- (c) the widow or widower of any such person as is mentioned in paragraph (a) or (b) of this subsection residing with him at his death or, if that person leaves no such widow or widower, any member of his family residing with him at his death ;

then, unless the former tenancy is excluded from the operation of this section, the following provisions of this Act shall apply with respect to the recovery of possession of the premises or part.

(2) In this Act “ the occupier ”, in relation to any premises, means the person remaining in occupation and in residence as

mentioned in subsection (1) of this section ; and “ the owner ”, in relation to any premises, means the person who, as against the occupier, is entitled to possession thereof.

(3) It shall not be lawful for the owner of any premises—

(a) to enforce against the occupier, otherwise than by proceedings in the court, his right to recover possession of the premises ; or

(b) to withhold or withdraw from the occupier any services or furniture which are for the time being provided for him, except to the extent authorised in the proceedings or for reasonable cause ;

and if any person contravenes the provisions of this subsection he shall, without prejudice to any liability or remedy to which he may be subject in civil proceedings, be liable on summary conviction to a fine not exceeding one hundred pounds or to imprisonment for a term not exceeding six months, or to both.

(4) In any proceedings for an offence under this section it shall be a defence to prove that the owner believed, and had reasonable cause to believe, that the occupier had ceased to reside in the premises.

(5) Where an offence under this section 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, secretary or other similar officer of the body corporate or any person who was purporting to act in any such capacity, he as well as the body corporate shall be guilty of that offence and shall be liable to be proceeded against and punished accordingly.

(6) For the purposes of this Act a person who, whilst employed in agriculture (as defined in section 17(1) of the Agricultural Wages Act 1948 or section 17 of the Agricultural Wages (Scotland) Act 1949) occupied any premises or part thereof under the terms of his employment shall be deemed to have been a tenant and the expressions “ let ” and “ tenancy ” shall be construed accordingly. 1948 c. 47.  
1949 c. 30.

(7) In the application of this section to Scotland the following provision shall have effect in lieu of paragraph (a) of subsection (3), that is to say, if the owner of any premises enforces against the occupier, otherwise than by due process of law, his right to recover possession of the premises he shall be deemed to have contravened that subsection.

2.—(1) Without prejudice to any power of the court apart from this section to postpone the operation or suspend the execution of an order for possession, if in proceedings by the owner against the occupier of any premises the court makes Suspension of  
execution of  
order for  
possession.

or has before the commencement of this Act made an order for possession the court may suspend the execution of the order for such period, not exceeding twelve months from the date of the order, as the court thinks reasonable.

(2) Where the court by virtue of this section suspends the execution of an order for the possession of any premises it may authorise the withdrawal from the occupier of any specified services or furniture and impose such terms and conditions, including conditions as to the payment by the occupier of arrears of rent, rent or mesne profits and otherwise, as the court thinks reasonable.

(3) The court may from time to time vary the period of suspension or terminate it and may vary any terms or conditions imposed by virtue of this section, but shall not extend the period of suspension beyond the end of twelve months from the date of the order for possession.

(4) In considering whether or how to exercise its powers under this section the court shall have regard to all the circumstances and, in particular, to the following, that is to say,—

- (a) whether the occupier has failed (whether before or after the termination of the former tenancy) to observe any terms or conditions thereof ;
- (b) whether he has unreasonably refused an offer of a tenancy of the premises or part of the premises for a reasonable term and at a reasonable rent ;
- (c) whether he has failed to make reasonable efforts to obtain other suitable accommodation ;
- (d) whether, in a case where the premises were occupied by the tenant under the former tenancy under the terms of his employment as a person employed in agriculture (within the definition referred to in section 1(6) of this Act), the efficient management of any agricultural land would be seriously prejudiced unless the premises were available for occupation by a person employed or to be employed by the owner ; and
- (e) whether greater hardship would be caused by the suspension of the execution of the order for possession than by its execution without suspension or further suspension.

(5) Where in proceedings for the recovery of possession of any premises the court makes an order for possession but suspends the execution of the order by virtue of subsection (1) of this section it shall make no order for costs, unless it appears to the court, having regard to the conduct of the owner or of the occupier, that there are special reasons for making such an order.



## (6) In the application of this section to Scotland—

- (a) for any reference to an order for possession there shall be substituted a reference to a decree of removing or warrant of ejection,
- (b) for the reference to mesne profits there shall be substituted a reference to damages arising from unlawful possession, and
- (c) for the reference to costs, there shall be substituted a reference to expenses.

3.—(1) The foregoing provisions of this Act do not apply where the former tenancy was—

Restrictions on operation of foregoing sections.

- (a) a tenancy of premises in England or Wales of which the net annual value for rating exceeds the limit for the time being imposed by section 48 of the County Courts Act 1959 (jurisdiction in actions for recovery of land); 1959 c. 22.
- (b) a tenancy to which the Rent and Mortgage Interest Restriction Acts 1920 to 1939 or Part I of the Landlord and Tenant Act 1954 applied immediately before the termination thereof; 1954 c. 56.
- (c) a tenancy to which Part II of the Landlord and Tenant Act 1954 applied or would have applied but for section 43 thereof;
- (d) a tenancy to which any of the following Acts apply, that is to say—
  - (i) the Small Landholders (Scotland) Acts 1886 to 1931;
  - (ii) the Tenancy of Shops (Scotland) Act 1949; 1949 c. 25.
  - (iii) the Agricultural Holdings (Scotland) Act 1949; 1949 c. 75.
  - (iv) the Crofters (Scotland) Acts 1955 and 1961.

(2) Nothing in this Act shall affect the operation of the Small Tenements Recovery Act 1838 in so far as it has been applied by any other Act, or of section 22(2), 45(3) or 85(2) of the Housing Act 1957. 1838 c. 74. 1957 c. 56.

(3) Nothing in this Act shall affect the operation of section 59 of the Pluralities Act 1838 or of section 6 of the Lecturers and Parish Clerks Act 1844. 1838 c. 106. 1844 c. 59.

## 4.—(1) In this Act, “the court”—

The court.

- (a) in relation to premises in England or Wales, means the county court;
- (b) in relation to premises in Scotland, means the sheriff.

(2) Any powers of a county court in proceedings for the recovery of possession of any premises in circumstances where the powers conferred by this Act are or may be exercisable may be exercised by any registrar of the court, except in so far as rules of court otherwise provide.

(3) Where, by virtue of section 1(3) of this Act, it is not lawful for the owner of any premises to enforce against the occupier his right to recover possession of the premises except by proceedings in the county court, but the High Court has before the commencement of this Act made an order for possession in proceedings by the owner against the occupier, the order shall, on application made by the owner to the county court, be treated for the purpose of execution as if the proceedings had been taken in, and the order made by, the county court, and section 2 of this Act shall have effect accordingly.

Postponement  
of decontrol  
of formerly  
requisitioned  
dwellings.  
1957 c. 25.  
1955 c. 24.

5. Section 11(5) of the Rent Act 1957 (which extended, until the end of March 1965, the application of the Rent Acts to certain dwellings to which those Acts would otherwise have ceased to apply) and section 4(4) of the Requisitioned Houses and Housing (Amendment) Act 1955 (which enables local authorities in England and Wales to pay part of the rent in respect of such dwellings) shall each have effect as if the year mentioned therein were 1966.

Short title,  
duration  
and extent.

6.—(1) This Act may be cited as the Protection from Eviction Act 1964.

(2) This Act, except section 5, shall continue in force until the end of the year 1965, and shall then expire.

1889 c. 63.

(3) On the expiration of this Act section 38(2) of the Interpretation Act 1889 (effect of repeals) shall have effect as if this Act had been repealed by another Act; and without prejudice to the generality of the foregoing provision, any suspension then in force of the execution of an order for possession or of a decree of removing or warrant of ejection shall continue in force and may be terminated as if this Act had not expired.

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



# Ministers of the Crown Act 1964

## 1964 CHAPTER 98

An Act to make provision with respect to the departments and salaries of certain Ministers; to amend the provisions of the House of Commons Disqualification Act 1957 relating to Ministerial offices; to extend existing powers to transfer functions of Ministers; and for purposes connected with the matters aforesaid.

[23rd December 1964]

**B**E IT ENACTED by the Queen'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 provisions of Schedule 1 to this Act shall apply to the Minister of Land and Natural Resources, the Minister of Overseas Development and the Minister of Technology; and references in that Schedule to the Minister and the Ministry shall be construed accordingly. Administrative provisions relating to new Ministries.

2.—(1) There shall be paid under and subject to the provisions of the Ministers of the Crown Act 1937— Provision for salaries of certain Ministers. 1937 c. 38.

- (a) to any Minister to whom Schedule 1 to this Act applies, an annual salary of five thousand pounds;
- (b) to the Chief Secretary to the Treasury and to any Minister of State, an annual salary of such amount as the First Lord of the Treasury may determine, not exceeding in any case five thousand pounds;

- (c) to any Parliamentary Under-Secretary of State to the Department of Economic Affairs or to the Welsh Office, and to any Parliamentary Secretary to the Ministry of a Minister to whom Schedule 1 to this Act applies, an annual salary of two thousand five hundred pounds;
- (d) to any Assistant Government Whip in the House of Commons an annual salary of two thousand pounds.

1937 c. 38.

(2) So much of section 1(2)(a) of the Ministers of the Crown Act 1937 as provides for the salary of the Economic Secretary to the Treasury and section 1(2)(b) of that Act (salary of the Secretary for Overseas Trade) shall cease to have effect.

(3) The number of persons to whom salaries may be paid at any time as the holders of Ministerial offices mentioned in this subsection shall be as follows, that is to say—

- (a) in the case of Secretaries of State, not more than nine;
- (b) in the case of Ministers of State, not more than nineteen;
- (c) in the case of Treasury Secretaries, not more than two;
- (d) in the case of Parliamentary Secretaries other than Treasury secretaries, not more than thirty-six;
- (e) in the case of Assistant Government Whips, not more than six.

1957 c. 20.

(4) In this section “Minister of State” has the same meaning as in the House of Commons Disqualification Act 1957; “Treasury Secretaries” means the Parliamentary Secretary and the Financial Secretary to the Treasury; and “Parliamentary Secretary” includes any Parliamentary Under-Secretary of State and the Assistant Postmaster General.

Numbers of holders of Ministerial offices in House of Commons.

3.—(1) There shall be included among the offices specified in Schedule 2 to the House of Commons Disqualification Act 1957 (Ministerial offices subject to the limits of numbers prescribed by section 2 of that Act) each office not already described therein in respect of which salary is payable by virtue of section 2 of this Act.

(2) So much of section 2 of the said Act of 1957 as prescribes a limit of twenty-seven upon the number of holders of Ministerial offices specified in Part I of the said Schedule 2 who may sit and vote in the House of Commons at any one time shall cease to have effect; and the limit of seventy prescribed by that section upon the number of holders of all Ministerial offices specified in that Schedule who may so sit and vote shall be raised to ninety-one.

Transfer of functions of Ministers.  
1946 c. 31.

4. The powers exercisable by Order in Council under section 1 of the Ministers of the Crown (Transfer of Functions) Act 1946 (transfer of functions from one Minister of the Crown to another) shall include power to direct that functions of any Minister of the

Crown within the meaning of that Act shall be exercisable concurrently with another such Minister, or shall cease to be so exercisable; and references in that Act to the transfer of functions or to functions transferred shall be construed accordingly.

5.—(1) Section 2 of the House of Commons Disqualification Act 1957, and Schedule 2 to that Act, shall be amended as provided by Part I of Schedule 2 to this Act, and accordingly shall have effect as set out in Part II of that Schedule. Consequential amendments and repeals. 1957 c. 20.

(2) Subsection (2) of section 5 of the House of Commons Disqualification Act 1957 (reprinting of Schedule 1 as from time to time amended) shall apply to provisions of that Act other than Schedule 1 as it applies to that Schedule.

(3) In section 13(1) of the said Act, in the definition of “Minister of State”, the words “appointed at a salary” shall be omitted, and at the end there shall be added the words “or any office in respect of which a salary is payable out of moneys provided by Parliament under section 2 of the Ministerial Salaries Act 1946”. 1946 c. 55.

(4) The enactments described in Schedule 3 to this Act are hereby repealed to the extent specified in column 3 of that Schedule.

6.—(1) Any reference in this Act to any enactment is a reference thereto as amended by or under any other enactment including this Act. Interpretation and short title.

(2) This Act may be cited as the Ministers of the Crown Act 1964.

**SCHEDULES**

## Section 1.

**SCHEDULE 1****PROVISIONS AS TO NEW MINISTERS AND THEIR DEPARTMENTS**

1868 c. 72.

1. The Minister shall take the oath of allegiance, and the official oath, and the Promissory Oaths Act 1868 shall have effect as if the name of the Minister were included in Part I of the Schedule to that Act.

2. The Minister may appoint such secretaries, officers and servants as he may with the consent of the Treasury determine.

3. There shall be paid to the secretaries (other than any Parliamentary Secretary), officers and servants appointed by the Minister such salaries or remuneration as the Treasury may determine.

4. The expenses of the Minister, including any salaries or remuneration payable under paragraph 3 of this Schedule, shall be defrayed out of moneys provided by Parliament.

5. The Minister shall for all purposes be a corporation sole, and shall have an official seal, which shall be authenticated by the signature of the Minister or of a secretary to the Ministry or of any person authorised by the Minister to act in that behalf.

6. The seal of the Minister shall be officially and judicially noticed, and every document purporting to be an instrument made or issued by the Minister and to be sealed with the seal of the Minister authenticated in the manner provided by paragraph 5 of this Schedule or to be signed or executed by a secretary to the Ministry or any person authorised as aforesaid, shall be received in evidence and be deemed to be so made or issued without further proof, unless the contrary is shown.

7. A certificate signed by the Minister that any instrument purporting to be made or issued by him was so made or issued shall be conclusive evidence of that fact.

1868 c. 37.

8. The Documentary Evidence Act 1868 shall apply to the Minister as if his name were included in the first column of the Schedule to that Act, and as if he or a secretary to the Ministry or any person authorised by him to act on his behalf were mentioned in the second column of that Schedule, and as if the regulations referred to in that Act included any document issued by the Minister.

## Section 5.

**SCHEDULE 2****THE HOUSE OF COMMONS DISQUALIFICATION ACT 1957****PART I****CONSEQUENTIAL AMENDMENTS**

In section 2, in subsection (1), for the words "the following numbers of" there shall be substituted the words "ninety-one" and the words from "that is to say" to the end shall be omitted; and in subsection (2), the words "or of Ministerial offices of any class", the words "or of Ministerial offices of the relevant class, as the case may be" and the word "greatest" in both places where that word occurs, shall be omitted.

In Schedule 2, the words “ PART I OFFICES WITHIN SECTION 2(1)(b) ” and the words “ PART II OTHER OFFICES ” shall be omitted; after the entry “ Minister of Public Building and Works ” there shall be inserted the following entries—

“ Minister of Land and Natural Resources;  
Minister of Overseas Development;  
Minister of Technology ”;

after the entry “ Minister of State ” there shall be inserted the entry “ Chief Secretary to the Treasury; ” the entry relating to the Economic Secretary to the Treasury and the entry relating to the Secretary for Overseas Trade shall be omitted; after the entry “ Parliamentary Secretary to the Ministry of Public Building and Works ” there shall be inserted the following entries—

“ Parliamentary Secretary to the Ministry of Land and Natural Resources;  
Parliamentary Secretary to the Ministry of Overseas Development;  
Parliamentary Secretary to the Ministry of Technology ”;

and at the end there shall be inserted the entry “ Assistant Government Whip ”.

## PART II

### SECTION 2 AND SCHEDULE 2 AS AMENDED

#### Section 2

2.—(1) Not more than ninety-one persons being the holders of Ministerial offices specified in the Second Schedule to this Act (in this section referred to as Ministerial offices) shall be entitled to sit and vote in the House of Commons at any one time.

(2) If at any time the number of members of the House of Commons who are holders of Ministerial offices exceeds the number entitled to sit and vote in that House under the foregoing provisions of this section, none except any who were both members of that House and holders of Ministerial offices before the excess occurred shall sit or vote therein until the number has been reduced, by death, resignation or otherwise, to the number entitled to sit and vote as aforesaid.

(3) In paragraph (d) of subsection (3) of section one of the Ministers of the Crown (Transfer of Functions) Act 1946 (which enables an Order in Council under that section to make consequential modifications of enactments described in that paragraph) the reference to enactments regulating the number of office holders who may be elected, and sit and vote, as members of the House of Commons shall be construed as a reference to this section and the Second Schedule to this Act; and the reference in section two of that Act to such enactments as are mentioned in the said paragraph (d) shall be construed accordingly.

(4) A person holding a Ministerial office is not disqualified by this Act by reason of any office held by him ex officio as the holder of that Ministerial office.

## SCH. 2

*Schedule 2*

## MINISTERIAL OFFICES

Prime Minister and First Lord of the Treasury.

Lord President of the Council.

Lord Privy Seal.

Chancellor of the Duchy of Lancaster.

Paymaster General.

Secretary of State.

Chancellor of the Exchequer.

Minister of Agriculture, Fisheries and Food.

Minister of Health.

Minister of Housing and Local Government.

Minister of Labour.

Minister of Pensions and National Insurance.

Postmaster General.

Minister of Power.

Minister of Aviation.

President of the Board of Trade.

Minister of Transport.

Minister of Public Building and Works.

Minister of Land and Natural Resources.

Minister of Overseas Development.

Minister of Technology.

Minister of State.

Chief Secretary to the Treasury.

Attorney General.

Lord Advocate.

Solicitor General.

Solicitor General for Scotland.

Parliamentary Secretary to the Treasury.

Financial Secretary to the Treasury.

Parliamentary Under Secretary of State.

Parliamentary Secretary to the Ministry of Agriculture, Fisheries and Food.

Parliamentary Secretary to the Ministry of Health.

Parliamentary Secretary to the Ministry of Housing and Local Government.

Parliamentary Secretary to the Ministry of Labour.

Parliamentary Secretary to the Ministry of Pensions and National Insurance.



Assistant Postmaster General.

SCH. 2

Parliamentary Secretary to the Ministry of Power.

Parliamentary Secretary to the Ministry of Aviation.

Parliamentary Secretary to the Board of Trade.

Parliamentary Secretary to the Ministry of Transport.

Parliamentary Secretary to the Ministry of Public Building and Works.

Parliamentary Secretary to the Ministry of Land and Natural Resources.

Parliamentary Secretary to the Ministry of Overseas Development.

Parliamentary Secretary to the Ministry of Technology.

Secretary for Technical Co-operation.

Junior Lord of the Treasury.

Treasurer of Her Majesty's Household.

Comptroller of Her Majesty's Household.

Vice-Chamberlain of Her Majesty's Household.

Assistant Government Whip.

### SCHEDULE 3

Section 5.

#### ENACTMENTS REPEALED

Chapter	Short title	Extent of Repeal
1 Edw. 8 & 1 Geo. 6. c. 38.	The Ministers of the Crown Act 1937.	In section 1(2)(a), the words " and the Economic Secretary ". Section 2(1) and (2). In section 10(1), the words " the Economic Secretary to the Treasury and "
11 & 12 Geo. 6. c. 5.	The Ministers of the Crown (Treasury Secretaries) Act 1947.	The whole Act.
5 & 6 Eliz. 2. c. 20.	The House of Commons Disqualification Act 1957.	In section 5(2), the words " the First Schedule to ", the word " in " (in the second place where that word occurs), and the words " the said Schedule ".
5 & 6 Eliz. 2. c. 47.	The Ministerial Salaries Act 1957.	In section 1(2), the words " and the Economic Secretary " and the words " in each case ".
9 & 10 Eliz. 2. c. 6.	The Ministers of the Crown (Parliamentary Secretaries) Act 1960.	Section 1 and so much of Schedule 1 as amends the Ministers of the Crown Act 1937.



1964 No. 1

A MEASURE passed by the National Assembly of the Church of England to enable the Church Commissioners to make or guarantee loans to defray capital expenditure in connection with establishments for the training of men for the Ministry and of women for work in connection with the cure of souls.

[27th February 1964]

1. The Church Commissioners (hereinafter referred to as "the Commissioners") may from time to time, on the application of the Central Board of Finance of the Church of England:—

Power to make or guarantee loans for expenditure in connection with theological colleges and other establishments.

- (a) lend to the Central Board of Finance such sums as the Commissioners may think fit for the purpose of defraying expenditure upon lands or buildings of any tenure vested in or held in trust for (or proposed to be vested in or held in trust for) any existing or proposed college or establishment mentioned in the succeeding section or for the purpose of any other capital expenditure in connection with any college or establishment upon such terms and conditions as to interest and repayment of principal as may be agreed ;
- (b) guarantee unconditionally or upon such terms and conditions as the Commissioners may agree the due repayment of the whole or any part of any such loans made by any other body or person and the payment of interest in respect thereof:

Provided that the totals at any one time of sums lent, and of principal sums guaranteed, by the Commissioners under this section shall together not exceed the sum of one million pounds.

2.—(1) Loans may be made or guarantees given under the preceding section in respect of colleges and establishments which are, or which it is proposed to establish as:—

Definition or colleges and establishments to which Measure applies.

- (a) theological colleges for the training of candidates for ordination as ministers of the Church of England ; or
- (b) establishments for the preliminary training of persons accepted for ordination before their entry into such theological colleges ; or

No. 1 *Church Commissioners (Loans for Theological Colleges  
and Training Houses) Measure 1964*

(c) establishments of which the primary purpose is the training of women for work in connection with the cure of souls in the provinces of Canterbury and York.

(2) Any question as to whether any college or establishment is within the preceding sub-section, or will, when established, be within it, shall be determined by the archbishop of the province in which it is or will be situated.

**Short title.**

**3. This Measure may be cited as the Church Commissioners (Loans for Theological Colleges and Training Houses) Measure 1964.**

1964 No. 2

A MEASURE passed by the National Assembly of the Church of England to vest certain real and personal property held, acquired or administered upon charitable ecclesiastical trusts by incumbents and churchwardens jointly or severally and certain ecclesiastical corporations, in the diocesan authority and for purposes connected therewith. [27th February 1964]

1. In this Measure—

Interpretation.

“Custodian trustee” has the same meaning as in the Public Trustee Act 1906 ;

“Diocesan authority” means the diocesan board of finance or any existing or future body appointed by the diocesan conference to act as trustees of diocesan trust property ;

“Endowments of the benefice” includes the parsonage house and the glebe of the benefice together with all appurtenances and easements thereof and any land or personal property held by the incumbent under the Parsonages Measure 1938, and all incorporeal hereditaments belonging to the benefice.

“Incumbent” includes any minister with a separate cure of souls but shall not include a curate in charge of a conventional district ;

“Incumbent or churchwardens” means any incumbent and the churchwardens of the parish comprising the benefice of that incumbent or of any parish comprised in any united benefice of that incumbent and shall be deemed to refer to them or any of them jointly or severally ;

“Land” includes land of any tenure, and mines and minerals, whether or not held apart from the surface, buildings or parts of buildings (whether the division is horizontal, vertical or made in any other way) and other corporeal hereditaments also a manor and a rent and other incorporeal hereditaments and an easement, right, privilege or benefit in, over or derived from land ; but not an advowson nor an undivided share in land, and “hereditament”, “manor”, and “mines and minerals” shall bear the meanings assigned to them by paragraph (ix) of sub-section (1) of section two hundred and five of the Law of Property Act 1925 ;

“Parish” means an ecclesiastical parish or district, whether old or new, the Minister of which has a separate cure of souls therein and includes each parish which remains a separate parish, in cases where a scheme of union provides for the union of benefices but not of parishes, but shall not include a parish whereof the parish church is a cathedral.

“Permanent trusts” means any trust of property which is a permanent endowment within the meaning of subsection (3) of section forty-five of the Charities Act 1960.

Property to which Measure applies.

2.—(1) This Measure shall apply to any interest mentioned in subsection (2) of this section which is acquired or held on charitable trusts, established for ecclesiastical purposes of the Church of England, and whereof:—

(a) no present or past trustee (other than the personal representatives of a sole surviving trustee) is or has been any person other than the following:—

(i) an incumbent or churchwardens; or

(ii) an ecclesiastical corporation sole acting as a joint trustee with an incumbent or churchwardens; or

(b) the presently acting trustees (whether or not validly so appointed) are the persons specified in subparagraphs (i) or (ii) of paragraph (a) above, unless they are so acting in contravention of the terms of the trust; or

(c) the presently acting trustee is the parochial church council not validly so appointed, if the trusts have, immediately previously, been administered by the persons specified in sub-paragraphs (i) or (ii) of paragraph (a) above unless such persons were so acting in contravention of the terms of the trust.

(2) This section shall apply to any interest being either:—

(i) an estate or interest in any land; or

(ii) an interest in personal property, held or to be held on permanent trusts,

except any estate or interest:—

(a) vested in an incumbent, by virtue of his office, in any church, churchyard or burial ground or in the endowments of his benefice;

(b) of an incumbent in land or buildings vested in him, before the thirteenth day of April, 1960, by virtue of section seventeen of the New Parishes Measure 1943, and thereafter by virtue of sub-sections (1) and

(2) of section sixteen of that Measure (land and buildings acquired as sites of proposed churches, parsonage houses, etc.);

- (c) vested in the Official Custodian for Charities;
- (d) being a church educational endowment, as defined in section three of the Diocesan Education Committees Measure 1955;
- (e) being a term of years absolute for a year or from year to year or for any shorter period;
- (f) vested in churchwardens in the goods, ornaments, and movables of the church of which they are churchwardens and in an incumbent or churchwardens in any other chattel.

(3) Any question as to whether personal property is held or to be held on permanent trusts shall be determined for the purposes of this section by a person appointed by the bishop or, during a vacancy in a see, the guardian of the spiritualities:

Provided that the Charity Commissioners, in acting under the Schedule to this Measure, shall not be bound by any such determination.

3.—(1) Where upon or after the commencement of this Measure an incumbent or churchwardens or an ecclesiastical corporation sole or a parochial church council hold, acquire or administer any interest to which this Measure applies, it shall be their duty to inform the diocesan authority thereof in writing.

Vesting of property in diocesan authority.

(2) If the diocesan authority becomes aware of the existence of any interest to which this Measure may apply (whether as the result of any such information as aforesaid or otherwise) it shall act in accordance with the Schedule to this Measure and may and, subject to the said Schedule, shall by deed vest any interest to which this Measure applies in itself as custodian trustee.

(3) Any vesting declaration made by the diocesan authority pursuant to this Measure shall have the operation specified in paragraph (b) of subsection (1) of section forty of the Trustee Act 1925.

(4) It shall be the duty of any person in whom is vested any interest to which this Measure applies and to which any vesting declaration made under this Measure relates, but which, or the right to transfer which, is not by such declaration alone vested in the diocesan authority, to make or concur in making such transfers or other assurances to the diocesan authority as the authority may reasonably require.

(5) Any interest which may be vested in the diocesan authority under this section shall so vest subject to all trusts, charges, tenancies, liabilities and other legal incidents affecting the same.

(6) The exercise by the diocesan authority of the powers specified in this section and in the Schedule to this Measure shall not affect or prejudice the jurisdiction or powers of the High Court or the Charity Commissioners to establish a scheme for the administration of any charity to which this Measure applies or otherwise.

Consent of diocesan authority to acquisition of property.

4. After the commencement of this Measure neither an incumbent nor churchwardens shall acquire any interest in land or personal property to which this Measure applies except an interest in personal property by gift or under a will without the consent of the diocesan authority.

Provisions as to property vested in the diocesan authority.

5. No managing trustees of property whereof the diocesan authority is the custodian trustee pursuant to the provisions of this Measure shall sell, lease, let, exchange, charge or take any legal proceedings in relation thereto without the consent of the diocesan authority or, in the case of legal proceedings, of the agent of the diocesan authority authorised in that behalf, in addition to any other consents or orders required by law either from the Charity Commissioners or otherwise.

Short title commencement and extent.

6.—(1) This Measure may be cited as the Incumbents and Churchwardens (Trusts) Measure 1964.

(2) This Measure shall come into operation on the first day of January, 1965.

(3) This Measure shall extend to the whole of the Provinces of Canterbury and York except the Channel Islands and the Isle of Man:

Provided that, if an Act of Tynwald so provides, this Measure shall apply to the Isle of Man subject to such modifications, if any, as may be specified in such Act of Tynwald.



## SCHEDULE

### SECTIONS 2 AND 3

1. Upon becoming aware of the existence of any property which may be affected by this Measure the diocesan authority shall consider whether this Measure applies to any interest therein. If the diocesan authority is of the opinion that this Measure does not apply to any interest therein it shall so inform any persons acting in any trust upon which such property may be held.

2. If the diocesan authority is of the opinion that this Measure applies to an interest in such property it shall send a notice to the persons believed by the diocesan authority to have or be entitled to the general control and management of the property, to the incumbent and to the Charity Commissioners describing the property concerned and the trusts upon which the relevant interest therein is held. The notice shall state that it is proposed to vest such interest in the diocesan authority as custodian trustee on or after a specified date which shall not be earlier than three months after the date of the notice, and that any person who desires to object to the said vesting or make any representation relating thereto should make such objection or representation in writing to the diocesan authority before the specified date. The address of the diocesan authority shall be set forth in the said notice.

3. The Charity Commissioners may make such enquiries into the matter as they think fit (always provided that the provisions of this Measure shall impose no duty upon the Commissioners to make any investigation or enquiries) and may make any objection or representation or tender such advice to the diocesan authority as they think proper on or before the date specified by the notice referred to in paragraph 2 of this Schedule.

4. If the said notice relates to any interest in land the diocesan authority shall satisfy itself that the said notice or a copy thereof has been exhibited at the principal entrance of the church of the parish in which such land is situate for a continuous period of at least one month expiring on or before the date specified in the said notice.

5. The diocesan authority shall consider all such objections, representations and advice as it may receive relating to such property. If the Charity Commissioners have made no objection or have withdrawn any objection which they may have made and if the diocesan authority remains of the opinion that the Measure applies to such property the authority shall make a declaration under seal which shall have the effect prescribed by sub-sections (2) and (3) of section three as regards any property therein mentioned.

6. The diocesan authority shall by such declaration or by a separate deed establish a scheme for the management of the charity limited to securing the establishment and continuation of managing trustees thereof who shall be the incumbent or churchwardens and, where appropriate, an ecclesiastical corporation sole to act as joint managing trustee with them or any of them.

7. The diocesan authority shall inform any person who has made objections or representations or has tendered advice under this Schedule of the execution of any declaration vesting property to which such objections, representations or advice related.

8. A declaration of vesting under this Schedule may, where appropriate, relate to more than one item of property and to property held, acquired or administered by more than one body of trustees.

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*Table of Enactments referred to in this Measure*

Short Title	Session and Chapter
The Public Trustee Act 1906	6 Edw. 7. c. 55.
The Trustee Act 1925	15 & 16 Geo. 5. c. 19.
The Law of Property Act 1925	15 & 16 Geo. 5. c. 20.
The Parsonages Measure 1938	1 & 2 Geo. 6. No. 3.
The New Parishes Measure 1943	6 & 7 Geo. 6. No. 1.
The Diocesan Education Committees Measure 1955	4 & 5 Eliz. 2. No. 1.
The Charities Act 1960	8 & 9 Eliz. 2. c. 58.

1964 No. 3

A MEASURE passed by the National Assembly of the Church of England to regulate the number and qualifications of, and the time and manner of choosing, churchwardens of parishes; to regulate their admission to office; to provide for the resignation of churchwardens and for their vacating their offices in certain events; to regulate the qualifications of churchwardens of Guild Churches in the City of London; and for purposes connected therewith. [27th February 1964]

1.—(1) Subject to the provisions of this Measure there shall be two churchwardens of every parish. Number and qualifications of churchwardens.

(2) The churchwardens of every parish shall be chosen from persons who are resident in the parish or whose names are on the church electoral roll of the parish.

(3) Such persons shall be actual communicant members of the Church of England except where the bishop shall otherwise permit and of twenty-one years of age and upwards.

(4) No person shall be chosen as a churchwarden unless he has signified his consent to serve.

2.—(1) The churchwardens of a parish shall be chosen annually not later in the year than during the week following Easter week. Time and manner of choosing churchwardens.

(2) Subject to the provisions of this Measure the churchwardens of a parish shall be chosen by the joint consent of the minister of the parish and a meeting of the parishioners if it may be; such joint consent shall be deemed to have been signified:—

(a) if any motion stating the names of the persons to be chosen as churchwardens or the name of either of them shall be declared by the person presiding over the meeting to have been carried; and

(b) if in respect of any such motion the minister shall have announced his consent to the choice of the person or persons named therein either before the putting of the motion to the meeting or immediately upon the declaration of the result thereof:

Provided that no person shall be deemed to have been chosen as a churchwarden under the provisions of this subsection unless both churchwardens have been so chosen.

(3) If the minister of the parish and the meeting of the parishioners cannot agree on the choice of both churchwardens by joint consent as provided in the foregoing subsection or if after due opportunity has been given no motions or insufficient motions have been moved in accordance with the provisions of that subsection then one churchwarden shall be appointed by the minister and the other shall then be elected by the meeting of the parishioners.

(4) During any period when there is no minister both the churchwardens shall be elected by the meeting of the parishioners.

(5) A person may be chosen to fill a casual vacancy among the churchwardens at any time.

(6) Any person chosen to fill a casual vacancy shall be chosen in the same manner as was the churchwarden in whose place he is appointed.

**Meeting of the parishioners.**

**3.—(1) A joint meeting of:—**

- (a) the persons whose names are entered on the church electoral roll of the parish; and
- (b) the persons resident in the parish whose names are entered on a register of local government electors by reason of such residence:

shall be deemed to be a meeting of the parishioners for the purposes of this Measure.

(2) The meeting of the parishioners shall be convened by the minister or the churchwardens of the parish by a notice signed by the minister or a churchwarden.

(3) The notice shall state the place, day and hour at which the meeting of the parishioners is to be held.

(4) The notice shall be affixed on or near to the principal door of the parish church and of every other building licensed for public worship in the parish for a period including the last two Sundays before the meeting.

(5) The minister, if present, or, if he is not present, a chairman chosen by the meeting of the parishioners, shall preside thereat.

(6) In case of an equal division of votes the chairman of the meeting of the parishioners shall have a casting vote.

(7) The meeting of the parishioners shall have power to adjourn, and to determine its own rules of procedure.

(8) A person appointed by the meeting of the parishioners shall act as clerk of the meeting and shall record the minutes thereof.

4. At every election of a churchwarden by the meeting of the parishioners each person entitled to attend shall be entitled to vote and shall have as many votes as there are churchwardens to be elected but may not give more than one vote to any one candidate: Method of voting at elections.

Provided that if the minister has appointed one of the churchwardens he shall not have a vote (except a casting vote) in the election of any other churchwarden.

5.—(1) Every candidate at an election of a churchwarden by the meeting of the parishioners must be nominated at the meeting by a person entitled to attend the meeting: Conduct of elections.

Provided that if the minister has appointed one of the churchwardens he shall not be entitled to nominate a candidate for election.

(2) If the number of candidates is not greater than the number of churchwardens to be elected, the candidates nominated shall forthwith be declared elected.

(3) If more candidates are nominated than there are churchwardens to be elected, the election shall take place at the meeting unless a poll is demanded by at least one-fifth of the voters present.

(4) If the election takes place at the meeting, votes may be given:—

(a) on voting papers, which shall be in a form substantially similar to that set forth in Appendix III to the Rules for the Representation of the Laity and must be signed by the voter; or

(b) if no person present objects thereto, by show of hands.

(5) If a poll is duly demanded, the meeting shall forthwith elect a person to preside over it, and the poll shall be conducted in the manner prescribed in the said Appendix III. The expenses of the poll shall be defrayed by the parochial church council of the parish.

(6) The result of an election shall be announced as soon as practicable by the person presiding over the election, and notice of the result shall in every case be affixed on or near to the principal door of the parish church and of every other building licensed for public worship in the parish, and shall bear the date on which the result is declared. Such notice shall remain fixed for not less than fourteen days.

6.—(1) There shall be a right of appeal by any person aggrieved against:— Appeals.

(a) the allowance or disallowance of any vote given or tendered at an election of a churchwarden;

(b) the result of any election of a churchwarden.

(2) Notice of the appeal shall be given in writing to the rural dean, or if there be no rural dean, to the archdeacon. Such notice shall be given:—

(a) in the case of an appeal against the allowance or disallowance of a vote, not later than fourteen days after such allowance or disallowance;

(b) in the case of an appeal against the result of an election, not later than fourteen days after the result thereof has been announced by the person presiding over the election.

(3) Paragraphs (3), (4) and (5) of Rule 27 of the Rules for the Representation of the Laity shall apply to an appeal under this section in like manner as they apply to an appeal under that Rule.

Admission  
of church-  
wardens.

7.—(1) At a time and place to be appointed by the ordinary each person chosen for the office of churchwarden shall appear before the ordinary, or his substitute duly appointed, and be admitted to the office of churchwarden after subscribing the declaration that he will faithfully and diligently perform the duties of his office, and making the same in the presence of the ordinary or his substitute. No person chosen for the office of churchwarden shall become churchwarden until such time as he shall have been admitted to office in accordance with the provisions of this section.

(2) Subject to the provisions of this Measure the churchwardens so chosen and admitted as aforesaid shall continue in their office until they, or others as their successors, be admitted in like manner before the ordinary.

Resignation  
of church-  
wardens.

8.—(1) If a churchwarden wishes to resign his office he may, with the consent in writing of the minister and any other churchwarden of the parish, resign his office by an instrument in writing addressed to the bishop, and if the bishop accepts his resignation his office shall forthwith be vacated.

(2) Subject to the provisions of this section a churchwarden shall not be entitled to resign his office.

Vacation  
of office.

9. The office of churchwarden shall be vacated if the churchwarden is not resident in the parish and if his name is not on the church electoral roll of the parish.

Guild  
Churches.

10.—(1) In the case of every church in the City of London designated and established as a Guild Church under the City

of London (Guild Churches) Acts, 1952 and 1960, the churchwardens shall, notwithstanding anything to the contrary contained in those Acts, be actual communicant members of the Church of England except where the bishop shall otherwise permit.

(2) Subject to the provisions of subsection (1) of this section, nothing in this Measure shall apply to the churchwardens of any church designated and established as a Guild Church under the City of London (Guild Churches) Acts 1952 and 1960.

**11.—(1)** In the carrying out of this Measure in any diocese the bishop of such diocese shall have power:— Special provisions.

- (a) to make provision for any matter not herein provided for ;
- (b) to appoint a person to do any act in respect of which there has been any neglect or default on the part of any person or body charged with any duty under this Measure ;
- (c) so far as may be necessary for the purpose of giving effect to the intentions of this Measure, to extend or alter the time for holding any meeting or election or to modify the procedure laid down by this Measure in connection therewith ;
- (d) in any case in which there has been no valid choice to direct a fresh choice to be made, and to give such directions in connection therewith as he may think necessary ; and
- (e) in any case in which any difficulty arises, to give any directions which he may consider expedient for the purpose of removing the difficulty.

(2) The powers of the bishop under this section shall not enable him to validate anything that was invalid at the time it was done.

(3) Any question whether the form of voting paper which has been used at an election of a churchwarden is substantially similar to that set forth in Appendix III to the Rules for the Representation of the Laity shall be determined by the bishop.

(4) During a vacancy in a diocesan see the powers by this section conferred upon a bishop of the diocese shall be exercisable by the guardian of the spiritualities.

**12.—(1)** Subject to the provisions of section ten of this Measure, nothing in this Measure shall be deemed to amend, repeal or affect any local act or any scheme made under any enactment affecting the churchwardens of a parish: Savings.

Provided that for the purposes of this Measure the Parish of Manchester Division Act, 1850, shall be deemed to be a general act.

(2) In the case of any parish where there is an existing custom which regulates the number of churchwardens or the manner in which the churchwardens are chosen, nothing in this Measure shall affect that custom:

Provided that in the case of any parish where in accordance with that custom any churchwarden is chosen by the vestry of that parish either alone or jointly with any other person or persons that churchwarden shall be chosen by the meeting of the parishioners, either alone or jointly with the other person or persons, as the case may be.

(3) Nothing in this Measure shall affect a churchwarden in office before the passing of this Measure during the period for which he was chosen.

(4) Nothing in this Measure shall be deemed to authorise the choice of any person as churchwarden who under the existing law is disqualified from being chosen for that office.

**Interpretation.**

**13.** In this Measure, except in so far as the context otherwise requires:—

“existing custom” means a custom existing at the commencement of this Measure which has continued for a period including the last forty years before its commencement;

“Rules for the Representation of the Laity” means the Rules for the Representation of the Laity contained in the Schedule to the Representation of the Laity Measure, 1956;

“actual communicant member”, “minister”, “parish” and “public worship” have the same meanings respectively as those assigned to those expressions in Rule 1 of the Rules for the Representation of the Laity.

**Repeal.**

**14.** Section twelve of the New Parishes Measure, 1943, and Rule 10 of the Rules for the Representation of the Laity are hereby repealed.

**Short title,  
extent and  
commence-  
ment.**

**15.—(1)** This Measure may be cited as the Churchwardens (Appointment and Resignation) Measure, 1964.

(2) This Measure shall extend to the whole of the provinces of Canterbury and York except for the Channel Islands and the Isle of Man:

Provided that—

(a) this Measure may be applied to the Channel Islands as defined in the Channel Islands (Church Legislation)



Measures, 1931 and 1957, or either of them in accordance with those Measures ;

(b) if an Act of Tynwald so provides this Measure shall extend to the Isle of Man subject to such modifications, if any, as may be specified in such Act of Tynwald.

(3) This Measure shall come into force on the first day of January next after the date on which it receives the Royal Assent.



*Table of Enactments referred to in this Measure*

Short Title	Session and Chapter
Parish of Manchester Division Act, 1850 ... ..	13 & 14 Vict. c. xli.
Channel Islands (Church Legislation) Measure 1931	21 & 22 Geo. 5. No. 4.
New Parishes Measure 1943 ... ..	6 & 7 Geo. 6. No. 1.
City of London (Guild Churches) Act 1952 ...	15 & 16 Geo. 6. & 1 Eliz. 2. c. xxxviii.
Representation of the Laity Measure 1956... ..	4 & 5 Eliz. 2. No. 2.
Channel Islands (Church Legislation) Measure 1931 (Amendment) Measure 1957	5 & 6 Eliz. 2. No 1.
City of London (Guild Churches) Act 1960 ...	8 & 9 Eliz. 2. c. xxx.

## 1964 No. 4

**A MEASURE** passed by the National Assembly of the Church of England to enable the Holy Table in a Church or Chapel to be immovable and to be made of any suitable material. [15th April 1964]

Quality of Holy Table.

**1.** The Holy Table used at the celebration of the Lord's Supper or Holy Communion in any Church or Chapel may be either movable or immovable and may be made of wood, stone or other material suitable for the purpose for which the Table is to be used.

Extent.

**2.** This Measure shall extend to the whole of the Provinces of Canterbury and York except the Channel Islands and the Isle of Man:

Provided that:—

- (a) this Measure may be applied to the Channel Islands as defined in the Channel Islands (Church Legislation) Measures 1931 and 1957, or either of them, in accordance with those Measures; and
- (b) if an Act of Tynwald so provides, this Measure shall extend to the Isle of Man subject to such modifications, if any, as may be specified in such Act of Tynwald.

Short title.

**3.** This Measure may be cited as the Holy Table Measure 1964.

## 1964 No. 5

A MEASURE passed by the National Assembly of the Church of England to enable ecclesiastical courts to vest privately owned parts of churches in the persons in whom the churches are vested; to amend the law relating to the issue of faculties out of such courts concerning the demolition of churches and works affecting monuments in private ownership; to empower bishops to make certain licensed chapels subject to the faculty jurisdiction of such courts; to declare the law relating to the jurisdiction of such courts over the curtilage of churches; to limit the duration of rights of sepulture; to make better provision for the enforcement of orders as to costs and expenses; to repeal and re-enact the Faculty Jurisdiction Measure 1938, with amendments; and for other purposes connected therewith.

[15th April 1964]

## JURISDICTION IN FACULTY CASES

1.—(1) In this section “building” means any building or structure forming part of and physically connected with a church and “incumbent” means the incumbent of the benefice comprising the parish in which the church is situated.

Vesting of privately owned parts of churches in the persons in whom the churches are vested.

(2) A court may in proceedings taken by an incumbent or parochial church council grant a faculty vesting any building in the person or body in whom the church is vested where the incumbent or parochial church council satisfies the court that:—

- (i) the person in whom the church is vested is not the owner entitled to possession of the building or that there is reasonable doubt as to the ownership or right to possession thereof; and
- (ii) the incumbent or parochial church council or some other person has taken all reasonable steps since, or shortly before, the commencement of the proceedings to communicate with all persons who may reasonably be supposed to have any rights of ownership or possession, whether absolute or limited, over the building; and
- (iii) notwithstanding such reasonable steps there has been no communication with such person or persons or that all persons with whom communication has been made and who, on reasonable grounds, claim rights of ownership or possession over the building consent to the grant of a faculty under this section; and

2 Z\*\* 4

- (iv) no works of repair, redecoration or reconstruction have been executed upon the building by or on behalf of any person claiming any title thereto adverse to the title of the person in whom the church is vested during the seven years immediately preceding the commencement of the proceedings.

(3) In any proceedings for obtaining a faculty under this section the court may appoint a person being a solicitor to represent all persons other than those represented, known or unknown, who may have rights of ownership or possession over the building in question, and all proper costs of such solicitor in the proceedings shall be paid by the persons bringing the proceedings, unless otherwise ordered by the court.

(4) Where a faculty under this section is granted the building specified therein shall, by virtue of such faculty and without any further or other assurance or conveyance, vest in the person in whom the church is vested as part of the church for all purposes and any rights of property of any other person therein shall thereupon determine.

Faculties for  
demolition  
of churches.

2.—(1) The court shall not grant a faculty for the demolition or partial demolition of a church except on the grounds specified in this section and shall not grant a faculty under sub-section (2) of this section nor under paragraph (i) of subsection (3) of this section unless:—

- (i) the person bringing proceedings for the faculty has, within the prescribed time, caused to be published in the "London Gazette" and in such other newspapers as the court may direct a notice stating the substance of the petition for the faculty; and
- (ii) an officer of the court has given notice in writing to the Council and the advisory committee of the diocese in which the church is situated of the petition; and
- (iii) the judge of the court has thereafter considered such advice as the advisory committee has tendered to the court; and
- (iv) the judge has heard evidence in open court, after application for the purpose has been made to the court in the prescribed manner, from:—
  - (a) a member of the Council or some person duly authorised by the Council; and
  - (b) any other person, unless in the opinion of the judge his application or the evidence which he gives is frivolous or vexatious.

(2) The court may grant a faculty for the demolition of the whole or part of a church if the court is satisfied that another church will be erected on the site or curtilage of the church in question or part thereof to take the place of that church.

(3) A court may grant a faculty for the demolition or part of a church if it is satisfied that:—

- (i) the part of the church left standing will be used for the public worship of the Church of England for a substantial period after such demolition; or
- (ii) such demolition is necessary for the purpose of the repair, alteration or reconstruction of the part to be demolished or of the whole of the church.

Provided that a court shall not grant a faculty under paragraph (ii) of this sub-section unless an officer of the court has given notice in writing to the Council of the petition and the judge has considered any advice which the Council may tender to the court.

(4) A court may grant a faculty for the demolition or partial demolition of any church if, in respect of that church the following order has been made by a court of competent jurisdiction or any of the following notices has been served by the appropriate local authority:—

- (i) an order under section fifty-eight of the Public Health Act 1936, requiring execution of such work as may be necessary to obviate danger from the condition of that church;
- (ii) a notice requiring the taking down, repair or securing of that church given under sub-section (2) of section sixty-two of the London Building Acts (Amendment) Act 1939, or under the provisions of any other local Act empowering the council of a county, city, borough or district to give such a notice on the grounds that a building or structure is dangerous;
- (iii) a notice that the local authority propose to take immediate action to deal with the church as a dangerous building under section twenty-five of the Public Health Act 1961;
- (iv) a notice requiring the execution of works of repair or restoration to the church under section twenty-seven of the Public Health Act 1961.

(5) Nothing in this section shall be construed as prejudicing or affecting the provisions of the Ancient Monuments Acts 1913 to 1953, or the Town and Country Planning Acts 1947 to 1959.

3.—(1) This section shall apply to faculties for the moving, demolition, alteration or execution of other work to any monument erected, whether before or after the passing of this Measure, in or upon any church or other consecrated building or the curtilage thereof or upon consecrated ground other than Faculties affecting monuments owned by persons withholding consent thereto.

consecrated burial grounds to which section eleven of the Open Spaces Act 1906, applies or has been applied.

(2) Subject to the provisions of the succeeding sub-section a court may grant a faculty to which this section applies:—

- (i) although the owner of the monument withholds his consent thereto or cannot be found after reasonable efforts to find him have been made; and
- (ii) in respect of a monument erected under a faculty or affecting which any faculty has been granted, whatever the date of such faculty.

(3) No faculty to which this section applies shall be granted if the owner of the monument in question withholds his consent thereto but satisfies the court that he is, within a reasonable time, willing and able to remove the monument (or so much thereof as may be proved to be his property) and to execute such works as the court may require to repair any damage to the fabric of any building or to any land caused by such removal. The court may, upon a petition for a faculty to which this section applies, grant a faculty authorising such removal and for all purposes connected therewith and may make such orders as may be just as to the execution and cost of all necessary works.

(4) For the purposes of this section “monument” includes a tomb, gravestone or other memorial and any kerb or setting forming part thereof, and “owner” means the person who erected the monument in question and, after his death, the heir or heirs at law of the person or persons in whose memory the monument was erected and “property” shall be construed accordingly.

Sale of books in parochial libraries under a faculty.

4.—(1) Notwithstanding anything to the contrary contained in section ten of the Parochial Libraries Act 1708, any book in a parochial library appropriated to the use of the minister of any parish or place within the operation of that Act may be sold under the authority of a faculty, and in the case of every sale so authorised the proceeds of sale shall be applied for such of the ecclesiastical purposes of the parish as in such faculty may be directed. Before granting such a faculty the judge shall require the advisory committee to advise him thereon and shall consider such advice as the committee may tender to the court.

(2) Any question whether a library is within the said Act and is so appropriated shall be finally determined by the Charity Commissioners.

Payment of costs by party responsible for breach of law.

5.—(1) If in any proceeding for a faculty, whether opposed or not, it appears to the court that any person being a party to the proceeding was responsible wholly or in part for the introduction into or removal from a church, churchyard or other

consecrated ground of any articles without the necessary faculty, or for the execution of any work in a church, church-yard or other consecrated ground without the necessary faculty, the court may order the whole or any part of the costs and expenses of the proceeding or consequent thereon, including the cost of any works ordered by the court (so far as such costs, cost of works, and expenses have been occasioned by such introduction, removal or unlawful execution as the case may be), to be paid by such person.

(2) In any such proceeding the court may by way of special citation add as a further party to the proceeding any person alleged to be so responsible or partly responsible and not already a party and notwithstanding that such person resides out of the diocese.

6.—(1) Where the bishop has licensed a building for public worship and he considers that circumstances have arisen which make it desirable that such building should be subject to the faculty jurisdiction he may by order direct that such building shall be subject to the jurisdiction of the court of the diocese during such period as may be specified in the order.

Licensed chapels may be made subject to faculty jurisdiction.

(2) Any building in respect of which an order is made under this section shall, during the period specified in the order, be subject, together with its furnishings and contents, to the jurisdiction of the court specified in the order as though it were a consecrated church; but an order shall not render unlawful any act done before the making of the order nor shall require the issue of faculties confirming such acts.

(3) The bishop shall send every order made under this section to the registrar of the diocese and the registrar shall register any order so made in the diocesan registry. There shall be payable to the diocesan registrar for registering such order, for permitting searches for and giving inspection and furnishing copies of any such order such fees as may from time to time be authorised by an order made under the Ecclesiastical Fees Measure 1962.

(4) An order made under this section shall be revocable by the bishop at any time.

7.—(1) For the avoidance of doubt it is hereby declared that where unconsecrated land forms, or is part of, the curtilage of a church within the jurisdiction of a court that court has the same jurisdiction over such land as over the church.

Curtilages of churches.

(2) This section shall not render unlawful any act done or proceedings taken in good faith before the passing of this Measure nor shall require the issue of faculties confirming such acts.

*Rights of sepulture*

Exclusive rights to burial spaces.

8.—(1) Any right to the exclusive use of any particular part of a churchyard, burial ground or other consecrated land for the purposes of sepulture, whether absolute or limited and however granted or acquired, shall cease one hundred years after the passing of this Measure, unless granted, enlarged or continued by a faculty issued after the passing of this Measure:

Provided that the court shall not issue a faculty granting enlarging or continuing any such right for any period longer than one hundred years from the date of the faculty.

(2) This section shall not apply to burial grounds and cemeteries provided under the Burial Acts 1852 to 1906, or the Public Health (Interments) Act 1879.

*Parties and procedure in faculty cases*

Archdeacon and non-resident electors to be deemed to have an interest in faculty proceedings.

9.—(1) For the purposes of any proceeding for obtaining a faculty the archdeacon of the archdeaconry in which the parish concerned is situate shall be deemed to have an interest as such, and any person whose name is entered on the electoral roll of the parish concerned but who does not reside therein shall be deemed to have an interest as though he were a parishioner of that parish.

(2) If the archdeaconry be vacant or the archdeacon be incapacitated by absence or illness from exercising or fulfilling the rights or duties conferred or imposed upon him by this Measure or is in the opinion of the bishop for any other reason unable or unwilling to act, such other person as the bishop shall appoint in that behalf in writing shall have power to act in the place of the archdeacon for the purposes of this Measure in any particular case.

(3) If the archdeacon or such other person as may be appointed under this section intervenes in any such proceeding all costs properly incurred by him or which he shall be ordered by the court to pay shall be paid by the board of finance of the diocese in which the parish concerned is situate:

Provided that a board shall not be liable for any sum by virtue of this section unless such intervention is approved by the board in writing and, if such approval is duly given, any order in such proceeding that the costs of the archdeacon or other appointed person be paid by any other party may be enforced by the board in the name of the archdeacon or other appointed person.

Functions of archdeacons in faculty cases.

10. In any proceeding for obtaining a faculty the court may:—

(a) decree the issue of a faculty, subject to a condition requiring the work authorised thereby or any part



thereof to be carried out under the supervision of the archdeacon or of any other person nominated by the court in that behalf ; and

- (b) direct that, in default of the incumbent and churchwardens carrying out the work so authorised or any part thereof, a faculty shall issue to the archdeacon authorising him to carry out the same ; and
- (c) order that the costs and expenses of the archdeacon be paid by any other party to the proceeding.

11. Any sum payable by virtue of an order of the court in or consequent upon any proceeding for a faculty shall, if the county court so orders, be recoverable by execution issued from the county court or otherwise as if payable under an order of that court. Mode of enforcing orders as to costs and expenses.

#### ARCHDEACON'S CERTIFICATE PROCEDURE

12.—(1) Every application received by the registrar of a diocese from the incumbent and churchwardens of a parish, supported by a resolution of the parochial church council, for authority to carry out:— Archdeacons to issue certificates in certain cases.

- (a) repairs to a church not involving substantial change in the structure of the building nor affecting its appearance either externally or internally ; or
- (b) repairs to the contents of a church not materially affecting their nature or appearance ; or
- (c) redecoration of a church or its contents ; or
- (d) any alteration in an existing heating system not involving a substantial change in the appearance of the church either externally or internally ;

shall, subject to the provisions of this section, be referred by the registrar to the archdeacon of the archdeaconry in which the church is situate.

(2) The registrar shall not refer any such application to the archdeacon unless:—

- (i) he is satisfied that it is an application within the preceding subsection ; and
- (ii) the application is supported by a certificate from the incumbent and churchwardens that notice of intention to make such an application has been given in the prescribed manner in the parish and that opportunity to object to the proposed works has been duly given to all having interest :

Provided that if the registrar is not satisfied that an application is within the preceding subsection he shall so inform the archdeacon and shall refer the application to the judge in the prescribed manner for directions thereon.

(3) If notice of objection to the proposed works is given to the registrar in the prescribed manner he shall not refer the application to the archdeacon but shall require the incumbent and churchwardens to apply to the court for a faculty in respect of the proposed works.

(4) The archdeacon shall consider any application referred to him under this section and shall:—

- (a) with the approval of the advisory committee, issue a certificate authorising the execution of the work proposed; or
- (b) direct that application should be made to the court for a faculty with regard thereto.

(5) A certificate issued by an archdeacon in pursuance of this section shall be a sufficient authority for the execution of the proposed work without a faculty.

(6) A copy of any certificate issued by an archdeacon under this section shall be transmitted by him to the registrar of the diocese and filed in the diocesan registry.

(7) The procedure laid down by this section may be followed at the discretion of the judge with regard to any other application which in his opinion is unlikely to give rise to any controversy or dissatisfaction in the parish concerned and is not of sufficient importance to justify the expense of proceedings for a faculty.

#### ADVISORY COMMITTEES

Diocesan  
advisory  
committees.

13.—(1) In every diocese there shall be an advisory committee for the care of churches, to be known as “the Diocesan Advisory Committee”, consisting of the archdeacons of all the archdeaconries within the diocese and such other persons as the bishop may by writing appoint, whose term of office shall be five years. Members shall be eligible for re-appointment. The bishop may appoint one of the members of the advisory committee to be chairman.

(2) The advisory committee shall advise the archdeacon before the issue of a certificate under the preceding section and, if required to do so, shall advise:—

- (a) the judge;
- (b) intending applicants for faculties;
- (c) persons building new churches or converting buildings for the purpose of churches or erecting buildings or converting existing buildings with the intention that they shall be licensed for public worship; and
- (d) persons owning or responsible for the upkeep of un-consecrated buildings licensed for public worship.

## MISCELLANEOUS

**14.—(1)** A Rule Committee, constituted in manner laid down Rules. by the Schedule hereto, may make rules:—

- (a) for regulating the practice of all courts in relation to applications for faculties and so that the power to make such rules shall extend to all matters of procedure and practice within the cognisance of the faculty jurisdiction of all courts ;
- (b) for regulating the manner in which the plans and specifications of any work for which a faculty is required shall be submitted to the advisory committee and the manner in which the report thereon of the advisory committee shall be submitted to the court ;
- (c) for regulating the procedure and practice where application is made for an archdeacon's certificate under section twelve of this Measure ; and
- (d) otherwise for carrying this Measure into effect.

(2) Upon the coming into operation of rules made under the preceding sub-section all rules of procedure in relation to applications for faculties of any court which are inconsistent therewith shall cease to have effect and no practice which is inconsistent with those rules shall thereafter prevail in any court.

(3) Every rule made in pursuance of this section shall be laid before the Church Assembly and shall not come into operation unless it has been approved by the Church Assembly.

(4) The Statutory Instruments Act 1946, shall apply to any rule approved by the Church Assembly under the last foregoing sub-section as if it were a statutory instrument and were made when so approved, and as if this Measure were an Act providing that any such rule should be subject to annulment in pursuance of a resolution of either House of Parliament.

**15.** In this Measure unless the context otherwise requires :— Interpretation.

“ advisory committee ” means the advisory committee for the care of churches of a diocese appointed under section thirteen of this Measure ;

“ bishop ” means the bishop of the diocese concerned :

“ council ” means the Central Council of Diocesan Advisory Committees for the Care of Churches, as constituted in accordance with the resolution of the Church Assembly passed on the 18th June, 1958, or any body subsequently constituted to exercise the functions of the Council as so constituted ;

“ court ” means the ecclesiastical court of any province or diocese ;

“ judge ” means the judge of any such court ;

“ prescribed ” means prescribed by rules made under section fourteen of this Measure.

**Repeal.**

**16.** The Faculty Jurisdiction Measure 1938, is hereby repealed, but any rule made under the said Measure shall remain in force until replaced or otherwise revoked by rules made under this Measure.

**Extent and Short Title.**

**17.—(1)** This Measure shall extend to the whole of the provinces of Canterbury and York, except the Channel Islands and the Isle of Man.

**(2)** This Measure may be cited as the Faculty Jurisdiction Measure 1964.

## SCHEDULE

## 1. The Rule Committee shall consist of:—

- (a) A diocesan bishop nominated by the Archbishops of Canterbury and York ;
- (b) The vicars-general of the provinces of Canterbury and York ;  
 The chancellor of the diocese of London ;  
 The registrars of the provinces of Canterbury and York ;  
 One diocesan registrar, not being a provincial registrar, nominated by the Archbishops of Canterbury and York.
- (c) Two persons, one clerical and one lay, nominated by the Council.

2. Any three members of the Rule Committee, two of them being persons holding offices mentioned in sub-paragraph (b) of the foregoing paragraph may exercise all the powers of the Rule Committee.

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*Table of Enactments referred to in this Measure*

Short Title	Session and Chapter or Number
Parochial Libraries Act 1708 ... ..	7 Anne. c. 14.
Public Health (Interments) Act 1879 ... ..	42 & 43 Vict. c. 31.
Open Spaces Act 1906 ... ..	6 Edw. 7. c. 25.
Public Health Act 1936 ... ..	26 Geo. 5. & 1 Edw. 8. c. 49.
Faculty Jurisdiction Measure 1938 ... ..	1 & 2 Geo. 6. No. 6.
London Building Acts (Amendment) Act 1939 ... ..	2 & 3 Geo. 6. c. xcvi.
Statutory Instruments Act 1946 ... ..	9 & 10 Geo. 6. c. 36.
Public Health Act 1961 ... ..	9 & 10 Eliz. 2. c. 64.
Ecclesiastical Fees Measure 1962 ... ..	10 & 11 Eliz. 2. No. 1.

## 1964 No. 6

A MEASURE passed by the National Assembly of the Church of England to amend the law relating to the qualifications for Holy Orders and to the Form and Manner of Making, Ordaining and Consecrating Bishops, Priests and Deacons; and to amend the law relating to the revocation of licences granted to Ministers and to the occupations of Ministers. [10th June 1964]

## PART I

## ORDINATION

Qualifications  
for office of  
Deacon.

1.—(1) No Bishop shall admit any person into Holy Orders except such person on careful and diligent examination, wherein the Bishop shall have called to his assistance the Archdeacons and other Ministers appointed for this purpose, be found to possess a sufficient knowledge of Holy Scripture, of the doctrine, discipline and worship of the Church of England as set forth in the Thirty-Nine Articles of Religion, the Book of Common Prayer and the Ordinal, and fulfils the requirement as to learning and other qualities which, subject to any directions given by the Convocation of the Province, the Bishop deems necessary for the office of Deacon.

(2) Section four of the Ordination of Ministers Act 1571, is hereby repealed.

Ordination to  
priesthood in  
24th year  
of age.

2. It shall be lawful for the Archbishop of Canterbury to grant a Faculty to a person over the age of twenty-three years to be admitted a Priest in any Diocese in either Province and to preach and administer the Sacraments although such person has not attained the full age of twenty-four years, and accordingly in section one of the Clergy Ordination Act 1804, after the words "four and twenty years compleat" there shall be inserted the words "unless being over the age of twenty-three years he hath a Faculty from the Archbishop of Canterbury".

Amendment  
of Preface to  
Ordinal in Book  
of Common  
Prayer.

3. The following two paragraphs shall be substituted for the last two paragraphs in the Preface to the Form and Manner of Making, Ordaining, and Consecrating of Bishops, Priests and

Deacons according to the Order of the Church of England contained in the Book of Common Prayer, that is to say:—

“ And none shall be admitted a Deacon, except he be full twenty-three years of age unless he have a Faculty. And every man which is to be admitted a Priest shall be full twenty-four years of age, unless being over twenty-three years of age he have a Faculty. And every man which is to be ordained or consecrated Bishop shall be full thirty years of age.

And the Bishop, knowing either by himself or by sufficient testimony any person to be a person of virtuous conversation and without crime, and after examination and trial finding him to possess the qualifications required by law and sufficiently instructed in Holy Scripture may on the Sundays immediately following the Ember Weeks or on the Feast of Saint Michael and All Angels or of Saint Thomas the Apostle, or on such other days as shall be provided by canon, in the face of the Church, admit him a Deacon in such manner and form as hereafter followeth.”

4.—(1) The following rubric shall be substituted for the second rubric at the beginning of the Form and Manner of Making of Deacons in the Book of Common Prayer, that is to say:—

Amendments  
of rubrics in  
Ordering of  
Deacons in  
Book of  
Common  
Prayer.

“ First the Archdeacon, or his deputy, or such other persons as by ancient custom have the right so to do, shall present unto the Bishop (sitting in his chair near to the Holy Table) such as desire to be ordained Deacons (each of them being decently habited), saying these words.”

(2) The following rubric shall be substituted for the last rubric at the end of the Form and Manner of Making of Deacons aforesaid, that is to say:—

“ And here it must be declared unto the Deacon, that he must continue in that office of a Deacon the space of a whole year (except for reasonable causes which shall otherwise seem good unto the Bishop) to the intent that he may be perfect and well expert in the things appertaining to the Ecclesiastical Administration. In executing whereof if he be found faithful and diligent, he may be admitted by his Diocesan to the Order of Priesthood on the Sundays immediately following the Ember Weeks or on the Feast of Saint Michael and All Angels or of Saint Thomas the Apostle, or on such other days as shall be provided by canon, in the face of the Church, in such manner and form as hereafter followeth.”

Amendment  
of rubric in  
Ordering of  
Priests in  
Book of  
Common  
Prayer.

5. The following rubric shall be substituted for the second rubric at the beginning of the Form and Manner of Ordering of Priests in the Book of Common Prayer, that is to say:—

“First, the Archdeacon, or, in his absence, one appointed in his stead, or such other person as by ancient custom have the right so to do, shall present unto the Bishop (sitting in his chair near to the Holy Table) all them that shall receive the Order of Priesthood that day (each of them being decently habited) and say.”

Days for  
consecration  
of Bishops.

6. Notwithstanding the provision contained in the Headnote to the Form of Ordaining or Consecration of an Archbishop or Bishop in the Book of Common Prayer that such ordaining or consecrating is always to be performed upon some Sunday or Holy-day, it shall be lawful in the case of each Province for the Archbishop, or the Bishop appointed to act in his stead, for weighty and urgent reasons, to appoint a day, other than a Sunday or Holy-day, for the ordaining or consecrating of an Archbishop or Bishop, and accordingly the following words shall be added at the end of the said Headnote, that is to say:—

“unless for weighty and urgent reasons some other day be appointed.”

Ordination  
of aliens.

7. The power exercisable under section one of the Ordination of Aliens Act 1784, by the Bishop of London, or any other Bishop appointed by him, to admit to the Order of Deacon or Priest persons, subjects or citizens of countries outside Her Majesty's Dominions for service in those countries without being required to take the Oath of Allegiance shall also be exercisable by either Archbishop or by any Bishop appointed by either of them for the purpose.

Illegitimacy  
no impediment  
to orders.

8. No person shall be refused ordination as deacon or priest or consecration as bishop on the ground that he was born out of lawful wedlock.

Certain  
impediments  
to order.

9.—(1) No person shall be admitted into Holy Orders who has re-married and, the wife of that marriage being living, has a former wife still living.

(2) No person shall be admitted into Holy Orders who is married to a person who has been previously married and whose former husband is still living.

## PART II

### MISCELLANEOUS PROVISIONS

Revocation  
of Minister's  
Licence.

10.—(1) The Bishop of a Diocese may revoke summarily and without further process any licence granted to any Minister within his Diocese for any cause which shall appear to him



to be good and reasonable after having given to such Minister sufficient opportunity of showing cause to the contrary, and in such case the Bishop shall serve upon the Minister a notice of revocation.

(2) A Minister upon whom such a notice of revocation shall have been served may within one month after the service thereof appeal to the Archbishop of the Province who shall confirm or annul such revocation as shall appear to him good and proper and whose decision shall be final.

11.—(1) Notwithstanding the provisions of sections twenty-eight to thirty-one of the Pluralities Act 1838, and section one of the Trading Partnerships Act 1841, it shall be lawful for any Minister holding any Preferment or Benefice or any Curacy or Lectureship or who shall be licensed or otherwise allowed to perform the duties of any ecclesiastical office whatever to engage in trades or occupations other than the trades and occupations authorised by the said sections and without the restrictions imposed thereby, provided that he holds a licence so to do from the Bishop of the Diocese in which he holds office, which the said Bishop may grant subject to the provisions of sub-section (2) of this section. Occupations of Ministers.

(2) The Bishop may grant such a licence as is mentioned in the foregoing sub-section only after consultation with the Parochial Church Council of the Parish, if any, in which such Minister holds or is about to hold office, or may refuse such licence only after consultation with the said Council, if any, and with the Ministerial Committee of the Diocese constituted under the provisions of the Incumbents (Disability) Measure 1945:

Provided always that if the Bishop of the Diocese shall refuse such a licence, the Minister may within one month after such refusal appeal to the Archbishop of the Province who shall confirm or overrule such refusal as shall appear to him good and proper and whose decision shall be final.

### PART III

#### GENERAL

12. During a vacancy of the see of a bishop:—

- (a) any reference to the bishop in sub-section (2) of section four, in sub-section (1) of section ten or in section eleven of this Measure shall be deemed to be a reference to the archbishop of the province in which the diocese of the bishop is situate; and
- (b) sub-section (2) of section ten and the proviso to sub-section (2) of section eleven of this Measure shall not apply.

Provisions during vacancy of a See.

**No. 6 Clergy (Ordination and Miscellaneous Provisions)  
Measure 1964**

Extent.

**13. This Measure shall extend to the whole of the Provinces of Canterbury and York except the Channel Islands and the Isle of Man:**

Provided that:—

- (a) this Measure may be applied to the Channel Islands as defined in the Channel Islands (Church Legislation) Measures 1931 and 1957, or either of them, in accordance with those Measures ; and
- (b) if an Act of Tynwald so provides, this Measure shall extend to the Isle of Man subject to such modifications, if any, as may be specified in such Act of Tynwald.

Short title.

**14. This Measure may be cited as the Clergy (Ordination and Miscellaneous Provisions) Measure 1964.**

— — — — — ∞ — — — — —  
*Table of Enactments referred to in this Measure*

Short Title	Session and Chapter
Ordination of Ministers Act 1571    ...    ...	13 Eliz. 1. c. 12.
Ordination of Aliens Act 1784    ...    ...    ...	24 Geo. 3. Sess. 2. c. 35.
Clergy Ordination Act 1804    ...    ...    ...	44 Geo. 3. c. 43.
Pluralities Act 1838    ...    ...    ...	1 & 2 Vict. c. 106.
Trading Partnerships Act 1841    ...    ...    ...	4 & 5 Vict. c. 14.
Channel Islands (Church Legislation) Measure 1931	21 & 22 Geo. 5. No. 4.
Incumbents (Disability) Measure 1945    ...    ...	8 & 9 Geo. 6. No. 3.
Channel Islands (Church Legislation) Measure 1931 (Amendment) Measure 1957	5 & 6 Eliz. 2. No. 1.

## 1964 No. 7

**A MEASURE passed by the National Assembly of the Church of England to regulate the vestures to be worn by Ministers at the times of their ministrations.**

[31st July 1964]

Whereas the Church of England does not attach any particular doctrinal significance to the diversities of vesture which may lawfully be worn. And whereas a vesture worn by a Minister in accordance with the provisions of this Measure is not to be understood as implying any doctrines other than those now contained in the formularies of the Church of England.

1. The provisions of the introductory Rubric for the Order for Morning and Evening Prayer in the Book of Common Prayer (commonly known as the Ornaments Rubric) and of section thirteen of the Act of Uniformity 1558 (which provide that such ornaments of the Ministers at all times of their ministration shall be retained and be in use as were in the Church of England by the authority of Parliament in the Second Year of the Reign of King Edward the Sixth) shall have effect subject to the following:

- (a) At Morning and Evening Prayer the Minister shall wear a cassock, a surplice and a scarf, and for the Occasional Offices a cassock and a surplice with scarf or stole;
- (b) At the Holy Communion the Celebrant, as also the Gospeller and the Epistoler, and at Public Baptism the Minister, shall wear with the cassock either a surplice with scarf or stole, or a surplice or alb with stole and cope, or an alb with the customary vestments;
- (c) A Minister may at his discretion wear a cope on any appropriate occasion;
- (d) When a scarf is worn the Minister, if so entitled, may also wear a hood.

2.—(1) Notwithstanding the foregoing provisions of this Measure no Minister shall change the form of vesture in use in the Church or Chapel in which he officiates unless he has ascertained by consultation with the Parochial Church Council of the parish that such a change will be acceptable to the Council:

Provided always that in the case of disagreement either the Minister or the Parochial Church Council may refer the matter to the Bishop who after such consultation as he shall think right both with the Minister and with the Parochial Church Council shall give directions thereon.

(2) In the foregoing subsection the expression 'the Bishop' means the Bishop of the diocese in which the Church or Chapel is situate, and during a vacancy in the see includes the Archbishop of the province in which the Church or Chapel is situate, or in the case of the archbishopric being vacant or the vacant see being Canterbury or York the Archbishop of the other province.

**Extent.**

3. This Measure shall extend to the whole of the Provinces of Canterbury and York except the Channel Islands:

Provided that this Measure may be applied to the Channel Islands as defined in the Channel Islands (Church Legislation) Measures 1931 and 1957 or either of them in accordance with those Measures.

**Short Title.**

4. This Measure may be cited as the Vestures of Ministers Measure 1964.

## 1964 No. 8

**A MEASURE** passed by the National Assembly of the Church of England to amend the Church Commissioners Measure 1947 and certain other provisions relating to the Estates and Finance Committee and the Church Estates Commissioners. [31st July 1964]

**L.** For subsections (1) to (5) of Section 6 of the Church Commissioners Measure 1947 (which relates to the functions of the Church Estates Commissioners and the Estates and Finance Committee) there shall be substituted the following subsections:—

Amendment of section 6 of Church Commissioners Measure 1947.

“ (1) There shall be two Committees, one to be known as the General Purposes Committee and the other as the Assets Committee, which shall be constituted as follows:—

10 & 11 Geo. 6. No. 2.

- (a) the General Purposes Committee shall consist of the three Church Estates Commissioners and eight other Commissioners appointed by the Board for three years, of whom two shall be diocesan bishops, three shall be clerks in holy orders other than diocesan bishops, and three shall be laymen ;
- (b) the Assets Committee shall consist of the First Church Estates Commissioner, one Commissioner being a clerk in holy orders appointed for three years by the Board, and three lay Commissioners appointed for three years by the Archbishop of Canterbury being persons who in his opinion are well qualified to assist in the management of the assets of the Commissioners ;
- (c) the first Church Estates Commissioner shall be the chairman of each Committee, and a deputy chairman shall be elected annually by each Committee and shall act as chairman at any meeting at which the chairman is not present ;
- (d) the Board may appoint a Commissioner being a clerk in holy orders to act as alternate to the member of the Assets Committee appointed by the Board ;
- (e) if any member of either of the said Committees appointed by the Board or any such alternate

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ceases to have the qualifications by virtue of which he was qualified for his appointment, he shall thereby vacate his appointment.

(2) The functions of the General Purposes Committee shall, subject to any general rules made by the Board, be as follows:—

- (a) to consider and recommend to the Board how to apply or distribute such sums as the Board may have determined to be available for application or distribution ;
- (b) to consider and report to the Board on any matters other than those assigned by this section or referred by the Board to any other committee ;
- (c) to consider and report on any matter referred to them by the Board, and to act on behalf of the Board in any matter in which they are authorised by the Board so to act ;
- (d) to act on behalf of and in the name of the Commissioners in matters relating to the appointment, terms of service, dismissal and direction of the Commissioners' officers (other than the secretary), and the Commissioners' solicitors and agents other than those employed solely in connection with the management of assets, and in matters relating to the control over the expenses of administration ;
- (e) to act on behalf of and in the name of the Commissioners in any matters which in the opinion of the Committee are urgent, other than matters assigned by this section or referred by the Board to any other committee, and to report their action to the Board.

(3) The Assets Committee shall, subject to any general rules made by the Board, have the following functions:—

- (a) an exclusive power and duty to act on behalf of and in the name of the Commissioners in all matters relating to the management of those assets of the Commissioners the income of which is carried into their general fund, including power to sell, purchase, exchange and let land and make, realise and change investments ;
- (b) a duty to recommend to the Board from time to time what sums are available for application or distribution by the Commissioners, and what sums should be appropriated to reserve and for reinvestment.
- (c) a duty to consider and report on any matter referred to them by the Board, and to act on behalf of the

Board in any matter in which they are authorised by the Board so to act.

(4) The Standing Orders regulating the procedure of the General Purposes Committee or of the Assets Committee or of any committee appointed by the Board may provide for authorising the chairman, deputy chairman, or appropriate officer to act on behalf of the committee in urgent matters.

(5) The Second Church Estates Commissioner shall be entitled to attend and speak at the meetings of every committee constituted by or under this Measure of which he is not a member, and every Church Estates Commissioner shall be entitled to receive the papers of every such committee of which he is not a member."

2.—(1) The Church Commissioners Measure 1947 shall be amended as follows:—

Consequential amendments and repeals.

- (a) in section 3, for the words from "the Church Estates Commissioners" to the end of the section, there shall be substituted the words "and the committees constituted by or under this Measure";
- (b) in subsection (4) of section 5, for the words "Estates and Finance Committee", wherever they occur, there shall be substituted the words "General Purposes Committee or the Assets Committee";
- (c) in subsection (2) of section 7, for the words "Estates and Finance Committee", there shall be substituted the words "General Purposes Committee and the Assets Committee";
- (d) in subsection (1) of section 17, for the words "Estates and Finance Committee", there shall be substituted the words "General Purposes Committee";
- (e) the following paragraph shall be substituted for paragraph 3 of Schedule IV—

'3. Casual vacancies among appointed or nominated Commissioners or among appointed members of the General Purposes Committee or the Assets Committee may be filled by the person or body by whom the Commissioner or member vacating office was appointed or nominated. Casual vacancies among members of the Board or a committee appointed by the Board may be filled by the Board.'

- (f) in paragraph 5 of Schedule IV the words "or of the Estates and Finance Committee" shall be omitted, and in paragraph 7 thereof, for the words "Estates and

Finance Committee”, there shall be substituted the words “General Purposes Committee and the Assets Committee”.

(2) Rules made by the Estates and Finance Committee under subsection (1) of section 17 of the said Measure shall continue in force and shall have effect as if they had been made by the General Purposes Committee.

(3) Paragraph (c) of subsection (2) of section 4 and subsection (2) of section 8 of the said Measure, and Schedule III to the said Measure and the enactments set out therein, are hereby repealed.

(4) References in any Act or Measure other than the said Measure to the Estates and Finance Committee shall be construed as references to the Assets Committee.

Pension for  
widow of  
Church  
Estates  
Commissioner  
dying in  
service.  
8 & 9 Eliz. 2.  
No. 1.

3. Section 20 of the Church Property (Miscellaneous Provisions) Measure 1960 (which makes provision as to the pensions of Church Estates Commissioners and, among other things, permits a Church Estates Commissioner to allocate on retirement not more than one-third of his pension to his spouse or dependants) shall be amended by the addition, after subsection (2), of the following subsection:—

“(2A) Where a First Church Estates Commissioner or a Third Church Estates Commissioner dies before retirement after having performed not less than five years’ pensionable service, and leaves a widow, the Church Commissioners may, subject to such conditions as they may determine, grant to his widow a pension for the remainder of her life not exceeding one-third of the maximum pension for which the deceased Church Estates Commissioner would have been eligible if he had retired on the date of his death by reason of permanent disability for the performance of the duties of his office.

This subsection shall apply in the case of a death occurring after the fifth day of February, 1964.”

Short Title.

4. This Measure may be cited as the Church Commissioners Measure 1964.



## TABLE V

### Effect of Legislation

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 1964.

Session and Chap. or No. of Measure	Short title or Subject	How affected	Chapter of 1964 Act or number of Measure or Statutory Instrument
1 Eliz. 1: c. 2 ... ..	Act of Uniformity 1558...	S. 13 am. ... ..	C.A.M. No. 7, ss. 1, 2.
13 Eliz. 1: c. 10 ... ..	Ecclesiastical Leases Act 1571.	Excl. ... ..	51, s. 1.
c. 12 ... ..	Ordination of Ministers Act 1571.	S. 4 rep. ... ..	C.A.M. No. 6, s. 1(2).
14 Eliz. 1: c. 11 ... ..	Ecclesiastical Leases Act 1572.	Excl. ... ..	51, s. 1.
18 Eliz. 1: c. 11 ... ..	Ecclesiastical Leases Act 1575.	Excl. ... ..	51, s. 1.
2 Will. & Mary, Sess. 2: c. 2 ... ..	Admiralty Act 1690 ...	Rep. ... ..	S.I. No. 488, art. 2, sch. 1 Pt. II.
7 Anne: c. 12 ... ..	Diplomatic Privileges Act 1708.	Rep. ... ..	81, s. 8(4), sch. 2.
c. 14 ... ..	Parochial Libraries Act 1708.	S. 10 excl. ... ..	C.A.M. No. 5, s. 4(1).
1 Geo. 1, Stat. 2: c. 10 ... ..	Queen Anne's Bounty Act 1714.	Preamble and ss. 1, 3, 10-13, 16, 19, 20 rep.	79, S.L.R.
5 Geo. 3: c. 49 ... ..	Bank Notes (Scotland) Act 1765.	Ss. 1 and 3 rep. in pt. ...	79, S.L.R.
6 Geo. 3: c. 12 ... ..	American Colonies Act 1766.	Rep. ... ..	79, S.L.R.
7 Geo. 3: c. 9 ... ..	Justices Oaths Act 1766	Rep. ... ..	79, S.L.R.
c. 48 ... ..	Public Companies Act 1767.	Rep. ... ..	79, S.L.R.
21 Geo. 3: c. 49 ... ..	Sunday Observance Act 1780.	Excl. (certain licensed premises).	26, s. 88.

Session and Chap. or No. of Measure	Short title or Subject	How affected	Chapter of 1964 Act or number of Measure or Statutory Instrument
22 Geo. 3: c. 75 ... ..	Colonial Leave of Absence Act 1782.	Rep. ... ..	79, S.L.R.
24 Geo. 3, Sess. 2: c. 35 ... ..	Ordination of Aliens Act 1784.	S. 1 ext. ... ..	C.A.M. No. 6, s. 7.
39 & 40 Geo. 3: c. 94 ... ..	Criminal Lunatics Act 1800.	Rep. (E.) (saving) ...	84, s. 8(5)(a).
41 Geo. 3 (U.K.): c. 78 ... ..	Constables Expenses Act 1801.	Rep. ... ..	48, s. 64(3), sch. 10 Pt. I.
c. 105 ... ..	Witnesses on Petitions Act 1801.	Rep. ... ..	79, S.L.R.
42 Geo. 3: c. 85 ... ..	Criminal Jurisdiction Act 1802.	Ss. 2-6 rep. ... ..	79, S.L.R.
c. 90 ... ..	Militia Act 1802 ...	Mod. (London) ... ..	42, s. 18(1).
43 Geo. 3: c. 107 ... ..	Queen Anne's Bounty Act 1803.	Rep. ... ..	79, S.L.R.
44 Geo. 3: c. 43 ... ..	Clergy Ordination Act 1804.	S. 1 am. ... ..	C.A.M. No. 6, s. 2.
45 Geo. 3: c. 84 ... ..	Queen Anne's Bounty Act 1805.	Rep. ... ..	79, S.L.R.
48 Geo. 3: c. 128 ... ..	Regimental Accounts Act 1808.	S. 2 am. ... ..	S.I. No. 488, art. 2, sch. 1 Pt. I.
49 Geo. 3: c. 126 ... ..	Sale of Offices Act 1809	S. 1 rep. in pt. ...	79, S.L.R. S.I. No. 488, art. 2, sch. 1 Pt. II.
57 Geo. 3: c. 41 ... ..	Paymaster General Act 1817.	Rep. ... ..	S.I. No. 488, art. 2, sch. 1 Pt. II.
1 & 2 Geo. 4: c. 28 ... ..	West Africa Act 1821 ...	Rep. ... ..	79, S.L.R.
6 Geo. 4: c. 50 ... ..	Juries Act 1825 ... ..	S. 1 mod. (London) ... am. ... .. S. 37 ext. (Greater London). S. 42 ext. ... .. rep. in pt. ... S. 52 expld. ...	42, s. 21(3). 42, s. 21(5)(a). 42, s. 21(5)(b). 42, s. 21(5)(c). 42, s. 41(8), sch. 5. S.I. Nos. 366, 367. 42, s. 21(1)-(3), (5)(b).

Session and Chap. or No. of Measure	Short title or Subject	How affected	Chapter of 1964 Act or number of Measure of Statutory Instrument
7 & 8 Geo. 4: c. 17 ... ..	Distress (Costs) Act 1827	Rep. so far as relating to income tax.	37, s. 17(4)(5), sch. 6 Pt. II.
c. 65 ... ..	Admiralty Act 1827 ...	Rep. ... ..	S.I. No. 488, art. 2, sch. 1 Pt. II.
9 Geo. 4: c. 66 ... ..	Nautical Almanack Act 1828.	S. 2 rep. in pt. ... ..	S.I. No. 488, art. 2, sch. 1 Pt. II.
c. 74 ... ..	Criminal Law (India) Act 1828.	Rep. ... ..	79, S.L.R.
10 Geo. 4: c. 44 ... ..	Metropolitan Police Act 1829.	S. 1 am. ... .. Ss. 4 rep. in pt., 5 rep. in pt., 12 rep. in pt.	42, s. 39(2), sch. 3 Pt. II para. 6. 48, s. 64(3), sch. 10 Pt. I.
11 Geo. 4 & 1 Will. 4: c. 41 ... ..	Army Pensions Act 1830	Ss. 2, 4 am. ... ..	S.I. No. 488, art. 2, sch. 1 Pt. I.
1 & 2 Will. 4: c. 41 ... ..	Special Constables Act 1831.	Rep. ... ..	48, s. 64(3), sch. 10 Pt. I.
2 & 3 Will. 4: c. 40 ... ..	Admiralty Act 1832 ...	Rep. ... ..	S.I. No. 488, art. 2, sch. 1 Pt. II.
3 & 4 Will. 4: c. 41 ... ..	Judicial Committee Act 1833.	Appl. (mod.) (Uganda)... Appl. (Malawi) ... .. Appl. (Zambia) ... .. Appl. (Gambia) ... ..	20, s. 3(4). 46, s. 5(3). 65, ss. 5(3), 6(5). 93, s. 5(3).
4 & 5 Will. 4: c. 24 ... ..	Superannuation Act 1834	S. 18 rep. ... .. S. 21 rep. in pt. ... .. Ss. 22, 23, 25, 26 rep. ... ..	79, S.L.R. S.I. No. 488, art. 2, sch. 1 Pt. II. 79, S.L.R.
c. 36 ... ..	Central Criminal Court Act 1834.	Rep. ... ..	42, s. 41(8), sch. 5.
5 & 6 Will. 4: c. 43 ... ..	Special Constables Act 1835.	Rep. ... ..	48, s. 64(3), sch. 10 Pt. I.
6 & 7 Will. 4: c. 20 ... ..	Ecclesiastical Leases Act 1836.	Excl. ... ..	51, s. 1.
c. 87 ... ..	Liberties Act 1836 ...	Ss. 5 rep. in pt., 12-15 rep.	S.I. No. 366.
7 Will. 4 & 1 Vict.: c. 53 ... ..	Liberty of Ely Act 1837	Ss. 1-7 ref. ... ..	S.I. No. 366.
1 & 2 Vict.: c. 2 ... ..	Civil List Act 1837 ...	S. 14 rep. in pt. ... ..	79, S.L.R.
c. 20 ... ..	Queen Anne's Bounty Act 1838.	Rep. except ss. 20, 21, 22	79, S.L.R.
c. 74 ... ..	Small Tenements Recovery Act 1838.	Saved so far as appl. ( <i>temp.</i> ).	97, ss. 3(2), 6(2).
c. 80 ... ..	Special Constables Act 1838.	Rep. ... ..	48, s. 64(3), sch. 10 Pt. I.
c. 106 ... ..	Pluralities Act 1838 ...	Ss. 28-31 excl. ... .. S. 59 saved ( <i>temp.</i> ) ... ..	C.A.M. No. 6, s. 11(1). 97, ss. 3(3), 6(2).

Session and Chap. or No. of Measure	Short title or Subject	How affected	Chapter of 1964 Act or number of Measure or Statutory Instrument
2 & 3 Vict.: c. 47 ... ..	Metropolitan Police Act 1839.	Ss. 5, 8 rep. ... .. S. 9 rep. ... .. Ss. 14-18 rep. ... .. S. 63 am. ... .. Ss. 1-18, 43, 49, 50, 56 rep.	48, s. 64(3), sch. 10 Pt. I. 48, ss. 63, 64(3), schs. 9, 10 Pt. I. 48, s. 64(3), sch. 10 Pt. I. 48, s. 63, sch. 9. 42, s. 41(8), sch. 5.
c. 71 ... ..	Metropolitan Police Courts Act 1839.	Rep. ... ..	48, s. 64(3), sch. 10 Pt. I.
c. 93 ... ..	County Police Act 1839	Rep. ... ..	48, s. 64(3), sch. 10 Pt. I.
3 & 4 Vict.: c. 84 ... ..	Metropolitan Police Courts Act 1840.	Rep. exc. ss. 6, 11 and 13 and proviso to s. 6 rep.	42, s. 41(8), sch. 5.
c. 88 ... ..	County Police Act 1840...	Rep. ... ..	48, s. 64(3), sch. 10 Pt. I.
c. 90 ... ..	Infant Felons Act 1840...	Rep. ... ..	79, S.L.R.
c. 111 ... ..	Joint Stock Companies Act 1840.	Rep. ... ..	79, S.L.R.
c. 113 ... ..	Ecclesiastical Commissioners Act 1840.	Ss. 75, 78-82 rep. ...	79, S.L.R.
4 & 5 Vict.: c. 14 ... ..	Trading Partnerships Act 1841.	S. 1 excl. ... ..	C.A.M. No. 6, s. 11(1).
c. 39 ... ..	Ecclesiastical Commissioners Act 1841.	S. 27 rep. ... ..	79, S.L.R.
5 & 6 Vict.: c. 79 ... ..	Railway Passenger Duty Act 1842.	S. 24 rep. ... ..	79, S.L.R.
c. 94 ... ..	Defence Act 1842 ...	Ext. ... .. S. 19 proviso rep. ...	15, s. 2(3)(4). S.I. No. 488, art. 2, sch. 1 Pt. II.
c. 109 ... ..	Parish Constables Act 1842.	Rep. ... ..	48, s. 64(3), sch. 10 Pt. I.
6 & 7 Vict.: c. 79 ... ..	Sea Fisheries Act 1843 ...	Rep. ... ..	72, s. 3(4), sch. 2.
7 & 8 Vict.: c. 59 ... ..	Lecturers and Parish Clerks Act 1844.	S. 6 saved (E.) (S.) ( <i>temp.</i> )	97, ss. 3(3), 6(2).
8 & 9 Vict.: c. 18 ... ..	Lands Clauses Consolidation Act 1845.	Power to incorp. (mod.) S. 148 rep. (E.) as originally enacted and as incorporated in any other enactment.	40, ss. 14(3), 16(6). 42, s. 41(8), sch. 5.
c. 19 ... ..	Lands Clauses Consolidation (Scotland) Act 1845.	Power to incorp. (mod.)	40, ss. 14(3), 16(6).
c. 109 ... ..	Gaming Act 1845 ...	S. 13 am. ... ..	26, s. 182(2).
c. 124 ... ..	Leases Act 1845 ...	Sch. 2 para. 2 rep. in pt.	79, S.L.R.

Session and Chap. or No. of Measure	Short title or Subject	How affected	Chapter of 1964 Act or number of Measure or Statutory Instrument
10 & 11 Vict.: c. 27 ... ..	Harbours, Docks and Piers Clauses Act 1847.	Power to apply in pt. (mod.) (E.) (S.).	40, s. 26(3).
c. 89 ... ..	Town Police Clauses Act 1847.	Ss. 30, 47 rep. (E.) (S.)... Ss. 6-14 rep. ... .. S. 15 am. ... .. Ss. 16, 20 rep. ... .. S. 28 am. ... ..	40, s. 38(1)(a). 48, s. 64(3), sch. 10 Pt. I. 48, s. 63, sch. 9. 48, s. 64(3), sch. 10 Pt. I. 48, s. 63, sch. 9.
11 & 12 Vict.: c. 42 ... ..	Indictable Offences Act 1848.	S. 31 rep. ... ..	42, s. 41(8), sch. 5. 79, S.L.R.
13 & 14 Vict.: c. 94 ... ..	Ecclesiastical Commissioners Act 1850.	Ss. 1 and 4 rep. in pt., 5-7 rep. Ss. 8, 9 rep. ... .. Ss. 10-15, 22, 23, 26 rep.	79, S.L.R. C.A.M. No. 8, s. 2(3). 79, S.L.R.
14 & 15 Vict.: c. 49 ... ..	Preliminary Inquiries Act 1851.	Rep. ... ..	79, S.L.R.
c. 93 ... ..	Petty Sessions (Ireland) Act 1851.	S. 27 am. ... ..	S.I. No. 1200.
c. 104... ..	Episcopal and Capitular Estates Act 1851.	Rep. ... ..	79, S.L.R.
15 & 16 Vict.: c. 76 ... ..	Common Law Procedure Act 1852.	Ss. 112, 113 rep. ... ..	42, ss. 21(9), 41(8), sch. 5.
16 & 17 Vict.: c. 69 ... ..	Naval Enlistment Act 1853.	S. 18 rep. ... ..	S.I. No. 488, art. 2, sch. 1 Pt. II.
c. 86 ... ..	Liberated Africans Act 1853.	Rep. ... ..	79, S.L.R.
17 & 18 Vict.: c. 94 ... ..	Public Revenue and Consolidated Fund Charges Act 1854.	S. 8 rep., schs. (A), (B) rep. in pt.	79, S.L.R.
c. 116... ..	Episcopal and Capitular Estates Act 1854.	Rep. ... ..	79, S.L.R.
18 & 19 Vict.: c. 23 ... ..	Intestate Moveable Succession (Scotland) Act 1855.	Rep. ... ..	41, ss. 1(1), 34(2) sch. 3.
c. 117... ..	Ordnance Board Transfer Act 1855.	Appl. in pt. (E.) ... .. S. 1 am. ... .. Ss. 2 rep. (saving), 3 rep. S. 4 am. ... .. S. 5 rep. (saving) ... ..	26, s. 104(5). S.I. No. 488, art. 2, sch. 1 Pt. I. S.I. No. 488, art. 2, sch. 1 Pt. II. S.I. No. 488, art. 2, sch. 1 Pt. I. S.I. No. 488, art. 2, sch. 1 Pt. II.

Session and Chap. or No. of Measure	Short title or Subject	How affected	Chapter of 1964 Act or number of Measure or Statutory Instrument
19 & 20 Vict.:			
c. 2 ... ..	Metropolitan Police Act 1856.	S. 2 rep. in pt. and am....	42, s. 39(2), sch. 3 Pt. II para. 7.
c. 55 ... ..	Church Building Commissioners (Transfer of Powers) Act 1856.	Rep. ... ..	79, S.L.R.
c. 69 ... ..	County and Borough Police Act 1856.	Rep. ... ..	48, s. 64(3), sch. 10 Pt. I.
20 Vict.:			
c. 2 ... ..	County Police Act 1857	Rep. ... ..	48, s. 64(3), sch. 10 Pt. I.
20 & 21 Vict.:			
c. 26 ... ..	Registration of Leases (Scotland) Act 1857.	S. 7 rep. ... ..	41, s. 34(2), sch. 3.
		S. 8 am. ... ..	41, s. 34(1), sch. 2 para. 5.
		rep. in pt. ... ..	41, s. 34(2), sch. 3.
		S. 9 am. ... ..	41, s. 34(1), sch. 2 para. 5.
		Sch. (C) am. ... ..	41, s. 34(1), sch. 2 paras. 5, 6.
		Sch. (E) rep. ... ..	41, s. 34(2), sch. 3.
		Sch. (F) am. ... ..	41, s. 34(1), sch. 2 paras. 5, 7.
c. 31 ... ..	Inclosure Act 1857 ...	S. 10 rep. in pt. ... ..	79, S.L.R.
21 & 22 Vict.:			
c. 56 ... ..	Confirmation of Executors (Scotland) Act 1858.	Ss. 2, 3 am. ... ..	S.I. No. 1143.
		S. 4 rep. in pt. ... ..	41, s. 34(2), sch. 3.
		Ss. 5, 8, 11 am. ... ..	S.I. No. 1143.
		S. 18 ext. ... ..	41, ss. 14(2), 22 (1).
		Sch. A rep. ... ..	S.I. No. 1143.
c. 57 ... ..	Ecclesiastical Leasing Act 1858.	S. 6 rep. ... ..	79, S.L.R.
c. 73 ... ..	Stipendiary Magistrates Act 1858.	Ss. 1-3 ext. (London) ...	42, s. 9(4).
		Ss. 4, 6 rep. ... ..	42, s. 41(8), sch. 5.
		S. 11 mod. (London) ...	42, s. 39(2), sch. 3 Pt. II para. 8.
22 Vict.:			
c. 12 ... ..	Defence Act 1859 ...	Ss. 2, 3 am., 4 rep., 5-7, schs. A and B am.	S.I. No. 488, art. 2, sch. 1 Pt. I.
c. 26 ... ..	Superannuation Act 1859	Ss. 3, 11, 15 rep., 17 rep. in pt., sch. rep.	79, S.L.R.
22 & 23 Vict.:			
c. 4 ... ..	Middlesex Sessions Act 1859.	Rep. ... ..	42, s. 41(8), sch. 5.
c. 32 ... ..	County and Borough Police Act 1859.	Rep. ... ..	48, s. 64(3), sch. 10 Pt. I.
c. 46 ... ..	Episcopal and Capitular Estates Act 1859.	S. 1 rep. ... ..	79, S.L.R.

Session and Chap. or No. of Measure	Short title or Subject	How affected	Chapter of 1964 Act or number of Measure or Statutory Instrument
23 & 24 Vict.: c. 27 ... ..	Refreshment Houses Act 1860.	S. 9 ext. ...  am. ... ..  S. 18 ext. ...  am. ... ..  S. 32 ext. ...  am. ... ..	26, s. 100(1)-(3). 88, s. 3(1)(2).  26, s. 203(1), sch. 13 para. 1. 88, s. 3(3), sch. para. 1. 26, s. 100(1)-(3). 88, s. 3(1)(2). 26, s. 203(1), sch. 13 para. 1. 88, s. 3(3), sch. para. 1. 26, s. 100(1)-(3). 88, s. 3(1)(2). 26, s. 203(1), sch. 13 para. 1. 88, s. 3(3), sch. para. 1.
c. 92 ... ..	Herring Fisheries (Scotland) Act 1860.	S. 2 am. so far as defining "the coasts of Scotland".	72, s. 3(3), sch. 1.
c. 106 ... ..	Lands Clauses Consolidation Acts Amendment Act 1860.	S. 7 ext. ... .. am. and rep. in pt....	15, s. 2(3). S.I. No. 488, art. 2, sch. 1 Pt. I.
c. 112 ... ..	Defence Act 1860 ...	Ss. 45 am., 47 rep. in pt.	S.I. No. 488, art. 2, sch. 1 Pt. I.
c. 124 ... ..	Ecclesiastical Commissioners Act 1860.	Rep. except ss. 12-15, 42	79, S.L.R.
c. 135 ... ..	Metropolitan Police Act 1860.	Rep. except as applied by the Special Constables Act 1923 (c. 11).	48, s. 64(3), sch. 10 Pt. I.
24 & 25 Vict.: c. 47 ... ..	Harbours and Passing Tolls, &c., Act 1861.	S. 2 rep. (E.) (S.) so far as defining "differential dues". S. 3 am. (E.) (S.) ... Ss. 10, 14, 15, 16 rep. (E.) (S.).	40, s. 63(3), sch. 6. 40, s. 13(2)(a). 40, s. 63(3), sch. 6.
c. 51 ... ..	Metropolitan Police Act 1861.	Rep. ... ..	48, s. 64(3), sch. 10 Pt. I.
c. 100 ... ..	Offences against the Person Act 1861.	S. 38 rep. in pt. (E.) ...	48, s. 64(3), sch. 10 Pt. I.
c. 110 ... ..	Old Metal Dealers Act 1861.	Rep. and superseded ...	69, s. 10(1)(2), sch. Pt. I.
25 & 26 Vict.: c. 4 ... ..	Officers Commissions Act 1862.	Preamble rep., s. 1 am....	S.I. No. 488, art. 2, sch. 1 Pt. I.
c. 19 ... ..	General Pier and Harbour Act, 1861, Amendment Act [1862].	S. 17 rep. (E.) (S.) ...	40, ss. 38(1)(c), 63(3), sch. 6.
c. 55 ... ..	Jamaica Loan Act 1862	Rep. ... ..	79, S.L.R.
c. 69 ... ..	Harbours Transfer Act 1862.	Ss. 3, 4 rep. ... ..	79, S.L.R.
26 & 27 Vict.: c. 12 ... ..	Secretary at War Abolition Act 1863.	Rep. ... ..	S.I. No. 488, art. 2, sch. 1 Pt. II.
c. 33 ... ..	Revenue Act 1863 ...	S. 14 rep. ... ..	79, S.L.R.

Session and Chap. or No. of Measure	Short title or Subject	How affected	Chapter of 1964 Act or number of Measure or Statutory Instrument
27 & 28 Vict.:			
c. 24 ... ..	Naval Agency and Distribution Act 1864.	S. 16 rep. in pt. ...	S.I. No. 488, art. 2, sch. 1 Pt. II.
c. 25 ... ..	Naval Prize Act 1864 ...	Ss. 12, 37, 38 am., 55(4) rep. in pt.	S.I. No. 488, art. 2, sch. 1 Pt. I.
c. 57 ... ..	Admiralty Lands and Works Act 1864.	Rep. (saving) ... ..	S.I. No. 488, art. 2, sch. 1 Pt. II.
c. 89 ... ..	Defence Act Amendment Act 1864.	S. 4 rep. ... ..	S.I. No. 488, art. 2, sch. 1 Pt. II.
c. 94 ... ..	Episcopal Church (Scotland) Act 1864.	S. 6 rep. ... ..	12, s. 1(2).
c. 114... ..	Improvement of Land Act 1864.	Preamble to s. 78, ss. 78-89 rep.	79, S.L.R.
28 & 29 Vict.:			
c. 18 ... ..	Criminal Procedure Act 1865.	S.2 excl. (E.) ... ..	34, s. 1(1)(b).
c. 63 ... ..	Colonial Laws Validity Act 1865.	Excl. ... ..	46, s. 1(2), sch. 1 para. 1. 86, s. 1(2), sch. 1 para. 1. 93, s. 1(2), sch. 1 para. 1.
c. 73 ... ..	Naval and Marine Pay and Pensions Act 1865.	S. 6 rep. in pt. ... ..	S.I. No. 488, art. 2, sch. 1 Pt. II
c. 89 ... ..	Greenwich Hospital Act 1865.	Ss. 11, 12, 13, 16-19, 22 rep., 23 rep. in pt., 31 rep. in pt., 41, 42 rep. (saving), 52-56, 58 rep.	S.I. No. 488, art. 2, sch. 1 Pt. II.
c. 124 ... ..	Admiralty Powers &c. Act 1865.	Ss. 1, 3, 4 rep. ... ..	S.I. No. 488, art. 2, sch. 1 Pt. II.
29 & 30 Vict.:			
c. 25 ... ..	Exchequer Bills and Bonds Act 1866.	Ss. 24, 25 rep., 26 and 30 rep. in pt.	79, S.L.R.
c. 111... ..	Ecclesiastical Commissioners Act 1866.	Ss. 3-5, 12, 13, 19 rep. ...	79, S.L.R.
30 & 31 Vict.:			
c. 3 ... ..	British North America Act 1867.	S. 94A subst. ... ..	73, s. 1.
c. 15 ... ..	Shipping Dues Exemption Act 1867.	Rep. (E.) (S.) ... ..	40, ss. 38(3), 63 (3), sch. 6.
c. 52 ... ..	Herring Fisheries (Scotland) Act 1867.	S. 11 am. so far as defining "the coasts of Scotland".	72, s. 3(3), sch. 1.
31 & 32 Vict.:			
c. 26 ... ..	Indian Railway Companies Act 1868.	Rep. ... ..	79, S.L.R.
c. 37 ... ..	Documentary Evidence Act 1868.	Am. ... ..	S.I. No. 488, art. 2, sch. 1 Pt. I.
		Ext. ... ..	S.I. No. 490, art. 3(1), sch. Pt. I.
		Sch. am. ... ..	98, s. 1, sch. 1 para. 8.
c. 45 ... ..	Sea Fisheries Act 1868...	Ss. 3, 4 rep., 5 rep. so far as defining "consular officer", 6-21, 59, 61 rep., 63 rep. in pt., sch. 1 rep.	72, s. 3(4), sch. 2.



Session and Chap. or No. of Measure	Short title or Subject	How affected	Chapter of 1964 Act or number of Measure or Statutory Instrument
31 & 32 Vict. — <i>cont.</i>			
c. 72 ... ..	Promissory Oaths Act 1868.	Appl. (mod.) (E.) ...	42, s. 30.
		Sch. Pt. I am. ...	98, s. 1, sch. 1 para. 1.
		Sch. Pt. II am. ...	S.I. No. 488, art. 2, sch. 1 Pt. II.
c. 100 ... ..	Court of Session Act 1868	S. 91 saved ...	iv, ss. 5(4), 15.
c. 101 ... ..	Titles to Land Consolidation (Scotland) Act 1868.	S. 19 rep. in pt. ...	40, s. 10(4).
		S. 20 am. ...	41, s. 34(2), sch. 3.
		Ss. 27-50, 58, 60, 61 rep., 62 rep. in pt., 83 rep. in pt., 84-86, 101-103 rep., 114 and 116 rep. in pt.	41, s. 34(1), sch. 2 para. 8.
		S. 117 rep. in pt. ...	41, s. 34(2), sch. 3.
		Ss. 119 rep. in pt., 125 rep., 126 and 127 rep. in pt., 128 rep., 129 and 130 rep. in pt., 160, schs. (P), (Q), (U), (W), (DD), (EE) rep., (FF), (GG) both rep. in pt., (II) rep., (JJ), (KK), (MM) all rep. in pt.	41, s. 34(2), sch. 3.
c. 114 ... ..	Ecclesiastical Commission Act 1868.	Ss. 5-8, 11, 15 rep. ...	79, S.L.R.
32 & 33 Vict.:			
c. 18 ... ..	Lands Clauses Consolidation Act 1869.	Rep. as originally enacted and as incorporated in any other enactment.	42, s. 41(8), sch. 5.
c. 44 ... ..	Greenwich Hospital Act 1869.	S. 15 rep. ...	S.I. No. 488, art. 2, sch. 1 Pt. II.
c. 73 ... ..	Telegraph Act 1869 ...	S. 5 appl. ...	21, s. 2(6).
c. 112 ... ..	Adulteration of Seeds Act 1869.	Rep. (E.) (S.) ( <i>prosp.</i> ) ...	14, s. 31(1), sch. 6.
33 & 34 Vict.:			
c. 17 ... ..	War Office Act 1870 ...	Rep. ...	S.I. No. 488, art. 2, sch. 1 Pt. II.
c. 52 ... ..	Extradition Act 1870 ...	S. 10 rep. in pt. ...	42, ss. 39(2), 41(8), schs. 3 Pt. II para. 9, 5.
c. 77 ... ..	Juries Act 1870 ...	Expld. (London) ...	42, s. 21(1)-(3).
		Sch. am. ...	48, s. 63, sch. 9.
c. 90 ... ..	Foreign Enlistment Act 1870.	S. 21(4) am. ...	S.I. No. 488, art. 2 sch. 1 Pt. I.
34 & 35 Vict.:			
c. 31 ... ..	Trade Union Act 1871 ...	S. 13 para. (3) appl. (E.) (S.)	24, s. 6(2).
c. 36 ... ..	Pensions Commutation Act 1871.	Ss. 4(4), 8 am. ...	S.I. No. 488, art. 2 sch. 1 Pt. I.
c. 48 ... ..	Promissory Oaths Act 1871.	Appl. (mod.) (E.) ...	42, s. 30.

Session and Chap. or No. of Measure	Short title or Subject	How affected	Chapter of 1964 Act or number of Measure or Statutory Instrument
34 & 35 Vict. —cont.			
c. 87 ... ..	Sunday Observance Act 1871.	S. 2, sch. rep. ... ..	48, s. 64(3), sch. 10 Pt. I.
c. 96 ... ..	Pedlars Act 1871 ...	S. 3 rep. (E.) so far as defining "police district" and "chief officer of police", sch. 1 rep. (E.)	48, s. 64(3), sch. 10 Pt. I.
c. 112... ..	Prevention of Crimes 1871.	S. 10 ext. (E.) ... .. S. 12 rep. (E.) ... ..  S. 13 rep. (E.) ... ..  S. 20 rep. (E.) so far as defining "police district" and "chief officer of police". Sch. rep. (E.) ... ..	26, s. 100(4)(d). 48, s. 64(3), sch. 10.  69, s. 10(1)(2), sch. Pt. I.  48, s. 64(3), sch. 10.  69, s. 10(1)(2), sch. Pt. I.
35 & 36 Vict.:	Pacific Islanders Protection Act 1872.	Rep. ... ..	79, S.L.R.
c. 19 ... ..	Military Forces Localization Act 1872.	Rep. (with saving for s. 11).	S.I. No. 488, art. 2, sch. 1 Pt. II.
c. 68 ... ..	Borough and Local Courts of Record Act 1872.	S. 7 mod. ... ..	iv, s. 14(1)
c. 86 ... ..	Parish Constables Act 1872.	Rep. ... ..	48, s. 64(3), sch. 10 Pt. I.
c. 92 ... ..	Licensing Act 1872 ...	S. 12 am. (E.) ... ..	26, ss. 195, 200 (2).
c. 94 ... ..			
36 & 37 Vict.:			
c. 43 ... ..	Indian Railway Companies Act 1873.	Rep. ... ..	79, S.L.R.
c. 68 ... ..	Militia (Lands and Buildings) Act 1873.	S. 7 am. ... .. S. 8 rep. ... ..	S.I. No. 488, art. 2, sch. 1 Pt. I. S.I. No. 488, art. 2, sch. 1 Pt. II.
c. 72 ... ..	Defence Acts Amendment Act 1873.	S. 1 am. ... ..	S.I. No. 488, art. 2, sch. 1 Pt. I.
37 & 38 Vict.:			
c. 94 ... ..	Conveyancing (Scotland) Act 1874.	Ss. 4 para. (1) rep. in pt., 9-13 rep., 30 rep. in pt., 31 rep. S. 39 am. ... .. Ss. 43, 46 rep., 47 and 53 rep. in pt., 63 rep., sch. E rep.	41, s. 34(2), sch. 3.  41, s. 21. 41, s. 34(2), sch. 3.
38 & 39 Vict.:			
c. 17 ... ..	Explosives Act 1875 ...	Ss. 97 am. and rep. in pt., 98(1) am., 99 rep. in pt. S. 107 rep. (E.) ... ..	S.I. No. 488, art. 2, sch. 1 Pt. I. 48, s. 64(3), sch. 10 Pt. I.
c. 25 ... ..	Public Stores Act 1875 ...	S. 3 rep. in pt. ... ..  S. 11 rep. and superseded	S.I. No. 488, art. 2, sch. 1 Pt. II. 69, s. 10(1)(2), sch. Pt. I.

Session and Chap. or No. of Measure	Short title or Subject	How affected	Chapter of 1964 Act or number of Measure or Statutory Instrument
38 & 39 Vict. — <i>cont.</i>			
c. 28 ... ..	Metropolitan Police Staff (Superannuation) Act 1875.	Power to appl. (mod.) ... S. 2 rep. in pt. ... ..	42, s. 24(1). 48, ss. 63, 64(3), schs. 9, 10 Pt. I.
c. 51 ... ..	Pacific Islands Protection Act 1875.	Ss. 1 rep. in pt., 2-5, 8-10 rep.	79, S.L.R.
c. 55 ... ..	Public Health Act 1875...	S. 327 para. (2) am. and rep. in pt.	S.I. No. 488, art. 2, sch. 1 Pt. I.
c. 89 ... ..	Public Works Loans Act 1875.	S. 9 rep. in pt. ... ..  am. (E.) (S.) ... .. S. 10 rep. ... .. Ss. 11 rep. in pt., 36 rep.	9, ss. 3, 9(2), sch. 3. 40, s. 13(2)(a)(b). 9, s. 9(2), sch. 3. 9, ss. 3, 9(2), sch. 3.
39 & 40 Vict.:			
c. 22 ... ..	Trade Union Act Amendment Act 1876.	Ss. 11-13 rep. (E.) (S.) ...	24, s. 11(2), sch. 3.
c. 46 ... ..	Slave Trade Act 1876 ...	Rep. ... ..	79, S.L.R.
40 & 41 Vict.:			
c. 2 ... ..	Treasury Bills Act 1877...	S. 6 excl. ... ..	1, s. 2(2). 17, s. 2(2). 62, s. 2(2). 72, s. 3(3), sch. 1.
c. 65 ... ..	Fisheries (Dynamite) Act 1877.	S. 3 am. (N.I.) ... ..	
41 & 42 Vict.:			
c. 17 ... ..	Adulteration of Seeds Act 1878.	Rep. (E.) (S.) ( <i>prosp.</i> ) ...	14, s. 31(1), sch. 6.
c. 18 ... ..	Public Works Loans Act 1878.	S. 4 rep. ... ..	9, s. 9(2), sch. 3.
c. 52 ... ..	Public Health (Ireland) Act 1878.	S. 281 para. (2) am. and rep. in pt.	S.I. No. 488, art. 2, sch. 1 Pt. I.
c. 76 ... ..	Telegraph Act 1878 ...	Ss. 6, 7 expld. (E.) (S.)...	40, s. 53.
42 & 43 Vict.:			
c. 41 ... ..	Indian Guaranteed Railways Act 1879.	Rep. ... ..	79, S.L.R.
c. 44 ... ..	Lord Clerk Register (Scotland) Act 1879.	S. 9 proviso rep. ... ..	79, S.L.R.
c. 77 ... ..	Public Works Loans Act 1879.	Rep. ... ..	9, s. 9(2), sch. 3.
43 & 44 Vict.:			
c. 22 ... ..	Merchant Shipping (Fees and Expenses) Act 1880.	Rep. ... ..	79, S.L.R.
44 & 45 Vict.:			
c. 11 ... ..	Sea Fisheries (Clam and Bait Beds) Act 1881.	S. 2 am. ... ..	72, s. 3(3), sch. 1.
c. 38 ... ..	Public Works Loans Act 1881.	S. 8 rep. ... .. S. 9 rep. ... ..	9, s. 9(2), sch. 3. 9, ss. 3, 9(2), sch. 3.
c. 64 ... ..	Central Criminal Court (Prisons) Act 1881.	S. 1 rep. in pt. ... ..  S. 2(1)-(4) rep. ... ..	42, s. 41(8), sch. 5. 42, s. 41(8), sch. 5.

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44 & 45 Vict.: c. 64— <i>cont.</i>	Central Criminal Court (Prisons) Act 1881 — <i>cont.</i>	S. 2(5) am. ... .. S. 3 rep. in pt. ... ..	42, s. 39(2), sch. 3 Pt. II para. 10. 42, s. 41(8), sch. 5.	
45 & 46 Vict.: c. 49 ... ..	Militia Act 1882 ...	S. 48 para. (1) mod. (London). S. 54 rep. ... .. S. 156 restr. ... ..	42, s. 18(1). 79, S.L.R. 42, s. 2(4).	
c. 50 ... ..	Municipal Corporations Act 1882.	S. 162 excl. (London) ... S. 163(4) rep. in pt. ... S. 168(2) am. ... ..	42, s. 2(4). 42, s. 41(8), sch. 5. 42, s. 39(2), sch. 3 Pt. II para. 11.	
c. 61 ... ..	Bills of Exchange Act 1882.	Pt. IX (ss. 190–200) rep. exc. s. 193 (s. 190 on 1.6.1965), sch. 5 Pt. II para. 5 rep. ... ..	48, s. 64(3), sch. 10 Pt. I.	
c. 62 ... ..	Public Works Loans Act 1882.	S. 53(2) restr. ... ..	4, s. 3(4).	
46 & 47 Vict. c. 22 ... ..	Sea Fisheries Act 1883...	S. 8 rep. ... ..	9, ss. 3, 9(2), sch. 3.	
c. 22 ... ..	Sea Fisheries Act 1883...	S. 4 rep. in pt. ... .. S. 5 rep. in pt. ... .. S. 7 ext. ... .. excl. ... .. S. 12 am. ... .. S. 18 rep. in pt. ... .. S. 24 rep. ... .. S. 25 rep. in pt. ... .. S. 28 rep. in pt. (definition of "exclusive fishery limits of the British Islands"). rep. in pt. (in pt., the definition of "sea-fishing"). Ss. 30 rep., 31 rep. in pt., sch. 2 rep. S. 8 rep. ... ..	S. 4 rep. in pt. ... .. S. 5 rep. in pt. ... .. S. 7 ext. ... .. excl. ... .. S. 12 am. ... .. S. 18 rep. in pt. ... .. S. 24 rep. ... .. S. 25 rep. in pt. ... .. S. 28 rep. in pt. (definition of "exclusive fishery limits of the British Islands"). rep. in pt. (in pt., the definition of "sea-fishing"). Ss. 30 rep., 31 rep. in pt., sch. 2 rep. S. 8 rep. ... ..	72, s. 3(3)(4), schs. 1, 2. 72, s. 3(3)(4), schs. 1, 2. 72, s. 1(2). 72, s. 3(5). 72, s. 3(3), sch. 1. 72, s. 3(3)(4), sch. 1, 2. 72, s. 3(4), sch. 2. 72, s. 3(3)(4), schs. 1, 2. 72, s. 3(4), sch. 2. 72, s. 3(2)(4), sch. 2. 72, s. 3(4), sch. 2.
c. 32 ... ..	Greenwich Hospital Act 1883.	S. 6(1) am. and rep. in pt., 6(2) rep. in pt. S. 8 rep. so far as defining "police force" and "police authority".	S.I. No. 488, art. 2, sch. 1 Pt. II. S.I. No. 488, art. 2, sch. 1 Pt. I. 48, s. 64(3), sch. 10 Pt. I.	
c. 34 ... ..	Cheap Trains Act 1883...			

Session and Chap. or No. of Measure	Short title or Subject	How affected	Chapter of 1964 Act or number of Measure or Statutory Instrument
46 & 47 Vict. — <i>cont.</i>			
c. 38 ... ..	Trial of Lunatics Act 1883.	S. 2(1) am. ... ..	84, ss. 1, 8(3), proviso (a).
c. 44 ... ..	Borough Constables Act 1883.	S. 2(2), (4) rep. (saving) ... Rep. ... ..	84, s. 8(5)(a). 48, s. 64(3), sch. 10 Pt. I.
47 & 48 Vict.:			
c. 46 ... ..	Naval Enlistment Act 1884.	S. 5 rep. ... ..	S.I. No. 488, art. 2, sch. 1 Pt. II.
c. 58 ... ..	Prosecution of Offences Act 1884.	S. 4 rep. ... ..	48, s. 64(3), sch. 10 Pt. I.
48 & 49 Vict.:			
c. 42 ... ..	Greenwich Hospital Act 1885.	S. 6 rep. ... ..	S.I. No. 488, art. 2, sch. 1 Pt. II.
c. 49 ... ..	Submarine Telegraph Act 1885.	S. 3 ext., expld. and mod. Ss. 6(3), 13 rep. ... .. Sch. ext. in pt. ... ..	29, s. 8(1). 29, s. 8(2). 29, s. 8(1).
c. 70 ... ..	Sea Fisheries (Scotland) Amendment Act 1885.	S. 4 rep. in pt. ... ..	72, s. 3(3)(4), schs. 1, 2.
c. 75 ... ..	Prevention of Crimes Amendment Act 1885.	Rep. (E.) ... ..	48, s. 64(3), sch. 10 Pt. I.
49 & 50 Vict.:			
c. 22 ... ..	Metropolitan Police Act 1886.	S. 2 am. ... ..	48, s. 63, sch. 9.
c. 29 ... ..	Crofters Holdings (Scotland) Act 1886.	S. 16 saved ... .. am. ... ..	41, s. 29(2). 41, s. 34(1), sch. 2 para. 9.
		S. 16 paras. (a)–(h) saved S. 16 para. (e) am. ... ..	41, s. 16(8). 41, s. 34(1), sch. 2 para. 10.
		S. 16 para. (f) am. ... ..	41, s. 34(1), sch. 2 para. 11.
		S. 16 para. (h) subst. ... ..	41, s. 34(1), sch. 2 para. 12.
		S. 16 proviso rep. S. 19 rep. in pt. ... ..	41, s. 34(2), sch. 3.
c. 38 ... ..	Riot (Damages) Act 1886	Sch. para. 1A added ... .. Am. ... .. S. 2(1) am. ... .. S. 5(1) am. ... .. rep. in pt. ... ..	56, s. 38(3). 48, s. 63, sch. 9.
		S. 5(2) rep. ... ..	48, ss. 63, 64(3), schs. 9, 10 Pt. I, I.
		S. 5(3) am. ... .. S. 5(4) rep. ... ..	48, s. 63, sch. 9. 48, ss. 63, 64(3), schs. 9, 10 Pt. I.
		S. 8 rep. ... ..	48, s. 64(3), sch. 10 Pt. I.
		S. 9 am. ... .. Sch. 1 rep. ... ..	48, s. 63, sch. 9. 48, s. 64(3), sch. 10 Pt. I.

Session and Chap. or No. of Measure	Short title or Subject	How affected	Chapter of 1964 Act or number of Measure or Statutory Instrument
50 & 51 Vict.:			
c. 11 ... ..	Conversion of India Stock Act 1887.	Rep. ... ..	79, S.L.R.
c. 16 ... ..	National Debt and Local Loans Act 1887.	Appl. ... .. Ss. 6(3), 9, 10 rep. ... .. S. 15 appl. so far as applicable.	9, s. 1(2). 79, S.L.R. 9, s. 4.
c. 28 ... ..	Merchandise Marks Act 1887.	S. 2(1)(d) expld. ... ..	28, s. 22(2).
c. 55 ... ..	Sheriffs Act 1887 ...	Ss. 6(3), 7(1), 17, 23(1), (3), 25, 26, 30 mod. S. 32 ref. ... .. S. 38 (definition of "county") am. (London).	42, s. 19(4). S.I. No. 366. 42, s. 19(2)(3).
c. 67 ... ..	Superannuation Act 1887	Ss. 6, 10 rep. ... .. S. 12 rep. in pt. ... ..	79, S.L.R. S.I. No. 488, art. 2, sch. 1 Pt. II.
51 & 52 Vict.:			
c. 2 ... ..	National Debt (Conversion) Act 1888.	Pt. III (ss. 11-13) rep., s. 32 rep. so far as defining "the Bank" and "financial year".	79, S.L.R.
c. 31 ... ..	National Defence Act 1888.	S. 4(2), (7) rep. in pt. ...	S.I. No. 488, art. 2, sch. 1 Pt. II.
c. 41 ... ..	Local Government Act 1888.	S. 3(iv) rep. in pt. ... } S. 3(xiv) rep. ... .. } Ss. 9, 30, 34(3)(c) rep. ... } S. 40 rep. ... .. } S. 40 para. (2) expld. (London) ... .. } S. 41(5) rep. ... .. } S. 42(1)-(7) rep. .... } S. 42(12) am. ... .. } rep. in pt. ... .. } S. 42(14) rep. ... .. } Ss. 46, 64 rep. in pt. ... } Ss. 46(6), 64(3), (4) rep. } S. 66 rep. ... .. } S. 67 mod. ... .. } Ss. 78(1) rep. in pt., 81(7) (8) rep. (1.6.1965). } S. 83(1)-(3) rep. .... } S. 83(4) excl. (London) } S. 83(5)(11) rep. .... } S.s 89, 91 rep. ... .. }	42, s. 41(8), sch. 5. 48, s. 64(3), sch. 10 Pt. I. 48, s. 64(3), sch. 10 Pt. I. 48, s. 64(3), sch. 10 Pt. I. 42, s. 41(8), sch. 5. 42, s. 19(2)(c). 42, s. 41(8) sch. 5. 42, s. 39(1), sch. 3 Pt. II para. 12(1). 42, s. 41(8), sch. 5. iv, s. 22, sch. S.I. Nos. 366, 367. 42, s. 41(8), sch. 5. 48, s. 64(3), sch. 10 Pt. I. 42, s. 39(2), sch. 3 Pt. II para. 12(2). 48, s. 64(3), sch. 10 Pt. I. 42, s. 41(8), sch. 5. 42, s. 39(2), sch. 3 Pt. II para. 12(3). 42, s. 41(8), sch. 5.

Session and Chap. or No. of Measure	Short title or Subject	How affected	Chapter of 1964 Act or number of Measure or Statutory Instrument
51 & 52 Vict.: c. 41— <i>cont.</i>	Local Government Act 1888— <i>cont.</i>	S. 93 rep. ... ..	48, s. 64(3), sch. 10 Pt. I.
c. 54 ... ..	Sea Fisheries Regulation Act 1888.	Ss. 95(1) rep., 100 rep. so far as defining "metropolis", 115 rep. S. 1(1)(a) am. ... ..	42, s. 41(8), sch. 5. 72, s. 3(3), sch. 1.
52 & 53 Vict.: c. 30 ... ..	Board of Agriculture Act 1889.	Sch. 1 Pt. II rep. in pt....	79, S.L.R.
c. 42 ... ..	Revenue Act 1889 ...	S. 33 rep. ... ..	S.I. No. 488, art. 2, sch. 1 Pt. II.
c. 45 ... ..	Factors Act 1889 ...	Saved ( <i>retrosp.</i> ) ... ..	53, ss. 27(5)(b), 35(3).
c. 63 ... ..	Interpretation Act 1889	S. 9 expld. ... ..	53, s. 21(4), sch. 1 Pt. II para. 8.
c. 63 ... ..	Interpretation Act 1889	S. 12(4) rep. ... ..	S.I. No. 488, art. 2, sch. 1 Pt. II.
c. 63 ... ..	Interpretation Act 1889	S. 18 para. (3) restr. {	46, s. 4(1). 86, s. 4(1). 93, s. 4(1).
c. 63 ... ..	Interpretation Act 1889	S. 26 expld. (E.) ...	26, s. 33(2).
c. 63 ... ..	Interpretation Act 1889	expld. (E.) (S.) ...	40, s. 48(3).
c. 63 ... ..	Interpretation Act 1889	expld. (E.) (S.) ...	89, s. 11(2).
c. 63 ... ..	Interpretation Act 1889	excl. in pt. (E.) ...	53, s. 6(4).
c. 63 ... ..	Interpretation Act 1889	S. 36 excl. (E.) (S.) ...	53, s. 36(3).
c. 63 ... ..	Interpretation Act 1889	S. 37 saved (E.) (S.) ...	53, s. 36(4).
c. 63 ... ..	Interpretation Act 1889	S. 38 saved ... ..	21, s. 29(2).
c. 63 ... ..	Interpretation Act 1889	appl. ... ..	60, ss. 7(7), 22(5).
c. 63 ... ..	Interpretation Act 1889	S. 38(2) appl. (E.) ...	26, s. 131(2).
c. 63 ... ..	Interpretation Act 1889	S. 38(2) appl. (E.) (S.) ...	97, s. 6(3).
c. 74 ... ..	Steam Trawling (Ireland) Act 1889.	S. 3 am. ... ..	72, s. 3(3), sch. 1.
53 & 54 Vict.: c. 21 ... ..	Inland Revenue Regulation Act 1890.	Ss. 10, 14, 15, 23 rep., except so far as applying to matters within jurisdiction of Northern Ireland. S. 24 saved ... ..	37, s. 17(4)(5), sch. 6 Pt. II. 25, s. 2(5), sch. 1 para. 5.
c. 25 ... ..	Barracks Act 1890 ...	Ss. 33, 35(1) in pt., 38(2), 40 all rep., except so far as applying to matters within jurisdiction of Northern Ireland.	37, s. 17(4)(5), sch. 6 Pt. II.
c. 27 ... ..	Colonial Courts of Admiralty Act 1890.	Ss. 1, 8 rep., 11 rep. in pt., 12 rep. S. 2 mod. (Antigua) ... (Dominica) ... (Grenada) ... (Montserrat) ... (St. Christopher, Nevis and Anguilla). (St. Helena) (St. Vincent)	S.I. No. 488, art. 2, sch. 1 Pt. II. S.I. No. 1659. S.I. No. 1660. S.I. No. 1661. S.I. No. 1662. S.I. No. 1663. S.I. No. 1664. S.I. No. 1665.

Session and Chap. or No. of Measure	Short title or Subject	How affected	Chapter of 1964 Act or number of Measure or Statutory Instrument
53 & 54 Vict.: c. 27— <i>cont.</i>	Colonial Courts of Admiralty Act 1890 — <i>cont.</i>	S. 4 excl. ...	46, s. 1(2), sch. 1 para. 4. 86, s. 1(2), sch. 1 para. 4. 93, s. 1(2), sch. 1 para. 4. 46, s. 1(2), sch. 1 para. 4. 86, s. 1(2), sch. 1 para. 4. 93, s. 1(2), sch. 1 para. 4.
		S. 7 restr. ...	
c. 40 ... ..	Factors (Scotland) Act 1890.	Saved ( <i>retrosp.</i> ) ... ..	53, ss. 27(5)(b), 35(3).
c. 45 ... ..	Police Act 1890 ... ..	Rep. ... ..	48, s. 64(3), sch. 10 Pt. I.
c. 59 ... ..	Public Health Acts Amendment Act 1890.	S. 51 para. 13 rep. (E.) so far as defining "police district" and "chief officer of police".	48, s. 64(3), sch. 10 Pt. I.
54 & 55 Vict.: c. 16 ... ..	Army Schools Act 1891	S. 1(2) rep. in pt. ...	S.I. No. 488, art. 2, sch. 1 Pt. II.
c. 22 ... ..	Museums and Gymnasiums Act 1891.	Rep. (E.) (saving) ...	75, s. 26(2), (5), sch. 3.
c. 24 ... ..	Public Accounts and Charges Act 1891.	S. 2 ext. ... ..	62, s. 3.
c. 35 ... ..	Army Schools Act 1891	S. 1(2) rep. in pt. ...	S.I. No. 488, art. 2, sch. 1 Pt. II.
c. 37 ... ..	Fisheries Act 1891 ...	S. 5 rep. in pt. ... ..	72, s. 3(3) (4), schs. 1, 2.
c. 39 ... ..	Stamp Act 1891 ...	Ext. ... .. S. 115 appl. (mod.) (S.)	49, s. 23(3). 67, s. 11, sch. para. 3.
		Sch. 1 paras. (2) and (4) of the exemptions to the heading Agreement or any memorandum of an agreement rep.	49, s. 26(7), sch. 9.
c. 72 ... ..	Coinage Act 1891 ...	S.1 rep. ... ..	79, S.L.R.
55 & 56 Vict.: c. 38 ... ..	Police Returns Act 1892	Rep. ... ..	48, s. 64(3), sch. 10 Pt. I.
c. 40 ... ..	Superannuation Act 1892	Ss. 2, 3 rep., 4(1) rep. in pt.	79, S.L.R.
c. 43 ... ..	Military Lands Act 1892	S. 1(1) am. ... .. S.7(2) rep. in pt. ...	S.I. No. 488, art. 2, sch. 1 Pt. I. 9, s. 9(2), (3)(c), sch. 3.
c. 48 ... ..	Bank Act 1892 ... ..	Pt. II (ss. 14–18) ext. ...	15, s. 2(3).
c. 53 ... ..	Public Libraries Act 1892	S. 5(1) rep. in pt. ...	79, S.L.R.
		Rep. ... ..	75, s. 26(2), sch. 3.
c. 55 ... ..	Burgh Police (Scotland) Act 1892.	S. 381 para. (36) rep. in pt.	33, s. 1.
c. 56 ... ..	Coroners Act 1892 ...	S. 1(8) rep. ... ..	79, S.L.R.
c. 61 ... ..	Public Works Loans Act 1892.	S. 2 rep. ... ..	9, s. 9(2), sch. 3.



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56 & 57 Vict.:			
c. 11 ... ..	Public Libraries (Amendment) Act 1893.	Rep. ... ..	75, s. 26(2), sch. 3.
c. 27 ... ..	Land Tax Commissioners Names Act 1893.	Rep. ... ..	79, S.L.R.
c. 40 ... ..	Public Works Loans (No. 2) Act 1893.	Rep. ... ..	9, s. 9(2), sch. 3.
c. 71 ... ..	Sale of Goods Act 1893	S. 11(1)(c) excl. (E.) ...	53, s. 21(4), sch. 1
		Ss. 12-15 excl. (E.) (S.)...	Pt. II para. 9.
		S. 21 excl. ( <i>retrosp.</i> ) (E.) (S.)	53, s. 21(4), sch. 1
		S. 25(2) expld. (E.) (S.)...	Pt. II para. 10.
			53, ss. 27(5)(a), 35(3).
c. 73 ... ..	Local Government Act 1894.	S. 7(1)(e) rep. ... ..	53, s. 21(4), sch. 1
			Pt. II para. 8.
			75, s. 26(2), sch. 3.
57 & 58 Vict.:			
c. 13 ... ..	Arbitration (Scotland) Act 1894.	S. 4 excl. ... ..	14, s. 10(4).
c. 30 ... ..	Finance Act 1894 ...	S. 8(14) saved (S.) ...	41, s. 22(4).
		S. 10 appl. (E.) ... ..	26, s. 14(3).
c. 60 ... ..	Merchant Shipping Act 1894.	S. 77 appl. ... ..	7, s. 1(7).
		S. 149(2) saved ... ..	4, s. 7(5)(c).
		S. 214 excl. (E.) ... ..	26, s. 158.
		Ss. 271-278 expld. ( <i>prosp.</i> ) (meaning of "passenger ship")	47, s. 17(2).
		S. 271(1) subst. ( <i>prosp.</i> ), 271(2) am. ( <i>prosp.</i> ).	47, s. 17(1).
		S. 272(2) ext. ( <i>prosp.</i> ) mod. ( <i>prosp.</i> )	47, s. 2(4).
		Ss. 273, 275 ext. ( <i>prosp.</i> ) mod. ( <i>prosp.</i> )	47, s. 2(5)(b).
		Ss. 279-282 ext. ( <i>prosp.</i> )	47, s. 2(4).
		S. 374 rep. in pt. ...	47, s. 2(5)(b).
		S. 395(7) rep. ... ..	47, s. 3(6).
			72, s. 3(4), sch. 2.
		S. 427(1)(e) rep. in pt. ( <i>prosp.</i> )	49, s. 26 (7) sch. 9.
		S. 427(1) (mm) added ( <i>prosp.</i> )	47, s. 9 para. (a).
		S. 427(1)(g) am. ( <i>prosp.</i> )	47, s. 9 para. (b).
			47, s. 9 para. (c).
		S. 427(2) am. }	46, s. 4(4), sch. 2 para. 7.
			86, s. 4(4), sch. 2 para. 7.
			93, s. 4(4), sch. 2 para. 7.
		Ss. 538-542 rep. and superseded (E.)	69, s. 10(1)(2), sch. Pt. I.
		S. 655 ext. (E.) (S.) ...	40, s. 29(3).
		S. 655(1) rep. (E.) (S.) ...	40, ss. 29(1), 63 (3), sch. 6.
		S. 655(2) rep. in pt. (E.) (S.)	40, s. 63(3), sch. 6.
		S. 655(3) rep. (E.) (S.) ...	40, s. 63(3), sch. 6.
		S. 656 ext. (E.) (S.) ...	40, s. 29(3).
		S. 657 rep. (E.) (S.) ...	40, s. 63(3), sch. 6.
		S. 729 appl. ( <i>prosp.</i> ) ...	47, s. 7(2).

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57 & 58 Vict.: c. 60— <i>cont.</i>	Merchant Shipping Act 1894— <i>cont.</i>	Ss. 735, 736 excl.	46, s. 1(1), sch. 1 para. 4. 86, s. 1(2), sch. 1 para. 4. 93, s. 1(2), sch. 1 para. 4.	
58 & 59 Vict.: c. 12 ... ..	Metropolitan Police (Receiver) Act 1895.	S. 1 am. ... ..		48, s. 63, sch. 9.
c. 35 ... ..	Naval Works Act 1895	Rep. (saving) ... ..		S.I. No. 488, art. 2, sch. 1 pt. II.
59 & 60 Vict.: c. 42 ... ..	Public Works Loans Act 1896.	S. 2 proviso rep. ... ..	9, s. 9(2), sch. 3.	
c. 44 ... ..	Truck Act 1896 ... ..	S. 7 rep. ... ..	49, s. 26(7), sch. 9.	
c. 55 ... ..	Quarter Sessions (London) Act 1896.	Rep. ... ..	42, s. 41(8), sch. 5.	
60 & 61 Vict.: c. 14 ... ..	Metropolitan Police Courts (Holidays) Act 1897.	Rep. ... ..	42, s. 41(8), sch. 5.	
c. 26 ... ..	Metropolitan Police Courts Act 1897.	Ss. 2, 3(2), 5 rep. ... ..	42, s. 41(8), sch. 5.	
c. 51 ... ..	Public Works Loans Act 1897.	Ss. 1, 11, 12(1)–(3) rep. ... ..	9, s. 9 (2), sch. 3.	
61 & 62 Vict.: c. 24 ... ..	Greenwich Hospital Act 1898.	S. 5 rep. ... ..	S.I. No. 488, art. 2, sch. 1 Pt. II.	
c. 36 ... ..	Criminal Evidence Act 1898.	S. 3 rep. in pt. (E.) ... ..	34, s. 1(2).	
c. 53 ... ..	Library Offences Act 1898	S. 3 para. (a) rep. ... ..	75, s. 26(2), sch. 3.	
62 & 63 Vict.: c. 25 ... ..	Land Tax Commissioners Names Act 1899.	Rep. ... ..	79, S.L.R.	
c. 42 ... ..	Naval Works Act 1899...	Rep. ... ..	S.I. No. 488, art. 2, sch. 1 Pt. II.	
63 & 64 Vict.: c. 17 ... ..	Naval Reserve (Mobilisation) Act 1900.	S. 1 am. ... ..	S.I. No. 488, art. 2, sch. 1 Pt. I.	
c. 32 ... ..	Merchant Shipping (Liability of Shipowners and others) Act 1900.	S. 2 ext. (E.) (S.) ... ..	40, s. 25(1).	
c. 52 ... ..	Naval Reserve Act 1900	S. 1 rep. in pt. ... ..	S.I. No. 488, art. 2, sch. 1 Pt. II.	
c. 55 ... ..	Executors (Scotland) Act 1900.	S. 6 rep. in pt. and am. ... ..	41, ss. 14(1), 34(1), sch. 2 para. 13.	
		S. 7 am. ... ..	41, s. 34(1), sch. 2 para. 14.	

Session and Chap. or No. of Measure	Short title or Subject	How affected	Chapter of 1964 Act or number of Measure or Statutory Instrument
63 & 64 Vict. — <i>cont.</i> c. 56 ... ..	Military Lands Act 1900	Ss. 2(1) rep., (2)(b) rep. in pt., 3 rep. in pt.	S.I. No. 488, art. 2, sch. 1 Pt. II.
1 Edw. 7: c. 7 ... ..	Finance Act 1901 ...	S. 10 expld. ... ..	28, s. 1(9), sch. para. 1(2). 92, ss. 3(8), (11) (12), 4.
c. 19 ... ..	Public Libraries Act 1901	Rep. (E.) (saving) ...	75, s. 26(2)(5), sch. 3.
2 Edw. 7: c. 28 ... ..	Licensing Act 1902 ...	S. 6 am. ... ..	26, s. 195.
6 Edw. 7: c. 32 ... ..	Dogs Act 1906 ... ..	S. 3(10) rep. ... ..	48, s. 64(3), sch. 10 Pt. I.
c. 46 ... ..	Recorders, Stipendiary Magistrates and Clerks of the Peace Act 1906.	Excl. (London) ...	42, s. 8(11).
c. 55 ... ..	Public Trustee Act 1906	S. 7(2) rep. in pt. ...	79, S.L.R.
7 Edw. 7: c. 4 ... ..	Destructive Insects and Pests Act 1907.	S. 1(2) rep. ... ..	79, S.L.R.
c. 23 ... ..	Criminal Appeal Act 1907	Ext. ... ..	{ 43, s. 6(2). 84, ss. 2(4), 8(3) proviso (b). 43, s. 1(1)(2). 84, s. 8(5)(b). 84, ss. 2(4)(a), 8(3) proviso (b). 84, ss. 2(4)(b), 8(3) proviso (b). 84, ss. 2(4)(a), 8(3) proviso (b). 43, s. 5, sch. 2. 84, ss. 2(4)(a), 8(3) proviso (b).
c. 36 ... ..	Public Works Loans Act 1907.	S. 3 rep. ... ..	S.I. No. 488, art. 2, sch. 1 Pt. II.
c. 41 ... ..	Whale Fisheries (Scotland) Act 1907.	S. 3(4) am. ... ..	72, s. 3(3), sch. 1
c. 53 ... ..	Public Health Acts Amendment Act 1907.	S. 86 rep. and superseded	69, s. 10(1)(2), sch. Pt. I.
8 Edw. 7: c. 16 ... ..	Finance Act 1908 ...	S. 10(1) rep. ... ..	79, S.L.R.
c. 23 ... ..	Public Works Loans Act 1908.	S. 6(2) rep. in pt. ...	9, s. 9(2), sch. 3.
c. 25 ... ..	Naval Lands (Volunteers) Act 1908.	Rep. ... ..	S.I. No. 488, art. 2, sch. 1 Pt. II.
c. 31 ... ..	Whale Fisheries (Ireland) Act 1908.	S. 3(4) am. ... ..	72, s. 3(3), sch. 1.
c. 36 ... ..	Smallholdings and Allotments Act 1908.	S. 52(2) proviso para. (a) rep. S. 61(3) rep. in pt. ...	9, s. 9(2), sch. 3. 79, S.L.R.
c. 53 ... ..	Law of Distress Amendment Act 1908.	S. 4 expld. (E.) ... ..	53, s. 15(8)(a)(b).

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9 Edw. 7: c. 30 ... ..	Cinematograph Act 1909	S. 2(6) rep. ... ..	48, s. 64(3), sch. 10 Pt. I.
10 Edw. 7 & 1 Geo. 5: c. 8 ... ..	Finance (1909-10) Act 1910.	Ss. 88(2), 93 rep., 96(2) rep. in pt.	79, S.L.R.
c. 13 ... ..	Police (Weekly Rest-Day) Act 1910.	Rep. ... ..	48, s. 64(3), sch. 10 Pt. I.
1 & 2 Geo. 5: c. 2 ... ..	Revenue Act 1911 ...	S. 18 rep. ... ..	79, S.L.R.
c. 10 ... ..	Intestate Husband's Estate (Scotland) Act 1911.	Rep. ... ..	41, ss. 1(1), 34(2), sch. 3.
c. 49 ... ..	Small Landholders (Scotland) Act 1911.	S. 21 am. ... .. S. 22 rep. ... .. S. 31(1) am. ... ..	41, s. 34(1), sch. 2 para. 15. 44, s. 34(2), sch. 3. 41, s. 34(1), sch. 2 para. 16.
2 & 3 Geo. 5: c. 30 ... ..	Trade Union Act 1913...	S. 3 expld. (E.) (S.) ...	24, s. 5(4).
3 & 4 Geo. 5: c. 3 ... ..	Provisional Collection of Taxes Act 1913.	Saved ... ..	28, s. 1(9), sch. para. 1(2).
c. 32 ... ..	Ancient Monuments Consolidation and Amendment Act 1913.	Saved (E.) ... ..	C.A.M. No. 5, s. 2(5).
4 & 5 Geo. 5: c. 30 ... ..	Injuries in War (Compensation) Act 1914.	Ss. 1(1)(3), 2 am. ...	S.I. No. 488, art. 2, sch. 1 Pt. I.
c. 34 ... ..	Police Reservists (Allowances) Act 1914.	S. 1(5) rep. (E.) ... ..	48, s. 64(3), sch. 10 Pt. I.
c. 44 ... ..	Metropolitan Police (Employment in Scotland) Act 1914.	Rep. exc. as applied by the Special Constables Act 1923 (c. 44).	48, s. 64(3), sch. 10 Pt. II.
c. 58 ... ..	Criminal Justice Administration Act 1914.	S. 14(1) am. and superseded.	76, s. 1, sch.
c. 59 ... ..	Bankruptcy Act 1914 ...	S. 38 expld. ... ..	53, s. 15(8)(b).
c. 61 ... ..	Special Constables Act 1914.	Rep. (E.) ... ..	48, s. 64(3), sch. 10 Pt. I.
5 & 6 Geo. 5: c. 18 ... ..	Injuries in War Compensation Act 1914 (Session 2).	S. 1 am. ... ..	S.I. No. 488, art. 2, sch. 1 Pt. I.
c. 28 ... ..	Naval Medical Compassionate Fund Act 1915.	S. 1(1)(c) am. ... ..	S.I. No. 488, art. 2, sch. 1 Pt. I.
c. 56 ... ..	War Loan (Trustees) Act 1915.	Rep. ... ..	79, S.L.R.
c. 83 ... ..	Naval and Military War Pensions, &c., Act 1915.	Ss. 3(1)(h), 5 am. ...	S.I. No. 488, art. 2, sch. 1 Pt. I.
c. 89 ... ..	Finance (No. 2) Act 1915	Ss. 38-44, 45(1)-(7), sch. 4 rep.	79, S.L.R.
c. 94 ... ..	Evidence (Amendment) Act 1915.	Rep. ... ..	S.I. No. 488, art. 2, sch. 1 Pt. II.

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6 & 7 Geo. 5: c. 12 ... ..	Local Government (Emergency Provisions) Act 1916.	S. 5(b) am. ... ..	S.I. No. 488, art. 2, sch. 1 Pt. I.
c. 24 ... ..	Finance Act 1916 ...	Pt. III (ss. 45-57) rep., s. 69(1) rep. in pt.	79, S.L.R.
c. 31 ... ..	Police, Factories, &c. (Miscellaneous Provisions) Act 1916.	S. 5 ext. ... ..	48, s. 25(4).
c. 50 ... ..	Larceny Act 1916 ...	S. 46(1) rep. in pt. (paras. (a)-(c) of definition of "chief officer of police").	48, s. 64(3), sch. 10 Pt. I.
c. 65 ... ..	Ministry of Pensions Act 1916.	Ss. 1, 2, 8, 9(2) rep. ...	S.I. No. 488, art. 2, sch. 1 Pt. II.
7 & 8 Geo. 5: c. 24 ... ..	Trade Union (Amalgamation) Act 1917.	Rep. (E.) (S.) (saving) ...	24, s. 11(2)(3), sch. 3.
c. 25 ... ..	Courts (Emergency Powers) Act 1917.	Rep. ... ..	79, S.L.R.
c. 31 ... ..	Finance Act 1917 ...	Pt. III (ss. 20-28) rep., ss. 34(1) rep. in pt., 34(4) proviso rep., 38 (1) rep. in pt.	79, S.L.R.
c. 32 ... ..	Public Works Loans Act 1917.	Rep. ... ..	9, s. 9(2), sch. 3.
c. 51 ... ..	Air Force (Constitution) Act 1917.	S. 3(1) rep. in pt. ...	S.I. No. 488, art. 2, sch. 1 Pt. II.
		Pt. II (ss. 8-10) rep. ...	15, s. 1(8).
		S. 13 rep. (saving) ...	S.I. No. 488, art. 2, sch. 1 Pt. II.
c. 58 ... ..	Wills (Soldiers and Sailors) Act 1918.	S. 3(2) rep. ... ..	41, s. 34(2), sch. 3.
8 & 9 Geo. 5: c. 15 ... ..	Finance Act 1918 ...	S. 4 rep. ... ..	49, s. 26(7), sch. 9.
		Pt. III (ss. 34, 35) rep., s. 45(1) rep. in pt.	79, S.L.R.
c. 19 ... ..	Deputy Lieutenants Act 1918.	S. 1(1)(a) mod. (London)	42, s. 18(1).
c. 27 ... ..	Public Works Loans Act 1918.	Rep. ... ..	9, s. 9(2), sch. 3.
9 & 10 Geo. 5: c. 9 ... ..	Intestate Husband's Estate (Scotland) Act 1919.	Rep. ... ..	41, ss. 1(1), 34(2), sch. 3.
c. 20 ... ..	Scottish Board of Health Act 1919.	S. 4(1) para. (f) rep., para. (g) rep. in pt., para. (h) rep.	79, S.L.R.
c. 32 ... ..	Finance Act 1919 ...	S. 8(2)(3) expld. ...	49, s. 4(4).
		Pt. IV (ss. 32-36) rep., s. 38(1) rep. in pt.	79, S.L.R.
c. 40 ... ..	Retired Officers (Civil Employment) Act 1919.	Rep. ... ..	79, S.L.R.
c. 46 ... ..	Police Act 1919 ...	Rep. ... ..	48, s. 64(3), sch. 10 Pt. II.
c. 50 ... ..	Ministry of Transport Act 1919.	S. 2(1) rep. in pt. (saving)	S.I. No. 488, art. 2, sch. 1.
		S. 2(1) proviso para. (iii) rep.	79, S.L.R.

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9 & 10 Geo. 5: c. 50— <i>cont.</i>	Ministry of Transport Act 1919— <i>cont.</i>	S. 2(2) rep. in pt. (saving), 2(3) rep. in pt. Ss. 3, 6, 15 rep. ... S. 17(1) am. (E.) (S.) ... Ss. 29 rep., 30(2) rep. so far as defining "easement". Sch. 1 rep. in pt. ... Sch. 2 para. 1(1)(3)(4) rep. in pt.	S.I. No. 488, art. 2, sch. 1. 79, S.L.R. 40, s. 13(2). 79, S.L.R. S.I. No. 488, art. 2, sch. 1. 79, S.L.R.
c. 61 ... ..	Intestate Moveable Succession (Scotland) Act 1919.	Rep. ... ..	41, ss. 1(1), 34(2) sch. 3.
c. 64 ... ..	Courts (Emergency Powers) Act 1919.	Rep. ... ..	79, S.L.R.
c. 84 ... ..	County and Borough Police Act 1919.	Rep. ... ..	48, s. 64(3), sch. 10 Pt. I.
c. 92 ... ..	Aliens Restriction (Amendment) Act 1919	S. 1 cont. until 31.12.1965	94, s. 1(1).
c. 93 ... ..	Public Libraries Act 1919	S. 14(1) am. ... ..	81, s. 5(1).
c. 97 ... ..	Land Settlement (Scotland) Act 1919.	Rep. ... ..	75, s. 26(2), sch. 3. 41, s. 34(2), sch. 3.
10 & 11 Geo. 5: c. 16 ... ..	Imperial War Museum Act 1920.	S. 13 rep. ... ..	Sch. para. (1) am. ...
c. 17 ... ..	Increase of Rent and Mortgage Interest (Restrictions) Act 1920.	Sch. para. (1) am. ...	S.I. No. 488, art. 2, sch. 1 Pt. I.
c. 18 ... ..	Finance Act 1920 ...	Excl. ... ..	56, s. 3(9).
c. 23 ... ..	War Pensions Act 1920...	S. 2(1)(a) am. ... ..	56, s. 36.
c. 54 ... ..	Seeds Act 1920 ... ..	S. 3 rep. ... ..	49, s. 26(7), sch. 9.
c. 55 ... ..	Emergency Powers Act 1920.	Pts. IV (ss. 44-51) rep., V (ss. 52-56) rep., s. 61 (except in so far as relating to income tax) rep.	79, S.L.R.
c. 57 ... ..	Government of Ireland Act 1920.	S. 64(1) rep. in pt. ...	49, s. 26(7), sch. 9. 79, S.L.R.
c. 23 ... ..	War Pensions Act 1920...	S. 1(1)(2) rep. in pt. ...	S.I. No. 488, art. 2, sch. 1 Pt. II.
c. 54 ... ..	Seeds Act 1920 ... ..	Rep. (E.) (S.) ( <i>prosp.</i> ) ...	14, s. 31(1), sch. 6.
c. 55 ... ..	Emergency Powers Act 1920.	S. 1(1) am. (E.) (S.) ...	38, s. 1.
c. 67 ... ..	Government of Ireland Act 1920.	Legislative powers ext. {	28, s. 26(3). 29, s. 12. 40, s. 59.
		S. 4 expld. ... {	14, s. 39(1). 30, s. 4.
		mod. ... {	72, s. 4(2). 24, s. 10 (4).
		S. 6 mod. ... {	36, s. 12. 64, s. 10(1). 72, s. 4(3).
		S. 22(1) ext. ... .. {	79, s. 2. 28, s. 1(11).

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11 & 12 Geo. 5: c. 31 ... ..	Police Pensions Act 1921	Rep. exc. ss. 10, 30, sch. 3. S. 30, sch. 3 rep. (E.) ...	48, s. 64(3), sch. 10 Pt. II. 48, s. 64(3), sch. 10 Pt. 1.
c. 32 ... ..	Finance Act 1921 ...	Pt. III (ss. 35-42) rep., s. 65(1) rep. in pt., schs. 1, 2 rep.	79, S.L.R.
c. 58 ... ..	Trusts (Scotland) Act 1921.	S. 2 am. so far as defining "trustee".	41, s. 20.
12 & 13 Geo. 5: c. 11 ... ..	Juries Act 1922 ... ..	Expld. (London) ... S. 1 mod. (London) * ... S. 7 am. so far as defining "overseers". rep. in pt. (in pt., definition of "clerk of the county council").	42, s. 21(1)-(3). 42, s. 21(6). 42, s. 39(2), sch. 3 Pt. II para. 13. 42, s. 41(8), sch. 5.
c. 17 ... ..	Finance Act 1922 ...	Pt. III (ss. 34-37) rep. ...	79, S.L.R.
c. 50 ... ..	Expiring Laws Act 1922	Sch. 1 rep. so far as relating to the Episcopal and Capitular Estates Act 1851 (c. 104).	79, S.L.R.
c. 51 ... ..	Allotments Act 1922 ...	S. 1(4) am. ... ..	S.I. No. 488, art. 2, sch. 1 Pt. I.
c. 52 ... ..	Allotments (Scotland) Act 1922.	S. 1(4) am. ... ..	S.I. No. 488, art. 2, sch. 1 Pt. I.
13 & 14 Geo. 5: c. 11 ... ..	Special Constables Act 1923.	Ss. 1, 2 rep. (E.) ... S. 3 am. and ext. ... S. 5 rep. in pt. ... ..	48, s. 64(3), sch. 10 Pt. I. S.I. No. 448, art. 2, sch. 1 Pt. I. 48, s. 64(3), sch. 10 Pt. II.
c. 16 ... ..	Salmon and Freshwater Fisheries Act 1923.	S. 6(1) rep. in pt. ... S. 9(a) am. ... ..	27, s. 1. 72, s. 3(3), sch. 1.
14 & 15 Geo. 5: c. 15 ... ..	Auxiliary Air Force and Air Force Reserve Act 1924.	S. 1 rep. ... ..	S.I. No. 488, art. 2, sch. 1 Pt. II.
c. 21 ... ..	Finance Act 1924 ...	S. 34 rep. ... ..	79, S.L.R.
c. 27 ... ..	Conveyancing (Scotland) Act 1924.	S. 5(2) am. ... .. S. 5(2)(a)(b) rep. in pt. S. 7(3) rep. ... .. S. 21 rep. ... .. Ss. 24 para. (4) rep., 31 rep. in pt. S. 32 am. ... .. S. 33 am. ... ..	41, s. 15(1). 41, s. 34(2), sch. 3. 41, s. 34(2), sch. 3. 41, s. 34(1)(2), schs. 2 para. 4, 3. 41, s. 34(2), sch. 3. 41, s. 34(1), sch. 2 para. 17. 41, s. 34(1), sch. 2 para. 18.

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15 & 16 Geo. 5:			
c. 19 ... ..	Trustee Act 1925 ...	S. 40(1)(b) appl....	C.A.M. No. 2, s. 3(3).
c. 20 ... ..	Law of Property Act 1925	Appl. ... ..	56, ss. 29(4), 80 (5).
		S. 36(2) ext. ( <i>retrosp.</i> ) ...	63, ss. 1, 2.
		S. 121 saved ... ..	55, s. 11(1).
		S. 121(6) rep. in pt. ...	55, s. 11(2).
		S. 122 saved ... ..	55, s. 11(1).
		S. 163 rep. ... ..	55, s. 4(6).
		S. 164 am. ... ..	55, s. 13.
		S. 193 saved (New Forest)	83, s. 5(2).
		S. 194 excl. (New Forest)	83, ss. 3(2)(4)(6), 4(1).
c. 22 ... ..	Land Charges Act 1925	S. 15 ext. ... ..	56, ss. 15(6), 19 (8), 21(6), 73 (5).
c. 23 ... ..	Administration of Estates Act 1925.	S. 9 expld. ... ..	53, s. 15(7).
c. 24 ... ..	Universities and College Estates Act 1925.	S. 2 mod. ... ..	51, s. 2, sch. 1 Pt. I para. 1.
		S. 3(2) mod. ... ..	51, s. 3(1), sch. 1 Pt. II para. 1.
		S. 5 mod. ... ..	51, s. 3(1), sch. 1 Pt. II para. 2.
		S. 7(4) mod. ... ..	51, s. 3(1), sch. 1 Pt. II para. 3.
		S. 13(7) mod. ... ..	51, s. 3(1), sch. 1 Pt. II para. 4.
		S. 14(4) mod. ... ..	51, s. 3(1), sch. 1 Pt. II para. 5.
		S. 15(1) mod. ... ..	51, s. 2, sch. 1 Pt. I para. 2.
		S. 15(2) mod. ... ..	51, s. 3(1), sch. 1 Pt. II para. 6.
		S. 16(4) mod. ... ..	51, s. 3(1), sch. 1 Pt. II para. 7.
		S. 17 mod. ... ..	51, s. 2, sch. 1 Pt. I para. 3.
		S. 20(1) mod. ... ..	51, s. 3(1), sch. 1 Pt. II para. 8.
		S. 23(1) mod. ... ..	51, s. 2, sch. 1 Pt. I para. 4.
		S. 23(5) mod. ... ..	51, s. 3(1), sch. 1 Pt. II para. 9.
		S. 24(5) mod. ... ..	51, s. 3(1), sch. 1 Pt. II para. 10.
		S. 26(1) mod. ... ..	51, s. 2, sch. 1 Pt. I para. 5.
		mod. ... ..	51, s. 3(1), sch. 1 Pt. II para. 11.
		S. 26(2) ext. ... ..	51, s. 3(5), sch. 2 para. 4.
		mod. ... ..	51, s. 2, sch. 1 Pt. I para. 5.
		S. 26(5) mod. ... ..	51, s. 3(1), sch. 1 Pt. II para. 11.
		S. 28(1)–(3) mod. ...	51, s. 3(1), sch. 1 Pt. II para. 12.



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15 & 16 Geo. 5: c. 24— <i>cont.</i>	Universities and College Estates Act 1925— <i>cont.</i>	S. 29 mod. ... ..	51, ss. 3(1), 4(1), sch. 1 Pt. II para. 13.		
		am. ... ..	51, s. 4(1), sch. 3 Pt. II.		
		S. 30(1) mod. ... ..	51, s. 2, sch. 1 Pt. I para. 6.		
		S. 31(1) mod. ... ..	51, s. 2, sch. 1 Pt. I para. 7(1).		
		S. 31(2) mod. ... ..	51, s. 2, sch. 1 Pt. I para. 7(2).		
		S. 32(1) ext. ... ..	51, s. 3(5), sch. 2 para. 4.		
		mod. ... ..	51, s. 2, sch. 1 Pt. I para. 8.		
		S. 38 mod. ... ..	51, s. 2, sch. 1 Pt. I para. 9.		
		S. 40 mod. ... ..	51, s. 2, sch. 1 Pt. I para. 10.		
		S. 42 mod. ... ..	51, s. 3(1), sch. 1 Pt. II para. 14.		
		S. 43(vii) am. ... ..	51, s. 4(1), sch. 3 Pt. II.		
		Sch. 1 para. (xxxi) rep. in pt.	51, s. 4, schs. 3 Pt. II, 4.		
		c. 49 ... ..	Supreme Court of Judicature (Consolidation) Act 1925.	S. 2(1) am. ... ..	58, s. 9(1).
				Ss. 73, 74 rep. ... ..	42, s. 41(8), sch. 5.
c. 66 ... ..	Seeds (Amendment) Act 1925.	S. 75 saved ... ..	42, s. 25(1).		
		Sch. 2 am. ... ..	S.I. No. 193.		
c. 86 ... ..	Criminal Justice Act 1925	Rep. (E.) (S.) ( <i>prosp.</i> ) ... ..	14, s. 31(1), sch. 6.		
c. 90 ... ..	Rating and Valuation Act 1925.	S. 11 saved ... ..	42, s. 1(4).		
		S. 13(3) mod. ... ..	43, s. 2(5).		
c. 90 ... ..	Rating and Valuation Act 1925.	S. 14(2) saved ... ..	42, s. 1(4).		
		S. 2(6) rep. ... ..	15, s. 26(2), sch. 3.		
16 & 17 Geo. 5: c. 22 ... .. c. 29 ... .. c. 40 ... .. c. 45 ... .. c. 60 ... .. C.A.M. No. 4	Finance Act 1926 ... ..	Pt. V (ss. 38–49) rep. ... ..	79, S.L.R.		
	Adoption of Children Act 1926.	Ext. ... ..	57, s. 1(1).		
	Indian and Colonial Divorce Jurisdiction Act 1926.	Restr. ... ..	}	46, s. 6(1), (4).	
				65, s. 7(1), (4).	
	Fertilisers and Feeding Stuffs Act 1926.	S. 1(4) am. and rep. in pt.	{	46, s. 6(3).	
				65, s. 7(3).	
	Legitimacy Act 1926 ... ..	Schs. 1, 2, 4 am. ... ..	...	S.I. No. 142.	
	C.A.M. No. 4	Ecclesiastical Commissioners Measure 1926.	S. 9 rep. ... ..	41, ss. 1(1), 34(2), sch. 3.	
			Ss. 3, 7–9, sch. rep. ... ..	79, S.L.R.	
	17 & 18 Geo. 5: c. 6 ... .. c. 10 ... ..	Forestry Act 1927 ... ..	S. 2 saved (New Forest) S. 2(4) mod. New Forest)	83, s. 11. 83, s. 13.	
Finance Act 1927 ... ..		Sch. 2 rep. ... ..	49, s. 26(7), sch. 9.		

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17 & 18 Geo. 5 — <i>cont.</i>			
c. 19 ... ..	Police (Appeals) Act 1927	Rep. (saving) ... ..	48, s. 64(3), sch. 10 Pt. II.
c. 35 ... ..	Sheriff Courts and Legal Officers (Scotland) Act 1927.	S. 16 ext. ... ..	41, s. 14(2), 22 (1).
c. 42 ... ..	Statute Law Revision Act 1927.	Sch. rep. ... ..	79, S.L.R.
18 & 19 Geo. 5:			
c. 17 ... ..	Finance Act 1928 ...	S. 2 rep. ... ..	92, s. 10(4), sch. 4.
c. 19 ... ..	Agricultural Produce (Grading and Marking) Act 1928.	Am. (fresh horticultural produce excluded).	28, s. 22(1).
c. 36 ... ..	Naval Prize Act 1928 ...	Rep. ... ..	S.I. No. 488, art. 2, sch. 1 Pt. II.
C.A.M. No. 2	Tithe (Administration of Trusts) Measure 1928.	Rep. except ss. 6, 17 ...	79, S.L.R.
20 & 21 Geo. 5:			
c. 28 ... ..	Finance Act 1930 ...	S. 2 rep. ... .. S. 53(1) rep. ... ..	49, ss. 2(5), 26(7), sch. 9. 49, s. 26(7), sch. 9.
c. 32 ... ..	Poor Prisoners' Defence Act 1930.	S. 1 ext. ... ..	43, s. 2(4).
c. 37 ... ..	Adoption of Children (Scotland) Act 1930.	Ext. ... ..	57, s. 1(1).
21 & 22 Geo. 5:			
c. 17 ... ..	Local Authorities (Publicity) Act 1931.	S. 1 ext. (S.) ... ..	67, s. 5(1).
c. 40 ... ..	Agricultural Produce (Grading and Marking) Amendment Act 1931.	Am. (fresh horticultural produce excluded).	28, s. 22(1).
c. 44 ... ..	Small Landholders and Agricultural Holdings (Scotland) Act 1931.	S. 3 mod. ... ..	41, s. 16(6).
c. 45 ... ..	Local Government (Clerks) Act 1931.	Excl. (London), exc. ss. 4 (5), (7), 5(2)(3). S. 3(1) am. ... .. S. 3(3) rep. in pt. ... .. S. 4 am. ... .. S. 5(4) rep. (1.6.1965) ... .. S. 7(3) am. ... ..	42, s. 8(10) 42, s. 39(2), sch. 3 Pt. II para. 14(1). 42, ss. 39(2), 41 (8), schs. 3 Pt. II para. 14(2), 5. 42, s. 39(2), sch. 3 Pt. II para. 14(1). 48, s. 64(3), sch. 10 Pt. I. 42, s. 39(2), sch. 3 Pt. II para. 14(1). 42, s. 41(8), sch. 5.

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21 & 22 Geo. 5: c. 45— <i>cont.</i>	Local Government (Clerks) Act 1931— <i>cont.</i>	S. 15 rep. so far as defining "Joint committee" (1.6.1965). S. 16, sch. 3 rep. ...	48, s. 64(3), sch. 10 Pt. I. 42, s. 41(8), sch. 5.
c. 49 ... ..	Finance (No. 2) Act 1931	S. 25(1), sch. 1 rep. ...	49, s. 26(7), sch. 9.
22 & 23 Geo. 5: c. 9 ... ..	Merchant Shipping (Safety and Load Line Conventions) Act 1932.	S. 24 ext. ( <i>prosp.</i> ) ...	47, s. 16.
c. 38 ... ..	Hire Purchase and Small Debt (Scotland) Act 1932.	Ss. 1-5, 8, 9 rep. ...	53, ss. 25(3), 34 (2), sch. 5.
c. 43 ... ..	Malta Constitution Act 1932.	S. 10(1) rep. in pt., 10(2) rep. Rep. ... ..	53, s. 34(2), sch. 5. 86, s. 4(6), sch. 3.
23 & 24 Geo. 5: c. 6 ... ..	Visiting Forces (British Commonwealth) Act 1933.	S. 4 appl. (Malawi) ... appl. (Zambia) ... appl. (Malta) ... appl. (Gambia) ...	46, s. 4(4), sch. 2 para. 5. 65, s. 2(2), sch. 1 para. 6. 86, s. 4(4), sch. 2 para. 5. 93, s. 4(4), sch. 2 para. 5.
c. 12 ... ..	Children and Young Persons Act 1933.	S. 4(2)(5) am. ... .. S. 9 rep. and superseded	S.I. No. 488, art. 2, sch. 1 Pt. I. 69, s. 10(1)(2), sch. Pt. I. 48, s. 63, sch. 9.
c. 19 ... ..	Finance Act 1933 ...	S. 107(1) am. so far as defining "chief officer of police". rep. so far as defining "police authority". S. 2 rep. and superseded	48, s. 64(3), sch. 10 Pt. I. 49, ss. 2(4), 26(7), sch. 9. 79, S.L.R. 49, s. 26(7), sch. 9.
c. 25 ... ..	Pharmacy and Poisons Act 1933.	S. 44 rep. ... .. S. 47(2) rep. ... ..	Pt. II am. ... .. S.I. No. 582. 35, s. 1.
c. 36 ... ..	Administration of Justice (Miscellaneous Provisions) Act 1933.	S. 12(3) am. ... .. S. 2(2)(b) am. ... ..	43, s. 5, sch. 2.
c. 38 ... ..	Summary Jurisdiction (Appeals) Act 1933.	S. 8 rep. ... ..	42, ss. 7(6), 41(8), sch. 5.
c. 41 ... ..	Administration of Justice (Scotland) Act 1933.	S. 34 ext. ... ..	41, ss. 14(2), 22 (1)(2).
c. 45 ... ..	Sea-Fishing Industry Act 1933.	Ss. 3(1A) added, 4(5), 4A am.	72, s. 3(3), sch. 1
c. 51 ... ..	Local Government Act 1933.	Ss. 3, 5 mod. ... .. S. 3(5) rep. in pt. ... S. 18(7) rep. in pt. ...	42, s. 39(2), sch. 3 Pt. II para. 15(1). 42, s. 41(8), sch. 5. 42, s. 41(8), sch. 5.

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23 & 24 Geo. 5: c. 51— <i>cont.</i>	Local Government Act 1933— <i>cont.</i>	<p>S. 18(8) mod. ... ..</p> <p>rep. in pt. ... ..</p> <p>S. 20(3) mod ... ..</p> <p>S. 33(5) rep. in pt. ... ..</p> <p>S. 76 am. ... ..</p> <p>S. 76(2) proviso (i) ext. (definition of "public body").</p> <p>S. 76(4) am. ... ..</p> <p>S. 76(6) am. ... ..</p> <p>S. 76(8) ext. ... ..</p> <p>mod. ... ..</p> <p>S. 85(4) ext. ... ..</p> <p>S. 94 proviso (c) subst....</p> <p>S. 96 appl. (mod.) ... ..</p> <p>S. 123 am. ... ..</p> <p>S. 123(3) am. ... ..</p> <p>Pt. VII (ss. 156-179) ext.</p> <p>Ss. 157(2) rep., 159(1) rep. in pt.</p> <p>S. 176 ext. ... ..</p> <p>S. 193(5) am. ... ..</p> <p>Pt. IX (ss. 195-218) appl. (mod.)</p> <p>S. 195(2) added ... ..</p> <p>S. 216(1) excl. ... ..</p> <p>ext. ... ..</p> <p>Pt. X (ss. 219-243) appl. (mod.)</p> <p>S. 250. Certain functions transf'd. to Minister of Public Building and Works.</p> <p>S. 250(2)-(6) appl. (mod.)</p> <p>S. 250(7) appl. (mod.) ... ..</p> <p>appl. ... ..</p> <p>S. 251 saved ... ..</p> <p>S. 252 appl. (mod.) ... ..</p> <p>S. 290(2)(3) appl. ... ..</p> <p>S. 290(4)(5) appl. ... ..</p> <p>S. 293(1) saved and ext.</p> <p>S. 305 rep. so far as defining "Standing joint committee"</p> <p>rep. in pt. so far as defining "The Adoptive Acts"</p>	<p>42, s. 39(2), sch. 3 Pt. II para. 15(2).</p> <p>42, s. 41(8), sch. 5.</p> <p>42, s. 39(2), sch. 3 Pt. II para. 15(2).</p> <p>42, s. 41(8), sch. 5.</p> <p>77, s. 1(1).</p> <p>77, s. 1(2).</p> <p>77, s. 1(3).</p> <p>77, s. 1(4).</p> <p>77, s. 1(5).</p> <p>77, s. 1(6).</p> <p>48, s. 2(6).</p> <p>75, s. 26(3).</p> <p>42, s. 29(11).</p> <p>77, s. 2(1).</p> <p>77, s. 2(2).</p> <p>48, s. 9(3).</p> <p>48, s. 64(3), sch. 10 Pt. I.</p> <p>48, s. 9(1).</p> <p>75, s. 26(4).</p> <p>48, s. 8(2).</p> <p>48, s. 63, sch. 9.</p> <p>9, s. 6(1).</p> <p>9, s. 6(4).</p> <p>48, s. 8(3).</p> <p>S.I. No. 263, art. 2, sch. Pt. II.</p> <p>40, s. 22(3)(5).</p> <p>40, s. 22(3)(5).</p> <p>75, s. 19(3).</p> <p>75, s. 19(2).</p> <p>40, s. 22(3)(5).</p> <p>26, ss. 110(3), 121(6).</p> <p>40, s. 47(1).</p> <p>48, ss. 21(7), 32(3), 37(5), schs. 3 para. 5, 5 para. 3(2).</p> <p>26, ss. 110(3), 121(6).</p> <p>40, s. 47(1).</p> <p>75, s. 5(1).</p> <p>48, s. 64(3), sch. 10 Pt. I.</p> <p>75, s. 26(2), sch. 3.</p>

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23 & 24 Geo. 5: c. 51— <i>cont.</i>	Local Government Act 1933— <i>cont.</i>	Sch. 3 Pt. II am. ( <i>temp.</i> ) Sch. 3 Pt. V paras. 1, 2, 4 ext. Sch. 7 rep. so far as relating to the Public Libraries Acts 1892 to 1919	S.I. No. 679. 48, s. 2(6). 75, s. 26(2), sch. 3.
24 & 25 Geo. 5: c. 19 ... ..	Registration of Births, Deaths and Marriages (Scotland) (Amendment) Act 1934.	S. 2 ext. ... ..	57, s. 3(4).
c. 36 ... ..	Petroleum (Production) Act 1934.	S. 2 appl. ... .. Ss. 3, 5 ext. ... .. S. 6 appl. (mod.) ... ..	29, s. 1(3). 29, s. 1(3). 29, s. 1(3)(4).
c. 49 ... ..	Whaling Industry (Regulation) Act 1934.	S. 17(1) am. (definition of "British ship")  am. (definition of "coastal waters" subst.)	46, s. 4(4), sch. 2 para. 11. 86, s. 4(4), sch. 2 para. 11. 93, s. 4(4), sch. 2 para. 10 72, s. 3(3), sch. 1.
25 & 26 Geo. 5: c. 23 ... ..	Superannuation Act 1935	S. 15 rep. ... ..	79, S.L.R.
c. 26 ... ..	Defence (Barracks) Act 1935.	Rep. ... ..	S.I. No. 488, art. 2, sch. 1 Pt. II.
26 Geo. 5 & 1 Edw. 8:			
c. 5 ... ..	Public Works Loans Act 1935.	S. 5(1) rep. ... ..	9, s. 9(2), sch. 3.
c. 29 ... ..	Malta (Letters Patent) Act 1936.	Rep. ... ..	86, s. 4(6), sch. 3.
c. 43 ... ..	Tithe Act 1936 ... ..	S. 46 rep. ... ..	79 S.L.R.
c. 48 ... ..	Health Resorts and Watering Places Act 1936.	S. 1(1) am. (S.) ... .. S. 1(1) prov. rep. (S.) ... ..	67, s. 5(2). 67, s. 5(3).
c. 49 ... ..	Public Health Act 1936	Ss. 53(7), 61–63, 67, 69, 70: Functions transfd. to Minister of Public Building and Works. Ss. 143(3), 146(1) am. ...  Pt. XII (ss. 271–347): Certain functions of Minister of Housing and Local Government transfd. to Secretary of State. Certain functions of Minister of Housing and Local Government transfd. to Minister of Public Building and Works. S. 324 appl. (mod.) ...	S.I. No. 263, art. 2, sch. Pt. I. S.I. No. 488, art. 2, sch. Pt. I. S.I. No. 263, art. 3. S.I. No. 263, art. 2, sch. Pt. II.
			75, s. 10(5).

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26 Geo. 5 & 1 Edw. 8— <i>cont.</i> c. 50 ... ..	Public Health (London) Act 1936.	S. 193 am. ... ..  Pt. XIV (ss. 273–309): Certain functions transfd. to Minister of Public Building and Works.	S.I. No. 488, art. 2, sch. 1 Pt. I.  S.I. No. 263, art. 2, sch. Pt. II.
c. 52 ... ..	Private Legislation Procedure (Scotland) Act 1936.	Appl. ... .. S. 1 ext. ... ..	40, s. 47(3). 40, s. 62(2).
C.A.M. No. 5	Ecclesiastical Commissioners (Powers) Measure 1936.	S. 3(1) rep. in pt., 3(2) rep.	79, S.L.R.
1 Edw. 8 & 1 Geo. 6: c. 6 ... ..	Public Order Act 1936 ...	S. 9(1) rep. (E.) so far as defining "chief officer of police".	48, s. 64(3), sch. 10 Pt. I.
c. 12 ... ..	Firearms Act 1937 ...	S. 23(2) ext. ... .. S. 32(1) so far as defining "area" rep. in pt. (E.) and rep. (E.) so far as defining "chief officer of police". Sch. 1 para. 9 rep. ...	48, s. 51(2). 48, s. 64(3), sch. 10 Pt. I.  42, s. 41(8), sch. 5.
c. 13 ... ..	Defence Loans Act 1937	Sch. 3 am. ... ..	48, s. 63, sch. 9.
c. 28 ... ..	Harbours, Piers and Ferries (Scotland) Act 1937.	Rep. ... .. Pts. II–IV saved (temp.) S. 12 rep. ... ..  Ss. 16, 18 saved (marine works) S. 23 rep. in pt. ... .. S. 25 rep. ... ..  S. 31(1) am. (definition of "marine work" subst.)	79, S.L.R. 40, s. 51(3). 40, s. 51(4). 40, s. 63(3), sch. 6. 40, s. 51(3). 40, ss. 39(5), 63(3), sch. 6. 40, s. 63(3), sch. 6. 40, s. 51(1).
c. 38 ... ..	Ministers of the Crown Act 1937.	S. 1(2)(a) rep. in pt. ... .. S. 1(2)(b) rep. ... .. S. 2(1)(2) rep. ... ..  S. 10(1) rep. in pt. } Sch. 1 am. ... .. rep. in pt. ... .. Sch. 2 am. ... ..	98, ss. 2(2), 5(4), sch. 3. 98, s. 2(2). 98, s. 5(4), sch. 3. 98, s. 5(4), sch. 3. S.I. No. 488, art. 2, sch. 1 Pt. I. S.I. No. 490. S.I. Nos. 488, 490. S.I. Nos. 488, 490.
c. 54 ... ..	Finance Act 1937 ...	rep. in pt. ... .. Pt. III (ss. 19–25) expld. (meaning of "inspector", "collector", "surveyor or assessor"). am. ... .. am. (N.I.)...	S.I. No. 488. 37, s. 3(2).  37, ss. 11, 12(1)(2). 37, ss. 14, 15.

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1 Edw. 8 & 1 Geo. 6: c. 54— <i>cont.</i>	Finance Act 1937— <i>cont.</i>	S. 24(1) am. ... .. Sch. 5 Pt. I para. 5 am.... Sch. 5 Pt. II para. 1 am. rep. in pt. ... ..	37, s. 10(1). 37, s. 10(1). 37, s. 10(3). 37, s. 17(4)(5), sch. 6 Pt. II.
c. 68 ... ..	Local Government Super- annuation Act 1937.	Sch. 5 Pt. II paras. 2 rep. (saving), 3 rep., 4 rep. (saving). Sch. 5 Pt. II para. 5 ext. Sch. 5 Pt. II para. 5 mod. (N.I.) Sch. 5 Pt. III para. 6 rep. (saving). Power to appl. (mod.) (London). Expld. ... ..	37, s. 17(4)(5), sch. 6 Pt. II. 37, s. 13(1). 37, s. 15(2)(c). 37, s. 17(5), sch. 6 Pt. I. 42, ss. 8(8), 29 (7)(8). 75, s. 11(6), sch. 1 para. 1(1)(2). 42, s. 39(2), sch. 3 Pt. II para. 16. 75, ss. 11(6), sch. 1 para. 1(2). 48, s. 10(2). 79, S.L.R.
C.A.M. No. 1	Queen Anne's Bounty (Powers) Measure 1937.	Sch. 1 Pt. I ext. ... .. Ss. 2(2) rep. in pt., 10-13 rep.	42, s. 11(6), sch. 1 para. 1(1)(2). 42, s. 39(2), sch. 3 Pt. II para. 16. 75, ss. 11(6), sch. 1 para. 1(2). 48, s. 10(2). 79, S.L.R.
1 & 2 Geo. 6: c. 7 ... ..	Public Works Loans (No. 2) Act 1937.	S 3(1) rep. in pt. ... ..	9, s. 9(2), sch. 3.
c. 18 ... ..	Land Tax Commissioners Act 1938.	Rep. ... ..	79, S.L.R.
c. 24 ... ..	Conveyancing Amend- ment (Scotland) Act 1938.	S. 5 rep. ... .. S. 10 rep. ... ..	41, s. 34(1)(2), schs. 2 para. 4, 3. 41, ss. 1(1), 34(2), sch. 3.
c. 46 ... ..	Finance Act 1938 ...	Ss. 3, 55(2) rep. ... ..	92, s. 10(4), sch. 4.
c. 49 ... ..	War Department Prop- erty Act 1938.	Rep. (saving) ... ..	S.I. No. 488, art. 2, sch. 1 Pt. II.
c. 50 ... ..	Divorce (Scotland) Act 1938.	S. 1 ext. ... .. S. 1(1)(a) ext. ... .. S. 2 subst. ... ..	91, s. 4. 91, s. 2(2). 91, s. 7.
c. 53 ... ..	Hire-Purchase Act 1938	Ext. (mod.) (S.) ... .. Ext. ... .. Excl. (bodies corporate) Am. ... .. S. 1 am. ... .. excl. (S.) ... .. excl. ... .. S. 1. Power to am. ... .. S. 2(1) rep. in pt. ... ..	53, s. 25(1)(2), sch. 2. 53, ss. 20(6), 21 (3), 33(1), (2), sch. 4 Pt. I para. 2(1). 53, s. 2. 53, ss. 4, 17(3). 53, ss. 1(2), 34(1), sch. 4. 53, s. 25(4)(d). 53, s. 34(3). 53, s. 1(3). 53, s. 34(2), sch. 5.

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1 & 2 Geo. 6: c. 53— <i>cont.</i>	Hire-Purchase Act 1938 — <i>cont.</i>	S. 2(2) ext. ... .. mod. ... .. appl. (mod.) ... .. S. 2(2)(a) am. ... .. S. 2(2)(aa) added ... ..  S. 2(2)(b)–(d) am. ... .. S. 2(2)(e) added ... .. S. 2(2) proviso am. ... ..  S. 3 am. ... ..  S. 3(1) rep. in pt. ... ..  S. 3(2) ext. ... .. mod. ... .. am. ... ..  appl. (mod.) ... .. S. 3(2)(a) am. ... .. S. 3(2)(aa) added ... ..  S. 3(2)(b)(c) am. ... .. S. 3(2)(d) added ... .. S. 3(2) proviso am. ... ..  S.4 excl. ... ..  S. 4(1) proviso added ... .. S. 5 saved ... .. S. 5(c) mod. ... ..  am. ... ..  S. 6(1) (2) am. ... ..  S. 6(2) appl. (mod.) ... .. S. 7(2) am. ... ..  S. 8(1)(d) am. ... .. rep. in pt. ... ..  S. 8(2) subst. ... .. S. 8(3) am. and 8(3A), (3B) added ... .. S. 9 ext. ... ..  S. 11(1) ext. ... ..  am. ... ..  S. 11(3) mod. ... ..  S. 12(1) am. ... .. ext. ... .. S. 12(4) ext. ... .. S. 12(4)(b) mod. ... .. S. 12(5) excl. ... .. S. 12(8) rep. in pt. ... ..	53, s. 3(5)(a). 53, s. 5. 53, s. 22(3). 53, s. 3(1)(a) 53, s. 34(1), sch. 4. 53, s. 3(1)(b). 53, s. 3(2). 53, ss. 3(2), 34(1), sch. 4. 53, s. 34(2), sch. 5. 53, s. 3(5)(b). 53, s. 5. 53, s. 34(1), sch. 4. 53, s. 22(3). 53, s. 3(1)(a). 53, s. 34(1), sch. 4. 53, s. 3(1)(b). 53, s. 3(3). 53, ss. 3(3), 34(1), sch. 4. 53, s. 21(3), sch. 1 Pt. I para. 5. 53, s. 1(5). 53, s. 23(5). 53, s. 21(3), sch. 1 Pt. I para. 3. 53, s. 34(1), sch. 4. 53, s. 34(1), sch. 4. 53, s. 22(3). 53, s. 34(1), sch. 4. 53, s. 12 (1). 53, ss. 12(1), 34 (2), sch. 5. 53, s. 12(2). 53, s. 12(3). 53, s. 21(4), sch. 1 para. 11. 53, ss. 14(1), 17 (2)(9). 53, s. 34(1), sch. 4. 53, s. 21(3), sch. 1 Pt. I para. 3. 53, s. 17(4). 53, s. 17(5)(9). 53, s. 18(1). 53, s. 17(7). 53, s. 17(6). 53, s. 34(2), sch. 5.



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1 & 2 Geo. 6: c. 53— <i>cont.</i>	<b>Hire-Purchase Act 1938</b> — <i>cont.</i>	<p>S. 13(4)(e) ext. ... ..</p> <p>S. 14(1) ext. ... ..</p> <p>    mod. ... ..</p> <p>S. 15 ext. ... ..</p> <p>    am. ... ..</p> <p>Ss. 18(1), 19(1) am. ... ..</p> <p>S. 19(1) rep. in pt. ... ..</p> <p>S. 21(1) appl. ... ..</p> <p>    saved (S.) ... ..</p> <p>S. 21(1) (definition of “buyer” and “seller”) excl. ... ..</p> <p>S. 21(1) (definition of “contract of guarantee”) am. ... ..</p> <p>S. 21(1) (definition of “credit-sale agreement”) am. ... ..</p> <p>S. 21(1) rep. in pt. ... ..</p> <p>S. 21(2) appl. ... ..</p> <p>S. 22(3) rep. in pt. ... ..</p> <p>Sch. rep. in pt. ... ..</p> <p>Sch. para. 2 am. ... ..</p>	<p>53, s. 18(1).</p> <p>53, s. 19(2).</p> <p>53, s. 21(3), sch. 1 Pt. I para. 3.</p> <p>53 s. 21(4), sch. 1 Pt. II para. 12.</p> <p>53, s. 34(1), sch. 4.</p> <p>53, s. 34(1), sch. 4.</p> <p>53, s. 34(2), sch. 5.</p> <p>53, s. 24(6).</p> <p>53, s. 24(6).</p> <p>53, s. 21(3), sch. 1 Pt. I para. 6.</p> <p>53, s. 34(1), sch. 4.</p> <p>53, ss. 21(1), 34(1), sch. 4.</p> <p>53, s. 34(2), sch. 5.</p> <p>53, s. 24(6).</p> <p>53, s. 34(2), sch. 5.</p> <p>53, s. 34(2), sch. 5.</p> <p>53, s. 34(1), sch. 4.</p>
c. 63 ... ..	<b>Administration of Justice (Miscellaneous Provisions) Act 1938.</b>	<p>S. 1(3) rep. in pt. ... ..</p> <p>S. 1(4) am. ... ..</p> <p>S. 1(5) am. ... ..</p> <p>S. 2 am. ... ..</p> <p>S. 2(2)(c), (e) rep. ... ..</p> <p>S. 2(5) am. ... ..</p> <p>S. 4(3) rep. in pt. ... ..</p> <p>S. 15 am. ... ..</p> <p>S. 1(8) am. ... ..</p> <p>S. 7(1)(i) added ... ..</p> <p>Rep. (saving) ... ..</p>	<p>42, s. 41(8), sch. 5.</p> <p>42, s. 39(2), sch. 3 Pt. II para. 17(1).</p> <p>42, s. 39(2), sch. 3 Pt. II para 17(2).</p> <p>42, s. 7(3).</p> <p>42, s. 41(8), sch. 5.</p> <p>42, s. 39(2), sch. 3 Pt. II para. 17(2).</p> <p>42, s. 41(8), sch. 5.</p> <p>iv, s. 19.</p> <p>66, s. 2.</p> <p>66, s. 1.</p> <p>C.A.M. No. 5, s. 16.</p>
c. 69 ... ..	<b>Young Persons (Employment) Act 1938.</b>	<p>S. 7(1)(i) added ... ..</p>	<p>66, s. 1.</p>
C.A.M. No. 6	<b>Faculty Jurisdiction Measure 1938.</b>	<p>Rep. (saving) ... ..</p>	<p>C.A.M. No. 5, s. 16.</p>
2 & 3 Geo. 6:			
c. 8 ... ..	<b>Defence Loans Act 1939</b>	<p>Rep. ... ..</p>	<p>79, S.L.R.</p>
c. 14 ... ..	<b>China (Currency Stabilisation) Act 1939.</b>	<p>Rep. ... ..</p>	<p>79, S.L.R.</p>
c. 31 ... ..	<b>Civil Defence Act 1939...</b>	<p>S. 83(2) rep. ... ..</p>	<p>79, S.L.R.</p>
c. 38 ... ..	<b>Ministry of Supply Act 1939.</b>	<p>Ss. 10, 14 restored ... ..</p> <p>S. 16(2) rep. ... ..</p>	<p>94, s. 1(3).</p> <p>79, S.L.R.</p>

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2 & 3 Geo. 6 —cont.			
c. 40 ... ..	London Government Act 1939.	S. 140(1)(2) excl. ... ext. ... ..	9, s. 6(1). 9, s. 6(4).
c. 44 ... ..	House to House Collections Act 1939.	Ext. ... .. S. 11(1) rep. (E.) so far as defining "police area", "police authority" and "chief officer of police".	48, s. 25(4). 48, s. 64(3), sch. 10 Pt. I.
c. 56 ... ..	Riding Establishments Act 1939.	Rep. ... ..	70, s. 8.
c. 70 ... ..	Ships and Aircraft (Transfer Restriction) Act 1939.	Contd. as amd. until end of 1969.	60, s. 16.
c. 83 ... ..	Pensions (Navy, Army, Air Force and Mercantile Marine) Act 1939.	S. 1 rep. ... ..	46, s. 4(4), sch. 2 para. 10. 86, s. 4(4), sch. 2 para. 10. 93, s. 4(4), sch. 2 para. 9. S.I. No. 488, art. 2, sch. 1 Pt. II.
c. 103 ... ..	Police and Firemen (War Service) Act 1939.	Ss. 10(3) rep. (E.) so far as defining "chief officer of a police force", 14 rep. in pt. (E.) (in pt., the definitions of "appropriate authority" and "constable").	48, s. 64(3), sch. 10 Pt. I.
c. 109 ... ..	Finance (No. 2) Act 1939	Sch. 4 rep. ... ..	49, s. 26(7), sch. 9.
c. 117 ... ..	National Loans Act 1939	Appl. ... .. Appl. (E.) (S.) ... .. Sch. 1 rep. in pt. ... ..	7, s. 2(2). 56, s. 9(4). 40, s. 43(3). 79, S.L.R. 79, S.L.R.
C.A.M. No. 1	Queen Anne's Bounty (Powers) Measure 1939.	Ss. 2, 6 rep. ... ..	79, S.L.R.
3 & 4 Geo. 6:			
c. 19 ... ..	Societies (Miscellaneous Provisions) Act 1940.	Ss. 6 rep. (saving), 10(1) rep. (saving) so far as defining "trade union" and, in pt., the definition of "Society".	24, s. 11(2)(3), sch. 3.
c. 35 ... ..	Indian and Colonial Divorce Jurisdiction Act 1940.	Restr. ... ..	46, s. 6(1)(4).
c. 42 ... ..	Law Reform (Miscellaneous Provisions (Scotland) Act 1940.	S. 5 rep. ... ..	41, ss. 1(1), 34(2), sch. 3.
4 & 5 Geo. 6:			
c. 41 ... ..	Landlord and Tenant (War Damage)(Amendment) Act 1941.	S. 4. Functions of War Damage Commission transferred to Commissioners of Inland Revenue.	25, s. 2(2).

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5 & 6 Geo. 6: c. 21 ... ..	Finance Act 1942 ...	S. 47(2) am. ... .. S. 47(4)(b) rep. ... .. Sch. 11 Pt. III saved so far as applying to stock entered in Dublin register.	49, s. 24, sch. 8 para. 1. 49, ss. 24, 26(7), schs. 8 para. 2, 9. 49, ss. 24, 26(7), sch. 8 para. 3.
C.A.M. No. 2	Loans (Postponement of Repayment) Measure 1942.	Rep. ... ..	79, S.L.R.
6 & 7 Geo. 6: c. 8 ... ..	Police (Appeals) Act 1943	Rep. (saving) ... ..	48, s. 64(3), sch. 10 Pt. II.
c. 9 ... ..	Universities and Colleges (Trusts) Act 1943.	S. 2(5) added ... ..	51, s. 4(1), sch. 3 Pt. I.
c. 21 ... ..	War Damage Act 1943 ...	Am. and expld. ... .. Pt. I am. ... .. S. 1(1)(a) am. ... .. S. 2(1) appl. (E.) ... .. S. 3 rep. ... .. S. 6(2) am. ... .. S. 13(1) am. ... .. S. 66(2)(b) am. ... .. S. 69(4) am. ... .. S. 69(4)(c) am. ... .. S. 71 am. and expld. (E.) (S.). Sch. 1 paras. 1-8 rep. ...	25, ss. 2(4)(5), 7, sch. 1. 25, s. 1(1)(2)(5). 25, s. 1(3). 26, s. 118(3). 25, s. 12, sch. 3 Pt. I. 25, s. 3(1). 25, s. 1(4). 51, s. 4(1), sch. 3 Pt. II. 25, s. 4(2)(b). 25, s. 3(2). 25, s. 5(1)(3). 25, s. 12, sch. 3 Pt. I.
c. 44 ... ..	Rent of Furnished Houses Control (Scotland) Act 1943.	Cont. as amd. until end of March 1966.	94, s. 1(2).
C.A.M. No. 1	New Parishes Measure 1943.	S. 12 rep. ... ..	C.A.M. No. 3, s. 14.
7 & 8 Geo. 6: c. 31 ... ..	Education Act 1944 ...	Excl. ... .. Ss. 1(1) am., 1(2) subst., 1(3)(4) rep., 3(1)-(3) am., 3(4) rep. (saving). S. 7 excl. ... .. S. 13 ext. ... .. S. 41 expld. (retrosp.) ... .. S. 81(c) am. ... .. S. 114(1) (definitions of "primary school" and "secondary school") ext.	82, s. 1(3). S.I. No. 490. 82, s. 1(3). 82, s. 1(1). 16, s. 16. 82, s. 2. 82, s. 1(2).
c. 47 ... ..	Town and Country Planning Act 1944.	S. 53 (as applied) rep. (25.3.1968).	25, ss. 9, 12, sch. 3 Pt. II.
8 & 9 Geo. 6: C.A.M. No. 1	Emergency Legislation Measure 1944.	Rep. ... ..	79, S.L.R.
c. 11 ... ..	Police (His Majesty's Inspectors of Constabulary) Act 1945.	Rep. (E.) ... ..	48, s. 64(3), sch. 10 Pt. I.

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8 & 9 Geo. 6 —cont.			
c. 18 ... ..	Local Authorities Loans Act 1945.	S. 4(1) rep. in pt. ...	9, ss. 3, 9(2), sch. 3.
c. 19 ... ..	Ministry of Fuel and Power Act 1945.	S. 6 rep. ... .. S. 1(1) am. ... ..	9, s. 9(2), sch. 3. 29, s. 1(6).
c. 33 ... ..	Town and Country Planning (Scotland) Act 1945.	S. 19 saved ... .. S. 51 (as applied) rep. (25.3.1968).	67, s. 1(4). 25, ss. 9, 12, sch. 3 Pt. II.
c. 41 ... ..	Family Allowances Act 1945.	S. 2(1)(b) am. ... .. S. 21(2) am. ... ..  Sch. am. ... ..	10, s. 1(1). 96, s. 4, sch. 6 para. 6. 96, s. 4, sch. 6 para. 17(a).
c. 43 ... ..	Requisitioned Land and War Works Act 1945.	Ss. 32(3) rep. in pt., 59(1) rep. in pt. (saving).	S.I. No. 488, art. 2, sch. 1 Pt. II.
9 & 10 Geo. 6:			
c. 6 ... ..	Chartered and Other Bodies (Resumption of Elections) Act 1945.	Rep. ... ..	79, S.L.R.
c. 10 ... ..	Supplies and Services (Transitional Powers) Act 1945.	Restored ... ..	94, s. 1(3).
c. 13 ... ..	Finance (No. 2) Act 1945	Sch. 5 rep. in pt. (saving)	37, s. 17(4)(5), sch. 5 Pt. II.
c. 17 ... ..	Police (Overseas Service) Act 1945.	Ss. 2(1A) added, (2), 3(1) am.	48, s. 63, sch. 9.
c. 18 ... ..	Statutory Orders (Special Procedure) Act 1945.	Mod. ... .. S. 10 (as substituting (S.) s. 2) appl.	40, s. 56. 40, s. 47(3).
c. 31 ... ..	Ministers of the Crown (Transfer of Functions) Act 1946.	Expld. ... .. S. 1 am. ... .. S. 8(2) am. (definition of "Minister of the Crown").	98, s. 4. 98, s. 4. S.I. No. 488, art. 2, sch. 1 Pt. I.
c. 34 ... ..	Furnished Houses (Rent Control) Act 1946.	Cont. as amd. until end of March 1966.	94, s. 1(2).
c. 36 ... ..	Statutory Instruments Act 1946.	Appl. Appl. (E.) ... ..  Appl. (S.) ... .. S. 11 rep. in pt. ... ..	60, s. 20(3). C.A.M. No. 5, s. 14(4). 41, s. 22(3). S.I. No. 488, art. 2, sch. 1 Pt. II.
c. 40 ... ..	Miscellaneous Financial Provisions Act 1946.	S. 2 expld. ... .. am. ... ..	25, s. 2(4). 25, s. 10(2)(3).
c. 42 ... ..	Water (Scotland) Act 1946	S. 1 ext. ... ..	90, s. 1(2).
c. 46 ... ..	Police Act 1946	Rep. (1.6.1965) ... ..	48, s. 64(3), sch. 10 Pt. I.
c. 49 ... ..	Acquisition of Land (Authorisation Procedure) Act 1946.	Appl. ... ..  Appl. (retrosp.) }  Ext. ... .. S. 4 rep. (25.3.1968) ... ..  Sch. 2 paras. 2, 3, 5 appl. Sch. 4 rep. so far as relating to the Public Libraries Act 1919 (c. 93). rep. so far as relating to the Police Act 1946 (c. 46).	26, s. 105(1). 48, s. 9(2). 56, s. 4(2). 75, s. 18. 48, s. 9(3). 25, s. 12, sch. 3 Pt. II. 56, s. 59(3). 75, s. 26(2), sch. 3. 48, s. 64(2), sch. 10 Pt. I.

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9 & 10 Geo. 6 — <i>cont.</i>			
c. 50 ... ..	Education Act 1946 ...	S. 10(1) am. ... .. S. 14(3) rep. ... ..	75, s. 26(3). 75, s. 26(2), sch. 3.
c. 59 ... ..	Coal Industry Nationalisation Act 1946.	Appl. (mod.) ... ..	29, s. 1(2).
c. 62 ... ..	National Insurance (Industrial Injuries) Act 1946.	Ext. ... .. S. 3(4) am. ... ..	29, s. 10. 96, s. 4, sch. 6 para. 5.
		S. 3(5) rep. in pt. ... .. S. 5(1) proviso rep. ... ..	96, s. 6(4), sch. 8. 96, ss. 4, 6(4), schs. 6 para. 3, 8.
		Ss. 8–10 appl. (mod.) ... .. S. 11(3) subst. ... ..	16, s. 10. 96, s. 2(2), sch. 5 para. 1.
		S. 12(6)(a) am. ... ..	96, s. 2(2), sch. 5 para. 2.
		S. 12(7) am. ... ..	96, s. 2(2), sch. 5 para. 3.
		S. 12(7) proviso (b) rep.	96, ss. 2(2), 6(4), schs. 5 para 3, 8.
		S. 13(1) subst. ... ..	96, s. 2(2), sch. 5 para. 4.
		S. 14(1) am. ... ..	96, s. 2(2), sch. 5 para. 5.
		S. 14(3) rep. in pt. ... ..	96, ss. 2(2), 6(4), schs. 5 para 5, 8.
		S. 15(1)(2) subst. by s. 15(1).	96, s. 2(2), sch. 5 para. 6.
		S. 17(1) am. ... ..	96, s. 2(2), sch. 5 para. 7.
		S. 18(1) am. ... ..	96, s. 2(2), sch. 5 para. 8.
		S. 19(3) am. ... ..	96, s. 2(2), sch. 5 para. 9.
		S. 19(3)(d) am. ... .. S. 19(4) am. ... ..	10, s. 1(2). 96, s. 2(2), sch. 5 para. 10.
		S. 20(2) subst. ... ..	96, s. 2(2), sch. 5 para. 11.
		S. 21(1), (1A), (1B) (subst. for s. 21(1) by 1964. c. 10. s. 2(3), sch. 1 para. 1) subst. by s. 21(1)(1A).	96, s. 2(2), sch. 5 para. 12.
		S. 29(1)(a), (2) am. ... ..	96, s. 2(2), sch. 5 para. 13.
		S. 30(2) rep. ... ..	96, ss. 4, 6(4), schs. 6 para. 7, 8.
		S. 32(2) am. ... ..	96, s. 4, sch. 6 para. 15.
		S. 34(2) rep. in pt. ... ..	96, ss. 4, 6(4), schs. 6 para. 24, 8.
		Pt. III (ss. 36–54) am. ... ..	96, s. 4, sch. 6 para. 19.
		S. 57(1)(e), (f)(ii) am. ... ..	96, s. 4, sch. 6 para. 15.

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9 & 10 Geo. 6: c. 62— <i>cont.</i>	National Insurance (Industrial Injuries) Act 1946— <i>cont.</i>	S. 60 saved ... } S. 61(2) excl. ... } S. 69(1) am. and mod. ... S. 78 am. ... } rep. in pt. (E.) ... } Sch. 1 Pt. II para. 4 rep. Sch. 2 Pt. I am. ... Sch. 2 Pt. IV rep. ... Sch. 3 rep. ...	10, s. 5. 96, s. 5. 96, ss. 4, 6(3), schs. 6 para. 20, 7 para. 10. 96, s. 4, sch. 6 para. 5. 48, s. 63, sch. 9. 48, s. 64(3), sch. 10 Pt. 1. 96, ss. 4, 6(4), schs. 6 para. 27, 8. 96, s. 2(1). 96, ss. 4, 6(4), schs. 6 para. 2, 8. 96, s. 6(4), sch. 8.
c. 67 ...	National Insurance Act 1946.	Ext. ... S. 2(6) am. ... S. 5(1)(a)(iii) am. ... S. 6(5) am. and ext. ... S. 10(1)(c) rep. in pt. ... S. 10(2)(a) rep. in pt. ... S. 14A rep. ... S. 17(1)(b)(i) rep. in pt. ... S. 17(1)(b) (ii) am. ... rep. in pt. ... S. 17(1)(c), (2)(c) am. ... S. 17(3) (as subst. by 1964. c. 10 s. 4(1)) rep. ... S. 18(1)(a), (4)(a) am. ... S. 20(5) subst. ... S. 21(5) am. ... S. 21(6) am. ( <i>retrosp.</i> ) ... S. 22(3) am. ... S. 23 (as amd. by 1964. c. 10. ss. 2(4), 6(4), schs. 2 para. 1(2)(3), 4) am. ... S. 24(1) am. ... S. 26(2)(c) am. ... S. 38 saved ... } S. 43 am. ... } S. 43(2) expld. ... } S. 59(2)(a)(i) rep., 59(2)(a) (ii) rep. in pt.	29, s. 10. 96, s. 4, sch. 6 para. 5. 96, s. 1(6). 96, s. 4, sch. 6 para. 2. 96, s. 6(4), sch. 8. 96, ss. 1(7), 6(4), schs. 5 para. 14, 8. 96, s. 6(4), sch. 8. 10, s. 6(4), sch. 4. 10, s. 1(2). 10, s. 6(4), sch. 4. 96, s. 1(5). 96, ss. 1(5), 6(4), sch. 8. 96, s. 1(5). 10, s. 4(2). 96, s. 4, sch. 6 para. 11. 96, s. 4, sch. 6 para. 12. 10, s. 1(3). 96, s. 1(7), sch. 5 para. 15. 96, s. 1(7), sch. 5 para. 16. 96, s. 1(7), sch. 5 para. 17. 10, s. 5. 96, s. 5. 96, s. 4, sch. 6 para. 19. 96, s. 4, sch. 6 para. 18. 96, ss. 4, 6(4), schs. 6 para. 25, 8.

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9 & 10 Geo. 6: c. 67— <i>cont.</i>	National Insurance Act 1946— <i>cont.</i>	S. 61(c) ext. ... .. S. 74 saved ... .. S. 76(1) am. ... .. S. 77 excl. ... .. S. 77(5) expld. ... .. S. 78(5) expld. ... .. Sch. 1 Pts. I-IV subst. ... Sch. 2 Pt. I subst. ... Sch. 2 Pt. IA (added by 1964. c. 10. s. 2(1)) rep. Sch. 2 Pt. II am. ...	96, s. 4, sch. 6 para. 4. 96, s. 1(8). 96, s. 4, sch. 6 para. 21. 96, s. 6(3), sch. 7 para. 10. 96, s. 4, sch. 6 para. 22. 96, s. 4, sch. 6 para. 26. 96, s.1(1), sch. 1. 96, s. 1(3), sch. 2. 96, s. 6(4), sch. 8. 96, s. 1(4).
c. 68 ... ..	New Towns Act 1946	S. 1 ext. ... .. S. 5 saved (E.) ... .. S. 12(1) am. ... .. S. 12(1) proviso rep. ...	68, s. 1. 26, s. 105(2). 8, s. 1(1). 8, ss. 1(2), 2(2), sch.
c. 75 ... ..	Public Works Loans (No. 2) Act 1946.	S. 2 appl. and am. ... S. 2(1) rep. in pt., 2(2)-(4) rep.	9, s. 1(3). 9, s. 9(2), sch. 3.
c. 80 ... ..	Atomic Energy Act 1946	Functions of Secy. of State transfd. to Min. of Technology.	S.I. No. 2048.
c. 81 ... ..	National Health Service Act 1946.	S. 11(1) am. ... .. S. 75(4) ext. ... ..	32, s. 1(1). 32, s. 1(4).
10 & 11 Geo. 6: c. 2 ... ..	Ministry of Defence Act 1946.	Rep. (saving) ... ..	S.I. No. 488, art. 2, sch. 1 Pt. II.
c. 9 ... ..	Malta (Reconstruction) Act 1947.	Certain functions transfd. to Min. of Overseas Development.	S.I. No. 2050.
c. 14 ... ..	Exchange Control Act 1947.	Sch. 1 am. ... ..	S.I. Nos. 1138, 1718.
c. 24 ... ..	Naval Forces (Enforcement of Maintenance Liabilities) Act 1947.	S. 2(1) am. ... ..	S.I. No. 488 art. 2, sch. 1 Pt. I.
c. 35 ... ..	Finance Act 1947 ...	Ss. 3, 74(2), sch. 1 rep.	49, s. 26(7), sch. 9
c. 40 ... ..	Industrial Organisation and Development Act 1947.	S. 9(5) restr. (E.) (S.) ...	16, s. 13(4).
c. 41 ... ..	Fire Services Act 1947 ...	S. 38(1) rep. (E.) so far as defining "chief officer of police", "police area", "police authority" and "police force".	48, s. 64(3), sch. 10 Pt. I.
c. 42 ... ..	Acquisition of Land (Authorisation Procedure) (Scotland) Act 1947.	Appl. (mod.) ( <i>retrosp.</i> ) ... S. 4 rep. (25.3.1968) ...	56, s. 99(3). 25, ss. 9, 12, sch. 3 Pt. II.
c. 43 ... ..	Local Government (Scotland) Act 1947.	Sch. 2 paras. 2, 3 appl. ... S. 191(3) appl. in pt. (mod.). S. 226 prov. expld. ... Pt. XII (ss. 258-296) expld. S. 260 expld. ... ..	56, s. 59 (3) (5). 67, s. 5(4). 67, s. 6(3). 67, s. 11(4). 67, s. 11(4).

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10 & 11 Geo. 6: c. 43— <i>cont.</i>	Local Government (Scotland) Act 1947— <i>cont.</i>	S. 260(1)(e) am. ... S. 260(1) prov. (i) rep....	67, s. 11(3). 9, ss. 3, 9(2), sch. 3.
c. 44 ...	Crown Proceedings Act 1947.	S. 277(1) excl. ... ext. ...	9, s. 6(1). 9, s. 6(4).
c. 51 ...	Town and Country Planning Act 1947.	Ss. 301(3)–(5), (7), (11)– (13), 303 (exc. para. (d)) appl. (mod.).	40, s. 22(3)(5).
c. 53 ...	Town and Country Planning (Scotland) Act 1947.	S. 355(3)–(9) appl. (mod.) Excl. (E.) (S.) ... Pt. I am. (E.) (S.) ...	40, s. 47(2). 14, s. 14(2). 14, s. 14(3).
C.A.M. No. 2	Church Commissioners Measure 1947.	Ss. 10(3), 11(2) rep. in pt. (saving).	S.I. No. 488, art. 2, sch. 1 Pt. II.
c. 44 ...	Crown Proceedings Act 1947.	Pt. I am. (E.) (S.) ...	14, s. 14(3).
c. 51 ...	Town and Country Planning Act 1947.	Saved ...	S.I. No. 488, art. 2, sch. 1 Pt. II. C.A.M. No. 5, s. 2(5).
c. 53 ...	Town and Country Planning (Scotland) Act 1947.	S. 36(3) rep. (25.3.1968)	25, ss. 9, 12, sch. 3 Pt. II.
C.A.M. No. 2	Church Commissioners Measure 1947.	S. 3 am. ...	C.A.M. No. 8, s. 2(1)(a).
		S. 4(2)(c) rep. ...	C.A.M. No. 8, s. 2(3).
		S. 5(4) am. ...	C.A.M. No. 8, s. 2(1)(b).
		S. 6(1)–(5) subst. ...	C.A.M. No. 8, s. 1.
		S. 7(2) am. ...	C.A.M. No. 8, s. 2(1)(c).
		S. 8(2) rep. ...	C.A.M. No. 8, s. 2(3).
		S. 17(1) am. ...	C.A.M. No. 8, s. 2(1)(d).
		Sch. III rep. ...	C.A.M. No. 8, s. 2(3).
		Sch. IV para. 3 subst. ...	C.A.M. No. 8, s. 2(1)(e).
		Sch. IV paras. 5 rep. in pt. and 7 am.	C.A.M. No. 8, s. 2(1)(f).
11 & 12 Geo. 6: c. 5 ...	Ministers of the Crown (Treasury Secretaries) Act 1947.	Rep. ...	98, s. 5(4), sch. 3.
c. 10 ...	Emergency Laws (Miscellaneous Provisions) Act 1947.	Sch. 2 para. 1 ext., para 1(1) am., para. 1(2) rep. in pt. and am.	S.I. No. 488, art. 2, sch. 1 Pt. I.
c. 13 ...	Public Works Loans Act 1947.	Rep. ...	9, s. 9(2), sch. 3.
c. 18 ...	Consolidated Fund (No. 1) Act 1948.	Rep. ...	79, S.L.R.
c. 24 ...	Police Pensions Act 1948	Power to mod. ... Ss. 1(4) am., 8(1) am., so far as defining "police authority" and "police force".	48, s. 44(4). 48, s. 63, sch. 9.
c. 26 ...	Local Government Act 1948.	S. 42(3) expld. ... S. 121(9) rep. ...	18, s. 4(2). 42, s. 41(8), sch. 5.



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11 & 12 Geo. 6 —cont.			
c. 29 ... ..	National Assistance Act 1948.	Sch. 1 para. 6 rep. in pt. Sch. 2 para. 5(2)(e), (f) added. am. ... ..	79, S.L.R. 10, s. 3(1), (3). 96, s. 1(7), sch. 5 para. 18. 71, s. 1(2).
c. 38 ... ..	Companies Act 1948 ...	Ss. 129, 143(1), 161(1)(2), 190(1) expld.	96, s. 6(4), sch. 8.
c. 42 ... ..	National Insurance (Industrial Injuries) Act 1948.	S. 1(2)(a)(i), (3) rep. ...	96, s. 6(4), sch. 8.
c. 44 ... ..	Merchant Shipping Act 1948.	S. 6(2) proviso am.	46, s. 4(4), sch. 2 para. 8. 86, s. 4(4), sch. 2 para. 8. 93, s. 4(4), sch. 2 para. 8.
c. 46 ... ..	Employment and Training Act 1948.	S. 2(2) expld. ... .. S. 3(6) proviso am. ... .. S. 10 expld. ... ..	16, s. 2(1) (f). 16, s. 17. 16, s. 2(1)(f).
c. 48 ... ..	Public Works Loans Act 1948.	Rep. ... ..	9, s. 9(2), sch. 3.
c. 50 ... ..	Appropriation Act 1948	Rep. ... ..	79, S.L.R.
c. 51 ... ..	White Fish and Herring Industries Act 1948.	S. 2(5) am. ... ..	72, s. 3(3), sch. 1.
c. 56 ... ..	British Nationality Act 1948.	S. 1(3) am. ... ..  S. 4 proviso para. (a) saved ... .. am. ... .. S. 5(1) proviso expld. ... .. S. 5(1) proviso para. (b) am.  S. 6(2) excl. ... ..  Ss. 8, 9 appl. ... .. ext. ... .. S. 19 ext. ... .. S. 20(3)(c) am. ... .. Ss. 20(4), 21 rep. ... ..  Pt. III (ss. 23-34) am.	46, s. 2(1). 65, s. 3(1). 86, s. 2(1). 93, s. 2(1). 81, s. 3(2). 81, s. 5(2). 54, s. 1(4). 54, s. 3(1). 46, s. 2(4). 65, s. 3(4). 86, s. 2(3). 93, s. 2(4). 22, s. 1(6). 54, s. 1(4). 22, s. 2(1)(2). 54, s. 4(1). 54, s. 4(2). 22, s. 3(2). 46, s. 3(6). 54, s. 6(2). 65, s. 4(6). 86, s. 3(6). 93, s. 3(6). 54, s. 5.
c. 58 ... ..	Criminal Justice Act 1948	S. 32(1) ext. ... .. S. 37(5)(a)-(c) subst. ... ..  S. 45(2) rep. in pt. ... .. S. 77(3)(a) ext. ... .. am. ... ..  S. 80(1) rep. so far as defining "metropolitan police court area".	42, s. 39(2), sch. 3 Pt. II para. 19(1). 42, s. 41(8) sch. 5. 42, s. 37(4). 42, s. 39(2), sch. 3 Pt. II para. 19(2). 42, s. 41(8), sch. 5.

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11 & 12 Geo. 6: c. 58— <i>cont.</i>	Criminal Justice Act 1948 — <i>cont.</i>	Sch. 5 excl. in pt. ... restr. ... Sch. 5 para. 1 ext. ... Sch. 5 para. 2(3) rep. in pt.  Sch. 5 para. 3(4) subst. ...  Sch. 5 para. 7(1) rep. ...	42, s. 22(3). 42, s. 22(5). 42, s. 22(2). 42, ss. 39(2), 41 (8), schs. 3 Pt. II para. 19(3), 5. 42, s. 39(2), sch. 3 Pt. II para. 19(4). 42, ss. 22(1), 41 (8), sch. 5.
c. 63 ... ..	Agricultural Holdings Act 1948.	S. 9 ext. ... .. S. 49 excl. ... .. S. 78 saved ... .. S. 81(2) am. ... ..	56, s. 37(1). 56, s. 37(2). 56, s. 37(2). 51, s. 4(1), sch. 3 Pt. I.
c. 65 ... ..	Representation of the People Act 1948.	Sch. 3 para. 8 am. ... Sch. 1 am. ... ..	56, s. 37(2). S.I. Nos. 273, 275, 276.
c. 67 ... ..	Gas Act 1948 ... ..	Sch. 6 para. 2 am. ( <i>temp.</i> ) S. 45(2) rep. in pt. ... S. 52 excl. ... ..	S.I. No. 679. 79, S.L.R. 29, s. 9(1).
12, 13 & 14 Geo. 6:			
c. 5 ... ..	Civil Defence Act 1948 ...	Ss. 3(3) rep. in pt., 9(1) rep. (E.) so far as defin- ing "police force".	48, s. 64(3), sch. 10 Pt. I.
c. 8 ... ..	Recall of Army and Air Force Pensioners Act 1948.	Ss. 3(1) (4) am., 5(1) rep. so far as defining "appropriate Service Authority".	S.I. No. 488, art. 2, sch. 1 Pt. I.
c. 9 ... ..	Prize Act 1948 ... ..	Ss. 1-5 rep. ... ..	S.I. No. 488, art. 2, sch. 1 Pt. II.
c. 10 ... ..	Administration of Justice (Scotland) Act 1948.	S. 1(1) am. ... ..	58, s. 9(2).
c. 14 ... ..	Export Guarantees Act 1949.	Ss. 1, 2 ext. (Isle of Man and Channel Islands). S. 1(4) am. ... .. S. 2(2) am. ... ..	6, s. 2. 6, s. 1(1). 6, s. 1(2).
c. 24 ... ..	Consolidated Fund (No. 1) Act 1949.	Rep. ... ..	79, S.L.R.
c. 25 ... ..	Tenancy of Shops (Scot- land) Act 1949.	S. 1(6) rep. ... .. S. 3(3) rep. ... ..	50, s. 1(2). 50, s. 1(1).
c. 27 ... ..	Juries Act 1949 ... ..	Pt. I expld. (London) ... S. 6(3) rep. ... .. S. 4 paras. (c) subst., (d) am.	42, s. 21(1)(2). S.I. No. 367. 42, s. 21(7).
c. 32 ... ..	Special Roads Act 1949	Sch. 2 am. ... ..	S.I. No. 1084.
c. 36 ... ..	War Damage (Public Utility Undertakings, &c.) Act 1949.	Am. and expld. (transfer of functions of Board of Trade to Commis- sioners of Inland Revenue. Am. (cessation of pay- ments after 1.10.1974). S. 18, sch. 3 paras. 2(1), 3 am.	25, s. 2(4) (5), sch. 1. 25, s. 7.
c. 41 ... ..	Ireland Act 1949 ... ..	S. 2(2) rep. ... ..	81, s. 8(4), sch. 2.

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12, 13 & 14 Geo. 6— <i>cont.</i> c. 43 ... ..	<b>Merchant Shipping (Safety Convention) Act 1949.</b>	<p>Am. (<i>prosp.</i>) ... .. 47, s. 1.  S. 1 ext. (<i>prosp.</i>) ... 47, s. 8.  S. 3(4) subst. (<i>prosp.</i>) ... 47, s. 11.  S. 3(7)(8) ext. (<i>prosp.</i>) ... 47, s. 10(2).  S. 11(2) ext. (<i>prosp.</i>) ... 47, s. 4(1).  S. 11(4) mod. and ext. (<i>prosp.</i>) ... 47, s. 4 (2).  S. 12(1)(b)(ii) excl. (<i>prosp.</i>) ... 47, s. 18(2).  S. 13(3) excl. (<i>prosp.</i>) ... 47, s. 12.  S. 13(5) saved (<i>prosp.</i>) ... 47, s. 3(5).  S. 13(9) ext. (<i>prosp.</i>) ... 47, s. 13.  S. 14(1) rep. in pt. (<i>prosp.</i>) ... 47, s. 18(4)(a).  S. 17(1) excl. (<i>prosp.</i>) ... 47, s. 18(1)(2).  S. 18 ext. (<i>prosp.</i>) ... 47, s. 14.  S. 18(2) rep. in pt. (<i>prosp.</i>) ... 47, s. 18(4)(b).  S. 26(2) expld. (<i>prosp.</i>) ... 47, s. 17(2).  S. 29(1) mod. (<i>prosp.</i>) ... 47, s. 15.  S. 33 ext. (<i>prosp.</i>) ... 47, s. 2(4).  S. 33 ext. (<i>prosp.</i>) restr. ... 47, s. 2(5)(a).  S. 33(1) (2), (4) ext. (<i>prosp.</i>) ... 47, s. 3(6).  S. 34(1) rep. in pt. (<i>prosp.</i>) ... 47, s. 18(4)(c).  S. 36(1) excl. (<i>prosp.</i>) so far as defining "declaration of survey" ... 47, s. 2(5)(c).  rep. (<i>prosp.</i>) so far as defining "the Merchant shipping Acts" ... 47, s. 18(4)(d).  Sch. 1 paras. 2-4 rep. (<i>prosp.</i>) ... 47, s. 18(4)(e).</p>	
c. 44 ... ..	<b>Superannuation Act 1949</b>	Ss. 37, 50(2) rep., sch. 2 paras. 7 rep. in pt., 8 rep.	79, S.L.R.
c. 47 ... ..	<b>Finance Act 1949</b> ...	S. 51 mod. (N.I.) ...	37, s. 15(2)(b).
c. 48 ... ..	<b>Appropriation Act 1949</b>	Rep. ... ..	79, S.L.R.
c. 50 ... ..	<b>Colonial Loans Act 1949</b>	S. 1(2), (3) in pt. Certain functions transfd. to Min. of Overseas Development.	S.I. No. 2050.
c. 51 ... ..	<b>Legal Aid and Advice Act 1949.</b>	S. 1 ext. ( <i>prosp.</i> ) ... S. 23 mod. (London) ... Sch. 2 para. 3(2)(e)(f) added.	30, s. 2(1)(2). S.I. No. 1973. 10, s. 3(2)(a), (3).
c. 54 ... ..	<b>Wireless Telegraphy Act 1949.</b>	S. 1 appl. ... ..	21, s. 2(6).
c. 63 ... ..	<b>Legal Aid and Solicitors (Scotland) Act 1949.</b>	Ss. 1, 2, 6(3)-(7), 14-17, schs. 1, 3, 8 Pt. I. Apptd. day for certain purposes (19.10.64). Sch. 2 para. 5(2)(e)(f) added.	S.I. No. 1636. 10, s. 3(2)(b), (3).
c. 67 ... ..	<b>Civil Aviation Act 1949</b>	Sch. 6 para. 8(4) rep. (E.)	48, s. 64(3), sch. 10 Pt. I.
c. 68 ... ..	<b>Representation of the People Act 1949.</b>	Ss. 47, 48 (exc. subss. (1) and (4)), 52(1) (exc. para. (a) and 52(5) appl., 53 appl. (mod.). S. 87(3)(a) rep. (E.) ... Ss. 99 appl. (mod.), 100, 101 appl., 146 appl. in pt.	26, s. 67(5). 48, s. 64(3), sch. 10 Pt. I. 26, s. 67 (5).

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12, 13 & 14 Geo. 6: c. 68— <i>cont.</i>	Representation of the People Act 1949— <i>cont.</i>	S. 147 appl. in pt. ... S. 148 appl. in pt. ... S. 151 appl. in pt. ... Sch. 2 (local election rules) appl. (mod.)	26, s. 67(5)(6). 26, s. 67(5). 26, s. 67(5)(6). 26, s. 67(2), sch. 8.
c. 69 ...	New Forest Act 1949 ...	S. 1 para. (c) ext. ... S. 4(2)–(4) ext. ... S. 15 ext. ... S. 17 saved ... S. 17(8) appl. ... S. 18(1)(e) added ... S. 11(2)(a) am. ...	83, s. 9. 83, s. 2(3). 83, s. 8. 83, s. 4(1). 83, s. 4(6). 83, s. 6. 51, s. 4(1), sch. 3 Pt. II.
c. 74 ...	Coast Protection Act 1949.	Pt. II (exc. s. 34(1)(b)) ext. S. 34 saved (S.) ... S. 46 ext. ... S. 8 ext. ... S. 20 saved ... S. 20(1) subst. ...	29, s. 4(1). 67, s. 2(2). 29, s. 4(1). 56, s. 38(1). 41, s. 29(2). 41, s. 34(1), sch. 2 para. 19.
c. 75 ...	Agricultural Holdings (Scotland) Act 1949.	S. 20(2)–(7) saved S. 20(6) am. ... S. 20(7) subst. ... S. 21 subst. ... S. 27(2) mod. ... Ss. 51, 52 excl. ... S. 79 saved ... Sch. 1 para. 18 am. Rep. ...	41, s. 16(8). 41, s. 34(1), sch. 2 para. 20. 41, s. 34(1), sch. 2 para. 21. 41, s. 34(1), sch. 2 para. 22. 41, s. 16(6). 56, s. 38(2). 56, s. 38(2). 56, s. 38(2). 9, s. 9(2), sch. 3.
c. 82 ...	Public Works Loans Act 1949.	S. 8(3) am. ...	2, s. 1.
c. 91 ...	Air Corporations Act 1949.	S. 7(2) rep. in pt., 7(3) rep.	S.I. No. 488, art. 2, sch. 1 Pt. II.
c. 96 ...	Auxiliary and Reserve Forces Act 1949.	S. 3(1) rep. in pt. ...	42, s. 41(8), sch. 5.
c. 101 ...	Justices of the Peace Act 1949.	S. 8 am. ... S. 10(2) rep. in pt. ... S. 11(2) rep. in pt. ... S. 11(9)–(11) rep. ... S. 13(2) restr. ... mod. ... S. 15 ext. ... S. 15(2) am. ... Pt. III (ss. 16–24) expld. S. 16 ext. ... S. 16(5) am. ...	42, ss. 31(1)(2), 39(2), sch. 3 Pt. II para. 20(1). 42, s. 41(8), sch. 5. iv, s. 22, sch. 42, s. 41(8), sch. 5. 42, s. 10(5). 42, s. 33. 26, s. 92(3)(4), sch. 6 para. 18. 42, s. 39(2), sch. 3 Pt. II para. 20(2). 42, s. 15. 42, s. 13(1). 42, s. 39(2), sch. 3 Pt. II para. 20(3).

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12, 13 & 14 Geo. 6: c. 101— <i>cont.</i>	Justices of the Peace Act 1949— <i>cont.</i>	<p>S. 18 am. ... .. 42, s. 39(2), sch. 3 Pt. II para. 20 (4).</p> <p>S. 19 excl. ... .. 42, s. 15(8).</p> <p>S. 21(7) rep. in pt. ... .. 42, s. 41(8), sch. 5.</p> <p>S. 23 excl. ... .. 42, s. 15(8).</p> <p>S. 24 rep. ... .. 42, ss. 39(2), 41 (8), schs. 3 Pt. II para. 20(5), 5.</p> <p>S. 25 excl. ... .. 42, s. 17(5).</p> <p>mod. ... .. 42, s. 39(2), sch. 3 Pt. II para. 20 (6).</p> <p>S. 25(2) ext. ... .. 42, s. 37(4).</p> <p>rep. in pt. ... .. 42, s. 41(8), sch. 5.</p> <p>S. 26 excl. (London) ... .. 42, s. 17(5).</p> <p>S. 26(3) rep. in pt. ... .. 42, s. 41(8), sch. 5.</p> <p>S. 27 am. ... .. 42, s. 39(2), sch. 3 Pt. II para. 20 (7).</p> <p>S. 27(2) ext. ... .. 42, s. 37(4).</p> <p>am. ... .. 42, s. 39(2), sch. 3 Pt. II para. 20 (7).</p> <p>S. 27(10)(c) rep. in pt. ... .. 42, s. 41(8), sch. 5.</p> <p>S. 29(11) am. ... .. 42, s. 39(2), sch. 3 Pt. II para. 20 (8).</p> <p>S. 31(2) rep. ... .. 42, s. 41(8), sch. 5.</p> <p>S. 33(6) ext. ... .. 42, s. 23(2), sch. 2 para. 5.</p> <p>S. 36 am. ... .. 42, s. 31(1)(2).</p> <p>S. 36(5) rep. ... .. 42, s. 41(8), sch. 5.</p> <p>S. 39(1) rep. in pt., 39(4) rep. ... .. 42, s. 41(8), sch. 5.</p> <p>S. 42 ext. ... .. 42, s. 32.</p> <p>mod. (London) ... .. S.I. No. 1973.</p> <p>S. 44(1) expld. so far as defining "justices' clerk".</p> <p>rep. in pt. ... .. 42, s. 41(8), sch. 5.</p> <p>Sch. 2 para. 20 rep. ... .. S.I. No. 367.</p> <p>Sch. 4 paras. 7-11 ext. ... .. 42, s. 13(7).</p>	
14 Geo. 6: c. 1 ... ..	Consolidated Fund Act 1950.	Rep. ... ..	79, S.L.R.
c. 14 ... ..	International Organisa- tions (Immunities and Privileges) Act 1950.	S. 4(1) rep. in pt. ... ..	81, s. 8(4), sch. 2.

Session and Chap. or No. of Measure	Short title or Subject	How affected	Chapter of 1964 Act or number of Measure or Statutory Instrument
14 Geo. 6— <i>cont.</i> c. 15 ... ..	Finance Act 1950 ...	S. 2 rep. and superseded Ss. 3, 50(2) rep. ...	49, ss. 5(1), 26(7), sch. 9. 92, s. 10(4), sch. 4.
c. 16 ... ..	Appropriation Act 1950	Rep. ... ..	79, S.L.R.
c. 17 ... ..	Agriculture (Miscellaneous Provisions) Act 1950.	Ss. 2, 3 rep. ... ..	79, S.L.R.
c. 20 ... ..	Colonial and Other Territories (Divorce Jurisdiction) Act 1950.	Restr. ... ..	46, s. 6(1)(4). 65, s. 7(1).
c. 21 ... ..	Miscellaneous Financial Provisions Act 1950.	S. 2(1) proviso am. ... S. 2(5) expld. ( <i>retrosp.</i> )... S. 3 rep. ... ..	9, s. 7(1). 9, s. 7(2). 48, s. 64(3), sch. 10 Pt. I.
c. 27 ... ..	Arbitration Act 1950 ...	Excl. (E.) (S.) ... .. S. 9 excl.... ..	24, s. 4(9). 14, s. 10(4).
c. 32 ... ..	Army Reserve Act 1950	S. 32 appl. ... .. S. 5 appl. ... .. S. 6(1)(a) appl. ... ..	14, s. 10(6). 11, s. 2(2). 11, s. 2(2).
c. 33 ... ..	Air Force Reserve Act 1950.	S. 6(1)(b) am. ... .. S. 6(1)(b) am. ... .. S. 13(2) rep. in pt. ...	11, s. 3(1). 11, s. 3(2). S.I. No. 488, art. 2, sch. 1 Pt. II.
c. 34 ... ..	Housing (Scotland) Act 1950.	Ext. ... .. Pt. II (ss. 3–24) expld. ... S. 8(3)–(5) appl. (mod.)  S. 16 appl. ... ..  Ss. 20(2)–(4), 21 appl. (mod.) S. 23 appl. ... .. Pt. V (ss. 60–83) ext. ... restr. ... .. Ss. 63–65 appl. (mod.)... S. 64 ext. ... .. S. 75(3)(c) appl. ... .. S. 105 am. ... .. S. 105 ext. ... .. S. 112(1)(b) am. ... .. S. 112(2) ext. ... .. S. 114(1) am. ... .. S. 114(1)(b)(iii) rep. ...  S. 114(2) ext. ... .. S. 122 appl. ... .. Pt. VIII (ss. 127–142) restr. S. 131(1)(f) added ... .. S. 135 rep. ... .. S. 138 am. ... .. S. 138(1) am. ... .. S. 159 appl. ... .. S. 161 ext. ... .. S. 161(1)(b) am. ... .. S. 166 (except subs. (3)) ext. S. 172 ext. ... ..	56, s. 101(1). 56, s. 103(2). 56, ss. 31(1), 80(8)(c). 56, ss. 31(2), 80(8)(d). 56, ss. 33(1)(2), 80(8)(e). 56, s. 44(3). 56, s. 4(1), (3). 56, s. 74(5)(6). 56, s. 23(2). 56, s. 99(1). 56, s. 58(8). 56, s. 62. 56, s. 63(2). 56, s. 61. 56, s. 55(2). 56, s. 55(1). 56, s. 108(2), sch. 5. 56, s. 55(3). 56, s. 55(2). 56, s. 74(5)(6).
c. 36 ... ..	Diseases of Animals Act 1950.	S. 84(4) rep. so far as defining "police area" and "police force".	56, s. 103(1). 48, s. 64(3), sch. 10 Pt. I.

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14 Geo. 6—cont. c. 37 ... ..	Maintenance Orders Act 1950.	S. 16(2)(b) am. ... ..	41, s. 26(6).
14 & 15 Geo. 6: c. 5 ... ..	Public Works Loans Act 1950.	Rep. ... ..	9, s. 9(2), sch. 3.
c. 8 ... ..	European Payments Union (Financial Provisions) Act 1950.	S. 3(5) rep. in pt. ... ..	79, S.L.R.
c. 10 ... ..	Reinstatement in Civil Employment Act 1950.	Appl. ... ..	11, s. 2(6).
c. 11 ... ..	Administration of Justice (Pensions) Act 1950.	S. 22, sch. 4 ext. ... ..	42, s. 23(1).
c. 12 ... ..	Consolidated Fund Act 1951.	Rep. ... ..	79, S.L.R.
c. 14 ... ..	Festival of Britain (Sunday Opening) Act 1951.	Rep. ... ..	79, S.L.R.
c. 16 ... ..	Consolidated Fund (No. 2) Act 1951.	Rep. ... ..	79, S.L.R.
c. 22 ... ..	Workmen's Compensation (Supplementation) Act 1951.	S. 1(4) excl. ... ..	96, s. 6(3), sch. 7 para. 8(4).
c. 26 ... ..	Salmon and Freshwater Fisheries (Protection) (Scotland) Act 1951.	S. 4(a) am. ... ..	72, s. 3(3), sch. 1.
c. 30 ... ..	Sea Fish Industry Act 1951.	S. 21(8) ext. ... ..	40, s. 39(4).
c. 34 ... ..	National Insurance Act 1951.	S. 2(3) rep. ... ..	10, s. 6(4), sch. 4.
c. 39 ... ..	Common Informers Act 1951.	S. 3(2) rep. ... .. S. 3(5) rep. ... ..	96, s. 6(4), sch. 8. 10, s. 6(4), sch. 4.
c. 43 ... ..	Finance Act 1951 ...	Sch. rep. in pt. ... ..	79, S.L.R.
c. 44 ... ..	Appropriation Act 1951	S.1 rep. ... ..	92, s. 10(4), sch. 4.
c. 46 ... ..	Courts-Martial (Appeals) Act 1951.	Rep. ... ..	79, S.L.R.
		Pt. I ext. ... ..	43, s. 6(3)(5).
		Ss. 3(2) am., 3(3) rep., 3(4), 4(4) am.	S.I. No. 488, art. 2, sch. 1 Pt. I.
		S. 6(4) subst. ... ..	84, s. 7, sch. 2 Pt. III.
		Ss. 10(5) rep. in pt., 12 subst., 13(1)–(3) rep in pt.	S.I. No. 488, art. 2, sch. 1 Pt. I.
		S. 13A added ... ..	84, s. 7, sch. 2 Pt. III.
		S. 16 excl. ... ..	43, ss. 4, 6(5), sch. 1 para. 3.
		S. 18 am. ... ..	S.I. No. 488, art. 2, sch. 1 Pt. I.
		S. 20(1) am. ... ..	43, ss. 5, 6(5), sch. 2.
		rep. in pt. ... ..	S.I. No. 488, art. 2, sch. 1 Pt. I.
		S. 20(2) rep. in pt. ... ..	S.I. No. 488, art. 2, sch. 1 Pt. I.
		S. 20(3) added ... ..	84, s. 7, sch. 2 Pt. III.
		S. 21 appl. ... ..	43, ss. 4, 6(5), sch. 1 para. 5.
		Ss. 23(1)(2) rep. in pt., 26 am.	S.I. No. 488, art. 2, sch. 1 Pt. I.

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14 & 15 Geo. 6 —cont.			
c. 48 ... ..	Dangerous Drugs Act 1951.	S. 1(1) rep. in pt. ...	36, ss. 7, 8(1)(a), 13(2), sch. 2.
		S. 1(2) rep. ...	36, s. 13(2), sch. 2.
		S. 2(1) rep. in pt. ...	36, ss. 7, 13(2), sch. 2.
		S. 4(1) am. ...	36, s. 4(a).
		S. 4(2) rep. in pt. ...	36, ss. 4(b), 13(2), sch. 2.
		S. 5 rep. in pt. ...	36, ss. 8(1)(a), 13(2), sch. 2.
		S. 8 am. ...	36, s. 1(1).
		rep. in pt. ...	36, ss. 8(1)(a), 13(2), sch. 2.
		S. 9 am. ...	36, s. 1(2).
		S. 9(2) am. ...	36, s. 5(1).
		S. 9(4) am. ...	36, ss. 5(1), 8(2).
		S. 10 rep. (saving) ...	36, ss. 1, 13(2), sch. 2.
		S. 11 rep. ...	36, ss. 1(4), 3(1).
		S. 12 rep. ...	36, ss. 3(2), 13(2), sch. 2.
		S. 14(1) am. ...	36, ss. 1(7), 9(2), 10(3).
		S. 14(2) am. ...	36, s. 1(7).
		S. 15(1)(c) ext. ...	36, s. 10(2).
		S. 15(2) am. ...	36, s. 1(7).
		S. 20 rep. ...	36, ss. 8(1)(b), 13(2), sch. 2.
		S. 21 ext. ...	36, s. 10(2).
		S. 22 rep. ...	36, s. 13(2), sch. 2.
		S. 23(1) am. ...	36, s. 6.
		S. 24(2) rep. ...	36, ss. 8(1) (c), 13(2), sch. 2.
		S. 25(2) proviso, (3) rep.	36, s. 13(2), sch. 2.
c. 53 ... ..	Midwives Act 1951 ...	S. 11(1) proviso (b) rep. in pt., 11(3) rep. in pt.	79, S.L.R.
c. 55 ... ..	Nurses (Scotland) Act 1951.	S. 6 ext. ...	44, ss. 1, 4.
c. 58 ... ..	Fireworks Act 1951 ...	S. 5(1)(2) excl. ...	23, s. 1.
c. 64 ... ..	Rivers (Prevention of Pollution) Act 1951.	S. 1(1)(b)(iii)(iv) rep. (saving).	xxxvi, ss. 7(2), 16, sch. 1 Pt. II.
c. 65 ... ..	Reserve and Auxiliary Forces (Protection of Civil Interests) Act 1951.	S. 23(1) rep. (E.) so far as defining "police force" and definition of "relevant police authority" rep. in pt. (E.).	48, s. 64(3), sch. 10 Pt. I.
		S. 60(1)-(3), (6) am. ...	S.I. No. 488, art. 2, sch. 1 Pt. I.
		Sch. 1 am. ...	11, s. 2(6).
		Sch. 2 Pt. I para. 4 rep. in pt. (E.).	48, s. 64(3), sch. 10 Pt. I.
c. 66 ... ..	Rivers (Prevention of Pollution) (Scotland) Act 1951.	S. 1(1) ext. ...	90, s. 1(2).
		S. 17(1) ext. ...	90, s. 1(1).
		S. 20(1)(b) ext. ...	90, s. 9(2).



Session and Chap. or No. of Measure	Short title or Subject	How affected	Chapter of 1964 Act or number of Measure or Statutory Instrument
15 & 16 Geo. 6 & 1 Eliz. 2:			
c. 1 ... ..	Consolidated Fund (No. 3) Act 1951.	Rep. ... ..	79, S.L.R.
c. 4 ... ..	Pneumoconiosis and Byssinosis Benefit Act 1951.	S. 3(2) am. ... ..	96, s. 3(3).
c. 5	Public Works Loans Act 1951.	Rep. ... ..	9, s. 9(2), sch. 3.
c. 10 ... ..	Income Tax Act 1952 ...	Am. ... ..	37, ss. 1(1), 11, 12(1)(2).
		Am. (N.I.) ... ..	37, ss. 14, 15.
		Expld. (meaning of "inspector", "collector" and "surveyor or assessor").	37, s. 3(2).
		S. 5(2) rep. in pt., 5(3)(4) rep.	37, s. 17(5), sch. 6 Pt. I.
		S. 6 rep. ... ..	37, s. 17(4)(5), sch. 6 Pt. II.
		S. 7 rep. ... ..	37, s. 17(5), sch. 6 Pt. I.
		S. 8(1) rep. in pt., 8(2)(3), 9-11 rep., 12(1) rep. in pt., 12(2)(3)(5)(6) rep.	37, s. 17(4)(5), sch. 6 Pt. II.
		Ss. 13-16 rep. ... ..	37, s. 17(5), sch. 6 Pt. I.
		Ss. 17(1)(2) rep. in pt., 17(3)(4), 19-21 rep.	37, s. 17(4)(5), sch. 6 Pt. II.
		S. 25(1) am. ... ..	37, s. 17(3), sch. 4.
		Ss. 25(2), (7), 26(1), (3) rep., 32 rep. in pt., 34-46 rep.	37, s. 17(4)(5), sch. 6 Pt. II.
		S. 47(1) rep. in pt. ...	37, s. 17(4)(5), sch. 6 Pt. II.
		S. 47(1) proviso am. ...	37, s. 6(1)(a).
		rep. in pt. ...	37, s. 17(4)(5), sch. 6 Pt. II.
		Ss. 47(3) rep. in pt., 50 rep.	37, s. 17(4)(5), sch. 6 Pt. II.
		S. 51(1) mod. ... ..	37, s. 17(3), sch. 4.
		S. 51(1)(3) am. ... ..	37, s. 17(3), sch. 4.
		S. 51(4) rep. ... ..	37, s. 17(4)(5), sch. 6 Pt. II.
		S. 52 appl. (mod.) ...	37, s. 12(5)(6).
		S. 52(2) am. ... ..	37, s. 17(3), sch. 4.
		S. 52(2)(b)(c) rep. in pt.	37, s. 17(4)(5), sch. 6 Pt. II.
		S. 52(3) rep. in pt. ...	37, s. 17(4)(5), sch. 6 Pt. II.
		S. 52(5) am. ... ..	37, s. 17(3), sch. 4.
		rep. in pt. ...	37, s. 17(4)(5), sch. 6 Pt. II.
		S. 52(6) am. ... ..	37, s. 17(3), sch. 4.
		rep. in pt. ...	37, s. 17(4)(5), sch. 6 Pt. II.

## Effect of Legislation

Session and Chap. or No. of Measure	Short title or Subject	How affected	Chapter of 1964 Act or number of Measure or Statutory Instrument
15 & 16 Geo. 6 & 1 Eliz. 2: c. 10— <i>cont.</i>	Income Tax Act 1952— <i>cont.</i>	S. 52(7) rep. ... ..	37, s. 17(4)(5), sch. 6 Pt. II.
		Ss. 54-58 rep. ... ..	37, s. 17(4)(5), sch. 6 Pt. II.
		S. 59 appl. (mod.) ... ..	37, s. 12(5)(6).
		S. 59(2) rep. ... ..	37, s. 17(4)(5), sch. 6 Pt. II.
		Ss. 60, 61 rep. ... ..	37, s. 17(4)(5), sch. 6 Pt. II.
		S. 62(1) am. ... ..	37, s. 17(3), sch. 4.
		S. 62(2)(3) rep. ... ..	37, s. 17(4)(5), sch. 6 Pt. II.
		S. 63(2) ext. ... ..	37, s. 13.
		mod. (N.I.) ... ..	37, s. 15(2)(c).
		am. ... ..	37, s. 17(3), sch. 4.
		S. 64 am. (N.I.) ... ..	37, s. 14(2).
		S. 64 (exc. subs. (10)) appl. ... ..	37, s. 12(5).
		S. 64(1)(2) am. ... ..	37, s. 17(3), sch. 4.
		S. 64(8) rep., 64(9) rep. in pt. ... ..	37, s. 17(4)(5), sch. 6 Pt. II.
		S. 64(10) am. ... ..	37, s. 17(3), sch. 4.
		S. 64(10) prov. para. (b) rep. in pt. ... ..	37, s. 17(4)(5), sch. 6 Pt. II.
		S. 65(1) rep. ... ..	37, s. 17(4)(5), sch. 6 Pt. II.
		S. 65(2) am. ... ..	37, s. 17(3), sch. 4.
		S. 65(3) rep. ... ..	37, s. 17(4)(5), sch. 6 Pt. II.
		S. 66(1) am., 66(4)(5) subst. by s. 66(4). ... ..	37, s. 17(3), sch. 4.
		Ss. 67-70 rep. ... ..	37, s. 17(4)(5), sch. 6 Pt. II.
		S. 71(1) rep. ... ..	37, s. 17(4)(5), sch. 6 Pt. II.
		S. 71(2) am. ... ..	37, s. 17(3), sch. 4.
		S. 71(3) rep. ... ..	37, s. 17(4)(5), sch. 6 Pt. II.
		S. 72(1)(2) am. ... ..	37, s. 17(3), sch. 4.
		S. 73(1) rep. in pt. ... ..	37, s. 17(4)(5), sch. 6 Pt. II.
		S. 73(3) am. ... ..	37, s. 17(3), sch. 4.
		S. 74(1)(2) rep. in pt., 74(6) rep. ... ..	37, s. 17(4)(5), sch. 6 Pt. II.
		S. 78 rep. (S.) ... ..	37, s. 17(4)(5), sch. 6 Pt. II.
		S. 78(1) expld. (N.I.) ... ..	37, s. 8(6).
		S. 78(4) rep. ... ..	37, s. 17(5), sch. 6 Pt. I.
		Ss. 88(3)(5), 89(1)(b), (2), 96 all rep. in pt., 101(6) rep. ... ..	37, s. 17(4)(5), sch. 6 Pt. II.

Session and Chap. or No. of Measure	Short title or Subject	How affected	Chapter of 1964 Act or number of Measure or Statutory Instrument
15 & 16 Geo. 6 & 1 Eliz. 2: c. 10— <i>cont.</i>	Income Tax Act 1952— <i>cont.</i>	S. 102 am. ... ..	37, s. 17(3), sch. 4.
		S. 103(2) rep. ... ..	37, s. 17(4)(5), sch. 6 Pt. II.
		S. 104 am. ... ..	37, s. 17(3), sch. 4.
		S. 116 rep. ... ..	37, s. 17(4)(5), sch. 6 Pt. II.
		S. 117 am. ... ..	49, s. 24, sch. 8 paras. 4, 7.
		S. 118(1) am. ... ..	37, s. 17(3), sch. 4.
		S. 119(1) am. ... ..	37, s. 17(3), sch. 4.
		S. 119(3)(4) rep....	81, s. 8(4), sch. 2.
		S. 120(2) rep. in pt.,	37, s. 17(4)(5),
		120(3)(4) rep.	sch. 6 Pt. II.
		S. 121 rep. in pt. (saving)	49, ss. 24, 26(7), sch. 8 paras. 5, 7, sch. 9.
		S. 123(1), sch. D, Case VI ext.	49, ss. 17(1), 20(5), 21(3).
		S. 123(1), sch. D, Case VIII ext.	49, s. 20.
		S. 125(2) rep. in pt. ...	37, s. 17(5), sch. 6 Pt. I.
		S. 125(3) am. ... ..	37, s. 17(3), sch. 4.
		S. 127(3) am. ... ..	37, s. 17(3), sch. 4.
		rep. in pt. ... ..	37, s. 17(4)(5), sch. 6 Pt. II.
		S. 127(4) rep. ... ..	37, s. 17(4)(5), sch. 6 Pt. II.
		S. 127(5) am. ... ..	37, s. 17(3), sch. 4.
		S. 128(1) am. ... ..	37, s. 17(3), sch. 4.
		S. 129(5) rep. in pt. ...	37, s. 17(4)(5), sch. 6 Pt. II.
		Ss. 130(1)(a)(b) rep. in pt.,	37, s. 17(4)(5),
		130(3) rep. in pt.,	sch. 6 Pt. II.
		132(4)(5) rep.	
		S. 135(1) rep. ... ..	37, s. 17(4)(5), sch. 6 Pt. II.
		S. 135(2) am. ... ..	37, s. 17(3), sch. 4.
		S. 135(3) rep. ... ..	37, s. 17(4)(5), sch. 6 Pt. II.
		S. 137(c), (f) am. ... ..	37, s. 17(3), sch. 4.
		S. 143(2)(c) rep. in pt. ...	37, s. 17(4)(5), sch. 6 Pt. II.
		Pt. V Chapter III (ss. 144–147) ext.	49, s. 15(3).
		S. 144 ext. ... ..	37, s. 7(10).
		Ss. 150, 151 rep., 152 rep. in pt.,	37, s. 17(4)(5),
		153(4)(5) rep. in pt.,	sch. 6 Pt. II.
		154 rep.	

Session and Chap. or No. of Measure	Short title or Subject	How affected	Chapter of 1964 Act or number of Measure or Statutory Instrument
15 & 16 Geo. 6. & 1 Eliz. 2: c. 10— <i>cont.</i>	Income Tax Act [1952— <i>cont.</i>	S. 157 am. ... ..	37, s. 17(3), sch. 4.
		S. 157(6) rep. in pt. ... ..	37, s. 17(4)(5), sch. 6 Pt. II.
		S. 158 am. ... ..	37, s. 17(3), sch. 4.
		S. 170(2)(3) subst. by s. 170(2).	37, s. 17(3), sch. 4.
		Ss. 170(4) rep. in pt., 181(1) rep. in pt., 181(2) rep.	37, s. 17(4)(5), sch. 6 Pt. II.
		S. 188 am. ... ..	37, s. 17(3), sch. 4.
		Ss. 190(2) rep. in pt., 190(3)(4) rep., 195(1) rep. in pt., 195(2)(3) rep.	37, s. 17(4)(5), sch. 6 Pt. II.
		S. 196(6) am. ... ..	49, s. 24, sch. 8 paras. 6, 7.
		Ss. 200(1)(2) rep. in pt., 200(3)–(5) rep., 201(8) rep. in pt., 201(9) rep., 206(3), 208, 212(5), 213(6) all rep. in pt., 213(7) rep.	37, s. 17(4)(5), sch. 6 Pt. II.
		S. 216 am. ... ..	37, s. 17(3), sch. 4.
		S. 218(5) rep. ... ..	37, s. 17(4)(5), sch. 6 Pt. II.
		S. 220(1) am. ... ..	92, s. 1(2).
		Ss. 223 rep. in pt., 224, 225(7)(8) rep., 227(3) rep. in pt., 227(4)(5) rep., 228 rep. in pt. ...	37, s. 17(4)(5), sch. 6 Pt. II.
		Pt. IX (ss. 229–264) (exc. ss. 229(4), 247 and 248(3)) am.	37, s. 17(3), sch. 4.
		S. 229(2) rep. ... ..	37, s. 17(4)(5), sch. 6 Pt. II.
		S. 229(3) rep. in pt. ... ..	37, s. 17(4)(5), sch. 6 Pt. II.
		S. 229(3) proviso am. ... ..	37, s. 6(1)(b).
		S. 229(4) am. ... ..	37, s. 17(3), sch. 4.
		rep. in pt. ... ..	37, s. 17(4)(5), sch. 6 Pt. II.
		S. 231 rep. ... ..	37, s. 17(4)(5), sch. 6 Pt. II.
		S. 232 am. ... ..	37, s. 17(3), sch. 4.
		Ss. 238 and 239 rep. in pt.	37, s. 17(3)–(5), schs. 4, 6 Pt. II.
		S. 240(2) rep. ... ..	37, s. s. 17(4)(5), sch. 6 Pt. II.
		S. 247(1) am. ... ..	37, s. 17(3), sch. 4.
		rep. in pt. ... ..	37, s. 17(4)(5), sch. 6 Pt. II.

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15 & 16 Geo. 6 & 1 Eliz. 2: c. 10— <i>cont.</i>	Income Tax Act 1952— <i>cont.</i>	S. 248(3) am. ... ..	37, s. 17(3), sch. 4.
		rep. in pt. ... ..	37, s. 17(4)(5), sch. 6 Pt. II.
		S. 248(4) rep. ... ..	37, s. 17(4)(5), sch. 6 Pt. II.
		S. 249(2)(b) am. ... ..	37, s. 17(3), sch. 4.
		S. 249(2)(c), (5) rep. in pt. ... ..	37, s. 17(4)(5), sch. 6 Pt. II.
		S. 250(3) rep. in pt. ... ..	37, s. 17(4)(5), sch. 6 Pt. II.
		S. 251(3) am. ... ..	37, s. 17(3), sch. 4.
		rep. in pt. ... ..	37, s. 17(4)(5), sch. 6 Pt. II.
		S. 251(4) rep. ... ..	37, s. 17(4)(5), sch. 6 Pt. II.
		Ss. 299, 307(4), 308(4), 323(1) am. ... ..	37, s. 17(3), sch. 4.
		Ss. 324(2) rep., 329(1) rep. in pt. ... ..	37, s. 17(4)(5), sch. 6 Pt. II.
		S. 341(1) am. ... ..	37, s. 17(3), sch. 4.
		S. 341(2) rep. ... ..	37, s. 17(4)(5), sch. 6 Pt. II.
		S. 341(5) am. ... ..	37, s. 17(3), sch. 4.
		S. 342 am. ... ..	37, s. 17(3), sch. 4.
		S. 342(4) rep. in pt. ... ..	37, s. 17(4)(5), sch. 6 Pt. II.
		S. 343(1) rep. in pt. ... ..	37, s. 17(4)(5), sch. 6 Pt. II.
		S. 346 am. ... ..	37, s. 17(3), sch. 4.
		Ss. 347(3) and 348(3) rep. in pt. ... ..	37, s. 17(4)(5), sch. 6 Pt. II.
		S. 353(3) am. ... ..	37, s. 17(3), sch. 4.
		Ss. 355(2), 356(2), 358(5) rep., 359(1)(5) rep. in pt. ... ..	37, s. 17(4)(5), sch. 6 Pt. II.
		S. 360(2)(a) rep. in pt. ... ..	37, s. 17(4)(5), sch. 6 Pt. II.
		S. 360(4) rep. ... ..	37, s. 17(5), sch. 6 Pt. I.
		S. 365(1) am. ... ..	37, s. 17(3), sch. 4.
		S. 365(4) rep. ... ..	37, s. 17(4)(5), sch. 6 Pt. II.
		S. 367(1)(2) rep. in pt. ... ..	37, s. 17(4)(5), sch. 6 Pt. II.
		S. 371(1) am. ... ..	37, s. 17(3), sch. 4.
		rep. in pt. ... ..	37, s. 17(4), sch. 6 Pt. II.
		S. 371(2) am. ... ..	37, s. 17(3), sch. 4.
		rep. in pt. ... ..	37, s. 17(4)(5), sch. 6 Pt. II.

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15 & 16 Geo. 6 & 1 Eliz. 2: c. 10— <i>cont.</i>	Income Tax Act 1952— <i>cont.</i>	S. 371(3) am. ... ..	37, s. 17(3), sch. 4.
		S. 372 am. ... ..	37, s. 17(3), sch. 4.
		rep. in pt. ... ..	37, s. 17(4)(5), sch. 6 Pt. II.
		Ss. 381(3), 385(3) rep. ...	37, s. 17(4)(5), sch. 6 Pt. II.
		Ss. 394(1), 400(1), 402, 406(3) am. ... ..	37, s. 17(3), sch. 4.
		S. 410(1) am. ... ..	37, s. 17(3), sch. 4.
		S. 410(2) rep. ... ..	37, s. 17(4)(5), sch. 6 Pt. II.
		S. 412(3) am. ... ..	37, s. 17(3), sch. 4.
		S. 413(1) am. ... ..	37, s. 17(3), sch. 4.
		rep. in pt. ... ..	37, s. 17(4)(5), sch. 6 Pt. II.
		S. 413(4)(5) rep. ... ..	37, s. 17(4)(5), sch. 6 Pt. II.
		S. 414(1) am. ... ..	37, s. 17(3), sch. 4.
		S. 414(2) rep. ... ..	37, s. 17(4)(5), sch. 6 Pt. II.
		S. 414(3) am. ... ..	37, s. 17(3), sch. 4.
		Ss. 418(5) and 419(6) rep. in pt. ... ..	37, s. 17(4)(5), sch. 6 Pt. II.
		S. 422(1), (3) rep. in pt. ... ..	37, s. 17(4)(5), sch. 6 Pt. II.
		S. 422(4) am. ... ..	37, s. 17(3), sch. 4.
		Ss. 425(1)(8) and 429(3) rep. in pt. ... ..	37, s. 17(4)(5), sch. 6 Pt. II.
		S. 430(3) rep. ... ..	37, s. 17(3)—(5), schs. 4, 6 Pt. II.
		S. 432 rep. in pt. ... ..	37, s. 17(4)(5), sch. 6 Pt. II.
		S. 439(2) proviso (b) rep. in pt. ... ..	37, s. 17(5), sch. 6 Pt. I.
		S. 441 rep. ... ..	37, s. 17(4)(5), sch. 6 Pt. II.
		S. 443(2)(3) rep. ... ..	37, s. 17(4)(5), sch. 6 Pt. II.
		S. 443(4) rep. in pt. ... ..	37, s. 17(5), sch. 6 Pt. I.
		Ss. 445(3) rep. in pt., 450, 451(2) rep., 455, 458(3) rep. in pt. ... ..	37, s. 17(4)(5), sch. 6 Pt. II.
		S. 461 rep. in pt. ... ..	81, s. 8(4), sch. 2 46, s. 4(4), sch. 2 para. 1. 65, s. 2(2), sch. 1 para. 1.
		S. 461(2)(3) am. ... ..	

Session and Chap. or No. of Measure	Short title or Subject	How affected	Chapter of 1964 Act or number of Measure or Statutory Instrument
15 & 16 Geo. 6 & 1 Eliz. 2: c. 10— <i>cont.</i>	Income Tax Act 1952— <i>cont.</i>	<p>Ss. 464(1), 470(1)(2) all rep. in pt., 471(4)–(7) rep.</p> <p>S. 479(1)(b), (2) am. ...</p> <p>Ss. 485 rep., 500(1) rep. in pt., 500(3) rep.</p> <p>S. 507 am. ...</p> <p>S. 510 mod. (N.I.) ...</p> <p>Ss. 514(4) rep., 515(5) rep. in pt., 516–519, 521 rep., 522 rep. in pt., 523 rep.</p> <p>S. 526(1) rep. in pt. ...</p> <p>S. 530(1)(c) rep. ...</p> <p>S. 530(3) rep. ...</p> <p>Schs. 1, 2 rep. ...</p> <p>Sch. 4 rep. ...</p> <p>Sch. 6 rep. ...</p> <p>Sch. 8 Pt. I para. 1 am....</p> <p>Sch. 8 Pt. I paras. 2, 3, 4, 5 rep.</p> <p>Sch. 8 Pt. I para. 6 am....</p> <p>Sch. 8 Pt. I para. 7 rep. in pt.</p> <p>Sch. 8 Pt. II para. 1 am.</p> <p>Sch. 8 Pt. II para. 2 rep.</p> <p>Sch. 8 Pt. II para. 3 am.</p> <p>Sch. 8 Pt. III para. 1(1) rep. in pt.</p> <p>Sch. 8 Pt. III para. 2 am.</p> <p>Sch. 8 Pt. III para. 8 rep. in pt.</p> <p>Sch. 8 Pt. IV rep. in pt. (saving).</p> <p>Sch. 9 paras. 3, 4, 6, 9, 13, 14, 16, 17 rep.</p> <p>Sch. 16 para. 10 am. ... rep. in pt. (saving).</p> <p>Sch. 16 para. 13(1) rep. in pt.</p> <p>Sch. 17 para. 3 am. ... rep. in pt. (saving).</p> <p>Sch. 18 Pt. II am. ...</p>	<p>37, s. 17(4)(5), sch. 6 Pt. II.</p> <p>37, s. 17(3), sch. 4.</p> <p>37, s. 17(4)(5), sch. 6 Pt. II.</p> <p>37, s. 17(3), sch. 4.</p> <p>37, s. 15(2).</p> <p>37, s. 17(4)(5), sch. 6 Pt. II.</p> <p>37, s. 17(5), sch. 6 Pt. I.</p> <p>79, S.L.R.</p> <p>37, s. 17(5), sch. 6 Pt. I.</p> <p>37, s. 17(5), sch. 6 Pt. I.</p> <p>37, s. 17(4)(5), sch. 6 Pt. II.</p> <p>37, s. 17(3), sch. 4.</p> <p>37, s. 17(4)(5), sch. 6 Pt. II.</p> <p>49, s. 24, sch. 8 paras. 4, 7.</p> <p>37, s. 17(4)(5), sch. 6 Pt. II.</p> <p>37, s. 17(3), sch. 4.</p> <p>37, s. 17(4)(5), sch. 6 Pt. II.</p> <p>37, s. 17(3), sch. 4.</p> <p>37, s. 17(4)(5), sch. 6 Pt. II.</p> <p>49, s. 26(7), sch. 9.</p> <p>37, s. 17(4)(5), sch. 6 Pt. II.</p> <p>49, s. 16(1)(4).</p> <p>49, s. 26(7), sch. 9.</p> <p>37, s. 17(4)(5), sch. 6 Pt. II.</p> <p>49, s. 16(1)(4).</p> <p>49, s. 26(7), sch. 9.</p> <p>37, s. 17(3), sch. 4.</p>

Session and Chap. or No. of Measure	Short title or Subject	How affected	Chapter of 1964 Act or number of Measure or Statutory Instrument
15 & 16 Geo. 6 & Eliz. 2: c. 10— <i>cont.</i>	Income Tax Act 1952— <i>cont.</i>	Sch. 18 Pt. II— <i>cont.</i> rep. in pt. Sch. 18 Pt. III para. 2(2) am. Sch. 18 Pt. III para. 4(1) rep. in pt., 4(2)(3) rep. Sch. 18 Pt. III para. 5(1) (2) rep. Sch. 20 para. 10(2) rep. in pt., 10(3) rep. Sch. 23 Pt. I rep. ...	37, s. 17(4)(5), sch. 6 Pt. II. 37, s. 17(3), sch. 4. 37, s. 17(4)(5), sch. 6 Pt. II. 37, s. 17(3)—(5), schs. 4, 6 Pt. II. 37, s. 17(4)(5), sch. 6 Pt. II. 37, s. 17(4)(5), sch. 6 Pt. II.
c. 13 ... ..	Festival Pleasure Gardens Act 1952.	Sch. rep. so far as relating to the Festival of Britain (Sunday Opening) Act 1951 (c. 14).	79, S.L.R.
c. 16 ... ..	Consolidated Fund Act 1952.	Rep. ... ..	79, S.L.R.
c. 18 ... ..	Diplomatic Immunities (Commonwealth Countries and Republic of Ireland) Act 1952.	Power to appl. (mod.) ... Ss. 1(1) rep., 1(2)(a) rep. in pt., 1(4) rep., 1(5)(a) rep. in pt.	5, s. 1(2), sch. 81, s. 8(4), sch. 2.
c. 33 ... ..	Finance Act 1952 ...	S. 1(6) am. ...	46, s. 4(4), sch. 2 para. 2. 65, s. 2(2), sch. 1 para. 2. 86, s. 4(4), sch. 2 para. 2. 93, s. 4(4), sch. 2 para. 2.
c. 38 ... ..	Appropriation Act 1952	S. 18(7) rep. in pt., 18(8), 31 rep., 63(1) rep. in pt. S. 64(2) rep. (saving) ...	37, s. 17 (4)(5), sch. 6 Pt. II. 37, s. 17(5), sch. 6 Pt. I.
c. 44 ... ..	Customs and Excise Act 1952.	Ss. 66(1) and 68(4) rep. in pt. Sch. 5 paras. 3(1) and 4(1)(b) am. Rep. ... .. Appl. (mod.) ... ..	37, s. 17(4)(5), sch. 6 Pt. II. 37, s. 17(3), sch. 4.
		Power to mod. ... Ext. ... .. S. 11 expld. ... .. S. 28 mod. ... .. S. 34 mod. ... .. S. 34(2)(a) ext. ... .. S. 34(2)(b) excl. ... .. S. 38 excl. ... .. S. 44 saved ... .. S. 45 ext. ... .. S. 45 saved ... ..	79, S.L.R. 28, s. 1(9), sch. para. 1(1). 28, s. 1(9), sch. para. 1(4). 92, s. 6(2). 14, s. 32(9). 92, s. 9(6). S.I. No. 814. S.I. No. 814. 92, ss. 3(6)(a), (11)(12), 4. 92, ss. 3(6)(a), (11)(12), 4. S.I. No. 814. 92, s. 6(1), sch. 2 para. 3(1). 61, s. 1(3). 64, s. 5(4). 61, s. 1(4). 64, s. 5(3).



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15 & 16 Geo. 6 & 1 Eliz. 2: c. 44— <i>cont.</i>	Customs and Excise Act 1952— <i>cont.</i>	<p>S. 46 appl. (mod.) ...</p> <p>S. 56 saved ...</p> <p>S. 80 mod. ...</p> <p>S. 88 mod. ...</p> <p>    excl. ...</p> <p>S. 103(1) restr. ...</p> <p>S. 133(6) rep. in pt. ...</p> <p>S. 137 am. ...</p> <p>    excl. ...</p> <p>S. 138 am. ...</p> <p>S. 150(1) excl. (E.) ...</p> <p>S. 150(1) proviso (a) rep. in pt. ...</p> <p>S. 150(2) saved (E.) ...</p> <p>S. 150(3) am. (E.) ...</p> <p>S. 151(1) expld. (E.) ...</p> <p>S. 151(1) proviso (b) am. (E.) ...</p> <p>S. 155 saved (E.) ...</p> <p>S. 157(1)(b) rep. ...</p> <p>S. 164 am. ...</p> <p>S. 183 am. ...</p> <p>S. 195(1) (definition of "rebate") am. ...</p> <p>S. 196 excl. ...</p> <p>S. 197 rep. (saving) ...</p> <p>S. 200 (3) am. ...</p> <p>S. 200 (4) am. ...</p> <p>S. 200(8) rep. in pt. ...</p> <p>S. 202 rep. (saving) and superseded. ...</p> <p>S. 203(3) rep. in pt. (saving) ...</p> <p>S. 206 rep. (saving) ...</p> <p>S. 208 rep. ...</p> <p>S. 257 appl. ...</p> <p>S. 259 expld. ...</p> <p>    excl. ...</p> <p>    saved ...</p> <p>    excl. ...</p> <p>S. 267(2)(b) mod. ...</p> <p>Ss. 270, 271(1) ext. ...</p> <p>S. 272 saved ...</p> <p>S. 301(2) ext. ...</p>	<p>28, s. 1(9), sch. para. 1(3)(a).</p> <p>64, s. 5(3).</p> <p>S.I. No. 814.</p> <p>S.I. No. 814.</p> <p>92, ss. 3(6)(a), (11)(12), 4.</p> <p>92, s. 5(8).</p> <p>49, ss. 2(5), 26(7), sch. 9.</p> <p>49, s. 2(2).</p> <p>92, s. 5(8).</p> <p>49, s. 2(2).</p> <p>26, s. 181(1).</p> <p>S.I. No. 488, art. 2, sch. 1 Pt. II.</p> <p>26, s. 199 para. (c).</p> <p>26, ss. 1(1), 203(1), sch. 13 para. 2.</p> <p>26, s. 180(1).</p> <p>26, s. 203(1), sch. 13 para. 3.</p> <p>26, s. 199 para. (d).</p> <p>49, ss. 2(5), 26(7), sch. 9.</p> <p>49, s. 2(5).</p> <p>49, s. 4(2), sch. 5.</p> <p>49, s. 6(7).</p> <p>92, ss. 3(6)(b), (11)(12), 4.</p> <p>49, s. 5(2)(3), 26(7), sch. 9.</p> <p>49, s. 6(6), sch. 6 Pt. II para. 23.</p> <p>49, s. 6(6), sch. 6 Pt. II para. 24.</p> <p>49, ss. 26(7), sch. 9.</p> <p>49, ss. 6(5), 26(7), schs. 6 Pt. I, 9.</p> <p>49, s. 26(7), sch. 9.</p> <p>49, ss. 5(2), 26(7), sch. 9.</p> <p>49, s. 26(7), sch. 9.</p> <p>28, s. 1(9), sch. para. 1(3)(b).</p> <p>49, s. 1(5).</p> <p>49, s. 6(3).</p> <p>28, s. 1(9), sch. para. 1(2).</p> <p>92, ss. 3(5), (11)(12), 4.</p> <p>92, s. 5(6).</p> <p>92, s. 9(5).</p> <p>49, s. 10(1).</p> <p>92, s. 9(5).</p>

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15 & 16 Geo. 6. & 1 Eliz. 2: c. 44— <i>cont.</i>	Customs and Excise Act 1952— <i>cont.</i>	S. 307(1) rep. (saving) so far as defining "black beer" and rep. in pt. (saving) so far as defining "beer".	49, ss. 2(5), 26(7), sch. 9.
c. 48 ... ..	Costs in Criminal Cases Act 1952.	S. 309(5) excl. ... .. S. 320(3) am. ... .. Sch. 11 para. 23 rep. ... .. S. 1 ext. ... .. S. 7(1)(aa) added ... ..  S. 7(2) am. ... ..  S. 7(3) am. ... ..  S. 7(4)–(6) mod. ... ..  Ss. 8, 9 mod. ... ..  S. 8(1) appl. ... .. S. 10 mod. (London) ... .. S. 11 am. ... ..	92, s. 5(8). 36, s. 5(2). 92, s. 10(4), sch. 4. 43, s. 2(4). 42, s. 39(2), sch. 3 Pt. II para. 21(1). 42, s. 39(2), sch. 3 Pt. II para. 21(2). 42, s. 39(2), sch. 3 Pt. II para. 21(3). 42, s. 39(2), sch. 3 Pt. II para. 21(4). 42, s. 39(2), sch. 3 Pt. II para. 21(5). 26, s. 25(3). S.I. No. 1973. 42, s. 39(2), sch. 3 Pt. II para. 21(6).
c. 52 ... .. c. 55 ... ..	Prison Act 1952 ... .. Magistrates' Courts Act 1952.	S.11(1) appl. ... .. S. 14 mod. ... .. S. 3 saved ... .. Ss. 9–11 saved ... .. S. 10 mod. ... ..  S. 12 mod. ... ..  S. 56(2) excl. ... .. S. 77(1)(3) appl.... ... ..  S. 77(4) appl. ... ..  S. 84(3) ext. ... .. S. 85(2) appl. ... .. S. 98 appl. ... ..  S. 104 excl. ( <i>prosp.</i> ) ... .. excl. ... ..  S. 109(6) rep. in pt. ... ..  S. 112 ext. ... ..	26, s. 25(3). S.I. No. 387. 26, s. 192(2). 42, s. 1(4). 42, s. 39(2), sch. 3 Pt. II para. 22(1). 42, s. 39(2), sch. 3 Pt. II para. 22(2). 42, s. 11(1). 26, ss. 3(4), 40(4), 92(4), schs. 2 para. 9, 6 para. 16(2). 26, s. 3(4), sch. 2 para. 9. 42, s. 7(7). 26, s. 22(4). 26, ss. 40(4), 92(4), sch. 6 para. 16(2). 14, ss. 23(2), 28(1). 26, s. 48(3). 56, s. 17(6). 48, s. 64(3), sch. 10 Pt. I. 42, s. 39(2), sch. 3 Pt. II para. 22(3).

Session and Chap. or No. of Measure	Short title or Subject	How affected	Chapter of 1964 Act or number of Measure or Statutory Instrument
15 & 16 Geo. 6. & 1 Eliz. 2: c. 55— <i>cont.</i>	Magistrates' Courts Act 1952— <i>cont.</i>	S. 118 mod. ... .. S. 118(2) appl. ... .. Ss. 119(1)–(7), (9), 120(2), 121(1)(b) rep., 121(1)(c) rep. in pt., 121(2) rep. in pt. S. 126(1) (definition of "county") am. and rep. in pt. S. 126(1) rep. so far as defining "County of London".	42, s. 39(2), sch. 3 Pt. II para. 22(4). 26, s. 28(2). 42, s. 41(8), sch.5. 42, s. 39(2), sch. 3 Pt. II para. 22(5). 42, s. 41(8), sch.5.
c. 61 ... ..	Prisons (Scotland) Act 1952.	S. 13 rep. ... ..	48, s. 64(3), sch. 10 Pt. II.
c. 62 ... ..	Agriculture (Calf Subsidies) Act 1952.	S. 1(3) rep. in pt. ... ..	79, S.L.R.
c. 67 ... ..	Visiting Forces Act 1952	S. 1(1)(a) am. ... .. Ss. 2(6), 9 am. ... .. S. 10(1)(a) restr. S. 14(a) am. ... ..	46, s. 4(4), sch. 2 para. 6(a). 65, s. 2(2), sch. 1 para. 7. 86, s. 4(4), sch. 2 para. 6(a). 93, s. 4(4), sch. 2 para. 6(a). S.I. No. 488, art. 2, sch. 1 Pt. I. 46, s. 4(4), sch. 2 para. 6(b). 86, s. 4(4), sch. 2 para. 6(b). 93, s. 4(4), sch. 2 para. 6(b). S.I. No. 488, art. 2, sch. 1 Pt. I.
1 & 2 Eliz. 2:			
c. 3 ... ..	Public Works Loans Act 1952.	Rep. except ss. 6, 7 ... ..	9, s. 9(2), sch. 3.
c. 6 ... ..	Consolidated Fund Act 1953.	Rep. ... ..	79, S.L.R.
c. 8 ... ..	Consolidated Fund (No. 2) Act 1953.	Rep. ... ..	79, S.L.R.
c. 13 ... ..	Transport Act 1953 ...	S. 24 rep. in pt. ... ..	S.I. No. 488, art. 2, sch. 1 Pt. II.
c. 20 ... ..	Births and Deaths Registration Act 1953.	S. 14 ext. ... ..	57, s. 3(4).
c. 23 ... ..	Accommodation Agencies Act 1953.	Cont. until end of December, 1965.	94, s. 1(1).
c. 25 ... ..	Local Government Superannuation Act 1953.	Power to appl. (mod.) (E.). S. 15 ext. ... ..	42, s. 24(1). 56, s. 1(5)(6), sch. 1 para. 2(9).
c. 26 ... ..	Local Government (Miscellaneous Provisions) Act 1953.	S. 18(3) added ... ..	48, s. 63, sch. 9.

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1 & 2 Eliz. 2 —cont.			
c. 29 ... ..	National Insurance Act 1953.	S. 4(3) rep. ... .. S. 8(3) am. ... ..	96, s. 6(4), sch. 8 96, s. 1(7), sch. 5 para. 19.
c. 34 ... ..	Finance Act 1953 ...	Sch. 1 para. 6 rep. ... .. S. 15(1)(2) am. ... .. S. 15(4) rep. ... ..  S. 19 mod. ... .. S. 19(5) rep. in pt. ... ..  S. 20(4) am. ... .. S. 20(8) rep. in pt. ... ..  Ss. 21(2)(3) and 26(3) rep. in pt. ... ..	96, s. 6(4), sch. 8. 37, s. 17(3), sch. 4. 37, s. 17(4)(5), sch. 6 Pt. II. 49, s. 18(8). 37, s. 17(4)(5), sch. 6 Pt. II, sch. 17(3) sch. 4. 37, s. 17(4)(5). sch. 6 Pt. II. 37, s. 17(4)(5), sch. 6 Pt. II.
c. 35 ... ..	Appropriation Act 1953	Rep. ... ..	79, S.L.R.
c. 42 ... ..	Valuation for Rating Act 1953.	S. 2(3) mod. ... ..	18, s. 3(7).
c. 46 ... ..	Licensing Act 1953 ...	Rep. exc. s. 130 ... ..	26, s. 203(3), sch. 15.
c. 47 ... ..	Emergency Laws (Miscellaneous Provisions) Act 1953.	S. 10(1) am., 10(3) rep. in pt. ... ..	S.I. No. 488, art. 2, sch. 1 Pt. I.
c. 48 ... ..	Merchandise Marks Act 1953.	S. 2(1)(a) am. (E.) (S.) (prosp.).	14, s. 31(2).
c. 50 ... ..	Auxiliary Forces Act 1953.	Ss. 2(3)–(5), 3 am., 4 rep. in pt., 5(1) am. and rep. in pt., 5(2)(3) am., 6(2) am., 7(1) am. and rep. in pt., 7(2) rep., 7(3) am. and rep. in pt., 7(4) am., 7(5) am. and rep. in pt., 7(6) rep., 8(2) rep., 8(3) am., 10(1) am., 10(2) am. and rep. in pt., 11(4) am. and rep. in pt., 17(2) proviso am., 23(1)(2) am., 23(4) rep. in pt., 24(1)(2) am., 24(4) rep. in pt., 26(1)(2) am., 41(2) am., 43(1) rep. in pt., 45(1) rep. in pt., 45(3) am.	S.I. No. 488, art. 2, sch. 1 Pt. I.
		Sch. 1 para. 1 am. ... ..	S.I. No. 488, art. 2, sch. 1 Pt. I.
		Sch. 1 para. 1(c)(d) mod. (London).	42, s. 18(1)(2).
2 & 3 Eliz. 2:			
c. 2 ... ..	Consolidated Fund (No. 3) Act 1953.	Rep. ... ..	79, S.L.R.
c. 6 ... ..	Public Works Loans Act 1953.	Rep. ... ..	9, s. 9(2), sch. 3.
c. 10 ... ..	Navy, Army and Air Force Reserves Act 1954.	S. 1 am. ... ..	11, s. 1(1).
c. 11 ... ..	Licensing (Seamen's Cantens) Act 1954.	Rep. (E.)... ..	26, s. 203(3), sch. 15.

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2 & 3 Eliz. 2 — <i>cont.</i>			
c. 22 ...	Consolidated Fund Act 1954.	Rep. ... ..	79, S.L.R.
c. 30 ...	Protection of Birds Act 1954.	S. 10 rep. (N.I.) except so far as relating to importation of birds or their eggs.	59, s. 1.
c. 32 ...	Atomic Energy Authority Act 1954.	Functions of Secy. of State transf'd. to Min. of Technology.	S.I. No. 2048.
c. 39 ...	Agriculture (Miscellaneous Provisions) Act 1954.	S. 12 rep. (E.) (S.) ( <i>prosp.</i> )	14, s. 31(1), sch. 6.
c. 44 ...	Finance Act 1954 ...	Sch. 2 para. 4(1) rep. in pt. Sch. 3 am. ... .. Sch. 3 para. 6 expld. ... Sch. 3 para. 7(1) rep. in pt., 7(3)(a) rep. in pt. Sch. 4 para. 6 rep. ...	37, s. 17(4)(5), sch. 6 Pt. II. 49, s. 15(2). 49, s. 15(2). 37, s. 17(4)(5), sch. 6 Pt. II. 37, s. 17(4)(5), sch. 6 Pt. II.
c. 45 ...	Appropriation Act 1954	Rep. ... ..	79, S.L.R.
c. 46 ...	Protection of Animals (Anaesthetics) Act 1954.	Sch. 1 para. 5 rep. ... Sch. 1 para. 6 subst. by paras. 6, 6A. Sch. 1 paras. 7, 8 am. ...	39, s. 1(1)(2). 39, s. 1(1)(3). 39, s. 1 (1)(4).
c. 48 ...	Summary Jurisdiction (Scotland) Act 1954.	S. 23 excl. ( <i>prosp.</i> ) ... excl. ... .. Sch. 2 am. ... ..	14, ss. 23(2), 28 (1). 56, s. 17(6). S.I. No. 249.
c. 50 ...	Housing (Repairs and Rents) (Scotland) Act 1954.	S. 4(2)(b) am. ... .. S. 25 excl. ... ..	56, s. 97(2). 56, s. 75(3)(7)(b).
c. 51 ...	Hire-Purchase Act 1954	Rep. (S.) ... .. Ext. ... .. S. 1 rep. ... .. S. 3(1) appl. ... .. S. 4 rep. ... ..	53, s. 25(3). 53, ss. 20(6), 21 (3), sch. 1 Pt. I para. 2(1). 53, s. 34(2), sch. 5. 53, s. 24(6). 53, s. 34(2), sch. 5.
c. 53 ...	Housing Repairs and Rents Act 1954.	S. 33 excl. ... ..	56, s. 75(3).
c. 55 ...	Television Act 1954 ...	Rep. ... ..	21, s. 29(1).
c. 56 ...	Landlord and Tenant Act 1954.	S. 2(4)(5) appl. ... .. Sch. 2 para. 6 am. ...	56, s. 53(3). 51, s. 4(1), sch. 3 Pt. II.
c. 63 ...	Trustee Savings Banks Act 1954.	Am. ... .. S. 1(3)(c) mod. ... .. S. 2 am. ... .. S. 12(1) am. ... .. S. 12(2)(3) ext. ... .. S. 21(1) am. ... .. Ss. 21(4)(d), 22 restr. ... S. 26 am. ... .. S. 27(2) am. ... ..	4, s. 1(1). 4, s. 9, sch. 2 para. 1. 4, s. 1(2). 4, s. 9, sch. 2 para. 2. 4, s. 9, sch. 2 para. 2. 4, s. 9, sch. 2 para. 3. 4, s. 9, sch. 2 para. 4. 4, s. 7(1). 4, s. 7(3).

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2 & 3 Eliz. 2: c. 63— <i>cont.</i>	Trustee Savings Banks Act 1954— <i>cont.</i>	S. 36(1) ext. ... ..	4, s. 10(1).	
		S. 36(2) ext. ... ..	4, s. 10(2).	
		S. 43(1) am. ... ..	4, s. 9, sch. 2 para. 5.	
		S. 49 ext. ... ..	4, s. 8(1)(2)(4).	
		S. 49(4) am. ... ..	4, s. 9, sch. 2 para. 6.	
		S. 53(2) saved ... ..	4, s. 7(5)(a).	
		S. 56(4) am. ... ..	4, s. 9, sch. 2 para. 6.	
		S. 68(3) saved ... ..	4, s. 7(5)(b).	
		S. 70(1) mod. ... ..	4, s. 8(3).	
		S. 70(1) ext. ... ..	4, s. 8(4).	
		S. 70(2) ext. ... ..	4, s. 8(3).	
		Sch. 1 am. ... ..	4, ss. 1(2), 9, sch. 2 para. 6.	
		Sch. 1 para. 1(2) am. ...	4, s. 9, sch. 2 para. 7.	
		Sch. 1 para. 3 restr. ...	4, s. 9, sch. 2 para. 8.	
	Sch. 1 paras. 6, 7 am. ...	4, s. 9, sch. 2 para. 9.		
c. 64 ... ..	Transport Charges &c. (Miscellaneous Provisions) Act 1954.	Ss. 6(1)(a) rep., 6(1)(c) rep. in pt., 6(1)(e) rep., 7(1)–(3) rep.	40, s. 63(3), sch. 6.	
		S. 13(1) am. so far as defining "inland waterway undertaking" rep. so far as defining "harbour", "harbour undertaking", "excepted undertaking", and "ship".	40, s. 39(1). 40, s. 63(3), sch. 6.	
3 & 4 Eliz. 2:	Consolidated Fund Act 1955.	Rep. ... ..	79, S.L.R.	
c. 3 ... ..		Public Works Loans Act 1955.	Rep. ... ..	9, s. 9(2), sch. 3.
c. 9 ... ..			Imperial War Museum Act 1955.	Sch. (table) am. ... ..
c. 14 ... ..		Finance Act 1955 ...		S. 2(7) superseded in pt.
c. 15 ... ..			Appropriation Act 1955	Rep. ... ..
c. 16 ... ..		Army Act 1955 ... ..		Cont. until 31.12.1965 ...
			Restr. (meaning of "colony").	46, s. 4(2).
				86, s. 4(2).
			93, s. 4(2)(a).	
	Ss. 1, 3(1)(3), 10(2), 14(1), 17(5), 18(1)(2), 21(3)(5), 22, 23(1), 40 am., 51 am. and rep. in pt.		S.I. No. 488, art. 2, sch. 1 Pt. I.	
	Ss. 71–73 appl. ... ..		43, ss. 4, 6(5), sch. 1 para. 9.	
	Ss. 76–79 excl. ... ..		43, ss. 4, 6(5), sch. 1 para. 4.	
	Ss. 81(1)(2), 82(1)(2), 83(1)(2), 101 am.		S.I. No. 488, art. 2, sch. 1 Pt. I.	
	Ss. 108, 110(2) am. ...	84, s. 7, sch. 2 Pt. I.		
	S. 111(1) am. ... ..	S.I. No. 488, art. 2, sch. 1 Pt. II.		
	S. 113 ext. ... ..	43, ss. 4, 6(5), sch. 1 para. 11.		

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3 & 4 Eliz. 2: c. 18— <i>cont.</i>	Army Act 1955— <i>cont.</i>	<p>S. 113(2) am. ... ..</p> <p>Ss. 114(1)(2), 115(2) am.</p> <p>S. 116(1) rep. in pt. and am. ... ..</p> <p>S. 116(2) am. ... ..</p> <p>S. 116(4A) added, 116(5) rep. in pt., 116(6)(7) added.</p> <p>S. 132 excl. ... ..</p> <p>S. 134 excl. ... ..</p> <p>S. 134(2)(a), (3) am. ...</p> <p>Ss. 135(1), 136(2), 137 (1)–(3), 144(3), (5), 145 (1)–(3), 147(1)(2), 149, 150(1)–(4), 151(1), (2), (4), 158(1), (4), (6), 160(1), 162, 170, 171(1), 179(2) am., 179(3) rep., 180(1)(2), 189(1), 195 (1), 197(1) am., 198(4) am. and rep. in pt., 198(6) am., 198(7) am. and rep. in pt., 201(1) (2), 205(1)(2), 209(3) am.</p> <p>S. 225(1) am. (definition of “Commonwealth force”).</p> <p>Sch. 1 para. 5 am., sch. 4 paras. 2(1), 3(3), 4(2), 5, 7 am., sch. 5 paras. 1 am., 4 am. and rep. in pt., sch. 6 paras. 3, 4, 10(c) rep., sch. 7 Pts. I paras. 2(2)(3) am., 3(1) subst., 3(2), 5(7), 10 am., II paras. 11, 13, 14, 15 rep., 16–18 rep. in pt., 20, 21, rep., III paras. 23 and 24 am.</p>	<p>S.I. No. 488, art. 2, sch. 1 Pt. I.</p> <p>S.I. No. 488, art. 2, sch. 1 Pt. I.</p> <p>84, s. 7, sch. 2 Pt. I.</p> <p>S.I. No. 488, art. 2, sch. 1 Pt. I.</p> <p>84, s. 7, sch. 2 Pt. I.</p> <p>S.I. No. 488, art. 2, sch. 1 Pt. I.</p> <p>84, s. 7, sch. 2 Pt. I.</p> <p>43, ss. 4, 6(5), sch. 1 para. 3.</p> <p>43, ss. 4, 6(5), sch. 1 para. 3.</p> <p>84, s. 7, sch. 2 Pt. I.</p> <p>S.I. No. 488, art. 2, sch. 1 Pt. I.</p> <p>46, s. 4(2).</p> <p>65, s. 2(2), sch. 1 para. 5.</p> <p>86, s. 4(2)(b).</p> <p>93, s. 4(2)(b).</p> <p>S.I. No. 488, art. 2, sch. 1 Pt. I.</p>
c. 19 ... ..	Air Force Act 1955 ...	<p>Cont. until 31.12.1965 ...</p> <p>Restr. (meaning of “colony”).</p> <p>Ss. 1, 3, 10(2), 14(1), 17(4), 18(1)(2), 21(3)(5), 22, 23(1), 40 am., 51 am. and rep. in pt.</p>	<p>S.I. No. 2046.</p> <p>46, s. 4(2).</p> <p>86, s. 4(2)(a).</p> <p>93, s. 4(2)(a).</p> <p>S.I. No. 488, art. 2, sch. 1 Pt. I.</p>

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3 & 4 Eliz. 2: c. 19— <i>cont.</i>	Air Force Act 1955— <i>cont.</i>	<p>Ss. 71–73 appl. ... ..</p> <p>Ss. 76–79 excl. ... ..</p> <p>Ss. 81(1)(2), 82(1)(2), 83(1)(2), 101 am.</p> <p>Ss. 108, 110(2) am. ... ..</p> <p>S. 111(1) am. ... ..</p> <p>S. 113 ext. ... ..</p> <p>S. 113(2) am. ... ..</p> <p>Ss. 114(1)(2), 115(2) am.</p> <p>S. 116(1) rep. in pt. and am. ... ..</p> <p>S. 116(2) am. ... ..</p> <p>S. 116(4A) added, 116(5) rep. in pt., 116(6)(7) added.</p> <p>S. 132 excl. ... ..</p> <p>S. 134 excl. ... ..</p> <p>S. 134(2)(a), (3) am. ... ..</p> <p>Ss. 135(1), 136(2), 137(1)–(3), 144(3), (5), 145(1)–(3), 147(1)(2), 149, 150(1)–(4), 151(1)(2), (4), 158(1), (4), (6), 160(1), 162, 170, 171(1) am., 179(2) am., 179(3) rep., 180(1)(2), 189(1), 195(1), 197(1) am., 198(4) am. and rep. in pt., 198(6) am., 198(7) am. and rep. in pt., 201(1)(2) am., 205(1)(2), 209(3) am.</p> <p>S. 223(1) am. (definition of “Commonwealth force”).</p> <p>Sch. 1 para. 5, sch. 4 paras. 2(1), 3(3), 4(2), 5, 7 am., sch. 5 paras. 1 am., 4 am. and rep. in pt., sch. 6 paras. 3, 4, 10(c) rep., 11 rep. in pt.</p>	<p>43, ss. 4, 6(5), sch. 1 para. 9.</p> <p>43, ss. 4, 6(5), sch. 1 para. 4.</p> <p>S.I. No. 488, art. 2, sch. 1 Pt. I.</p> <p>84, s. 7, sch. 2 Pt. I.</p> <p>S.I. No. 488, art. 2, sch. 1 Pt. I.</p> <p>43, ss. 4, 6(5), sch. 1 para. 11.</p> <p>S.I. No. 488, art. 2, sch. 1 Pt. I.</p> <p>S.I. No. 488, art. 2, sch. 1 Pt. I.</p> <p>84, s. 7, sch. 2 Pt. I.</p> <p>S.I. No. 488, art. 2, sch. 1 Pt. I.</p> <p>84, s. 7, sch. 2 Pt. I.</p> <p>S.I. No. 488, art. 2, sch. 1 Pt. I.</p> <p>84, s. 7, sch. 2 Pt. I.</p> <p>43, ss. 4, 6(5), sch. 1 para. 3.</p> <p>43, ss. 4, 6(5), sch. 1 para. 3.</p> <p>84, s. 7, sch. 2 Pt. I.</p> <p>S.I. No. 488, art. 2, sch. 1 Pt. I.</p> <p>46, s. 4(2).</p> <p>65, s. 2(2), sch. 1 para. 5.</p> <p>86, s. 4(2)(b).</p> <p>93, s. 4(2)(b).</p> <p>S.I. No. 488, art. 2, sch. 1 Pt. I.</p>



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3 & 4 Eliz. 2 —cont.			
c. 20 ... ..	Revision of the Army and Air Force Acts (Transitional Provisions) Act 1955.	Sch. 2 para. 15(1) rep. ... Sch. 2 para. 15(2) rep. in pt. (saving). Sch. 3 rep. in pt. ...	S.I. No. 488, art. 2, sch. 1 Pt. II. 84, s. 8(5)(d). S.I. No. 488, art. 2, sch. 1 Pt. II. 56, s. 38(3).
c. 21 ... ..	Crofters (Scotland) Act 1955.	Sch. 5 para. 1A added ...	97, s. 5.
c. 24 ... ..	Requisitioned Houses and Housing (Amendment) Act 1955.	S. 4(4) am. ... ..	29, s. 5(1). S.I. No. 488, art. 2, sch. 1 Pt. I. 95, s. 1(1)(2). 95, s. 1(3). 95, s. 1(1)(2).
c. 25 ... ..	Oil in Navigable Waters Act 1955.	S. 1 ext. ... .. S. 16(1) am. ... ..	79, S.L.R.
c. 26 ... ..	Public Service Vehicles (Travel Concessions) Act 1955.	S. 1(1) rep. in pt. ... S. 1(2)(b)(c) am. ( <i>prosp.</i> ) S. 1(3), sch. rep. ...	9, s. 9(2), (3)(c), sch. 3. 49, ss. 24, 26(7), schs. 8 para. 8, 9. 49, s. 24, sch. 8 para. 9. iv, s. 22, sch. 18, s. 6(3).
4 & 5 Eliz. 2:			
c. 3 ... ..	Appropriation (No. 2) Act 1955.	Rep. ... ..	37, s. 17(3), sch. 4.
c. 6 ... ..	Miscellaneous Financial Provisions Act 1955.	S. 3 rep. ... .. S. 5(11) rep., 5(15) rep. in pt. Sch. 2 Pt. III expld. ...	81, s. 8(4), sch. 2.
c. 8 ... ..	County Courts Act 1955	S. 7 rep. ... ..	S.I. No. 1432.
c. 9 ... ..	Rating and Valuation (Miscellaneous Provisions) Act 1955.	S. 1(7) mod. ... ..	48, ss. 59, 64(3), sch. 7 para. 1, sch. 10 Pt. II. 48, s. 59, sch. 7 para. 2.
c. 17 ... ..	Finance (No. 2) Act 1955	Ss. 4(8)(c), sch. 3 paras. 2(1)(b), (2), 3(2)(5) am.	48, s. 59, sch. 7 para. 3.
c. 21 ... ..	Diplomatic Immunities Restriction Act 1955.	Rep. ... ..	48, s. 59, sch. 7 para. 4.
c. 25 ... ..	Therapeutic Substances Act 1956.	Sch. 1 am. ... ..	48, s. 59, sch. 7 para. 5.
c. 26 ... ..	Police (Scotland) Act 1956.	S. 1(2)–(4), (7) rep. ... S. 4(1)–(b) am., (2) (4) subst., (6) am., (7) added. S. 6(1) am., (3) am. (3) (d), (3A), (3B) added, (4) am. S. 6A added ... .. S. 7(1) am., (1A) added, (2) subst. S. 10(1)(2) subst. ... S. 10(3) rep. ... .. S. 10(4) am., 10(6)(7) added.	48, s. 59, sch. 7 para. 6. 48, ss. 59, 64 (3), schs. 7 para. 6, 10 Pt. II. 48, s. 59, sch. 7 para. 6.

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4 & 5 Eliz. 2: c. 26— <i>cont.</i>	Police (Scotland) Act 1956— <i>cont.</i>	S. 10A added ... .. S. 11. Power to mod. ... S. 11(2) subst., (2A) added, (6) am. S. 11A–11C added ... .. S. 12(2)(b) am., (2)(c) rep. in pt. S. 16(2) subst. ... .. S. 16A added ... .. S. 23(1) subst. ... .. S. 23A, 23B added ... .. S. 29(6) subst. ... .. S. 29A, 29B added ... .. S. 30A added ... .. S. 33A, 33B added ... .. S. 34(2A) added ... .. S. 36(2) am. ... .. Sch. 1A added ... ..	48, s. 59, sch. 7 para. 7. 48, s. 44(4). 48, s. 59, sch. 7 para. 8. 48, s. 59, sch. 7 para. 9. 48, s. 59, sch. 7 para. 10. 48, s. 59, sch. 7 para. 11. 48, s. 59, sch. 7 para. 12. 48, s. 59, sch. 7 para. 13. 48, s. 59, sch. 7 para. 14. 48, s. 59, sch. 7 para. 15. 48, s. 59, sch. 7 para. 16. 48, s. 59, sch. 7 para. 17. 48, s. 59, sch. 7 para. 18. 48, s. 59, sch. 7 para. 19. 48, s. 59, sch. 7 para. 20. 48, s. 59, sch. 7 para. 21.
c. 28 ... ..	Agricultural Research Act 1956.	S. 1 am. ... ..	S.I. No. 490.
c. 32 ... ..	Consolidated Fund Act 1956.	Rep. ... ..	79, S.L.R.
c. 34 ... ..	Criminal Justice Administration Act 1956.	Ss. 4(2) rep. in pt., 13(3) rep., 13(4) rep. in pt., 18 rep.	42, s. 41(8), sch. 5.
c. 37 ... ..	Licensing (Airports) Act 1956.	Rep. (E.) ... ..	26, s. 203(3), sch. 15.
c. 47 ... ..	National Insurance Act 1956.	S. 1 rep. ... .. S. 2 rep. in pt. ... .. S. 3 rep. ... ..	10, s. 6(4), sch. 4. 10, s. 6(4), sch. 4. 96, s. 6(4), sch. 8. 96, ss. 4, 6(4), schs. 6 para. 21, 8.
c. 48 ... ..	Sugar Act 1956 ... ..	Ext. ... .. S. 14 am. ... .. S. 15 am. ... .. S. 33(2) am. ... ..	49, s. 22(3). 49, s. 22(2). 49, s. 22(1). 49, s. 22(3).
c. 50 ... ..	Family Allowances and National Insurance Act 1956.	Sch. para. 1 rep. in pt. Sch. para. 5 rep. ... ..	10, s. 6(4), sch. 4. 96, s. 6(4), sch. 8.
c. 51 ... ..	Workmen's Compensation and Benefit (Supplementation) Act 1956.	Sch. para. 10 rep. ... .. S. 2 am. ... ..	96, s. 6(4), sch. 8. 96, s. 3(1).

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4 & 5 Eliz. 2 —cont.			
c. 52 ... ..	Clean Air Act 1956 ...	S. 12(1) ext. ... .. S. 13(1)(a) rep. in pt. (saving). S. 13(1)(b) ext. ... .. S. 13(1)(c) ext. ... .. S. 13(2) restr. ... .. S. 14(1) expld. ... .. S. 14(1)(cc) added ... .. S. 22(1)(3) am. ... ..  S. 24. Functions transd. to Minister of Public Building and Works. S. 34(5) rep. ... ..	56, s. 95. 56, ss. 95(6), 108(2), sch. 5. 56, s. 95(1). 56, s. 95(1), (7). 56, s. 95(8). 56, s. 95(9). 56, s. 95(9). S.I. No. 488, art. 2, sch. 1 Pt. I. S.I. No. 263, art. 2, sch. Pt. I.  56, s. 108(2), sch. 5.
c. 54 ... ..	Finance Act 1956 ...	S. 9(3) saved ... .. Ss. 10(3) and 12(7) rep. in pt., 12(8), 21 rep., 23(10) rep. in pt., 40(2) rep.	4, s. 12. 37, s. 17(4)(5), sch. 6 Pt. II.
c. 55 ... ..	Appropriation Act 1956	Rep. ... ..	79, S.L.R.
c. 65 ... ..	Public Works Loans Act 1956.	Rep. ... ..	9, s. 9 (2), sch. 3.
c. 68 ... ..	Restrictive Trade Practices Act 1956.	Pt. I excl. (E.) (S.) ... .. S. 1(5) am. ... .. S. 11. Power to apply... .. S. 19(2)–(4) ext. ... .. S. 23 ext. ... .. S. 34 am. ... .. Sch. ext. ... ..	14, s. 8. 58, s. 8(4). 58, s. 8(1). 58, s. 8(1). 58, s. 8(2). 58, s. 8(4). 58, s. 8(2).
c. 74 ... ..	Copyright Act 1956 ...	Sch. 7 para. 39(2) excl. (prosp.).	46, s. 4(4), sch. 2 para. 13. 65, s. 2(2), sch. 1 para. 9. 86, s. 4(4), sch. 2 para. 13. 93, s. 4(4), sch. 2 para. 12.
C.A.M. No. 2	Representation of the Laity Measure 1956.	Sch. rule 10 rep. ... .. Sch. rule 27(3)–(5) appl.	C.A.M. No. 3, s. 14. C.A.M. No. 3, s. 6(3).
5 & 6 Eliz. 2:			
c. 1 ... ..	Police, Fire and Probation Officers Remuneration Act 1956.	S. 1(1)(a) rep. ... ..	48, s. 64(3), sch. 10 Pt. I.
c. 2 ... ..	Hydrocarbon Oil Duties (Temporary Increase) Act 1956.	Rep. ... ..	92, s. 10(4), sch. 4.
c. 6 ... ..	Ghana Independence Act 1957.	Sch. 2 para. 2 rep. in pt.	81, s. 8(4), sch. 2.
c. 7 ... ..	Consolidated Fund Act 1957.	Rep. ... ..	79, S.L.R.
c. 10 ... ..	Consolidated Fund (No. 2) Act 1957.	Rep. ... ..	79, S.L.R.
c. 11 ... ..	Homicide Act 1957 ...	S. 5(5)(a) am. ... ..	48, s. 63, sch. 9.
c. 15 ... ..	Nurses Act 1957 ...	S. 3 ext. ... ..	44, s. 1.

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<p>5 &amp; 6 Eliz. 2 —cont. c. 20 ... ..</p>	<p>House of Commons Disqualification Act 1957.</p>	<p>S. 2 a.m. and rep. in pt. S. 5(2) rep. in pt. ... S. 13(1), so far as defining "Minister of State" am. and rep. in pt. ... Sch. 1 Pt. I am. ... rep. in pt. ... am. ... Sch. 1 Pt. II rep in pt. ... am. ... Sch. 1 Pt. III am. ... rep. in pt. ... Sch. 1 Pt. IV am. ... Sch. 2 am. and rep. in pt. Sch. 2 Pts. I and II rep. in pt. Sch. 3 am. ... .. rep. in pt. ...</p>	<p>98, ss. 3, 5(1), sch. 2. 98, s. 5(2)(4), sch. 3. 98, s. 5(3). 42, s. 39(2), sch. 3 Pt. II para. 23 (1)(a). 42, ss. 39(2), 41 (8), schs. 3 Pt. II para. 23(1)(b), 5. 42, s. 39(2), sch. 3 Pt. II para. 23 (1)(c). 25, s. 12, sch. 3 Pt. I. 40, s. 63(2), sch. 1 para. 7. 56, s. 1(6), sch. 1 para. 2(10). 14, s. 10(1), sch. 4 para. 4. 16, s. 15. S.I. No. 488, art. 2, sch. 1 Pt. II. 42, ss. 39(2), 41 (8), schs. 3 Pt. II para. 23(2), 5. 42, s. 39(2), sch. 3 Pt. II para. 23 (3). 98, ss. 3, 5(1), sch. 2. S.I. Nos. 488, art. 2, sch. 1 Pt. II, 490, art. 3(1), sch. 3(1), sch. 14, s. 10(1), sch. 4 para. 4. 25, ss. 12, 13(4), sch. 3 Pt. I. 6, s. 2.</p>
<p>c. 23 ... ..</p>	<p>Export Guarantees Act 1957.</p>	<p>S. 2(1) ext. (Isle of Man and Channel Islands). S. 2 appl. ... ..</p>	<p>56, s. 56(4).</p>
<p>c. 25 ... ..</p>	<p>Rent Act 1957 ... ..</p>	<p>Ss. 3, 4 appl. (mod.) ... S. 5 mod. ... .. appl. (mod.) ... .. S. 5(4) mod. ... .. S. 11(2) excl. ... .. S. 11(5) am. ... .. S. 19 appl. ... .. S. 25 appl. ... .. Sch. 2 appl. ... .. Sch. 4 saved ... ..</p>	<p>56, s. 56(4). 56, s. 35. 56, s. 56(4). 56, s. 35(2). 56, s. 87(1), sch. 4 para. 2. 97, s. 5. 56, s. 56(4). 56, ss. 35(5), 56 (7). 56, s. 56(3)(a). 56, s. 56(9).</p>

Session and Chap. or No. of Measure	Short title or Subject	How affected	Chapter of 1964 Act or number of Measure or Statutory Instrument
5 & 6 Eliz. 2			
— <i>cont.</i>			
c. 26 ... ..	National Insurance Act 1957.	S. 2(1)(c) rep. ... ..	96, ss. 1(5), 6(4), sch. 8.
		S. 5(3) am. ... ..	10, s. 2(4), sch. 2 para. 2.
		S. 6(4) expld. ... ..	96, s. 1(7), sch. 5 para. 20.
		S. 6(4)(b) am. ... ..	96, s. 4, sch. 6 para. 8.
		S. 6(4)(f) rep. in pt. ... ..	10, s. 2(2).
		mod. ... ..	10, ss. 2(3), 6(4), schs. 1 para. 2 (1), 4.
		S. 6(4)(ii) ext. ... ..	10, s. 2(3), sch. 1 para. 2(2).
c. 27 ... ..	Solicitors Act 1957 ...	S. 33(3) subst. ... ..	96, s. 4, sch. 7 para. 7.
c. 34 ... ..	National Health Service Contributions Act 1957.	S. 1(1) am. (meaning of "National Insurance Acts")	42, s. 39(2), sch. 3 Pt. II para. 24.
c. 38 ... ..	Housing and Town Development (Scotland) Act 1957.	S. 10(1) am. ... ..	96, s. 1(7), sch. 5 para. 21.
		S. 22 am. ... ..	56, s. 100.
c. 41 ... ..	Advertisements (Hire-Purchase) Act 1957.	S. 23(1)(c) added ... ..	56, s. 23(3).
		S. 1(2)(d)(e), (4) added ...	56, s. 98(2).
		S. 2(2)(e) rep. in pt., 2(2)(g) added, 2(3) am.	53, s. 30.
		S. 2(4) am. ... ..	53, s. 31.
		S. 2A added ... ..	53, ss. 31, 34(1), sch. 4.
		S. 3(1) am. ... ..	53, s. 32(1).
		Sch. added ... ..	53, s. 34(1), sch. 4.
c. 42 ... ..	Parish Councils Act 1957	Sch. 1 para. 2 subst. ...	53, s. 32(2).
c. 47 ... ..	Ministerial Salaries Act 1957.	S. 1(2) rep. in pt. ...	75, s. 26(4).
c. 49 ... ..	Finance Act 1957 ...	S. 3(3) rep. and superseded.	98, s. 5(4), sch. 3.
		S. 3(4) rep. in pt., 3(5) rep.	49, ss. 2(4), 26(7), sch. 9.
		S. 13 am. ... ..	49, s. 26(7), sch. 9.
		Ss. 23(4), 26(2)(3), 30(4) all rep. in pt.	49, s. 14.
		S. 33(1)(2)(a) am. ...	37, s. 17(4)(5), sch. 6 Pt. II.
		Sch. 6 para. 1(1)(c)(ii) rep. in pt.	37, s. 17(3), sch. 4.
c. 51 ... ..	Road Transport Lighting Act 1957.	Ss. 1, 2, 8 mod. ...	37, s. 17(4)(5), sch. 6 Pt. II.
c. 53 ... ..	Naval Discipline Act 1957	Restr. (meaning of "colony")	S.I. No. 205.
		Ss. 16(2), 17(1) am., 21 am. and rep. in pt.	46, s. 4(2).
		S. 43 appl. ... ..	86, s. 4(2)(a).
		S. 43(1) am. ... ..	93, s. 4(2)(a).
			S.I. No. 488, art. 2, sch. 1 Pt. I.
			43, ss. 4, 6(5), sch. 1 para. 9.
			S.I. No. 488, art. 2, sch. 1 Pt. I.

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5 & 6 Eliz. 2: c. 53— <i>cont.</i>	Naval Discipline Act 1957— <i>cont.</i>	<p>S. 44 appl. ... ..</p> <p>S. 44(6)(7) am. ... ..</p> <p>Ss. 46(2), 47(2), 49(1), 50(5) am. ... ..</p> <p>S. 52 excl. ... ..</p> <p>Ss. 53(1)(5), 58(1), 59(6) am. ... ..</p> <p>S. 63(1) am. ... ..</p> <p>rep. in pt. ... ..</p> <p>S. 63(2) am. ... ..</p> <p>S. 63(3) added ... ..</p> <p>Ss. 64(2), 65(3), 66(1)–(4) am. ... ..</p> <p>S. 70 ext. ... ..</p> <p>S. 70(1)–(3) am....</p> <p>S. 71(1) am. ... ..</p> <p>S. 71(1)(b) am., 71(1)(c) (d), (5) (6) added.</p> <p>S. 71(2)(3) am. ... ..</p> <p>Ss. 72(1)(2)(4), 74(1)(2), 75(1)–(3), 76(1)–(3), (6), 77(4), 78(1), 79(1)(3) (5), 81(2)(3), 82(1), (6) (7), 84(1), 85(2), 88(1), 90(2)(3), 91(1), 92(1)(2), 98(1), 101(2), 110(2)(3), 111(1), (5)–(7), 117, 120(2) am., 120(3) rep., 121(1) am., 130(1) rep. in pt., 131(1), 132(1) (2)(4) am., 133(5) rep. in pt.</p> <p>S. 135(1) am. (definition of "Commonwealth force").</p> <p>am. ... ..</p> <p>Sch. 2 paras. 2 am., 11 rep., sch. 3 paras. 1 am., 4 am. and rep. in pt., sch. 4 para. 4 am. Sch. 5 rep. in pt. (saving)</p>	<p>43, ss. 4, 6(5), sch. 1 para. 9.</p> <p>S.I. No. 488, art. 2, sch. 1 Pt. I.</p> <p>S.I. No. 488, art. 2, sch. 1 Pt. I.</p> <p>43, ss. 4, 6(5), sch. 1 para. 3.</p> <p>S.I. No. 488, art. 2, sch. 1 Pt. I.</p> <p>84, s. 7, sch. 2 Pt. II.</p> <p>S.I. No. 488, art. 2, sch. 1 Pt. I.</p> <p>84, s. 7, sch. 2 Pt. II.</p> <p>S.I. No. 488, art. 2, sch. 1 Pt. I.</p> <p>84, s. 7, sch. 2 Pt. II.</p> <p>S.I. No. 488, art. 2, sch. 1 Pt. I.</p> <p>43, ss. 4, 6(5), sch. 1 para. 11.</p> <p>84, s. 7, sch. 7 Pt. II.</p> <p>S.I. No. 488, art. 2, sch. 1 Pt. I.</p> <p>S.I. No. 488, art. 2, sch. 1 Pt. I.</p> <p>84, s. 7, sch. 2 Pt. II.</p> <p>S.I. No. 488, art. 2, sch. 1 Pt. I.</p> <p>S.I. No. 488, art. 2, sch. 1 Pt. I.</p> <p>46, s. 4(2). 65, s. 2(2), sch. 1 para. 5.</p> <p>86, s. 4(2)(b). 93, s. 4(2)(b).</p> <p>S.I. No. 488, art. 2, sch. 1 Pt. I.</p> <p>S.I. No. 488, art. 2, sch. 1 Pt. I.</p> <p>84, s. 8(5)(d).</p>

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<p>5 &amp; 6 Eliz. 2 —cont. c. 56 ... ..</p>	<p>Housing Act 1957 ...</p>	<p>Pt. II (ss. 4-41) expld. ... Ss. 4, 5 appl. ... .. S. 10(6) appl. ... ..  Ss. 14, 15 ext. ... .. Ss. 22(2), 45(3), 85(2) saved (<i>temp.</i>). S. 69(3) am. ... .. S. 85(2) saved (<i>temp.</i>) ... Pt. V (ss. 91-134) ext. ...     restr. S. 139 rep. ... .. Pt. VII (ss. 143-187).     Certain functions transfd. to Minister of Public Building and Works. Ss. 145, 146, 148. Functions transfd. to Minister of Public Building and Works. S. 159 appl. (mod.) ... .. S. 161 am. ... ..  Ss. 166-170 ext. ... .. Ss. 178(1) proviso, 179(1) proviso rep. Sch. 3 Pt. I am. ... .. S. 11(7) am. ... ..</p>	<p>56, s. 103(2). 56, s. 44(3). 56, ss. 29(3), 30(2), 80(3). 56, s. 32. 97, ss. 3(2), 6(2). 56, s. 103(3). 97, s. 3(2). 56, s. 4(1). 56, s. 74(5). 9, s. 9(2), sch. 3. S.I. No. 263, art. 2, sch. Pt. II.  S.I. No. 263, art. 2, sch. Pt. I.  56, s. 65(4). 56, ss. 39(3), 66, 103(4). 56, s. 103(1). 56, ss. 103(5), 108(2), sch. 5. S.I. No. 490. 51, s. 4(1), sch. 3 Pt. II. 79, S.L.R.</p>
<p>6 &amp; 7 Eliz. 2: c. 1 ... ..  c. 4 ... ..  c. 6 ... ..  c. 7 ... ..</p>	<p>National Insurance (No. 2) Act 1957.  Public Works Loans Act 1957.  Import Duties Act 1958  Consolidated Fund Act 1958.</p>	<p>Sch. 4 Pt. II superseded in pt.  Rep. ... ..  S. 2(4) am. ... ..  S. 2(9) am. ... ..  S. 3(1) excl. ... .. S. 6 ext. ... .. S. 10 ext. ... .. S. 13(1)-(4) ext. Rep. ... ..</p>	<p>96, s. 1(4).  9, s. 9(2), sch. 3.  46, s. 4(4), sch. 2 para. 4. 65, s. 2(2), sch. 1 para. 4. 86, s. 4(4), sch. 2 para. 4. 93, s. 4(4), sch. 2 para. 4. 46, s. 4(4), sch. 2 para. 4. 65, s. 2(2), sch. 1 para. 4. 86, s. 4(4), sch. 2 para. 4. 92, ss. 3(2), (11) (12), 4. 92, s. 6(1), sch. 2 para. 6(2). 92, s. 6(1), sch. 2 para. 7(2). 49, s. 3(3). 79, S.L.R.</p>

Session and Chap. or No. of Measure	Short title or Subject	How affected	Chapter of 1964 Act or number of Measure or Statutory Instrument
6 & 7 Eliz. 2 —cont.			
c. 8 ... ..	Trustee Savings Banks Act 1958.	S.1(2) expld. and am. ... S. 3(2) am. ... ..	4, s. 7(4). 4, s. 9, sch. 2 para. 10.
c. 10 ... ..	British Nationality Act 1958.	Ss. 1(1)(b), (3) rep., 3(1) (c) rep. in pt.	65, s. 11(3), sch. 3.
c. 11 ... ..	Isle of Man Act 1958 ...	S. 2 ext. ... ..	28, s. 1(12).
c. 14 ... ..	Overseas Service Act 1958	Am. (certain functions of Secy. for Technical Co-operation transfd. to Minister of Overseas Development).	S.I. No. 1849.
c. 16 ... ..	Commonwealth Institute Act 1958.	Sch. 2 am. ... ..	46, s. 4(4), sch. 2 para. 14. 65, s. 2(2), sch. 1 para. 10. 86, s. 4(4), sch. 2 para. 14. 93, s. 4(4), sch. 2 para. 13. 79, S.L.R.
c. 18 ... ..	Consolidated Fund (No. 2) Act 1958.	Rep. ... ..	79, S.L.R.
c. 23 ... ..	Milford Haven Conservancy Act 1958.	Power to am. ... .. Ss. 1(6) rep. in pt., 11(1) (2) rep. in pt., 11(4) rep.	40, s. 60(1). 40, s. 63(3), sch. 6.
c. 28 ... ..	Solicitors (Scotland) Act 1958.	S. 12(7) am. ... .. Sch. 3 rep. ... .. Apptd. day for s. 13 (9.10.1964).	40, s. 39(2). 40, s. 63(3), sch. 6. S.I. No. 1641.
c. 30 ... ..	Land Powers (Defence) Act 1958.	Ss. 6(1), 7, 8(1), 10(8), 14(3), 25(1), 26(1), sch. 3 para. 1 all rep. in pt. (saving).	S.I. No. 488, art. 2, sch. 1 Pt. II.
c. 38 ... ..	Defence Contracts Act 1958.	S. 6(1) am. ... ..	S.I. No. 488, art. 2, sch. 1 Pt. I.
c. 42 ... ..	Housing (Financial Provisions) Act 1958.	S. 9 ext. ... .. S. 13(2)(b) am. ... .. S. 31(3) mod. ... .. S. 32(1)(b) mod. ... .. S. 32(2) ext. ... .. S. 33(1) am. ... .. S. 34 ext. ... .. S. 43(3)(c) appl. ... .. S. 47(7) rep. ... .. S. 49 ext. ... .. S. 54(4)(a) rep. ... .. S. 57 ext. ... .. Sch. 4 mod. ... .. saved ... .. Sch. 4 para. 3(bb) rep. ... ..	56, s. 63(1). 56, s. 97(1). 56, s. 53. 56, s. 60. 56, s. 54(2). 56, s. 54(1). 56, s. 54(3). 56, s. 57(8). 9, s. 9(2), sch. 3. 56, s. 56(6). 9, s. 9(2), sch. 3. 56, s. 104. 56, s. 56. 56, s. 56(9). 56, s. 108(2), sch. 5.
c. 44 ... ..	Dramatic and Musical Performers' Protection Act 1958.	Sch. 5 para. 1 am. ... .. S. 1 para. (a) excl. ... ..	56, s. 92(7). 21, s. 3(6)(b).
c. 47 ... ..	Agricultural Marketing Act 1958.	S. 7 am. ... ..	28, s. 22(3).



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6 & 7 Eliz. 2 — <i>cont.</i>			
c. 55 ... ..	Local Government Act 1958.	S. 5 expld. ... .. S. 60 ext. ... .. S. 60(2) appl. ... .. ext. ... .. am. ... .. Sch. 8 para. 18 rep. ... ..	18, s. 6(1). 42, s. 29(6) (b). 48, s. 58(4). 75, s. 11(2). 48, s. 63, sch. 9. 48, s. 64(3), sch. 10 Pt. I.
c. 56 ... ..	Finance Act 1958 ...	Ss. 4, 5 rep. ... ..  S. 16(6) rep. in pt. ... ..  S. 27(1)(a), (3) am. ... .. S. 37(2) rep. ... ..  Sch. 4 rep. ... ..  Sch. 6 rep. in pt. ... ..	49, s. 26(7), sch. 9.  37, s. 17(4)(5), sch. 6 Pt. II. 37, s. 10(2)(a). 37, s. 17(4)(5), sch. 6 Pt. II. 49, s. 26(7), sch. 9. 37, s. 17(4)(5), sch. 6 Pt. II.
c. 57 ... ..	Appropriation Act 1958	Rep. ... ..	79, S.L.R.
c. 62 ... ..	Merchant Shipping (Liability of Shipowners and Others) Act 1958.	Appl. (mod.) (Jersey) ... .. (Guernsey) ... ..	S.I. No. 928. S.I. No. 929.
c. 66 ... ..	Tribunals and Inquiries Act 1958.	S. 5 excl. (E.)(S.) ... .. S. 7 rep. ... ..  S. 9 am. (E.)(S.) ... .. appl. (mod.) (Jersey) ... .. Sch. 1 Pt. I am. ... ..  Sch. 1 Pt. I am. (E.) (S.) ... .. Sch. 1 Pt. I para. 20(c) rep., Pt. II para. 35(b) rep. ... ..	14, s. 12(2). 37, s. 17(5), sch. 6 Pt. I. 14, s. 10(2). S.I. No. 58. S.I. Nos. 445, 1726. 14, s. 12. 37, s. 17(4)(5), sch. 6 Pt. II.
c. 71 ... ..	Agriculture Act 1958 ...	S. 6(1)(2) rep. ... ..  S. 6(3) am. ... ..	41, s. 34(2), sch. 3. 41, s. 34(1), sch. 2 para. 23.
7 & 8 Eliz. 2:			
c. 5 ... ..	Adoption Act 1958 ...	Ext. ... .. S. 14(2) ext. ... .. S. 15 ext. ... .. S. 16 saved ... .. S. 17 saved ... .. S. 17(3) am. ... .. S. 18(2)-(4) rep. ... ..  S. 19 ext. ... .. Ss. 20(2), 22(2) ext. ... .. Ss. 21, 23 mod. ... .. S. 25 ext. ... .. S. 53 mod. ... .. Rep. ... ..	57, s. 1. 57, s. 1(2). 57, s. 1(2). 57, s. 1(4). 57, s. 1(4). 57, s. 1(1). 41, ss. 24(4), 34(2), sch. 3. 57, ss. 1(3), 4(4). 57, s. 2(1). 57, s. 3(1). 57, s. 1(2). 57, s. 3(3). 11, s. 1(2).
c. 10 ... ..	Navy, Army and Air Force Reserves Act 1959.	Rep. ... ..	11, s. 1(2).
c. 14 ... ..	Malta (Letters Patent) Act 1959.	Rep. ... ..	86, s. 4(6), sch. 3.
c. 15 ... ..	Consolidated Fund Act 1959.	Rep. ... ..	79, S.L.R.

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7 & 8 Eliz. 2 —cont. c. 19 ... ..	Emergency Laws (Repeal) Act 1959.	Ss. 1, 2 rep. ... .. S. 3 cont. until end of December 1965. S. 3(1) rep. in pt. ... .. S. 3(2)(f) rep. and(temp.) superseded. S. 3(3) rep. in pt. ... .. Ss. 4(1), 5 rep., 8(1) rep. in pt., 8(2) rep. S. 9(1) rep. ... .. S. 9(2)(b) am. ... .. S. 10(2) rep. in pt. ... .. am. ... .. S. 10(3) mod. ... .. Schs. 1 rep., 2 rep. exc. Part C, 3 rep., 4 Pt. II rep. so far as relating to the Ships and Aircraft (Transfer Restriction) Act 1939, the Ceylon Independence Act 1947, the Ghana Independence Act 1957, and the Federation of Malaya Independence Act 1957.	60, s. 22(2), sch. 2. 94, s. 1(3). 60, s. 22(2), sch. 2. 60, ss. 17, 22(2), sch. 2. 60, s. 22(2), sch. 2. 60, s. 22(2), sch. 2. 60, s. 22(2), sch. 2. 60, s. 21. 60, s. 22(2), sch. 2. 94, s. 1(3). 94, s. 1(3). 60, s. 22(2), sch. 2.
c. 21 ... ..	Intestate Husband's Estate (Scotland) Act 1959.	Rep. ... ..	41, ss. 1(1), 34(2), sch. 3.
c. 22 ... ..	County Courts Act 1959	S. 4(1), (4) am. ... .. S. 8(1) appl. ... .. S. 11 excl. (London) ... .. S. 99 appl. ... .. S. 108 appl. ... .. S. 197 am. ... ..	42, ss. 5(2), 39(2), sch. 3 para. 25. iv, s. 14(3). 42, s. 5(3). 53, s. 18(3). 56, s. 84(9). iv, s. 20(2).
c. 23 ... ..	Overseas Resources Development Act 1959.	Certain functions transf. to Min. of Overseas Development.	S.I. No. 2050.
c. 25 ... ..	Highways Act 1959 ...	Ss. 87-97 ext. (New Forest). S. 144 saved (New Forest)	83, s. 3(3). 83, s. 3(6) proviso.
c. 33 ... ..	House Purchase and Housing Act 1959.	S. 198(2) expld. ... .. S. 4 ext. ... .. restr. ... .. S. 4(1)(a) am. ... .. S. 4(1)(c) subst. by s. 4(1)(c), (cc), (ccc). S. 4(3) excl. in pt. ... .. S. 4(4) excl. ... .. S. 4(6) am. ... .. S. 5(1) am. ... ..	9, s. 2 (3)(5). 56, ss. 43(7), 45(1), 46(8), 47(2), 49(4). 56, s. 48(1). 56, s. 49(2)(3). 56, s. 49(1). 56, s. 45(1). 56, s. 47(2). 56, s. 52(1). 56, s. 45(2).

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7 & 8 Eliz. 2: c. 33— <i>cont.</i>	House Purchase and Housing Act 1959 — <i>cont.</i>	S. 5(3) mod. ... .. S. 6 rep. (saving) and superseded. S. 11(3) rep. in pt. ... ..  S. 12 am. ... .. S. 13 am. ... .. ext. ... .. S. 13(2) excl. in pt. ... .. S. 13(3) excl. ... .. S. 13(5) am. ... .. S. 14 rep. (saving) ... ..  S. 15 ext. ... .. S. 19 ext. ... ..  restr. ... .. S. 19(1)(a) am. ... .. S. 19(1)(c) subst. by s. 19(1)(c), (cc), (ccc). S. 19(3) excl. in pt. ... .. S. 19(4) excl. ... .. S. 20(1) am. ... .. S. 21 superseded ... .. Ss. 24(3) and 28(2) rep. in pt. ... .. S. 29(3) ext. ... .. Rep. ... ..	56, s. 53. 56, ss. 46(8), 108(2), sch. 5. 56, s. 108(2), sch. 5.  56, s. 56(8). 56, s. 50(1). 56, ss. 51, 63(1). 56, s. 50(1). 56, s. 50(2). 56, s. 52(1). 56, s. 108(2), sch. 5.  56, s. 63(1). 56, ss. 43(7), 45(1)(4), 46(8)(9), 47(2)(4). 56, s. 48(1)(2). 56, s. 49(2)(3)(5). 56, s. 49(1)(5).  56, s. 45(1)(4). 56, s. 47(2)(4). 56, s. 45(2)(4). 56, s. 46(8)(9). 56, s. 108(2), sch. 5. 56, s. 51(9). 48, s. 64(3), sch. 10 Pt. II.
c. 38 ... ..	Police Federation Act 1959.	S. 1 rep. ... ..	42, s. 41(8), sch. 5.
c. 45 ... ..	Metropolitan Magistrates' Courts Act 1959.	S. 1(2) am. ... ..	96, s. 1(2).
c. 47 ... ..	National Insurance Act 1959.	S. 3(3) am. ... ..	96, s. 4, sch. 6 para. 5.
		S. 4(5) ext. ... ..	96, s. 4, sch. 6 para. 14.
		S. 5(5) rep. in pt. ... ..	96, s. 6(4), sch. 8.
		S. 7(7) proviso (a) am. ... ..	96, s. 4, sch. 6 para. 28.
		S. 9(7) am. ... ..	96, s. 4, sch. 6 para. 5.
c. 51 ... ..	Licensing (Scotland) Act 1959.	Sch. 1 Pt. II am. and superseded.	S.I. No. 152.
c. 53 ... ..	Town and Country Planning Act 1959.	S. 29 ext. ... ..	56, s. 1(4).
c. 58 ... ..	Finance Act 1959 ...	S. 1 rep. ... ..	49, ss. 2(5), 26(7), sch. 9.
		S. 4 expld. (E.) ... ..	26, s. 203(1), sch. 13 para. 4.
		S. 19(2) rep. ... ..	92, s. 10(4), sch. 4.
		S. 23(2)(b) am. ... ..	37, s. 17(3), sch. 4.
		Sch. 1 rep. ... ..	49, s. 26(7), sch. 9.
		Sch. 2 rep. so far as relating to the Licensing Act 1953 (c. 58).	26, s. 203(3), sch. 15.

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7 & 8 Eliz. 2			
—cont.			
c. 59 ... ..	Appropriation Act 1959	Rep. ... ..	79, S.L.R.
c. 62 ... ..	New Towns Act 1959 ...	S. 3(1) am. ... .. rep. in pt. ... ..	8, s. 1(1). 8, ss. 1(2), 2(2), sch.
		S. 9(6) rep. ... ..	26, s. 203(3), sch. 15.
c. 63 ... ..	Export Guarantees Act 1959.	S. 11, sch. 2 para 5(2) rep. Rep. ... ..	8, s. 2(2), sch. 6, s. 3(2).
c. 65 ... ..	Fatal Accidents Act 1959	S. 1(3) rep. in pt. ... ..	57, s. 2(2).
c. 66 ... ..	Obscene Publications Act 1959.	Ext. ... .. S. 2 ext. ... .. mod. ... ..	74, s. 2. 74, s. 1(2)(4). 74, s. 1(3).
		S. 2(1) am. ... .. S. 3 ext. ... ..	74, s. 1(1). 74, s. 1(4)(5).
c. 70 ... ..	Town and Country Planning (Scotland) Act 1959.	S. 29 ext. ... ..	56, s. 1(4), (9).
c. 71 ... ..	Colonial Development and Welfare Act 1959.	Certain functions transfd. to Min. of Overseas Development. S. 9 excl. ... ..	S.I. No. 2050. 65, s. 2(2), sch. 1 para. 12.
c. 72 ... ..	Mental Health Act 1959	Pt. IV (ss. 25–59) expld. Pt. V (ss. 60–80) ext. ... .. S. 60 expld. ... .. S. 63(5) proviso mod. ... .. S. 65 expld. ... .. S. 71(1) rep. (saving), 71(3) rep. in pt. (saving), 71(5) rep. S. 72(6)(a) am. ... .. S. 73 ext. ... .. S. 73(2)(a) am. ... .. S. 74 ext. ... .. S. 76 ext. ... .. S. 76(1) am. ... .. S. 76(2)(a) am. ... .. S. 76(2)(b) am. ... .. S. 80(6) rep. ... ..	84, s. 5(3), sch. 1 para. 3. 84, s. 4(7). 84, s. 5(3), sch. 1 para. 2(1). 84, s. 5(3), sch. 1 para. 4. 84, s. 5(3), sch. 1 para. 2(1). 84, s. 8(5)(c). 84, s. 5(5). 84, s. 4(7). 43, s. 5, sch. 2. 84, s. 4(7). 84, s. 4(7). 84, s. 4(7)(a). 84, s. 4(7)(a). 84, s. 4(7)(b). 42, s. 41(8), sch. 5.
8 & 9 Eliz. 2:			
c. 6 ... ..	Commonwealth Scholarships Act 1959.	Certain functions transfd. to Min. of Overseas Development.	S.I. No. 2050.
c. 7 ... ..	Sea Fish Industry Act 1959.	Ss. 5(5) rep. ... .. S. 7(3), (6) am. ... .. S. 8(1)(c) rep. in pt. Rep. ... ..	72, s. 3(4), sch. 2. 72, s. 3(3), sch. 1. 72, s. 3(4), sch. 2. 79, S.L.R.
c. 10 ... ..	Consolidated Fund Act 1960.		
c. 12 ... ..	Distress for Rates Act 1960.	S. 11(1) mod. ... ..	42, s. 39(2), sch. 3 Pt. II para. 26.
c. 15 ... ..	Water Officers Compensation Act 1960.	Apptd. day for commencement of Act (1.4.1964).	S.I. No. 352.

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8 & 9 Eliz. 2			
—cont.			
c. 16 ...	Road Traffic Act 1960 ...	S. 21 ext. ... S. 202(3) rep. (E.) ...	S.I. No. 1234. 48, s. 64(3), sch. 10 Pt. I.
		S. 250(3) am. ...	S.I. No. 488, art. 2 sch. 1 Pt. I.
		S. 257(1) rep. (E.) so far as defining "chief officer of police".	48, s. 64(3), sch. 10 Pt. I.
c. 22 ...	Horticulture Act 1960 ...	Pt. I (ss. 1-8) ext. ...	28, s. 8.
		S. 1 am. ...	28, s. 7(1)(2).
		S. 1(2) am. ...	28, s. 5(1)(2).
		restr. ...	28, s. 6(1)(2).
		S. 3 appl. ...	28, s. 3(2).
		S. 4 am. ...	28, s. 7(1)(2).
		S. 5 rep. ...	28, s. 7(3).
c. 25 ...	War Damage (Clearance Payments) Act 1960.	Am. (cessation of payments after 1.10.1974).	25, s. 7.
c. 34 ...	Radioactive Substances Act 1960.	Power to mod. ...	29, s. 7.
c. 35 ...	International Development Association Act 1960.	S. 2(2) ext. ...	13, s. 2(2).
		S. 2(3)(4) am. ...	13, s. 2(3).
c. 38 ...	Civil Aviation (Licensing) Act 1960.	Apptd. day for provisions of Act as extd. to C.Is. (4.1.1965).	S.I. No. 1117.
		Apptd. day for provisions of Act as extd. to Isle of Man (4.1.1965).	S.I. No. 1118.
		S. 2(7)(b) restr. ...	46, s. 4(4), sch. 2 para. 12.
			65, s. 2(2), sch. 1 para. 12.
			86, s. 4(4), sch. 2 para. 12.
			93, s. 4(4), sch. 2 para. 11.
c. 40 ...	Commonwealth Teachers Act 1960.	Certain functions transfd. to Ministry of Overseas Development.	S.I. No. 2050.
c. 44 ...	Finance Act 1960 ...	Ss. 2 rep., 9 rep. (saving)	49, s. 26(7), sch.9.
		Ss. 17(3), 21(4), 21(13), 27(1)(4)(5) all rep. in pt.	37, s. 17(4)(5), sch. 6 Pt. II.
		S. 32(4) ext. ...	49, s. 21(5).
		S. 33(3) rep. in pt. ...	37, s. 17(4)(5), sch. 6 Pt. II.
		S. 33(4)(b) am. ...	37, s. 17(3), sch.4.
		S. 38(4) rep. in pt. ...	37, s. 17(4)(5), sch. 6 Pt. II.
		Pt. III (ss. 44-63) am. ...	37, ss. 7(8), 12(3).
		S. 45(2) am. ...	37, s. 17(3), sch.4.
		S. 46(7) rep. in pt. ...	37, s. 17(4)(5), sch. 6 Pt. II.
		Ss. 51, 52 am. ...	37, s. 6(1)(c).
		S. 53 am. ...	37, s. 6(1)(d).
		S. 59 am. ...	37, s. 12(3)
		Sch. 2 Pt. I rep. and superseded.	49, ss. 6(5), 26(7), schs. 6 Pt. I, 9.
		Sch. 2 Pt. II ext. ...	49, s. 6(6), sch. 6 Pt. IV para. 30.

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8 & 9 Eliz. 2 c. 44—cont.	Finance Act 1960—cont.	Sch. 2 Pt. II para. 1(a)(b) subst.	49, s. 6(6), sch. 6 Pt. IV para. 29(2).
		Sch. 2 Pt. II para. 2(2)(a) subst.	49, s. 6(6), sch. 6 Pt. IV para. 29(3).
		Sch. 2 Pt. II para. 7 added	49, s. 6(6), sch. 6 Pt. IV para. 29(4).
		Sch. 6 am. ... rep. in pt. ...	37, ss. 7(8), 12(3). 37, s. 17(4)(5), sch. 6 Pt. II.
c. 45 ...	Appropriation Act 1960	Sch. 7 para. 7 am. ...	37, s. 10(2)(b).
c. 48 ...	Matrimonial Proceedings (Magistrates' Courts) Act 1960.	Rep. ...	79, S.L.R.
		S. 1(2) am. ...	42, s. 39(2), sch. 3 Pt. II para. 27.
		S. 12(3) am. ...	S.I. No. 488, art. 2, sch. 1 Pt. I.
c. 52 ...	Cyprus Act 1960	Sch. para. 11 rep. ...	60, s. 22(2), sch. 2.
c. 54 ...	Clean Rivers (Estuaries and Tidal Waters) Act 1960.	Sch. para. 26(1) rep. and subst.	xxxvi, ss. 13, 16, sch. 1 Pt. II.
c. 55 ...	Nigeria Independence Act 1960.	Sch. 2 para. 9 rep. ...	60, s. 22(2), sch. 2.
c. 57 ...	Films Act 1960 ...	S. 39(3)(b) subst. ...	52, s. 1.
		S. 39(8) added ...	52, s. 1.
		S. 50 am. ...	S.I. No. 695.
c. 58 ...	Charities Act 1960 ...	Sch. 6 rep. so far as relating to the Public Libraries Act 1892 (c. 58).	75, s. 26(2), sch. 3.
c. 63 ...	Road Traffic and Roads Improvement Act 1960.	S. 2(8) am. ...	48, s. 63, sch. 9.
		rep. in pt. (E.) (in pt. on 1.6.1965).	48, s. 64(3), sch. 10 Pt. I.
		S. 2(10) rep. in pt. ...	48, s. 64(3), sch. 10 Pt. I.
		excl. ...	92, s. 3(7).
		expld. ...	92, s. 9(8).
c. 65 ...	Administration of Justice Act 1960.	S. 5(4) am. ...	84, s. 5(5).
c. 66 ...	Professions Supplementary to Medicine Act 1960.	Apptd. day for remaining prospective provisions of Act (ss. 8, 9, sch. 2) (1.7.1964).	S.I. No. 927.
C.A.M. No. 1 ...	Church Property (Miscellaneous Provisions) Measure 1960.	S. 19(3)(4) rep. ...	79, S.L.R.
		S. 20 (2A) added ...	C.A.M. No. 8, s. 3.
9 & 10 Eliz. 2:			
c. 1 ...	Indus Basin Development Fund Act 1960.	Certain functions transf'd. to Minister of Overseas Development.	S.I. No. 2050.
c. 5 ...	National Insurance Act 1960.	S. 2(3) rep. ...	96, s. 6(4), sch. 8.
		Sch. 1 Pt. III para. 4 rep.	96, s. 6(4), sch. 8.
		Sch. 4 para. 4(a) rep. ...	96, s. 6(4), sch. 8.
		Sch. 4 para. 5 rep. ...	10, s. 6(4), sch. 8.

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9 & 10 Eliz. 2 —cont.			
c. 6 ... ..	Ministers of the Crown (Parliamentary Secretaries) Act 1960.	S. 1 rep. ... .. S. 2 rep. ... .. Sch. 1 rep. so far as amending the Air Force (Constitution) Act 1917 and the Ministry of Defence Act 1946. rep. so far as amending the Ministers of the Crown Act 1937. rep. so far as amending the Education Act 1944.	98, s. 5(4), sch. 3. S.I. No. 490. S.I. No. 488, art. 2, sch. 1 Pt. II.
c. 7 ... ..	Consolidated Fund Act 1961.	Rep. ... ..	98, s. 5(4), sch. 3. S.I. No. 490.
c. 10 ... ..	Overseas Service Act 1961	Certain functions of Secretary for Technical Co-operation transf'd. to Minister of Overseas Development.	79, S.L.R. S.I. No. 1849.
c. 11 ... ..	Diplomatic Immunities (Conferences with Commonwealth Countries and Republic of Ireland) Act 1961.	S. 1(1)(4) rep. in pt. ... S. 1(5) am. ...	81, s. 8(4), sch. 2. 46, s. 4(4), sch. 2 para. 3. 65, s. 2(2), sch. 1 para. 3. 93, s. 4(4), sch. 2 para. 3.
c. 12 ... ..	Consolidated Fund (No. 2) Act 1961.	Rep. ... ..	79, S.L.R.
c. 13 ... ..	National Health Service Contributions Act 1961.	Sch. 2 para. 1(1)–(4) rep., 1(5) rep. in pt., 1(6) rep.	96, s. 6(4), sch. 8.
c. 15 ... ..	Post Office Act 1961 ...	S. 3(2) am. ... .. S. 10(2) am. ... ..	21, s. 29(2). 3, s. 1.
c. 16 ... ..	Sierra Leone Independence Act 1961.	Sch. 3 para. 10 rep. ...	60, s. 22(2), sch. 2.
c. 33 ... ..	Land Compensation Act 1961.	S. 4 appl. (mod.) ...	26, s. 107(4).
c. 34 ... ..	Factories Act 1961 ...	Functions of Minister of Housing and Local Government and of Secretary of State under s. 46(5) transf'd. to Minister of Labour.	S.I. No. 263, art. 4.
c. 36 ... ..	Finance Act 1961 ...	Sch. 6 para. 3. Apptd. day (27.6.1964). S. 1 rep. ... .. S. 9 am. ... .. excl. ... .. expld. ... .. S. 9(4)(a)(c) appl. ... .. Ss. 21(3) and 22(2) rep. in pt., 22(3) paras. (b)–(d) rep. S. 28(1)(3) am. ... ..	S.I. No. 782. 49, ss. 9, 26(7), sch. 9. 49, s. 8(1)–(3). 92, ss. 3(7), (11) (12), 4. 92, s. 9(8). 49, s. 8(7). 37, s. 17(4)(5), sch. 6 Pt. II. 37, s. 17(3), sch. 4.

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9 & 10 Eliz. 2: c. 36— <i>cont.</i>	Finance Act 1961— <i>cont.</i>	S. 28(5) rep. ... .. Sch. 1 rep. ... .. Sch. 3 para. 2(2) mod. ... Sch. 3 para. 3 saved ... .. Sch. 4 para. 6 rep. ... .. Sch. 4 para. 7 am. ... .. S. 7(1)(b) rep. in pt. ... ..	37, s. 17(4)(5), sch. 6 Pt. II. 49, ss. 9, 26(7), sch. 9. 49, s. 8(6). 49, s. 8(5). 49, s. 26(7), sch. 9. 49, s. 6(7). 42, s. 41(8), sch. 5.
c. 43 ... ..	Public Authorities (Allowances) Act 1961.	Ss. 11(4), 12(4) excl. ... ..	18, s. 2(4).
c. 45 ... ..	Rating and Valuation Act 1961.	Rep. ... ..	48, s. 64(3), sch. 10 Pt. II.
c. 51 ... ..	Police Federation Act 1961.	S. 1 restr. ... .. S. 2 excl. ... .. S. 3(1) am. ... .. S. 8 excl. ... .. Ss. 13(4), 17(1) am., 17(2) rep. in pt., 28(1) am., 28(2) rep. in pt., sch. 1 paras. 1, 3, 6 rep.	86, s. 4(3). 11, s. 2(4). S.I. No. 488, art. 2. 11, s. 2(4). S.I. No. 488, art. 2.
c. 52 ... ..	Army and Air Force Act 1961.	Rep. ... ..	53, ss. 25(3), 34 (2), sch. 5.
c. 56 ... ..	Credit-Sale Agreements (Scotland) Act 1961.	S. 6(1) am. so far as defining "trustee".	41, s. 20.
c. 57 ... ..	Trusts (Scotland) Act 1961.	Rep. ... ..	79, S.L.R.
c. 59 ... ..	Appropriation Act 1961	Rep. ... ..	26, s. 203(3), sch. 15.
c. 61 ... ..	Licensing Act 1961 ...	S. 1(1) expld. ... .. Sch. 1 Pt. I am. ... ..	4, s. 12. S.I. Nos. 703, 1404.
c. 62 ... ..	Trustee Investments Act 1961.	Ss. 4, 6-9, 86(2), sch. 1. Functions transfd. to Minister of Public Building and Works. S. 82. Certain functions transfd. to Minister of Public Building and Works.	S.I. No. 263, art. 2, sch. Pt. I. S.I. No. 263, art. 2, sch. Pt. II.
c. 64 ... ..	Public Health Act 1961	S. 7(2)(a) expld. ... .. Pt. II (ss. 12-128) ext. ... .. expld. appl. (mod.) (S.) Ss. 12-14 ext. ... .. S. 12 appl. ... .. S. 12(4) excl. ... .. S. 13 ext. ... .. Ss. 14-16 ext. ... .. excl. ... .. appl. ... .. S. 14(4) am. ... .. S. 14(5) am. ... .. excl. ... ..	9, s. 2(3)(5). 56, ss. 64(10), 85(1), 102. 56, s. 103(2). 56, s. 71, sch. 3. 56, s. 69. 56, s. 86(9). 56, ss. 84(2), 86 (9). 56, s. 75(4). 56, s. 65(1). 56, s. 84(2). 56, s. 86(9). 56, s. 64(6). 56, s. 64(7). 56, ss. 84(2), 86 (9).
c. 65 ... ..	Housing Act 1961 ...		



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9 & 10 Eliz. 2: c. 65— <i>cont.</i>	Housing Act 1961— <i>cont.</i>	S. 15(1) ext. ... .. restr. ... .. S. 15(4) am. ... .. S. 17 am. ... .. excl. ... ..  S. 17(1) am. ... .. S. 18 am. ... .. S. 18(1) rep. in pt. ... ..  S. 18(2) am. ... .. rep. in pt. ... ..  S. 18(3) ext. ... .. rep. in pt. ... ..  S. 18(4) rep. and super- seded. ... .. S. 18(5) am. ... .. S. 18(7)(9) rep. ... ..  S. 19 appl. ... .. S. 19(1) ext. ... .. S. 19(2) am. ... .. S. 22(1) rep. in pt. ... ..  S. 22(3)(b) rep. in pt. ... ..  S. 23 am. ... .. S. 23(4)(5) appl. ... ..  S. 28(2) saved ... .. S. 30(2) rep. ... ..	56, s. 67(1). 56, s. 67(4). 56, s. 64(6). 56, s. 67(2). 56, ss. 84(2), 86 (9). 56, s. 64(7). 56, s. 69(3). 56, ss. 65(5), 108 (2), sch. 5. 56, s. 65(2). 56, s. 108(2), sch. 5. 56, s. 64(1). 56, ss. 64(8), 108 (2), sch. 5. 56, ss. 64(1), 108 (2), sch. 5. 56, s. 64(3). 56, s. 108(2), sch. 5. 56, s. 86(9). 56, s. 67(3). 56, s. 67(5). 56, ss. 70(1), 108 (2), sch. 5. 56, ss. 70(2), 108 (2), sch. 5. 56, s. 69(3). 56, ss. 65(6), 72 (6). 56, s. 65(4). 56, s. 108(2), sch. 5.
10 & 11 Eliz. 2:	Tanganyika Independence Act 1961.	Sch. 2 para. 9 rep. ... ..	60, s. 22(2), sch.2.
c. 1 ... ..	Export Guarantees Act 1961.	Rep. ... ..	6, s. 3(2).
c. 3 ... ..	Family Allowances and National Insurance Act 1961.	S. 1(2)(a)(b) subst. ... .. S. 3(3) ext. ... ..	96, s. 3(2). 96, s. 4, sch. 6 para. 10.
c. 6 ... ..	Consolidated Fund Act 1962.	S. 5(3) am. ( <i>retrosp.</i> ) ... ..  Sch. 1 para. 1(d) am. ... .. Sch. 3 para. 13(3) rep. ... .. Sch. 3 para. 14(1)(b) am. ... ..	96, s. 4, sch. 6 para. 13. 96, s. 3(2). 96, s. 6(4), sch. 8. 96, s. 4, sch. 6 para. 23.
c. 7 ... ..	Local Government (Financial Provisions etc.) (Scotland) Act 1962.	Rep. ... ..	79, S.L.R.
c. 9 ... ..	Consolidated Fund (No. 2) Act 1962.	Sch. 1 am. ... ..	S.I. No. 2016.
c. 11 ... ..	Rep. ... ..	...	79, S.L.R.
c. 13 ... ..	Vehicles (Excise) Act 1962	S. 5(4) excl. ... .. S. 16(3) ext. ... ..	92, s. 9(6). 49, s. 11(1).

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10 & 11 Eliz. 2 —cont.			
c. 15 ... ..	Criminal Justice Administration Act 1962.	S. 4 rep. in pt. ... .. S. 6 rep. ... .. S. 8(5) am. ... ..  Ss. 9 rep. in pt., 11(1) rep. S. 14(1) restr. ... ..  S. 16(4) excl. (London)...  S. 17(2) ext. ... .. S. 18(1) rep. in pt. and am. S. 18(5) mod. (London)  Sch. 4 Pt. I rep. so far as amdg. the Metropolitan Police Courts Act 1839 (c. 71), the Local Government Act, 1888 (c. 41), the Quarter Sessions (London) Act 1896 (c. 55), and the Middlesex County Council Act 1944 (c. xxi).	42, ss. 7(2)(5), 41(8), sch. 5. 42, s. 41(8), sch. 5. 42, s. 39(2), sch. 3 Pt. II para. 28(1). 42, s. 41(8), sch. 5. 42, s. 1(3), sch. 1 para. 10. 42, s. 39(2), sch. 3 Pt. II para. 28(2). 43, s. 3(4). 43, s. 5, sch. 2. 42, s. 39(2), sch. 3 Pt. II para. 28(3). 42, s. 41(8), sch. 5.
c. 21 ... ..	Commonwealth Immigrants Act 1962.	Pt. I and sch. 1 cont. until end of December 1965.	94, s. 1(1).
c. 25 ... ..	Police Federations Act 1962.	S. 17(1) rep. in pt. ... .. Rep. ... ..	81, s. 8(4), sch. 2. 48, s. 64(3), sch. 10 Pt. II.
c. 28 ... ..	Housing (Scotland) Act 1962.	Ss. 1(1)(e), 2(1)(d) am. ... .. S. 11(2)(a) expld. ... .. S. 18(1) am. ... ..	56, s. 98(1). 9, s. 2(3)(5). 56, ss. 11(2), 99 (4).
c. 30 ... ..	Northern Ireland Act 1962.	S. 24 appl. ... .. S. 1(1) am. ... .. Sch. 1 rep. so far as relating to the Income Tax Act 1952 (c. 10).	56, s. 44(3). 37, s. 14(3)-(5). 37, s. 17(4)(5), sch. 6 Pt. II.
c. 31 ... ..	Sea Fish Industry Act 1962.	Ss. 10(1), 11(1), 12(6)(b) am. S. 16(1) rep. in pt. ... ..  S. 27 rep. ... .. S. 35(3) am. ... .. Sch. 1 rep. ... ..	72, s. 3(3), sch. 1.  72, s. 3(3)(4), schs. 1, 2. 40, s. 63(3), sch. 6. 72, s. 3(3), sch. 1. 40, s. 63(3), sch. 6.
c. 37 ... ..	Building Societies Act 1962.	S. 21 expld. ... .. S. 21(7) appl. ... .. S. 22(2)(b) excl. ... .. S. 123(1) ext. ... ..	56, s. 8(2). 56, s. 8(3). 56, s. 8(2). 56, s. 8(7).
c. 38 ... ..	Town and Country Plan- ning Act 1962.	S. 74(3) rep. (25.3.1968)  S. 199(6) appl. ... .. S. 206(1) am. ... ..	25, ss. 9, 12, sch. 3 Pt. II. 40, s. 52(2). 51, s. 4(1), sch. 3 Pt. II.

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10 & 11 Eliz. 2 —cont.			
c. 40 ... ..	Jamaica Independence Act 1962.	Sch. 2 para. 9 rep. ...	60, s. 22(2), sch. 2.
c. 43 ... ..	Carriage by Air (Supplementary Provisions) Act 1962.	Apptd. day for commencement of Act except for s. 5 (in force on passing) and except for s. 6 (1.5.1964).	S.I. No. 486.
c. 44 ... ..	Finance Act 1962 ...	S. 1(2) rep. in pt. ...	49, s. 26(7), sch. 9.
		S. 1(2)(c) rep. ... ..	92, s. 10(4), sch. 4.
		S. 1(4)(a) rep. ... ..	49, s. 26(7), sch. 9.
		S. 1(4)(c) rep. ... ..	92, s. 10(4), sch. 4.
		S. 2(1)(a), (2), 4(2)(a), 8(2) rep.	49, s. 26(7), sch. 9.
		S. 16(6) rep. in pt. ...	37, s. 17(4)(5), sch. 6 Pt. II.
		S. 20(1) rep. (saving) ...	49, s. 26(7), sch. 9.
		S. 20(2) am. ... ..	49, s. 16(1).
		rep. in pt. (saving).	49, ss. 16(2)(4), 26(7), sch. 9.
		S. 24 am. ... ..	37, s. 17(3), sch. 4.
		S. 24(8) rep., 24(9) rep. in pt.	37, s. 17(4)(5), sch. 6 Pt. II.
		Sch. 1 rep. and superseded.	49, ss. 1(1)(6), 26(7), schs. 1, 9.
		Sch. 2 rep. and superseded.	49, ss. 2(1)(4), 26(7), schs. 2, 9.
		Sch. 3 rep. and superseded.	49, ss. 3(1)(5), 26(7), schs. 3, 4, 9.
		Sch. 4 rep. and superseded.	49, ss. 4(1)(5), 26(7), schs. 5, 9.
		Sch. 7 rep. in pt. ...	49, s. 26(7), sch. 9.
		Sch. 9 para. 17(3) rep. in pt.	37, s. 17(4)(5), sch. 6 Pt. II.
		Sch. 9 para. 19(3) rep. ...	37, s. 17(5), sch. 6 Pt. I.
c. 45 ... ..	Appropriation Act 1962	Rep. ... ..	79, S.L.R.
c. 46 ... ..	Transport Act 1962 ...	S. 43 appl. ... ..	40, s. 32(8).
		S. 43(3) mod. ... ..	40, s. 37.
		Ss. 50(1) rep. in pt., 50(3), 51 rep.	40, s. 63(3), sch. 6.
		S. 66 am. ... ..	S.I. No. 254.
		S. 71 Apptd. day (1.1.1965)	S.I. No. 2025.
		Sch. 9 paras. 1 rep. in pt., 2(1) rep. in pt., 2(2)(3) rep., 3(1) rep. in pt., 3(2)(3) rep., 4 rep.	40, ss. 28, 63(3), sch. 6.
		Sch. 9 para. 5 subst. ...	40, s. 39(3).
		Sch. 9 para. 6(1) rep. ...	40, ss. 28, 63(3), sch. 6.
		Sch. 9 para. 6(2) am. ...	40, s. 39(3).

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10 & 11 Eliz. 2 — <i>cont.</i>			
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c. 54 ... ..	Trinidad and Tobago Independence Act 1962.	Sch. 2 para. 9 rep. ... ..	60, s. 22(2), sch. 2.
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