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THE  
PUBLIC GENERAL ACTS  
and the  
Church Assembly Measures  
of  
1948

Being those which received the Royal Assent in that year having been passed during the Third, Fourth and Fifth Sessions of the Thirty-Eighth Parliament of the United Kingdom of Great Britain and Northern Ireland

and the  
Eleventh, Twelfth and Thirteenth Years of the Reign of His Majesty

*King George The Sixth*

with

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

(IN TWO VOLUMES)

VOLUME II

Public General Acts, 11 & 12 Geo. 6, Chapters 50 to 67 and  
12 & 13 Geo. 6, Chapters 1 to 10



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## CHAPTER 50.

An Act to apply a sum out of the Consolidated Fund to the service of the year ending on the thirty-first day of March, one thousand nine hundred and forty-nine, and to appropriate the Supplies granted in this Session of Parliament. [30th July 1948.]

Most Gracious Sovereign,

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

## GRANT OUT OF CONSOLIDATED FUND.

1. The Treasury may issue out of the Consolidated Fund of the United Kingdom, and apply towards making good the supply granted to His Majesty for the service of the year ending on the thirty-first day of March one thousand nine hundred and forty-nine, the sum of one thousand five hundred and thirty-four million, six hundred and eighty-two thousand, seven hundred and seventy-six pounds. Issue of £1,534,682,776 out of the Consolidated Fund for the service of the year ending 31st March 1949.

2.—(1) The Treasury may borrow from any person, by the issue of Treasury Bills or otherwise, and the Bank of England and the Bank of Ireland may advance to the Treasury on the credit of the said sum, any sum or sums not exceeding in the whole one thousand five hundred and thirty-four million, six hundred and eighty-two thousand, seven hundred and seventy-six pounds. Power for the Treasury to borrow.

(2) The date of payment of any Treasury Bills issued under this section shall be a date not later than the thirty-first day of March, one thousand nine hundred and forty-nine and section six 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 interest not exceeding three pounds per cent. per annum, out of the growing produce of the Consolidated Fund, at any period not later than the next succeeding quarter to that in which the money was borrowed.

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

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

#### APPROPRIATION OF GRANTS.

Appropriation of sums voted for supply services.

3. All sums granted by this Act and the other Act mentioned in Schedule (A) annexed to this Act out of the said Consolidated Fund towards making good the supply granted to His Majesty, amounting, as appears by the said schedule, in the aggregate, to the sum of two thousand eight hundred and forty-five million, seven hundred and twenty thousand, seven hundred and ninety-six pounds, one shilling and fivepence, 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.

In addition to the said sums granted out of the Consolidated Fund, there may be applied out of any money directed, under section two of the Public Accounts and Charges Act, 1891, to be applied as appropriations in aid of the grants for the services and purposes specified in Schedule (B) annexed hereto the sums respectively set forth in the last column of the said schedule.

54 & 55 Vict. c. 24.

Treasury may in certain cases of exigency authorise expenditure unprovided for ; provided that the aggregate grants for Navy, Army and Air Services respectively be not exceeded.

4.—(1) So long as the aggregate expenditure on Navy, Army and Air Services respectively is not made to exceed the aggregate sums appropriated by this Act for those services respectively, any surplus arising on any vote for those services, either by an excess of the sum realised on account of appropriations in aid of the vote over the sum which may be applied under this Act as appropriations in aid of that vote, or by saving of expenditure on that vote, may, with the sanction of the Treasury, be temporarily applied either in making up any deficiency in the sums realised on account of appropriations in aid of any other vote in the same department, or in defraying expenditure in the same department which is not provided for in the sums appropriated to the service of the department by this Act, and which it may be detrimental to the public service to postpone until provision can be made for it by Parliament in the usual course.

(2) A statement showing all cases in which the sanction of the Treasury has been given to the temporary application of a surplus under this section, and showing the circumstances 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, 1946 and 1947, surpluses arising on certain votes for Army Services have been applied towards making good deficits on those services as shown in the statement set out in Schedule (C), Part II, to this Act ; and whereas surpluses arising on certain votes for Navy and Air Services, together with the sums granted by this Act for those services, for the year ended on the thirty-first day of March, one thousand nine hundred and forty-seven, have been applied towards meeting deficits on those services respectively as shown in the statements set out in Schedule (C), Parts I and III, to this Act :

Sanction in connection with Navy, Army and Air expenditure for 1946-47. 9 & 10 Geo. 6. c. 65. 10 & 11 Geo. 6. c. 52.

It is enacted that the application, as shown in the said statements, of those surpluses and of the said sums is hereby sanctioned.

6.—(1) A person shall not receive any payment out of a grant which may be made in pursuance of this Act for half-pay or Navy, Army, Air, or Civil non-effective services, until he has subscribed such declaration as may from time to time be prescribed by a warrant of the Treasury before one of the persons prescribed by the warrant :

Declaration required in certain cases before receipt of sums appropriated.

Provided that the Treasury may dispense with the production of a declaration under this section in respect of any payment if either—

- (a) such a declaration has been subscribed within a period of twelve calendar months preceding the date of the payment, or such longer period as the Treasury may in any particular case or class of cases allow ; or
- (b) the payment is made through a banker who has entered into an undertaking in such form as may be approved by the Treasury with respect to the notification of circumstances coming to the knowledge of the banker which might affect the right to such payments of the person to whom the payment is made.

(2) Any person who makes a declaration for the purpose of this section knowing the same to be untrue in any material particular shall be guilty of a misdemeanour.

7. This Act may be cited for all purposes as the Appropriation Short title. Act, 1948.

ABSTRACT

OF

SCHEDULES (A) and (B) to which this Act refers.

SCHEDULE (A).

Section 3.

	-	-	£	s. d.
Grants out of the Consolidated Fund			2,845,720,796	1 5

Section 3.

SCHEDULE (B).—APPROPRIATIONS OF GRANTS.

	Sums not exceeding			
	Supply Grants.		Appropriations in Aid.	
	£	s. d.	£	s. d.
1946-47 and 1947-48.				
Part 1. Navy (Excess),				
1946-47 - -	7,655,466	2 0	9,682,430	8 0
.. 2. Air (Excess),				
1946-47 - -	10 0 0		10,895,408	5 5
.. 3. Civil (Excesses),				
1946-47 - -	11,422	19 5	4,338	0 2
.. 4. Navy (Supplementary), 1947-48 - - -	10 0 0		—	
.. 5. Army (Supplementary), 1947-48 - - -	15,000,000	0 0	*-33,528,000	0 0
.. 6. Civil and Revenue Departments (Supplementary), 1947-48 -	230,197,111	0 0	*-11,136,570	0 0
£	252,864,020	1 5	*-24,082,393	6 5

\* Deficit.

SCHEDULE (B).—APPROPRIATIONS OF GRANTS—*cont.*SCHED. (B).  
Appropriations  
of Grants.

		Sums not exceeding			
		Supply Grants.		Appropriations in Aid.	
1948-49.		£	s. d.	£	s. d.
<b>Part 7.</b>	<b>Ministry of Defence</b>	631,654	0 0	5,150	0 0
„ 8.	Navy - - -	153,000,000	0 0	20,250,000	0 0
„ 9.	Army - - -	305,000,000	0 0	35,100,000	0 0
„ 10.	Air - - -	173,000,000	0 0	21,396,000	0 0
	<b>TOTAL, DEFENCE</b>	£ 631,631,654	0 0	76,751,150	0 0
<b>Part 11.</b>	<b>Civil, Class I -</b>	11,457,607	0 0	8,623,608	0 0
„ 12.	Civil, Class II -	39,211,031	0 0	1,257,720	0 0
„ 13.	Civil Class III -	40,545,853	0 0	4,605,752	0 0
„ 14.	Civil Class IV -	214,896,178	0 0	11,268,850	0 0
„ 15.	Civil, Class V -	540,697,392	0 0	77,358,730	0 0
„ 16.	Civil, Class VI -	168,490,032	0 0	45,177,049	0 0
„ 17.	Civil, Class VII -	78,323,862	0 0	16,903,830	0 0
„ 18.	Civil, Class VIII	94,135,400	0 0	472,743	0 0
„ 19.	Civil, Class IX -	56,716,837	0 0	53,395	0 0
„ 20.	Civil, Class X -	526,116,540	0 0	248,365,040	0 0
	<b>TOTAL, CIVIL</b>	£ 1,770,590,732	0 0	414,086,717	0 0
<b>Part 21.</b>	<b>Revenue Depart- ments - - -</b>	£ 190,634,390	0 0	12,751,496	0 0
	<b>GRAND TOTAL</b>	£ 2,845,720,796	1 5	479,506,969	13 7





SCHED. (A).

SCHEDULE (A).

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GRANTS OUT OF THE CONSOLIDATED FUND.

	£	s.	d.
For the service of the year ended on the 31st day of March 1947—			
Under Act 11 & 12 Geo. 6. c. 18 - - -	7,666,899	1	5
For the service of the year ended on the 31st day of March 1948—			
Under Act 11 & 12 Geo. 6. c. 18 - - -	245,197,121	0	0
For the service of the year ending on the 31st day of March 1949—			
Under Act 11 & 12 Geo. 6. c. 18 - - -	1,058,174,000	0	0
Under this Act - - - - -	1,534,682,776	0	0
<b>TOTAL</b> - - - - -	<u>£2,845,720,796</u>	<u>1</u>	<u>5</u>



## SCHEDULE (B).—PART I.

SCHED. (B).  
PART I.  
Navy  
(Excess),  
1946-47.

## NAVY (EXCESS), 1946-47.

	Sums not exceeding			
	Supply Grants.		Appropriations in Aid.	
	£	s. d.	£	s. d.
Sum granted, and sum which may be applied as appropriations in aid in addition thereto, to make good an excess on the grants for Navy Services for the year ended on the 31st day of March 1947 -	7,655,466	2 0	9,682,430	8 0

## SCHEDULE (B).—PART 2.

SCHED. (B).  
PART 2.  
Air  
(Excess),  
1946-47.

## AIR (EXCESS), 1946-47.

	Sums not exceeding			
	Supply Grants.		Appropriations in Aid.	
	£	s. d.	£	s. d.
Sum granted, and sum which may be applied as appropriations in aid in addition thereto, to make good an excess on the grants for Air Services for the year ended on the 31st day of March 1947 -	10		10,895,408	5 5

SCHED. (B)  
PART 3.  
Civil  
(Excesses).  
1946-47

SCHEDULE (B).—PART 3.

CIVIL (EXCESSES), 1946-47.

SUMS granted, and sums which may be applied as appropriations in aid in addition thereto, to make good excesses on certain grants for Civil Services for the year ended on the 31st day of March 1947, viz. :—

Vote.	Sums not exceeding					
	Supply Grants.			Appropriations in Aid.		
	£	s.	d.	£	s.	d.
CLASS II.						
5. United Nations - - -	10,094	5	2	—		
CLASS VI.						
5. Export Credits (Special Guarantees) - - - - -	10	0	0	83	10	2
CLASS VIII.						
4. Superannuation and Retired Allowances - - - - -	1,318	14	3	4,254	10	0
<b>TOTAL, CIVIL (Excesses), 1946-47</b> £	<b>11,422</b>	<b>19</b>	<b>5</b>	<b>4,338</b>	<b>0</b>	<b>2</b>

SCHED. (B).  
PART 4.  
Navy  
(Supplementary),  
1947-48.

SCHEDULE (B).—PART 4.

NAVY (SUPPLEMENTARY), 1947-48.

SCHEDULE OF SUPPLEMENTARY SUM granted to meet expenditure beyond the sum already provided in the grants for Navy Services for the year ended on the 31st day of March 1948, including provision for Officers, Seamen, Boys and Royal Marines to an additional number not exceeding 13,000, viz. :—

Vote.	Sums not exceeding	
	Supply Grants.	Appropriations in Aid.
	£	£
1. Wages, &c., of Officers and Men of the Royal Navy and Royal Marines and Women's Royal Naval Service - - -	10	—

## SCHEDULE (B).—PART 5.

SCHED. (B).  
PART 5.  
Army  
(Supple-  
mentary),  
1947-48.

## ARMY (SUPPLEMENTARY), 1947-48.

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 the 31st day of March 1948, viz :—

	Sums not exceeding	
	Supply Grants.	Appropriations in Aid.
	£	£
<b>Vote.</b>		
1. Pay, &c., of the Army - - -	39,727,000	*—19,500,000
2. Reserve Forces, Territorial Army and Cadet Forces - - -	Cr 909,000	—
4. Civilians - - - -	Cr 4,093,000	1,930,000
5. Movements - - - -	Cr 7,800,000	—
6. Supplies, &c. - - - -	Cr 1,650,000	1,750,000
7. Stores - - - -	Cr 11,400,000	*—10,500,000
8. Works, Buildings and Lands -	Cr 12,700,000	1,285,000
9. Miscellaneous Effective Services	14,661,000	* —8,493,000
10. Non-effective Services - -	Cr 836,000	—
<b>TOTAL, ARMY (Supplementary), 1947-48 - - - -</b>	<b>£ 15,000,000</b>	<b>*—33,528,000</b>

\* Deficit.

SCHED. (B).  
PART 6.  
Civil and  
Revenue  
Departments  
(Supple-  
mentary),  
1947-48.

SCHEDULE (B).—PART 6.

CIVIL AND REVENUE DEPARTMENTS (SUPPLEMENTARY), 1947-48.

SCHEDULE OF SUPPLEMENTARY SUMS granted, and of the sums which may be applied as appropriations in aid in addition thereto, to defray the charges for the Services herein particularly mentioned for the year ended on the 31st day of March 1948, viz. :—

		Sums not exceeding	
		Supply Grants.	Appropriations in Aid.
<b>CIVIL.</b>			
<b>CLASS I.</b>			
<b>Vote.</b>		£	£
2.	For the salaries and expenses of the House of Commons - - -	6,000	—
4.	For the salaries and other expenses in the Department of His Majesty's Treasury and Subordinate Departments, including additional salary payable to the Chancellor of the Duchy of Lancaster, the salary and expenses of the Minister without Portfolio, the salary of the Minister for Economic Affairs, and the expenses of representation in India	10	—
9.	For the salaries and expenses of the Civil Service Commission - -	85,780	3,450
15.	For the salaries and expenses of the National Debt Office - - -	10	1,930
26.	For the salaries and expenses of the Office of the Secretary of State for Scotland; salaries and expenses of the Scottish Home Department; expenses in connection with provisional orders and statutory orders subject to special procedure; a subsidy for transport services to the Western Highlands and Islands, &c.; a grant in lieu of land tax; contributions towards the expenses of probation and of remand homes; grants in connection with physical training and recreation; grants for coast protection works; and a grant in aid of the Edinburgh Marriage Guidance Council - -	200	—
	Carried forward - - -	£ 92,000	5,380

SCHEDULE (B).—PART 6—*continued.*

	Sums not exceeding	
	Supply Grants.	Appropriations in Aid.
	£	£
CIVIL— <i>cont.</i>		
Brought forward - - -	92,000	5,380
CLASS II.		
<b>Vote.</b>		
2. For the expenses in connection with His Majesty's Embassies, Missions and Consular Establishments Abroad; certain special grants and payments, including grants in aid; and sundry other services - -	1,310,000	405,000
4. For a contribution towards the expenses of the United Nations - -	74,500	—
4A. For a contribution towards the expenses of the International Refugee Organisation - - - -	4,240,625	—
6. For sundry Commonwealth services, including certain grants in aid; for the salaries and expenses of Pensions Appeal Tribunals in Eire; for expenditure in connection with ex-service men and women in Eire; and for a grant in aid to Eire in respect of compensation to transferred officers - - - -	10	—
8. For the salaries and expenses of the Department of His Majesty's Secretary of State for the Colonies and the salary of the Minister of State for Colonial Affairs - - -	13,000	—
9. For sundry Colonial and Middle Eastern Services under His Majesty's Secretary of State for the Colonies, including certain non-effective services and grants in aid	1,125,552	—
Carried forward - - - -	6,855,687	410,380

SCHED. (B).  
PART 6.  
Civil and Revenue  
Departments.  
(Supplementary),  
1947-48.

SCHED. (B).  
PART 6.  
Civil and  
Revenue  
Departments  
(Supple-  
mentary),  
1947-48.

SCHEDULE (B).—PART 6—*continued.*

	Sums not exceeding	
	Supply Grants.	Appropriations in Aid.
	£	£
CIVIL— <i>cont.</i>		
Brought forward - - -	6,855,687	410,380
CLASS II— <i>cont.</i>		
Vote.		
10. For the salaries and expenses of the West African Produce Control Board, including the cost of trading services ; and for a grant in aid of a sum equivalent to accumulated profits realised under the West African cocoa control scheme for allocation to the Governments of the Gold Coast, Nigeria and Sierra Leone - - - - -	13,875,000	—
13. For the salaries and expenses of the Department of His Majesty's Secretary of State for India and His Majesty's Secretary of State for Burma and certain salaries and expenses of the Department of His Majesty's Secretary of State for Commonwealth Relations, including the salary of the Minister of State for Commonwealth Relations ; and for sundry India and Burma services, including compensation payments and other expenses arising out of the setting up of the independent Dominions of India and Pakistan and the grant of independence to Burma, certain expenses in the Persian Gulf and certain grants in aid- - - - -	10	—
15. For a contribution to the cost of the Greek Armed Forces - - -	2,000,000	—
Carried forward - - - - £	22,730,697	410,380

SCHEDULE (B).—PART 6—*continued.*

		Sums not exceeding		SCHED. (B). PART 6. Civil and Revenue Department* (Supple- mentary). 1947-48.
		Supply Grants.	Appropriations in Aid.	
CIVIL— <i>cont.</i>		£	£	
	Brought forward - - -	22,730,697	410,380	
CLASS III.				
<b>Vote.</b>				
I.	For the salaries and expenses of the office of His Majesty's Secretary of State for the Home Department and of subordinate offices; liquidation expenses of the Royal Irish Constabulary; contributions towards the expenses of probation; the cost of transport of certain Polish dependants from overseas; and grants in aid of the Central Committee for Refugees and of Marriage Guidance Councils - - - - -	10	17,590	
6.	For such of the salaries and expenses of the Supreme Court of Judicature and Court of Criminal Appeal as are not charged on the Consolidated Fund, the salaries and expenses of Pensions Appeal Tribunals and War Pensions (Special Review) Tribunals, and a grant in aid - - - - -	10	16,590	
15.	For the salaries and expenses of the office of the Scottish Land Court -	1,025	*-75	
16.	For the salaries and expenses of the Lord Advocate's Department and other law charges, including expenditure in connection with the provision of free legal assistance to members of the Forces in certain cases; and the salaries and expenses of the Courts of Law and Justice and of Pensions Appeal Tribunals in Scotland - - - - -	10	9,470	
17.	For the salaries and expenses of the offices in His Majesty's General Register House, Edinburgh - -	10	5,835	
	Carried forward - - - - -	-£ 22,731,762	459,790	

\* Deficit.

SCHEDULE (B).—PART 6—*continued.*

SCHED. (B).  
PART 6.  
Civil and  
Revenue  
Departments  
(Supple-  
mentary),  
1947-48.

		Sums not exceeding	
		Supply Grants.	Appropriations in Aid.
		£	£
CIVIL— <i>cont.</i>			
Brought forward - - - -		22,731,762	459,790
CLASS IV.			
Vote.			
I.	For the salaries and expenses of the Ministry of Education, and of the various establishments connected therewith, including sundry grants in aid, grants in connection with physical training and recreation, and grants to approved associations for youth welfare - - - -	1,781,000	380,000
8.	For the salaries and expenses of the National Portrait Gallery, including a grant in aid - - - -	150	550
10.	For sundry grants in aid of scientific investigation, &c., and for other services - - - -	89,000	—
13.	For public education in Scotland, including certain grants in aid of the Education (Scotland) Fund; for the Royal Scottish Museum, Edinburgh, including a grant in aid; and for a grant in aid of the education of Poles - - - -	10	56,000
CLASS V.			
I.	For the salaries and expenses of the Ministry of Health, including grants and other expenses in connection with housing, hospital and general health services and medical supplies; a supplemental grant in respect of medical benefit; grants in aid of the National Radium Trust and the Women's Voluntary Services; salaries and expenses of the Local Government Boundary Commission; and other services - - - -	8,750,000	3,250,000
Carried forward - - - -		£ 33,351,922	4,146,340



SCHEDULE (B).—PART 6—*continued.*

SCHED. (B).  
PART 6.  
Civil and  
Revenue  
Departments  
(Supple-  
mentary),  
1947-48.

	Sums not exceeding	
	Supply Grants.	Appropriations in Aid.
	£	£
<b>CIVIL—<i>cont.</i></b>		
Brought forward - - - -	33,351,922	4,146,340
<b>CLASS V—<i>cont.</i></b>		
<b>Vote.</b>		
<b>7.</b> For the salaries and expenses of the Department of the Assistance Board and of certain Appeal Tribunals and Pension Committees ; non-contributory Old Age Pensions, including pensions to blind persons ; Supplementary Pensions to certain persons in receipt of Old Age Pensions or Widows' Pensions ; allowances to applicants for assistance, &c. ; the expenses of training, work centres, &c. ; and the expenses of maintaining certain classes of Poles in Great Britain - - - -	475,000	785,000
<b>IIA.</b> For the salaries and expenses of the Central Land Board and certain preliminary expenses in connection therewith - - - -	54,200	100
<b>CLASS VI.</b>		
<b>I.</b> For the salaries and expenses of the office of the Committee of Privy Council for Trade and subordinate departments, including the cost of certain trading services ; assistance and subsidies to certain industries ; certain grants in aid ; and other services - - - -	10	—
Carried forward - - - -	£ 33,881,132	4,931,440

SCHED. (B).  
PART 6.  
Civil and  
Revenue  
Departments  
(Supple-  
mentary),  
1947-48.

SCHEDULE (B).—PART 6—continued.

	Sums not exceeding	
	Supply Grants.	Appropriations in Aid.
CIVIL—cont.		
	£	£
Brought forward - - -	33,881,132	4,931,440
CLASS VI—cont.		
Vote.		
8. For the salaries and expenses of the Ministry of Agriculture and Fisheries, and of the Royal Botanic Gardens, Kew, including grants, grants in aid and expenses in respect of agricultural education and research ; eradication of diseases of animals and improvement of breeding, &c., of live stock ; the purchase of land ; land settlement, improvement of cultivation, drainage, &c. ; regulation of agricultural wages, agricultural credits and marketing ; the purchase and sale of home-produced wool ; agricultural training and settlement schemes ; the management and use of land acquired for forestry or vested in other Departments ; certain remanet subsidy payments ; the prevention of food infestation ; fishery organisation, research and development, including assistance to the inshore fishing industry and control of diseases of fish, &c. ; and sundry other services	10	—
16. For the salaries and expenses of the Ministry of Civil Aviation, including certain grants and subsidies - -	7,345,850	*3,357,000
19. For the salaries and expenses of the State Management Districts, including the salaries of the central office and the cost of provision and management of licensed premises -	10	24,990
Carried forward - - -	£ 41,227,002	1,599,430

\* Deficit

## SCHEDULE (B).—PART 6—continued.

SCHED. (B).  
PART 6.  
Civil and  
Revenue  
Departments  
(Supple-  
mentary),  
1947-48.

	Sums not exceeding	
	Supply Grants.	Appropriations in Aid.
CIVIL—cont.	£	£
Brought forward - - - -	41,227,002	1,599,430
CLASS VII.		
<b>Vote.</b>		
7. For expenditure in respect of public buildings overseas - - - -	55,770	—
12. For stationery, printing, paper, binding, and printed books for the public service; for the salaries and expenses of the Stationery Office; and for sundry miscellaneous services, including reports of Parliamentary Debates - - - - -	515,500	646,000
CLASS VIII.		
4. For superannuation and other non-effective annual allowances, additional allowances, gratuities, compassionate allowances and supplementary pensions in respect of civil employment - - - - -	550,000	—
CLASS X.		
3. For the salaries and expenses of the Ministry of Food; the cost of trading services including certain subsidies; and sundry other services (Revised Sum) - - - - -	142,328,498	8,427,000
4. For the cost of Shipping and Inland Transport Services arising out of the War - - - - -	40,000,000	*-22,645,000
Carried forward - - - -	£224,676,770	*-11,972,570

\* Deficit.

SCHED. (B).  
PART 6.  
Civil and  
Revenue  
Departments  
(Supple-  
mentary).  
1947-48.

SCHEDULE (B).—PART 6—*continued.*

	Sums not exceeding	
	Supply Grants.	Appropriations in Aid.
	£	£
CIVIL— <i>cont.</i>		
Brought forward - - -	224,676,770	*-11,972,570
CLASS X— <i>cont.</i>		
Vote.		
7. For the salaries and expenses of the German Section of the Foreign Office (formerly the Control Office for Germany and Austria), the Control Commission for Germany and the Allied Commission for Austria, including certain supplies and services essential to the Occupation, contributions to the Joint Export-Import Agency for the Combined Zones of Germany, commodity advances for Germany, and financial assistance to Austria - - -	10	—
8. For the cost of the United Kingdom contribution to the United Nations Relief and Rehabilitation Administration - - - - -	2,581,331	—
10. For the salaries and expenses of the War Damage Commission - -	48,000	42,000
REVENUE DEPARTMENTS.		
1. For the salaries and expenses of the Customs and Excise Department -	281,000	227,000
2. For the salaries and expenses of the Inland Revenue Department - -	1,610,000	—
3. For the salaries and expenses of the Post Office, including Telegraphs and Telephones and a grant in aid	1,000,000	567,000
TOTAL, CIVIL AND REVENUE DEPARTMENTS (Supplementary), 1947-48	£230,197,111	*-11,136,570

\* Deficit

SCHEDULE (B)—PART 7.

SCHED. (B).  
PART 7.  
Ministry of  
Defence.  
1948-49.

MINISTRY OF DEFENCE.

SCHEDULE OF SUM granted, and of the sum which may be applied as appropriations in aid in addition thereto, to defray the charge of the MINISTRY OF DEFENCE, which will come in course of payment during the year ending on the 31st day of March 1949, viz. :—

	Sums not exceeding	
	Supply Grant.	Appropriations in Aid.
	£	£
For the salaries and expenses of the Ministry of Defence - - - - -	631,654	5,150

SCHED. (B)  
PART 8.  
Navy.  
1948-49.

SCHEDULE (B).—PART 8.

NAVY.

SCHEDULE OF SUMS granted, and of the sums which may be applied as appropriations in aid in addition thereto, to defray the charges of the NAVY SERVICES herein particularly mentioned, which will come in course of payment during the year ending on the 31st day of March 1949, including provision for officers, seamen, boys and royal marines, and members of the Women's Royal Naval Service and the Naval Nursing Service to a number not exceeding 167,300, and for royal marine police to a number not exceeding 1,592, in addition to reserve forces, viz. :—

	Sums not exceeding	
	Supply Grants.	Appropriations in Aid.
	£	£
<b>Vote.</b>		
1. For the pay, &c., of the Royal Navy and Royal Marines - - -	33,738,000	150,000
2. For victualling and clothing for the Navy, including the cost of victualling establishments at home and abroad - - - - -	9,663,000	4,038,000
3. For medical services, including the cost of medical establishments at home and abroad - - - - -	1,463,000	37,000
4. For civilians employed on fleet services	4,357,000	150,000
5. For educational services - - -	621,000	93,300
6. For scientific services - - - -	6,892,000	347,000
7. For the Royal Naval Reserve, the Royal Fleet Reserve and the Royal Naval Volunteer Reserve, &c. - - -	646,000	100
8. Section I. For the personnel for shipbuilding, repairs, maintenance, &c., including the cost of establishments of Dockyards and Naval Yards at home and abroad - - - -	22,784,000	521,000
.. Section II. For the matériel for shipbuilding, repairs, maintenance, &c., including the cost of establishments of Dockyards and Naval Yards at home and abroad - - - -	13,063,000	8,305,000
.. Section III. For contract work for shipbuilding, repairs, maintenance, &c. - - - - -	20,484,000	2,920,000
Carried forward - - -	£113,711,000	16,561,400

SCHEDULE (B).—PART 8—*continued.*

SCHED. (B).  
PART 8.  
Navy.  
1948-49.

		Sums not exceeding	
		Supply Grants.	Appropriations in Aid.
	Brought forward - - -	£ 113,711,000	£ 16,561,400
Vote.	9. For naval armaments- - - -	7,683,000	1,179,000
10.	For works, buildings and repairs at home and abroad, including the cost of superintendence, purchase of sites, grants and other charges connected therewith - - - -	7,638,000	500,000
11.	For various miscellaneous effective services - - - -	5,057,000	1,934,300
12.	For the Admiralty Office - - -	4,624,000	11,000
13.	For non-effective services - - -	14,023,000	24,300
14.	For merchant shipbuilding- - -	264,000	40,000
	<b>TOTAL, NAVY SERVICES -</b>	<b>£153,000,000</b>	<b>20,250,000</b>

Session 2  
Part 3  
Army  
1942-43

SCHEDULE B.—PART 9.

ARMY.

SCHEDULE OF SUMS granted, and of the sums which may be applied as appropriations in aid in addition thereto, to defray the charges of the ARMY SERVICES herein particularly mentioned, which will come in course of payment during the year ending on the 31st day of March 1943, including provision for Land Forces to a number not exceeding 151,000, all ranks, in addition to the Reserve Forces, Territorial Army and Cadet Forces. *viz.*—

	Sums not exceeding	
	Supply Grants.	Appropriations in Aid.
	£	£
<i>Vota.</i>		
1. For the pay, &c., of the Army - - - - -	96,443,000	5,233,000
2. For the Reserve Forces (to a number not exceeding 54,000, all ranks, for the Royal Army Reserve and 11,000, all ranks, for the Supplementary Reserve), Territorial Army (to a number not exceeding 133,000, all ranks) and Cadet Forces - - - - -	8,042,000	84,000
3. For the War Office - - - - -	2,350,000	59,000
4. For civilians - - - - -	39,146,000	1,584,000
5. For movements - - - - -	29,000,000	500,000
6. For supplies, &c. - - - - -	33,970,000	12,260,000
7. For stores - - - - -	40,760,000	9,000,000
8. For works, buildings and lands - - - - -	30,537,000	2,600,000
9. For miscellaneous effective services - - - - -	11,023,000	3,710,000
10. For non-effective services - - - - -	13,729,000	70,000
<b>TOTAL, ARMY SERVICES - - - - -</b>	<b>£305,000,000</b>	<b>35,100,000</b>



## SCHEDULE (B).—PART 10.

SCHED. (B).  
PART 10.  
Air.  
1948-49.

## AIR.

SCHEDULE OF SUMS granted, and of the sums which may be applied as appropriations in aid in addition thereto, to defray the charges of the AIR SERVICES herein particularly mentioned, which will come in course of payment during the year ending on the 31st day of March 1949, including provision for officers, airmen and airwomen of the Air Force to a number not exceeding 325,000, all ranks, in addition to reserve and auxiliary services, viz. :—

Vote.	Sums not exceeding	
	Supply Grants.	Appropriations in Aid.
	£	£
1. For the pay, &c., of the Air Force -	51,700,000	1,750,000
2. For reserve and auxiliary services (to a number not exceeding 21,500, all ranks, for the Air Force Reserve and 14,500, all ranks, for the Royal Auxiliary Air Force) - - -	725,000	300
3. For the Air Ministry - - - -	3,010,000	1,200
4. For civilians at outstations - - -	17,869,000	270,000
5. For movements - - - - -	6,817,000	1,162,000
6. For supplies - - - - -	17,650,000	2,959,500
7. For aircraft and stores - - -	48,000,000	10,800,000
8. For works and lands - - - -	23,000,000	2,700,000
9. For miscellaneous effective services -	1,579,000	1,708,000
10. For non-effective services - - -	2,650,000	45,000
<b>TOTAL, AIR SERVICES -</b>	<b>£173,000,000</b>	<b>21,396,000</b>

SCHED. (B).  
PART II.  
Civil.  
Class I.  
1948-49.

SCHEDULE (B).—PART II.

CIVIL.—CLASS I.

SCHEDULE OF SUMS granted, and of the sums which may be applied as appropriations in aid in addition thereto, to defray the charges of the several CIVIL SERVICES herein particularly mentioned, which will come in course of payment during the year ending on the 31st day of March 1949, viz. :—

	Sums not exceeding	
	Supply Grants.	Appropriations in Aid.
Vote.	£	£
1. For the salaries and expenses of the House of Lords - - - -	83,646	11,917
2. For the salaries and expenses of the House of Commons (including a Supplementary sum of £334) - -	848,267	3,535
3. For expenses in respect of the registration of electors- - - -	255,000	—
4. For the salaries and other expenses in the Department of His Majesty's Treasury and Subordinate Departments, including additional salary payable to the Chancellor of the Duchy of Lancaster - - - -	2,848,195	31,700
5. For the salaries and expenses of the Department of His Majesty's most Honourable Privy Council - -	31,439	4,334
6. For the salaries and expenses of the Office of the Lord Privy Seal - -	10,640	—
7. For the salaries and expenses of the Charity Commission for England and Wales - - - -	62,813	3,000
8. For the salaries and expenses of the Civil Service Commission - - -	549,450	26,750
9. For the salaries and expenses of the Department of the Comptroller and Auditor General - - - -	375,940	14,130
10. For the salaries and expenses of the Department of the Government Actuary - - - -	31,904	11,450
11. For the salaries and expenses of the Department of the Government Chemist - - - -	171,728	200
Carried forward - - - -	5,269,022	107,016

SCHEDULE (B).—PART II—*continued.*

SCHED. (B).  
PART II.  
Civil.  
Class I.  
1948-49.

	Sums not exceeding	
	Supply Grants.	Appropriations in Aid.
Brought forward - - -	£ 5,269,022	£ 107,016
<b>Vote.</b>		
12. For a grant in aid of the Government Hospitality Fund - - -	20,000	—
13. For the salaries and expenses of the Mint, including the expenses of coinage (Imperial, Colonial and Foreign), and the expenses of the preparation of medals and badges, dies for postage and other stamps, and His Majesty's seals - - -	100	8,130,000
14. For the salaries and expenses of the National Debt Office - - -	100	34,480
15. For the salaries and expenses of the National Savings Committee - -	1,099,090	—
16. For payments to certain temporary Crown Servants and comparable employees in respect of overlapping Income Tax payments - - -	250,000	—
17. For the salaries and expenses of the Public Record Office and of the Office of Land Revenue Records and Inrolments - - - - -	67,089	2,150
18. For the salaries of the establishment under the Public Works Loan Commission and the expenses of the Commission - - - - -	100	42,962
19. For the payment due to the Local Loans Fund in respect of advances in Northern Ireland, and for making good certain sums written off from the assets of the Local Loans Fund -	64,769	—
Carried forward - - - -£	6,770,270	8,316,608

SCHED. (B).  
PART II.  
Civil.  
Class I.  
1948-49.

SCHEDULE (B).—PART II—*continued.*

	Sums not exceeding	
	Supply Grants.	Appropriations in Aid.
Brought forward - - -	£ 6,770,270	£ 8,316,608
<i>Vote.</i>		
20. For the salaries and other expenses of Royal Commissions, Committees, and special inquiries, &c., including provision for shorthand - - -	158,000	—
21. For His Majesty's foreign and other secret services - - - - -	2,500,000	—
22. For the salaries and expenses of the Tithe Redemption Commission -	100	285,460
23. For certain miscellaneous expenses, including certain grants in aid -	1,144,196	1,000
23A. For repayment to the Civil Contingencies Fund of certain miscellaneous advances - - - - -	42,401	—
24. For the salaries and expenses of the Office of the Secretary of State for Scotland and of the Scottish Home Department; expenses in connection with provisional orders and statutory orders subject to special procedure; a subsidy for transport services to the Western Highlands and Islands, &c.; grants and expenses in connection with services relating to children and young persons; a grant in lieu of land tax; grants towards the expenses of probation; grants in connection with physical training and recreation; grants for coast protection works; expenses in connection with the requisitioning of shop premises; and miscellaneous services arising out of the war (including a Supplementary sum of £10) - -	842,640	20,540
TOTAL, CIVIL, CLASS I - - -	£ 11,457,607	8,623,608

## SCHEDULE (B).—PART 12.

SCHED. (B).  
PART 12.  
Civil.  
Class II.  
1948-49.

## CIVIL.—CLASS II.

SCHEDULE OF SUMS granted, and of the sums which may be applied as appropriations in aid in addition thereto, to defray the charges of the several CIVIL SERVICES herein particularly mentioned, which will come in course of payment during the year ending on the 31st day of March 1949, viz. :—

	Sums not exceeding	
	Supply Grants.	Appropriations in Aid.
	£	£
Vote.		
1. For the salaries and expenses of the Department of His Majesty's Secretary of State for Foreign Affairs and the salary of a Minister of State -	3,171,221	312,000
2. For the expenses in connection with His Majesty's Embassies, Missions and Consular Establishments Abroad; certain special grants and payments, including grants in aid; and sundry other services (including a Supplementary sum of £350,000) - -	12,212,247	420,000
3. For a grant in aid of the British Council	2,570,000	—
4. For a contribution towards the expenses of the United Nations - - -	915,500	—
5. For a contribution towards the expenses of the International Refugee Organisation - - - -	5,665,625	—
6. For the salaries and expenses of the Department of His Majesty's Secretary of State for Commonwealth Relations	182,460	1,105
7. For sundry Commonwealth services, including certain grants in aid; for the salaries and expenses of Pensions Appeal Tribunals in Eire; for expenditure in connection with ex-service men and women in Eire; and for a grant in aid to Eire in respect of compensation to transferred officers -	729,785	1,100
Carried forward - - -	£ 25,446,838	734,205

SCHED. (B).  
PART 12.  
Civil.  
Class II.  
1948-49.

SCHEDULE (B).—PART 12—*continued.*

	Sums not exceeding	
	Supply Grants.	Appropriations in Aid.
	£	£
Vote. Brought forward - - -	25,446,838	734,205
8. For the salaries and expenses of the India and Pakistan Division of the Department of His Majesty's Secretary of State for Commonwealth Relations; for sundry India and Pakistan services, including a grant in aid; and for certain remanet expenditure in connection with former Burma Services (including a Supplementary sum of £401,600) - - -	2,075,558	239,800
9. For the expenses connected with Oversea Settlement - - -	282,960	13,140
10. For the salaries and expenses of the Department of His Majesty's Secretary of State for the Colonies and the salary of the Minister of State for Colonial Affairs - - -	789,591	264,375
11. For sundry Colonial and Middle Eastern Services under His Majesty's Secretary of State for the Colonies, including certain non-effective services and grants in aid - - -	3,287,896	6,200
12. For the salaries and expenses of the West African Produce Control Board, including the cost of trading services; and for a grant in aid of a sum equivalent to accumulated profits realised under the West African cocoa control scheme for allocation to the Governments of the Gold Coast, Nigeria and Sierra Leone -	2,044,510	—
13. For the development of the resources of colonies, protectorates, protected states and mandated territories, and the welfare of their peoples - -	4,310,000	—
14. For the development of the resources of the South African High Commission Territories and the welfare of their peoples - - -	283,000	—
15. For certain expenses of the Imperial War Graves Commission, including purchase of land in the United Kingdom and a grant in aid - - -	690,678	—
TOTAL, CIVIL, CLASS II -	39,211,031	1,257,720

## SCHEDULE (B).—PART 13.

SCHED. (B).  
PART 13.  
Civil.  
Class III.  
1948-49.

## CIVIL.—CLASS III.

SCHEDULE OF SUMS granted, and of the sums which may be applied as appropriations in aid in addition thereto, to defray the charges of the several CIVIL SERVICES herein particularly mentioned, which will come in course of payment during the year ending on the 31st day of March 1949, viz. :—

	Sums not exceeding	
	Supply Grants.	Appropriations in Aid.
Vote.	£	£
1. For the salaries and expenses of the office of His Majesty's Secretary of State for the Home Department and of subordinate offices; the cost of training in civil defence; contributions towards the expenses of probation; liquidation expenses of the Royal Irish Constabulary; the cost of transport of certain Polish dependants from overseas; and a grant to the Central Committee for Refugees - - - - -	2,821,090	153,455
2. For the expenses of the maintenance of criminal lunatics in the Broadmoor Criminal Lunatic Asylum - - -	148,200	7,400
3. For the salaries of the Commissioner and Assistant Commissioners of the Metropolitan Police, and of the Receiver for the Metropolitan Police District; the contribution towards the expenses of the Metropolitan Police; the salaries and expenses of the Inspectors of Constabulary; the cost of special services; and other grants in respect of Police expenditure, including a grant in aid of the Police Federation and a contribution towards the expenses of the International Criminal Police Commission	20,814,725	50,935
Carried forward - - - - -	£ 23,784,015	211,790

Schedule B.  
Part 13.  
Class 111.  
1942-43.

SCHEDULE B.—PART 13—continued.

		Sums not exceeding	
		Supply Grants.	Appropriations in Aid.
Brought forward - - - -		£ 23,784,615	£ 211,790
Vote.			
4.	For the salaries and expenses of the office of the Prison Commissioners and of the Prisons in England and Wales - - - - -	3,621,225	744,500
5.	For grants in respect of the expenses of the managers of approved schools in England and Wales; for grants to local authorities in respect of their expenditure in connection with the care and welfare of children and young persons; for grants towards the expenses of voluntary homes; and for expenses in connection with training in child care - - - - -	3,457,900	40,100
6.	For expenses in connection with the fire services in England and Wales, including the cost of inspection and training, the central purchase and maintenance of equipment, certain non-effective charges, grants in respect of expenditure incurred by fire authorities and certain other expenses - - - - -	3,398,950	700,000
7.	For such of the salaries and expenses of the Supreme Court of Judicature and Court of Criminal Appeal as are not charged on the Consolidated Fund, the salaries and expenses of Pensions Appeal Tribunals and War Pensions (Special Review) Tribunals, and a grant in aid - - - - -	219,742	1,143,350
8.	For the salaries and expenses in connection with the County Courts, the Liabilities Adjustment Offices and the War Damage (Valuation Appeals) Tribunal - - - - -	397,944	431,325
	Carried forward - - - -	£ 35,179,776	3,271,065



SCHEDULE (B).—PART 13—*continued.*

SCHED. (B).  
PART 13.  
Civil.  
Class III.  
1948-49.

	Sums not exceeding	
	Supply Grants.	Appropriations in Aid.
Brought forward - - -	£ 35,179,776	£ 3,271,065
Vote. 9. For the salaries and expenses of the office of Land Registry - - -	100	341,545
10. For the salaries and expenses of the office of Public Trustee - - -	100	366,070
11. For the salaries and expenses of the Law Officers' Department; the salaries and expenses of the Department of His Majesty's Procurator-General and Solicitor for the Affairs of His Majesty's Treasury, and of the Department of the Director of Public Prosecutions; the costs of prosecutions, of other legal proceedings, and of Parliamentary Agency - - - - -	477,380	85,000
12. For certain miscellaneous legal expenses, for the salaries and expenses of arbitrators, &c., in connection with the acquisition of land, for grants in aid of the expenses of the Law Society and of the Solicitors' Discipline (Scotland) Committee, and for the expenses of Tribunals established in connection with Defence Compensation - - - - -	60,672	1,350
13. For the salary and expenses of the Inspector of Constabulary, the cost of special services, and grants in respect of Police expenditure in Scotland, including a grant in aid of the Scottish Police Federation - -	2,195,170	120
Carried forward - - -	£ 37,913,198	4,065,150

SCHED. (B).  
PART 13.  
Civil.  
Class III.  
1948-49.

SCHEDULE (B).—PART 13—continued.

	Sums not exceeding	
	Supply Grants.	Appropriations in Aid.
Brought forward - - - -	£ 37,913,198	£ 4,065,150
Vote.		
14. For salaries and expenses in connection with the administration of Scottish prisons, including the maintenance of criminal lunatics, defectives, and inmates of the State Inebriate Reformatory, and the preparation of judicial statistics - - - -	435,472	129,630
15. For grants in respect of the expenses of the managers of approved schools in Scotland - - - - -	188,600	4,200
16. For expenses in connection with fire services in Scotland, including the cost of inspection and training, the central purchase and maintenance of equipment, certain non-effective charges, grants in respect of expenditure incurred by fire authorities and joint fire committees and certain other expenses; and for the salaries and expenses of the National Fire Service in Scotland for the period prior to its disbandment and certain remanet expenditure in connection therewith - - - - -	632,908	79,600
17. For the salaries and expenses of the office of the Scottish Land Court -	11,894	400
18. For the salaries and expenses of the Lord Advocate's Department and other law charges, including expenditure in connection with the provision of free legal assistance to members of the Forces in certain cases; and the salaries and expenses of the Courts of Law and Justice and of Pensions Appeal Tribunals in Scotland - - - - -	129,244	197,750
Carried forward - - - -	£ 39,311,316	4,476,730

SCHEDULE (B).—PART 13—*continued.*

SCHED. (B).  
PART 13.  
Civil.  
Class III.  
1948-49.

	Sums not exceeding	
	Supply Grants.	Appropriations in Aid.
Brought forward - - -	£ 39,311,316	£ 4,476,730
Vote. 19. For the salaries and expenses of the offices in His Majesty's General Register House, Edinburgh - -	100	101,971
20. For such of the salaries and expenses of the Supreme Court of Judicature and Court of Criminal Appeal of Northern Ireland as are not charged on the Consolidated Fund, the salaries and expenses of Pensions Appeal Tribunals in Northern Ireland, and other expenses, including certain expenses in connection with land purchase in Northern Ireland and a grant in aid -	32,027	26,951
21. For charges in connection with land purchase in Northern Ireland, and the expenses of management of Guaranteed Stocks and Bonds issued for the purposes of Irish land purchase	1,202,410	100
<b>TOTAL, CIVIL, CLASS III -</b>	<b>£ 40,545,853</b>	<b>4,605,752</b>

SCHED. (B).  
PART 14.  
Civil.  
Class IV.  
1948-49.

SCHEDULE (B).—PART 14.

CIVIL.—CLASS IV.

SCHEDULE OF SUMS granted, and of the sums which may be applied as appropriations in aid in addition thereto, to defray the charges of the several CIVIL SERVICES herein particularly mentioned, which will come in course of payment during the year ending on the 31st day of March 1949, viz. :—

Vote.	Sums not exceeding	
	Supply Grants.	Appropriations in Aid.
	£	£
1. For the salaries and expenses of the Ministry of Education, and of the various establishments connected therewith, including sundry grants in aid, grants in connection with physical training and recreation, and grants to approved associations for youth welfare - - - - -	162,550,667	9,887,000
2. For the salaries and expenses of the British Museum, including a grant in aid - - - - -	283,927	30,675
3. For the salaries and expenses of the British Museum (Natural History), including a grant in aid - - - - -	197,649	2,500
4. For the salaries and expenses of the Imperial War Museum, including a grant in aid - - - - -	26,904	2,000
5. For the salaries and expenses of the London Museum, including a grant in aid - - - - -	12,305	100
6. For the salaries and expenses of the National Gallery and of the Tate Gallery, Millbank, including a grant in aid - - - - -	67,676	238
7. For the salaries and expenses of the National Maritime Museum, including a grant in aid - - - - -	21,906	150
Carried forward - - - - -	£163,161,034	9,922,663

SCHEDULE (B).—PART 14—*continued.*

SCHED. (B).  
PART 14.  
Civil.  
Class IV.  
1948-49.

	Sums not exceeding	
	Supply Grants.	Appropriations in Aid.
	£	£
Brought forward - - -	163,161,034	9,922,663
Vote. 8. For the salaries and expenses of the National Portrait Gallery, including a grant in aid - - - -	17,876	1,575
9. For the salaries and expenses of the Wallace Collection - - - -	22,230	3,000
10. For sundry grants in aid to certain institutions and bodies concerned with science, learning and the arts, and for other services in connection therewith - - - -	2,409,164	2,876
11. For grants in aid of the expenses of certain Universities, Colleges, Teaching Hospitals, &c., in Great Britain, and for certain other services, including loans to Universities for capital expenditure and the cost of certain Post Graduate Studentships	11,994,000	—
12. For grants to the British Broadcasting Corporation, including a grant in aid	13,700,000	—
13. For public education in Scotland, including certain grants in aid of the Education (Scotland) Fund; for the Royal Scottish Museum, Edinburgh, including a grant in aid; and for a grant in aid of the education of Poles	23,555,310	1,333,319
14. For the salaries and expenses of the National Gallery, Scotland, the Scottish National Portrait Gallery, and the Museum of Antiquities, including certain grants in aid - - - -	25,467	400
15. For the salaries and expenses of the National Library, Scotland, including a grant in aid - - - -	11,097	5,017
<b>TOTAL, CIVIL, CLASS IV -</b>	<b>£214,896,178</b>	<b>11,268,850</b>

SCHED. (B).  
PART 15.  
Civil.  
Class V.  
1948-49.

SCHEDULE (B).—PART 15.

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 the 31st day of March 1949, viz. :—

	Sums not exceeding	
	Supply Grants.	Appropriations in Aid.
	£	£
Vote.		
1. For the salaries and expenses of the Ministry of Health, including grants and other expenses in connection with housing, hospital and general health services and medical supplies ; a supplemental grant in respect of medical benefit ; grants in respect of the maintenance of certain ex-service mental patients ; salaries and expenses of the Local Government Boundary Commission and of the Board of Control ; and sundry other services - - - - -	82,452,720	9,341,000
2. For the expenses of providing a comprehensive health service in England and Wales and certain other services connected therewith, including the central purchase of medical supplies	132,425,000	44,000,000
3. For the salaries and expenses of the Department of the Registrar-General of Births, &c. - - - - -	451,500	59,650
Carried forward - - -	£215,329,220	53,400,650

SCHEDULE (B).—PART 15—*continued.*

SCHED. (B).  
PART 15.  
Civil.  
Class V.  
1948-49.

	Sums not exceeding	
	Supply Grants.	Appropriations in Aid.
	£	£
Brought forward - - -	215,329,220	53,400,650
Vote.		
4. For the salaries and expenses of the Ministry of Labour and National Service, including grants to local authorities, associations and other bodies in respect of employment exchange and other services; expenses in connection with the inspection of factories; expenses of training, transfer, rehabilitation and resettlement; expenses in connection with national service; a contribution towards the expenses of the International Labour Organisation; expenses of the Industrial Court and the National Arbitration Tribunal; and sundry other services - - -	25,692,000	4,830,000
5. For grants to local authorities, &c., in respect of employment and development schemes, including adjustments of grant in certain cases - - -	950,000	—
6. For the salaries and expenses of the Ministry of National Insurance, including sums payable by the Exchequer to the National Insurance Fund, the Industrial Injuries Fund and the Unemployment Fund; grants in aid in respect of national health insurance benefits; payments in respect of family allowances; certain expenses in connection with national insurance, industrial injuries insurance, unemployment insurance, widows', orphans' and old age contributory pensions and workmen's compensation; and sundry other services - - - - -	173,152,000	12,770,000
Carried forward - - -	£415,123,220	71,000,650

Sched. B.  
PART 15  
Civil  
Class V.  
1947-48

SCHEDULE B.—PART 15—continued.

	Sums not exceeding	
	Supply Grants.	Appropriations in Aid.
	£	£
Vote.		
Brought forward - - - -	115,123,220	71,000,650
7. For the salaries and expenses of the Department of the National Assistance Board and of certain Appeal Tribunals and Pension Committees; non-contributory Old Age Pensions, including pensions to blind persons; Supplementary Pensions to certain persons in receipt of Old Age Pensions or Widows' Pensions; allowances to applicants for assistance, &c.; assistance grants; the expenses of re-establishment centres, reception centres, &c.; and the expenses of maintaining certain classes of Poles in Great Britain - - - -	61,780,000	1,070,000
8. For the salaries and expenses of the National Insurance Audit Department - - - -	153,310	4,350
9. For the salaries and expenses of the Registry of Friendly Societies - -	53,320	4,000
10. For the sums payable to the Treasury Pensions Account and to the Treasury Special Pensions Account in respect of Widows', Orphans' and Old Age Contributory Pensions - - - -	31,885,000	—
11. For the salaries and expenses of the Ministry of Town and Country Planning, including grants to local authorities, grants to Development Corporations established for the purposes of new towns, and sundry other services - - - -	1,163,950	1,250
Carried forward - - - -	£510,158,800	72,080,250



SCHEDULE (B).—PART 15—*continued.*

SCHED. (B).  
PART 15.  
Civil.  
Class V.  
1948-49.

	Sums not exceeding	
	Supply Grants.	Appropriations in Aid.
Brought forward - - -	£ 510,158,800	£ 72,080,250
<b>Vote.</b> 12. For the salaries and expenses of the Central Land Board - - -	310,000	51,000
13. For the salaries and expenses of the Department of Health for Scotland, including grants and other expenses in connection with housing, town and country planning and the creation of new towns; hospital grants and services; general health grants and services, including a supplemental grant in respect of medical benefit and a grant in aid of the Highlands and Islands Medical Service Fund; water and sewerage grants and services; salaries and expenses of the General Board of Control for Scotland; grants in respect of the maintenance of certain ex-service mental patients; and certain other services - - - - -	12,911,010	522,000
14. For the expenses of providing a comprehensive health service in Scotland and certain other services connected therewith, including the central purchase of medical supplies - - -	17,250,000	4,701,000
15. For the salaries and expenses of the Department of the Registrar-General of Births, &c., in Scotland - - -	67,582	4,480
<b>TOTAL, CIVIL, CLASS V -</b>	<b>£540,697,392</b>	<b>77,358,730</b>

SCHED. (B).  
PART 16.  
Civil.  
Class VI.  
1948-49.

SCHEDULE (B).—PART 16.

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 the 31st day of March 1949, viz. :—

Vote.	Sums not exceeding	
	Supply Grants.	Appropriations in Aid.
	£	£
1. For the salaries and expenses of the office of the Committee of Privy Council for Trade and subordinate departments, including the cost of certain trading services ; assistance and subsidies to certain industries ; certain grants in aid ; and other services (including a Supplementary sum of £12,500) - - - - -	10,558,230	2,255,800
2. For services in Development Areas -	10,876,000	—
3. For financial assistance to industrial undertakings in Development Areas, including remanet expenditure in respect of similar assistance in former Special Areas - - - - -	601,260	—
4. For the salaries and expenses of the Export Credits Guarantee Department, and for guarantees given after consultation with the Export Guarantees Advisory Council - -	100	686,500
5. For special guarantees given by the Board of Trade under the Overseas Trade Guarantees Scheme - -	110,000	75,000
6. For the salaries and expenses of the Ministry of Fuel and Power, including assistance to gas undertakings in Development Areas - - - -	6,736,000	236,000
7. For the salaries and expenses of the office of the Commissioners of Crown Lands - - - - -	61,749	—
Carried forward - - -	£ 28,943,339	3,253,300

SCHEDULE (B).—PART 16—*continued.*

SCHED. (B).  
PART 16.  
Civil.  
Class VI.  
1948-49.

	Sums not exceeding	
	Supply Grants.	Appropriations in Aid.
Brought forward - - -	£ 28,943,339	£ 3,253,300
<b>Vote.</b> 8. For the salaries and expenses of the Ministry of Agriculture and Fisheries, and of the Royal Botanic Gardens, Kew, including grants, grants in aid and expenses in respect of agricultural education and research; eradication of diseases of animals and improvement of breeding, &c., of live stock; land settlement, improvement of cultivation, drainage, &c.; purchase, adaptation, development and management of land; regulation of agricultural wages, agricultural credits and marketing; the purchase and sale of home-produced wool; the prevention of food infestation; agricultural training and settlement schemes; fishery organisation, research and development, including assistance to the inshore fishing industry and control of diseases of fish, &c.; and sundry other services - - - - -	11,681,599	764,990
9. For the cost of certain food production services of the Ministry of Agriculture and Fisheries, including a grant in aid of the Agricultural Disaster Fund - - - - -	45,841,010	26,009,500
10. For the expenses of the survey of Great Britain and other mapping services -	2,226,170	341,850
11. For a grant in aid of the Forestry Fund	5,000,000	—
12. For a grant in aid of the Development Fund - - - - -	720,000	—
Carried forward - - -	£ 94,412,118	30,369,640

SCHED. (B).  
PART 16.  
Civil.  
Class VI.  
1948-49.

SCHEDULE (B).—PART 16—*continued.*

		Sums not exceeding	
		Supply Grants.	Appropriations in Aid.
		£	£
	Brought forward - - -	94,412,118	30,369,640
Vote.			
13.	For the salaries and expenses of the Ministry of Transport, including expenses of the Transport Tribunal, the Road and Rail Appeal Tribunal and the Transport Arbitration Tribunal, and sundry other services -	2,511,600	884,300
14.	For a grant in aid of the Road Fund ; for other expenditure in connection with roads ; for payments to local authorities in reimbursement of expenses incurred in the collection of motor vehicle duties, &c., and the registration of motor vehicles ; and for other services - - - -	25,819,000	300,000
15.	For the salaries and expenses of certain Mercantile Marine services, including the expenses of the Coastguard and the General Register and Record Office of Shipping and Seamen - -	1,130,020	324,100
16.	For the salaries and expenses of the Ministry of Civil Aviation, including certain grants and subsidies - -	26,314,783	6,963,500
17.	For grants to public utility undertakings in Great Britain - - - -	36,000	—
18.	For the salaries and expenses of the Department of Scientific and Industrial Research, including the Geological Survey of Great Britain and Museum of Practical Geology, and a grant in aid - - - -	3,323,163	348,540
19.	For the salaries and expenses of the State Management Districts, including the salaries of the central office and the cost of provision and management of licensed premises -	100	1,398,260
	Carried forward - - -	£153,546,784	40,588,340

SCHEDULE (B).—PART 16—*continued.*

SCHED. (B).  
PART 16.  
Civil.  
Class VI.  
1948-49.

	Sums not exceeding	
	Supply Grants.	Appropriations in Aid.
Vote. Brought forward - - -	£153,546,784	£40,588,340
20. For the salaries and expenses of the Anglo-Spanish, Anglo-Roumanian, Anglo-Italian and Anglo-Turkish Clearing Offices - - - -	7,291	50
21. For the salaries and expenses of the Department of Agriculture for Scotland, including grants for land improvement, agricultural education and research, agricultural marketing, agricultural credits, expenses in respect of regulation of agricultural wages, management and use of land acquired for forestry, agricultural training and settlement schemes, certain grants in aid, remanet subsidy payments, and sundry other services	3,062,481	237,792
22. For the cost of certain food production services of the Department of Agriculture for Scotland - - -	10,369,250	4,236,350
23. For salaries and expenses in connection with the administration of Scottish fishery services, including assistance to the inshore fishing industry and to fishermen's co-operative societies, &c., and a grant in aid of piers or quays (including a Supplementary sum of £3,000) - - - - -	723,426	114,517
24. For grants in respect of the general administrative and other expenses of the Herring Industry Board, including certain advances by way of grant in aid; for a grant in aid of the Herring Marketing Fund; and for grants to herring fishermen and certain other persons for assistance in the provision of boats and equipment (including a Supplementary sum of £160,000) - - - - -	780,800	—
<b>TOTAL, CIVIL, CLASS VI -</b>	<b>£168,490,032</b>	<b>45,177,049</b>

SCHED. (B).  
PART 17.  
Civil.  
Class VII.  
1948-49.

SCHEDULE (B).—PART 17.

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 the 31st day of March 1949, viz. :—

Vote.	Sums not exceeding	
	Supply Grants.	Appropriations in Aid.
	£	£
1. For the salaries and expenses of the Ministry of Works - - - -	9,265,555	1,900,000
2. For expenditure in respect of art and science buildings, Great Britain -	869,905	11,380
3. For expenditure in respect of Houses of Parliament buildings - - -	720,010	715
4. For expenditure in respect of miscellaneous legal buildings, Great Britain	166,625	920
5. For expenditure in respect of Osborne -	39,535	4,010
6. For expenditure in respect of sundry public buildings in Great Britain, not provided for on other Votes -	35,689,550	5,655,600
6A. For the cost of the completion of memorials to the memory of the late Admirals of the Fleet Earl Jellicoe and Earl Beatty - - - -	18,500	—
7. For expenditure in respect of public buildings overseas - - - -	1,532,465	9,070
8. For expenditure in respect of Royal Palaces, including a grant in aid -	377,075	12,200
9. For expenditure in respect of Royal parks and pleasure gardens - -	531,530	36,610
Carried forward - - - -	£ 49,210,750	7,630,505

SCHEDULE (B).—PART 17—*continued.*

SCHED. (B).  
PART 17.  
Civil.  
Class VII  
1948-49.

	Sums not exceeding	
	Supply Grants.	Appropriations in Aid.
	£	£
Brought forward - - -	49,210,750	7,630,505
<b>Vote.</b>		
10. For expenditure in respect of miscellaneous works services, including certain grants in aid - - -	5,055,555	5,354,375
11. For rates and contributions in lieu of rates, &c., in respect of property in the occupation of the Crown for the public service, and for rates on buildings occupied by representatives of British Dominions and of Foreign Powers; and for the salaries and expenses of the Rating of Government Property Department, and a grant in aid of the expenses of the London Fire Brigade - - - - -	10,378,945	208,745
12. For stationery, printing, paper, binding, and printed books for the public service; for the salaries and expenses of the Stationery Office; and for sundry miscellaneous services, including reports of Parliamentary Debates - - - - -	9,899,537	3,121,000
13. For the salaries and expenses of the Central Office of Information - -	3,548,200	586,285
14. Towards the expense of constructing a harbour of refuge at Peterhead -	54,000	—
15. For expenditure in respect of public works and buildings in Ireland - -	176,875	2,920
<b>TOTAL, CIVIL, CLASS VII-</b>	<b>£ 78,323,862</b>	<b>16,903,830</b>

SCHED. (B).  
PART 18.  
Civil.  
Class VIII.  
1948-49.

SCHEDULE (B).—PART 18.

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 the 31st day of March 1949, viz. :—

	Sums not exceeding	
	Supply Grants.	Appropriations in Aid.
Vote.	£	£
1. For war pensions and allowances (including cost of treatment) arising out of the war of 1914-18 to merchant seamen and fishermen and their dependants - - - - -	237,900	—
2. For the salaries and expenses of the Ministry of Pensions ; payments in respect of war pensions, gratuities and allowances ; sundry contributions in respect thereof and other services, including payment of War Service Grants - - - - -	87,345,000	457,500
3. For pensions, compensation allowances and gratuities awarded to retired and disbanded members and staff of the Royal Irish Constabulary, and to widows of such members, including annuities to the National Debt Commissioners in respect of commutation of compensation allowances and certain extra-statutory payments -	1,215,000	—
4. For superannuation and other non-effective annual allowances, additional allowances, gratuities, compassionate allowances and supplementary pensions in respect of civil employment (including a Supplementary sum of £7,500) - - - - -	5,337,500	15,243
TOTAL, CIVIL, CLASS VIII-	94,135,400	472,743



## SCHEDULE (B).—PART 19.

SCHED. (B).  
PART 19.  
Civil.  
Class IX.  
1948-49.

## CIVIL.—CLASS IX.

SCHEDULE OF SUMS granted, and of the sums which may be applied as appropriations in aid in addition thereto, to defray the charges of the several CIVIL SERVICES herein particularly mentioned, which will come in course of payment during the year ending on the 31st day of March 1949, viz. :—

	Sums not exceeding	
	Supply Grants.	Appropriations in Aid.
	£	£
<b>Vote.</b>		
1. For Exchequer Equalisation Grants and certain other grants to local authorities in England and Wales, and balances in respect of the former General Exchequer Contribution, &c.	49,624,000	1,000
2. For Exchequer Equalisation Grants and certain other grants to local authorities in Scotland, and balances in respect of the former General Exchequer Contribution, &c. - -	7,092,837	52,395
<b>TOTAL, CIVIL, CLASS IX -</b>	<b>-£ 56,716,837</b>	<b>53,395</b>

SCHED. (B).  
PART 20.  
Civil.  
Class X.  
1948-49.

SCHEDULE (B).—PART 20.

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 the 31st day of March 1949, viz. :—

Vote.	Sums not exceeding	
	Supply Grants.	Appropriations in Aid.
	£	£
1. For the salaries and expenses of the Ministry of Supply, including the cost of trading services and of assistance to certain industries - - - -	101,000,010	178,000,000
2. For the salaries and expenses of the Ministry of Food ; the cost of trading services, including certain subsidies ; and sundry other services - - -	320,041,013	781,500
3. For the cost of Shipping and Inland Transport Services arising out of the War - - - - -	33,030,700	24,455,900
4. For the cost of the war services and certain other temporary services of the Ministry of Fuel and Power -	2,875,000	33,045,000
5. For the cost of the war services of the Home Office - - - - -	8,890,200	2,041,000
6. For the salaries and expenses of the German Section of the Foreign Office, the Control Commission for Germany and the Allied Commission for Austria, including certain non-effective services, supplies and services essential to the Occupation, financial assistance to Austria, and sundry other services - - - - -	31,795,617	9,826,340
Carried forward - - - - -	£497,632,540	248,149,740

SCHEDULE (B).—PART 20—*continued.*

SCHED. (B).  
PART 20.  
Civil.  
Class X.  
1948-49.

	Sums not exceeding	
	Supply Grants.	Appropriations in Aid.
Brought forward - - -	£ 497,632,540	£ 248,149,740
Vote. 7. For advances to the Governments of Allied, &c., Countries - - -	27,000,000	—
8. For the salaries and expenses of the War Damage Commission - -	1,484,000	215,300
<b>TOTAL, CIVIL, CLASS X -</b>	<b>£526,116,540</b>	<b>248,365,040</b>

SCHED. (B).  
PART 21.  
Revenue  
Departments.  
1948-49.

SCHEDULE (B).—PART 21.

REVENUE DEPARTMENTS.

SCHEDULE OF SUMS granted, and of the sums which may be applied as appropriations in aid in addition thereto, to defray the charges of the several REVENUE DEPARTMENTS herein particularly mentioned, which will come in course of payment during the year ending on the 31st day of March 1949, viz. :—

	Sums not exceeding	
	Supply Grants.	Appropriations in Aid.
	£	£
Vote.		
1. For the salaries and expenses of the Customs and Excise Department -	8,540,300	413,000
2. For the salaries and expenses of the Inland Revenue Department - -	21,017,090	59,600
3. For the salaries and expenses of the Post Office, including Telegraphs and Telephones and a grant in aid	161,077,000	12,278,896
<b>TOTAL, REVENUE DEPARTMENTS</b>	<b>£190,634,390</b>	<b>12,751,496</b>

## SCHEDULE (C).—PART I.

Navy Services, 1946-47. 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. Wages, &c., of Officers, Seamen, Boys and Royal Marines, and Women's Royal Naval Service -	8,583,947	4 9	—	—	—	—	2,040,391	11 11
2. Victualling and Clothing for the Navy - - -	504,606	5 7	—	—	—	—	1,400,257	13 1
3. Medical Estab- lishments and Ser- vices - - -	351,543	16 -	—	—	—	—	43,243	19 9
4. Civilians Em- ployed on Fleet Services - - -	1,689,131	10 11	759	- 2	—	—	—	—
5. Educational Ser- vices - - -	—	—	—	—	28,173	13 3	21,624	1 4
6. Scientific Services	—	—	40,803	15 5	334,782	12 9	—	—
7. Royal Naval Res- erves - - -	—	—	100	- -	123,400	- 10	—	—
8. Shipbuilding, Re- pairs, Maintenance, &c.—								
Section I.—								
Personnel	—	—	241,452	6 6	111,829	12 9	—	—
Section II.—								
Matériel	1,778,867	8 2	—	—	—	—	2,341,650	2 1
Section III.—								
Contract Work	3,403,903	15 2	—	—	—	—	1,258,152	4 3
9. Naval Armaments	271,169	10 7	—	—	—	—	1,360,466	16 6
10. Works, Buildings and Repairs at Home and Abroad	—	—	38,496	3 10	296,826	19 5	—	—
11. Miscellaneous Ef- fective Services -	1,374,421	13 5	—	—	—	—	1,449,696	14 -
12. Admiralty Office	—	—	4,433	1 10	90,953	2 2	—	—
13. Non-effective Ser- vices (Naval and Marine)—Officers -	—	—	—	—	59,895	16 3	26,070	19 7
14. Non-effective Ser- vices (Naval and Marine)—Men -	135,883	11 10	—	—	—	—	105	15 -
15. Civil Superannua- tion, Allowances and Gratuities -	11,031	16 3	—	—	—	—	1,435	9 1
16. Merchant Ship- building, &c. -	—	—	—	—	202,187	13 8	65,379	9 2
Balances Irre- recoverable and Claims Abandoned	481,439	8 5	—	—	—	—	—	—
Excess Vote -	18,585,946	1 1	326,044	7 9	1,248,049	11 1	10,008,474	15 9
	—	—	—	—	7,655,466	2 0	—	—
	18,585,946	1 1	326,044	7 9	8,903,515	13 1	10,008,474	15 9
	£18,911,990 8s. 10d.				£18,911,990 8s. 10d.			

SCHED. (C).  
PART II.  
Army Services.  
1946-47.  
Section 5.

SCHEDULE (C).—PART II.

Army Services, 1946-47. Votes.	DEFICITS.				SURPLUSES.			
	Excesses of actual over estimated gross Expenditure.		Deficiencies of actual as compared with estimated Receipts.		Surpluses of actual 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 - - -	—	—	—	—	14,086,858	3 4	1,477,984	1 6
2. Reserve Forces Territorial Army, Cadet Forces, &c. -	—	—	—	—	779,614	13 1	33,183	17 10
3. Medical Services -	—	—	—	—	90,483	16 -	38,764	9 10
4. Educational Establishments -	—	—	36,167	12 5	163,175	17 5	—	—
5. Quarters and Movements -	5,761,678	16 11	497,152	15 -	—	—	—	—
6. Supplies - - -	—	—	55,780	5 3	18,172,668	1 4	—	—
7. Clothing - - -	—	—	—	—	321,963	13 10	76,192	15 10
8. General Stores -	1,298,011	11 1	—	—	—	—	16,860	14 9
9. Warlike Stores -	—	—	—	—	2,478,021	14 5	173,935	- 1
10. Works, Buildings and Lands - - -	—	—	—	—	1,590,440	3 9	1,104,251	4 11
11. Miscellaneous Effective Services -	—	—	275,006	16 9	572,594	2 9	—	—
12. War Office -	21,934	1 -	—	—	—	—	6,352	3 7
13. Half-pay, Retired Pay and other Non-effective Charges for Officers -	—	—	—	—	253,372	12 2	14,912	9 2
14. Pensions and other Non-effective Charges for Warrant Officers, Non-commissioned Officers, men and others - - -	—	—	1,538	6 11	591,823	6 3	—	—
15. Civil Superannuation, Compensation and Gratuities -	535,265	13 5	—	—	—	—	1,296	12 8
Balances Irrecoverable and Claims Abandoned - -	—	—	—	—	820,537	- 6	—	—
	7,616,890	2 5	865,645	16 4	39,921,553	4 10	2,943,733	10 2
	Total Deficits : £8,482,535 18s. 9d.				Total Surpluses : £42,865,286 15s.			
	Net Surplus : £34,382,750 16s. 3d.							

SCHED. (C).  
PART III.  
Air  
Services.  
1946-47.  
Section 5.

## SCHEDULE (C).—PART III.

Air Services, 1946-47, 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 - -	13,492,958	17 8	16,119	15 6	—	—	—	—
2. Quarters, Non- Technical Supplies and Transportation	2,409,013	11 3	345,642	9 1	—	—	—	—
3. Technical Sup- plies and Services	—	—	—	—	6,684,196	6 9	12,243,237	7 10
4. Works, Buildings and Lands - -	2,308,750	3 3	—	—	—	—	1,113,138	7 -
5. Medical Services	83,657	12 5	—	—	—	—	6,973	15 2
6. Educational Ser- vices - -	—	—	19,248	17 2	358,787	9 11	—	—
7. Reserve and Auxiliary Forces -	—	—	72	- 7	240,393	10 7	—	—
9. Meteorological and Miscellaneous Effective Services	—	—	—	—	465,365	3 3	3,367	5 4
10. Air Ministry -	112,208	11 11	10,820	15 2	—	—	—	—
11. Half-Pay, Pen- sions and other Non-effective Ser- vices - -	67,032	10 1	—	—	—	—	2,137	18 7
Balances Irrecover- able and Claims Abandoned - -	170,539	9 4	—	—	—	—	—	—
Excess Vote -	18,644,160	15 11	391,903	17 6	7,748,742	10 6	13,368,854	13 11
	—	—	—	—	10 - -	—	—	—
	18,644,160	15 11	391,903	17 6	7,748,752	10 6	13,368,854	13 11
	£19,036,064 13s. 5d.				£21,117,607 4s. 5d.			
	Net Surplus: £2,081,542 11s. -							

**CHAPTER 51.***White Fish and Herring Industries Act, 1948.*

## ARRANGEMENT OF SECTIONS.

## Section.

1. Provision for giving effect to Convention as to size of mesh of nets used in sea fishing.
2. Licensing of British fishing boats in North Sea.
3. Further financial assistance for re-equipment of inshore fishing industry.
4. Power to make loans to fishermen's co-operative societies.
5. Grants to Herring Industry Board, and salaries of members of Board.
6. Extension of power to make certain advances to Herring Industry Board.
7. Powers of Ministers to make, vary and revoke schemes for reorganisation, development and regulation of herring industry.
8. Power of Ministers to give general directions to Herring Industry Board.
9. Expenses of Ministers.
10. The Ministers.
11. Short title, construction, citation and extent.

An Act to provide for regulating the mesh of fishing nets, for licensing fishing in the North Sea, for giving financial assistance or further financial assistance to inshore fishermen and persons desiring to engage in the inshore fishing industry, to co-operative societies and organisations of fishermen and to the Herring Industry Board, for amending the Herring Industry Acts, 1935 to 1944, and for purposes connected with the matters aforesaid. [30th July 1948.]

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

Provision for giving effect to Convention as to size of mesh of nets used in sea fishing.

1.—(1) Whereas a Convention providing (among other matters) for the regulation of the meshes of fishing nets was signed in London on the fifth day of April, nineteen hundred and forty-six, on behalf of His Majesty's Government in the United Kingdom :

And whereas it is necessary, for the purpose of giving full effect to the said Convention, to extend the powers conferred by section three of the Sea-Fishing Industry Act, 1933, as amended by section thirty-eight of the Sea Fish Industry Act, 1938, to regulate the mesh of fishing nets carried in British fishing boats, so as to be exercisable in the territorial waters adjacent to the United Kingdom as well as outside those waters :

Now, therefore, paragraph (a) of subsection (3) of the said section three as so amended (which excludes the territorial waters

23 & 24 Geo. 5.  
c. 45.  
1 & 2 Geo. 6.  
c. 30.



adjacent to the United Kingdom from the operation of any order made under that section) shall cease to have effect, and nothing in any byelaw, rule, order or regulation made under the Fisheries (Ireland) Act, 1842, section four of the Sea Fisheries (Scotland) Amendment Act, 1885, section two of the Sea Fisheries Regulation Act, 1888, section six of the Herring Fisheries (Scotland) Act, 1889, or section eight of the Sea Fisheries Regulation (Scotland) Act, 1895, shall be taken to authorise the carrying of fishing nets in circumstances where the carrying of those nets would otherwise be unlawful by virtue of an order made under the said section three.

5 & 6 Vict.  
c. 106.  
48 & 49 Vict.  
c. 70.  
51 & 52 Vict.  
c. 54.  
52 & 53 Vict.  
c. 23.  
58 & 59 Vict.  
c. 42.

(2) With a view to enforcing any order made under the said section three as amended by the preceding subsection, any fishery officer of a local fisheries committee constituted by an order under section one of the Sea Fisheries Regulation Act, 1888, may, within the district of the committee, go on board any British fishing boat (within the meaning of that section) registered in the United Kingdom and search for and examine all fishing nets carried in that boat, and may seize any net in respect of which a contravention of an order under this section has been, or is being, committed; and a local fisheries committee may take proceedings in respect of any contravention of the said section three as so amended occurring within the district of the committee.

2.—(1) As from such day as may be appointed by an order made by the Ministers and subject to such exceptions as may be made by any such order, no British fishing boat registered in the United Kingdom shall be used by way of trade or business for fishing for white fish in the North Sea except under the authority of a licence granted by one of the Ministers and for the time being in force.

Licensing of  
British  
fishing boats  
in North Sea.

(2) The licensing powers conferred by the preceding subsection may be so exercised as to limit the number of British fishing boats or any class of such boats engaged in fishing for white fish in the North Sea to such extent as appears to the Ministers to be necessary or expedient for the purpose of preventing overfishing, but the Ministers shall secure so far as practicable that the exercise of those powers does not cause undue hardship to any person.

(3) If subsection (1) of this section is contravened in the case of any fishing boat, the master, the owner and the charterer (if any) shall each be liable on summary conviction—

- (a) to imprisonment for a term not exceeding three months or to a fine not exceeding one hundred pounds, or to both such imprisonment and such fine; and
- (b) on a second or subsequent conviction to imprisonment for a term not exceeding six months or to a fine not

exceeding two hundred pounds, or to both such imprisonment and such fine ;

and the court by which the offender is convicted may order the forfeiture of any net and gear used in the contravention.

57 & 58 Vict.  
c. 60.

(4) Section six hundred and eighty-four of the Merchant Shipping Act, 1894 (which relates to the jurisdiction of courts) shall apply for the purposes of this section as it applies for the purposes of that Act.

46 & 47 Vict.  
c. 22.

(5) Any person who, by virtue of section eleven of the Sea Fisheries Act, 1883, is a British sea-fishery officer may seize any net and gear used in contravening subsection (1) of this section, and may exercise, with respect to any fishing boat within the limits of the territorial waters adjacent to Great Britain in the North Sea and with respect to any British fishing boat registered in the United Kingdom in any part of the North Sea, such of the powers conferred on British sea-fishery officers by paragraphs (1) to (8) of section twelve of the Sea Fisheries Act, 1883, as may be conferred on him by order of the Ministers, being powers which the Ministers consider necessary for the enforcement of subsection (1) of this section ; and for the purposes of an order under this subsection—

- (a) section twelve of the Sea Fisheries Act, 1883, shall apply as if any reference in paragraph (7) of that section to that Act included a reference to subsection (1) of this section ; and
- (b) section fourteen of that Act, as amended by any subsequent enactment (which section provides for the protection of sea-fishery officers and for the punishment of persons obstructing them) shall apply as if any reference in that section to that Act included a reference to this section.

(6) An order appointing a day for the purposes of this section shall not be made unless the Ministers are satisfied that measures substantially equivalent to the provisions of this section are being taken by the governments of other countries interested in fishing in the North Sea, and in exercising the powers conferred by this section the Ministers shall have regard to the extent to which fishing in the North Sea is being restricted by those governments.

(7) For the purposes of this section, the limits of the North Sea shall be defined as follows :—

- (a) on the north, by the parallel of the sixty-first degree of latitude ;
- (b) on the east and south,—
  - (i) by the coasts of Norway between the parallel of the sixty-first degree of latitude and Lindesnaes Lighthouse (Norway) ;

(ii) by a straight line drawn from Lindesnaes Lighthouse (Norway) to Hanstholm Lighthouse (Denmark) ;

(iii) by the coasts of Denmark, Germany, the Netherlands, Belgium, and France, as far as Gris Nez Lighthouse ;

(c) on the west,—

(i) by a straight line drawn from Gris Nez Lighthouse (France) to the easternmost lighthouse at South Foreland (England) ;

(ii) by the eastern coasts of England and Scotland ;

(iii) by a straight line joining Duncansby Head (Scotland) and the southern point of South Ronaldshay (Orkney Islands) ;

(iv) by the eastern coasts of the Orkney Islands ;

(v) by a straight line joining North Ronaldshay Lighthouse (Orkney Islands) and Sumburgh Head Lighthouse (Shetland Islands) ;

(vi) by the eastern coasts of the Shetland Islands ;

(vii) by the meridian of North Unst Lighthouse (Shetland Islands) as far as the parallel of the sixty-first degree of latitude.

(8) In this section—

the expression “ fishing boat ” means a vessel of whatever size, and in whatever way propelled, which is for the time being employed in sea-fishing or in the sea-fishing service ; and

the expression “ white fish ” means fish of any kind found in the sea other than—

(a) herring, mackerel, sprats and pilchards,

(b) fish of the salmon species,

(c) trout which migrate to and from the sea, or

(d) shell-fish.

(9) In the application of this section to Northern Ireland, the expression “ summary conviction ” means conviction subject to, and in accordance with, the Petty Sessions (Ireland) Act, 14 & 15 Vict. 1851, and any Act (including any Act of the Parliament of Northern Ireland) amending that Act.

3. The aggregate amount of the grants that may be made in accordance with arrangements under section one of the Fishing Industry Act, 1945, for the provision of financial assistance for persons engaged in and desiring to engage in the fishing industry as defined in that Act, shall be increased by five hundred thousand pounds, and the aggregate amount of the loans that may be made in accordance with such arrangements as

Further financial assistance for re-equipment of inshore fishing industry. 9 Geo. 6. c. 11.

aforesaid shall be increased by one million pounds; and accordingly in subsection (3) of the said section one for the words "five hundred thousand pounds" there shall be substituted the words "one million pounds" and for the words "eight hundred thousand pounds" there shall be substituted the words "one million eight hundred thousand pounds".

Power to  
make loans to  
fishermen's  
co-operative  
societies.

4.—(1) The Ministers may, with the approval of the Treasury, make arrangements for the provision out of moneys provided by Parliament of financial assistance by way of loan to any co-operative society or organisation formed for the purposes of a co-operative scheme for fishermen, to meet capital expenditure incurred or to be incurred by the society or organisation in connection with the initial operation or the development of the scheme.

(2) The aggregate amount of the loans so made shall not exceed one hundred thousand pounds, and the aggregate amount of the loans so made to any one society or organisation shall not exceed one thousand pounds, and no loan shall be made after the expiration of the period of five years beginning with the date of the passing of this Act.

(3) Any sums received by the Ministers by way of interest on any such loan, or by way of repayment of the principal thereof, shall be paid into the Exchequer.

Grants to  
Herring  
Industry  
Board, and  
salaries of  
members of  
Board.  
7 & 8 Geo. 6.  
c. 32.

5.—(1) There shall be paid out of moneys provided by Parliament, in respect of any expenses incurred by the Herring Industry Board during the period beginning with the date of the passing of the Herring Industry Act, 1944, and ending with the second day of August, nineteen hundred and fifty-four, and approved by the Ministers and the Treasury, in the exercise of any powers exercisable by the Board for promoting the sale of herring or products thereof, promoting market development, promoting schemes for the revival of winter fisheries, purchasing boats and equipment for the purpose of being chartered or hired, promoting or carrying out schemes of research or experiment, or converting herring to oil and other products, such sums, not exceeding in the aggregate one million five hundred thousand pounds, as Parliament may from time to time determine.

(2) There shall be paid out of moneys provided by Parliament to members of the Herring Industry Board such salaries and allowances as may be determined by the Ministers with the approval of the Treasury.

(3) Section three of the Herring Industry Act, 1944, (which authorises the payment out of moneys provided by Parliament of sums not exceeding two hundred and fifty thousand pounds

in respect of expenses of the Herring Industry Board incurred during the period of five years from the passing of that Act) shall cease to have effect :

Provided that subsection (1) of the said section, so far as it authorises the payment of the general administrative expenses of the Board (other than the salaries and allowances payable to members of the Board) shall not cease to have effect until the first day of April, nineteen hundred and forty-nine.

Any sums paid under the said section three shall be deemed to have been paid under subsection (1) of this section.

(4) Section five of the said Act (which empowers the Ministers to extend the period referred to in sections one, three and four of that Act for a further period not exceeding three years) shall cease to apply to the said section three.

6.—(1) Subsection (1) of section four of the Herring Industry Act, 1944 (which enables advances, not exceeding in the aggregate one million seven hundred thousand pounds, to be made out of moneys provided by Parliament to the Herring Industry Board, for the purposes specified in that subsection) shall be amended by the omission of proviso (iii) to that subsection (which limits to two hundred thousand pounds the sums which are to be advanced for the making of loans in connection with export and for the undertaking of operations involving the outlay of working capital).

Extension of power to make certain advances to Herring Industry Board.

(2) The said section five of the Herring Industry Act, 1944, shall have effect, and shall be deemed for the purposes of the Statutory Instruments Act, 1946, always to have had effect, as if, in its application to section four of the said Act, for the reference to a further period not exceeding three years there were substituted a reference to a further period not exceeding five years, but no sums shall be advanced under the said section four after the second day of August, nineteen hundred and fifty-two, except for the making of loans in connection with export or for the undertaking of operations involving the outlay of working capital.

9 & 10 Geo. 6. c. 36.

7.—(1) The Ministers may, with a view to effecting or better effecting the reorganisation, development and regulation of the herring industry, make in accordance with the following provisions of this section a scheme varying or replacing the scheme in force under the Herring Industry Act, 1935, at the date of the passing of this Act, and any scheme so made may contain any provisions which the Ministers in their discretion think expedient with a view to effecting or better effecting those purposes.

Powers of Ministers to make, vary and revoke schemes for reorganisation, development and regulation of herring industry.

(2) Before making a scheme under the preceding subsection, the Ministers shall, after consultation with the Herring Industry Board and the Treasury, prepare a draft scheme and shall cause to be published, in the London Gazette

25 Geo. 5. c. 9.

and in the Edinburgh Gazette, and in such other manner as they think best for informing persons affected, notice of their intention to make the scheme, of the place where copies of the draft scheme may be inspected and purchased, and of the time (which shall not be less than twenty-eight days from the date on which the notice is first published) within which objections with respect to the draft scheme should be made.

(3) Every objection must be sent to one or other of the Ministers in writing and must state the grounds of objection, and the Ministers, after considering any objections duly made with respect to the draft scheme and making such modifications (if any) therein as they think fit after consultation with the said Board and the Treasury; shall lay the draft scheme before Parliament and, if each House of Parliament resolves that the draft scheme be approved, the Ministers may make the scheme in the terms of the draft so approved.

(4) The power conferred on the Ministers by the preceding provisions of this section to make such a scheme as aforesaid shall include power, exercisable in like manner and subject to the like conditions, to make further schemes varying or replacing any previous scheme.

(5) Section three of the Herring Industry Act, 1935, as amended by any other enactment and section two of the Herring Industry Act, 1944 (which set out certain powers that may be conferred on the Herring Industry Board by a scheme made under section two of the said Act of 1935) shall apply to a scheme made by the Ministers under this section, but nothing in the said section three or in section two of the said Act of 1944 shall be construed as limiting the provisions that may be contained in any such scheme and in particular as limiting the powers that may be conferred on the said Board by such a scheme to purchase herring or to fix prices of herring or products of herring.

(6) References in any other provision of the Herring Industry Acts, 1935 to 1944, to a scheme in force under the Herring Industry Act, 1935, or to a scheme made under section two of that Act shall be construed as including a reference to a scheme in force under this section.

(7) If it appears to the Ministers, after consultation with the Herring Industry Board, that the scheme for the time being in force under the Herring Industry Act, 1935, or this section ought to be revoked (otherwise than for the purposes of being replaced by a new scheme), they may by order revoke that scheme and provide for the winding up of the Board :

Provided that an order shall not be made under this subsection unless a draft thereof has been laid before Parliament and has been approved by each House of Parliament.

(8) Any power to make an order or scheme under this section shall be exercisable by statutory instrument.

(9) Subsections (7) and (8) of section two and section five of the Herring Industry Act, 1935 (which provide respectively for the variation of a scheme in force under that Act and for the winding up of the Herring Industry Board on the revocation of such a scheme) shall cease to have effect.

(10) The Second Schedule to the Herring Industry Act, 1935 (which applies with modifications sections nine and sixteen of the Agricultural Marketing Act, 1931, in relation to a consumers' committee and a committee of investigation appointed under section four of the said Act of 1935) shall have effect as if the references to the Ministers included references to the Minister of Food, and as if for subsection (5) of the said section nine as so applied there were substituted the following subsection:—

“(5) If a committee of investigation reports to the Ministers that any provision of a scheme in force under this Act, or any act or omission of the Board, is contrary to the interests of consumers of the products of the herring industry, or is contrary to the interests of any person affected by the scheme and is not in the public interest, the Ministers shall consider the report with a view to making such amendments in the scheme as they consider necessary or expedient for the purpose of rectifying the matter, or to revoking the scheme; and in the event of the matter being one which it is within the power of the Board to rectify, may by order direct the Board to take such steps to rectify the matter as may be specified in the order, and thereupon it shall be the duty of the Board forthwith to comply with the order.

The power to make an order under this subsection shall include power, exercisable in like manner and subject to the like conditions, to revoke or vary any such order, and shall be exercisable by statutory instrument, and any order made under this subsection shall be subject to annulment in pursuance of a resolution of either House of Parliament.”

8. The Ministers may give to the Herring Industry Board such directions of a general character as to the exercise and performance by the Board of their functions as appear to the Ministers to be requisite in the national interest, and the Board shall give effect to any such directions.

Power of  
Ministers to  
give general  
directions to  
Herring  
Industry  
Board.

9. Any administrative expenses incurred by any of the Ministers in the execution of this Act shall be defrayed out of moneys provided by Parliament.

Expenses of  
Ministers.

10. In this Act the expression “the Ministers” means the Minister of Agriculture and Fisheries and the Secretary of State

The Ministers

concerned with the sea-fishing industry in Scotland and also includes—

- (a) in sections two and five of this Act, the Secretary of State concerned with the sea-fishing industry in Northern Ireland, and
- (b) in sections seven, eight and nine of this Act, the last mentioned Secretary of State and the Minister of Food.

Short title,  
construction,  
citation and  
extent

11.—(1) This Act may be cited as the White Fish and Herring Industries Act, 1948, and sections five to eight of this Act shall be construed as one with the Herring Industry Acts, 1935 to 1944, and those Acts and the said sections may be cited together as the Herring Industry Acts, 1935 to 1948.

(2) This Act, except sections three and four thereof, shall extend to Northern Ireland, and the provisions of subsections (3) and (4) of section fifteen of the Herring Industry Act, 1935, shall apply to sections five to eight of this Act as they apply to that Act.

## CHAPTER 52.

### *Veterinary Surgeons Act, 1948.*

#### ARRANGEMENT OF SECTIONS.

##### PROVISIONS AS TO TRAINING IN VETERINARY SURGERY.

###### Section.

1. Holders of certain university degrees to be qualified veterinary surgeons.
2. Revocation and suspension of orders under s. 1.
3. Examination by Royal College of Veterinary Surgeons of students of certain universities.
4. Supervisory functions of Council of College.

##### RESTRICTION OF PRACTICE OF VETERINARY SURGERY BY UNQUALIFIED PERSONS.

5. Restriction of practice of veterinary surgery by unqualified persons.
6. Supplementary Veterinary Register.
7. Licensing of employees of animal welfare societies.
8. Use of descriptions as to professional status.

##### CONSTITUTION OF COUNCIL OF ROYAL COLLEGE OF VETERINARY SURGEONS.

9. Reconstitution of Council of Royal College of Veterinary Surgeons.
10. Term of office of members of Council and filling of casual vacancies.
11. Transitional provisions as to elected members of Council.
12. Transitional provisions as to members of Council appointed by universities and colleges.

##### DISCIPLINARY POWERS OF COUNCIL OF ROYAL COLLEGE OF VETERINARY SURGEONS.

13. Amendment of provisions as to removal of names from Register.
14. Disciplinary Committee.
15. Proceedings of Disciplinary Committee.
16. Suspension of registration.



POWER TO GIVE EFFECT TO AGREEMENT BETWEEN THE  
UNITED KINGDOM AND EIRE.

## Section.

17. Effect of removal or suspension.
18. Appeal to High Court against disciplinary action.
19. Application of disciplinary provisions to persons registered in Supplementary Register.
20. Power by Order in Council to give effect to agreement with Eire.

## MISCELLANEOUS AND GENERAL.

21. Power of Privy Council to give directions to Council of Royal College of Veterinary Surgeons.
22. Removal of disqualification of teachers.
23. Exemption of veterinary practitioners from restrictions on buying and selling poisons, etc.
24. Exemption from jury service.
25. Annual fees.
26. Regulations, rules and orders.
27. Exercise of powers of Privy Council.
28. Interpretation.
29. Saving for Existing Practitioners.
30. Saving for legislative powers of Northern Ireland Parliament.
31. Short title, construction and citation.

## SCHEDULES :

First Schedule.—Exemptions from restrictions on practice of veterinary surgery.

Second Schedule.—Exemption from restrictions on buying and selling poisons, etc.

An Act to make further provision for the teaching of veterinary surgery and for restricting the practice thereof by unqualified persons ; to alter the constitution of the Royal College of Veterinary Surgeons and of the Council of that College and otherwise to amend the law relating to veterinary surgeons ; to exempt persons practising veterinary surgery from service on juries ; and for purposes connected with the matters aforesaid.

[30th July 1948.]

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

PROVISIONS AS TO TRAINING IN VETERINARY  
SURGERY.

## 1. Where—

- (a) a university in the United Kingdom provides courses of study and examinations leading to a veterinary degree, and
- (b) it appears to the Privy Council, after consultation with the Council of the Royal College of Veterinary Surgeons, that the courses of study and examinations are such as

Holders of certain university degrees to be qualified veterinary surgeons.

sufficiently to guarantee that holders of the degree will have acquired the knowledge and skill needed for the efficient practice of veterinary surgery,

the Privy Council may by order direct that any person on whom the degree is conferred during the continuance in force of the order shall thereby be qualified to be a member of the Royal College of Veterinary Surgeons, and any such person shall, on application in the prescribed manner and on payment of the prescribed fee, be registered in the Register of Veterinary Surgeons and become a member of the Royal College of Veterinary Surgeons accordingly.

Revocation  
and sus-  
pension of  
orders under  
s. 1.

2.—(1) If where an order under the foregoing section is in force it appears to the Council of the Royal College of Veterinary Surgeons that the courses of study and examinations leading to the degree to which the order relates are no longer such as to justify the continuance in force of the order, the said Council may make representations to that effect to the Privy Council.

(2) Where any representations are made under the last foregoing subsection, the Privy Council shall give notice to the university in question that the representations have been made together with such particulars thereof as may be requisite to enable the university to formulate their observations thereon or objections thereto.

(3) The Privy Council shall consider any representations made under this section, and any observations thereon or objections thereto made by the university in question within such time not less than one month from the giving of the notice under the last foregoing subsection as the Privy Council may determine, and may if they think fit by order revoke or suspend the order under the last foregoing section.

(4) An order under the last foregoing subsection for the suspension of an order under section one of this Act may be revoked by a subsequent order of the Privy Council if it appears to them expedient in consequence of representations made by the Council of the said College or by the university in question that the order under section one should be revived.

Examination  
by Royal  
College of  
Veterinary  
Surgeons  
of students  
of certain  
universities.  
44 & 45 Vict.  
c. 62.

3.—(1) On the application of any university in the United Kingdom, not being a university in the case of which an order is for the time being in force under section one of this Act, the Privy Council may after consultation with the Council of the Royal College of Veterinary Surgeons direct that section four of the Veterinary Surgeons Act, 1881 (which requires that College to make provision for the examination of the students specified in that section and for their admission and registration if they pass the examination) shall apply to students in the university of such descriptions as may be specified in the direction.

(2) A direction under the last foregoing subsection shall cease to have effect on the coming into force of an order under section one of this Act, or may be revoked by a subsequent direction of the Privy Council made after consultation with the university in question and with the Council of the Royal College of Veterinary Surgeons.

(3) If and when any of the colleges referred to in the said section four has become part of a university, then so long as an order under section one of this Act is in force in the case of the university the said section four shall not apply to students of the college except such as became students thereof before the coming into force of the order.

4—(1) The following provisions of this section shall have effect for the purpose of securing that the courses of study to be followed by candidates for admission to the Royal College of Veterinary Surgeons, whether in pursuance of this Act or otherwise, and the standard of proficiency required for admission thereto, shall be such as sufficiently to guarantee that persons admitted to the College will have acquired the knowledge and skill needed for the efficient practice of veterinary surgery; and it shall be the duty of the Council of the College to exercise the powers conferred on them by the said provisions so far as is necessary for the purpose aforesaid.

Supervisory  
functions of  
Council of  
College.

(2) The said Council shall have power to appoint persons to visit the universities in the case of which orders under section one of this Act are for the time being in force, and any other universities or colleges which for the time being provide courses leading to examination by the Royal College of Veterinary Surgeons, and to report upon the courses of study, staffing, accommodation and equipment available for training in veterinary surgery and the other arrangements and facilities for such training.

(3) The said Council may appoint persons to attend at examinations leading to a degree in the case of which an order under section one of this Act is for the time being in force, and to report to the Council as to the sufficiency of the examinations and as to such other matters relating thereto as the Council may require :

Provided that nothing in this subsection shall authorise a person appointed thereunder to interfere with the conduct of any examination.

(4) On receipt of any report made under this section—

- (a) the Council shall send a copy thereof to the university or college concerned ;
- (b) the university or college may within one month of the receipt of the copy make to the Council observations on the report or objections thereto ;

- (c) as soon as may be after the expiration of the said month the Council shall send a copy of the report and of any observations thereon or objections thereto duly made, together with the Council's comments on the report and on any such observations or objections, to the Minister of Agriculture and Fisheries, the Secretary of State or the Minister of Agriculture for Northern Ireland, according as the university or college in question is in England or Wales, Scotland or Northern Ireland.

(5) Every university in the case of which an order under section one of this Act is for the time being in force shall, on a request in writing in that behalf made by the Council of the Royal College of Veterinary Surgeons, furnish the Council with such information as may be specified in the request as to the courses of study and examinations leading to the degree to which the order relates.

**RESTRICTION OF PRACTICE OF VETERINARY SURGERY  
BY UNQUALIFIED PERSONS.**

Restriction of  
practice of  
veterinary  
surgery by  
unqualified  
persons.

5.—(1) Subject to the provisions of section seven of this Act, no person shall practise, or hold himself out as practising or as being prepared to practise, veterinary surgery unless he is—

- (a) registered in the Register of Veterinary Surgeons, or
- (b) registered in the Supplementary Veterinary Register kept in accordance with the next following section.

(2) The expression "veterinary surgery" in the last foregoing subsection shall not include—

- (a) the doing of anything specified in Part I of the First Schedule to this Act and not excluded by Part II of that Schedule ;
- (b) any minor treatment, test or operation specified by order of the Ministers under this paragraph made after consultation with the Council of the Royal College of Veterinary Surgeons, so long as any conditions specified in the order are complied with.

In this section the expression "the Ministers" means the Minister of Agriculture and Fisheries, the Secretary of State and the Minister of Agriculture for Northern Ireland acting jointly.

(3) Any order of the Ministers made under paragraph (b) of the last foregoing subsection may be varied or revoked by a subsequent order of the Ministers made after the like consultation.

(4) Any person who contravenes the provisions of this section shall be guilty of an offence and liable to a fine not exceeding one hundred pounds :

Provided that in any proceedings under this subsection it shall be a defence to prove that before the coming into operation of this section the defendant had duly applied for registration in the Supplementary Veterinary Register and that he had not at the time of the contravention been notified that his application had been refused.

(5) In the application of this section to Scotland the expression "defendant" means an accused person.

(6) This section shall come into operation on the expiration of one year from the commencement of this Act or, if His Majesty by Order in Council so directs, on the expiration of such longer period from the commencement of this Act not exceeding three years as may be specified in the Order.

6.—(1) The Registrar of the Royal College of Veterinary Surgeons shall keep a separate register, to be known as the Supplementary Veterinary Register, and any person who makes application in that behalf in accordance with the following provisions of this section shall be entitled, subject to the provisions of this section, to be registered in that Register if he satisfies the conditions specified in the next following subsection.

(2) The conditions for registration in the Supplementary Veterinary Register are that the applicant has attained the age of twenty-eight and satisfies the Council of the Royal College of Veterinary Surgeons—

(a) that he is of good personal character ;

(b) that during the ten years immediately preceding the application he has for a period of not less than seven years in the aggregate been engaged in the United Kingdom as his principal means of livelihood in diagnosing diseases of animals and giving medical or surgical treatment to animals :

Provided that the Council may authorise the registration of a person under this section who has been engaged as aforesaid during the said ten years notwithstanding that he has been so engaged for less than seven years in the aggregate if the Council are satisfied that the time during which he was so engaged was reduced by reason of his serving in His Majesty's forces or being engaged in work of national importance and that his registration would not be prejudicial to the public interest.

(3) Notwithstanding anything in the foregoing provisions of this section, where on an application thereunder it appears to the Council that the applicant was during the relevant period engaged as his principal means of livelihood wholly or mainly in the giving of treatment or the performing of operations specified in the First Schedule to this Act, the Council may refuse the application.

(4) Any application for registration under this section shall be made before the coming into operation of the last foregoing section, and shall be in the prescribed form and accompanied by such fee not exceeding one guinea as may be prescribed :

Provided that where it appears to the Council that a person has for sufficient reason failed to make application before the coming into operation of that section, the Council may direct that he shall be entitled to apply within such period as may be specified in the direction.

(5) Where the Council refuse an application for registration under this section made within the time limited by or under the last foregoing subsection, they shall state the reason for the refusal and the applicant may in accordance with rules of court appeal to the High Court, and the High Court may confirm or reverse the decision of the Council.

Any order of the High Court under this subsection shall be final.

(6) The following provisions of the *Veterinary Surgeons Act, 1881*, relating to the Register of Veterinary Surgeons, that is to say—

- (a) subsection (2) of section three,
- (b) section five,
- (c) section nine,
- (d) section ten, and
- (e) section twelve,

shall apply to the Supplementary Veterinary Register as they apply to the Register of Veterinary Surgeons.

(7) In the application of this section to Scotland for the reference to the High Court there shall be substituted a reference to the Court of Session.

(8) In the application of this section to Northern Ireland for the reference to the High Court there shall be substituted a reference to the High Court of Justice in Northern Ireland, and for the reference to rules of court there shall be substituted a reference to rules made under section sixty-one of the *Supreme Court of Judicature (Ireland) Act, 1877*.

40 & 41 Vict.  
c. 57.

Licensing of  
employees of  
animal welfare  
societies.

7.—(1) Where, on the representation of a society or institution which—

- (a) is wholly supported by voluntary contributions or endowments or both, and
- (b) provides, and was immediately before the coming into operation of this Act providing, free medical or surgical treatment for animals.

the Minister of Agriculture and Fisheries is satisfied that the society or institution cannot obtain the services of an adequate

number of veterinary surgeons the Minister may, if he thinks fit, grant a licence under this section to any person employed or to be employed by the society or institution.

(2) Notwithstanding anything in section five of this Act, during the continuance in force of a licence under this section the holder thereof may in the course of his employment by the society or institution on whose representation the licence was granted, and subject to any conditions specified in the licence, give such medical or other treatment or for the relief of pain perform such minor operations as may be authorised by the licence.

(3) It shall be a condition of the granting of a licence under this section that the society or institution in question undertakes not to employ the holder thereof in treating or operating on any animal unless its owner appears to the society or institution to be unable to afford the services of a veterinary surgeon.

(4) If it appears to the said Minister that the society or institution has acted in contravention of the undertaking given in pursuance of the last foregoing subsection or that the person to whom the licence has been granted has failed to comply with any condition specified therein or has given any treatment or carried out any operation not authorised by or under subsection (2) of section five of this Act or subsection (2) of this section, the Minister may, after giving both the holder of the licence and the society or institution in question an opportunity of being heard, revoke the licence or suspend it for such period as the Minister thinks fit.

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

8.—(1) The following provisions of this section shall have effect in substitution for the provisions of section seventeen of the Veterinary Surgeons Act, 1881, and section four of the Veterinary Surgeons Act (1881) Amendment Act, 1920.

Use of  
descriptions  
as to  
professional  
status.

(2) If any person who is not for the time being registered in the Register of Veterinary Surgeons takes or uses the title of veterinary surgeon or any name, title, addition, or description calculated to lead to the belief that he is registered in that Register, he shall be guilty of an offence.

10 & 11 Geo. 5  
c. 20.

(3) If any person who is not for the time being registered in the Register of Veterinary Surgeons or in the Supplementary Veterinary Register takes or uses the title of veterinary practitioner or any name, title, addition, or description calculated to lead to the belief that he is a practitioner of, or qualified to practise, veterinary surgery to any greater extent than is authorised by or under subsection (2) of section five of this Act or by a licence under the last foregoing section, he shall be guilty of an offence.

(4) Without prejudice, in the case of an individual, to the foregoing provisions of this section, if any person uses any description in connection with any business carried on by him or any premises at which such a business is carried on, being in either case a description calculated to lead to the belief that he or any person acting for the purposes of the business possesses any veterinary qualifications which he does not in fact possess, he shall be guilty of an offence.

(5) Any person guilty of an offence under this section shall be liable to a fine not exceeding one hundred pounds.

CONSTITUTION OF COUNCIL OF ROYAL COLLEGE  
OF VETERINARY SURGEONS.

Reconstitution  
of Council  
of Royal  
College of  
Veterinary  
Surgeons.

9.—(1) At the first annual general meeting of the Royal College of Veterinary Surgeons held after the commencement of this Act the existing members of the Council of that College shall vacate office, and as from that meeting the Council shall be reconstituted in accordance with the following provisions of this Act in that behalf.

(2) Subject to the transitional provisions and the provisions relating to Eire hereinafter contained, the Council shall consist of the following persons, that is to say—

- (a) twenty persons, being members of the Royal College of Veterinary Surgeons, elected in the manner provided by the Charters by members of the College residing outside Eire ;
- (b) four persons appointed by the Privy Council ;
- (c) for each university in the United Kingdom in the case of which an order is for the time being in force under section one of this Act, two persons appointed by that university of whom at least one shall be a member of the Royal College of Veterinary Surgeons.

(3) The Council shall have power to act notwithstanding any vacancy among its members, whether arising from a failure to appoint or elect any of its members or otherwise.

(4) Notwithstanding anything in any Charter a person shall be capable of being elected or appointed to be a member of the said Council notwithstanding that he is an Examiner of the Royal College of Veterinary Surgeons.

(5) A person shall not be disqualified for being elected or appointed to be a member of the said Council by reason only of holding or having already held office as such a member.

(6) Any member of the said Council, whether elected or appointed, shall be capable of being elected President or Vice-President of the Council.



10.—(1) Subject to the provisions of this Act, the term of office of any member of the said Council, whether elected or appointed, shall be four years : Term of office of members of Council and filling of casual vacancies.

Provided that where, otherwise than by reason of a casual vacancy, the term of office of an appointed member begins between two annual general meetings of the Council, the term shall expire at the fourth annual general meeting after it began.

(2) An appointed member of the said Council may be removed from office by the persons by whom he was appointed—

(a) if he is unable to perform his duties ; or

(b) if he has been adjudged bankrupt or sequestration of his estate has been awarded or if he has made a composition or arrangement with his creditors ; or

(c) if he is otherwise unsuited to continue to discharge his duties.

(3) If the power of any university under paragraph (c) of subsection (2) of the last foregoing section to appoint a member of the Council ceases to become exercisable, any member appointed by that university shall thereupon cease to hold office.

(4) Subject to the transitional provisions and the provisions relating to Eire hereinafter contained, casual vacancies among the members of the said Council shall be filled as follows, that is to say—

(a) in the case of the elected members, casual vacancies may be filled in the manner, and persons filling such vacancies shall hold office for the term, provided by the Charters ;

(b) in the case of appointed members, casual vacancies may be filled by appointment by the persons by whom the member whose place has become vacant was appointed, and the term of office of a member appointed under this paragraph shall expire at the time at which the term of office of the member in whose place he was appointed would have expired.

11.—(1) The following provisions of this section shall have effect as respects the members of the said Council elected at the first annual general meeting of the Royal College of Veterinary Surgeons held after the commencement of this Act. Transitional provisions as to elected members of Council.

(2) Of the members elected under paragraph (a) of subsection (2) of section nine of this Act, the term of office of the five who received the lowest number of votes shall be one year only, the term of office of the five who received the next lowest number of votes shall be two years only, and the term of office of the five who received the next lowest number of votes shall be three years only.

(3) Of any two of the said members who may receive an equal number of votes, that one of them whose name was first entered on the Register of Veterinary Surgeons shall be deemed for the purposes of this section to have received the higher number.

Transitional provisions as to members of Council appointed by universities and colleges.

12.—(1) Subject to the provisions of this section, the universities of Bristol, Cambridge, Edinburgh, Glasgow, Liverpool and London may appoint persons to be members of the Council of the Royal College of Veterinary Surgeons notwithstanding that no order under section one of this Act has come into operation.

(2) The number of persons who may be appointed under this section by the University of Liverpool shall be two, and the number of persons who may be appointed thereunder by each of the other said universities shall be one until the relevant condition is fulfilled, and thereafter two.

(3) In the case of the universities of Bristol, Cambridge and Glasgow, the relevant condition is that the university establishes qualifying courses in veterinary surgery.

(4) In the case of the University of Edinburgh, the relevant condition is that the connected Veterinary College becomes part of the university.

(5) In the case of the University of London, the relevant condition is that the connected Veterinary College becomes a school of the university.

(6) So long as the relevant condition is not fulfilled in the case of any of the universities of Edinburgh, Glasgow or London, the connected Veterinary College may appoint one person, being a member of the Royal College of Veterinary Surgeons, to be a member of the said Council; but any member appointed by the College under this subsection shall cease to hold office on the university becoming entitled to appoint two members.

(7) On an order under section one of this Act coming into operation in the case of any of the universities specified in subsection (1) of this section, any member of the said Council previously appointed by that university and then holding office shall continue to hold office as if he had been appointed under paragraph (c) of subsection (2) of section nine of this Act, but nothing in this subsection shall be construed as extending his term of office.

(8) Where under this section a university has power to appoint two members of the said Council, at least one of the persons appointed shall be a member of the Royal College of Veterinary Surgeons.

(9) Notwithstanding anything in the foregoing provisions of this section, if within five years from the commencement of this Act any university mentioned in this section which does not at the commencement of this Act provide qualifying courses in veterinary surgery fails to establish such courses, or if any of the universities or colleges mentioned in this section which for the time being provide qualifying courses in veterinary surgery ceases to provide such courses, any power of the university or

college in question to appoint members of the said Council under this section shall cease and any such member so appointed by them shall forthwith cease to hold office.

(10) In this section—

the expression “connected Veterinary College” means, in relation to the University of Edinburgh the Royal (Dick) Veterinary College, in relation to the University of Glasgow the Glasgow Veterinary College, and in relation to the University of London the Royal Veterinary College, London ;

the expression “qualifying courses in veterinary surgery” means courses of a description designed to secure that persons who have satisfactorily completed the courses will have acquired the knowledge and skill needed for the efficient practice of veterinary surgery.

#### DISCIPLINARY POWERS OF COUNCIL OF ROYAL COLLEGE OF VETERINARY SURGEONS.

13. As from the first annual general meeting of the Royal College of Veterinary Surgeons held after the commencement of this Act, sections seven and eight of the Veterinary Surgeons Act, 1881 (which relate to the removal of names from the Register of Veterinary Surgeons and the restoration of names to that Register) are hereby repealed, and the provisions of the five next following sections shall have effect in lieu thereof. Amendment of provisions as to removal of names from Register.

14.—(1) The Council of the Royal College of Veterinary Surgeons shall exercise their powers relating to the removal of names from the Register of Veterinary Surgeons, and the restoration of names thereto, through a committee (to be known as the Disciplinary Committee) constituted in accordance with the following provisions of this section. Disciplinary Committee.

(2) The Disciplinary Committee shall consist of a chairman appointed by the Council and of eight other members so appointed.

(3) A person shall not be qualified to be a member of the Disciplinary Committee unless he is a member of the Council.

(4) Not less than four members of the Disciplinary Committee shall be elected members of the Council, and not less than one member of the Disciplinary Committee shall be a member of the Council appointed by the Privy Council.

(5) The members of the Disciplinary Committee shall hold office for such term as may be prescribed.

15.—(1) Before exercising the power of removing the name of a person from the Register of Veterinary Surgeons the Disciplinary Committee shall hold an inquiry and shall afford the person concerned an opportunity of being heard, either in person or by counsel or a solicitor : Proceedings of Disciplinary Committee.

22 & 23 Geo. 5.  
c. 10. Provided that nothing in this subsection shall require or authorise the Disciplinary Committee to investigate any facts where under the Agreement set out in the Schedule to the Veterinary Surgeons (Irish Free State Agreement) Act, 1932, a report made by the Eire Veterinary Council to the Council of the Royal College of Veterinary Surgeons is conclusive as to those facts.

(2) The quorum of the Disciplinary Committee shall be five.

(3) In the absence of the chairman of the Committee the members present shall elect one of their number to act as chairman.

(4) If on any question the votes of the Committee are equally divided the chairman or acting chairman shall have a second or casting vote.

(5) For the purpose of proceedings before the Committee the Committee may administer oaths and the parties to any such proceedings may sue out writs of subpoena ad testificandum and duces tecum.

(6) Subject to the foregoing provisions of this section, and to the provisions of any rules as to procedure made by the Council of the Royal College of Veterinary Surgeons, the Disciplinary Committee shall have power to regulate their own procedure.

Suspension of  
registration.

16. The power to remove the name of a person from the Register of Veterinary Surgeons shall include a power exercisable in the like manner by order to direct that during such period as may be specified in the order the registration of his name in that Register shall not have effect.

Effect of  
removal or  
suspension.

17.—(1) Where the name of any person has been removed from the Register, the name of that person shall not, subject to the provisions of this Act, be again entered in the Register except by order of the Disciplinary Committee under this section.

(2) Where an order has been made for the removal of a person's name from the Register, or suspending the effect of a person's registration thereunder, the Disciplinary Committee may, either of their own motion or on the application of the person concerned, and in either case after holding such inquiry (if any) as the Committee think fit, cause the name of that person to be restored to the Register or terminate the suspension, as the case may be, either without fee or on payment of such fee, not exceeding the registration fee, as the Committee may determine.

(3) Subsection (1) of this section shall not apply where a person's name has been removed from the Register at his request or with his consent in circumstances in which it could not have been removed without his consent, and the name of such a

person shall, on his application, be restored to the Register on payment of such fee, not exceeding the registration fee, as the Council of the Royal College of Veterinary Surgeons may from time to time determine.

18.—(1) Any person aggrieved by the removal of his name from the Register of Veterinary Surgeons, by the suspension of the effect of his registration in that Register or by the period of any such suspension, or by a refusal to restore his name to that Register, may in accordance with rules of court appeal to the High Court.

Appeal to High Court against disciplinary action.

(2) On any such appeal the Court may give such directions in the matter as they think proper, and any order of the Court under this section shall be final.

(3) In the application of this section to Scotland for the reference to the High Court there shall be substituted a reference to the Court of Session.

(4) In the application of this section to Northern Ireland for the reference to the High Court there shall be substituted a reference to the High Court of Justice in Northern Ireland, and for the reference to rules of court there shall be substituted a reference to rules made under section sixty-one of the Supreme Court of Judicature (Ireland) Act, 1877.

19.—(1) The jurisdiction of the Royal College of Veterinary Surgeons, and the provisions relating to the control and discipline of members of that College contained in any Charter or in this Act or any other enactment, and in particular provisions relating to the removal of names from and the restoration of names to the Register of Veterinary Surgeons and the suspension of the effect of registration therein, shall, subject to the necessary modifications and to the provisions of this Act, apply to persons registered in the Supplementary Veterinary Register and otherwise in relation to that Register.

Application of disciplinary provisions to persons registered in Supplementary Register.

(2) For the purpose of any proceedings relating to the Supplementary Veterinary Register there shall be added to the Disciplinary Committee four persons appointed by the Ministers, being persons registered in the Supplementary Veterinary Register.

In this subsection the expression "the Ministers" means the Minister of Agriculture and Fisheries, the Secretary of State and the Minister of Agriculture for Northern Ireland, acting jointly.

(3) In any such proceedings as aforesaid a meeting of the Committee shall not be properly constituted unless seven persons (whether members of the Committee or persons added to it under this section) are present, but subject as aforesaid a meeting shall be properly constituted notwithstanding that less than five of the persons present are members of the Committee.

(4) At any such meeting as aforesaid the vote of a person added to the Committee under this section shall be of equal force with the vote of any member of the Committee.

POWER TO GIVE EFFECT TO AGREEMENT BETWEEN  
UNITED KINGDOM AND EIRE.

Power by  
Order in  
Council to  
give effect  
to Agreement  
with Eire.

20. For the purpose of giving effect to any Agreement which may be entered into between His Majesty's Government in the United Kingdom and the Government of Eire, His Majesty may by Order in Council make such provision as appears to him expedient—

- (a) for empowering the Privy Council, on the recommendation of the Council of the Royal College of Veterinary Surgeons, by order to direct that the holder of a veterinary degree of any university in Eire specified in the order which under the law of Eire for the time being in force qualifies the holder thereof for registration in the Eire Register of Veterinary Surgeons shall be entitled on application in the prescribed manner and payment of the prescribed fee to be registered in the Register of Veterinary Surgeons and to become a member of the Royal College of Veterinary Surgeons accordingly ;
- (b) for the suspension or revocation of any such order as aforesaid ;
- (c) for exceptions to the right to be so registered in cases of conviction for such offences as may be specified in the Agreement or of disgraceful conduct ;
- (d) for the appointment or election, in accordance with the terms of the Agreement, of members of the Council of the Royal College of Veterinary Surgeons in addition to those specified in sections nine and twelve of this Act ; and
- (e) for any such matters supplemental to or consequential on the matters referred to in this section as may be provided in the Agreement.

MISCELLANEOUS AND GENERAL.

Power of  
Privy Council  
to give  
directions to  
Council of  
Royal College  
of Veterinary  
Surgeons.

21. If at any time it appears to the Privy Council that the Council of the Royal College of Veterinary Surgeons—

- (a) have failed to maintain a sufficient standard at any examination held by them ; or
- (b) have failed adequately to exercise their powers for the purpose of securing that a sufficient standard shall be maintained at any examination held by a university, being an examination leading to a degree to which an order under section one of this Act relates ; or

(c) have failed to exercise or perform any other power or duty conferred or imposed on them by this Act, the Privy Council may give such directions as they think fit, and the Council of the Royal College of Veterinary Surgeons shall comply with the directions.

**22.** Notwithstanding anything in any Charter a person may be appointed to be an Examiner of the Royal College of Veterinary Surgeons notwithstanding that he is a professor or teacher of any veterinary college. Removal of disqualification of teachers.

**23.** The exemptions for registered veterinary surgeons contained in— Exemption of veterinary practitioners from restrictions on buying and selling poisons, etc. 23 & 24 Geo. 5. c. 25.

(a) sections nineteen and twenty of the Pharmacy and Poisons Act, 1933 ;

(b) section thirteen of the Diseases of Animals Act, 1935 ;

(c) section three of the Diseases of Animals (Therapeutic Substances) Act (Northern Ireland), 1935 ; 25 & 26 Geo. 5. c. 31.

(d) sections twenty-eight and twenty-nine of the Medicines, Pharmacy and Poisons Act (Northern Ireland), 1945 ; and

(e) section one of the Penicillin Act, 1947, 10 & 11 Geo. 6. c. 29.

shall apply to persons registered in the Supplementary Veterinary Register as they apply to registered veterinary surgeons ; and accordingly those Acts shall be amended in the manner specified in the Second Schedule to this Act.

**24.—(1)** No member of the Royal College of Veterinary Surgeons, and no person for the time being registered in the Supplementary Veterinary Register, shall if actually practising veterinary surgery be liable to serve on any jury. Exemption from jury service.

(2) This section shall not extend to Northern Ireland.

**25.—(1)** All persons for the time being registered in the Register of Veterinary Surgeons or in the Supplementary Veterinary Register shall pay to the Council of the Royal College of Veterinary Surgeons such annual fee (if any) as the Council may prescribe, not exceeding in the former case five guineas and in the latter case one guinea, and different fees may be prescribed for different classes of cases. Annual fees.

(2) The said annual fee shall be payable on such date in each year as the said Council may prescribe but shall not be payable by any person on the first occasion on which that date occurs after his registration.

(3) If the fee payable by any person under this section has remained unpaid for such time after written demand for it has been made by the Council as may be specified in the demand, the Council may cause the name of that person to be removed from the Register of Veterinary Surgeons or, as the case may be, the Supplementary Veterinary Register.

(4) If within such period as the Council may prescribe any person whose name has been removed as aforesaid pays the fee due from him together with such additional sum (if any) as the Council may prescribe, his name shall be restored to the register from which it has been removed and, if the Council so direct, shall be deemed for all purposes not to have been removed as aforesaid.

(5) Subsections (3) and (4) of section five of the Veterinary Surgeons Act, 1881 (which provide for the removal from the Register of Veterinary Surgeons of the name of any person who has ceased to practise) and section two of the Veterinary Surgeons Act (1881) Amendment Act, 1920 (which contains provisions as to annual fees) are hereby repealed.

Regulations,  
rules and  
orders.

**26.—(1)** No regulations or rules under this Act of the Council of the Royal College of Veterinary Surgeons shall have effect unless confirmed by order of the Privy Council.

(2) Any order under the last foregoing subsection may be revoked by a subsequent order of the Privy Council.

9 & 10 Geo. 6.  
c. 36.

(3) Any power to make orders conferred by this Act on the Privy Council or on Ministers shall be exercisable by statutory instrument, and the Statutory Instruments Act, 1946, shall apply to all such powers and to orders made thereunder.

(4) Any statutory instrument made under this Act in the exercise of any power conferred by sections one, two, five or twenty thereof shall be subject to annulment in pursuance of resolution of either House of Parliament.

Exercise of  
powers of  
Privy Council.

**27.—(1)** Any power conferred on the Privy Council by this Act may be exercised by any two or more of the Privy Council.

(2) Section eighteen of the Veterinary Surgeons Act, 1881 (which contains provisions as to the exercise by order of the powers vested in the Privy Council by that Act) is hereby repealed.

Interpretation.

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

“ Charter ” means any of the Charters of the Royal College of Veterinary Surgeons ;

“ prescribed ” means prescribed by regulations of the Council of that College.



(2) For the avoidance of doubt it is hereby declared that this Act applies in relation to birds as it applies in relation to other animals.

(3) References in this Act to any enactment shall be construed as references to that enactment as amended by any subsequent enactment.

29. In relation to persons registered under section fifteen of the Veterinary Surgeons Act, 1881, in the register of existing practitioners, this Act shall have effect as if sections five and eight thereof were omitted.

Saving for  
Existing  
Practitioners.

30. For the purposes of section six of the Government of Ireland Act, 1920, this Act shall be deemed to be an Act passed before the appointed day, but nothing in this section shall be construed as extending the legislative powers of the Parliament of Northern Ireland under section four of the said Act of 1920.

Saving for  
legislative  
powers of  
Northern  
Ireland  
Parliament.  
10 & 11 Geo.  
5. c. 67.

31.—(1) This Act may be cited as the Veterinary Surgeons Act, 1948.

Short title,  
construction  
and citation.

(2) This Act shall be construed as one with the Veterinary Surgeons Act, 1881.

(3) This Act, the Veterinary Surgeons Act, 1881, the Veterinary Surgeons Amendment Act, 1900, the Veterinary Surgeons (1881) Amendment Act, 1920, and the Veterinary Surgeons (Irish Free State Agreement) Act, 1932, may be cited together as the Veterinary Surgeons Acts, 1881 to 1948.

63 & 64 Vict.  
c. 24.

## SCHEDULES.

### FIRST SCHEDULE.

Section 5.

#### EXEMPTIONS FROM RESTRICTIONS ON PRACTICE OF VETERINARY SURGERY.

##### PART I.

#### TREATMENT AND OPERATIONS WHICH MAY BE GIVEN OR CARRIED OUT BY UNQUALIFIED PERSONS.

Any treatment given to an animal by the owner thereof, by another member of a household of which the owner is a member, or by a person in the employment of the owner or of any other member of such a household.

1ST SCH.

—cont.

10 & 11 Geo. 6.  
c. 48.

Anything done, otherwise than for reward, by a person engaged or employed in agriculture, as defined in the Agriculture Act, 1947, to an animal owned (whether by himself or another person) for the purposes of agriculture, as so defined.

The rendering in an emergency of first aid for the purpose of saving life or relieving pain.

The destruction of any animal by painless methods.

The performance of any of the following operations, that is to say—

- (a) castration or caaponising ;
- (b) the spaying of a pig not over the age of three months ;
- (c) the tailing of a lamb ;
- (d) the docking of the tail of a dog before its eyes are open ;
- (e) the amputation of the dew claws of a dog before its eyes are open ;

Provided that, without prejudice to the foregoing paragraphs of this Part of this Schedule, nothing in sub-paragraphs (a) to (e) of this paragraph shall authorise the performance of any operation by a person under the age of eighteen.

## PART II.

## EXCLUSIONS FROM PROVISIONS OF PART I.

Nothing in paragraph (a) of subsection (2) of section five of this Act shall authorise the castration of any animal mentioned in the following Table after it has reached the age shown therein.

TABLE.

Horse, pony, ass or mule	...	...	...	...	2 years
Bull	...	...	...	...	15 months
Goat	...	...	...	...	15 months
Ram	...	...	...	...	15 months
Boar	...	...	...	...	9 months
Cat	...	...	...	...	6 months
Dog	...	...	...	...	6 months

Section 23.

## SECOND SCHEDULE.

EXEMPTION FROM RESTRICTIONS ON BUYING AND  
SELLING POISONS, ETC.

1.—(1) In the Pharmacy and Poisons Act, 1933,—

- (a) in section nineteen, in paragraph (a) of subsection (1) ;
  - (b) in section twenty, in paragraph (3) ;
  - (c) in section twenty-three, in subsection (1), in sub-paragraph (ii) of paragraph (b) ;
  - (d) in section twenty-five, in subsection ten ; and
  - (e) in section twenty-nine, in the definition of “ dispensing ”,
- after the words “ veterinary surgeon ” there shall be inserted the words “ or veterinary practitioner.”

(2) In section twenty-nine of the said Act of 1933 after paragraph (b) of the definition of "registered" there shall be inserted the following paragraph :—

2ND SCH.  
—cont.

"(bb) in relation to a veterinary practitioner, registered in the Supplementary Veterinary Register in pursuance of the Veterinary Surgeons Act, 1948".

2.—(1) In section thirteen of the Diseases of Animals Act, 1935, in subsection (2) after the word "surgeon" in each place where it occurs there shall be inserted the words "or practitioner".

(2) In subsection (3) of the said section thirteen after the word "means" in the second place in which it occurs, there shall be inserted the words "in relation to a veterinary surgeon", and at the end of that subsection there shall be added the words "and in relation to a veterinary practitioner registered in pursuance of the Veterinary Surgeons Act, 1948, in the Supplementary Veterinary Register".

3.—(1) In section three of the Diseases of Animals (Therapeutic Substances) Act (Northern Ireland) 1935, in subsection (2) after the words "veterinary surgeon" in each place where they occur there shall be inserted the words "or practitioner".

(2) In subsection (3) of the said section three after the word "means" in the first place where it occurs there shall be inserted the words "in relation to a veterinary surgeon" and after the word "practitioners" there shall be inserted the words "and in relation to a veterinary practitioner, registered in pursuance of the Veterinary Surgeons Act, 1948, in the Supplementary Veterinary Register".

4.—(1) In the Medicines, Pharmacy and Poisons Act (Northern Ireland), 1945, in paragraph (a) of subsection (1) of section twenty-eight, and in paragraph (3) of section twenty-nine after the words "veterinary surgeon" there shall be inserted the words "or veterinary practitioner".

(2) In section thirty-eight of the said Act of 1945, in subsection (1), the following paragraph shall be inserted at the end of the definition of "registered" :—

"(d) in relation to a veterinary practitioner, registered in pursuance of the Veterinary Surgeons Act, 1948, in the Supplementary Veterinary Register."

5. In the Penicillin Act, 1947, in section one, in paragraph (a) of subsection (1) after the words "registered veterinary surgeon" there shall be inserted the words "or veterinary practitioner", and in section five after the definition of "registered pharmacist" there shall be inserted the following definition :—

" 'registered veterinary practitioner' means a person registered in the Supplementary Veterinary Register in pursuance of the Veterinary Surgeons Act, 1948".

**CHAPTER 53.***Nurseries and Child-Minders Regulation Act, 1948.*

## ARRANGEMENT OF SECTIONS.

## Section.

1. Registration of nurseries and child-minders.
2. Power to impose requirements in connection with registration.
3. Certificates of registration.
4. Penalties for failure to register and for breach of requirements under section two.
5. Cancellation of registration.
6. Appeals.
7. Inspection.
8. Exemption of certain institutions from provisions of Act.
9. Exclusion of sections four and seven of Act where child life protection enactments apply.
10. Exclusion of child life protection enactments where premises registered under Act.
11. Prosecution of offences.
12. Payments out of moneys provided by Parliament.
13. Short title, interpretation and extent.

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An Act to provide for the regulation of certain nurseries and of persons who for reward receive children into their homes to look after them; and for purposes connected with the matters aforesaid.

[30th July 1948.]

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

**Registration  
of nurseries  
and child-  
minders.**

- 1.—(1) Every local health authority shall keep registers—
- (a) of premises in their area, other than premises wholly or mainly used as private dwellings, where children are received to be looked after for the day or a substantial part thereof or for any longer period not exceeding six days ;
  - (b) of persons in their area who for reward receive into their homes children under the age of five to be looked after as aforesaid.

The registers kept under this subsection shall be open to inspection at all reasonable times.

(2) Any person receiving or proposing to receive children as mentioned in paragraph (a) or (b) of the foregoing subsection may make application to the local health authority for registration thereunder, and on receipt of such an application the local health authority shall, subject to the provisions of this section, register the premises to which or person to whom the application relates.

(3) The local health authority may by order refuse to register any premises if they are satisfied that any person employed or proposed to be employed in looking after children at the premises is not a fit person to look after children, or, where the premises were not at the commencement of this Act in use for the reception of children as mentioned in paragraph (a) of subsection (1) of this section, if the local authority are satisfied that the premises are not fit to be used for that purpose.

(4) The local health authority may by order refuse to register any person if they are satisfied that that person, or any person employed or proposed to be employed by him in looking after children, is not a fit person to look after children or that the premises in which the children are received or proposed to be received are not fit (whether because of the condition thereof or for any reason connected with other persons therein) to be used for the purpose.

2.—(1) The local health authority may by order require that no greater number of children shall be received in premises registered under the foregoing section than may be specified in the order. Power to impose requirements in connection with registration.

(2) The local health authority may by order require in the case of a person registered under the foregoing section that the number of children received in his home as mentioned in paragraph (b) of subsection (1) of that section, together with any other children in his home, shall not at any time exceed such number as may be specified in the order.

(3) The local health authority may by order made as respects any premises or person registered under the foregoing section require the taking of precautions against the exposure of the children received in the premises to infectious diseases.

(4) The local health authority may by order made as respects any premises registered under the foregoing section impose requirements for securing—

- (a) that a person with such qualifications as may be specified by the authority shall be in charge of the premises and of the persons employed thereat ;

- (b) that the premises shall be adequately staffed, both as respects the number and as respects the qualifications or experience of the persons employed thereat, and adequately equipped ;
- (c) in the case of premises which at the commencement of this Act were in use for the reception of children as mentioned in paragraph (a) of subsection (1) of section one of this Act, that such repairs shall be carried out on the premises, or such alterations thereof or additions thereto shall be made, as may be specified in the order ;
- (d) that the premises and the equipment thereof shall be adequately maintained ;
- (e) that there shall be adequate arrangements for feeding the children received in the premises and that an adequate and suitable diet shall be provided for them ;
- (f) that the children received in the premises shall be under medical supervision ;
- (g) that records shall be kept in relation to the children received at the premises containing such particulars as may be specified by the authority.

(5) An order under paragraph (c) of the last foregoing subsection may be made either on registration or at any time within one month thereafter, and any other order under this section may be made either on registration or at any subsequent time.

(6) An order under this section may be varied or revoked by a subsequent order of the local health authority.

(7) In the case of premises which at the commencement of this Act were in use for the reception of children as mentioned in paragraph (a) of subsection (1) of section one of this Act, no requirement shall be imposed under paragraphs (a) to (c) of subsection (4) of this section so as to require anything to be done before the expiration of a reasonable time from the commencement of this Act.

Certificates  
of registration.

3.—(1) The local health authority shall issue certificates of registration under section one of this Act, and any such certificate shall specify the situation of the premises to which, or the name and address of the person to whom, the registration relates and any requirements imposed under the last foregoing section.

(2) On any change occurring in the circumstances particulars of which are stated in a certificate issued under this section, the local health authority shall issue an amended certificate.

(3) Where the local health authority are satisfied that any certificate under this section has been lost or destroyed, the authority shall, on payment of such fee (if any) not exceeding

two shillings and sixpence as the authority may determine, issue a copy of the certificate.

4.—(1) If at any time after the expiration of three months from the commencement of this Act a child is received in any premises as mentioned in paragraph (a) of subsection (1) of section one of this Act and the premises are not registered under that section or any requirement imposed under section two of this Act is contravened or not complied with, the occupier of the premises shall be guilty of an offence. Penalties for failure to register and for breach of requirements under section two.

(2) Where at any such time as aforesaid a person receives as mentioned in paragraph (b) of subsection (1) of section one of this Act children of whom he is not a relative, and

(a) the number of the children exceeds two, and

(b) the children come from more than one household,

then if he is not registered under section one of this Act, or if he contravenes or fails to comply with any requirement imposed under section two thereof, he shall be guilty of an offence.

(3) Where a person has been registered under section one of this Act and while he is so registered he acquires a new home, then until he has given notice thereof to the local health authority he shall not for the purposes of the last foregoing subsection be treated as being so registered in relation to the reception of children in the new home.

(4) A person guilty of an offence under this section shall be liable on summary conviction to a fine not exceeding twenty-five pounds or, in the case of a second or subsequent offence, to imprisonment for a term not exceeding one month or to a fine not exceeding twenty-five pounds or to both such imprisonment and such fine :

Provided that in the case of a first offence under subsection (2) of this section the fine which may be imposed shall not exceed five pounds.

#### 5. Where—

(a) there has been a contravention of, or non-compliance with, any requirement imposed under section two of this Act in relation to any premises or person registered under section one thereof, or

(b) it appears to the local health authority as respects any premises or person registered under the said section one, that circumstances exist which would justify a refusal under subsection (3) or subsection (4) of that section to register the premises or person,

the local health authority may by order cancel the registration :

Provided that where a requirement to carry out repairs or make alterations or additions has been imposed under paragraph (c) of

Cancellation  
of registration.

subsection (4) of section two of this Act, the registration of the premises shall not be cancelled by virtue of paragraph (b) of this section on the grounds that the premises are not fit to be used for the reception of children if—

- (i) the time limited by subsection (7) of the said section two for complying with the requirement has not expired, and
- (ii) it is shown that the condition of the premises is due to the repairs not having been carried out or the alterations or additions not having been made.

#### Appeals.

6.—(1) Not less than fourteen days before making an order under this Act refusing an application for registration, cancelling any registration, or imposing any requirement under section two of this Act, the local health authority shall send to the applicant, to the occupier of the premises to which the registration relates, or to the person registered, as the case may be, notice of their intention to make such an order.

(2) Every such notice shall state the grounds on which the authority intend to make the order and shall contain an intimation that if within fourteen days after the receipt of the notice the said applicant, occupier or person informs the authority in writing of his desire to show cause, in person or by a representative, why the order should not be made, the authority shall before making the order afford him an opportunity so to do.

(3) If the local health authority, after giving the said applicant, occupier or person such an opportunity as aforesaid, decide to refuse the application, cancel the registration, or impose the requirement, as the case may be, they shall make an order to that effect and shall send him a copy of the order.

(4) A person aggrieved by an order under this Act refusing an application for registration or cancelling any registration, or imposing any requirement under section two of this Act, may appeal to a court of summary jurisdiction, or in Scotland the sheriff, having jurisdiction in the place where the premises in question are situated if the order relates to the registration of premises, or in the place where the person in question resides if the order relates to the registration of a person; and an order cancelling any registration shall not take effect until the expiration of the time within which an appeal may be brought under this section or, where such an appeal is brought, before the determination of the appeal.

(5) Sections three hundred to three hundred and two of the 26 Geo. 5 & 1 Edw. 8. c. 49. Public Health Act, 1936 (which relate to appeals) shall apply for the purposes of this section as if the provisions of this Act were contained in that Act and that Act extended to London.



(6) Any notice required to be sent under subsection (1) of this section, and any copy of an order required to be sent under subsection (3) thereof, may be sent by post in a registered letter.

(7) In the application of this section to Scotland, subsection (5) shall be omitted, and any appeal under subsection (4) shall be brought within twenty-one days from the date of the order to which the appeal relates.

7.—(1) Any person authorised in that behalf by a local health Inspection. authority may at all reasonable times enter any premises in the area of the authority which are used for the reception of children as mentioned in paragraph (a) of subsection (1) of section one of this Act, and may inspect the premises and the children so received therein, the arrangements for their welfare, and any records relating to them kept in pursuance of this Act.

(2) If any person authorised as aforesaid is refused admission to the home of a person registered under section one of this Act, or has reasonable cause to believe that children are being received in a person's home or in any other premises in contravention of section four of this Act, he may apply to a justice of the peace or in Scotland to the sheriff, and if the justice or sheriff is satisfied on sworn information in writing that admission has been refused or, as the case may be, that there is reasonable cause to believe that children are being received as aforesaid, the justice or sheriff may grant a warrant authorising the applicant to enter the home or other premises and carry out any such inspection as is mentioned in subsection (1) of this section.

(3) A person who proposes to exercise any power of entry or inspection conferred by or under this section shall if so required produce some duly authenticated document showing his authority to exercise the power.

(4) Any person who obstructs the exercise of any such power as aforesaid shall be guilty of an offence and liable on summary conviction to a fine not exceeding five pounds in the case of a first offence or twenty pounds in the case of a second or any subsequent offence.

8.—(1) Nothing in this Act shall apply to the reception of children in any hospital, or in any such home or other institution as is mentioned in section two hundred and nineteen of the Public Health Act, 1936, or section eleven of the Children and Young Persons (Scotland) Act, 1937.

(2) Nothing in this Act shall apply to the reception of children in any school, notwithstanding that they are received to be looked after and not for the purpose of education.

Exemption of certain institutions from provisions of Act.  
1 Edw. 8. &  
1 Geo. 6. c. 37-

7 & 8 Geo. 6.  
c. 31.  
9 & 10 Geo. 6.  
c. 72.

(3) Nothing in this Act shall apply to the reception of children in a nursery school in respect of which payments are made by the Minister of Education under section one hundred of the Education Act, 1944, or by the Secretary of State under section seventy of the Education (Scotland) Act, 1946, or which is recognised as efficient by the Minister of Education or included in a scheme submitted under section seven and approved by the Secretary of State under section sixty-five of the said Act of 1946, or to the reception of children in any play centre maintained or assisted by a local education authority under section fifty-three of the said Act of 1944, or by an education authority under section three of the said Act of 1946.

Exclusion of sections four and seven of Act where child life protection enactments apply.

9.—(1) Where premises falling within paragraph (a) of subsection (1) of section one of this Act are used mainly for the reception of children for periods exceeding six days and in such circumstances that the child life protection enactments apply, sections four and seven of this Act shall not apply to the premises and the provisions of the child life protection enactments as to entry and inspection shall extend to all children received in the premises.

(2) Where a person receives children into his home in such circumstances that apart from this subsection he would be required by subsection (2) of section four of this Act to be registered under section one thereof, then so long as provision for entry and inspection as respects any of those children or any other child received into his home is made by or under the child life protection enactments or any enactment relating to the boarding-out of children,—

- (a) sections four and seven of this Act shall not apply,
- (b) the said provision for entry and inspection shall apply in relation to all the children aforesaid.

Exclusion of child life protection enactments where premises registered under Act.

10. Where premises registered under section one of this Act are used wholly or mainly for the reception of children as mentioned in paragraph (a) of subsection (1) of that section, the provisions of the child life protection enactments as to entry and inspection shall not apply in relation to any children received at the premises, and the provisions of section seven of this Act shall apply in relation to all children received thereat.

Prosecution of offences.

11. In England and Wales, the local health authority may prosecute for any offence under this Act.

Payments out of moneys provided by Parliament.

12. There shall be defrayed out of moneys provided by Parliament any increase attributable to the provisions of this Act in grants payable under any other Act out of moneys so provided.

13.—(1) This Act may be cited as the Nurseries and Child-Minders Regulation Act, 1948. Short title,  
interpretation  
and extent.

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

“ child ” means a person who has not attained the upper limit of compulsory school age ;

“ child life protection enactments ” means the provisions relating to child life protection of Part VII of the Public Health Act, 1936, the provisions of Part XIII of the Public Health (London) Act, 1936, the provisions of Part I of the Children and Young Persons (Scotland) Act, 1937, or the provisions of section seven of the Adoption of Children (Regulation) Act, 1939 ; 26 Geo. 5. &  
1 Edw. 8. c. 50.  
2 & 3 Geo. 6.  
c. 27.

“ compulsory school age ”, in England and Wales, has the same meaning as in the Education Act, 1944, and in Scotland means school age as defined in the Education (Scotland) Act, 1946 ;

“ hospital ” has the same meaning as in section seventy-nine of the National Health Service Act, 1946, or, as respects Scotland, section eighty of the National Health Service (Scotland) Act, 1947 ; 9 & 10 Geo. 6.  
c. 81.  
10 & 11 Geo. 6.  
c. 27.

“ relative ” means a grandparent, brother, sister, uncle or aunt, whether by consanguinity or affinity, or in consequence of adoption, and as respects an illegitimate child includes a person who would be so related if the child were legitimate ;

“ school ”, except in the expression “ nursery school ”, means an institution of which the sole or main purpose is the provision of education for children of compulsory school age.

(3) References in this Act to any enactment shall be construed as references to that enactment as amended by any subsequent enactment.

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



**CHAPTER 54.**

An Act to amend the Export Guarantees Act, 1939, and the Export Guarantees Act, 1945, by increasing the limits on the liability which may be undertaken by guarantees given under section one of the first-mentioned Act or section two of the second-mentioned Act. [30th July 1948.]

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

Increase of  
limits on  
liability.

1.—(1) The aggregate amount of the liability at any time of the Board of Trade in respect of guarantees under the principal Acts shall not, in the case of the following guarantees, exceed the following amounts, that is to say:—

- (a) in respect of all guarantees under section one of the 1939 Act and section two of the 1945 Act, three hundred million pounds;
- (b) in respect of guarantees under subsection (4) of section one of the 1939 Act (which enables guarantees to be given in connection with matters other than the export, or agreements for the export, of goods from the United Kingdom), fifteen million pounds;
- (c) in respect of guarantees under section two of the 1945 Act (which enables guarantees to be given for the purpose of encouraging the participation of the United Kingdom in external trade transactions), thirty million pounds.

(2) So much of the principal Acts as imposes limits of two hundred million pounds, five million pounds and fifteen million pounds respectively on the amount of the liability in respect of the guarantees mentioned in paragraphs (a), (b) and (c) of the foregoing subsection shall cease to have effect.

(3) Accordingly the provisions of the principal Acts specified in the first column of the Schedule to this Act are hereby repealed to the extent specified in the second column thereof.

(4) In this Act the expression "the 1939 Act" means the Export Guarantees Act, 1939, the expression "the 1945 Act" means the Export Guarantees Act, 1945, and the expression "the principal Acts" means the 1939 Act and the 1945 Act.

2 & 3 Geo. 6.  
c. 5.  
8 & 9 Geo. 6.  
c. 9.

Short title  
and citation.

2. This Act may be cited as the Export Guarantees Act, 1948, and this Act and the principal Acts may be cited together as the Export Guarantees Acts, 1939 to 1948.

## SCHEDULE.

Section 1.

## REPEALS.

*Enactment.**Extent of Repeal.*

## The 1939 Act :—

Section two ... Subsection (1), from the words " in respect of " where they first occur to the word " liability " where it occurs in paragraph (a), and from the beginning of paragraph (b) to the end of the subsection.

## The 1945 Act :—

Section one ... In subsection (1), the words " and under the Export Guarantees Act, 1937, and the enactments repealed by the last-mentioned Act " and paragraphs (a) and (c).

Section two ... Subsection (4).

The Schedule ... The entry in Part I relating to section two of the 1939 Act from the word " after " to the words " two hundred ", and from the word " for " where it last occurs to the end of the entry.

## CHAPTER 55.

*Factories Act, 1948.*

## ARRANGEMENT OF SECTIONS.

## Section.

*Medical Supervision.*

1. Medical supervision of young persons under s. 99.
2. Extension of s. 99 to employments outside factories.
3. Extension of powers under s. 11.

*Suitability of Factory Premises.*

4. Extension of powers of court of summary jurisdiction for preventing or removing danger in factories.
5. Notice of occupation of factory or use of mechanical power.

*Sitting Facilities.*

6. Provision of seats.

*Administration and Enforcement.*

7. Appointed factory doctors.
8. Amendment of certain powers to make regulations, etc.
9. Inspection of warehouses where young persons are employed.
10. Offences by persons other than occupier or owner of factory.

Section. *Miscellaneous Amendments of Principal Act.*

11. Amendments of Part II (Safety).
12. Amendments of Part IV (Health, Safety and Welfare—special provisions).
13. Amendments of Part VI (Employment of Women and Young Persons).
14. Amendments of Part VII (Special Applications and Extensions).

*Supplementary.*

15. Interpretation and construction of this Act and the principal Act.
16. Short title, citation, repeal and commencement.

## SCHEDULES :

First Schedule.—Provisions of principal Act set out as amended.

Second Schedule.—Powers under the principal Act to prescribe standards.

Third Schedule.—Provisions of principal Act repealed.

An Act to amend the Factories Act, 1937, and provide for matters consequential on the amendment of that Act. [30th July 1948.]

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

*Medical Supervision.*

Medical supervision of young persons under s. 99.

1.—(1) Section ninety-nine of the principal Act (which requires young persons under sixteen who are taken into employment in a factory to be certified fit for the employment) shall apply also to young persons who have attained the age of sixteen ; and accordingly, in the case of a certificate issued under that section on or after the appointed day, any condition on which it is issued shall continue to have effect after the young person attains the age of sixteen, notwithstanding that no direction in that behalf is made in the certificate as provided by subsection (5) of that section.

(2) A certificate issued under the said section ninety-nine on or after the appointed day—

(a) shall be in force only for a period of twelve months or such less period as may be prescribed by regulations of the Minister ; and

(b) may, on any examination of the young person under the principal Act by an appointed factory doctor, be revoked or varied as from any date before its expiration ;

and, in relation to a young person whose certificate so issued has expired or been revoked or varied, subsection (1) of the said section ninety-nine shall apply—

(i) as if the certificate had not been given or (in the case of a variation) had been given as varied ; and

(ii) where immediately before the date on or from which the expiration, revocation or variation has effect the young person is employed in any employment to which the certificate relates, as if he had been taken into that employment on that date.

(3) The power of an appointed factory doctor under subsection (3) of the said section ninety-nine to issue a certificate in respect of employment in different factories in the occupation of the same occupier shall be exercisable in relation to factories outside, as well as inside, that doctor's district, and a certificate may be issued under that section in respect of employment in factories in the occupation of different occupiers either in any area or in such area as may be specified in the certificate :

Provided that a certificate issued by virtue of this subsection shall relate only to employments which are directed by rules made under subsection (8) of the said section ninety-nine to be treated for this purpose as belonging to the same group, and rules so made may make further provision for restricting or regulating the exercise of the powers conferred by this subsection.

2.—(1) The provisions of the principal Act mentioned in the next following subsection (which provide for the partial application of the Act outside factories) shall have effect as if they included a reference to sections ninety-nine, one hundred and twenty-six and one hundred and twenty-seven among the provisions applied in the cases to which they respectively relate but so that the said sections shall be applied with such adaptations and modifications as may be made by regulations made by the Minister.

Extension of  
s. 99 to  
employments  
outside  
factories.

(2) The provisions which are to have that effect are—

- (a) subsection (2) of section one hundred and five (which relates to the loading, unloading and coaling of ships) ;
- (b) section one hundred and six (which relates to certain other work on ships in a harbour or wet dock) ;
- (c) section one hundred and seven (which relates to building operations) ;
- (d) section one hundred and eight (which relates to engineering construction).

(3) Notwithstanding anything in this section, subsection (2) of the said section one hundred and five shall not have the effect of applying sections ninety-nine, one hundred and twenty-six and one hundred and twenty-seven of the principal Act in relation to a member of the crew of a ship.

Extension of powers under s. 11.

3. Where it appears to the Minister that there may be risk of injury to the health of persons employed in a factory—

- (a) from any substance or material brought to the factory to be used or handled therein ; or
- (b) from any change in the conditions of work or other conditions in the factory ;

he shall have the like power to make special regulations or an order under section eleven of the principal Act as to the medical supervision of the persons employed in the factory, or any class of them, as he has in the cases mentioned in subsection (1) of that section.

*Suitability of Factory Premises.*

Extension of powers of court of summary jurisdiction for preventing or removing danger in factories.

4.—(1) In section forty of the principal Act—

- (a) after the words “ is in such a condition ” there shall be inserted the words “ or is so constructed or placed ” ; and
- (b) after the words “ carried on therein ” there shall be inserted the words “ or intended to be carried on therein ” ; and
- (c) for the words “ without risk of bodily injury ” there shall be substituted the words “ with due regard to the safety, health and welfare of the persons employed ” ; and
- (d) the words “ until such works have been executed as are in the opinion of the court necessary to remove the danger ” shall be omitted ;

and accordingly that section shall have effect (subject to the following provisions of this section) as set out in the First Schedule to this Act.

(2) The said section forty shall apply also in relation to premises not being a factory but intended to be used as a factory, and to the process or work intended to be carried on therein, as if the premises were a factory ; and in the case of any such premises an order may also be made under that section if the court is satisfied that the process or work cannot be carried on therein without a contravention of the principal Act or a regulation or order thereunder.

(3) The carrying on of any process or work may, by an order under the said section forty, be prohibited either indefinitely, or until such steps have been taken as may be specified in the order to enable the process or work to be carried on with due regard to the safety, health and welfare of the persons employed or without such a contravention as aforesaid, as the case may be ; but any such order may be revoked or varied on the application by way of complaint of the occupier or owner of the factory or premises.



(4) On any application for the revocation or variation of an order under the said section forty, the inspector for the district shall be entitled to be heard.

(5) In the application of this section to Scotland, subsection (3) shall have effect as if the words "by way of complaint" were omitted.

5.—(1) Section one hundred and thirteen of the principal Act shall, subject to the following provisions of this section, be amended as follows:—

Notice of  
occupation  
of factory  
or use of  
mechanical  
power.

(a) in subsection (1), for the words "within one month after" there shall be substituted the words "not less than one month before", after the first "is" there shall be inserted the words "to be" and the words from "and if" to the end of the subsection (which provide for a fine of up to twenty pounds or one pound for each day of default, whichever is the greater) shall be omitted;

(b) in subsection (2), for the words "Within one month of" there shall be substituted the words "Not less than one month before" and the words "after the commencement of this Act" shall be omitted;

and accordingly the said section shall have effect (subject as aforesaid) as set out in the First Schedule to this Act.

(2) Notwithstanding anything in the said section, a person may begin to occupy, or to use any premises as, a factory, and mechanical power may be first used in a factory, less than one month after the notice required by that section has been served if the inspector for the district gives written permission, and a person may also begin to occupy a factory less than one month after the notice has been served or before serving the notice, if he takes over from another person without changing the nature of the work and the notice is served as soon as practicable and in any case within one month of his taking over.

(3) If a person begins to occupy, or to use any premises as, a factory before he is entitled to do so under subsection (1) of the said section, or if a person entitled thereunder to occupy a factory before giving notice fails to give the required notice within the time allowed, he shall be guilty of an offence and liable on conviction thereof to a fine not exceeding twenty pounds for the first, and five pounds for each subsequent, day during which he occupies the factory, or uses the premises as a factory, as aforesaid, or during which he fails to give the notice after the expiration of the time allowed, as the case may be.

(4) The powers of an inspector under section one hundred and twenty-three of the principal Act shall include power by day to enter, inspect and examine any premises which are stated in

a notice under the said section one hundred and thirteen to be intended to be used as a factory, and in relation to any such premises the reference to the occupier of a factory in subsection (2) of the said section one hundred and twenty-three (which requires the occupier to provide the means required by an inspector for an inspection) shall be construed as a reference to the person giving the notice.

(5) Nothing in this section shall apply where a person begins to occupy, or to use any premises as, a factory, or mechanical power is first used in a factory, before the appointed day.

#### *Sitting Facilities.*

Provision of  
seats.

6.—(1) The following provisions of this section shall be substituted for those contained in section forty-four of the principal Act (which requires facilities for sitting during opportunities for resting to be provided for all female workers whose work is done standing).

(2) Where any employed persons have in the course of their employment reasonable opportunities for sitting without detriment to their work, there shall be provided and maintained for their use suitable facilities for sitting sufficient to enable them to take advantage of those opportunities.

(3) Where a substantial proportion of any work can properly be done sitting—

(a) there shall be provided and maintained for any employed person doing that work a seat of a design, construction and dimensions suitable for him and the work, together with a foot-rest on which he can readily and comfortably support his feet if he cannot do so without a foot-rest ; and

(b) the arrangements shall be such that the seat is adequately and properly supported while in use for the purpose for which it is provided.

(4) For the purposes of the last foregoing subsection, the dimensions of a seat which is adjustable shall be taken to be its dimensions as for the time being adjusted.

#### *Administration and Enforcement.*

Appointed  
factory  
doctors.

7.—(1) The name "examining surgeon" for the medical practitioners appointed for the purposes of the principal Act under section one hundred and twenty-six thereof shall be replaced by the name "appointed factory doctor", and references to an examining surgeon so appointed, whether contained in that Act or elsewhere, shall have effect accordingly.

(2) Nothing in subsection (3) of the said section one hundred and twenty-six (which imposes restrictions on medical practitioners acting under that section for a factory where they have a

personal interest) shall, except in such cases and for such purposes as may be prescribed, prevent a medical practitioner appointed to act as appointed factory doctor for any factory from so acting by reason only of the fact that he is employed by the occupier of the factory in connection with the medical supervision of persons employed in the factory.

(3) For any reference in the said section one hundred and twenty-six to the poor law medical officer for the district as the person who is to act where there is no appointed factory doctor, there shall be substituted a reference to the medical officer of health for the administrative county or county borough or such other medical officer of the council of the county or county borough as he may designate for the purpose.

8.—(1) Any power conferred by the provisions of the principal Act specified in the first column of the Second Schedule to this Act to prescribe standards as to the matters mentioned in the second column of that Schedule may be exercised either—

Amendment of certain powers to make regulations, etc.

- (a) so that conformity to the prescribed standard is to be both obligatory and a sufficient compliance with the requirements of the principal Act for the purposes of which the standard is prescribed; or
- (b) so that conformity to the prescribed standard is to be obligatory, but is not necessarily to be taken as a sufficient compliance with the said requirements.

(2) Any power to prescribe standards which is conferred as aforesaid shall include power to prescribe different standards in different circumstances.

(3) In section forty-three of the principal Act (which by subsection (1) requires the provision of adequate and suitable accommodation for clothing and by subsection (2) authorises a standard of suitable accommodation to be prescribed) for the words "a standard of suitable accommodation" in the said subsection (2) there shall be substituted the words "a standard of adequate and suitable accommodation".

(4) Any power to make regulations, rules or orders conferring or providing for exemptions from any requirement of the principal Act or of an instrument made thereunder shall include power to provide for particular exemptions to be granted, either unconditionally or subject to conditions, by an inspector; and the power to impose any requirement by an instrument made under the principal Act shall include power to provide for exemptions from the requirement in special circumstances.

(5) Where the principal Act provides for its enforcement in respect to any matters by some other officer instead of an inspector, then in respect to those matters the last foregoing

subsection shall have effect with the substitution of a reference to that officer for the reference to an inspector.

(6) The two last foregoing subsections shall be deemed always to have had effect, and to have applied to the enactments repealed by the principal Act as they apply to the principal Act.

Inspection of warehouses where young persons are employed.

9.—(1) The powers of an inspector under section one hundred and twenty-three of the principal Act shall include power to enter, inspect and examine at all reasonable times any warehouse and every part thereof—

- (a) by day or night, when he has reasonable cause to believe that any young person is employed in or in connection with the warehouse in such circumstances that section ninety-eight of the principal Act (which regulates the employment of young persons elsewhere than in factories) applies to him ;
- (b) by day, when he has reasonable cause to believe that any young person has within the preceding two months been employed as aforesaid, but not that any young person is so employed.

(2) For the purposes of the foregoing subsection, a warehouse shall be deemed to be included in the expression “ factory ” in the following provisions of the said section one hundred and twenty-three, namely—

- (a) paragraphs (e) and (f) of subsection (1) (which confer power to obtain information from persons in or employed in a factory) ; and
- (b) subsections (2), (3) and (4) (which relate to the provision of the means required by an inspector for an inspection and to obstruction of an inspector).

Offences by persons other than occupier or owner of factory.

10.—(1) In subsection (2) of section one hundred and thirty of the principal Act—

- (a) for the words “ in respect of that contravention ” there shall be substituted the words “ by reason only of the contravention of the said provisions of Part X of this Act, or the contravention of the provision imposing the said duty, as the case may be ” ; and
- (b) at the end of the subsection there shall be added the words “ but this subsection shall not be taken as affecting any liability of the occupier or owner in respect of the same matters by virtue of some provision other than the provisions or provision aforesaid ” ;

and the subsection shall accordingly have effect as set out in the First Schedule to this Act.

(2) It is hereby declared that the persons whom the occupier or owner of a factory charged with an offence under the principal Act is entitled under section one hundred and thirty-seven thereof to have brought before the court as the actual offender include any person whatsoever whom he charges as the actual offender, whether or not that person is his agent or servant.

(3) In the application of the principal Act to Scotland the following provisions shall have effect in place of subsection (1) of the said section one hundred and thirty-seven :—

“(1) Where the occupier or owner of a factory who is charged with an offence under this Act proves to the satisfaction of the court that he has used all due diligence to enforce the execution of this Act and of any relevant order or regulation made thereunder and that the offence was due to the act or default of some other person who committed it without his consent, connivance or wilful default, he shall be acquitted of the offence.”

*Miscellaneous Amendments of Principal Act.*

11.—(1) Where a hoistway or liftway is required by sub-<sup>Amendments</sup> section (3) of section twenty-two of the principal Act to be <sup>of Part II</sup> protected by an enclosure fitted with gates but, because the <sup>(Safety).</sup> hoist or lift is not connected with mechanical power, subsection (4) of that section (which requires the gates to be fitted with devices to ensure the closing of the gates) does not apply, that section shall be taken as requiring any such gate as aforesaid to be kept closed and fastened except when the cage or platform is at rest at the landing.

(2) For the requirement of paragraph (c) of subsection (1) of section twenty-seven of the principal Act (which relates to precautions in connection with work in confined spaces) that the breathing, reviving and rescue apparatus there mentioned shall be periodically inspected in the prescribed manner, there shall be substituted a requirement that it shall be thoroughly examined by a competent person at least once a month, or at such other intervals as may be prescribed, and that a report on every such examination, signed by the person making the examination and containing the prescribed particulars, shall be kept available for inspection.

(3) After subsection (1) of the said section twenty-seven there shall be inserted the following subsection :—

“(1A) Without prejudice to subsection (1) of this section, a person shall not enter or remain in any chamber, tank, vat, pit, pipe, flue or similar confined space for any purpose unless either—

- (a) he is ensured of a supply of air adequate for respiration and to render harmless any fumes ; or
- (b) he is wearing a suitable breathing apparatus.”

(4) In subsection (4) of section twenty-eight of the principal Act (which requires precautions to be taken before any plant, tank or vessel used to contain an explosive or inflammable substance is subjected to certain operations) any reference to a cutting operation which involves the application of heat shall include any operation involving the application of heat for the purpose of taking apart or removing the plant, tank or vessel or any part of it.

(5) In subsection (3) of section thirty-three of the principal Act (which requires periodical examinations of gasholders of which any lift has been in use more than twenty years) the words "within two years of the coming into operation of this section and thereafter" shall be omitted, and the subsection shall accordingly require an examination to be made as therein mentioned, in the case of every gasholder of which a lift has been in use for more than twenty years, at least once in every period of ten years :

Provided that, where on the first day of July, nineteen hundred and forty-eight, a lift of the gasholder had been in use for more than twenty-eight years, but an examination had not been made as aforesaid within eight years before that date, this subsection shall not require an examination to be so made within a period ending earlier than two years from that date.

Amendments  
of Part IV  
(Health,  
Safety and  
Welfare—  
special  
provisions).

12.—(1) In subsection (1) of section sixty of the principal Act after the word "plant" there shall be inserted the words "equipment, appliance" and for the words "persons employed in connection therewith" there shall be substituted the words "the persons employed"; and accordingly that subsection shall have effect as set out in the First Schedule to this Act.

(2) The power of an inspector under subsection (1) of section sixty-two of the principal Act to take for analysis samples of substances used or intended to be used in a factory (which under that section is exercisable only where he suspects a contravention of a regulation under Part IV of that Act, or he is of opinion that the substance is likely to cause bodily injury to the persons employed) shall extend to any substance so used or intended to be used which he thinks may prove on analysis to be likely to cause bodily injury to the persons employed.

Amendments  
of Part VI  
(Employment  
of Women and  
Young  
Persons).

13.—(1) Subsection (1) of section ninety-four of the principal Act (which provides that, subject to prescribed conditions, certain provisions of Part VI of the Act shall not apply to women and young persons over sixteen employed in certain processes required to be carried out without delay in connection with fish, fruit and vegetables) shall have effect as if the provisions therein mentioned included those of section seventy-seven of that Act (which prohibits the employment of women and young persons on Sunday).

(2) Section ninety-five of the principal Act (which authorises the Minister to make regulations varying the provisions of Part VI of that Act in the case of certain factories where milk is treated) shall have effect with the substitution for the words "in which cream, butter or cheese is made" of the words "in which cream, butter, cheese, milk powder, condensed milk or any other milk product is made".

14.—(1) Section one hundred and two of the principal Act (which applies and modifies certain provisions thereof where part of a building is let off as a separate factory, so as to impose obligations on the owner of the building) shall be amended as follows :—

Amendments  
of Part VII  
(Special  
Applications  
and  
Extensions).

(a) the provisions of Part II applied in relation to parts of the building not comprised in the factory shall be extended to include—

(i) sections twenty-three and twenty-four (which relate to lifting machines and lifting tackle) ;

(ii) sections thirty and thirty-one (which relate to steam receivers and steam containers and to air receivers) and, so far as it relates to those sections, section thirty-two ;

(iii) sections thirty-nine and forty (which relate to the power of courts of summary jurisdiction to make orders in cases of danger or of unsatisfactory premises) ;

(b) for the purposes of the provisions applied by the foregoing paragraph, lifting machines attached to the outside of the building, and chains, ropes and lifting tackle used in connection with those machines, shall be treated as being in the building, but any lifting machine not used for the purposes of the factory, and any chains, ropes or lifting tackle not used in connection with a lifting machine so used, shall be disregarded ;

(c) for any contravention (whether as respects the factory or otherwise) of the provisions referred to in sub-paragraphs (i) and (ii) of paragraph (a) of this subsection, or of the provisions of the said Part II with respect to steam boilers—

(i) if it is a contravention with respect to any machinery or plant belonging to or supplied by the occupier of the factory, he shall be responsible ; and

(ii) if it is not, the owner of the building shall be responsible ;

so, however, that the owner shall not be responsible for a contravention of the said provisions in so far as they relate to matters outside his control and for any such contravention as respects the factory the occupier shall be responsible ;

- (d) in the said sections thirty-nine and forty as they apply in relation to the factory and as they are applied by the said paragraph (a), references to the occupier shall be taken as references to the occupier of the factory or to the owner of the building, according to which of them is responsible in respect of the matters complained of ;
- (e) where the said section one hundred and two applies any provision containing a reference to the general register, then, in relation to matters in respect of which the owner of the building is responsible, that reference shall be taken as a reference to a register to be kept by him, and subsection (3) of section one hundred and forty-two of the principal Act (which makes the general register evidence of certain matters) shall apply in relation to any register kept by the owner in pursuance of the said section one hundred and two as if he were the occupier of a factory.

(2) The provisions applied by subsection (2) of section one hundred and five of the principal Act (which extends the Act in part to loading, unloading and coaling ships) shall include the provisions of Part XIV thereof (which relates to the interpretation of the Act and other matters of a general nature).

(3) Subsection (1) of section one hundred and six of the principal Act (which extends the Act in part to certain work on ships in a harbour or wet dock, including the cleaning of oil-fuel tanks) shall apply to cleaning—

- (a) any tank last used for oil of any description carried as cargo ; and
- (b) any tank or hold last used for any substance so carried of a description specified in regulations of the Minister as being of a dangerous, injurious or offensive nature ;

as it applies to cleaning oil-fuel tanks ; and the provisions applied by that subsection shall include section thirty-nine of the principal Act (which relates to the power of courts of summary jurisdiction to make orders as to dangerous conditions and practices).

(4) The application of the principal Act—

- (a) to any building operations by virtue of section one hundred and seven of that Act ; or
- (b) to any works of engineering construction by virtue of section one hundred and eight thereof ;

shall not be excluded by reason of the fact that they are undertaken on premises to which the Act applies apart from the said section one hundred and seven or eight, as the case may be, nor be taken as prejudicing the application of the Act to those premises apart from that section.



*Supplementary.*

15.—(1) In this Act—

the expression “ the appointed day ” means, for the purposes of any provision of this Act, the day on which that provision comes into force ;

the expression “ the Minister ” means the Minister of Labour and National Service ;

the expression “ the principal Act ” means the Factories Act, 1937 ;

Interpretation and construction of this Act and the principal Act.

1 Edw. 8 & 1 Geo. 6. c. 67.

and other expressions have the meanings respectively assigned to them by the principal Act.

(2) Any reference in the principal Act or this Act to a provision of that Act which is amended by this Act shall be construed as a reference to that provision as so amended.

(3) The Statutory Instruments Act, 1946, shall apply in relation to any regulations, rules or orders made by virtue of any provision of this Act as it applies to regulations, rules or orders made under the provision of the principal Act amended by that provision of this Act.

9 & 10 Geo. 6. c. 36.

16.—(1) This Act may be cited as the Factories Act, 1948, and this Act and the principal Act may be cited together as the Factories Acts, 1937 and 1948.

Short title, citation, repeal and commencement.

(2) The provisions of the principal Act specified in the Third Schedule to this Act are hereby repealed to the extent so specified.

(3) Sections one to five and eleven to fourteen of this Act shall not come into force until the first day of October, nineteen hundred and forty-eight, and section six thereof shall not come into force until the first day of October, nineteen hundred and fifty.

SCHEDULES.

Sections 5, 12.

FIRST SCHEDULE.

PROVISIONS OF PRINCIPAL ACT SET OUT AS AMENDED.

*Section 40.*

40. A court of summary jurisdiction may, on complaint by an inspector, and on being satisfied that any factory or part of a factory is in such a condition, or is so constructed or placed, that any process or work carried on therein, or intended to be carried on therein, cannot be so carried on with due regard to the safety, health and welfare of the persons employed, by order prohibit the use thereof for the purpose of that process or work.

1ST SCH.  
—cont.

Section 60 (1).

60.—(1) Where the Minister is satisfied that any manufacture, machinery, plant, equipment, appliance, process or description of manual labour used in factories is of such a nature as to cause risk of bodily injury to the persons employed, or any class of those persons he may, subject to the provisions of this Act, make such special regulations as appear to him to be reasonably practicable and to meet the necessity of the case.

Section 113.

113.—(1) Every person shall, not less than one month before he begins to occupy, or to use any premises as, a factory, serve on the inspector for the district a written notice stating the name of the occupier or the title of the firm, the postal address of the factory, the nature of the work, whether mechanical power is to be used and, if so, its nature, the name of the district council within whose district the factory is situated and such other particulars as may be prescribed.

(2) Not less than one month before the date upon which mechanical power is first used in any factory, the occupier shall serve on the inspector for the district a written notice stating the nature of such mechanical power.

Section 130 (2).

130.—(2) In the event of a contravention by an employed person of the provisions of Part X of this Act with respect to duties of persons employed or of a contravention by any person of any regulation or order made under this Act which expressly imposes any duty upon him, that person shall be guilty of an offence and the occupier or owner, as the case may be, shall not be guilty of an offence by reason only of the contravention of the said provisions of Part X of this Act, or the contravention of the provision imposing the said duty, as the case may be, unless it is proved that he failed to take all reasonable steps to prevent the contravention; but this subsection shall not be taken as affecting any liability of the occupier or owner in respect of the same matters by virtue of some provision other than the provisions or provision aforesaid.

Section 8.

SECOND SCHEDULE.

POWERS UNDER THE PRINCIPAL ACT TO PRESCRIBE STANDARDS.

<i>Provision of principal Act.</i>	<i>Matters for which standards may be prescribed.</i>
Subsection (3) of section three	... Temperature in workrooms.
Subsection (2) of section four...	... Ventilation of workrooms.
Subsection (2) of section five ...	... Lighting.
Subsection (2) of section seven	... Sanitary conveniences.
Subsection (2) of section forty-two	... Washing facilities.
Subsection (2) of section forty-three...	... Accommodation for clothing.

## THIRD SCHEDULE.

Section 16.

## PROVISIONS OF PRINCIPAL ACT REPEALED.

In section twenty-seven the words "and shall be periodically inspected in the prescribed manner" in paragraph (c) of subsection (1).

In subsection (3) of section thirty-three the words "within two years of the coming into operation of this section and thereafter".

In section forty the words from "until" onwards.

In section ninety-nine, in subsection (1) the words "has not attained the age of sixteen and", and (in relation to certificates issued on or after the appointed day for the purposes of section one of this Act) in subsection (5) the words "Where the examining surgeon so directs in the certificate" and the words from the first "shall" to "and" and the whole of subsection (6).

In section one hundred and two the words "steam boilers" in the last two places where they occur.

In section one hundred and thirteen, in subsection (1) the words from "and if he fails to do so" onwards, and in subsection (2) the words "after the commencement of this Act".

In section one hundred and twenty-six the proviso to subsection (3).

In subsection (17) of section one hundred and fifty-six the words "subsection (1) of section one hundred and thirty-seven".

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 CHAPTER 56.
*British Nationality Act, 1948.*

## ARRANGEMENT OF SECTIONS.

## PART I.

## Section. BRITISH NATIONALITY.

1. British nationality by virtue of citizenship.
2. Continuation of certain citizens of Eire as British subjects.
3. Limitation of criminal liability of citizens of countries mentioned in s. 1 (3) and Eire. Status of citizens of Eire and British protected persons.

## PART II.

## CITIZENSHIP OF THE UNITED KINGDOM AND COLONIES.

*Citizenship by birth or descent.*

4. Citizenship by birth.
5. Citizenship by descent.

*Citizenship by registration.*

6. Registration of citizens of countries mentioned in s. 1 (3) or of Eire and wives of citizens of the United Kingdom and Colonies.
7. Registration of minors.
8. Registration in countries mentioned in s. 1 (3), colonies, etc.
9. Effect of registration as a citizen.

Section. *Citizenship by naturalisation.*

10. Naturalisation of aliens and British protected persons.

*Citizenship by incorporation of territory.*

11. Power to specify citizens by Order in Council on incorporation of territory.

*Transitional.*

12. British subjects before commencement of Act becoming citizens of United Kingdom and Colonies.  
 13. British subjects whose citizenship has not been ascertained at the commencement of this Act.  
 14. Women who have ceased to be British subjects by reason of marriage.  
 15. Persons who have ceased to be British subjects by failure to make declaration of retention of British nationality.  
 16. Persons who have ceased to be British subjects on loss of British nationality by parent.  
 17. Registration of births occurring before commencement of Act.  
 18. Applications for naturalisation pending at the commencement of Act.

*Renunciation and Deprivation of citizenship.*

19. Renunciation of citizenship by reason of dual citizenship or nationality.  
 20. Deprivation of citizenship.  
 21. Deprivation of citizenship of United Kingdom and Colonies where persons deprived of citizenship elsewhere.  
 22. Deprivation in colonies and other territories.

## PART III.

## SUPPLEMENTAL.

23. Legitimated children.  
 24. Posthumous children.  
 25. Certificate of citizenship in case of doubt.  
 26. Discretion of Secretary of State, Governor or High Commissioner.  
 27. Evidence.  
 28. Offences.  
 29. Orders in Council, regulations and rules.  
 30. Protectorates and protected states.  
 31. Assimilation of status of natural-born and other British subjects under existing enactments.  
 32. Interpretation.  
 33. Channel Islands and Isle of Man.  
 34. Short title, commencement and repeal.

## SCHEDULES :

First Schedule.—Oath of allegiance.

Second Schedule.—Qualifications for naturalisation.

Third Schedule.—British subjects without citizenship under section thirteen of this Act.

Fourth Schedule.—Enactments repealed.

Part I.—Enactments relating to natural-born British subjects.

Part II.—Other enactments.

An Act to make provision for British nationality and for citizenship of the United Kingdom and Colonies and for purposes connected with the matters aforesaid.  
[30th July 1948.]

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

PART I.

BRITISH NATIONALITY.

1.—(1) Every person who under this Act is a citizen of the United Kingdom and Colonies or who under any enactment for the time being in force in any country mentioned in subsection (3) of this section is a citizen of that country shall by virtue of that citizenship have the status of a British subject. British nationality by virtue of citizenship.

(2) Any person having the status aforesaid may be known either as a British subject or as a Commonwealth citizen ; and accordingly in this Act and in any other enactment or instrument whatever, whether passed or made before or after the commencement of this Act, the expression " British subject " and the expression " Commonwealth citizen " shall have the same meaning.

(3) The following are the countries hereinbefore referred to, that is to say, Canada, Australia, New Zealand, the Union of South Africa, Newfoundland, India, Pakistan, Southern Rhodesia and Ceylon.

2.—(1) Any citizen of Eire who immediately before the commencement of this Act was also a British subject shall not by reason of anything contained in section one of this Act be deemed to have ceased to be a British subject if at any time he gives notice in writing to the Secretary of State claiming to remain a British subject on all or any of the following grounds, that is to say— Continuance of certain citizens of Eire as British subjects.

- (a) that he is or has been in Crown service under His Majesty's government in the United Kingdom ;
- (b) that he is the holder of a British passport issued by His Majesty's government in the United Kingdom or the government of any colony, protectorate, United Kingdom mandated territory or United Kingdom trust territory ;
- (c) that he has associations by way of descent, residence or otherwise with the United Kingdom or with any colony or protectorate or any such territory as aforesaid.

PART I.  
—cont.

(2) A claim under the foregoing subsection may be made on behalf of a child who has not attained the age of sixteen years by any person who satisfies the Secretary of State that he is a parent or guardian of the child.

(3) If by any enactment for the time being in force in any country mentioned in subsection (3) of section one of this Act provision corresponding to the foregoing provisions of this section is made for enabling citizens of Eire to claim to remain British subjects, any person who by virtue of that enactment is a British subject shall be deemed also to be a British subject by virtue of this section.

Limitation  
of criminal  
liability  
of citizens of  
countries  
mentioned  
in s. 1 (3)  
and Eire.  
Status of  
citizens of Eire  
and British  
protected  
persons.

3.—(1) A British subject or citizen of Eire who is not a citizen of the United Kingdom and Colonies shall not be guilty of an offence against the laws of any part of the United Kingdom and Colonies or of any protectorate or United Kingdom trust territory by reason of anything done or omitted in any country mentioned in subsection (3) of section one of this Act or in Eire or in any foreign country, unless—

- (a) the act or omission would be an offence if he were an alien ; and
- (b) in the case of an act or omission in any country mentioned in subsection (3) of section one of this Act or in Eire, it would be an offence if the country in which the act is done or the omission made were a foreign country :

Provided that nothing in this subsection shall apply to the contravention of any provision of the Merchant Shipping Acts, 1894 to 1948.

(2) Subject to the provisions of this section, any law in force in any part of the United Kingdom and Colonies or in any protectorate or United Kingdom trust territory at the date of the commencement of this Act, whether by virtue of a rule of law or of an Act of Parliament or any other enactment or instrument whatsoever, and any law which by virtue of any Act of Parliament passed before that date comes into force in any such place as aforesaid on or after that date, shall, until provision to the contrary is made by the authority having power to alter that law, continue to have effect in relation to citizens of Eire who are not British subjects in like manner as it has effect in relation to British subjects.

(3) In the Aliens Restriction Acts, 1914 and 1919, and in any order made thereunder the expression " alien " shall not include a British protected person.

## PART II.

## CITIZENSHIP OF THE UNITED KINGDOM AND COLONIES.

*Citizenship by birth or descent.*

4. Subject to the provisions of this section, every 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 :

Provided that a person shall not be such a citizen by virtue of this section if at the time of his birth—

- (a) his father possesses such immunity from suit and legal process as is accorded to an envoy of a foreign sovereign power accredited to His Majesty, and is not a citizen of the United Kingdom and Colonies ; or
- (b) his father is an enemy alien and the birth occurs in a place then under occupation by the enemy.

5.—(1) Subject to the provisions of this section, a person born after the commencement of this Act shall be a citizen of the United Kingdom and Colonies by descent if his father is a citizen of the United Kingdom and Colonies at the time of the birth :

Provided that if the father of such a person is a citizen of the United Kingdom and Colonies by descent only, that person shall not be a citizen of the United Kingdom and Colonies by virtue of this section unless—

- (a) that person is born or his father was born in a protectorate, protected state, mandated territory or trust territory or any place in a foreign country where by treaty, capitulation, grant, usage, sufferance, or other lawful means, His Majesty then has or had jurisdiction over British subjects ; or
- (b) that person's birth having occurred in a place in a foreign country other than a place such as is mentioned in the last foregoing paragraph, the birth is registered at a United Kingdom consulate within one year of its occurrence, or, with the permission of the Secretary of State, later ; or
- (c) that person's father is, at the time of the birth, in Crown service under His Majesty's government in the United Kingdom ; or
- (d) that person is born in any country mentioned in subsection (3) of section one of this Act in which a citizenship law has then taken effect and does not become a citizen thereof on birth.

PART II.  
—*cont.*

(2) If the Secretary of State so directs, a birth shall be deemed for the purposes of this section to have been registered with his permission notwithstanding that his permission was not obtained before the registration.

*Citizenship by registration.*

Registration of citizens of countries mentioned in s. 1 (3) or of Eire and wives of citizens of the United Kingdom and Colonies.

6.—(1) Subject to the provisions of subsection (3) of this section, a citizen of any country mentioned in subsection (3) of section one of this Act or a citizen of Eire, being a person of full age and capacity, shall be entitled, on making application therefor 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 either—

- (a) that he is ordinarily resident in the United Kingdom and has been so resident throughout the period of twelve months, or such shorter period as the Secretary of State may in the special circumstances of any particular case accept, immediately preceding his application ; or
- (b) that he is in Crown service under His Majesty's government in the United Kingdom.

(2) Subject to the provisions of subsection (3) of this section, a woman who has been married to a citizen of the United Kingdom and Colonies shall be entitled, on making application therefor to the Secretary of State in the prescribed manner, and, if she is a British protected person or an alien, on taking an oath of allegiance in the form specified in the First Schedule to this Act, to be registered as a citizen of the United Kingdom and Colonies, whether or not she is of full age and capacity.

(3) A person who has renounced, or has been deprived of, citizenship of the United Kingdom and Colonies under this Act shall not be entitled to be registered as a citizen thereof under this section, but may be so registered with the approval of the Secretary of State.

Registration of minors.

7.—(1) The Secretary of State may cause the minor child of any citizen of the United Kingdom and Colonies to be registered as a citizen of the United Kingdom and Colonies upon application made in the prescribed manner by a parent or guardian of the child.

(2) The Secretary of State may, in such special circumstances as he thinks fit, cause any minor to be registered as a citizen of the United Kingdom and Colonies.

Registration in countries mentioned in s. 1 (3), colonies, etc.

8.—(1) The functions of the Secretary of State under the last two foregoing sections shall in any colony, protectorate or United Kingdom trust territory be exercised by the Governor ; and those sections shall, in their application to any colony, protectorate or United Kingdom trust territory, have effect as if for



references therein to the Secretary of State there were substituted references to the Governor, and as if for the reference in the first of the said sections to ordinary residence in the United Kingdom there were substituted a reference to ordinary residence in that colony, protectorate or territory as the case may be.

PART II.  
—cont.

(2) The Secretary of State may make arrangements for the exercise in any country mentioned in subsection (3) of section one of this Act of any of his functions under the last two foregoing sections by the High Commissioner for His Majesty's government in the United Kingdom.

9. A person registered under any of the last three foregoing sections shall be a citizen of the United Kingdom and Colonies by registration as from the date on which he is registered.

Effect of  
registration  
as a citizen.

*Citizenship by naturalisation.*

10.—(1) The Secretary of State may, if application therefor is made to him in the prescribed manner by any alien or British protected person of full age and capacity who satisfies him that he is qualified under the provisions of the Second Schedule to this Act for naturalisation, grant to him a certificate of naturalisation; and the person to whom the certificate is granted shall, on taking an oath of allegiance in the form specified in the First Schedule to this Act, be a citizen of the United Kingdom and Colonies by naturalisation as from the date on which that certificate is granted.

Naturalisation  
of aliens and  
British  
protected  
persons.

(2) The functions of the Secretary of State under the last foregoing subsection shall in any colony, protectorate or United Kingdom trust territory be exercised by the Governor; but he shall not grant a certificate of naturalisation except with the approval of the Secretary of State.

*Citizenship by incorporation of territory.*

11. If any territory becomes a part of the United Kingdom and Colonies, His Majesty may by Order in Council specify the persons who shall be citizens of the United Kingdom and Colonies by reason of their connection with that territory; and those persons shall be citizens of the United Kingdom and Colonies as from a date to be specified in the Order.

Power to  
specify  
citizens  
by Order in  
Council on  
incorporation  
of territory.

*Transitional.*

12.—(1) A person who was a British subject immediately before the date of the commencement of this Act shall on that date become a citizen of the United Kingdom and Colonies if he possesses any of the following qualifications, that is to say—

British  
subjects before  
commence-  
ment of Act  
becoming  
citizens of  
United  
Kingdom  
and Colonies.

(a) that he was born within the territories comprised at the commencement of this Act in the United Kingdom and Colonies, and would have been such a citizen if section four of this Act had been in force at the time of his birth;

PART II.  
—cont.

- (b) that he is a person naturalised in the United Kingdom and Colonies ;
- (c) that he became a British subject by reason of the annexation of any territory included at the commencement of this Act in the United Kingdom and Colonies.

(2) A person who was a British subject immediately before the date of the commencement of this Act shall on that date become a citizen of the United Kingdom and Colonies if at the time of his birth his father was a British subject and possessed any of the qualifications specified in the last foregoing subsection.

(3) A person who was a British subject immediately before the date of the commencement of this Act shall on that date become a citizen of the United Kingdom and Colonies if he was born within the territory comprised at the commencement of this Act in a protectorate, protected state or United Kingdom trust territory.

(4) A person who was a British subject immediately before the date of the commencement of this Act and does not become a citizen of the United Kingdom and Colonies by virtue of any of the foregoing provisions of this section shall on that date become such a citizen unless—

- (a) he is then a citizen of any country mentioned in subsection (3) of section one of this Act under a citizenship law having effect in that country, or a citizen of Eire ;  
or
- (b) he is then potentially a citizen of any country mentioned in subsection (3) of section one of this Act.

(5) A woman who was a British subject immediately before the date of the commencement of this Act and has before that date been married to a person who becomes, or would but for his death have become, a citizen of the United Kingdom and Colonies by virtue of any of the foregoing provisions of this section shall on that date herself become such a citizen.

(6) If any person of full age and capacity who would have become a citizen of the United Kingdom and Colonies on the date of the commencement of this Act by virtue of subsection (4) of this section but for his citizenship or potential citizenship of any country mentioned in subsection (3) of section one of this Act makes application to the Secretary of State in the prescribed manner before the first day of January nineteen hundred and fifty for the registration of himself and any of his minor children as citizens of the United Kingdom and Colonies, and on such application satisfies the Secretary of State—

- (a) that he is descended in the male line from a person possessing any of the qualifications specified in subsection (1) of this section ; and

(b) that he intends to make his ordinary place of residence within the United Kingdom and Colonies,

PART II.  
—cont.

then, if it seems to the Secretary of State fitting that that person should by reason of his close connection with the United Kingdom and Colonies become a citizen thereof, the Secretary of State may cause him, and any minor children to whom the application relates, to be registered as such ; and that person, and any such minor children as aforesaid, shall thereupon become citizens of the United Kingdom and Colonies.

(7) The Secretary of State may make arrangements for the exercise in any country mentioned in subsection (3) of section one of this Act of any of his functions under the last foregoing subsection by the High Commissioner for His Majesty's government in the United Kingdom.

(8) A male person who becomes a citizen of the United Kingdom and Colonies by virtue only of subsection (2), (4) or (6) of this section shall be deemed for the purposes of the proviso to subsection (1) of section five of this Act to be a citizen of the United Kingdom and Colonies by descent only.

13.—(1) A person who was a British subject immediately before the date of the commencement of this Act and is at that date potentially a citizen of any country mentioned in subsection (3) of section one of this Act, but is not at that date a citizen of the United Kingdom and Colonies or of any country mentioned in that subsection or of Eire, shall as from that date remain a British subject without citizenship until he becomes a citizen of the United Kingdom and Colonies, a citizen of any country mentioned in subsection (3) of section one of this Act, a citizen of Eire or an alien ; and the provisions of the Third Schedule to this Act shall have effect in relation to a person who remains a British subject without citizenship by virtue of this section.

British subjects whose citizenship has not been ascertained at the commencement of this Act.

(2) A person remaining a British subject without citizenship as aforesaid shall become a citizen of the United Kingdom and Colonies on the day on which a citizenship law has taken effect in each of the countries mentioned in subsection (3) of section one of this Act of which he is potentially a citizen, unless he then becomes or has previously become a citizen of any country mentioned in subsection (3) of section one of this Act, or has previously become a citizen of the United Kingdom and Colonies, a citizen of Eire or an alien.

(3) A male person who becomes a citizen of the United Kingdom and Colonies by virtue of the last foregoing subsection shall be deemed for the purposes of the proviso to subsection (1) of section five of this Act to be a citizen thereof by descent only.

## PART II.

—*cont.*

Women who have ceased to be British subjects by reason of marriage.

Persons who have ceased to be British subjects by failure to make declaration of retention of British nationality.

14. A woman who, having before the commencement of this Act married any person, ceased on that marriage or during the continuance thereof to be a British subject shall be deemed for the purposes of this Act to have been a British subject immediately before the commencement of this Act.

15.—(1) Where any person whose British nationality depended upon his birth having been registered at a consulate of His Majesty has, under any enactment in force at any time before the commencement of this Act, ceased to be a British subject by reason of his failure to make a declaration of retention of British nationality after becoming of full age, that person shall, if he would but for that failure have been a British subject immediately before the commencement of this Act, be deemed for the purposes of this Act then to have been a British subject.

(2) In determining for the purposes of this section whether a woman who has married an alien would but for her failure to make a declaration of retention of British nationality have been a British subject immediately before the commencement of this Act the marriage shall be disregarded.

Persons who have ceased to be British subjects on loss of British nationality by parent.  
4 & 5 Geo. 5.  
c. 17.

16.—(1) This section shall apply to any person who—

- (a) ceased to be a British subject under the provisions of subsection (1) of section twelve of the British Nationality and Status of Aliens Act, 1914 (which provided, subject to certain exceptions, that where a person being a British subject ceased to be such, whether by declaration of alienage or otherwise, every child of that person being a minor should thereupon cease to be a British subject), and
- (b) would but for the provisions of that subsection have been either a citizen of the United Kingdom and Colonies or a British subject without citizenship under section thirteen of this Act ;

and in determining for the purposes of this section whether a woman who has married an alien would but for those provisions have been such a citizen or subject the marriage shall be disregarded.

(2) If any person to whom this section applies makes a declaration in the prescribed manner, within one year after the commencement of this Act or after his attaining the age of twenty-one years, whichever is later, or such longer period as the Secretary of State may allow, of his intention to resume British nationality, the Secretary of State shall cause the declaration to be registered ; and thereupon that person shall become a citizen of the United Kingdom and Colonies or, as the case may be, a British subject without citizenship ; and if he becomes a British subject without citizenship section thirteen of this Act shall apply to him accordingly.

17. Notwithstanding the repeal by this Act of the British Nationality and Status of Aliens Act, 1943, the birth of a person born before the date of the commencement of this Act may be registered after that date at a consulate of His Majesty as defined in that Act ; and if the birth is registered in the circumstances specified in subsection (2) of section one of that Act, that person shall be deemed for the purposes of this Act to have been a British subject immediately before the commencement of this Act.

PART II.  
—cont.  
Registration of births occurring before commencement of Act.  
6 & 7 Geo. 6.  
c. 14.

18.—(1) Any application for a certificate of naturalisation, or for the inclusion of the name of a child in a certificate of naturalisation, made before the date of the commencement of this Act but not granted at that date may be treated as if it were an application for a certificate of naturalisation or for the registration of a minor child as a citizen of the United Kingdom and Colonies under this Act if the Secretary of State, or the Governor or other person to whom the application is made, is satisfied that the person to whom the application relates is qualified therefor.

Applications for naturalisation pending at the commencement of Act.

(2) Where a certificate of naturalisation has been granted before, and the applicant takes the oath of allegiance after, the commencement of this Act, the certificate shall be deemed for the purposes of this Act to have taken effect immediately before the commencement of this Act.

*Renunciation and Deprivation of citizenship.*

19.—(1) If any citizen of the United Kingdom and Colonies of full age and capacity who is also—

Renunciation of citizenship by reason of dual citizenship or nationality.

- (a) a citizen of any country mentioned in subsection (3) of section one of this Act or of Eire ; or
- (b) a national of a foreign country,

makes a declaration in the prescribed manner of renunciation of citizenship of the United Kingdom and Colonies, the Secretary of State shall cause the declaration to be registered ; and, upon the registration, that person shall cease to be a citizen of the United Kingdom and Colonies :

Provided that the Secretary of State may withhold registration of any such declaration if it is made during any war in which His Majesty may be engaged by a person who is a national of a foreign country.

(2) For the purposes of this section, any woman who has been married shall be deemed to be of full age.

20.—(1) A citizen of the United Kingdom and Colonies who is such by registration (including a person registered under subsection (6) of section twelve of this Act) or is a naturalised person shall cease to be a citizen of the United Kingdom and Colonies if he is deprived of that citizenship by an order of the Secretary of State made under this or the next following section.

Deprivation of citizenship.

PART II.  
—cont.

(2) Subject to the provisions of this section, the Secretary of State may by order deprive any such citizen of his citizenship if he is satisfied that the registration or certificate of naturalisation was obtained by means of fraud, false representation or the concealment of any material fact.

(3) Subject to the provisions of this section, the Secretary of State may by order deprive any citizen of the United Kingdom and Colonies who is a naturalised person of that citizenship if he is satisfied that that citizen—

- (a) has shown himself by act or speech to be disloyal or disaffected towards His Majesty ; or
- (b) has, during any war in which His Majesty was engaged, unlawfully traded or communicated with an enemy or been engaged in or associated with any business that was to his knowledge carried on in such a manner as to assist an enemy in that war ; or
- (c) has within five years after becoming naturalised been sentenced in any country to imprisonment for a term of not less than twelve months.

(4) The Secretary of State may by order deprive any person naturalised in the United Kingdom and Colonies of his citizenship of the United Kingdom and Colonies if he is satisfied that that person has been ordinarily resident in foreign countries for a continuous period of seven years and during that period has neither—

- (a) been at any time in the service of His Majesty or of an international organisation of which the government of any part of His Majesty's dominions was a member ; nor
- (b) registered annually in the prescribed manner at a United Kingdom consulate his intention to retain his citizenship of the United Kingdom and Colonies.

(5) The Secretary of State shall not deprive a person of citizenship under this section unless he is satisfied that it is not conducive to the public good that that person should continue to be a citizen of the United Kingdom and Colonies.

(6) Before making an order under this section the Secretary of State shall give the person against whom the order is proposed to be made notice in writing informing him of the ground on which it is proposed to be made and, if the order is proposed to be made on any of the grounds specified in subsections (2) and (3) of this section, of his right to an inquiry under this section.

(7) If the order is proposed to be made on any of the grounds specified in subsections (2) and (3) of this section and that person applies in the prescribed manner for an inquiry, the Secretary of State shall, and in any other case the Secretary of State may, refer

the case to a committee of inquiry consisting of a chairman, being a person possessing judicial experience, appointed by the Secretary of State and of such other members appointed by the Secretary of State as he thinks proper.

PART II.  
—cont.

21.—(1) Where a naturalised person who was a citizen of any country mentioned in subsection (3) of section one of this Act or of Eire has been deprived of that citizenship on grounds which, in the opinion of the Secretary of State, are substantially similar to any of the grounds specified in subsections (2), (3) and (4) of the last foregoing section, then, if that person is a citizen of the United Kingdom and Colonies, the Secretary of State may by an order made under this section deprive him of that citizenship, if the Secretary of State is satisfied that it is not conducive to the public good that that person should continue to be a citizen of the United Kingdom and Colonies.

Deprivation  
of citizenship  
of United  
Kingdom  
and Colonies  
where persons  
deprived of  
citizenship  
elsewhere.

(2) Before making an order under this section the Secretary of State shall give the person against whom the order is proposed to be made notice in writing informing him of the ground on which it is proposed to be made and may refer the case to a committee of inquiry constituted in the manner provided by the last foregoing section.

22. The functions of the Secretary of State under the last two foregoing sections shall, in any colony, protectorate or Kingdom trust territory, be exercised by the Governor; but he shall not make an order depriving any person of citizenship of the United Kingdom and Colonies except with the approval of the Secretary of State.

Deprivation  
in colonies  
and other  
territories.

### PART III.

#### SUPPLEMENTAL.

23.—(1) A person born out of wedlock and legitimated by the subsequent marriage of his parents shall, as from the date of the marriage or of the commencement of this Act, whichever is later, be treated, for the purpose of determining whether he is a citizen of the United Kingdom and Colonies, or was a British subject immediately before the commencement of this Act, as if he had been born legitimate.

Legitimated  
children.

(2) A person shall be deemed for the purposes of this section to have been legitimated by the subsequent marriage of his parents if by the law of the place in which his father was domiciled at the time of the marriage the marriage operated immediately or subsequently to legitimate him, and not otherwise.

24. Any reference in this Act to the status or description of the father of a person at the time of that person's birth shall in relation to a person born after the death of his father, be construed as a reference to the status or description of the father

Posthumous  
children.

PART III.  
—cont.

at the time of the father's death ; and where that death occurred before, and the birth occurs after, the commencement of this Act, the status or description which would have been applicable to the father had he died after the commencement of this Act shall be deemed to be the status or description applicable to him at the time of his death.

Certificate  
of citizenship  
in case of  
doubt.

25. The Secretary of State may in such cases as he thinks fit, on the application of any person with respect to whose citizenship of the United Kingdom and Colonies a doubt exists, whether on a question of fact or of law, certify that that person is a citizen of the United Kingdom and Colonies ; and a certificate issued under this section shall, unless it is proved that it was obtained by means of fraud, false representation or concealment of any material fact, be conclusive evidence that that person was such a citizen on the date thereof, but without prejudice to any evidence that he was such a citizen at an earlier date.

Discretion of  
Secretary  
of State,  
Governor or  
High  
Commissioner.

26. The Secretary of State, the Governor or the High Commissioner, as the case may be, shall not be required to assign any reason for the grant or refusal of any application under this Act the decision on which is at his discretion ; and the decision of the Secretary of State, Governor or High Commissioner on any such application shall not be subject to appeal to or review in any court.

Evidence.

27.—(1) Every document purporting to be a notice, certificate, order or declaration, or an entry in a register, or a subscription of an oath of allegiance, given, granted or made under this Act, the British Nationality and Status of Aliens Acts, 1914 to 1943, or any Act repealed by those Acts, shall be received in evidence, and shall, unless the contrary is proved, be deemed to have been given, granted or made by or on behalf of the person by whom or on whose behalf it purports to have been given, granted or made.

(2) Prima facie evidence of any such document as aforesaid may be given by production of a document purporting to be certified as a true copy thereof by such person and in such manner as may be prescribed.

(3) Any entry in a register made under this Act, the British Nationality and Status of Aliens Acts, 1914 to 1943, or any Act repealed by those Acts, shall be received as evidence of the matters stated in the entry.

(4) For the purposes of this Act, a certificate given by or on behalf of the Secretary of State that a person was at any time in Crown service under His Majesty's government in the United Kingdom shall be conclusive evidence of that fact.



28.—(1) Any person who for the purpose of procuring anything to be done or not to be done under this Act 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, shall be liable on summary conviction in the United Kingdom to imprisonment for a term not exceeding three months.

PART III.  
—cont.  
Offences.

(2) Any person who fails to comply with any requirement imposed on him by regulations made under this Act with respect to the delivering up of certificates of naturalisation shall be liable on summary conviction in the United Kingdom to a fine not exceeding one hundred pounds.

29.—(1) The Secretary of State may by regulations make provision generally for carrying into effect the purposes of this Act, and in particular—

Orders in  
Council,  
regulations  
and rules.

- (a) for prescribing anything which under this Act is to be prescribed ;
- (b) for the registration of anything required or authorised under this Act to be registered ;
- (c) for the administration and taking of oaths of allegiance under this Act, for the time within which oaths of allegiance shall be taken and for the registration of oaths of allegiance ;
- (d) for the giving of any notice required or authorised to be given to any person under this Act ;
- (e) for the cancellation of the registration of, and the cancellation and amendment of certificates of naturalisation relating to, persons deprived of citizenship under this Act, and for requiring such certificates to be delivered up for those purposes ;
- (f) for the registration by consular officers or other officers in the service of His Majesty's government in the United Kingdom of the births and deaths of persons of any class or description born or dying in a protected state or foreign country ;
- (g) for enabling the births and deaths of citizens of the United Kingdom and Colonies and British protected persons born or dying in any country in which His Majesty's government in the United Kingdom has for the time being no diplomatic or consular representatives to be registered by persons serving in the diplomatic, consular or other foreign service of any country which, by arrangement with His Majesty's government in the United Kingdom, has undertaken to represent that government's interest in that country, or by a person authorised in that behalf by the Secretary of State ;

PART III.  
—cont.

(h) with the consent of the Treasury, for the imposition and recovery of fees in respect of any application made to the Secretary of State under this Act or in respect of any registration, or the making of any declaration, or the grant of any certificate, or the taking of any oath of allegiance, authorised to be made, granted or taken by or under this Act, and in respect of supplying a certified or other copy of any notice, certificate, order, declaration or entry, given, granted or made as aforesaid ; and for the application of any such fees.

(2) His Majesty may by Order in Council provide for the application, with such adaptations and modifications as may be necessary, to births and deaths registered in accordance with regulations made under paragraphs (f) and (g) of the last foregoing subsection, or registered at a consulate of His Majesty in accordance with regulations made under the British Nationality and Status of Aliens Acts, 1914 to 1943, or in accordance with instructions of the Secretary of State, of the Births and Deaths Registration Acts, 1836 to 1947, the Registration of Births, Deaths and Marriages (Scotland) Acts, 1854 to 1938, or any Act (including any Act, whether passed before or after the commencement of this Act, of the Parliament of Northern Ireland) for the time being in force in Northern Ireland relating to the registration of births and deaths ; and any such Order in Council may exclude, in relation to births and deaths so registered, any of the provisions of section twenty-seven of this Act.

(3) The Secretary of State or, as the case may be, the Governor of any colony, protectorate or United Kingdom trust territory may make rules for the practice and procedure to be followed in connection with references under this Act to a committee of inquiry ; and such rules may, in particular, provide for conferring on any such committee any powers, rights or privileges of any court, and for enabling any powers so conferred to be exercised by one or more members of the committee.

(4) Any power of the Secretary of State to make regulations or rules under this Act shall be exercised by statutory instrument.

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

Protectorates  
and protected  
states.

30.—(1) His Majesty may, in relation to the states and territories under His protection through His government in the United Kingdom, by Order in Council declare which of those states and territories are protectorates and which of them are protected states for the purposes of this Act.

(2) His Majesty may by Order in Council apply the provisions of this Act to the New Hebrides and to Canton Island as if they were protected states:

(3) His Majesty may by Order in Council direct that in this Act any reference specified in the Order to protectorates shall be construed as including a reference to such protected states as may be so specified, and that in relation to any protected state so specified any reference in this Act to the Governor shall be construed as including a reference to such person as may be specified in the Order.

PART III.  
—cont.

31. For the purpose of assimilating the rights and liabilities of natural-born and other British subjects under the enactments specified in Part I of the Fourth Schedule to this Act, those enactments are hereby repealed to the extent specified in the third column of that Part.

Assimilation  
of status of  
natural-born  
and other  
British  
subjects under  
existing  
enactments.  
Interpreta-  
tion.

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

- “ Alien ” means a person who is not a British subject, a British protected person or a citizen of Eire ;
- “ Australia ” includes the territories of Papua and the territory of Norfolk Island ;
- “ British protected person ” means a person who is a member of a class of persons declared by Order in Council made in relation to any protectorate, protected state, mandated territory or trust territory to be for the purposes of this Act British protected persons by virtue of their connection with that protectorate, state or territory ;
- “ Colony ” does not include any country mentioned in subsection (3) of section one of this Act ;
- “ Crown service under His Majesty’s government in the United Kingdom ” means the service of the Crown under His Majesty’s government in the United Kingdom, or under His Majesty’s government in Northern Ireland, or under the government of any colony, protectorate, protected state, United Kingdom mandated territory or United Kingdom trust territory, whether such service is in any part of His Majesty’s dominions or elsewhere ;
- “ Foreign country ” means a country other than the United Kingdom, a colony, a country mentioned in subsection (3) of section one of this Act, Eire, a protectorate, a protected state, a mandated territory and a trust territory ;
- “ Governor ”, in relation to a colony, protectorate or United Kingdom trust territory, includes the officer for the time being administering the government of that colony, protectorate or territory, and includes the person for the time being exercising the functions of British Resident at Zanzibar ;

PART III.  
—*cont.*

“Mandated territory” means a territory administered by the government of any part of His Majesty’s dominions in accordance with a mandate from the League of Nations ;

“Minor” means a person who has not attained the age of twenty-one years ;

“Naturalised person” means a person who became a British subject or citizen of Eire by virtue of a certificate of naturalisation granted to him or in which his name was included ;

“Person naturalised in the United Kingdom and Colonies” means—

(a) in relation to a person naturalised after the commencement of this Act, a person to whom a certificate of naturalisation has been granted by the Secretary of State or by the Governor of a colony, protectorate or United Kingdom trust territory ;

(b) in relation to a person naturalised before the commencement of this Act,

(i) a person to whom a certificate of naturalisation was granted by the Secretary of State, or, under section eight of the British Nationality and Status of Aliens Act, 1914, by the government of any British possession other than the countries mentioned in subsection (3) of section one of this Act, or

(ii) a person who by virtue of subsection (2) of section twenty-seven of the British Nationality and Status of Aliens Act, 1914, is deemed to be a person to whom a certificate of naturalisation was granted, if the certificate of naturalisation in which his name was included was granted by the Secretary of State or by the government of any such British possession as aforesaid or if he was deemed to be a naturalised British subject by reason of his residence with his father or mother ;

“Prescribed” means prescribed by regulations made under this Act ;

“Protected state” and “protectorate” have the meaning assigned to them by section thirty of this Act ;

“Trust territory” means a territory administered by the government of any part of His Majesty’s dominions under the trusteeship system of the United Nations ;

“ United Kingdom consulate ” means the office of a consular officer of His Majesty’s government in the United Kingdom where a register of births is kept, or where there is no such office, such office as may be prescribed ;

“ United Kingdom mandated territory ” and “ United Kingdom trust territory ” mean respectively a mandated territory and a trust territory administered by His Majesty’s government in the United Kingdom.

(2) Subject to the provisions of section twenty-three of this Act, any reference in this Act to a child shall be construed as a reference to a legitimate child ; and the expressions “ father ”, “ ancestor ” and “ descended ” shall be construed accordingly.

(3) References in this Act to any country mentioned in subsection (3) of section one of this Act shall include references to the dependencies of that country.

(4) Any reference in this Act to India, being a reference to a state of affairs existing before the fifteenth day of August, nineteen hundred and forty-seven, shall be construed as a reference to British India as defined by section three hundred and eleven of the Government of India Act, 1935.

26 Geo. 5. &  
1 Edw. 8. c. 2.

(5) For the purposes of this Act, a person born aboard a registered ship or aircraft, or aboard an unregistered ship or aircraft of the government of any country, shall be deemed to have been born in the place in which the ship or aircraft was registered or, as the case may be, in that country.

(6) For the purposes of this Act, any person who, by the law in force immediately before the commencement of this Act in any colony or protectorate, enjoyed the privileges of naturalisation within that colony or protectorate only shall be deemed to have become immediately before the commencement of this Act a British subject and a person naturalised in the United Kingdom and Colonies.

(7) A person shall, in relation to any country mentioned in subsection (3) of section one of this Act in which a citizenship law has not taken effect at the date of the commencement of this Act, be deemed for the purposes of this Act to be potentially a citizen of that country at that date if he, or his nearest ancestor in the male line who acquired British nationality otherwise than by reason of his parentage, acquired British nationality by any of the following means, that is to say—

- (a) by birth within the territory comprised at the date of the commencement of this Act in that country ; or
- (b) by virtue of a certificate of naturalisation granted by the government of that country ; or
- (c) by virtue of the annexation of any territory included at the date of the commencement of this Act in that country ;

PART III.  
—cont.

and a woman shall, in addition, be deemed for the purposes of this Act to be at the commencement of this Act potentially a citizen of any country mentioned in subsection (3) of section one of this Act if any person to whom she has been married is, or would but for his death have been, potentially a citizen thereof at that date.

(8) In this Act the expression " citizenship law " in relation to any country mentioned in subsection (3) of section one of this Act means an enactment of the legislature of that country declared by order of the Secretary of State made by statutory instrument at the request of the government of that country to be an enactment making provision for citizenship thereof; and a citizenship law shall be deemed for the purposes of this Act to have taken effect in a country on the date which the Secretary of State by order so made at the request of the government of that country declares to be the date on which it took effect.

(9) A person shall for the purposes of this Act be of full age if he has attained the age of twenty-one years and of full capacity if he is not of unsound mind.

(10) For the purposes of this Act, a person shall be deemed not to have attained a given age until the commencement of the relevant anniversary of the day of his birth.

(11) Any reference in this Act to any other Act shall, unless the context otherwise requires, be construed as a reference to that Act as amended by or under any other enactment.

Channel  
Islands and  
Isle of  
Man.

33.—(1) References in this Act to colonies shall be construed as including references to the Channel Islands and the Isle of Man; and in its application to those islands this Act shall have effect as if references to the Governor included references to the Lieutenant-Governor.

(2) A citizen of the United Kingdom and Colonies may, if on the ground of his connection with the Channel Islands or the Isle of Man he so desires, be known as a citizen of the United Kingdom, Islands and Colonies.

Short title,  
commence-  
ment and  
repeal.

34.—(1) This Act may be cited as the British Nationality Act, 1948.

(2) This Act shall come into force on the first day of January, nineteen hundred and forty-nine.

(3) Subject to the provisions of section seventeen of, and the Third Schedule to, this Act, the enactments specified in Part II of the Fourth Schedule to this Act are hereby repealed to the extent specified in the third column of that Part:

Provided that the British Nationality and Status of Aliens Acts, 1914 to 1943, so far as they extend to Newfoundland and Southern Rhodesia, shall continue in force in each of those countries until provision to the contrary is made by the legislature thereof.

**SCHEDULES.****FIRST SCHEDULE.**Sections 6 and  
10.**OATH OF ALLEGIANCE.**

I, A.B., swear by Almighty God that I will be faithful and bear true allegiance to His Majesty King George the Sixth His Heirs and Successors according to law.

**SECOND SCHEDULE.**

Section 10.

**QUALIFICATIONS FOR NATURALISATION.***Aliens.*

1. Subject to the provisions of the next following paragraph, the qualifications for naturalisation of an alien who applies therefor are :—

- (a) that he has either resided in the United Kingdom or been in Crown service under His Majesty's government in the United Kingdom, or partly the one and partly the other, throughout the period of twelve months immediately preceding the date of the application ; and
- (b) that during the seven years immediately preceding the said period of twelve months he has either resided in the United Kingdom or any colony, protectorate, United Kingdom mandated territory or United Kingdom trust territory or been in Crown service as aforesaid, or partly the one and partly the other, for periods amounting in the aggregate to not less than four years ; and
- (c) that he is of good character ; and
- (d) that he has sufficient knowledge of the English language, and
- (e) that he intends in the event of a certificate being granted to him—
  - (i) to reside in the United Kingdom or in any colony, protectorate or United Kingdom trust territory or in the Anglo-Egyptian Sudan ; or
  - (ii) to enter into or continue in Crown service under His Majesty's government in the United Kingdom, or under the government of the Anglo-Egyptian Sudan, or service under an international organisation of which His Majesty's government in the United Kingdom is a member, or service in the employment of a society, company or body of persons established in the United Kingdom or established in any colony, protectorate or United Kingdom trust territory.

2. The Secretary of State may if in the special circumstances of any particular case he thinks fit—

- (a) allow a continuous period of twelve months ending not more than six months before the date of the application to be reckoned, for the purposes of sub-paragraph (a) of the last

2ND SCH.  
—cont.

foregoing paragraph, as if it had immediately preceded that date ;

- (b) allow residence in any country mentioned in subsection (3) of section one of this Act or in Eire, or in any mandated territory or trust territory, or in the Anglo-Egyptian Sudan, or residence in Burma before the fourth day of January, nineteen hundred and forty-eight, to be reckoned for the purposes of sub-paragraph (b) of the last foregoing paragraph ;
- (c) allow service under the government of any country mentioned in the said subsection (3), or of any state, province or territory thereof, or under the government of the Anglo-Egyptian Sudan, or service before the fourth day of January, nineteen hundred and forty-eight, under the government of Burma, to be reckoned for the purposes of the said sub-paragraph (b) as if it had been Crown service under His Majesty's government in the United Kingdom ;
- (d) allow periods of residence or service earlier than eight years before the date of the application to be reckoned in computing the aggregate mentioned in the said sub-paragraph (b).

*British protected persons.*

3. The qualifications for naturalisation of a British protected person who applies therefor are :—

- (a) that he is ordinarily resident in the United Kingdom and has been so resident throughout the period of twelve months, or such shorter period as the Secretary of State may in the special circumstances of any case accept, immediately preceding his application ; or
- (b) that he is in Crown service under His Majesty's government in the United Kingdom, and

the qualifications specified in sub-paragraphs (c) (d) and (e) of paragraph 1 of this Schedule.

*Application to colonies, protectorates and trust territories.*

4. The foregoing provisions of this Schedule shall, in their application to any colony, protectorate or United Kingdom trust territory, have effect as if—

- (a) for any references therein to the Secretary of State there were substituted references to the Governor of that colony, protectorate or territory ;
- (b) for the reference in sub-paragraph (a) of paragraph 1 and sub-paragraph (a) of paragraph 3 thereof to residence in the United Kingdom there were substituted a reference to residence in that colony, protectorate or territory ; and
- (c) for the reference therein to the English language there were substituted, in the case of a British protected person, a reference to the English language or any other language in current use in that colony, protectorate or territory, and, in the case of an alien, a reference to the English language or any language recognised in that colony, protectorate or territory as being on an equality with the English language.



## THIRD SCHEDULE.

Section 13.

**BRITISH SUBJECTS WITHOUT CITIZENSHIP UNDER SECTION THIRTEEN  
OF THIS ACT.**

1. The law in force before the commencement of this Act relating to British nationality shall continue to apply to a person while he remains a British subject without citizenship by virtue of section thirteen of this Act as if this Act had not been passed :

Provided that—

- (a) if that person is a male, nothing in this paragraph shall confer British nationality on any woman whom he marries during the period that he is a British subject without citizenship, or on any child born to him during that period ;
- (b) he shall not, by becoming naturalised in a foreign state, be deemed to have ceased to be a British subject by virtue of section thirteen of the British Nationality and Status of Aliens Act, 1914 ;
- (c) so long as a woman remains a British subject without citizenship as aforesaid she shall not on marriage to an alien cease to be a British subject.

2. So long as a person remains a British subject without citizenship by virtue of section thirteen of this Act he shall be treated for the purposes of any application made by him for registration as a citizen of the United Kingdom and Colonies under sections six to nine of this Act as if he were a citizen of one of the countries mentioned in subsection (3) of section one of this Act.

3. If while a male person remains a British subject without citizenship by virtue of section thirteen of this Act a child is born to him, the child shall, unless the child has previously become a citizen of the United Kingdom and Colonies, or of any country mentioned in subsection (3) of section one of this Act or of Eire, become a citizen of the United Kingdom and Colonies if and when the father becomes, or would but for his death have become, such a citizen ; and a male person who becomes a citizen of the United Kingdom and Colonies by virtue of this paragraph shall be deemed for the purposes of the proviso to subsection (1) of section five of this Act to be a citizen thereof by descent only.

## FOURTH SCHEDULE.

## ENACTMENTS REPEALED.

## PART I.

ENACTMENTS RELATING TO NATURAL-BORN  
BRITISH SUBJECTS.

Section 31.

Session and Chapter.	Short Title, etc.	Extent of Repeal.
11 Will. 3. c. 7.	An Act for the more effectually Suppression of Piracy.	In section seven, the words "natural borne" and "or denizens of this Kingdom".
12 & 13 Will. 3. c. 2.	The Act of Settlement.	In section three, the words from "That after the said limitation shall take effect" to "in trust for him" so far as they relate to British subjects and citizens of Eire.
18 Geo. 2. c. 30.	The Piracy Act, 1744.	In section one, the words "natural born" and "or denizens".
21 & 22 Vict. c. 93.	The Legitimacy Declaration Act, 1858.	In section nine, the words "natural-born".
31 & 32 Vict. c. 20.	The Legitimacy Declaration Act (Ireland), 1868.	In sections one and two, the words "natural-born" wherever they occur.
33 & 34 Vict. c. 77.	The Juries Act, 1870.	In section eight, the words "natural-born" in both places where they occur.
57 & 58 Vict. c. 60.	The Merchant Shipping Act, 1894.	In section one, the words "natural-born" in the first place where they occur, paragraphs (b) and (c) and the proviso.
15 & 16 Geo. 5. c. 49.	The Supreme Court of Judicature (Consolidation) Act, 1925.	In section one hundred and eighty-eight, the words "natural-born" wherever they occur.

Section 34.

## PART II.

## OTHER ENACTMENTS.

Session and Chapter.	Short Title, etc.	Extent of Repeal.
4 & 5 Ann. c. 16.	An Act for the Naturalization of the Most Excellent Princess Sophia Electress and Dutchess Dowager of Hanover and the Issue of her Body.	The whole Act.

Session and Chapter.	Short Title, etc.	Extent of Repeal.
35 & 36 Vict. c. 39.	The Naturalization Act, 1872. The Army Act.	The whole Act.  In section ninety-five, the words "natural-born".
4 & 5 Geo. 5. c. 17.	The British Nationality and Status of Aliens Act, 1914.	Sections one to sixteen. In sections seventeen and eighteen, the words "natural- born" wherever they occur. Sections nineteen to twenty- six. Section twenty-seven, except so far as it defines the expression "alien". In section twenty-eight, the words "British Nationality and".
	The Air Force Act.	The Schedules. In section ninety-five, the words "natural-born".
8 & 9 Geo. 5. c. 38.	The British Nationality and Status of Aliens Act, 1918.	The whole Act.
12 & 13 Geo. 5. c. 44.	The British Nationality and Status of Aliens Act, 1922.	The whole Act.
16 & 17 Geo. 5. c. 60.	The Legitimacy Act, 1926.	In section two, the words "natural-born".
23 & 24 Geo. 5. c. 4.	The Evidence (Foreign, Dominion and Colo- nial Documents) Act, 1933.	Section two.
23 & 24 Geo. 5. c. 49.	The British Nationality and Status of Aliens Act, 1933.	The whole Act.
6 & 7 Geo. 6. c. 14.	The British Nationality and Status of Aliens Act, 1943.	The whole Act.
11 & 12 Geo. 6. c. 7.	The Ceylon Independ- ence Act, 1947.	Paragraph 1 of the Second Schedule.

4TH SCH.  
—cont.

## CHAPTER 57.

An Act to provide for the appointment of a Keeper of the Registers of Scotland and of a Keeper of the Records of Scotland, the transference to such Keepers of the powers and duties of the Keeper of the Registers and Records of Scotland and the discontinuance of that office; to amend the law and procedure regarding registration in the General Register of Sasines and for purposes connected with the aforesaid purposes.

[30th July 1948.]

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

Substitution  
of a Keeper of  
the Registers  
and a Keeper  
of the Records  
for the Keeper  
of the  
Registers and  
Records of  
Scotland.

1.—(1) It shall be lawful for the Secretary of State with the consent of the Lord President of the Court of Session to appoint (a) a Keeper of the Registers of Scotland, and (b) a Keeper of the Records of Scotland, and on such appointments being made the office of Keeper of the Registers and Records of Scotland shall cease to exist.

(2) There shall be transferred to and vested in the Keeper of the Registers of Scotland the whole functions of the Keeper of the Registers and Records of Scotland with regard to the framing of the General Register of Sasines, the Register of Hornings, the Register of Inhibitions and Adjudications, the Register of Entails and the Register of Deeds, together with the powers and duties transferred to the said Keeper from the Director of Chancery under section seven of the Reorganisation of Offices (Scotland) Act, 1928.

(3) There shall be transferred to and vested in the Keeper of the Records of Scotland, the whole functions of the Keeper of the Registers and Records of Scotland with regard to the preservation of the public registers, records and rolls of Scotland.

(4) The Secretary of State may, to such number as the Treasury may sanction, appoint such officers and servants as he may deem necessary to enable each of the Keepers appointed under this section to perform the functions vested in him, and the persons employed at the date when this section comes into operation in the office of the Keeper of the Registers and Records of Scotland shall, subject to any direction of the Secretary of State, be transferred and attached—

(a) in the case where they were employed at the said date in connection with functions transferred under subsection (2) of this section, to the Keeper of the Registers of Scotland; and

(b) in any other case, to the Keeper of the Records of Scotland,

and the persons so transferred and attached shall perform such duties in relation to the functions transferred to the said Keepers as the Secretary of State may direct.

(5) There shall be paid out of moneys provided by Parliament to each of the Keepers appointed under this section, and to the officers and servants appointed or transferred under subsection (4) of this section, such remuneration as the Treasury may, on the application of the Secretary of State, from time to time determine.

(6) In the event of a vacancy in the office of either of the Keepers appointed under this section or in the absence of either of them from any cause his functions shall be performed by such member of his staff or such other person as may be authorised by the Secretary of State.

(7) Any reference in any enactment to the Keeper of the General Register of Sasines shall be construed as a reference to the Keeper of the Registers of Scotland, and any reference in any enactment to the Keeper of the Registers and Records of Scotland shall be construed as a reference to the Keeper of the Registers of Scotland or to the Keeper of the Records of Scotland according as the enactment relates to the functions specified in subsection (2) or in subsection (3) of this section.

(8) This section shall come into operation on the first day of the month next succeeding the expiry of three months from the passing of this Act.

2. The following provisions shall have effect with regard to the recording of writs in the General Register of Sasines—

Provisions as to recording in Register of Sasines.

- (a) the names and designations of the presenters of writs shall not be entered in the minute book ;
- (b) each page of the minute book shall be signed by the Keeper of the Registers of Scotland or by a deputy duly authorised by him in that behalf, and no further signature shall be necessary for the authentication of the minute book ; and in particular it shall not be necessary that the minute book be signed by the presenter of a writ or in the case of a writ transmitted to the Register by post by a clerk in the office of the said Keeper ;
- (c) the transmission in accordance with section ten of the Land Registers (Scotland) Act, 1868, of copies of printed abridgments or minutes and indexes to sheriff clerks shall be discontinued and that section shall cease to have effect.

31 & 32 Vict. c. 64.

Amendment of 31 & 32 Vict. c. 64. s. 6. 3. Section six of the Land Registers (Scotland) Act, 1868, shall be amended by the substitution for the words from "attach to his signature" to "and thereafter" of the words "stamp the words 'by post' in the presentment book and thereafter enter."

Power to make Acts of Sederunt regarding the Register of Sasines. 4. The Court of Session may, by Act of Sederunt, make provision with regard to the General Register of Sasines,—

- (a) prescribing the forms to be used for the purposes of entries in the presentment books, minute books and relative indexes, prescribing the forms of rubrics and preambles in the register volumes, of certificates of recording to be endorsed on writs, of extracts to be issued, and generally of any documents required for the purposes of the Register, and the persons by whom any such documents shall be signed ;
- (b) requiring that in such cases and subject to such conditions as may be prescribed, where reference is made in a writ presented for recording in the Register to a writ previously recorded therein, the reference shall specify, as well as the date of such previous recording, the register volume and folio in which the writ is so recorded ;
- (c) for the transmission, at such time or times as may be prescribed, to the Keeper of the Records of Scotland, of the register volumes, presentment books, abstracts, indexes or copies thereof, and any other documents (or copies) prepared or kept for the purposes of the register.

Disposal of records which might have been transmitted to Keeper. 5. Any regulations made under section twelve of the Public Records (Scotland) Act, 1937 with regard to the disposal of records transmitted to the Keeper of the Records of Scotland, shall apply to records which could competently have been transmitted to the said Keeper under section five of the said Act or otherwise if the Keeper and the body or person having the custody of the records so agree.

Interpretation. 6. In this Act, unless the context otherwise requires—  
the expression "functions" includes powers and duties ;  
the expressions "minute book" "presentment book" and "register volume" have the like meanings as in the Land Registers (Scotland) Act, 1868.

Short title and repeal. 7.—(1) This Act may be cited as the Public Registers and Records (Scotland) Act, 1948.

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

**SCHEDULE.**

Section 7.

**ENACTMENTS REPEALED.****PART I.****ACT OF THE PARLIAMENT OF SCOTLAND.**

Year and Chapter.	Subject matter or Title.	Extent of Repeal.
1693 c. 23 ...	Registers of Sasines Reversions, etc.	The words "and the names and designations of the persons by whom" and the words "immediately signed by the presenter of the writ and also by the Keeper, and" so far as relating to the Register of Sasines.

**PART II.****ACTS OF THE UNITED KINGDOM PARLIAMENT.**

Session and Chapter.	Short Title.	Extent of Repeal.
31 & 32 Vict. c. 64.	The Land Registers (Scotland) Act, 1868.	Sections ten, twenty and twenty-four.
42 & 43 Vict. c. 44.	The Lord Clerk Register Act, 1879.	Section eight (except the proviso thereto).
18 & 19 Geo. 5. c. 34.	The Reorganisation of Offices (Scotland) Act, 1928.	Section five.



## CHAPTER 58.

*Criminal Justice Act, 1948.*

## ARRANGEMENT OF SECTIONS.

## PART I.

## POWERS AND PROCEEDINGS OF COURTS.

*Abolition of penal servitude, hard labour, prison divisions and sentence of whipping.*

## Section.

1. Abolition of penal servitude, hard labour and prison divisions.
2. Abolition of sentence of whipping.

*Probation and discharge.*

3. Probation.
4. Probation orders requiring treatment for mental condition.
5. Discharge, amendment and review of probation orders.
6. Breach of requirement of probation order.
7. Absolute and conditional discharge.
8. Commission of further offence.
9. Probation orders relating to persons residing in Scotland.
10. Scottish probation orders relating to persons residing in England.
11. Supplementary provisions as to probation and discharge.
12. Effects of probation and discharge.

*Fines and recognizances.*

13. Power to fine on conviction of felony on indictment.
14. Powers of courts of assize and quarter sessions in relation to fines and forfeited recognizances.
15. Incidental provisions as to fines and forfeited recognizances.

*Powers relating to young offenders.*

16. Restriction on sentence of death.
17. Restriction on imprisonment.
18. Detention in a detention centre.
19. Attendance at an attendance centre.
20. Borstal training.

*Powers relating to persistent offenders.*

21. Corrective training and preventive detention.
22. Power to order certain discharged prisoners to notify address.
23. Proof of previous convictions, etc., for purposes of ss. 21 and 22.

*Reception orders.*

24. Power to make reception order.

*Adjournment, remand, etc.*

25. Power of courts of summary jurisdiction to adjourn a case after conviction and before sentence.
26. Remand for inquiry into physical or mental condition.
27. Remand and committal of persons under 21.



*Offences punishable on summary conviction or on indictment.*

## Section.

28. Procedure in respect of offences punishable on summary conviction or on indictment.
29. Committal for sentence in respect of indictable offences tried summarily.

*Miscellaneous provisions relating to procedure, appeals, evidence, etc.*

30. Abolition of privilege of peerage in criminal proceedings.
31. Jurisdiction and procedure in respect of certain indictable offences committed in foreign countries.
32. Issue of single summons on more than one information.
33. Supply of copies of informations to persons committed for trial.
34. Amendment of Summary Jurisdiction (Appeals) Act, 1933.
35. Challenge of jurors and separation of juries.
36. Appeals from courts of summary jurisdiction to quarter sessions.
37. Bail on appeal, case stated or application for certiorari.
38. Amendment of Criminal Appeal Act, 1907.
39. Proof of previous convictions by finger-prints.
40. Taking of finger-prints by order of justices.
41. Evidence by certificate.
42. Order of speeches.
43. Reports of probation officers.
44. Payment of costs of defence on acquittal, etc.

## PART II.

ADMINISTRATIVE PROVISIONS AND PROVISIONS AS TO TREATMENT  
OF PRISONERS, ETC.*Arrangements for probation.*

45. Probation areas, probation committees and case committees, and probation officers.
46. Approved probation hostels and homes.
47. Inspection of institutions for residence of probationers.

*Institutions for offenders.*

48. Remand centres, detention centres and Borstal institutions.
49. Remand homes.
50. Acquisition of land for prisons and other institutions.
51. Abolition of office of directors of convict prisons and application of Prison Acts to convict prisons.

*Rules for management of prisons, etc.*

52. Rules for the management of prisons, remand centres, detention centres, attendance centres and Borstal institutions.
53. Constitution and functions of visiting committees and boards of visitors.
54. Corporal punishment in prisons.
55. Amendment of Prison Act, 1865, as to introduction of prohibited articles.

*Remission for good conduct and release on licence.*

56. Remission for good conduct and release on licence of young prisoners.
57. Release on licence of persons serving imprisonment for life.

*Removal and transfer to and from prisons and other institutions.*

58. Temporary detention of persons liable for detention in a Borstal institution.
59. Transfers from prison to Borstal institution and vice versa.

## Section.

60. Removal of prisoners, etc., for judicial and other purposes.  
61. Removal of prisoners, etc., to and from Scotland and from the Isle of Man or Channel Islands.

*Treatment of persons of unsound mind and mental defectives.*

62. Discontinuance of terms "criminal lunatic" and "criminal lunatic asylum".  
63. Removal of Broadmoor patients, etc.  
64. Treatment of persons transferred from prisons, etc., to institutions for mental defectives.

*Miscellaneous.*

65. Persons unlawfully at large.  
66. Legal custody.  
67. Arrest on failure to surrender to bail before courts of summary jurisdiction.  
68. Restriction of power to arrest without warrant under 5 Geo. 4. c. 83.  
69. Commutation of death sentence to sentence of imprisonment.  
70. Amendments of Forfeiture Act, 1870.  
71. Amendment of s. 71 of the Children and Young Persons Act, 1933.  
72. Powers of court in relation to absconders from approved schools, etc.

## PART III.

## SUPPLEMENTAL.

73. Application of ss. 1 and 2 to courts-martial.  
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76. Rules and orders.  
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78. Transitory provisions.  
79. Consequential and minor amendments.  
80. Interpretation.  
81. Application to Scotland.  
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## SCHEDULES :

First Schedule.—Discharge and Amendment of Probation Orders.

Second Schedule.—Borstal Training.

Third Schedule.—Release on Licence of Persons Sentenced to Corrective Training or Preventive Detention.

Fourth Schedule.—Registration of Address and Reporting at Police Stations by Discharged Prisoners.

Fifth Schedule.—Administrative Provisions as to Probation.

Sixth Schedule.—Release of Young Offenders from Prison on Licence.

Seventh Schedule.

PART I.—Provisions relating to Persons in England after Discharge from Prisons, etc., in Scotland.

PART II.—Provisions relating to Persons in Scotland after Discharge from Prisons, etc., in England.

Eighth Schedule.—Transitory Provisions.

Ninth Schedule.—Consequential and Minor Amendments.

Tenth Schedule.—Enactments Repealed.

PART I.—Repeals extending to England only.

PART II.—Repeals extending to Scotland.

PART III.—Repeals extending to Scotland and Northern Ireland.

An Act to abolish penal servitude, hard labour, prison divisions and sentence of whipping; to amend the law relating to the probation of offenders, and otherwise to reform existing methods and provide new methods of dealing with offenders and persons liable to imprisonment; to amend the law relating to the proceedings of criminal courts, including the law relating to evidence before such courts; to abolish privilege of peerage in criminal proceedings; to regulate the management of prisons and other institutions and the treatment of offenders and other persons committed to custody; to re-enact certain enactments relating to the matters aforesaid; and for purposes connected therewith.

[30th July 1948.]

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

#### PART I.

##### POWERS AND PROCEEDINGS OF COURTS.

###### *Abolition of penal servitude, hard labour, prison divisions and sentence of whipping.*

1.—(1) No person shall be sentenced by a court to penal servitude; and every enactment conferring power on a court to pass a sentence of penal servitude in any case shall be construed as conferring power to pass a sentence of imprisonment for a term not exceeding the maximum term of penal servitude for which a sentence could have been passed in that case immediately before the commencement of this Act.

Abolition of penal servitude, hard labour and prison divisions.

(2) No person shall be sentenced by a court to imprisonment with hard labour; and every enactment conferring power on a court to pass a sentence of imprisonment with hard labour in any case shall be construed as conferring power to pass a sentence of imprisonment for a term not exceeding the term for which a sentence of imprisonment with hard labour could have been passed in that case immediately before the commencement of this Act; and so far as any enactment requires or permits prisoners to be kept to hard labour it shall cease to have effect.

PART I.  
—cont.

(3) So far as any enactment provides that a person sentenced to imprisonment or committed to prison is or may be directed to be treated as an offender of a particular division, or to be placed in a separate division, it shall cease to have effect.

Abolition of  
sentence  
of whipping.

2.—No person shall be sentenced by a court to whipping; and so far as any enactment confers power on a court to pass a sentence of whipping it shall cease to have effect.

*Probation and discharge.*

## Probation.

3.—(1) Where a court by or before which a person is convicted of an offence (not being an offence the sentence for which is fixed by law) is of opinion that having regard to the circumstances, including the nature of the offence and the character of the offender, it is expedient to do so, the court may, instead of sentencing him, make a probation order, that is to say, an order requiring him to be under the supervision of a probation officer for a period to be specified in the order of not less than one year nor more than three years.

(2) A probation order shall name the petty sessional division in which the offender resides or will reside; and the offender shall (subject to the provisions of the First Schedule to this Act relating to probationers who change their residence) be required to be under the supervision of a probation officer appointed for or assigned to that division.

(3) Subject to the provisions of the next following section, a probation order may in addition require the offender to comply during the whole or any part of the probation period with such requirements as the court, having regard to the circumstances of the case, considers necessary for securing the good conduct of the offender or for preventing a repetition by him of the same offence or the commission of other offences:

Provided that (without prejudice to the power of the court to make an order under subsection (2) of section eleven of this Act) the payment of sums by way of damages for injury or compensation for loss shall not be included among the requirements of a probation order.

(4) Without prejudice to the generality of the last foregoing subsection, a probation order may include requirements relating to the residence of the offender:

Provided that—

(a) before making an order containing any such requirements, the court shall consider the home surroundings of the offender; and

(b) where the order requires the offender to reside in an approved probation hostel, an approved probation home or any other institution, the name of the institution and the period for which he is so required to reside shall be specified in the order, and that period shall not extend beyond twelve months from the date of the order.

(5) Before making a probation order, the court shall explain to the offender in ordinary language the effect of the order (including any additional requirements proposed to be inserted therein under subsection (3) or subsection (4) of this section or under the next following section) and that if he fails to comply therewith or commits another offence he will be liable to be sentenced for the original offence; and if the offender is not less than fourteen years of age the court shall not make the order unless he expresses his willingness to comply with the requirements thereof.

(6) The court by which a probation order is made shall forthwith give copies of the order to a probation officer assigned to the court, and he shall give a copy to the offender, to the probation officer responsible for the supervision of the offender and to the person in charge of any institution in which the probationer is required by the order to reside; and the court shall, except where it is itself the supervising court, send to the clerk to the justices for the petty sessional division named in the order a copy of the order, together with such documents and information relating to the case as it considers likely to be of assistance to the supervising court.

(7) Where a probation order requires the offender to reside in any institution, not being—

(a) an approved probation hostel or approved probation home; or

(b) an institution in which he is required to reside for the purposes of any such treatment as is mentioned in paragraph (a) or paragraph (b) of subsection (2) of the next following section,

the court shall forthwith give notice of the terms of the order to the Secretary of State.

4.—(1) Where the court is satisfied, on the evidence of a duly qualified medical practitioner appearing to the court to be experienced in the diagnosis of mental disorders, that the mental condition of an offender is such as requires and as may be susceptible to treatment but is not such as to justify his being certified as a person of unsound mind under the Lunacy Act, 1890, or as a defective under the Mental Deficiency Act, 1913, the court may, if it makes a probation order,

Probation orders requiring treatment for mental condition. 53 & 54 Vict. c. 5. 3 & 4 Geo. 5. c. 28.

PART I.  
—cont.

include therein a requirement that the offender shall submit, for such period not extending beyond twelve months from the date of the order as may be specified therein, to treatment by or under the direction of a duly qualified medical practitioner with a view to the improvement of the offender's mental condition.

(2) The treatment required by any such order shall be such one of the following kinds of treatment as may be specified in the order, that is to say—

20 & 21 Geo. 5.  
c. 23.

- (a) treatment as a voluntary patient under section one of the Mental Treatment Act, 1930, in such institution within the meaning of that Act, or in such hospital, nursing home or place approved by the Minister of Health for the purposes of the said section one, or in the charge of such person so approved, as may be specified in the order;
- (b) treatment as a resident patient in such institution or place approved for the purposes of this section by the said Minister as may be specified in the order;
- (c) treatment as a non-resident patient at such institution or place as may be specified in the order; or
- (d) treatment by or under the direction of such duly qualified medical practitioner as may be specified in the order;

but except as aforesaid the nature of the treatment shall not be specified in the order.

(3) A court shall not make a probation order containing such a requirement as aforesaid unless it is satisfied that arrangements have been or can be made for the treatment intended to be specified in the order, and, if the offender is to be treated as a voluntary patient or as a resident patient as aforesaid, for his reception.

(4) While the probationer is under treatment as a voluntary patient or as a resident patient in pursuance of a requirement of the probation order, the probation officer responsible for his supervision shall carry out the supervision to such extent only as may be necessary for the purpose of the discharge or amendment of the order.

(5) Where the medical practitioner by whom or under whose direction a probationer is being treated for his mental condition in pursuance of a probation order is of opinion that part of the treatment can be better or more conveniently given in or at an institution or place not specified in the order, being an institution or place in or at which the treatment

of the probationer will be given by or under the direction of a duly qualified medical practitioner, he may, with the consent of the probationer, make arrangements for him to be treated accordingly; and the arrangements may provide for the probationer to receive part of his treatment as a resident patient in an institution or place notwithstanding that the institution or place is not one which could have been specified in that behalf in the probation order.

PART I.  
—cont.

(6) Where any such arrangements as are mentioned in the last foregoing subsection are made for the treatment of a probationer—

- (a) the medical practitioner by whom the arrangements are made shall give notice in writing to the probation officer responsible for the supervision of the probationer, specifying the institution or place in or at which the treatment is to be carried out; and
- (b) the treatment provided for by the arrangements shall be deemed to be treatment to which he is required to submit in pursuance of the probation order.

(7) Subject as hereinafter provided, a report in writing as to the mental condition of any person purporting to be signed by a duly qualified medical practitioner experienced in the diagnosis of mental disorders may be received in evidence for the purposes of subsection (1) of this section without proof of the signature, qualifications or experience of the practitioner:

Provided that such a report shall not be so received unless the person to whom it relates consents or, where that person is under seventeen years of age, unless his parent or guardian consents or no parent or guardian can be found.

(8) Where a person of whose mental condition evidence is received for the purposes of subsection (1) of this section (or, where that person is under seventeen years of age, his parent or guardian) desires to call rebutting evidence, the court shall not make a probation order in his case containing any such requirement as is authorised by this section unless he, or his parent or guardian, as the case may be, has been afforded an opportunity of calling such evidence.

(9) Except as provided by this section, a court shall not make a probation order requiring a probationer to submit to treatment for his mental condition.

5.—(1) The provisions of the First Schedule to this Act shall have effect in relation to the discharge and amendment of probation orders.

Discharge,  
amendment  
and review of  
probation  
orders.

PART I.  
—cont.

(2) Where a probation order, whether as originally made or as amended under the said Schedule, requires the probationer to reside in an approved probation hostel or home or other institution (otherwise than for the purpose of submitting to treatment for his mental condition as a voluntary or resident patient) for a period extending beyond six months from the date of the order as originally made or of the amending order, as the case may be, the probation officer shall, as soon as may be after the expiration of six months after that date, report to the supervising court on the case.

(3) On receipt of any such report, the supervising court shall review the probation order for the purpose of considering whether to cancel the requirement as to residence or reduce the period thereof, and may, if it thinks fit, amend the order accordingly without the necessity for any application in that behalf.

(4) Where, under the following provisions of this Part of this Act, a probationer is sentenced for the offence for which he was placed on probation, the probation order shall cease to have effect.

Breach of  
requirement of  
probation  
order.

6.—(1) If at any time during the probation period it appears on information to a justice of the peace on whom jurisdiction is hereinafter conferred that the probationer has failed to comply with any of the requirements of the order, the justice may issue a summons requiring the probationer to appear at the place and time specified therein, or may, if the information is in writing and on oath, issue a warrant for his arrest.

(2) The following justices shall have jurisdiction for the purposes of the foregoing subsection, that is to say:—

- (a) if the probation order was made by a court of summary jurisdiction, any justice acting for the petty sessional division or place for which that court or the supervising court acts;
- (b) in any other case, any justice acting for the petty sessional division or place for which the supervising court acts;

and any summons or warrant issued under this section shall direct the probationer to appear or be brought before a court of summary jurisdiction for the petty sessional division or place for which the justice issuing the summons or warrant acts.

(3) If it is proved to the satisfaction of the court before which a probationer appears or is brought under this section



that the probationer has failed to comply with any of the requirements of the probation order, that court may without prejudice to the continuance of the probation order, impose on him a fine not exceeding ten pounds or, in a case to which section nineteen of this Act applies, make an order under that section requiring him to attend at an attendance centre, or may—

- (a) if the probation order was made by a court of summary jurisdiction, deal with the probationer, for the offence in respect of which the probation order was made, in any manner in which the court could deal with him if it had just convicted him of that offence;
  - (b) if the probation order was made by a court of assize or quarter sessions, commit him to custody or release him on bail (with or without sureties) until he can be brought or appear before the court of assize or quarter sessions.
- (4) Where the court of summary jurisdiction deals with the case as provided in paragraph (b) of the last foregoing subsection then—
- (a) the court shall send to the court of assize or quarter sessions a certificate signed by a justice of the peace, certifying that the probationer has failed to comply with such of the requirements of the probation order as may be specified in the certificate, together with such other particulars of the case as may be desirable; and a certificate purporting to be so signed shall be admissible as evidence of the failure before the court of assize or quarter sessions; and
  - (b) where the probationer is brought or appears before the court of assize or quarter sessions, and it is proved to the satisfaction of that court that he has failed to comply with any of the requirements of the probation order, that court may deal with him, for the offence in respect of which the probation order was made, in any manner in which the court could deal with him if he had just been convicted before that court of that offence.
- (5) A fine imposed under this section in respect of a failure to comply with the requirements of a probation order shall be deemed for the purposes of any enactment to be a sum adjudged to be paid by a conviction.

(6) A probationer who is required by the probation order to submit to treatment for his mental condition shall not be treated for the purposes of this section as having failed to

PART I.  
—cont.

comply with that requirement on the ground only that he has refused to undergo any surgical, electrical or other treatment if, in the opinion of the court, his refusal was reasonable having regard to all the circumstances; and without prejudice to the provisions of section eight of this Act, a probationer who is convicted of an offence committed during the probation period shall not on that account be liable to be dealt with under this section for failing to comply with any requirement of the probation order.

Absolute and  
conditional  
discharge.

7.—(1) Where a court by or before which a person is convicted of an offence (not being an offence the sentence for which is fixed by law) is of opinion, having regard to the circumstances including the nature of the offence and the character of the offender, that it is inexpedient to inflict punishment and that a probation order is not appropriate, the court may make an order discharging him absolutely, or, if the court thinks fit, discharging him subject to the condition that he commits no offence during such period, not exceeding twelve months from the date of the order, as may be specified therein.

(2) An order discharging a person subject to such a condition as aforesaid is in this Act referred to as "an order for conditional discharge", and the period specified in any such order as "the period of conditional discharge".

(3) Before making an order for conditional discharge the court shall explain to the offender in ordinary language that if he commits another offence during the period of conditional discharge he will be liable to be sentenced for the original offence.

(4) Where, under the following provisions of this Part of this Act, a person conditionally discharged under this section is sentenced for the offence in respect of which the order for conditional discharge was made, that order shall cease to have effect.

Commission  
of further  
offence.

8.—(1) If it appears to a judge or justice of the peace on whom jurisdiction is hereinafter conferred that a person in whose case a probation order or an order for conditional discharge has been made has been convicted by a court in any part of Great Britain of an offence committed during the probation period or during the period of conditional discharge, and has been dealt with in respect of that offence, the judge or justice may issue a summons requiring that person to appear at the place and time specified therein, or may issue a warrant for his arrest:

Provided that a justice of the peace shall not issue such a summons except on information and shall not issue such a warrant except on information in writing and on oath.

(2) The following persons shall have jurisdiction for the purposes of the foregoing subsection, that is to say:—

- (a) if the probation order or the order for conditional discharge was made by the Central Criminal Court, a judge of that court;
- (b) if the order was made by a court of assize (other than the Central Criminal Court), a judge of the High Court or a committing justice;
- (c) if the order was made by a court of quarter sessions, a justice for the county or place for which that court was held, or a committing justice;
- (d) if the order was made by a court of summary jurisdiction, a justice acting for the petty sessional division or place for which that court acts;
- (e) in the case of a probation order, by whatever court it was made, a justice acting for the petty sessional division or place for which the supervising court acts.

(3) A summons or warrant issued under this section shall direct the person so convicted to appear or to be brought before the court by which the probation order or the order for conditional discharge was made:

Provided that—

- (a) if that court is a court of summary jurisdiction and the summons or warrant is issued by a justice acting for the petty sessional division for which the supervising court acts, the summons or warrant may direct him to appear or to be brought before the supervising court; and
- (b) if a warrant is issued requiring him to be brought before a court of assize or quarter sessions, and he cannot forthwith be brought before that court because that court is not being held, the warrant shall have effect as if it directed him to be brought before a court of summary jurisdiction for the place in Great Britain where he is arrested; and the court of summary jurisdiction shall commit him to custody or release him on bail (with or without sureties) until he can be brought or appear before the court of assize or quarter sessions.

(4) If a person in whose case a probation order or an order for conditional discharge has been made by a court of assize or quarter sessions is convicted and dealt with by a court of

## PART I

—cont.

summary jurisdiction in respect of an offence committed during the probation period or during the period of conditional discharge, the court of summary jurisdiction may commit him to custody or release him on bail (with or without sureties) until he can be brought or appear before the court by which the order was made; and if it does so the court of summary jurisdiction shall send to the court of assize or quarter sessions a copy of the minute or memorandum of the conviction entered in the register required to be kept under section 25(1)(c) of the Summary Jurisdiction Act, 1879, signed by the clerk of the court by whom the register is kept.

42 & 43 Vict.  
c. 49.

45. Where it is proved to the satisfaction of the court by which a probation order or an order for conditional discharge was made, or, if the order (being a probation order) was made by a court of summary jurisdiction, to the satisfaction of that court or the supervising court, that the person in whose case that order was made has been convicted and dealt with in respect of an offence committed during the probation period, or during the period of conditional discharge, as the case may be, the court may deal with him for the offence for which the order was made, in any manner in which the court could deal with him if he had just been convicted by or before that court of that offence.

46. If a person in whose case a probation order or an order for conditional discharge has been made by a court of summary jurisdiction is convicted before a court of assize or quarter sessions of an offence committed during the probation period or during the period of conditional discharge, or is dealt with by a court of assize or quarter sessions for an offence so committed in respect of which he was committed for sentence to that court, the court of assize or quarter sessions may deal with him for the offence for which the order was made, in any manner in which the court of summary jurisdiction could deal with him if it had just convicted him of that offence.

47. If a person in whose case a probation order or an order for conditional discharge has been made by a court of summary jurisdiction is convicted by another court of summary jurisdiction of any offence committed during the probation period, or during the period of conditional discharge, that court may, with the consent of the court which made the order or, in the case of a probation order, with the consent of that court or of the supervising court, deal with him for the offence for which the order was made, in any manner in which the court could deal with him if it had just convicted him of that offence.

48. In this section the expression "committing justice", in relation to a person in whose case a probation order or an

order for conditional discharge has been made by a court of assize or quarter sessions, includes any justice acting for the petty sessional division or place for which the justices acted by whom he was committed for trial or for sentence.

PART I.  
—cont.

9.—(1) Where the court by which a probation order is made under section three of this Act is satisfied that the offender resides or will reside in Scotland, subsection (2) of section three of this Act shall not apply to the order, but the order shall—

Probation orders relating to persons residing in Scotland.

- (a) specify as the appropriate court for the purposes of this section a court of summary jurisdiction having jurisdiction in the probation area in Scotland in which the offender resides or will reside; and
- (b) require the offender to be under the supervision of such person as may be nominated by the appropriate court in accordance with the provisions of section four of the Probation of Offenders (Scotland) Act, 1931.

21 & 22 Geo. 5.  
c. 30.

(2) Where a probation order has been made under section three of this Act, or has effect by virtue of the next following section as if it were so made, and the supervising court is satisfied that the probationer proposes to reside or is residing in Scotland, the power of that court to amend the order under the First Schedule to this Act shall include power to amend it by omitting the name of the petty sessional division named therein and by inserting therein the provisions required by subsection (1) of this section; and the court may so amend the order without summoning the probationer and without his consent:

Provided that where the original order was made by a court in Scotland under the Probation of Offenders Act, 1907, that court shall be specified as the appropriate court in the order as so amended.

7 Edw. 7. c. 17.

(3) Notwithstanding anything in the foregoing provisions of this Part of this Act, an order as made or amended under this section shall not require the offender to reside in any institution, or to submit to treatment for his mental condition, but without prejudice to any power of a court in Scotland to impose any such requirement under the next following subsection.

(4) For the purposes of the law of Scotland relating to the probation of offenders, any order made or amended as aforesaid shall have effect as if it were a probation order made by the appropriate court under the Probation of Offenders Act, 1907, and as if the requirements of the order were the conditions of a bond entered into under that Act; and sub-

Part 1  
—cont.

sections 2, to 3, of section five, and subsections (1) and (2) of section six of this Act shall not apply to any such order:

Provided that except where the original order was made by a court in Scotland under the Probation of Offenders Act, 1907, and is amended under subsection (2) of this section subsection (5) of section six of the said Act of 1907 (which enables a court to convict a probationer of his original offence and sentence him therefor, and subsection (6) of section eight of the Probation of Offenders (Scotland) Act, 1931 (which enables a court to sentence a probationer to detention in a Borstal institution, shall not apply, and paragraph (b) of subsection (5) of the said section eight shall have effect as if the words " instead of sentencing the offender for the original offence and " were omitted.

(5) If the appropriate court, or any court authorised to exercise the powers of that court under the Probation of Offenders Act, 1907, and the Probation of Offenders (Scotland) Act, 1931, is satisfied that the probationer has failed to observe any condition of the bond, the court may, instead of dealing with him in any manner authorised by the said Acts, commit him to custody or release him on bail until he can be brought or appear before the court in England by which the probation order was made, and, if it so commits him or releases him on bail—

- (a) the court shall send to the said court in England a certificate certifying that the probationer has failed to comply with such of the requirements of the probation order as may be specified in the certificate, together with such other particulars of the case as may be desirable;
- (b) that court shall have the same powers as if the probationer had been brought or appeared before it in pursuance of a warrant or summons issued under subsection (1) of section six of this Act;

and a certificate purporting to be signed by the clerk of the court by which a probationer is so committed or released on bail shall be admissible as evidence of the failure before the court which made the probation order.

(6) In relation to a probation order made or amended under this section, the appropriate court shall have jurisdiction for the purposes of subsection (1) of section eight of this Act; and paragraph (a) of the proviso to subsection (3) of that section shall not apply to any summons or warrant issued under that section by that court.

(7) The court by which a probation order is made or amended under this section shall send three copies of the

order as made or amended to the clerk of the appropriate court, together with such documents and information relating to the case as it considers likely to be of assistance to that court; and subsection (6) of section three of this Act, or paragraph 6 of the First Schedule to this Act, as the case may be, shall not apply to any such order.

(8) Where a probation order made in accordance with subsection (1) of this section, or made by a court in England and amended under subsection (2) of this section, is amended by a court in Scotland under the next following section upon the probationer's proposing to reside or residing in England, this section shall cease to apply to the order, and the order shall have effect as if it were made under section three of this Act in the case of a person residing in England.

10.—(1) Where the court in Scotland by which a probation order is made under the Probation of Offenders Act, 1907, is satisfied that the offender resides or will reside in England, the bond into which he is required to enter as a condition of his discharge under the said Act, shall not contain the conditions mentioned in subsection (1) of section two of that Act, but shall contain a condition that he be under the supervision of a probation officer appointed for or assigned to the petty sessional division in which the offender resides or will reside; and that division, and not the officer, shall be named in the order.

(2) Where a probation order has been made by a court in Scotland under the Probation of Offenders Act, 1907, or has effect by virtue of the last foregoing section as if it were so made, and the court in Scotland having power to vary the conditions of the bond entered into for the purposes of the order is satisfied that the probationer proposes to reside or is residing in England, the power of that court to vary those conditions shall include power to omit therefrom the name of the probation officer named therein and to insert the provisions required by subsection (1) of this section.

(3) Notwithstanding anything in the Probation of Offenders Act, 1907, as it applies to Scotland, the conditions of a bond entered into for the purposes of a probation order made in accordance with subsection (1) of this section, and the conditions of a bond as varied under the last foregoing subsection, shall not include conditions requiring the offender to reside in any institution, or to submit to treatment for his mental condition, but without prejudice to any power of the supervising court to impose any such requirement under the next following subsection.

PART I.  
—cont.

(4) For the purposes of this Act, any such order as aforesaid shall have effect as if it were a probation order made under section three of this Act, and as if the conditions of the bond aforesaid were the requirements of the order:

Provided that (except where the original order was made under section three of this Act, and the conditions of the bond deemed to be entered into for the purposes of that order are varied under subsection (2) of this section)—

- (a) paragraph (a) of subsection (2) of section six of this Act, paragraph (a) of subsection (3) of that section, paragraph (b) of subsection (4) of that section and section eight of this Act, shall not apply;
  - (b) paragraph (b) of subsection (2) of the said section six shall have effect as if the words "in any other case" were omitted;
  - (c) paragraph (b) of subsection (3) and paragraph (a) of subsection (4) of the said section six shall have effect as if for references therein to a court of assize or quarter sessions and the court of assize or quarter sessions there were substituted references to a court in Scotland and to the court in Scotland by which the probation order was made.
- (5) If it appears on information to a justice acting for the petty sessional division or place for which the supervising court acts that a person in whose case a probation order has been made or amended under this section has been convicted by a court in any part of Great Britain of an offence committed during the period specified in the order, he may issue a summons requiring that person to appear, at the place and time specified therein, before the court in Scotland by which the probation order was made or, if the information is in writing and on oath, may issue a warrant for his arrest, directing that person to be brought before the last-mentioned court.
- (6) The court by which a probation order is made, or the conditions of a bond are varied, in accordance with the provisions of this section shall send three copies of the order (including the bond) to the clerk to the justices for the petty sessional division named therein, together with such documents and information relating to the case as it considers likely to be of assistance to the supervising court.
- (7) If a warrant for the arrest of a probationer issued under section six of the Probation of Offenders Act, 1907, by a court in Scotland is executed in England, and the probationer cannot forthwith be brought before that court, the warrant



shall have effect as if it directed him to be brought before a court of summary jurisdiction for the place where he is arrested; and the court of summary jurisdiction shall commit him to custody or release him on bail (with or without sureties) until he can be brought or appear before the court in Scotland.

PART I.  
—cont.

(8) Where a probation order made in accordance with subsection (1) of this section, or made by a court in Scotland and amended under subsection (2) of this section, is amended by a court in England under the last foregoing section upon the probationer's proposing to reside or residing in Scotland, this section shall cease to apply to the order, and the order shall have effect as if it were made under the Probation of Offenders Act, 1907, in the case of a person residing in Scotland.

11.—(1) Without prejudice to the provisions of sub-section (2) of section fifty-five of the Children and Young Persons Act, 1933 (which enables a court to order the parent or guardian of a child or young person charged with an offence to give security for his good behaviour), any court may, on making a probation order or an order for conditional discharge under this Part of this Act, if it thinks it expedient for the purpose of the reformation of the offender, allow any person who consents to do so to give security for the good behaviour of the offender; and section twenty-three of the Summary Jurisdiction Act, 1879, shall apply to any security so given before a court of summary jurisdiction as if it were given under that Act by a surety.

Supplemen-  
tary provisions  
as to  
probation  
and discharge.  
23 & 24 Geo. 5.  
c. 12.

(2) A court, on making a probation order or an order for conditional discharge or on discharging an offender absolutely under this Part of this Act, may, without prejudice to its power of awarding costs against him, order the offender to pay such damages for injury or compensation for loss as the court thinks reasonable; but, in the case of an order made by a court of summary jurisdiction, the damages and compensation together shall not exceed one hundred pounds or such greater sum as may be allowed by any enactment other than this section.

(3) An order for the payment of damages or compensation as aforesaid may be enforced in like manner as an order for the payment of costs by the offender; and where the court, in addition to making such an order for the payment of damages or compensation to any person, orders the offender to pay to that person any costs, the orders for the payment of damages or compensation and for the payment of costs may be enforced as if they constituted a single order for the payment of costs.

PART I.  
—*cont.*

(4) In proceedings before a court of assize or quarter sessions under the foregoing provisions of this Act, any question whether a probationer has failed to comply with the requirements of the probation order or has been convicted of an offence committed during the probation period, and any question whether any person in whose case an order for conditional discharge has been made has been convicted of an offence committed during the period of conditional discharge, shall be determined by the court and not by the verdict of a jury.

44 & 45 Vict.  
c. 24.

(5) Section four of the Summary Jurisdiction (Process) Act, 1881, shall apply to any process issued by any judge or justice under the foregoing provisions of this Act, or under section six of the Probation of Offenders Act, 1907, as it applies to Scotland, as it applies to process issued under the Summary Jurisdiction Acts by a court of summary jurisdiction.

Effects of  
probation  
and discharge.

12.—(1) Subject as hereinafter provided, a conviction of an offence for which an order is made under this Part of this Act placing the offender on probation or discharging him absolutely or conditionally shall be deemed not to be a conviction for any purpose other than the purposes of the proceedings in which the order is made and of any subsequent proceedings which may be taken against the offender under the foregoing provisions of this Act:

Provided that where an offender, being not less than seventeen years of age at the time of his conviction of an offence for which he is placed on probation or conditionally discharged as aforesaid, is subsequently sentenced under this Part of this Act for that offence, the provisions of this subsection shall cease to apply to the conviction.

(2) Without prejudice to the foregoing provisions of this section, the conviction of an offender who is placed on probation or discharged absolutely or conditionally as aforesaid shall in any event be disregarded for the purposes of any enactment which imposes any disqualification or disability upon convicted persons, or authorises or requires the imposition of any such disqualification or disability.

(3) The foregoing provisions of this section shall not affect—

- (a) any right of any such offender as aforesaid to appeal against his conviction, or to rely thereon in bar of any subsequent proceedings for the same offence;
- (b) the reversion or restoration of any property in consequence of the conviction of any such offender; or

- (c) the operation, in relation to any such offender, of any enactment in force at the commencement of this Act which is expressed to extend to persons dealt with under subsection (1) of section one of the Probation of Offenders Act, 1907, as well as to convicted persons.

PART I.  
—cont.

*Fines and recognizances.*

13. Any court before which an offender is convicted on indictment of felony (not being a felony the sentence for which is fixed by law) shall have power to fine the offender in lieu of or in addition to dealing with him in any other manner in which the court has power to deal with him.

Power to fine on conviction of felony on indictment.

14.—(1) Subject to the provisions of this section, where a fine is imposed by, or a recognizance is forfeited before, a court of assize or quarter sessions, an order may be made in accordance with the provisions of this section—

Powers of courts of assize and quarter sessions in relation to fines and forfeited recognizances.

- (a) allowing time for the payment of the amount of the fine or the amount due under the recognizance;
- (b) directing payment of the said amount by instalments of such amounts and on such dates respectively as may be specified in the order;
- (c) fixing a term of imprisonment which the person liable to make the payment is to undergo if any sum which he is liable to pay is not duly paid or recovered;
- (d) in the case of a recognizance, discharging the recognizance or reducing the amount due thereunder:

Provided that any term of imprisonment fixed under this subsection in default of payment of a fine shall not exceed twelve months.

(2) Any order under this section may be made by the court by which the fine is imposed or before which the recognizance is forfeited; and (subject as hereinafter provided) an order under this section providing for any such matters as are mentioned in paragraph (a) or paragraph (b) of the foregoing subsection may be made—

- (a) where the fine was imposed or the recognizance forfeited by or before the Central Criminal Court, by a judge of that court upon application made in writing to the clerk of the court;
- (b) where the fine was imposed or the recognizance forfeited by or before any other court of assize, by a

PART I.  
—cont.

judge of the High Court upon application made in writing to the clerk of assize;

- (c) where the fine was imposed or the recognizance forfeited by or before a court of quarter sessions, by the chairman or any deputy chairman of that court, or by the recorder or any deputy recorder, as the case may be, upon application made in writing to the clerk of the peace;

and may amend any previous order made under this section so far as it provides for those matters:

Provided that no application shall be made under paragraphs (a) to (c) of this subsection after the refusal of a previous application made thereunder.

(3) Where any person liable for the payment of a fine or a sum due under a recognizance to which this section applies is sentenced by the court to, or is serving or otherwise liable to serve, a term of imprisonment, the court may order that any term of imprisonment fixed under paragraph (c) of subsection (1) of this section shall not begin to run until after the end of the first-mentioned term of imprisonment.

(4) The power conferred by this section to discharge a recognizance or reduce the amount due thereunder shall be in addition to the powers conferred by any other Act relating to the discharge, cancellation, mitigation or reduction of recognizances or sums forfeited thereunder.

(5) This section shall not apply to a fine imposed by a court of quarter sessions on appeal against a decision of a court of summary jurisdiction.

Incidental provisions as to fines and forfeited recognizances. 22 & 23 Vict. c. 21. 3 Geo. 4. c. 46.

15.—(1) Any order made under the last foregoing section before the enrolment of the fine or recognizance under section thirty-two of the Queen's Remembrancer Act, 1859, or section two of the Levy of Fines Act, 1822, shall be enrolled under the said section thirty-two or the said section two, as the case may be:

Provided that—

- (a) if the order is for the discharge of a recognizance, neither the order nor the recognizance shall be enrolled as aforesaid; and
- (b) if the order is for the reduction of the amount due under a recognizance, the reduced amount shall be deemed to be the amount forfeited under the recognizance and shall be enrolled as aforesaid.

(2) Where application is duly made for an order under the last foregoing section after the enrolment of the fine or recognizance as aforesaid, the clerk to whom the application is made shall give notice thereof to the officer responsible for the recovery of the fine or the amount due under the recognizance, and shall give the like notice of any decision thereon.

(3) Where an order under the last foregoing section allowing time for the payment of the amount of the fine or the amount due under the recognizance, or directing payment of the said amount by instalments, is enrolled under subsection (1) of this section, or notice of the making of any such order is given to the officer responsible for the recovery of the fine or the amount due under the recognizance in accordance with the provisions of the last foregoing subsection, that officer shall not exercise his powers until there is a default in complying with the order.

(4) Where any such order as aforesaid is made directing payment by instalments of a fine or the amount due under a recognizance, and default is made in the payment of any one instalment, the same proceedings may be taken as if default had been made in payment of all the instalments then remaining unpaid.

(5) Where any such order as aforesaid is made fixing a term of imprisonment in default of payment of a fine or the amount due under a recognizance, then—

- (a) on payment of the fine or the said amount to the officer responsible for the recovery thereof, or (if the person in respect of whom the order was made is in prison) to the governor of the prison, the order shall cease to have effect; and, if the said person is in prison and is not liable to be detained for any other cause, he shall forthwith be discharged;
- (b) on payment to the said officer or to the governor of the prison of a part of the fine or of the amount due under the recognizance, the total number of days in the term of imprisonment shall be reduced proportionately, that is to say, by such number of days as bears to the said total number of days less one day the proportion most nearly approximating to, without exceeding, the proportion which the part paid bears to the amount of the fine or the amount due under the recognizance.

(6) Any sums received by the governor of a prison under the last foregoing subsection shall be paid by him to the officer responsible for the recovery of sums due in respect of the fine or the recognizance.

## PART I.

—cont.

Restriction on  
sentence of  
death.*Powers relating to young offenders.*

16. The following subsection shall be substituted for subsection (1) of section fifty-three of the Children and Young Persons Act, 1933:—

“(1) Sentence of death shall not be pronounced on or recorded against a person convicted of an offence if it appears to the court that at the time when the offence was committed he was under the age of eighteen years; but in lieu thereof the court shall sentence him to be detained during His Majesty’s pleasure; and if so sentenced he shall be liable to be detained in such place and under such conditions as the Secretary of State may direct.”

Restriction on  
imprisonment.

17.—(1) A court of summary jurisdiction shall not impose imprisonment on a person under seventeen years of age; and a court of assize or quarter sessions shall not impose imprisonment on a person under fifteen years of age.

(2) No court shall impose imprisonment on a person under twenty-one years of age unless the court is of opinion that no other method of dealing with him is appropriate; and for the purpose of determining whether any other method of dealing with any such person is appropriate the court shall obtain and consider information about the circumstances, and shall take into account any information before the court which is relevant to his character and his physical and mental condition.

(3) Where a court of quarter sessions or a court of summary jurisdiction imposes imprisonment on any such person as is mentioned in the last foregoing subsection, the court shall state the reason for its opinion that no other method of dealing with him is appropriate, and if the court is a court of summary jurisdiction the reason shall be specified in the warrant of commitment and entered in the register required to be kept under section twenty-two of the Summary Jurisdiction Act, 1879.

(4) His Majesty may by Order in Council prohibit courts of summary jurisdiction from—

(a) sentencing to imprisonment persons under the age of twenty-one years or such lower age as may be specified in the Order;

(b) committing such persons to prison in default of payment of a sum adjudged to be paid by a conviction; and any such Order may be limited to persons of one of the sexes:

Provided that no Order in Council shall be made under this subsection until the Secretary of State is satisfied

that the methods, other than imprisonment, available for the treatment of offenders afford to courts of summary jurisdiction adequate means of dealing with the persons to whom the Order relates.

(5) A draft of any Order in Council under this section shall be laid before Parliament, and the draft shall not be submitted to His Majesty in Council unless each House of Parliament presents an Address to His Majesty praying that the Order be made.

(6) In this section the expression " court " includes a justice of the peace.

18.—(1) Where a court has power, or would but for the last foregoing section have power, to impose imprisonment on a person who is not less than fourteen but under twenty-one years of age, the court may, if it has been notified by the Secretary of State that a detention centre is available for the reception from that court of persons of his class or description, order him to be detained in a detention centre to be specified in the order for a term of three months:

Detention in  
a detention  
centre.

Provided that—

- (a) if the maximum term of imprisonment which the court might, or might but for the last foregoing section, impose is less than three months, the term for which he is ordered to be detained as aforesaid shall (except as provided by paragraph (c) of this proviso) be a term equal to that maximum term of imprisonment;
  - (b) if the maximum term of imprisonment aforesaid exceeds three months and the court is of opinion, having regard to any special circumstances, that a term of three months' detention would be insufficient, the term for which he is ordered to be detained as aforesaid shall be any term not exceeding six months or the maximum term of imprisonment aforesaid, whichever is the shorter; and
  - (c) if the offender is of compulsory school age and the court is of opinion that a term of detention of three months, or equal to the maximum term of imprisonment aforesaid, would be excessive, the term for which he is ordered to be detained as aforesaid may be any term of not less than one month and not more than three months or the maximum term of imprisonment aforesaid.
- (2) A court shall not order a person to be detained in a detention centre—
- (a) if he has been previously sentenced to imprisonment or Borstal training;

PART I.  
—cont.

PART I.  
—cont.

(b) if he is not less than seventeen years of age, and has previously been ordered to be so detained since attaining that age;

and shall not order any other person to be so detained unless the court has considered every other method (except imprisonment) by which the court might deal with him and is of opinion that none of those methods is appropriate.

(3) Where a person has been ordered to be detained in a detention centre in default of the payment of any sum of money then, on the payment of the whole or part of that sum, he shall be discharged, or, as the case may be, the term of his detention shall be reduced, in the same manner as if the term were a term of imprisonment.

(4) A court shall not make an order that an offender who is not less than fourteen years of age be committed to custody in a remand home under section fifty-four of the Children and Young Persons Act, 1933, if it has been notified by the Secretary of State that a detention centre is available for the reception from that court of persons of his class or description.

(5) In this section the expression " court " includes a justice of the peace, and the expression " compulsory school age " has the meaning assigned to it by section thirty-five of the Education Act, 1944:

7 & 8 Geo. 6.  
c. 31.  
9 & 10 Geo. 6.  
c. 50.

Provided that section eight of the Education Act, 1946 (which provides that a person who attains a particular age during a school term shall be deemed not to have attained that age until the end of the term) shall not apply.

Attendance  
at an  
attendance  
centre.

19.—(1) Where a court of summary jurisdiction has power, or would but for section seventeen of this Act have power, to impose imprisonment on a person who is not less than twelve but under twenty-one years of age, or to deal with any such person under section six of this Act for failure to comply with any of the requirements of a probation order, the court may, if it has been notified by the Secretary of State that an attendance centre is available for the reception from that court of persons of his class or description, order him to attend at such a centre, to be specified in the order, for such number of hours, not exceeding twelve in the aggregate, as may be so specified:

Provided that no such order shall be made in the case of a person who has been previously sentenced to imprisonment, Borstal training or detention in a detention centre, or has been ordered to be sent to an approved school.

(2) The times at which an offender is required to attend at an attendance centre by virtue of an order made under this section shall be such as to avoid interference, so far as practicable, with his school hours or working hours, and the first



such time shall be specified in the order (being a time at which the centre is available for the attendance of the offender in accordance with the notification of the Secretary of State) and the subsequent times shall be fixed by the officer in charge of the centre, having regard to the offender's circumstances:

Provided that an offender shall not be required under this section to attend at an attendance centre on more than one occasion on any day, or for more than three hours on any occasion.

(3) The court by which an order has been made under subsection (1) of this section, or any justice acting for the petty sessional division or place for which that court acts, may, on the application of the offender or of the officer in charge of the attendance centre specified in the order—

(a) by order discharge the order; or

(b) by order vary the day or hour specified therein for the offender's first attendance at the centre;

and where the application is made by the said officer, the court or justice may deal with it without summoning the offender.

(4) Where an order is made under subsection (1) or subsection (3) of this section, the clerk to the justices shall deliver or send a copy of the order to the officer in charge of the attendance centre specified therein, and shall also deliver a copy to the offender or send a copy by registered post addressed to the offender's last or usual place of abode.

(5) Where a person has been ordered to attend at an attendance centre in default of the payment of any sum of money then—

(a) on payment of the whole sum to any person authorised to receive it, the order shall cease to have effect;

(b) on the payment of a part of the said sum as aforesaid, the total number of hours for which the offender is required to attend at the centre shall be reduced proportionately, that is to say by such number of complete hours as bears to the said total number the proportion most nearly approximating to, without exceeding, the proportion which the part paid bears to the said sum.

(6) Provision may be made by rules under section twenty-nine of the Summary Jurisdiction Act, 1879, as to the application of sums paid under the last foregoing subsection and for determining the persons authorised to receive such payments and the conditions under which such payments may be made.

Part I  
—

Where an order under subsection (1) of this section has been made and it appears in information to a justice acting for the petty sessions division or place for which the court which made the order acts that the person in whose case the order was made—

- 1. has failed without reasonable excuse to attend at the sittings in accordance with the order or
- 2. while attending at the sittings has committed a breach of the rules made under section fifty-two of this Act which cannot be adequately dealt with under those rules;

the justice may issue a summons requiring the offender to appear at the place and time specified therein before a court of summary jurisdiction for the petty sessions division or place for which the justice acts, or may, if the information is in writing and on oath issue a warrant for his arrest requiring him to be brought before such a court.

If it is proved to the satisfaction of the court before which an offender appears or is brought under the last foregoing subsection that he has failed to attend as aforesaid, or has committed such a breach of rules as aforesaid, that court may revoke the order requiring his attendance at the attendance sittings and deal with him in any manner in which he could have been dealt with by the court which made the order if the order had not been made.

Borstal  
training.

20.—(1) Where a person is convicted on indictment of an offence punishable with imprisonment, then if on the day of his conviction he is not less than sixteen but under twenty-one years of age, and the court is satisfied having regard to his character and previous conduct, and to the circumstances of the offence, that it is expedient for his reformation and the prevention of crime that he should undergo a period of training in a Borstal institution, the court may, in lieu of any other sentence, pass a sentence of Borstal training.

(2) A person sentenced to Borstal training shall be detained in a Borstal institution, and after his release therefrom shall be subject to supervision, in accordance with the provisions of the Second Schedule to this Act; subject, however, to the power of the Secretary of State under this Act to commute in certain cases the unexpired part of the term for which a person is liable to be so detained to a term of imprisonment.

(3) Where a person is convicted by a court of summary jurisdiction of an offence punishable on summary conviction with imprisonment, then if on the day of his conviction he is not less than sixteen but under twenty-one years of age, and the court is satisfied of the matters mentioned in subsection (1)

of this section, the court may commit him in custody to quarter sessions for sentence in accordance with the following provisions of this section.

PART I.  
—cont.

(4) An offender so committed as aforesaid shall be committed—

- (a) where the court of summary jurisdiction acts for a county other than the County of London or for a borough not having a separate court of quarter sessions, to the appeal committee of the quarter sessions for that county or for the county in which that borough is situated, as the case may be;
- (b) in any other case, to the next court of quarter sessions having jurisdiction in the county, borough or place for which the court of summary jurisdiction acts;

and where the offender is so committed to an appeal committee, the clerk to the court of summary jurisdiction shall notify the clerk of the peace, and the clerk of the peace shall give notice to the prosecutor and to the governor of the remand centre or prison to which the offender is committed of the date on which the case will be dealt with by the appeal committee, being the next available sitting of a court consisting of members of that committee.

(5) Where an offender is so committed for sentence as aforesaid, the following provisions shall have effect, that is to say:—

- (a) the appeal committee or court of quarter sessions shall inquire into the circumstances of the case and may—
  - (i) if satisfied of the matters mentioned in subsection (1) of this section, sentence him to Borstal training; or
  - (ii) in any case, deal with him in any manner in which the court of summary jurisdiction might have dealt with him;

- (b) the Poor Prisoners Defence Act, 1930, shall apply as if the offender were committed for trial for an indictable offence, subject to the modifications that in subsection (2) of section one the words “ after reading the depositions ” and in subsection (2) of section three the words “ and the costs of a copy of the depositions ” shall be omitted; 20 & 21 Geo. 5. c. 32.
- (c) the Costs in Criminal Cases Act, 1908, shall apply in relation to the proceedings before the appeal committee or court of quarter sessions as it applies in relation to the prosecution of an indictable offence before a court of quarter sessions; 8 Edw. 7. c. 15.

PART I.  
—cont.

7 Edw. 7. c. 23.

(d) if the appeal committee or court of quarter sessions passes a sentence of Borstal training, the offender may appeal against the sentence to the Court of Criminal Appeal as if he had been convicted on indictment, and the provisions of the Criminal Appeal Act, 1907, shall apply accordingly.

(6) References to a court of quarter sessions or a court in any enactment as applied by the last foregoing subsection, or in any other enactment relating to persons dealt with by quarter sessions (including any such enactment contained in this Act) shall be construed as including references to an appeal committee of quarter sessions by whom an offender is dealt with under that subsection.

(7) Before a sentence of Borstal training is passed under this section, and before a person is committed for sentence under subsection (3) of this section, the court or committee shall consider any report or representations made by or on behalf of the Prison Commissioners on the offender's physical and mental condition and his suitability for the sentence; and if the court is a court of summary jurisdiction and has not received such a report or representations it shall after conviction remand the offender in custody for such a period or periods, not exceeding three weeks in the case of any single period, as the court thinks necessary to enable the report or representations to be made.

(8) A copy of any report or representations in writing made to a court or appeal committee by the Prison Commissioners for the purposes of the last foregoing subsection shall be given by the court or committee to the offender or his counsel or solicitor.

*Powers relating to persistent offenders.*Corrective  
training and  
preventive  
detention.

21.—(1) Where a person who is not less than twenty-one years of age—

- (a) is convicted on indictment of an offence punishable with imprisonment for a term of two years or more; and
- (b) has been convicted on at least two previous occasions since he attained the age of seventeen of offences punishable on indictment with such a sentence,

then, if the court is satisfied that it is expedient with a view to his reformation and the prevention of crime that he should receive training of a corrective character for a substantial time, followed by a period of supervision if released before the

expiration of his sentence, the court may pass, in lieu of any other sentence, a sentence of corrective training for such term of not less than two nor more than four years as the court may determine.

PART I.  
—cont.

- (2) Where a person who is not less than thirty years of age—
- (a) is convicted on indictment of an offence punishable with imprisonment for a term of two years or more; and
  - (b) has been convicted on indictment on at least three previous occasions since he attained the age of seventeen of offences punishable on indictment with such a sentence, and was on at least two of those occasions sentenced to Borstal training, imprisonment or corrective training;

then, if the court is satisfied that it is expedient for the protection of the public that he should be detained in custody for a substantial time, followed by a period of supervision if released before the expiration of his sentence, the court may pass, in lieu of any other sentence, a sentence of preventive detention for such term of not less than five nor more than fourteen years as the court may determine.

(3) A person sentenced to corrective training or preventive detention shall be detained in a prison for the term of his sentence subject to his release on licence in accordance with the provisions of the Third Schedule to this Act, and while so detained shall be treated in such manner as may be prescribed by rules made under section fifty-two of this Act.

(4) Before sentencing any offender to corrective training or preventive detention, the court shall consider any report or representations which may be made to the court by or on behalf of the Prison Commissioners on the offender's physical and mental condition and his suitability for such a sentence.

(5) A copy of any report or representations in writing made to the court by the Prison Commissioners for the purposes of the last foregoing subsection shall be given by the court to the offender or his counsel or solicitor.

(6) For the purposes of paragraph (b) of subsection (2) of this section, a person who has been convicted by a court of summary jurisdiction of an indictable offence and sentenced for that offence by a court of quarter sessions, or on appeal from such a court, to Borstal training, imprisonment or corrective training shall be treated as if he had been convicted of that offence on indictment.

PART I.  
—cont.

Power to  
order certain  
discharged  
prisoners  
to notify  
address.

22.—(1) Where a person is convicted on indictment of an offence punishable with imprisonment for a term of two years or more and that person—

- (a) has been convicted on at least two previous occasions of offences for which he was sentenced to Borstal training or imprisonment; or
- (b) has been previously convicted of an offence for which he was sentenced to corrective training,

the court, if it sentences him to a term of imprisonment of twelve months or more, shall, unless having regard to the circumstances, including the character of the offender, it otherwise determines, order that he shall for a period of twelve months from his next discharge from prison be subject to the provisions of this section.

(2) Where any such order as aforesaid has been made—

(a) the offender shall, on his next discharge from prison and thereafter from time to time, inform the appointed society of his address in accordance with such instructions as may be given to him by or on behalf of the society;

(b) if the offender fails to comply to the satisfaction of the appointed society with the aforesaid requirement to notify his address on his discharge, the society shall, and if he subsequently fails to keep the society informed of his address to their satisfaction, the society may, give notice by registered post of the failure to the Commissioner of Police of the Metropolis, and shall use their best endeavours to inform the offender that the notice has been given;

and as from the date on which any such notice has been given as aforesaid, the provisions of the Fourth Schedule to this Act shall apply to the offender.

(3) It shall be the duty of the governor of a prison on the discharge from prison of an offender against whom an order has been made under this section to serve upon him a notice stating the effect of the order.

(4) The Secretary of State may by a direction in writing relieve an offender against whom an order has been made under this section of any requirement of this section or of the Fourth Schedule to this Act; and any such direction may be made conditional upon the observance of such requirements as may be specified therein; and the Secretary of State may, if he is satisfied that any requirement so imposed has been contravened, cancel the direction.

(5) In this section the expression "the appointed society" means a society appointed by the Prison Commissioners for

the purposes of this section, being a society approved by the Secretary of State; and the Prison Commissioners may appoint a society either to act in all cases or to act in such cases or classes of cases as they may direct.

PART I.  
—cont.

23.—(1) For the purpose of determining whether an offender is liable to be sentenced to corrective training or preventive detention or to be ordered to be subject to the provisions of the last foregoing section, no account shall be taken of any previous conviction or sentence unless notice has been given to the offender and to the proper officer of the court at least three days before the trial that it is intended to prove the conviction or sentence; and unless any such previous conviction or sentence is admitted by the offender the question shall be determined by the verdict of a jury.

Proof of previous convictions etc. for purposes of ss. 21 and 22.

(2) For the purposes of this section, evidence that a person has previously been sentenced to corrective training or preventive detention shall be evidence of the convictions and sentences which rendered him liable to that sentence.

#### *Reception orders.*

24.—(1) Where a person is charged before a court of summary jurisdiction with any act or omission as an offence punishable on summary conviction with imprisonment, and the court—

Power to make reception order.

- (a) is satisfied that the person did the act or made the omission charged; and
- (b) is satisfied on the evidence of at least two duly qualified medical practitioners that the person is of unsound mind; and
- (c) is also satisfied that he is a proper person to be detained,

the court may, in lieu of dealing with him in any other manner, by order direct him to be received and detained in such institution for persons of unsound mind as may be named in the order, and may further direct the duly authorised officer of the local health authority in whose area the court is situated, or any constable, to convey the person of unsound mind forthwith to that institution; and the provisions of the Lunacy and Mental Treatment Acts, 1890 to 1930, shall have effect as if an order made under this section were a summary reception order made under section sixteen of the Lunacy Act, 1890.

(2) The court by which an order is made under this section shall send to the institution named in the order such information in the possession of the court as it considers likely to be of assistance in dealing with the person to whom the order relates.

PART I.  
—cont.

(3) The Costs in Criminal Cases Act, 1908, shall apply in relation to any duly qualified medical practitioner who gives evidence for the purposes of this section notwithstanding that the proceedings in which the evidence is given are not proceedings to which section one of that Act applies.

*Adjournment, remand etc.*

Power of  
courts of  
summary  
jurisdiction  
to adjourn a  
case after  
conviction  
and before  
sentence.  
11 & 12 Vict.  
c. 43.

25.—(1) It is hereby declared that the powers of a court of summary jurisdiction under section sixteen of the Summary Jurisdiction Act, 1848, to adjourn the hearing of a case includes power, after a person has been convicted and before he has been sentenced or otherwise dealt with, to adjourn the case for the purpose of enabling inquiries to be made or of determining the most suitable method of dealing with his case:

Provided that a court of summary jurisdiction shall not for the purpose aforesaid adjourn the hearing of a case under the said section sixteen for any single period exceeding three weeks.

(2) Where a person has been convicted of an offence by a court of summary jurisdiction and the case has been adjourned in pursuance of the said section sixteen or any other enactment relating to remand, he may be sentenced or otherwise dealt with for that offence by any court of summary jurisdiction acting for the same petty sessional division or place as the court by which he was convicted; and, in relation to any case required to be heard and determined by a court of summary jurisdiction consisting of two or more justices, the provisions of this section shall have effect notwithstanding anything in the proviso to section twenty-nine of the Summary Jurisdiction Act, 1848:

Provided that if the court by which a person is sentenced or otherwise dealt with does not wholly consist of the same justices as the court by which he was convicted, the court shall inquire into the circumstances of the case before sentencing or otherwise dealing with him.

Remand for  
inquiry  
into physical  
or mental  
condition.

26.—(1) Without prejudice to any powers exercisable by a court under the last foregoing section, where a person is charged before a court of summary jurisdiction with an offence punishable on summary conviction with imprisonment, and the court is satisfied that the offence has been committed by that person but is of opinion that an inquiry ought to be made into his physical or mental condition before the method of dealing with him is determined, the court shall remand him in custody or on bail (with or without sureties) for such period or periods, no single period exceeding three weeks, as the court thinks necessary to enable a medical examination and report to be made.



(2) Where a person is remanded on bail under this section, it shall be a condition of the recognizance that he shall undergo medical examination by a duly qualified medical practitioner at such institution or place as may be specified in the recognizance or by such duly qualified medical practitioner as may be so specified; and, if arrangements have been made for his reception, it may be a condition of the recognizance that the person shall, for the purpose of the examination, reside, for such period as may be specified in the recognizance, in an institution or place so specified, not being an institution or place to which he could have been committed.

(3) Where a person charged before a court of summary jurisdiction with an indictable offence is admitted to bail on his entering into a recognizance with or without sureties conditioned for his appearance at a court of assize or quarter sessions, and the court is of opinion that an inquiry ought to be made as aforesaid, it may be made a further condition of the recognizance, but subject to the condition for his appearance, that he shall undergo medical examination or shall reside as aforesaid.

(4) On exercising the powers conferred by this section the court shall—

- (a) where the person is remanded in custody, send to the institution or place to which he is committed; and
- (b) where the person is released on bail, send to the institution or place at which or the person by whom he is to be examined,

a statement of the reasons for which the court is of opinion that an inquiry ought to be made into his physical or mental condition, and of any information before the court about his physical or mental condition.

(5) The Costs in Criminal Cases Act, 1908, shall apply in relation to any duly qualified medical practitioner who makes a report otherwise than in writing for the purposes of this section as it applies to a person called to give evidence and shall so apply notwithstanding that the proceedings for the purposes of which the report is made are not proceedings to which section one of that Act applies.

(6) Notwithstanding anything in the Lunacy and Mental Treatment Acts, 1890 to 1930, or the Mental Deficiency Acts, 1913 to 1938, a person who has been remanded on bail under this section may be received, for the purpose of medical examination, in an institution within the meaning of the Mental Treatment Act, 1930, or in an institution for defectives or certified house within the meaning of the Mental Deficiency Acts, 1913 to 1938:

Part I  
—1948.

Provided that a person received under this section in a licensed house or registered hospital shall, for the purposes of any provisions of the Lunacy Act, 1900, relating to the number of patients who may be so received, be reckoned as a patient.

Remand and  
committal  
of persons  
under 21.

27.—(1) Where a court remands or commits for trial or for sentence a person under twenty-one years of age who is charged with or convicted of an offence and is not released on bail, then, except as otherwise expressly provided by this section, the following provisions shall have effect, that is to say—

- (a) if he is under fourteen years of age, he shall be committed to a remand home;
- (b) if he is not less than fourteen but under seventeen years of age, he shall be committed to a remand home unless the court certifies that he is of so unruly a character that he cannot safely be detained in a remand home or of so depraved a character that he is not fit to be so detained;
- (c) if he is not less than seventeen years of age, or if the court certifies as mentioned in the last foregoing paragraph, and the court has been notified by the Secretary of State that a remand centre is available for the reception from that court of persons of his class or description, he shall be committed to a remand centre,

instead of being committed to a prison.

(2) Subject as hereinafter provided, where a person is committed or remanded in custody by a court of summary jurisdiction under section twenty of this Act with a view to a sentence of Borstal training he shall be committed—

- (a) if the court has been notified by the Secretary of State that a remand centre is available for the reception from that court of persons of his class or description, to a remand centre; and
- (b) if the court has not been so notified, to a prison:

Provided that if, being under seventeen years of age, he is remanded under subsection (1) of the said section twenty for a report or representations of the Prison Commissioners, and the court has not been notified as aforesaid, he shall be committed to a remand home unless the court certifies that he is of so unruly a character that he cannot safely be detained in a remand home or of so depraved a character that he is not fit to be so detained.

(3) Where a person being not less than fourteen but under seventeen years of age is remanded in custody under section

twenty-six of this Act for an inquiry into his physical or mental condition, and the court is satisfied that facilities for such an inquiry during his detention in the remand home to which he would, but for this subsection, have been committed are not provided or otherwise made available under this Act, then if the court has been notified that a remand centre is available for the reception from that court of persons of his class or description, he shall be committed to a remand centre.

PART I.  
—cont.

(4) Where any person is committed to a remand home or a remand centre under any provision of this Act, the home or centre shall be specified in the warrant and he shall there be detained for the period for which he is remanded or until he is thence delivered in due course of law.

(5) Where any person has been committed to a remand home under any provision of this Act, the court by which he was committed, or, if application cannot conveniently be made to that court, any court of summary jurisdiction having jurisdiction in the place where that court sat, may vary the commitment by substituting another remand home for that remand home; and if the person so committed is not less than fourteen years of age and it appears to the court that he is of so unruly a character that he cannot safely be detained in a remand home, or to be of so depraved a character that he is not fit to be so detained, the court may revoke the commitment and commit the said person—

- (a) if the court has been notified that a remand centre is available for the reception from that court of persons of his class or description, to a remand centre; and
- (b) if the court has not been so notified, to a prison.

(6) In this section the expression "court" includes a justice of the peace.

#### *Offences punishable on summary conviction or on indictment.*

28.—(1) Subject to the provisions of this section, where a person who is not less than fourteen years of age is charged before a court of summary jurisdiction with an offence which, by virtue of any enactment, is punishable either on summary conviction or on conviction on indictment, then if application in that behalf is made by the prosecutor before the charge has been entered upon, the court may then determine to try the case summarily; but if the court does not so determine it shall proceed to hear the case as if the offence were punishable on conviction on indictment only.

Procedure in respect of offences punishable on summary conviction or on indictment.

PART I.  
—cont.

(2) Where the court has begun, in accordance with the last foregoing subsection, to hear a case as if the offence were punishable on conviction on indictment only, then if at any time during the hearing it appears to the court, having regard to any representations made in the presence of the accused by or on behalf of the prosecutor, or made by or on behalf of the accused, and to the nature of the case, that it is proper to do so, the court may then determine (subject to the following provisions of this section) to try the case summarily:

Provided that where the prosecution is being carried on by the Director of Public Prosecutions, the court shall not try the case summarily under this subsection without the consent of the Director.

(3) Where the court proposes to try a case summarily under the last foregoing subsection, the court shall cause the charge to be reduced to writing and read to the accused, and call on him to plead thereto; and unless he pleads guilty the court shall recall for cross-examination any witnesses who have given evidence (except any not required by the accused or by the prosecutor, as the case may be, to be recalled for that purpose), but subject as aforesaid any such evidence shall be deemed to have been given in and for the purposes of the summary trial of the offence.

(4) Where the court proposes to try a case summarily under subsection (1) or subsection (2) of this section and the accused is entitled, under section seventeen of the Summary Jurisdiction Act, 1879, to claim to be tried by a jury, the court shall, after the charge has been read to the accused, address him in the manner required by that section as amended by this Act; and if he then claims to be so tried, the court shall not deal with the case summarily, but shall proceed therewith in the manner required by the said section seventeen.

(5) For the avoidance of doubt it is hereby declared that this section does not apply—

(a) to any offence which is indictable by virtue only of section seventeen of the Summary Jurisdiction Act, 1879; or

(b) to any offence which is triable summarily only with the consent of the accused under section eleven of that Act or section twenty-four of the Criminal Justice Act, 1925;

15 & 16 Geo. 5.  
c. 86.

and nothing in this section shall be construed as affecting any other enactment by virtue of which the consent of any person is required for the summary trial of an indictable offence, or the accused is entitled to object to be tried summarily in respect of such an offence, or as authorising a court

to deal summarily with any offence unless the proceedings were commenced within the period prescribed in that behalf by section eleven of the Summary Jurisdiction Act, 1848, or by any other enactment applicable to the offence in question.

PART I.  
—cont.

(6) Where, under subsection (1) of this section, a court of summary jurisdiction has begun to deal summarily with an offence which is punishable on conviction on indictment, the court may, at any time before the conclusion of the case for the prosecution, discontinue the summary trial and proceed to hear the charge as for an indictable offence; but except as aforesaid a court, having begun to deal summarily with such an offence, whether under this section or under any other enactment, shall not thereafter proceed to hear the charge as for an indictable offence.

29.—(1) Where, under subsection (2) of section twenty-eight of this Act or section twenty-four of the Criminal Justice Act, 1925, a person who is not less than seventeen years of age is tried summarily by a court of summary jurisdiction for an indictable offence, and is convicted by that court of that offence, then if, on obtaining information as to his character and antecedents, the court is of opinion that they are such that greater punishment should be inflicted in respect of the offence than that court has power to inflict, the court may, in lieu of dealing with him in any manner in which the court has power to deal with him, commit him in custody to quarter sessions for sentence in accordance with the following provisions of this section.

Committal for sentence in respect of indictable offences tried summarily.

(2) An offender so committed as aforesaid shall be committed—

- (a) where the court of summary jurisdiction acts for a county other than the County of London or for a borough not having a separate court of quarter sessions, to the appeal committee of the quarter sessions for that county or for the county in which that borough is situated, as the case may be;
- (b) in any other case, to the next court of quarter sessions having jurisdiction in the county, borough or place for which the court of summary jurisdiction acts;

and where the offender is so committed to an appeal committee, the clerk to the court of summary jurisdiction shall notify the clerk of the peace, and the clerk of the peace shall give notice to the prosecutor and to the governor of the prison or remand centre to which the offender is committed of the date on which the case will be dealt with by the appeal committee, being the next available sitting of a court consisting of members of that committee.

PART I.  
—cont.

(3) Where an offender is so committed for sentence as aforesaid, the following provisions shall have effect, that is to say:—

- (a) the appeal committee or court of quarter sessions shall inquire into the circumstances of the case, and shall have power to deal with the offender in any manner in which he could be dealt with by a court of quarter sessions before which he had just been convicted of the offence on indictment;
- (b) the Poor Prisoners Defence Act, 1930, shall apply as if the offender were committed for trial for an indictable offence, subject to the modifications that in subsection (2) of section one the words “after reading the depositions,” and in subsection (2) of section three the words “and the costs of a copy of the depositions” shall be omitted;
- (c) the Costs in Criminal Cases Act, 1908, shall apply in relation to the proceedings before the appeal committee or court of quarter sessions as it applies in relation to the prosecution of an offence before a court of quarter sessions; and
- (d) if the appeal committee or court of quarter sessions passes a sentence which the court of summary jurisdiction would not have had power to pass, the offender may appeal against the sentence to the Court of Criminal Appeal as if he had been convicted on indictment; and the provisions of the Criminal Appeal Act, 1907, shall apply accordingly.

(4) References to a court of quarter sessions or a court in any enactment as applied by the last foregoing subsection or in any other enactment relating to persons dealt with by quarter sessions (including any such enactment contained in this Act) shall be construed as including references to an appeal committee of quarter sessions by whom an offender is dealt with under that subsection.

(5) In relation to an offender committed for sentence under this section, subsection (1) of section twenty-three of this Act shall have effect as if for the words “by the verdict of a jury,” there were substituted the words “by the appeal committee or the court of quarter sessions, as the case may be, and not by the verdict of a jury.”

*Miscellaneous provisions relating to procedure, appeals,  
evidence, etc.*

30.—(1) Privilege of peerage in relation to criminal proceedings is hereby abolished.

(2) In any criminal proceedings the jurisdiction to be had and the procedure to be followed, the punishments which may

Abolition of  
privilege of  
peerage in  
criminal  
proceedings.

be inflicted, the orders which may be made, and the appeals which may be brought shall, whatever the offence and wherever the trial is to take place, be the same in the case of persons who would but for this section be entitled to privilege of peerage as in the case of any other of His Majesty's subjects.

PART I.  
—cont.

31.—(1) Any British subject employed under His Majesty's Government in the United Kingdom in the service of the Crown who commits, in a foreign country, when acting or purporting to act in the course of his employment, any offence which, if committed in England, would be punishable on indictment, shall be guilty of an offence of the same nature, and subject to the same punishment, as if the offence had been committed in England.

Jurisdiction and procedure in respect of certain indictable offences committed in foreign countries.

(2) A person may be proceeded against, indicted, tried and punished for an offence under this section in any county or place in England in which he is apprehended or is in custody as if the offence had been committed in that county or place; and the offence shall, for all purposes incidental to or consequential on the trial or punishment thereof, be deemed to have been committed in that county or place.

(3) Subsection (4) of section one of the Administration of Justice (Miscellaneous Provisions) Act, 1933 (which continues the procedure by way of indictment preferred before a grand jury of the County of London and County of Middlesex in the case of indictments under the enactments specified in the First Schedule to that Act) shall cease to have effect; and subsection (2) of this section shall apply to any offence in respect of which a bill of indictment could, but for this subsection, have been so preferred as it applies to an offence under this section.

23 & 24 Geo. 5.  
c. 36.

32.—(1) Where two or more informations are laid under the Summary Jurisdiction Acts against the same person or persons, a single summons may be issued under these Acts against that person or each of those persons in respect of all the informations:

Issue of single summons on more than one information.

Provided that the matter of each information shall be separately stated in the summons.

(2) Any such summons as aforesaid shall be treated for the purpose of the Summary Jurisdiction Acts as if it were a separate summons in respect of each information.

(3) The foregoing provisions of this section shall apply to complaints as they apply to informations.

33. Where any person is entitled to copies of depositions taken under the Indictable Offences Act, 1848, he shall be entitled also to copies of the written information (if any) required by section twenty of that Act to be transmitted with the

Supply of copies of informations to persons committed for trial.  
11 & 12 Vict.  
c. 42.

PART I.  
—cont.

depositions; and any enactment relating to the furnishing of copies of depositions shall accordingly apply to any such information as it applies to depositions.

Amendment  
of Summary  
Jurisdiction  
(Appeals) Act,  
1933.  
23 & 24 Geo. 5.  
c. 38.

34. For paragraph (a) of subsection (3) of section seven of the Summary Jurisdiction (Appeals) Act, 1933, (which regulates the appointment of appeal committees of quarter sessions) there shall be substituted the following paragraph:—

“(a) in appointing members of the committee, quarter sessions shall, so far as practicable, select justices having special qualifications for the hearing of appeals, including justices specially qualified for dealing with juvenile cases.”

Challenge of  
jurors and  
separation of  
juries.

35.—(1) A person arraigned on an indictment for any felony or misdemeanour may challenge not more than seven jurors without cause and any juror or jurors for cause.

(2) Upon the trial of any person for an offence on indictment, any challenge to jurors for cause shall be tried by the judge, chairman of quarter sessions, recorder or other person before whom the accused is to be tried.

(3) Upon the trial of any person on indictment for felony or misdemeanour, the whole or any two or more of the jury may be sworn together:

Provided that an opportunity to challenge each of them separately shall be furnished to the prosecutor and the accused before the oath is administered.

(4) Upon the trial of any person for an offence on indictment the court may, if it thinks fit, at any time before the jury consider their verdict, permit them to separate.

Appeals from  
courts of  
summary  
jurisdiction  
to quarter  
sessions.

36.—(1) A person convicted by a court of summary jurisdiction shall have a right of appeal—

(a) if he pleaded guilty or admitted the truth of the information, against his sentence;

(b) in any other case, against the conviction or sentence, to a court of quarter sessions in manner provided by the Summary Jurisdiction Acts; and a person sentenced by a court of summary jurisdiction in respect of an offence of which he was convicted by another court of summary jurisdiction shall have a like right of appeal against his sentence.

(2) For the purpose of the last foregoing subsection, the expression “sentence” includes any order made on conviction by a court of summary jurisdiction, not being—

(a) a probation order or an order for conditional discharge;



PART I.

—cont.

I & 2 Geo. 5.  
c. 27.

- (b) an order for the payment of costs;
- (c) an order under section two of the Protection of Animals Act, 1911 (which enables the court to order the destruction of an animal);
- (d) an order made in pursuance of any enactment under which the court has no discretion as to the making of the order or the terms thereof.

(3) Where a court of summary jurisdiction has adjourned a case after conviction, the day on which the court sentences or otherwise deals with the offender shall, for the purposes of section thirty-one of the Summary Jurisdiction Act, 1879, be deemed to be the day on which the decision of the court is given.

(4) Where it appears to a court of quarter sessions, on application made in accordance with the following provisions of this section, that any person desiring to appeal to that court in accordance with section thirty-one of the Summary Jurisdiction Act, 1879, has failed to give the notice of appeal required by paragraph (ii) of subsection (1) of that section within the period of fourteen days prescribed by that paragraph, the court may, if it thinks fit, direct that any such notice of appeal previously given by the applicant after the expiration of the said period, or any such notice to be given by him within such further time as may be specified in the direction, shall be treated as if given within the said period.

(5) An application for a direction under the last foregoing subsection shall be made in writing and shall be sent by the applicant to the clerk of the peace; and where any such direction is given by the court, the clerk of the peace shall give notice thereof to the applicant and to the clerk to the court of summary jurisdiction against whose decision the appeal is to be brought, and the applicant shall give notice thereof to the other party to the proceedings.

(6) The powers of a court of quarter sessions under subsection (4) of this section shall be exercised—

- (a) in the case of quarter sessions for a county other than the County of London, by the chairman or a deputy chairman of the appeal committee of the quarter sessions;
- (b) in the case of quarter sessions for a borough, by the recorder or any deputy recorder;
- (c) in the case of quarter sessions for the County of London, by the paid chairman or a paid deputy chairman of quarter sessions (including any person appointed under section two of the Quarter Sessions (London) Act, 1896, or under section fifty-four of the

59 & 60 Vict.  
c. 55.

## PART I.

—cont.

10 & 11 Geo. 6.  
c. xlvi.

London County Council (General Powers) Act, 1947, to act temporarily in the office of paid chairman or deputy chairman, or as an additional deputy chairman);

and may be exercised either within or outside the county or borough for which the quarter sessions are held.

(7) Paragraph (iii) of subsection (1) of section thirty-one of the Summary Jurisdiction Act, 1879 (which requires an appellant to quarter sessions from a decision of a court of summary jurisdiction to enter into recognizances conditioned to prosecute his appeal with diligence) shall cease to have effect.

(8) The powers of a court of summary jurisdiction under paragraph (iv) of the said subsection (1) (which relates to the grant of bail to an appellant to quarter sessions from a decision of a court of summary jurisdiction) may be exercised by any justice acting for the petty sessional division or place for which that court acts.

Bail on appeal,  
case stated or  
application for  
certiorari.

37.—(1) Without prejudice to the powers vested before the commencement of this Act in any court to admit or direct the admission of a person to bail—

(a) the High Court may release from custody a person who has given notice of appeal to a court of quarter sessions against a conviction or sentence of a court of summary jurisdiction, on his entering into a recognizance conditioned for his appearance at the hearing of the appeal;

(b) the High Court or a court of quarter sessions may release from custody a person who, having appealed to the court of quarter sessions against such a conviction or sentence as aforesaid, has applied to that court under section twenty of the Criminal Justice Act, 1925, to have a case stated for the opinion of the High Court on the point of law, on his entering into a recognizance conditioned for his appearance (unless the judgment of the High Court otherwise directs) at the sessions at which, under section twenty-five of the Supreme Court of Judicature (Consolidation) Act, 1925, that judgment is entered, or the appeal to quarter sessions is entered for re-hearing, as the case may be;

(c) the High Court may release from custody a person who, having been convicted or sentenced by a court of summary jurisdiction, has applied to the court of summary jurisdiction for the statement of a case for the opinion of the High Court on a point of law, on his entering into a recognizance conditioned for his appearance, within ten days after the judgment

15 & 16 Geo. 5.  
c. 49.

of the High Court shall have been given, before a court of summary jurisdiction acting for the same petty sessional division or place as the court which convicted or sentenced that person, unless the determination in respect of which the case is stated is reversed by that judgment;

PART I.  
—cont.

- (d) the High Court may release from custody a person who has been convicted or sentenced by a court of summary jurisdiction and has applied to the High Court for an order of certiorari to remove the proceedings of the court of summary jurisdiction into the High Court, or has applied to the High Court for leave to make such application, on his entering into a recognizance conditioned for his appearance, within ten days after the judgment of the High Court shall have been given, before a court of summary jurisdiction acting for the same petty sessional division or place as the court which convicted or sentenced that person, unless the conviction or sentence is quashed by that judgment.

(2) A recognizance entered into for the purposes of the last foregoing subsection shall be in such reasonable sum as the court thinks necessary to fix, and the court may require the recognizance to be entered into with or without sureties and may, in lieu of requiring a person to enter into a recognizance, consent to his giving other security.

(3) The High Court may, in exercising any power conferred on it by this section to release a person from custody, direct that a recognizance shall be entered into or other security given before a court of quarter sessions or a court of summary jurisdiction or a justice of the peace.

(4) Rules of court may be made under section ninety-nine of the Supreme Court of Judicature (Consolidation) Act, 1925,—

- (a) for prescribing the manner in which a recognizance shall be entered into or other security given for the purposes of this section and the persons by whom and the manner in which any such recognizance or security as aforesaid may be enforced;
- (b) for authorising the committal, in such cases and by such courts or justices as may be prescribed by the rules, of persons released from custody under this section;

and the powers conferred by this subsection shall be in addition to the powers conferred by the said section ninety-nine.

PART I.  
—cont.

(5) The power conferred by paragraph (b) of subsection (1) of this section on a court of quarter sessions may be exercised—

- (a) in the case of quarter sessions for a county other than the County of London, by the chairman or a deputy chairman of the appeal committee of the quarter sessions;
- (b) in the case of quarter sessions for a borough, by the recorder or any deputy recorder;
- (c) in the case of quarter sessions for the County of London, by the paid chairman or a paid deputy chairman of quarter sessions (including any person appointed under section two of the Quarter Sessions (London) Act, 1896, or under section fifty-four of the London County Council (General Powers) Act, 1947, to act temporarily in the office of paid chairman or deputy chairman or as an additional deputy chairman);

and may be exercised either within or outside the county or borough for which the quarter sessions are held.

(6) The time during which a person is admitted to bail under paragraph (b), (c) or (d) of subsection (1) of this section shall not count as part of any term of imprisonment under his sentence; and any sentence of imprisonment imposed by a court of summary jurisdiction, or, on appeal, by a court of quarter sessions, after the imposition of which a person is so admitted to bail, shall be deemed to begin to run or to be resumed as from the day on which he is received in prison under the sentence; and for the purposes of this subsection the expression "prison" shall be deemed to include a detention centre and remand home and the expression "imprisonment" shall be construed accordingly.

Amendment  
of Criminal  
Appeal Act,  
1907.

38.—(1) Where an appellant within the meaning of the Criminal Appeal Act, 1907, is admitted to bail under that Act, the time during which he is at large after being so admitted shall be disregarded in computing the term of any sentence to which he is for the time being subject.

(2) Subject as hereinafter provided, six weeks of the time during which any such appellant, when in custody, is specially treated as such in pursuance of rules made under section fifty-two of this Act, or the whole of that time if it is less than six weeks, shall be disregarded in computing the term of any such sentence as aforesaid:

Provided that—

- (a) the foregoing provisions of this subsection shall not apply where leave to appeal is granted under the Criminal Appeal Act, 1907, or any such certificate

as is mentioned in paragraph (b) of section three of that Act has been given for the purposes of the appeal; and

(b) in any other case, the Court of Criminal Appeal may direct that no part of the said time, or such part thereof as the court thinks fit (whether shorter or longer than six weeks) shall be disregarded as aforesaid.

(3) Subject to the foregoing provisions of this section, the term of any sentence passed by the Court of Criminal Appeal under the Criminal Appeal Act, 1907, in substitution for a sentence passed on the appellant in the proceedings from which the appeal is brought shall, unless the court otherwise directs, begin to run from the time when it would have begun to run if passed in those proceedings, and references in this section to any sentence to which an appellant is for the time being subject shall be construed accordingly.

(4) In relation to a person sentenced to Borstal training, any reference in this section to the term of that sentence shall be construed as a reference to the periods during which, under the Second Schedule to this Act, he may be detained in a Borstal institution; and nothing in this section shall be construed as affecting any period during which a person so sentenced is liable to supervision under the said Second Schedule.

(5) The Court of Criminal Appeal may, when they dismiss an appeal or application for leave to appeal, order the appellant or applicant as the case may be to pay the whole or any part of the costs of the appeal or application, including the cost of any transcript of the shorthand notes of the proceedings at the trial made in accordance with a direction given by the registrar under section sixteen of the Criminal Appeal Act, 1907; and any order under this subsection may be enforced by the person to whom the costs are ordered to be paid in the same manner as an order for the payment of costs made by the High Court in civil proceedings.

(6) The power of the Secretary of State under section nineteen of the Criminal Appeal Act, 1907, to refer the case, or any point arising on the case, of a person convicted on indictment to the Court of Criminal Appeal shall be exercisable whether or not that person has petitioned for the exercise of His Majesty's mercy.

39.—(1) A previous conviction may be proved against any person in any criminal proceedings by the production of such evidence of the conviction as is mentioned in this section, and by showing that his finger-prints and those of the person convicted are the finger-prints of the same person.

Proof of  
previous  
convictions  
by finger-  
prints.

PART I.  
—*cont.*54 & 55 Vict.  
c. 69.

(2) A certificate purporting to be signed by or on behalf of the Commissioner of Police of the Metropolis, containing particulars relating to a conviction extracted from the criminal records kept by him, and certifying that the copies of the finger-prints exhibited to the certificate are copies of the finger-prints appearing from the said records to have been taken in pursuance of section eight of the Penal Servitude Act, 1891, from the person convicted on the occasion of the conviction, shall be evidence of the conviction and evidence that the copies of the finger-prints exhibited to the certificate are copies of the finger-prints of the person convicted.

(3) A certificate purporting to be signed by or on behalf of the governor of a prison or remand centre in which any person has been detained in connection with any criminal proceedings, certifying that the finger-prints exhibited thereto were taken from him while he was so detained, shall be evidence in those proceedings that the finger-prints exhibited to the certificate are the finger-prints of that person.

(4) A certificate, purporting to be signed by or on behalf of the Commissioner of Police of the Metropolis, and certifying that the finger-prints, copies of which are certified as aforesaid by or on behalf of the Commissioner to be copies of the finger-prints of a person previously convicted and the finger-prints certified by or on behalf of the governor as aforesaid, or otherwise shown, to be the finger-prints of the person against whom the previous conviction is sought to be proved are the finger-prints of the same person shall be evidence of the matter so certified.

(5) The method of proving a previous conviction authorised by this section shall be in addition to any other method of proving the conviction.

Taking of  
finger-prints  
by order of  
justices.

40.—(1) Where any person not less than fourteen years of age who has been taken into custody is charged with an offence before a court of summary jurisdiction, the court may, if it thinks fit, on the application of an officer of police not below the rank of inspector, order that the finger-prints of that person shall be taken by a constable.

(2) Finger-prints taken in pursuance of an order made under this section shall be taken either at the court or if the person to whom the order relates is remanded in custody, at any place to which he is committed; and a constable may use such reasonable force as may be necessary for that purpose.

(3) The provisions of this section shall be in addition to the provisions of any other enactment under which the finger-prints of any person may be taken.

(4) Where the fingerprints of any person have been taken in pursuance of an order made under this section, then if that person is acquitted or discharged under section twenty-five of the Indictable Offences Act, 1848, or if the information against him is dismissed, the fingerprints and all copies and records thereof shall be destroyed.

41.—(1) In any criminal proceedings, a certificate purporting to be signed by a constable, or by a person having the prescribed qualifications, and certifying that a plan or drawing exhibited thereto is a plan or drawing made by him of the place or object specified in the certificate, and that the plan or drawing is correctly drawn to a scale so specified, shall be evidence of the relative position of the things shown on the plan or drawing. Evidence by certificate.

(2) In any proceedings for an offence under the Road Traffic Acts, 1930 to 1947, or under any other enactment relating to the use of vehicles on roads, a certificate in the prescribed form, purporting to be signed by a constable and certifying that a person specified in the certificate stated to the constable—

- (a) that a particular motor vehicle was being driven by, or belonged to, that person on a particular occasion; or
- (b) that a particular motor vehicle belonged on a particular occasion to a firm in which that person also stated that he was at the time of the statement a partner; or
- (c) that a particular motor vehicle belonged on a particular occasion to a corporation of which that person also stated that he was at the time of the statement a director, officer or employee,

shall be admissible as evidence for the purpose of determining by whom the vehicle was being driven, or to whom it belonged, as the case may be, on that occasion.

(3) In any proceedings for an offence consisting of the stealing of goods in the possession of the British Transport Commission or any Executive (other than the Hotels Executive) constituted under section five of the Transport Act, 1947, 10 & 11 Geo. 6. or of receiving goods so stolen knowing them to have been c. 49. stolen, or for an offence under section twelve or eighteen or subsection (2) of section thirty-three of the Larceny Act, 1916, 6 & 7 Geo. 5. or sections fifty to fifty-six of the Post Office Act, 1908, a c. 50. statutory declaration made by any person— 8 Edw. 7. c. 48.

- (a) that he dispatched or received or failed to receive any goods or postal packet or that any goods or postal packet when dispatched or received by him were in a particular state or condition; or

PART I.  
—cont.

(b) that a vessel, vehicle or aircraft was at any time employed by or under the Post Office for the transmission of postal packets under contract, shall be admissible as evidence of the facts stated in the declaration.

(4) Nothing in this section shall be deemed to make a certificate or statutory declaration admissible as evidence in proceedings for an offence except in a case where and to the extent to which oral evidence to the like effect would have been admissible in those proceedings.

(5) Nothing in this section shall be deemed to make a certificate or statutory declaration admissible as evidence in proceedings for any offence—

(a) unless a copy thereof has, not less than seven days before the hearing or trial, been served in the prescribed manner on the person charged with the offence; or

(b) if that person, not later than three days before the hearing or trial or within such further time as the court may in special circumstances allow, serves notice in the prescribed form and manner on the prosecutor requiring the attendance at the trial of the person who signed the certificate or the person by whom the declaration was made, as the case may be.

(6) In this section the expression “prescribed” means prescribed by rules made by the Secretary of State.

Order of  
speeches.  
28 & 29 Vict.  
c. 18.  
61 & 62 Vict.  
c. 36.

42.—(1) Notwithstanding anything in section two of the Criminal Procedure Act, 1865, as amended by section three of the Criminal Evidence Act, 1898, the prosecution shall not be entitled to the right of reply upon the trial of any person on indictment on the ground only that documents have been put in evidence for the defence.

(2) Notwithstanding anything in section two of the Criminal Evidence Act, 1898, or in section fourteen of the Summary Jurisdiction Act, 1848, a person charged with an offence before a court of summary jurisdiction or his counsel or his solicitor shall be entitled to address the court either at the conclusion of the case for the prosecution or at the conclusion of the evidence, at his discretion; and where oral evidence is given by witnesses for the defence in addition to the evidence of the person charged, the court may allow him or his counsel or solicitor to address the court both at the conclusion of the case for the prosecution and at the conclusion of the evidence, but in that case the prosecutor shall be entitled to the right of reply.



(3) The provisions of the last foregoing subsection shall not apply to proceedings before examining justices.

PART I.  
—cont.

43. Where a report by a probation officer is made to any court (other than a juvenile court) with a view to assisting the court in determining the most suitable method of dealing with any person in respect of an offence, a copy of the report shall be given by the court to the offender or his counsel or solicitor :

Reports of  
probation  
officers.

Provided that if the offender is under seventeen years of age and is not represented by counsel or a solicitor, a copy of the report need not be given to him but shall be given to his parent or guardian if present in court.

44.—(1) If in any such proceedings as are mentioned in section one of the Costs in Criminal Cases Act, 1908, the accused is acquitted or discharged under section twenty-five of the Indictable Offences Act, 1848, or the information is dismissed, the court may, if it thinks fit, direct the payment out of local funds in accordance with the provisions of that Act of such sums as appear to the court reasonably sufficient to compensate the accused for the expenses properly incurred by him in carrying on his defence.

Payment of  
costs of  
defence on  
acquittal, etc.

(2) Without prejudice to the provisions of subsection (2) of section thirteen of the Criminal Appeal Act, 1907, where an appeal to the Court of Criminal Appeal against a conviction is allowed, the court may, if it thinks fit, direct the payment out of local funds in accordance with the provisions of the Costs in Criminal Cases Act, 1908, of such sums as appear to the court reasonably sufficient to compensate the appellant for any expenses properly incurred in the prosecution of his appeal (including any proceedings preliminary or incidental thereto) or in carrying on his defence.

(3) Where an appeal to the House of Lords brought under subsection (6) of section one of the Criminal Appeal Act, 1907, is determined in favour of the defendant, the House of Lords may, if they think fit, direct the payment out of local funds in accordance with the provisions of the Costs in Criminal Cases Act, 1908, of such sums as appear to them reasonably sufficient to compensate the defendant for any expenses properly incurred by him in the appeal to the House of Lords or in the prosecution of his appeal to the Court of Criminal Appeal or in carrying on his defence.

(4) In relation to a person tried before a court of assize or quarter sessions, references in this section to the carrying on of his defence shall be construed as references to the carrying on of his defence before that court, before the examining

PART I.  
—cont.

justices by whom he was committed for trial, and before any other court of assize or quarter sessions before which proceedings for the offence in respect of which he was committed were begun but not concluded.

(5) The amount of any costs directed to be paid to any person under subsection (1) or subsection (2) of this section shall be ascertained as soon as practicable by the proper officer of the court by which the direction is given; and where the direction is given by the Court of Criminal Appeal, the proper officer shall make out and deliver to the said person, or to any person who appears to the proper officer to be acting on behalf of that person, an order on the treasurer of the county or borough out of the funds of which the costs are payable under the Costs in Criminal Cases Act, 1908, for the payment of that amount.

(6) The amount of any costs directed to be paid under subsection (3) of this section shall be ascertained, and an order on the treasurer of the county or borough aforesaid may be made for the payment of any amount so ascertained, by such officer or officers, and in such manner, as may be prescribed by order of the House of Lords.

(7) This section shall be construed as one with the Costs in Criminal Cases Act, 1908, and references in any enactment to costs payable under the Costs in Criminal Cases Act, 1908, shall be construed as including references to costs payable by virtue of the provisions of this section.

## PART II.

ADMINISTRATIVE PROVISIONS AND PROVISIONS AS TO  
TREATMENT OF PRISONERS, ETC.*Arrangements for probation.*

Probation  
areas,  
probation  
committees  
and case  
committees,  
and probation  
officers.

45.—(1) The provisions of the Fifth Schedule to this Act shall have effect with respect to—

- (a) the constitution of probation areas, of probation committees for those areas and of case committees for petty sessional divisions;
- (b) the functions of probation committees and case committees; and
- (c) the appointment, functions, remuneration and conditions of service of probation officers.

(2) For the purposes of this section, and of the provisions of Part I of this Act relating to probation, each of the following

places shall be deemed to be a petty sessional division, that is to say—

PART II.  
—cont.

- (a) the City of London;
- (b) a division of the metropolitan police court area; and
- (c) any area, not being a petty sessional division, for which a stipendiary magistrate is appointed or other special court of summary jurisdiction is constituted, and which, by order of the Secretary of State, is declared to be a petty sessional division for the purposes aforesaid.

(3) An order made by the Secretary of State under paragraph (c) of the last foregoing subsection may provide that in its application to the area to which the order relates the Fifth Schedule to this Act shall have effect subject to such adaptations and modifications as may be specified in the order, and may contain such consequential and supplemental provisions as appear to the Secretary of State to be expedient.

46.—(1) The Secretary of State may approve premises for the reception of persons who may be required to reside therein by a probation order or a supervision order, and such premises shall be known—

Approved  
probation  
hostels and  
homes.

- (a) if the persons so residing are employed outside the premises, or are awaiting such employment, as “ approved probation hostels ”;
- (b) in any other case, as “ approved probation homes ”.

(2) The Secretary of State may make rules for the regulation, management and inspection of approved probation hostels and of approved probation homes; and such rules may in particular provide that no person shall be appointed to be in charge of an approved probation hostel or home unless the Secretary of State has consented to his appointment:

Provided that the rules shall not prohibit the making of such an appointment in case of emergency without the previous consent of the Secretary of State, but may in that case require notice of the appointment to be given immediately to the Secretary of State and enable him, if he thinks fit, to require the appointment to be terminated.

47.—(1) Any institution, not being an approved probation hostel or an approved probation home, in which a person is required by a probation order or a supervision order to reside otherwise than for the purpose of his submitting to treatment for his mental condition as a resident or voluntary patient shall, so long as he resides there, be subject to inspection by the Secretary of State unless it is, as a whole, otherwise subject to inspection by a Government department.

Inspection of  
institutions  
for residence  
of proba-  
tioners.

PART II.  
—cont.

(2) A person appointed by the Secretary of State to inspect any such institution as aforesaid shall have power to enter the institution and to make such investigation of the treatment of any persons residing there as he thinks fit; and any person who obstructs him in the exercise of the power aforesaid shall be liable on summary conviction to a fine not exceeding five pounds.

*Institutions for offenders.*

Remand  
centres,  
detention  
centres and  
Borstal  
institutions.

48.—(1) The Secretary of State may provide—

- (a) remand centres, that is to say places for the detention of persons not less than fourteen but under twenty-one years of age who are remanded or committed in custody for trial or sentence;
- (b) detention centres, that is to say places in which persons not less than fourteen but under twenty-one years of age who are ordered to be detained in such centres under this Act may be kept for short periods under discipline suitable to persons of their age and description; and
- (c) Borstal institutions, that is to say places in which offenders not less than sixteen but under twenty-one years of age may be detained and given such training and instruction as will conduce to their reformation and the prevention of crime.

(2) The Secretary of State may provide attendance centres, that is to say places at which offenders of not less than twelve but under twenty-one years of age may be required to attend, in pursuance of orders made under section nineteen of this Act, on such occasions and at such times as will avoid interference so far as is practicable with their school hours or working hours, and be given under supervision appropriate occupation or instruction; and for the purpose aforesaid the Secretary of State may make arrangements with any local authority or police authority for the use of premises of that authority.

(3) The Secretary of State shall provide in remand centres facilities for the observation of any person detained therein on whose physical or mental condition a medical report may be desirable for the assistance of the court in determining the most suitable method of dealing with his case.

(4) Where any person under seventeen years of age is committed to, or ordered to be detained in, a remand centre under this Act for the purpose of obtaining a medical report on his physical or mental condition, the council of the county or

county borough who would be responsible for his maintenance if he were detained in a remand home shall pay to the Secretary of State, in such manner as the Secretary of State may with the approval of the Treasury determine, such sums in respect of the maintenance of that person as the Secretary of State may with the like approval direct.

(5) The Prison Acts, 1865 to 1898, shall, subject to such adaptations and modifications as may be made by rules of the Secretary of State, apply to remand centres, detention centres and Borstal institutions, and to persons detained therein, as they apply to prisons and prisoners.

(6) The appropriation of a prison vested in the Prison Commissioners under the Prison Act, 1877, for use as a remand centre, detention centre or Borstal institution shall not be deemed, for the purposes of sections thirty-three and thirty-four of that Act, to be a discontinuance of the prison. 40 & 41 Vict. c. 21.

(7) Section six of the Prevention of Crime Act, 1871, and section eight of the Penal Servitude Act, 1891 (which relate to the registration, measurement and photographing of prisoners) shall have effect as if references therein to prisons and prisoners included references to remand centres, detention centres and Borstal institutions, and to persons detained therein. 34 & 35 Vict. c. 112.

49.—(1) As from such date as may be specified in an order made by statutory instrument by the Secretary of State, no premises shall be used as a remand home unless a certificate of approval has been issued by the Secretary of State. Remand homes.

(2) The Secretary of State may by rules made under this Act apply to remand homes, with such adaptations and modifications as he thinks fit, the provisions of section seventy-nine and subsection (3) of section one hundred and six of the Children and Young Persons Act, 1933 (which relate to the approval of schools for the purposes of that Act and the evidence of such approval).

(3) No person shall be appointed after the commencement of this Act to be in charge of a remand home established by a county council or a county borough council unless his appointment has been approved by the Secretary of State.

(4) Councils of counties and county boroughs may provide in remand homes provided for their areas facilities for the observation of any person detained therein on whose physical or mental condition a medical report may be desirable for the assistance of the court in determining the most suitable method of dealing with his case, or may, if

PART II.  
—*cont.*

facilities for observation are available at any other institution or place, arrange for the use of those facilities for the observation of any such person as aforesaid.

1 & 2 Geo. 6.  
c. 40.

(5) Subsections (2) and (3) of section six of the Children and Young Persons Act, 1938 (which provide for the removal to a place of safety of persons found while detained in a remand home to be in need of medical treatment, and for giving notice to the clerk of the court by which the order for detention was made) shall apply in relation to the removal of any person from a remand home to an institution or place where facilities are available in pursuance of arrangements made under the last foregoing subsection for the purpose of obtaining such a report as aforesaid as they apply in relation to any such removal as is mentioned in the said subsection (2).

(6) Any expenses incurred by the council of a county or county borough in giving effect to arrangements made under subsection (4) of this section, and any sums paid by such a council under subsection (4) of the last foregoing section, shall be treated for the purposes of any grant under section one hundred and four of the Children and Young Persons Act, 1933, as expenses of the council in respect of remand homes.

Acquisition of  
land for  
prisons and  
other  
institutions.

**50.**—(1) The Prison Commissioners may, with the consent of the Secretary of State, purchase by agreement, or may be authorised by the Secretary of State to purchase compulsorily, any land required for the alteration, enlargement or rebuilding of a prison or other institution to which the Prison Acts, 1865 to 1898, apply or for establishing a new prison or a new institution as aforesaid or for any other purpose connected with the management of any such prison or institution (including the provision of accommodation for officers or servants employed therein).

9 & 10 Geo. 6.  
c. 49.

(2) The Acquisition of Land (Authorisation Procedure) Act, 1946, shall apply to the compulsory purchase of land by the Prison Commissioners under this section, and for that purpose shall have effect as if the Prison Commissioners were a local authority, as if this Act had been in force immediately before the commencement of that Act and as if references in that Act to a Minister included references to the Secretary of State:

Provided that section two of the said Act (which confers temporary powers for speedy acquisition of land in urgent cases) shall not apply to any compulsory purchase of land under this section.

(3) In relation to the purchase of land by agreement under this section, the Lands Clauses Acts (except the provisions relating to the purchase of land otherwise than by agreement

and the provisions relating to access to the special Act, and except sections one hundred and twenty-seven to one hundred and thirty-two of the Lands Clauses Consolidation Act, 1845) shall be incorporated with this section, and in construing those Acts as so incorporated this section shall be deemed to be the special Act and references to the promoters of the undertaking shall be construed as references to the Prison Commissioners.

PART II.  
—cont.  
8 & 9 Vict.  
c. 18.

51. The office of the directors of convict prisons is hereby abolished; and the Prison Acts, 1865 to 1898, shall, subject to such adaptations and modifications as may be made by rules of the Secretary of State, apply to prisons which, at the commencement of this Act, are under the control of the Prison Commissioners by virtue of the said office in like manner as they apply to other prisons; and all property and rights vested in, and liabilities incurred by, the Prison Commissioners as holders of the said office shall be deemed to be vested in them or to have been incurred by them for the purposes of their functions generally.

Abolition of office of directors of convict prisons and application of Prison Acts to convict prisons.

#### *Rules for Management of Prisons, Etc.*

52.—(1) The Secretary of State may make rules for the regulation and management of prisons, remand centres, detention centres, attendance centres and Borstal institutions respectively, and for the classification, treatment, employment, discipline and control of persons required to be detained therein.

Rules for the management of prisons, remand centres, detention centres, attendance centres and Borstal institutions.

(2) Rules made under this section shall make provision for ensuring that a person who is charged with any offence under the rules shall be given a proper opportunity of presenting his case.

(3) Rules made under this section may provide for the training of particular classes of persons and their allocation for that purpose to any prison or other institution in which they may lawfully be detained.

(4) Rules made under this section shall provide for the special treatment of the following persons whilst required to be detained in a prison, that is to say—

- (a) any person serving a sentence of preventive detention;
- (b) any person serving a sentence on conviction of sedition, seditious conspiracy or seditious libel;
- (c) any appellant within the meaning of the Criminal Appeal Act, 1907, pending the determination of his appeal;

PART II.  
—cont.

- (d) any other person detained in a prison, not being a person serving a sentence or a person imprisoned in default of payment of a sum adjudged to be paid by him on his conviction.

Constitution  
and functions  
of visiting  
committees  
and boards  
of visitors.

53.—(1) Rules made under the last foregoing section shall provide for the constitution, for prisons to which persons may be committed directly by a court, of visiting committees consisting of justices of the peace appointed, at such times, in such manner and for such periods as may be prescribed by the rules, by such courts of quarter sessions for counties or benches of magistrates for boroughs as the Secretary of State may by order direct.

(2) The Secretary of State shall appoint for every prison other than a prison mentioned in subsection (1) of this section and for every remand centre, detention centre and Borstal institution a board of visitors of whom not less than two shall be justices of the peace.

(3) Rules made as aforesaid shall prescribe the functions of visiting committees and boards of visitors, and shall among other things require the members to pay frequent visits to the prison, remand centre, detention centre or Borstal institution, as the case may be, and hear any complaints which may be made by the persons detained therein and report to the Secretary of State any matter which they consider it expedient to report; and any member of a visiting committee or board of visitors may at any time enter the prison, remand centre, detention centre or Borstal institution, as the case may be, and shall have free access to every part thereof and to every person detained therein.

(4) Rules made as aforesaid may require the board of visitors appointed for any prison or Borstal institution to consider periodically the character, conduct and prospects of each of the persons sentenced to corrective training, preventive detention or Borstal training who is detained therein, and to report to the Prison Commissioners on the advisability of his release on licence or under supervision.

Corporal  
punishment  
in prisons.

54.—(1) Except as provided by this section, corporal punishment shall not be inflicted in any prison or institution for which rules may be made under section fifty-two of this Act.

(2) Rules made as aforesaid may authorise the infliction of corporal punishment for mutiny, incitement to mutiny, or gross personal violence to an officer of a prison when committed by a male person serving a sentence of imprisonment, corrective training or preventive detention.



(3) The rules shall not authorise the infliction of corporal punishment except by order of the visiting committee or board of visitors, as the case may be, made at a meeting at which not more than five nor less than three members, at least two being justices of the peace, are present; and no such order shall be made except after an inquiry in which the evidence is given on oath:

Provided that the Secretary of State may, if he thinks fit in any particular case, direct that the functions exercisable as aforesaid by the visiting committee or board of visitors shall be exercised by a metropolitan police magistrate or stipendiary magistrate appointed in that behalf.

(4) The punishment which may be inflicted under such an order as aforesaid shall not exceed—

(a) in the case of a person appearing to the visiting committee or board of visitors or magistrate to be not less than twenty-one years of age, eighteen strokes of a cat-o'-nine-tails or birch rod; or

(b) in the case of a person appearing to them or him to be under that age, twelve strokes of a birch rod;

and if corporal punishment is inflicted, no further punishment by way of confinement in cells or restricted diet shall be imposed.

(5) Where an order for the infliction of corporal punishment has been made under this section, a copy of the notes of the evidence given at the inquiry, a copy of the order and a statement of the grounds on which it was made shall forthwith be given to the Secretary of State; and the order shall be carried into effect only after confirmation by the Secretary of State, and, if the Secretary of State confirms the order with modifications, in accordance with the order as so modified.

(6) A refusal by the Secretary of State to confirm such an order as aforesaid shall not prejudice any power to impose another punishment for the offence for which the order was made.

(7) The Prison Commissioners shall include in their annual report particulars of every case in which an order for the infliction of corporal punishment has been made and of the grounds upon which the order was made.

55. For the purposes of sections thirty-seven to thirty-nine of the Prison Act, 1865 (which relate to the conveyance of prohibited articles into or out of prisons) a person shall be deemed to convey or introduce an article into a prison if he conveys it to a prisoner outside the prison, or deposits it at any place outside the prison with intent that it shall come into the possession of a prisoner.

Amendment of Prison Act, 1865, as to introduction of prohibited articles.  
28 & 29 Vict. c. 126.

PART II  
—cont.Remission for  
good conduct  
and release  
on licence of  
young  
prisoners.*Remission for good conduct and release on licence.*

56.—(1) Rules made under section fifty-two of this Act may make provision whereby, in such circumstances as may be prescribed by the rules, a person serving a sentence of imprisonment, or ordered to be detained in a detention centre, for such a term as may be so prescribed, may be granted remission of such part of that sentence or term as may be so prescribed on the ground of his industry and good conduct; and on the discharge of a person from a prison or detention centre in pursuance of any such remission as aforesaid his sentence, or as the case may be his term of detention, shall expire.

(2) If it appears to the Prison Commissioners that a person serving a sentence of imprisonment was under the age of twenty-one years at the commencement of his sentence, they may direct that instead of being granted remission of his sentence under the rules he shall, at any time on or after the day on which he could have been discharged if the remission had been granted, be released on licence under the provisions of the Sixth Schedule to this Act.

(3) For the purposes of this section, a person committed to prison in default of payment of a sum adjudged to be paid by a conviction shall be treated as undergoing a sentence of imprisonment for the term for which he is committed, and consecutive terms of imprisonment shall be treated as one term.

Release on  
licence of  
persons  
serving  
imprisonment  
for life.

57.—(1) The Secretary of State may at any time if he thinks fit release on licence a person serving a term of imprisonment for life subject to such conditions as may be specified in the licence; and the Secretary of State may at any time modify or cancel any such condition.

(2) The Secretary of State may at any time by order recall to prison a person released on licence under this section, but without prejudice to the power of the Secretary of State to release him on licence again; and where any person is so recalled his licence shall cease to have effect and he shall, if at large, be deemed to be unlawfully at large.

*Removal and transfer to and from prisons and other institutions.*Temporary  
detention  
of persons  
liable to  
detention in a  
Borstal  
institution.

58. A person who is required to be taken to a Borstal institution may, until arrangements can be made for taking him there, be temporarily detained elsewhere, and the period for which he is so detained shall count as part of the period for which he is liable to be detained in a Borstal institution under this Act.

59.—(1) If the Secretary of State is satisfied that a person serving a sentence of imprisonment is under twenty-one years of age and might with advantage be detained in a Borstal institution he may, after consultation where practicable with the judge or presiding chairman of the court which passes the sentence, authorise the Prison Commissioners to transfer him to a Borstal institution; and the provisions of the Second Schedule to this Act shall thereupon apply to him as if he had on the date of the transfer been sentenced to Borstal training:

PART II.

—cont.

Transfers  
from prison  
to Borstal  
institution  
and vice versa.

Provided that if on that date the unexpired term of his sentence is less than three years those provisions shall apply to him as if he had been sentenced to Borstal training three years before the expiration of that term.

(2) If a person detained in a Borstal institution is reported to the Secretary of State by the board of visitors to be incorrigible, or to be exercising a bad influence on the other inmates of the institution, the Secretary of State may commute the unexpired part of the term for which the said person is then liable to be detained in a Borstal institution to such term of imprisonment as the Secretary of State may determine, not exceeding the said unexpired part; and for the purpose of this Act the said person shall be treated as if he had been sentenced to imprisonment for that term.

60.—(1) Rules under section fifty-two of this Act may provide in what manner an appellant within the meaning of the Criminal Appeal Act, 1907, when in custody, is to be taken to, kept in custody at, and brought back from, any place at which he is entitled to be present for the purposes of that Act, or any place to which the Court of Criminal Appeal or any judge thereof may order him to be taken for the purpose of any proceedings of that court.

Removal of  
prisoners, etc.  
for judicial  
and other  
purposes.

(2) The Secretary of State may—

- (a) if he is satisfied that the attendance at any place in Great Britain of a person detained in England in a prison, remand centre, detention centre, Borstal institution or remand home is desirable in the interests of justice or for the purposes of any public inquiry, direct him to be taken to that place;
- (b) if he is satisfied that a person so detained requires medical or surgical treatment of any description, direct him to be taken to a hospital or other suitable place for the purpose of the treatment;

and where any person is directed under this subsection to be taken to any place he shall, unless the Secretary of State

PART II.  
—cont.

otherwise directs, be kept in custody while being so taken, while at that place, and while being taken back to the prison or other institution in which he is required in accordance with law to be detained.

Removal of  
prisoners, etc.  
to and from  
Scotland  
and from the  
Isle of Man or  
Channel  
Islands.

61.—(1) The Secretary of State may, on the application of a person serving a sentence of imprisonment, corrective training, preventive detention or Borstal training, order his removal to a prison or Borstal institution in Scotland; and any person so removed may be detained, released, recalled and otherwise dealt with as if he had been sentenced by a court in Scotland and as if his sentence were one which could be imposed by such a court:

Provided that—

- (a) a person serving a sentence of corrective training shall not be ordered to be so removed unless and until provision is made by the law of Scotland for the passing of sentences of corrective training; and
  - (b) where a person so removed was sentenced to Borstal training under this Act, he shall, unless and until provision has been made by the law of Scotland corresponding with the provisions of this Act relating to Borstal training, be treated as if he had been sentenced under the law in force in Scotland to detention in a Borstal institution for a term of three years.
- (2) Any person sentenced, under the law for the time being in force, by any court in the Isle of Man or the Channel Islands to penal servitude, imprisonment, corrective training, preventive detention, detention in a Borstal institution, Borstal training or detention in a detention centre may, if the Secretary of State so orders, be removed to a prison, Borstal institution or detention centre, as the case may be, in England.

(3) Any person ordered to be removed under the last foregoing subsection, and any person sentenced by a court in Scotland who, under any enactment extending to Scotland, is ordered to be removed to a prison or Borstal institution in England, may be detained, released, recalled and otherwise dealt with as if his sentence had been passed by a court in England and as if his sentence were one which could be imposed by such a court:

Provided that—

- (a) where a person so removed was undergoing or liable to undergo a term of penal servitude, he shall be treated as if that term were a term of imprisonment;
- (b) where a person so removed was sentenced to detention in a Borstal institution he shall be treated as if he had been sentenced to Borstal training under this Act.

(4) Any person removed under this section from the Isle of Man or the Channel Islands to a prison or Borstal institution in England may, on his release under the provisions of the Second or Third Schedule to this Act or under section fifty-six of this Act, as the case may be, be placed under supervision in the Isle of Man or the Channel Islands, as the case may be, and those provisions, (including the provisions of the Sixth Schedule to this Act) shall apply to him therein; and if any person so released is recalled under the provisions aforesaid, he may, if in the Isle of Man or the Channel Islands, be arrested without warrant and removed to England for the purpose of being taken to a prison or Borstal institution as the case may be.

(5) The provisions of Part I of the Seventh Schedule to this Act shall have effect in relation to persons for the time being in England who have been discharged from prisons and other institutions in Scotland (including persons who, before being so discharged, had been removed to such institutions under subsection (1) of this section); and the provisions of Part II of that Schedule shall have effect in relation to persons for the time being in Scotland who have been discharged from prisons and other institutions in England (including persons who, before being so discharged, had been removed to such institutions under any enactment extending to Scotland).

(6) For the purposes of this section, a person sentenced to death by a court in Scotland or in the Isle of Man or the Channel Islands who has been pardoned by His Majesty on condition that he serves a term of penal servitude or imprisonment shall be deemed to have been sentenced to penal servitude or imprisonment by that court.

*Treatment of persons of unsound mind and  
mental defectives.*

62.—(1) Asylums and places appointed under section one of the Criminal Lunatic Asylums Act, 1860, shall be called and are in this Act referred to as "Broadmoor institutions"; and accordingly for references to criminal lunatic asylums (by whatever name called) in any enactment there shall be substituted references to Broadmoor institutions.

Discontin-  
uance  
of terms  
"criminal  
lunatic" and  
"criminal  
lunatic  
asylum."  
23 & 24 Vict.  
c. 75.

(2) The expression "criminal lunatic" shall cease to be used; and there shall be substituted for it wherever it occurs in any enactment the expression "Broadmoor patient."

(3) All Broadmoor institutions shall be under the management of the Board of Control; and every such institution appointed before the commencement of this Act shall, by virtue of this Act and without further assurance, vest in the Minister of Health

PART II.  
—*cont.*  
9 & 10 Geo. 6.  
c. 81.

(4) For the purposes of paragraph (a) of subsection (1) of section sixty-seven of the National Health Service Act, 1946 (which provides for the grant of superannuation benefits to certain officers engaged in health services), officers employed in Broadmoor institutions shall be deemed to be engaged in health services.

(5) The Board of Control may, with the approval of the Minister of Health, by statutory instrument make rules for the care and treatment of patients detained in Broadmoor institutions; and any statutory instrument containing such rules shall be laid before Parliament after being made.

(6) Section one hundred and sixty-two of the Lunacy Act, 1890 (which requires the Board of Control to make reports on the patients and institutions visited by them), shall have effect as if the references to the patients and institutions therein mentioned included references to Broadmoor patients and Broadmoor institutions respectively.

Removal of  
Broadmoor  
patients, etc.

63.—(1) The Secretary of State may—

- (a) if he is satisfied that the attendance at any place in Great Britain of a Broadmoor patient is desirable in the interests of justice or for the purposes of any public inquiry, direct him to be taken to that place;
- (b) if he is satisfied that a Broadmoor patient requires medical or surgical treatment which cannot be provided in the mental hospital in which he is, direct him to be taken to a hospital or other suitable place for the purpose of the treatment;

and where any person is directed under this subsection to be taken to any place he shall, unless the Secretary of State otherwise directs, be kept in custody while being so taken, while at that place and while being taken back to the mental hospital in which he is required in accordance with law to be detained.

(2) The Secretary of State may, on the application of a Broadmoor patient or a relation of the patient, order the patient's removal from a mental hospital in England to a mental hospital in Scotland; and any patient so removed shall be liable to be dealt with as if he had been sentenced or ordered to be detained or otherwise committed to custody, as the case may be, by a court in Scotland.

(3) If, under any enactment extending to Scotland, a criminal lunatic is ordered to be removed from a mental hospital in Scotland to a mental hospital in England, he shall

be liable to be dealt with as if he had been sentenced or ordered to be detained or otherwise committed to custody, as the case may be, by a court in England.

PART II.  
—cont.

(4) References in this section to a mental hospital in Scotland shall be construed as including references to the Lunatic Department of Perth Prison.

64.—(1) Where any person has, under an order made by the Secretary of State under section nine of the Mental Deficiency Act, 1913, been transferred from a prison or other institution to which the Prison Acts, 1865 to 1898, apply or from an approved school or Broadmoor institution in which he is detained to an institution for defectives, he shall not, without the consent of the Secretary of State, be set at large from the institution for defectives during the period during which he would have been detained in a prison or other institution if he had not been so transferred.

Treatment of persons transferred from prisons etc. to institutions for mental defectives

(2) If during the period aforesaid the order under the said section nine expires, or the person to whom that order relates is ordered to be discharged from the institution for defectives, the Secretary of State shall, unless he gives his consent under the last foregoing subsection, remit that person to a prison or other institution in which he might have been detained if he had not been so transferred; and any person so remitted shall be liable to be dealt with as if he had not been transferred under the said section nine but had remained in the prison or institution from which he was so transferred.

(3) Subsection (1) of section sixteen of the Mental Deficiency Act, 1913, shall not apply to a person detained in an institution for defectives during the period aforesaid; but if at any time during that period it appears to two justices of the peace having jurisdiction in the petty sessional division or place where the institution for defectives is situated and to two duly qualified medical practitioners that any person so transferred to the institution is of unsound mind, they shall certify in writing to that effect and the Secretary of State may thereupon by warrant direct that he be removed to the mental hospital named in the warrant; and the Criminal Lunatics Act, 1884, shall apply to him as if he had been removed to the mental hospital from a prison.

47 & 48 Vict.  
c. 64.

#### Miscellaneous.

65.—(1) Any person who, having been sentenced to imprisonment, corrective training, preventive detention or Borstal training, or ordered to be detained in a detention centre, or having been committed to a prison or remand

Persons unlawfully at large.

PART II.  
—cont.

centre, is unlawfully at large, may be arrested by a constable without warrant and taken to the place in which he is required in accordance with law to be detained.

(2) Where any person sentenced to imprisonment, corrective training, preventive detention or Borstal training, or ordered to be detained in a remand home or detention centre, is unlawfully at large at any time during the period for which he is liable to be detained in pursuance of the sentence or order, then, unless the Secretary of State otherwise directs, no account shall be taken, in calculating the period for which he is liable to be so detained, of any time during which he is absent from the prison, Borstal institution or detention centre, as the case may be:

Provided that—

- (a) this subsection shall not apply to any period during which any such person as aforesaid is detained in pursuance of the sentence or order or in pursuance of any other sentence of any court in a prison or other institution to which the Prison Acts; 1865 to 1898, apply;
- (b) this subsection shall not apply to a person who is unlawfully at large from a Borstal institution by reason only that he has been recalled thereto under the Second Schedule to this Act; and
- (c) nothing in this subsection shall be construed as extending the period during which a person sentenced to Borstal training is liable to supervision under that Schedule.

(3) The provisions of the last foregoing subsection shall apply to a person who is detained in custody in default of payment of any sum of money as if he were sentenced to imprisonment.

Legal  
custody.

66. Any person required or authorised by or under this Act to be taken to any place or to be kept in custody shall, while being so taken or kept, be deemed to be in legal custody; and a constable, while taking or keeping any such person as aforesaid, shall have all the powers, authorities, protection and privileges of a constable as well beyond his constableness as within it.

Arrest on  
failure to  
surrender to  
bail before  
courts of  
summary  
jurisdiction.

67. Where any person charged with or convicted of an offence has been released upon entering into a recognizance conditioned for his appearance before a court of summary jurisdiction and in breach of that recognizance fails to appear, the court may, without prejudice to any power to enforce the recognizance, issue a warrant for his apprehension.



68. Notwithstanding anything in section six of the Vagrancy Act, 1824, a person found committing the offence of pretending or professing to tell fortunes, or using any subtle craft, means or device, by palmistry or otherwise, to deceive and impose on any of His Majesty's subjects, shall not be apprehended under that section except by a constable, and shall not be so apprehended by a constable unless the constable has reason to believe that that person will abscond unless arrested, or is not satisfied as to the identity or place of residence of that person.

PART II.  
—*cont.*  
Restriction of  
power to  
arrest without  
warrant under  
5 Geo. 4. c. 83.

69. Where His Majesty pardons any person who has been sentenced to death on condition that he serves a term of imprisonment, that person shall be deemed to have been sentenced by the court before which he was convicted to imprisonment for the said term.

Commutation  
of death  
sentence to  
sentence of  
imprisonment

70.—(1) Sections six to thirty of the Forfeiture Act, 1870 (which relate to the administration of the property of convicts) shall cease to have effect.

Amendments  
of Forfeiture  
Act, 1870.  
33 & 34 Vict.  
c. 23.

(2) Where any pension or superannuation allowance has been forfeited under section two of the Forfeiture Act, 1870, the authority by whom the pension or allowance was granted may restore the pension or allowance either in whole or in part:

Provided that no payment of pension or allowance in respect of any period before the commencement of this Act shall be made by virtue of this subsection.

71.—(1) For subsection (1) of section seventy-one of the Children and Young Persons Act, 1933, there shall be substituted the following subsection:—

Amendment of  
s. 71 of the  
Children and  
Young Persons  
Act, 1933.

“(1) Where a court orders a child to be sent to an approved school, the order shall be an authority for his detention in an approved school until the expiration of a period of three years from the date of the order or the expiration of four months after he ceases to be of compulsory school age whichever is the later.”

(2) In the said section seventy-one as amended by this section the expression “ compulsory school age ” has the meaning assigned to it by section thirty-five of the Education Act, 1944; and section eight of the Education Act, 1946 (which provides that a person who attains a particular age during a school term shall be deemed not to have attained that age until the end of the term) shall not apply.

(3) The provisions of the said section seventy-one shall apply as amended by this section to any approved school

PART II.  
—cont.

order made before the commencement of this Act if the period during which the person to whom it relates could be detained thereunder apart from the provisions of this section has not expired at the commencement of this Act.

(4) This section shall, in its application to Scotland, have effect subject to the following modifications:—

(a) for references to section seventy-one of the Children and Young Persons Act, 1933, and to subsection (1) of that section there shall be substituted references to section seventy-five of the Children and Young Persons (Scotland) Act, 1937, and to subsection (1) of that section; and

(b) for subsection (2) there shall be substituted the following subsection:—

“(2) In the said section seventy-five as amended by this section the expression ‘compulsory school age’ means school age as defined in section thirty-two of the Education (Scotland) Act, 1946:

Provided that—

(a) subsection (4) of that section (which extends the school age in the case of certain children requiring special educational treatment); and

(b) subsection (2) of section thirty-three of that Act (which provides that a child shall be deemed to attain any given age on the fixed date for commencing or for terminating attendance next following the day that he actually attains that age)

shall not apply”.

1 Edw. 8 &  
1 Geo. 6.  
c. 37.

9 & 10 Geo. 6.  
c. 72.

Powers of  
court in  
relation to  
absconders  
from approved  
schools, etc.

72.—(1) Where a person in whose case an approved school order has been made is brought before a court of summary jurisdiction under section eighty-two of the Children and Young Persons Act, 1933, or paragraph 8 of the Fourth Schedule to that Act (which relate respectively to absconders and persons guilty of serious misconduct), the court may, subject to the following provisions of this section—

(a) in any case, either make a new approved school order in his case, or order him to be taken back to the school and extend the period of his detention under the original order by such period not exceeding six months as the court may determine;

(b) if he has attained the age of sixteen years, sentence him to Borstal training.

PART II.

—cont

(2) An order under paragraph (a) of the last foregoing subsection extending the period of detention under an approved school order shall have effect notwithstanding any limitation imposed by the Children and Young Persons Act, 1933, upon the period for which a person may be detained in an approved school; and in relation to a new approved school order made under that paragraph, sections seventy-one, seventy-three and seventy-four of that Act (which relate to the period of detention under approved school orders and to supervision and recall) shall have effect as if for any reference therein to the age of nineteen years there were substituted a reference to the age of nineteen years and a half.

(3) Subject as hereinafter provided, His Majesty may by Order in Council prohibit courts of summary jurisdiction from making orders under paragraph (b) of subsection (1) of this section; and any such Order in Council may be limited to persons of one of the sexes, and, whether so limited or not, may be made so as to apply either to any persons ordered to be detained in approved schools or only to persons ordered to be so detained otherwise than for an offence:

Provided that no Order in Council shall be made under this subsection until the Secretary of State is satisfied that adequate methods, other than Borstal training, are available for dealing with the persons to whom the Order relates.

(4) A draft of any Order in Council under the last foregoing subsection shall be laid before Parliament, and the draft shall not be submitted to His Majesty in Council unless each House of Parliament presents an Address to His Majesty praying that the Order be made.

## PART III.

## SUPPLEMENTAL.

73.—(1) His Majesty may by Order in Council make provision for applying sections one and two of this Act to courts-martial under the Naval Discipline Act, and the said section one to courts-martial under the Army Act and the Air Force Act, and may by Order in Council make such adaptations and modifications of the said Acts as His Majesty considers necessary or expedient in consequence of the passing of those sections.

Application of  
ss. 1 and 2 to  
courts-martial.

(2) Any Order in Council made under this section may specify the date on which any such adaptations or modifications shall come into force in any place; and the statutory provisions regarding the construction and printing of amendments to the said Acts shall apply to any such adaptations and modifications as if they were amendments made by an Act.

2 U\*

PART III.  
—*cont.*  
Application to  
supervision  
orders of  
certain pro-  
visions relating  
to probation.

74.—(1) Subject to the provisions of this section, a supervision order (that is to say an order made under section sixty-two, section sixty-three, section sixty-four or section eighty-four of the Children and Young Persons Act, 1933, placing a child or young person under the supervision of a probation officer or of some other person appointed for the purpose by the court) may include any such requirement as to the residence of the person to whom the order relates, or as to treatment for his mental condition, as may, by virtue of subsection (4) of section three or by virtue of section four of this Act, be included in a probation order:

Provided that a supervision order containing any such provision shall not be made in the case of a young person unless he consents thereto, and any requirement as to the residence of any person included in such an order shall cease to have effect when that person attains the age of eighteen years.

(2) The court by which a supervision order is made shall forthwith give a copy of the order to the child or young person to whom the order relates, to the person under whose supervision the child or young person is placed by the order and to the person in charge of any institution in which the child or young person is required by the order to reside; and subject to the provisions of this section, subsection (7) of section three of this Act shall apply to a supervision order which requires a person to reside in any institution as it applies to a probation order containing such a requirement.

(3) Subsections (1) to (3) of section five of this Act, and the First Schedule to this Act, shall apply in relation to the discharge, amendment and review of supervision orders as they apply in relation to the discharge, amendment and review of probation orders:

Provided that a supervision order may be amended under the said First Schedule on application made by any person.

(4) For the purposes of their application to supervision orders under this section, the provisions of this Act specified in subsections (1) to (3) of this section shall have effect subject to the following modifications, that is to say:—

- (a) for references to a probation order there shall be substituted references to a supervision order;
- (b) for references to the probation period there shall be substituted references to the period of supervision specified in the supervision order;
- (c) for references to the probationer or the offender there shall be substituted references to the person in whose case the supervision order is or is to be made;

PART III.  
—cont.

- (d) references to the probation officer shall include references to a person not being a probation officer under whose supervision the child or young person to whom the supervision order relates is placed by virtue of the order;
- (e) for references to the supervising court there shall be substituted references to the court by which the supervision order was made, or any other court authorised under subsection (3) of section four of the Children and Young Persons Act, 1938, to exercise the powers of that court; I & 2 Geo. 6.  
c. 40.
- (f) paragraph 2 of the said First Schedule shall not apply, and paragraph 5 of that Schedule shall not apply except where the amending order requires the person to whom the supervision order relates to reside in an institution or to submit to treatment for his mental condition.

75.—(1) Where the court before which a young person is brought is of opinion that an inquiry ought to be made into his physical or mental condition before it decides whether any and if so what order ought to be made under sections sixty-two to sixty-six of the Children and Young Persons Act, 1933, then, if the court has been notified by the Secretary of State that a remand centre is available for the reception from that court of persons of his class or description, and is satisfied that facilities for such an inquiry cannot conveniently be provided in a place of safety in which he could otherwise be ordered to be detained under subsection (2) of section sixty-seven of that Act, the court may order him to be detained in a remand centre; and the reference in the said subsection (2) to a place of safety shall be construed accordingly. Power to order  
detention in a  
remand centre  
under s. 67 of  
the Children  
and Young  
Persons Act,  
1933.

(2) If a court which proposes to make an interim order under subsection (2) of the said section sixty-seven in the case of a young person is of opinion that he is of so unruly a character that he cannot safely be detained in a remand home or of so depraved a character that he is not fit to be so detained, and the court has been notified by the Secretary of State that a remand centre is available for the reception from that court of persons of his class or description, a remand centre shall be included among the places of safety in which his detention or continued detention may be ordered under that subsection.

(3) Where a young person detained in a remand home in pursuance of an interim order made under subsection (2) of the said section sixty-seven proves to be of so unruly a character that he cannot safely be detained in a remand home, or of so depraved a character that he is not fit to be so

PART III.  
—cont

detained, the court which made the order, or if application cannot conveniently be made to that court, a court of summary jurisdiction having jurisdiction in the place where the court which made the order sat, may, if it has been notified by the Secretary of State that a remand centre is available for the reception from that court of persons of his class or description, revoke the order and order him to be detained in a remand centre.

Rules and  
orders.

76.—(1) Any power of the Secretary of State to make rules under this Act shall be exercised by statutory instrument.

(2) A draft of any statutory instrument containing rules made under section fifty-two of this Act shall be laid before Parliament.

(3) Any power to make Orders in Council under this Act, and any power of the Secretary of State to make orders under this Act, shall include power to revoke or vary any such Order in Council or order by a subsequent Order in Council or order.

Expenses and  
grants  
payable out  
of moneys  
provided by  
Parliament.

77.—(1) Any expenses of the Secretary of State under this Act and any expenses of the Prison Commissioners thereunder, and any expenses incurred by the Secretary of State—

(a) in the training of probation officers or of officers or servants serving in approved probation hostels or homes or in remand homes or approved schools, or of persons for appointment as probation officers, or as such officers or servants as aforesaid; or

(b) in the conduct of research into the causes of delinquency and the treatment of offenders, and matters connected therewith,

shall, to such amount as may be sanctioned by the Treasury, be defrayed out of moneys provided by Parliament.

(2) Any expenses incurred by the Minister of Health or by the Board of Control in connection with Broadmoor institutions or the management thereof, to such amount as may be sanctioned by the Treasury, and any sums by which grants payable in pursuance of regulations made under subsection (1) of section sixty-seven of the National Health Service Act, 1946, are increased by reason of any provision of this Act, shall be defrayed out of moneys provided by Parliament.

(3) There shall be paid out of moneys provided by Parliament—

(a) towards the expenditure of local authorities, and the expenditure out of the metropolitan police fund, under the Fifth Schedule to this Act;

- (b) towards the expenditure of any society or person in enlarging, improving or carrying on approved probation hostels or homes or establishing, enlarging or improving premises which, when established, enlarged or improved, will be approved probation hostels or homes;
- (c) towards the expenditure of any body approved by the Secretary of State in the training of probation officers or of persons for appointment as probation officers;
- (d) towards the expenditure of any body approved by the Secretary of State in the training of officers or servants serving in any place in which offenders or persons awaiting trial may be detained or serving in approved probation hostels or homes or the training of persons for appointment as such officers or servants;
- (e) towards the expenditure of any society engaged in supervising or assisting persons released from a prison, Borstal institution or detention centre;
- (f) towards the expenditure of any body or person approved by the Secretary of State in the conduct of research into the causes of delinquency and the treatment of offenders, and matters connected therewith,

such sums as the Secretary of State may with the approval of the Treasury direct, and subject to such conditions as he may with the like approval determine:

Provided that the sums paid as aforesaid towards any such expenditure as is mentioned in paragraph (a) of this subsection shall not exceed fifty per cent. of that expenditure.

(4) The Secretary of State may, with the consent of the Treasury, make regulations providing for the deduction from any sums which would otherwise be paid out of moneys provided by Parliament to local authorities, whether under the last foregoing subsection or under the Children and Young Persons Acts, 1933 and 1938, of such amounts as may be prescribed by the regulations in respect of expenditure incurred by the Secretary of State—

- (a) in the training of any such officers, servants or other persons as are mentioned in subsection (1) of this section;
- (b) in making any payments under paragraph (b) or paragraph (c) of the last foregoing subsection;
- (c) in making payments under paragraph (d) of that subsection in respect of expenditure incurred in the training of officers or servants serving in remand

PART III.  
—cont.

homes or in approved probation hostels or homes or in approved schools, or the training of persons for appointment as such officers or servants:

Provided that the sums to be deducted in respect of any expenditure of the Secretary of State in pursuance of any such regulations as aforesaid shall not exceed fifty per cent. of that expenditure.

(5) The conditions subject to which any sums are paid to any society or person under paragraph (b) of subsection (3) of this section may include conditions for securing the repayment in whole or in part of the sums received by the society or person if the probation hostel or home in respect of which those sums are paid ceases to be approved; and, notwithstanding anything in the constitution of the hostel or home or of the managers thereof, or in the trusts, if any, to which the property of the hostel or home or of the managers is subject, the managers and any persons who are trustees of any of the said property may accept those sums on those conditions, and execute any instrument required for carrying into effect those conditions, and shall be bound by those conditions and by any instrument so executed and have power to fulfil the conditions and the obligations created by the instrument.

(6) There shall be paid out of moneys provided by Parliament any sums by which any grants under section one hundred and four of the Children and Young Persons Act, 1933, towards the expenses of councils of counties and county boroughs are increased by reason of any provisions of this Act.

(7) All sums received by the Secretary of State under this Act (including any sums so received under arrangements made with respect to the cost of removing and maintaining persons removed from the Isle of Man or the Channel Islands to institutions in England under section sixty-one of this Act) shall be paid into the Exchequer.

Transitory  
provisions.  
52 & 53 Vict.  
c. 68.

78. Without prejudice to the provisions of the Interpretation Act, 1889, with respect to repeals, the transitory provisions set out in the Eighth Schedule to this Act shall have effect for the purposes of the transition to the provisions of this Act from the law in force before the commencement of this Act.

Consequential  
and minor  
amendments.

79. The enactments mentioned in the first column of the Ninth Schedule to this Act shall have effect subject to the amendments specified in the second column of that Schedule (being amendments consequential upon the foregoing provisions of this Act or relating to matters of minor detail).



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

PART III  
—cont.  
Interpretation.

- “ Approved probation hostel ” and “ Approved probation home ” have the meaning assigned to them by section forty-six of this Act;
- “ Approved school ” means a school approved under section seventy-nine of the Children and Young Persons Act, 1933;
- “ Court ” does not include a court-martial;
- “ Court of summary jurisdiction ” includes examining justices within the meaning of the Criminal Justice Act, 1925;
- “ Detention centre ” has the meaning assigned to it by section forty-eight of this Act;
- “ Enactment ” includes an enactment contained in a local Act and any order, regulation or other instrument having effect by virtue of an Act;
- “ England ” includes Wales;
- “ Impose imprisonment ” means pass a sentence of imprisonment or commit to prison in default of payment of any sum of money or for failing to do or abstain from doing anything required to be done or left undone;
- “ Local authority ” means, in relation to any probation area, any authority out of whose funds the salary of the clerk to the justices for a petty sessional division or place contained in the probation area is paid;
- “ Mental hospital ” includes a Broadmoor institution;
- “ Metropolitan police court area ” means the area consisting of the police court divisions for the time being constituted under the Metropolitan Police Courts Acts, 1839 and 1840;
- “ Offence the sentence for which is fixed by law ” means an offence for which the court is required to sentence the offender to death or imprisonment for life or to detention during His Majesty’s pleasure;
- “ Order for conditional discharge ” has the meaning assigned to it by section seven of this Act;
- “ Period of conditional discharge ” has the meaning assigned to it by section seven of this Act;
- “ Probationer ” means a person for the time being under supervision by virtue of a probation order;
- “ Probation order ” has the meaning assigned to it by section three of this Act;

PART III.  
—cont.

- “ Probation period ” means the period for which a probationer is placed under supervision by a probation order;
- “ Remand centre ” has the meaning assigned to it by section forty-eight of this Act;
- “ Remand home ” means premises established or used by the council of a county or county borough under the provisions of section seventy-seven of the Children and Young Persons Act, 1933;
- “ Sentence ” includes an order for detention in a detention centre, an order for custody in a remand home under section fifty-four of the Children and Young Persons Act, 1933, and an order sending an offender to an approved school, but does not include a committal in default of payment of any sum of money or failing to do or abstain from doing anything required to be done or left undone;
- “ Sum adjudged to be paid by a conviction ” includes any costs, damages or compensation adjudged to be paid by the conviction of which the amount is ascertained by the conviction;
- “ Supervising court ” means, in relation to a probation order, a court of summary jurisdiction acting for the petty sessional division or place for the time being named in the order; and where the probationer was a child or young person within the meaning of the Children and Young Persons Act, 1933, when the probation order was made, means a juvenile court for that division or place;
- “ Supervision order ” has the meaning ascribed to it by section seventy-four of this Act.

(2) Any reference in this Act to a previous sentence of imprisonment shall be construed as including a reference to a previous sentence of penal servitude; any such reference to a previous sentence of Borstal training shall be construed as including a reference to a previous sentence of detention in a Borstal institution; and any such reference to a previous conviction or sentence shall be construed as a reference to a previous conviction by a court in any part of Great Britain and to a previous sentence passed by any such court.

(3) Where the age of any person at any time is material for the purposes of any provision of this Act, or of any Order in Council made thereunder, regulating the powers of a court, his age at the material time shall be deemed to be or to have

been that which appears to the court after considering any available evidence to be or to have been his age at that time.

(4) References in this Act to an offence punishable with imprisonment shall be construed, in relation to any offender, without regard to any prohibition or restriction imposed by or under this Act upon the imprisonment of offenders of his age, but shall not be construed as including an offence for which the court is required to impose a sentence of imprisonment for life.

(5) For the purposes of this Act, except subsection (6) of section three thereof, where a probation order or an order for conditional discharge has been made on appeal, the order shall be deemed to have been made by the court from which the appeal was brought.

(6) Where any provision of this Act empowers a court on conviction of an offender to pass a sentence or make an order in lieu of dealing with him in any other manner, the said provision shall not be construed as taking away any power of the court to order the offender to pay costs, damages or compensation.

(7) References in this Act to any enactment shall, unless the context otherwise requires, be construed as references to that enactment as amended by any subsequent enactment including this Act.

81. The following provisions of this Act shall extend to Scotland that is to say— Application to Scotland.

section two;

subsection (3) of section eight;

sections nine and ten;

subsection (5) of section eleven;

section twelve;

section thirty;

subsection (2) of section sixty;

section sixty-one (except subsections (2) and (4) of that section);

section sixty-three;

subsection (1) of section sixty-five, so far as relates to any person unlawfully at large who is in Scotland;

section sixty-six;

section seventy-one;

section seventy-three;

PART III.  
—*cont.*

Part II of the Seventh Schedule, and all other provisions which, by the said Part II, are extended to Scotland; and

Parts II and III of the Tenth Schedule, and subsection (3) of section eighty-three so far as it relates to the enactments specified in the said Parts II and III;

but except as far as aforesaid this Act shall not extend to Scotland.

Application  
to Northern  
Ireland.

82. The following provisions of this Act shall extend to Northern Ireland, that is to say—

section thirty;

section seventy-three;

Part III of the Tenth Schedule, and subsection (3) of section eighty-three so far as it relates to the enactments specified in the said Part III;

but except as aforesaid this Act shall not extend to Northern Ireland.

Short title,  
commence-  
ment and  
repeals.

83.—(1) This Act may be cited as the Criminal Justice Act, 1948.

(2) This Act shall come into operation on such day as His Majesty may by Order in Council appoint:

Provided that different days may be appointed for the purposes of different provisions of this Act, and any reference in any provision of this Act to the commencement of this Act shall, unless otherwise provided by any such Order, be construed as a reference to the commencement of that provision.

(3) The enactments specified in Parts I to III of the Tenth Schedule to this Act are hereby repealed to the extent specified in the third column of that schedule but without prejudice to the provisions of subsection (5) of section sixty-one, and of section seventy-eight of this Act; and Regulations 13, 15A and 17A of the Defence (Administration of Justice) Regulations, 1940, shall cease to have effect.

## SCHEDULES.

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### FIRST SCHEDULE.

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Section 5.

#### DISCHARGE AND AMENDMENT OF PROBATION ORDERS.

##### *Discharge.*

1. The court by which a probation order was made may, upon application made by the probation officer or by the probationer, discharge the order.

##### *Amendment.*

2.—(1) If the supervising court is satisfied that a probationer proposes to change, or has changed his residence from the petty sessional division named in the probation order to another petty sessional division, the court may, and if application in that behalf is made by the probation officer, shall, by order amend the probation order by substituting for the petty sessional division named therein the petty sessional division where the probationer proposes to reside or is residing:

Provided that if the probation order contains requirements which, in the opinion of the court, cannot be complied with unless the probationer continues to reside in the division named in the order, the court shall not amend the order as aforesaid unless, in accordance with the following provisions of this Schedule, they cancel those requirements or substitute therefor other requirements which can be so complied with.

(2) Where a probation order is amended under this paragraph, the supervising court shall send to the clerk to the justices for the new division named in the order a copy of the order, together with such documents and information relating to the case as it considers likely to be of assistance to that court.

3. Without prejudice to the provisions of the last foregoing paragraph, the supervising court may, upon application made by the probation officer or by the probationer, by order amend a probation order by cancelling any of the requirements thereof or by inserting therein (either in addition to or in substitution for any such requirement) any requirement which could be included in the order if it were then being made by that court in accordance with the provisions of sections three and four of this Act:

Provided that—

(a) the court shall not amend a probation order by reducing the probation period, or by extending that period beyond the end of three years from the date of the original order;

1ST SCH.  
—cont.

- (b) the court shall not so amend a probation order that the probationer is thereby required to reside in an approved probation hostel or home, or in any other institution, or to submit to treatment for his mental condition, for any period exceeding twelve months in all;
- (c) the court shall not amend a probation order by inserting therein a requirement that the probationer shall submit to treatment for his mental condition unless the amending order is made within three months after the date of the original order.

4. Where the medical practitioner by whom or under whose direction a probationer is being treated for his mental condition in pursuance of any requirement of the probation order is of opinion—

- (a) that the treatment of the probationer should be continued beyond the period specified in that behalf in the order, or
- (b) that the probationer needs different treatment, being treatment of a kind to which he could be required to submit in pursuance of a probation order, or
- (c) that the probationer is not susceptible to treatment, or
- (d) that the probationer does not require further treatment,

or where the practitioner is for any reason unwilling to continue to treat or direct the treatment of the probationer, he shall make a report in writing to that effect to the probation officer and the probation officer shall apply to the supervising court for the variation or cancellation of the requirement.

#### *General.*

5. Where the supervising court proposes to amend a probation order under this Schedule, otherwise than on the application of the probationer, it shall summon him to appear before the court; and if the probationer is not less than fourteen years of age, the court shall not amend a probation order unless the probationer expresses his willingness to comply with the requirements of the order as amended:

Provided that this paragraph shall not apply to an order cancelling a requirement of the probation order or reducing the period of any requirement, or substituting a new petty sessional division for the division named in the probation order.

6. On the making of an order discharging or amending a probation order, the clerk to the court shall forthwith give copies of the discharging or amending order to the probation officer; and the probation officer shall give a copy to the probationer and to the person in charge of any institution in which the probationer is or was required by the order to reside:

Provided that if the order amends the probation order by substituting a new petty sessional division for the division named in the probation order the copies of the order shall be sent to the clerk to the justices for the new petty sessional division and he shall be responsible for giving copies of the order to the probation officer.

7. Subsection (7) of section three of this Act shall apply to any order made under this Schedule by virtue of which a probationer is required to reside in an institution as it applies to a probation order made under that section.

1ST SCH.  
—cont.

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## SECOND SCHEDULE.

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Section 20.

### BORSTAL TRAINING.

1. A person sentenced to Borstal training shall be detained in a Borstal institution for such period, not extending beyond three years after the date of his sentence, as the Prison Commissioners may determine, and shall then be released:

Provided that the Prison Commissioners shall not release any such person from a Borstal institution before the expiration of nine months from the date of his sentence unless required to do so by directions of the Secretary of State under this Schedule.

2. A person shall, after his release from a Borstal institution and until the expiration of four years from the date of his sentence, be under the supervision of such society or person as may be specified in a notice to be given to him by the Prison Commissioners on his release, and shall, while under that supervision, comply with such requirements as may be so specified:

Provided that the Prison Commissioners may at any time modify or cancel any of the said requirements or order that a person who is under supervision as aforesaid shall cease to be under supervision.

3. If before the expiration of four years from the date of his sentence the Prison Commissioners are satisfied that a person who is under supervision after his release from a Borstal institution under paragraph 1 of this Schedule has failed to comply with any requirement for the time being specified in the notice given to him under paragraph 2 of this Schedule, they may by order recall him to a Borstal institution; and thereupon he shall be liable to be detained in the Borstal institution until the expiration of three years from the date of his sentence, or the expiration of six months from the date of his being taken into custody under the order, whichever is the later, and, if at large, shall be deemed to be unlawfully at large:

Provided that—

- (a) any such order shall, at the expiration of four years from the date of the sentence, cease to have effect unless the person to whom it relates is then in custody thereunder; and
- (b) the Prison Commissioners may at any time release a person who is detained in a Borstal institution under this paragraph; and the foregoing provisions of this Schedule shall apply in the case of a person so released as they apply in the case of a person released under paragraph 1 of this Schedule.

2ND SCH.  
—cont.

4. If any person while under supervision, or after his recall to a Borstal institution, as aforesaid, is sentenced by a court in any part of Great Britain to corrective training or Borstal training or to penal servitude or detention in a Borstal institution, his original sentence of Borstal training shall cease to have effect; and if any such person is so sentenced to imprisonment, any period for which he is imprisoned under that sentence shall count as part of the period for which he is liable to detention in a Borstal institution under his original sentence.

5. The Prison Commissioners in exercising their functions under this Schedule shall act in accordance with any general or special directions of the Secretary of State, and shall consider any report made to them by a board of visitors on the advisability of releasing a person from a Borstal institution.

Section 21.

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### THIRD SCHEDULE.

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#### RELEASE ON LICENCE OF PERSONS SENTENCED TO CORRECTIVE TRAINING OR PREVENTIVE DETENTION.

1. The Prison Commissioners may release on licence a person sentenced to corrective training or preventive detention after he has served such portion of his sentence as may be determined in accordance with rules made under section fifty-two of this Act:

Provided that the Secretary of State may require the Prison Commissioners to release a person so sentenced at any time.

2. A person shall, after his release on licence under paragraph 1 of this Schedule and until the expiration of his sentence, comply with such requirements as may be specified in the licence, including, if the Commissioners think it expedient, a requirement that he shall be under the supervision of such society or person as may be so specified:

Provided that the Prison Commissioners may at any time modify or cancel any of the said requirements.

3. If before the expiration of his sentence the Prison Commissioners are satisfied that a person released on licence under paragraph 1 of this Schedule has failed to comply with any requirement for the time being specified in the licence, they may by order recall him to a prison; and thereupon he shall be liable to be detained in the prison until the expiration of his sentence, and, if at large, shall be deemed to be unlawfully at large.

4. The Prison Commissioners may release on licence a person detained in a prison under the last foregoing paragraph at any time before the expiration of his sentence; and the foregoing provisions of this Schedule shall apply in the case of a person released under this paragraph as they apply in the case of a person released under paragraph 1 of this Schedule.



5. If any person while released on licence, or after he is recalled to a prison, as aforesaid, is sentenced by a court in any part of Great Britain to corrective training or preventive detention, the sentence by virtue of which he is on licence or has been recalled shall cease to have effect; and if any such person is so sentenced to imprisonment or penal servitude, any period for which he is imprisoned under that sentence shall count as part of the period for which he is liable to detention under the original sentence.

3RD SCH.  
—cont.

6. The Prison Commissioners in exercising their functions under this Schedule shall act in accordance with any general or special directions of the Secretary of State.

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#### FOURTH SCHEDULE.

Section 22.

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##### REGISTRATION OF ADDRESS AND REPORTING AT POLICE STATIONS BY DISCHARGED PRISONERS.

1.—(1) Any person to whom this Schedule applies shall—

- (a) register at an appointed police station in any police area in which he is from time to time residing the address of his residence ;
- (b) report once in each month, on such day as may be directed by or on behalf of the chief officer of police, at the police station at which his address for the time being is registered.

(2) Where any person to whom this Schedule applies changes his residence, he shall on registering his new address under this paragraph, state the address which was last registered by him thereunder.

(3) Any such registration and report as aforesaid shall be effected in person before the officer in charge of the police station :

Provided that any such report may, if permission in that behalf is granted by or on behalf of the chief officer of police, be made in writing.

2.—(1) If any person fails without reasonable excuse to comply with any of the requirements of the foregoing paragraph, he shall be guilty of an offence and liable on summary conviction thereof to imprisonment for a term not exceeding six months :

Provided that—

(a) in proceedings for a failure to register an address it shall be a defence for the defendant to prove either that—

- (i) being on a journey to a particular destination he remained no longer in the place in which he failed to register his address than was reasonably necessary for the purposes of that journey ; or

4TH SCH.  
—cont.

(ii) his absence from his registered address was temporary and that he kept the officer in charge of the police station at which that address was registered sufficiently informed of his whereabouts; and

(b) in proceedings for a failure to report it shall be a defence for the defendant to prove that, being temporarily absent from his registered address on the day on which he was directed to report, he personally presented himself and reported on that day at a police station within the police area in which he then was and stated his registered address.

(2) A person to whom this Schedule applies who is reasonably suspected of having committed an offence under this paragraph may be arrested without warrant by any constable.

(3) A person charged with an offence under this paragraph may be tried in the place in which he was arrested or in the place in which the offence is alleged to have been committed or, if the offence consists of a failure to report in writing to a police station, in the place in which the police station is situated.

3.—(1) Any appointment, direction or permission purporting to be signed by or on behalf of a chief officer of police and to have been made or given for the purposes of this Schedule shall, in proceedings under the last foregoing paragraph of this Schedule, be evidence that the appointment, direction or permission thereby made or given was duly made or given by or on behalf of the chief officer of police.

(2) A certificate purporting to be signed by an officer in charge of a police station and certifying that it appears from the records kept at that police station that a person has failed to register an address or make a report or has registered a particular address at that police station shall, in any such proceedings as aforesaid, be evidence of the facts so certified.

(3) A certificate purporting to be signed by or on behalf of the Commissioner of Police of the Metropolis and certifying that he has received a notice given pursuant to paragraph (b) of subsection (2) of section twenty-two of this Act to the effect that a person has failed to comply with any requirement under that subsection shall, in any such proceedings as aforesaid, be evidence of the notice having been duly given and of the contents of the notice.

4.—(1) For the purposes of this Schedule, a person shall be deemed to reside at any house or other place of whatever description at which he spends a night.

(2) In this Schedule the following expressions have the meaning hereby respectively assigned to them, that is to say:—

“Appointed police station” means a police station appointed for the purposes of this Schedule by the chief officer of police of the police area in which the police station is situated;

“Chief officer of police” and “police area” have the same meaning respectively as in section thirty of the Police Pensions Act, 1921;

“Registered address”, in relation to any person, means the address which is for the time being the address last registered by him in accordance with this Schedule.

4TH SCH.  
—cont.

5. It shall be the duty of a chief officer of police to appoint a sufficient number of police stations in his area for the purposes of this Schedule.

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## FIFTH SCHEDULE.

Section 45.

### ADMINISTRATIVE PROVISIONS AS TO PROBATION.

#### *Probation Areas.*

1.—(1) If the Secretary of State is of opinion, either upon consideration of proposals submitted to him by a court of quarter sessions for a county or without any such proposals, that it is expedient that any two or more petty sessional divisions should form one probation area, he may by statutory instrument make an order to that effect; and the order may contain such incidental and consequential provisions as appear to the Secretary of State to be expedient for the purposes of the order.

(2) Before making an order under the last foregoing sub-paragraph, the Secretary of State shall give to the justices acting for any petty sessional division affected by the order an opportunity of making to him any representations which they may desire to make with respect to the order, and shall consider any representations made by them.

(3) Every petty sessional division which is not included in a probation area by virtue of an order made under the foregoing provisions of this paragraph shall itself constitute a probation area.

#### *Probation Committees, Case Committees and Probation Officers.*

2.—(1) For every probation area there shall be a probation committee which shall, subject to the provisions of sub-paragraph (3) of this paragraph, consist—

(a) if the probation area comprises more than one petty sessional division, of such number of justices as may be specified by the order, appointed in the manner so specified by the justices acting for the several petty sessional divisions comprised in the area and, if the order so provides, of such additional justices holding any of the offices of chairman, deputy chairman, assistant chairman or recorder of a court of quarter sessions having jurisdiction in the area, as may be appointed by the order;

(b) if the probation area is one petty sessional division, of a prescribed number of justices appointed in the prescribed manner by the justices acting for that division.

(2) For every petty sessional division there shall be one or more committees, to be called “case committees,” and every such committee

5TH SCH.  
—cont.

shall, subject to the provisions of the next following sub-paragraph, consist—

- (a) if the division is a separate probation area, of the probation committee ;
- (b) in any other case, of a prescribed number of justices appointed by the justices acting for that division.

(3) Any case committee for a petty sessional division not being a separate probation area, or any probation committee, may co-opt such number of persons, possessing such qualifications as may be prescribed, as they think fit :

Provided that the number of members so co-opted shall not exceed one-third of the number of members of the committee, and no person shall be so co-opted if he is a justice of the peace for any county or borough in which the probation area or any part thereof is situated, or which is wholly or partly comprised in that area.

3.—(1) It shall be the duty of every probation committee—

- (a) to appoint sufficient probation officers for their probation area, subject, in the case of such classes or descriptions of probation officers as may be prescribed, to the approval of the appointment by the Secretary of State, and to ensure that at least one probation officer who is a man and one probation officer who is a woman shall be appointed for or assigned by the committee to each petty sessional division ;
  - (b) to pay to the probation officers appointed for their area such remuneration, allowances and expenses as may be prescribed ;
  - (c) to provide for the efficient carrying out of the work of probation officers ;
  - (d) to make such payments and to such persons as may be prescribed in respect of persons under the supervision of probation officers, being persons required by a probation order or supervision order to reside in any place otherwise than for the purpose of their submitting to treatment for their mental condition as voluntary or resident patients ; and
  - (e) to perform such other duties in connection with the work of probation officers as may be prescribed.
- (2) A probation committee may, in such cases and in such manner as may be prescribed, give financial and other assistance to persons under the supervision of probation officers appointed for their area.
- (3) A probation committee shall pay any expenses incurred in accordance with rules made by the Secretary of State under this Schedule by a case committee for a petty sessional division in their probation area.
- (4) A probation committee may delegate such of their functions as may be approved by the Secretary of State to a sub-committee consisting of such number of members of the committee as may be so approved.

(5) It shall be the duty of probation officers to supervise the probationers and other persons placed under their supervision and to advise, assist and befriend them, to inquire, in accordance with any

directions of the court, into the circumstances or home surroundings of any person with a view to assisting the court in determining the most suitable method of dealing with his case, to advise, assist and befriend, in such cases and in such manner as may be prescribed, persons who have been released from custody and to perform such other duties as may be prescribed or may be imposed by any enactment.

5TH SCH.  
—cont.

(6) It shall be the duty of case committees to review the work of probation officers in individual cases, and to perform such other duties in connection with the work of probation officers as may be prescribed.

(7) Rules made under this Schedule relating to the procedure of case committees may provide that some only of the members of a case committee shall be summoned to deal with any particular case or class of cases.

#### *Selection of Probation Officers.*

4—(1) The probation officer who is to be responsible for the supervision of any probationer shall be selected under arrangements made by the probation committee for the probation area which includes the petty sessional division for the time being named in the order from among the probation officers appointed for or assigned to that petty sessional division; and, if the probation officer so selected dies or is unable for any reason to carry out his duties, or if the case committee dealing with the case think it desirable that another officer should take his place, another probation officer shall be selected in like manner from among the probation officers appointed for or assigned to that division.

(2) The probation officer under whose supervision a woman or girl is placed shall be a woman.

#### *Expenses.*

5—(1) The sums required to meet any expenses incurred by a probation committee under the provisions of this Schedule, and expenses incurred by a probation committee in respect of superannuation allowances, gratuities or compensation payable by virtue of an order under the Probation Officers (Superannuation) Act, 1947, to or in respect of probation officers and clerks appointed by probation committees or probation officers to assist probation officers in the performance of their duties, and any other expenses incurred by a probation committee in accordance with rules made under this Schedule, shall be defrayed, in accordance with rules so made, by the local authority in whose area the probation area is situated: 10 & 11 Geo. 6. c. 38.

Provided that the Secretary of State may, if he is satisfied that a probation committee are not efficiently performing their functions under this Schedule or have unreasonably incurred expenses in the performance of those functions, direct that the local authority shall be relieved, to such extent as may be specified in the direction, of their liability to defray the expenses of the probation committee.

(2) Where a probation area is situated in the area of two or more local authorities, the sums to be defrayed as aforesaid shall be apportioned between the several authorities in such manner as may

5TH SCH.  
—cont.

be agreed upon between them, or, in default of agreement, as may be determined by the Secretary of State.

(3) Where a probation officer is appointed for more than one probation area, his salary and any expenses incurred by him or by a probation committee in respect of the performance of his duties, and any expenses incurred in respect of a superannuation allowance, gratuity or compensation payable to or in respect of him or any clerk appointed to assist him under an order under the Probation Officers (Superannuation) Act, 1947, shall be apportioned between the probation committees for the several probation areas for which he is appointed, in such manner as may be agreed upon by the probation committees after consultation with the local authorities affected, or, in default of agreement, as may be determined by the Secretary of State.

*General.*

6. The Secretary of State may make rules—

- (a) regulating the constitution, procedure, powers and duties of probation committees and case committees, and the expenses which may be incurred by them and the manner in which those expenses are to be defrayed ;
- (b) regulating the qualifications, manner of appointment, conditions of service and duties of probation officers ;
- (c) prescribing anything else which under the foregoing provisions of this Schedule may be prescribed ;

and in those provisions the expression “ prescribed ” means prescribed by rules of the Secretary of State.

7.—(1) The foregoing provisions of this Schedule shall in their application to the metropolitan police court area have effect subject to the following modifications, that is to say :—

- (a) the metropolitan police court area shall be a probation area ;
- (b) the provisions with respect to the constitution of probation committees and case committees shall not apply ; and the Secretary of State may by order constitute committees to ensure that the work of probation officers is efficiently carried out and to review that work and for such other purposes as he may think fit ;
- (c) the power to appoint probation officers and the other powers of probation committees shall be exercisable by the Secretary of State ;
- (d) there shall be paid out of the metropolitan police fund such sums as the Secretary of State may direct to meet the expenses and contributions which would, in the case of probation areas outside the metropolitan police court area, be payable by local authorities.

(2) Notwithstanding anything in paragraph 1 of this Schedule, the City of London shall not be included in a probation area constituted by an order made thereunder.

## SIXTH SCHEDULE.

Section 56.

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**RELEASE OF YOUNG OFFENDERS FROM PRISON ON LICENCE.**

1. A person released on licence under section fifty-six of this Act shall until the expiration of his sentence be under the supervision of such society or person as may be specified in the licence and shall comply with such other requirements as may be so specified :

Provided that the Prison Commissioners may at any time modify or cancel any such requirements.

2. If before the expiration of his sentence the Prison Commissioners are satisfied that a person released as aforesaid has failed to comply with any requirement for the time being specified in the licence, they may by order recall him to a prison ; and thereupon he shall be liable to be detained in the prison until the expiration of his sentence and, if at large, shall be deemed to be unlawfully at large.

3. The Prison Commissioners may release on licence a person detained in a prison under the last foregoing paragraph at any time before the expiration of his sentence ; and the foregoing provisions of this Schedule shall apply in the case of a person released under this paragraph as they apply in the case of a person released under section fifty-six of this Act.

4. The Prison Commissioners in exercising their functions under section fifty-six of this Act and this Schedule shall act in accordance with any general or special directions of the Secretary of State.

5. Where the unexpired part of the sentence of a person released under the said section fifty-six is less than six months, the provisions of this Schedule shall apply to him subject to the following modifications—

(a) the period for which he is under supervision under paragraph 1, and is liable to recall under paragraph 2, shall be a period of six months from the date of his release under the said section fifty-six ;

(b) if he is recalled under paragraph 2, the period for which he may be detained thereunder shall be whichever is the shorter of the following, that is to say—

(i) the remainder of the said period of six months ; or

(ii) the part of his sentence which was unexpired on the date of his release under the said section fifty-six, reduced by any time during which he has been so detained since that date ;

and he may be released on licence under paragraph 3 at any time before the expiration of that period.

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## Section 61.

## SEVENTH SCHEDULE.

## PART I.

PROVISIONS RELATING TO PERSONS IN ENGLAND AFTER DISCHARGE  
FROM PRISONS, ETC., IN SCOTLAND.

1. In relation to any person who, whether before or after the commencement of this Act, has been discharged from a Borstal institution in Scotland, either on licence or at the expiration of his sentence, and who is for the time being in England, the provisions of sections five and six of the Prevention of Crime Act, 1908, shall apply as if those sections had not been repealed by this Act.
- 8 Edw. 7. c. 59.
2. In relation to any person who, whether before or after the commencement of this Act, has been released on licence under section fourteen of the Prevention of Crime Act, 1908, from a prison in Scotland, and who is for the time being in England, the provisions of that section, and of sections fifteen and sixteen of that Act, shall apply as if it had not been repealed by this Act.
3. In relation to any person who, whether before or after the commencement of this Act, has been released on licence under section nine of the Penal Servitude Act, 1853, from a prison in Scotland, and who is for the time being in England, the provisions of the Penal Servitude Acts, 1853 to 1891, relating to persons so released, and the provisions of sections three to five of the Prevention of Crimes Act, 1871, and section twenty-six of the Criminal Justice Administration Act, 1914, shall apply as if those provisions had not been repealed by this Act.
- 16 & 17 Vict.  
c. 99.
4. In relation to any person who is subject to the supervision of the police by virtue of a direction given, whether before or after the commencement of this Act, by a court in Scotland under section eight of the Prevention of Crimes Act, 1871, and who is for the time being in England, the provisions of that section and of sections two and four of the Penal Servitude Act, 1891, shall apply as if those provisions had not been repealed by this Act.
- 4 & 5 Geo. 5.  
c. 58.
5. In relation to any such person as is mentioned in the foregoing provisions of this Schedule, the provisions of section twenty-one of the Firearms Act, 1937, shall have effect as originally enacted and not as amended by this Act.
- 1 Edw. 8. &  
1 Geo. 6. c. 12.

## PART II.

PROVISIONS RELATING TO PERSONS IN SCOTLAND AFTER DISCHARGE  
FROM PRISONS, ETC., IN ENGLAND.

6. Where any person serving a term of imprisonment for life has been released on licence under subsection (1) of section fifty-seven of this Act, he may be recalled under subsection (2) of that section notwithstanding that he is for the time being in Scotland; and in relation to any such person, while in Scotland, the said subsection (2) shall extend to Scotland accordingly.

7. Where any person sentenced to Borstal training under this Act, or who is required by virtue of any enactment to be treated as if he had been so sentenced, is released from a Borstal institution, he shall continue to be under supervision, and may be recalled, in accordance



with the provisions of the Second Schedule to this Act, notwithstanding that he is for the time being in Scotland ; and in relation to any such person, while in Scotland, the provisions of that Schedule (other than paragraph 1 thereof) shall extend to Scotland accordingly.

7TH SCH.  
—cont.

8. Where any person sentenced under this Act to corrective training or preventive detention, or required by virtue of section sixty-one of this Act to be treated as if he had been so sentenced, is released on licence under paragraph 1 of the Third Schedule to this Act, any requirements of the licence shall continue in force, and he may be recalled under the said Third Schedule, notwithstanding that he is for the time being in Scotland ; and in relation to any such person, while in Scotland, the provisions of that Schedule (except paragraph 1 thereof) shall extend to Scotland accordingly.

9. Where any person serving a sentence of imprisonment is released on licence under subsection (2) of section fifty-six of this Act, he shall continue to be under supervision, and may be recalled, in accordance with the provisions of the Sixth Schedule to this Act, notwithstanding that he is for the time being in Scotland ; and in relation to any such person, while in Scotland, the provisions of that Schedule shall extend to Scotland accordingly.

10. Where, under section twenty-two of this Act, any person convicted of an offence is ordered to be subject to the provisions of that section, he shall remain so subject notwithstanding that he is for the time being in Scotland ; and in relation to any such person, while in Scotland, the provisions of that section and of the Fourth Schedule to this Act shall extend to Scotland accordingly, and the reference in paragraph 4 of the said Fourth Schedule to section thirty of the Police Pensions Act, 1921, shall be construed as a reference to that section as it applies to Scotland.

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## EIGHTH SCHEDULE.

Section 78.

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### TRANSITORY PROVISIONS.

1.—(1) Any person who immediately before the commencement of this Act was undergoing or liable to undergo a term of penal servitude under a sentence passed by a court in any part of Great Britain, or as a condition of a pardon granted by His Majesty for an offence for which he was sentenced to death by such a court, or in consequence of the forfeiture or revocation of a licence granted in any part of Great Britain under the Penal Servitude Acts, 1853 to 1891, shall, if he is or ought to be in custody in England at the commencement of this Act, be treated thereafter as if he had been sentenced to, or were undergoing or liable to undergo, imprisonment and not penal servitude for that term.

(2) Where any person who having been sentenced to penal servitude for life, or while undergoing penal servitude for life as a condition of a pardon granted as aforesaid, is at the commencement of this Act the holder of a licence granted under the Penal Servitude Acts, 1853 to

8TH SCH.  
—cont.

1891, which has not been forfeited or revoked, he shall, unless the licence was granted to him while he was in Scotland, be deemed to have been released on licence under section fifty-seven of this Act, and paragraph 6 of the Seventh Schedule to this Act shall apply to him accordingly.

(3) Where any person who having been sentenced to penal servitude for a term less than life is at the commencement of this Act the holder of a licence granted as aforesaid under the Penal Servitude Acts, 1853 to 1891, which has not been forfeited or revoked, he shall, unless the licence was granted to him while he was in Scotland, be treated as if his sentence had expired.

2. Any person who has been sentenced to imprisonment with hard labour for a term which has not expired at the commencement of this Act shall, for the remainder of that term, be treated as though he had been sentenced to imprisonment without hard labour; but nothing in this paragraph shall affect any disability or disqualification attaching to him by virtue of his sentence.

3.—(1) Any person who is at the commencement of this Act detained in custody in England under a sentence of preventive detention shall for the remainder of the period for which he was sentenced to preventive detention be treated as if he had been sentenced to preventive detention under this Act; and the provisions of this Act relating to preventive detention shall apply to him accordingly.

(2) Where a person having been sentenced to a term of preventive detention is at the commencement of this Act absent from prison by virtue of a licence granted under section fourteen of the Prevention of Crime Act, 1908, the provisions of Part II of that Act shall continue to apply to him; but if before the expiration of the term his licence is revoked or forfeited the said provisions shall cease to apply, and he shall for the remainder of the term be treated as if he had been sentenced to preventive detention under this Act; and the provisions of this Act relating to preventive detention shall apply to him accordingly.

(3) Where a person has been sentenced to penal servitude for a term which has not expired at the commencement of this Act, and is liable to undergo a period of preventive detention on the determination of the sentence of penal servitude, there shall be substituted for the sentence of preventive detention a sentence of preventive detention under this Act for a like period; and the provisions of this Act relating to preventive detention shall apply to that person accordingly.

4.—(1) Where a person has been sentenced, otherwise than by a court in Scotland, to detention in a Borstal institution, then if immediately before the commencement of this Act he is or ought to be detained in England in a Borstal institution, or in a prison awaiting removal to such an institution, or holds a licence in force under section five of the Prevention of Crime Act, 1908, or is under the supervision of the Prison Commissioners under section six of that Act, he shall be deemed to have been sentenced to Borstal training under this Act, or to be under supervision under the Second Schedule to this Act; and in its application to him the said Second Schedule shall have

effect as if for the references therein to three years there were substituted references to the term of the sentence of detention in a Borstal institution and for the references therein to four years there were substituted references to the sum of that term and one year.

8TH SCH.  
—cont.

(2) Any person to whom Part I of the Prevention of Crime Act, 1908, applied immediately before the commencement of this Act by reason of his transfer from a prison to a Borstal institution under section three of that Act shall be treated as if he were transferred under the provisions of this Act on the date of the commencement of this Act.

5.—(1) Where at the commencement of this Act a person is subject to the supervision of the police pursuant to the direction of a court in England given under section eight of the Prevention of Crimes Act, 1871, the period for which he is under supervision shall expire at the end of twelve months from the commencement of this Act unless it shall have expired sooner.

(2) Any period of supervision as aforesaid exceeding twelve months which has not begun before the commencement of this Act shall by virtue of this Act be reduced to twelve months.

(3) The Secretary of State may substitute for any such direction, the period of supervision under which has not expired at the commencement of this Act, an order that the person subject to supervision under the direction shall, during the remainder of the period for which he would be liable to such supervision, be subject to the provisions of section twenty-two of this Act.

6. The Probation of Offenders Act, 1907, shall continue in force so far as it relates to any probation order by virtue of which a person is under supervision at the commencement of this Act or to any order, other than a probation order, by virtue of which a person is then bound by a recognizance entered into under section one of that Act :

Provided that any court which under that Act has jurisdiction to appoint a probation officer in lieu of the probation officer or other person named in the probation order or to vary the terms and conditions of the recognizance entered into by the probationer may, without summoning the probationer, amend the order by substituting for the words naming the person who is to exercise the supervision under the order words naming the petty sessional division in which the probationer is residing or will reside ; and this Act shall have effect in relation to a probation order so amended as if it had been made under this Act and amended under paragraph 2 of the First Schedule to this Act and as if the conditions of the recognizance entered into by the probationer under section two of that Act were requirements of the probation order ; and the Probation of Offenders Act, 1907, shall cease to apply thereto and any recognizance entered into under that Act shall be discharged.

7. For the purposes of this Act—

(a) prison rules made under any enactment repealed by this Act and regulations made under section four of the Prevention of Crime Act, 1908, shall be deemed to have been made under section fifty-two of this Act ;

8TH SCH.  
—cont.

- (b) orders made under subsection (1) of section two of the Criminal Justice Act, 1925, shall be deemed to have been made under paragraph 1 of the Fifth Schedule to this Act, and may be amended under this Act accordingly ;
- (c) orders made under subsection (6) of the said section two shall be deemed to have been made under paragraph (c) of subsection (2) of section forty-five of this Act, and may be amended as aforesaid ; and
- (d) rules made under section seven of the Probation of Offenders Act, 1907, or under section eight of the Criminal Justice Act, 1925, shall be deemed to have been made under paragraph 6 of the Fifth Schedule to this Act :

Provided that, notwithstanding anything in sub-paragraph (1) of paragraph 2 of the said Fifth Schedule, the probation committee for a combined probation area constituted by an order made under subsection (1) of section two of the Criminal Justice Act, 1925, may be constituted in any manner for the time being provided by that order.

8. Sections six to thirty of the Forfeiture Act, 1870, so far as those sections apply to a person who has ceased to be subject to the operation of that Act, shall, notwithstanding the repeal by this Act of those sections, continue in force in relation to any convict who immediately before the date of the commencement of this Act was subject to the operation of that Act, and shall apply to any such convict as if his sentence had expired on that date.

9. In relation to any person who—

- (a) having been sentenced to a term of preventive detention is at the commencement of this Act absent from prison by virtue of a licence granted under section fourteen of the Prevention of Crime Act, 1908 ; or
- (b) is at the commencement of this Act subject to the supervision of the police pursuant to the direction of any court under section eight of the Prevention of Crimes Act, 1871,

the provisions of section twenty-one of the Firearms Act, 1937, shall have effect as originally enacted and not as amended by this Act.

Section 79.

## NINTH SCHEDULE.

### CONSEQUENTIAL AND MINOR AMENDMENTS.

Act to be amended.	Amendment.
The Diplomatic Privileges Act, 1708. 7 Ann. c. 12.	In section four, for the words " penalties, and corporal punishment " there shall be substituted the words " and penalties ".
The Beerhouse Act, 1840. 3 & 4 Vict. c. 61.	In section seven the words " of felony or " shall cease to have effect.

## Act to be amended.

## Amendment.

9TH SCH.  
—cont.

The Stipendiary Magistrates Act, 1858.  
21 & 22 Vict. c. 73.

In section nine, for the words " appoint two " or more justices one of whom shall be of " the quorum, to form a second court," there shall be substituted the words " form " one or more additional courts, and " appoint to each court two or more " justices "; and for the word " second ", in the second place where it occurs, there shall be substituted the word " additional ".

In section ten, for the words " a second " there shall be substituted the words " an " additional ".

In section eleven, for the words " a second ", there shall be substituted the words " an " additional "; for the word " second ", in the second place where it occurs, there shall be substituted the word " additional ", and for the words " an additional crier " there shall be substituted the words " a crier for " each such additional court ".

The Queen's Remembrancer Act, 1859.  
22 & 23 Vict. c. 21.

In section thirty-two, for the words from the beginning to " recognizances as aforesaid " there shall be substituted the words " Within fourteen days after any fines, " issues, amerciaments, penalties or recognizances are set, lost, imposed or forfeited " by or before a court of assize, the clerk of " assize or the clerk of the Central Criminal " Court, as the case may be, shall ".

In section thirty-three, for the words " and " clerk of the Crown respectively " there shall be substituted the words " or clerk of " the Central Criminal Court ".

In section thirty-eight, for the words " which " if this Act had not been passed would " have been certified or estreated into the " Exchequer " there shall be substituted the words " set, lost, imposed or forfeited " by or before a court of assize "; and for the words " clerk of the Crown ", in both places where those words occur, there shall be substituted the words " clerk of the " Central Criminal Court ".

The Refreshment Houses Act, 1860.  
23 & 24 Vict. c. 27.

In section twenty-two the words " of felony " or " shall cease to have effect.

The Criminal Lunatic Asylums Act, 1860.  
23 & 24 Vict. c. 75.

In section four, for the words " Secretary of " State " in both places where they occur, there shall be substituted the words " Minister of Health " and the words from

9TH SCH.  
—cont.

Act to be amended.

Amendment.

The Criminal Lunatic  
Asylums Act, 1860.  
23 & 24 Vict. c. 75.  
—cont.

“ any such persons ” to “ council of super-  
“ vision ” and from “ and to remove ” to  
“ for the asylum ” shall cease to have effect.  
In section eleven, for the words “ or any other  
“ person authorised in writing in this  
“ behalf by the Secretary of State or such  
“ superintendent,” there shall be sub-  
stituted the words “ or any constable ”.

The Forfeiture Act,  
1870. 33 & 34  
Vict. c. 23.

In section two, for the words “ or penal  
“ servitude ” there shall be substituted the  
words “ preventive detention or corrective  
“ training ” and the words “ with hard  
“ labour, or ” shall cease to have effect.

The Prison Act, 1877.  
40 & 41 Vict. c. 21.

In section eleven, the words “ and as to the  
“ commercial value of the labour on ” shall  
cease to have effect.

The Summary Juris-  
diction Act, 1879.  
42 & 43 Vict. c. 49.

In section nine, in subsection (1) for the words  
“ in a proceeding ” there shall be substi-  
tuted the words “ in connection with a  
“ proceeding ” and in the proviso for the  
words from “ upon ”, where it first occurs,  
to “ other ” there shall be substituted the  
words “ and any such cancellation or  
“ mitigation may be made subject to such ”  
and at the end of subsection (2) there shall  
be added the words “ or part only of those  
“ sums, or remit, as respects all or any of  
“ those persons, payment of those sums ”.

In section eleven, in subsection (1) the words  
“ the character and antecedents of the  
“ person charged ” shall cease to have effect.

In section seventeen, in subsection (1) for the  
words “ on appearing before the court and  
“ before the charge is gone into ” there  
shall be substituted the words “ if he  
“ appears in person to answer the charge  
“ and before he pleads to the charge ”; and  
after the words “ and the offence ” there  
shall be inserted the words “ (if not indict-  
“ able otherwise than by virtue of this  
“ section) ”; and in subsection (2) for the  
words “ before the charge is gone into ”  
there shall be substituted the words “ before  
“ the accused pleads to the charge ”; and at  
the end of the subsection there shall  
be added the words “ and where the  
“ defendant may, if convicted by the court,  
“ be committed to quarter sessions under  
“ section twenty-nine of the Criminal  
“ Justice Act, 1948, if the court, on obtain-  
“ ing information as to his character and

## Act to be amended.

## Amendment.

9TH SCH.  
—cont.

The Summary Jurisdiction Act, 1879.  
42 & 43 Vict. c. 49.  
—cont.

“ antecedents, is of opinion that they are  
“ such that greater punishment should be  
“ inflicted than the court has power to  
“ inflict the court shall explain to him  
“ that he may be so committed ” ;

Section nineteen shall cease to have effect so far as it relates to a conviction.

In section twenty-seven, in paragraph (2) after the word “ defendant ” there shall be inserted the words “ or the prosecutor ” .

In section thirty-one, in paragraph (iv) of subsection (1) for the words “ the court “ who fix the recognisance to be entered “ into or the other security to be given, “ under the preceding paragraph or any “ other court of summary jurisdiction ” there shall be substituted the words “ the “ court of summary jurisdiction by whom “ the decision appealed against was given “ or any justice ” and the words “ on “ his complying with the provisions “ of the preceding paragraph, if he “ has not already done so and ” shall cease to have effect ; and paragraph (v) of that subsection shall cease to have effect.

The Criminal Lunatics Act, 1884. 47 & 48  
Vict. c. 64.

In section two, in subsection (2) for the words “ penal servitude or imprisonment ” there shall be substituted the words “ imprison-  
“ ment or detention ” and in subsection (5) for the words from “ shall be exercised ”, where they first occur, to the end there shall be substituted the words “ may be exercised “ by the Prison Commissioners or one of “ them ” .

In section six, for the words “ penal servitude “ or imprisonment ” there shall be substituted the words “ imprisonment or “ detention ” .

In section seven, for the words “ penal servi-  
“ tude or imprisonment ” in both places where they occur there shall be substituted the words “ imprisonment or detention ” .

In section eight, in subsection (2), for the words “ penal servitude or imprisonment ” there shall be substituted the words “ imprison-  
“ ment or detention ” and for the words “ council of supervision or other person “ having control thereof ” there shall be substituted the words “ Board of Control ” .

9TH SCH.  
—cont.

## Act to be amended.

## Amendment.

The Criminal Lunatics  
Act, 1884. 47 & 48  
Vict. c. 64—cont.

In section ten, for the words " penal servitude  
" or imprisonment " there shall be sub-  
stituted the words " imprisonment or  
" detention ".

In section sixteen, in the definition of  
" Asylum " for the words " but does not  
" include a licensed house " there shall be  
substituted the words " and a licensed  
" house " and after the word " aforesaid "  
there shall be inserted the words " or a  
" licensed house ".

The Local Government  
Act, 1888. 51 & 52  
Vict. c. 41.

In section eighty-three, in subsection (4), for  
the words " a second court," there shall be  
substituted the words " any additional  
" court ".

The Clergy Discipline  
Act, 1892. 55 & 56  
Vict. c. 32.

In section one, the words " with hard labour "  
shall cease to have effect.

The Criminal Appeal  
Act, 1907. 7 Edw. 7.  
c. 23.

In section thirteen, at the end of subsection (1)  
there shall be added the words " except as  
" otherwise provided by section thirty-eight  
" or section forty-four of the Criminal  
" Justice Act, 1948 ".

In section fourteen, in subsection (4), after  
the word " section " there shall be inserted  
the words " and subsections (1) to (3) of  
" section thirty-eight of the Criminal  
" Justice Act, 1948 ".

In section seventeen, after the word " bail "  
there shall be inserted the words " and the  
" power of the court to give directions  
" under the proviso to subsection (2) of  
" section thirty-eight of the Criminal Jus-  
" tice Act, 1948, or to make orders for the  
" payment of costs under subsection (5) of  
" that section " ; and after the words " such  
" power " there shall be inserted the words  
" under this Act ".

In section nineteen, after the word " mercy "  
in the second place where it occurs, there  
shall be inserted the words " or of any  
" representation made by any other  
" person ".

The Costs in Criminal  
Cases Act, 1908.  
8 Edw. 7. c. 15.

In section one, in paragraph (b) of subsection  
(1) after the words " Summary Jurisdiction  
" Acts " there shall be inserted the words  
" or under subsection (2) of section twenty-  
" eight of the Criminal Justice Act, 1948 ".



## Act to be amended.

## Amendment.

9TH SCH.

—cont.

- The Licensing (Consolidation) Act, 1910. 10 Edw. 7 & 1 Geo. 5. c. 24. In section thirty-five, paragraph (2) shall cease to have effect.
- The Protection of Animals Act, 1911. 1 & 2 Geo. 5. c. 27. In section fourteen, in subsection (2), for the words from "direct that the recognizance" to "undertaking" there shall be substituted the words "order him" and at the end of the subsection there shall be added the words "and a person who fails to comply with an order under this section without satisfactory excuse shall be liable on summary conviction to a fine not exceeding five pounds".
- The Mental Deficiency Act, 1913. 3 & 4 Geo. 5. c. 28. In section two, in subsection (1) for the words from "undergoing imprisonment" to "criminal lunatic asylum" there shall be substituted the words "detained (otherwise than on remand or while awaiting trial or sentence or under civil process) in a prison or other institution to which the Prison Acts, 1865 to 1898, apply, or in a remand home, or who is detained in a school approved under section seventy-nine of the Children and Young Persons Act, 1933, an inebriate reformatory, an institution for persons of unsound mind or a Broadmoor institution".
- In section four, for the words from "criminal lunatic asylum" to "inebriate reformatory" there shall be substituted the words "or other institution to which the Prison Acts, 1865 to 1898, apply, or in a remand home, a school approved under section seventy-nine of the Children and Young Persons Act, 1933, an inebriate reformatory or a Broadmoor institution".
- In section nine, for the words from "undergoing imprisonment" to "criminal lunatic asylum" there shall be substituted the words "detained (otherwise than on remand or while awaiting trial or sentence or under civil process) in a prison or other institution to which the Prison Acts, 1865 to 1898, apply, or in a remand home, or who is detained in a school approved under section seventy-nine of the Children and Young Persons Act, 1933, an inebriate reformatory or a Broadmoor institution".

9TH SCH.  
—cont.

Act to be amended.

Amendment.

- The Mental Deficiency Act, 1913. 3 & 4 Geo. 5. c. 28—cont.** In section forty-four, in subsection (2) for the words from "in a prison," to "place of detention," there shall be substituted the words "in a prison or other institution to which the Prison Acts, 1865 to 1898, apply, or in a remand home, inebriate reformatory or Broadmoor institution".
- The Criminal Justice Administration Act, 1914. 4 & 5 Geo. 5. c. 58.** In section three, in subsection (1) for the words from "a number of days" to the end there shall be substituted the words "such number of days as bears to the total number of days in the term less one day the proportion most nearly approximating to, without exceeding, the proportion which the part paid bears to the sum in respect of which the imprisonment is imposed".
- In section four, in subsection (1) after the word "prison" there shall be inserted the words "or a detention centre" and after the word "imprisonment" there shall be added the words "or detention".
- Section fifteen shall cease to have effect.**
- The Criminal Justice Act, 1925. 15 & 16 Geo. 5. c. 86.** In section twelve, in subsection (5) for the second and third paragraphs there shall be substituted the following paragraphs—
- "If the accused in answer to the question states that he wishes to give evidence or to call witnesses, or both to give evidence and to call witnesses, the justices shall proceed to take the evidence of the accused if he wishes to give evidence himself, and of any witnesses called by him who know anything relating to the facts and circumstances of the case or anything tending to prove the innocence of the accused.
- Where the accused is represented by counsel or a solicitor, his counsel or solicitor shall be heard on his behalf, either before or after the said evidence is taken, at his discretion, and may, if the accused gives evidence himself and calls witnesses, be heard on his behalf with the leave of the justices both before and after the evidence is taken :
- Provided that where counsel or a solicitor is so heard both before and after the evidence is taken, counsel or the solicitor for the prosecution shall be entitled to be heard in reply."

Act to be amended.

Amendment.

9TH SCH.  
—cont.

The Criminal Justice  
Act, 1925. 15 & 16  
Geo. 5. c. 86—cont.

In section twenty-four, in subsection (1) after the word "prosecutor" there shall be inserted the words "or by or on behalf of "the accused" and the words "the character and antecedents of the accused" shall cease to have effect; and in subsection (2) after the words "if tried by a "jury" there shall be inserted the words "and shall explain to him that he may, if "convicted by the court, be committed to "quarter sessions under section twenty-nine of the Criminal Justice Act, 1948, "if the court, on obtaining information as "to his character and antecedents, is of "opinion that they are such that greater "punishment should be inflicted than the "court has power to inflict".

In the Second Schedule, in paragraph 11, after the words "section eighteen" there shall be inserted the words "section twenty" (where the amount of the money or the "value of the property in respect of which "the offence is committed does not exceed "twenty pounds)".

The Mental Deficiency  
Act, 1927. 17 & 18  
Geo. 5. c. 33.

In section five, for paragraphs (a) and (b) there shall be substituted the following paragraphs:—

"(a) If the place in which he is being detained under the order of the court is a prison, a remand centre or a remand home, he shall continue to be detained therein.

(b) If the place in which he is being so detained is not a prison, remand centre or remand home, he shall be removed therefrom—

(i) if he appears to be under seventeen years of age, to a remand home, or if in the opinion of the Secretary of State it is inexpedient that he should be removed to a remand home, then to such other place as the Secretary of State may by order direct;

(ii) if he appears to be not less than seventeen but under twenty-one years of age and the court by which he was dealt with under the

9TH SCH.  
—cont.

Act to be amended.

Amendment.

The Mental Deficiency  
Act, 1927. 17 & 18  
Geo. 5. c. 33—cont.

said section eight has been notified by the Secretary of State that a remand centre is available for the reception from that court of persons of his class or description, to a remand centre ;  
(iii) in any other case, to a prison."

The Local Government  
(Clerks) Act, 1931.  
21 & 22 Geo. 5. c. 45.

In section three, in subsection (3), for the words " a second court " there shall be substituted the words " additional courts ".

The Children and  
Young Persons Act,  
1933. 23 & 24  
Geo. 5. c. 12.

In section forty-eight, for subsection (2) there shall be substituted the following subsection—

" (2) The attainment of the age of seventeen years by a probationer, or a person in whose case an order for conditional discharge has been made, shall not deprive a juvenile court of jurisdiction to enforce his attendance and deal with him in respect of any failure to comply with the requirements of the probation order or the commission of a further offence or to amend or discharge the probation order."

and in subsection (3) the words from " and " where " to the end shall cease to have effect.

In section fifty-four, for the words " fine, " damages or costs " there shall be substituted the words " sum of money or for " failing to do or abstain from doing any " act or thing required to be done or left " undone " ; and for the words " this Act " there shall be substituted the words " section seventeen of the Criminal " Justice Act, 1948 ".

In section fifty-eight, in paragraph (a) of the proviso the words " undergoing detention in a Borstal Institution or was " shall cease to have effect and at the end of the proviso there shall be added the following paragraph :—

" (c) in the case of a person who was undergoing detention in a Borstal institution, than the end of the period for which he would have been liable to be detained therein ".

## Act to be amended.

## Amendment.

9TH SCH.  
—cont.

The Children and  
Young Persons Act,  
1933. 23 & 24  
Geo. 5. c. 12—cont.

In section fifty-nine after the word "enactment," there shall be inserted the words "whether passed before or after the commencement of this Act".

In section seventy, in proviso (a) to subsection (2) for the words "conditions of a recognisance" there shall be substituted the words "requirements of a supervision order or probation order or the conditions of a recognisance".

In section seventy-seven, after subsection (2), there shall be inserted the following subsection :—

"(2A) The council of a county or county borough may contribute, towards the expenditure incurred by any society or person in establishing, enlarging or improving an institution for the purpose of its being used, in accordance with an arrangement with the council, as a remand home for that county or county borough, such sums, and subject to such conditions, as the council think fit ; and subsection (5) of section seventy-seven of the Criminal Justice Act, 1948, shall apply to any sums so paid as it applies to the payments referred to in that subsection".

In section seventy-eight, for subsection (3) there shall be substituted the following subsection :—

"(3) The Secretary of State shall cause remand homes to be inspected and may make rules for their inspection, regulation and management, and for the classification, treatment, employment, discipline and control of persons detained in custody therein, and for the visitation of such persons from time to time by persons appointed in accordance with the rules."

In section eighty-two, in subsection (1) for the words "and may (any other Act to the contrary notwithstanding) be brought" there shall be substituted the words "and brought back to his school ; and (notwithstanding any enactment regulating the time within which and the court

9TH SCH.  
—cont.

Act to be amended.

Amendment.

The Children and  
Young Persons Act,  
1933. 23 & 24  
Geo. 5. c. 12—cont.

“ before which proceedings may be brought)  
“ any such person may, whether or not he  
“ is brought back, be brought, with the  
“ authority of the Secretary of State, at  
“ any time ”.

In section ninety, in subsection (6) for the  
words “ conditions of a recognisance ” there  
shall be substituted the words “ require-  
“ ments of a supervision order or probation  
“ order or the conditions of a recog-  
“ nisance ”.

The Summary Juris-  
diction (Appeals)  
Act, 1933. 23 & 24  
Geo. 5. c. 38.

In section two, in subsection (1) after the word  
“ offence ” there shall be inserted the words  
“ or sentenced for an offence ”, and after  
the word “ convicted ”, where that word  
occurs for the second and third time, there  
shall be inserted the words “ or sentenced ”,  
and in paragraph (a) of subsection (5),  
after the word “ convicted ” there shall be  
inserted the words “ or sentenced as the  
“ case may be ”.

In section seven, in subsection (5) for the  
words “ a second ” there shall be substituted  
the words “ an additional ”.

The Money Payments  
(Justices Procedure)  
Act, 1935. 25 & 26  
Geo. 5. c. 46.

In the proviso to section four, for the word  
“ two ” there shall be substituted the word  
“ four ”.

The Firearms Act,  
1937. 1 Edw. 8. &  
Geo. 6. c. 12.

In section twenty-one, in subsection (1) after  
the words “ penal servitude ” there shall  
be inserted the words “ preventive deten-  
“ tion or corrective training ”, in sub-  
section (2) for paragraph (a) there shall  
be substituted the following paragraph—

“ (a) is the holder of a licence issued  
under section fifty-six or fifty-seven of  
the Criminal Justice Act, 1948, or the  
Second or Third Schedule to that Act,  
or section fifty-three of the Children and  
Young Persons Act, 1933 ; or ”

and in paragraph (b) the words “ is subject  
“ to the supervision of the police, or ” shall  
cease to have effect and after the word

Act to be amended.

Amendment.

9TH SCH.  
---cont.

The Firearms Act, 1937. 1 Edw. 8. & Geo. 6. c. 12—cont.

“firearm” there shall be inserted the words “or is subject to a probation order containing a requirement that he shall not possess, use or carry a firearm”.

In section twenty-five, in subsection (1) for the words “penal servitude” there shall be substituted the words “preventive detention, corrective training”, the words “to be subject to police supervision or” shall cease to have effect, and after the word “firearm” in the first place where it occurs there shall be inserted the words “or is subject to a probation order containing a requirement that he shall not possess, use or carry a firearm”.

The Dogs Amendment Act, 1938. 1 & 2 Geo. 6. c. 21.

In section one, in subsection (2) after the word “after” there shall be inserted the words “the expiration of fourteen days from the date of the order, or, if within that period the appellant has given notice of appeal, until after” and the words from “or until the appeal can no longer be prosecuted under the Summary Jurisdiction Acts, as the case may be” shall cease to have effect.

The Children and Young Persons Act, 1938. 1 & 2 Geo. 6. c. 40.

For section four there shall be substituted the following section:—

“4.—(1) A supervision order (that is to say an order made under section sixty-two, section sixty-three, section sixty-four or section eighty-four of the principal Act as amended by this Act, placing a child or young person under the supervision of a probation officer or of some other person appointed for the purpose by the court) may contain such provisions as the court, having regard to the particular circumstances of the case, considers necessary for effecting the purpose of the order:

Provided that no such order shall include a requirement as to the residence of the person to whom it relates, or as to treatment for his mental condition, except in accordance with section seventy-four of the Criminal Justice Act, 1948.

9TH SCH.  
—cont.

Act to be amended.

Amendment.

The Children and  
Young Persons Act,  
1938. I & 2 Geo. 6.  
c. 40—cont.

(2) Where an application for the discharge or amendment of a supervision order is duly made in relation to any person by the person under whose supervision he has been placed by such an order, the applicant may, for the purpose of the application, bring before the court the person who is the subject of the application, whether or not that person has attained the age of seventeen years.

(3) The court by which a supervision order is made may by order direct that the powers which, by section seventy-four of the Criminal Justice Act, 1948, are conferred on that court with respect to the discharge, amendment and review of the order may be exercised by any juvenile court acting for the petty sessional division or place in which the person to whom the order relates may for the time being reside."

In section six, at the end of subsection (3) there shall be added the words :—

" Provided that this subsection shall not apply in relation to the removal of a child or young person under this section who returns to the remand home or place of safety on the day on which he is so removed."

The National Service  
Act, 1947. 10 & 11  
Geo. 6. c. 31.

In the First Schedule, in paragraph 1 after the words " preventive detention " there shall be inserted the words " corrective training " and for the words " Borstal institution " there shall be substituted the words " detention centre, or was or would if he had not been unlawfully at large have been detained in a Borstal institution ".

The Police Pensions  
Act, 1948. 11 & 12  
Geo. 6. c. 24.

In section four, in subsection (1), after the words " penal servitude " there shall be inserted the words " preventive detention " or corrective training ".



## TENTH SCHEDULE.

Sections 81,  
82, 83.

## ENACTMENTS REPEALED.

## PART I.

## REPEALS EXTENDING TO ENGLAND ONLY.

Session and Chapter.	Short Title.	Extent of Repeal.
11 Will. 3. c. 12.	An Act to Punish Governors of Plantations in this Kingdom for Crimes by them committed in the Plantations.	The words "in his Majesties Court of Kings Bench" and the words from "or before such commissioners" to "same county".
42 Geo. 3. c. 85.	The Criminal Jurisdiction Act, 1802.	In section one, the words "in his Majesty's Court of King's Bench"; the words from "found, in which information" to "Middlesex"; and the words "at the discretion of his Majesty's Court of King's Bench".
3 Geo. 4. c. 114.	The Hard Labour Act, 1822.	The whole Act.
5 Geo. 4. c. 83.	The Vagrancy Act, 1824.	In section five, the words from "and every such offender" to the end. In section ten, the words from "and to order further" to the end.
5 Geo. 4. c. 84.	The Transportation Act, 1824.	The whole Act.
6 Geo. 4. c. 50.	The Juries Act, 1825.	In section twenty-nine, the words from "and no person" to the end.
7 & 8 Geo. 4. c. 28.	The Criminal Law Act, 1827.	In section ten, the words from "and where" to the end.
11 Geo. 4. & 1 Will. 4. c. 39.	The Transportation Act, 1830.	The whole Act.
11 Geo. 4. & 1 Will. 4. c. 70.	The Law Terms Act, 1830.	Section thirty-three.
3 & 4 Will. 4. c. 99.	The Fines Act, 1833.	Section twenty-nine.
4 & 5 Will. 4. c. 67.	The Transportation Act, 1834.	The whole Act.
1 & 2 Vict. c. 82.	The Parkhurst Prison Act, 1838.	The whole Act.
2 & 3 Vict. c. 56.	The Prisons Act, 1839.	The whole Act.
3 & 4 Vict. c. 61.	The Beerhouse Act, 1840.	In section seven, the words "of felony or".
5 & 6 Vict. c. 29.	The Pentonville Prison Act, 1842.	The whole Act.
5 & 6 Vict. c. 61.	The South Australia Act, 1842.	The whole Act.
5 & 6 Vict. c. 98.	The Prison Act, 1842.	Section twelve.

10TH SCH.  
—cont.

Session and Chapter.	Short Title.	Extent of Repeal.
6 & 7 Vict. c. 7.	The Transportation Act, 1843.	The whole Act.
10 & 11 Vict. c. 67.	The Transportation Act, 1847.	The whole Act.
11 & 12 Vict. c. 43.	The Summary Jurisdiction Act, 1848.	In section twenty-one, the words "or to imprison him and keep him to hard labour".
13 & 14 Vict. c. 39.	The Convict Prisons Act, 1850.	The whole Act.
14 & 15 Vict. c. 100.	The Criminal Procedure Act, 1851.	Section twenty-nine.
16 & 17 Vict. c. 99.	The Penal Servitude Act, 1853.	The whole Act.
16 & 17 Vict. c. 121.	The Convict Prisons Act, 1853.	The whole Act.
19 & 20 Vict. c. 54.	The Grand Juries Act, 1856.	The whole Act.
20 & 21 Vict. c. 3.	The Penal Servitude Act, 1857.	The whole Act, except sections two and six.
23 & 24 Vict. c. 27.	The Refreshment Houses Act, 1860.	In section twenty-two, the words "of felony or"
23 & 24 Vict. c. 75.	The Criminal Lunatic Asylums Act, 1860.	In section four, the words from "any such persons" to "council of supervision" and the words from "and to remove" to "for the asylum". Sections five, six, fourteen and fifteen.
24 & 25 Vict. c. 96.	The Larceny Act, 1861.	In sections twelve, thirteen and sixteen, the words from "with or without hard labour" to the end. Sections one hundred and eight and one hundred and nineteen.
24 & 25 Vict. c. 97.	The Malicious Damage Act, 1861.	In sections one to ten, fourteen to twenty-one, twenty-three, twenty-six to thirty-three, thirty-five, forty-two to forty-eight and fifty, the words "and, if a male under the age of sixteen years, with or without whipping" wherever those words occur. In sections twenty-two and fifty-four, the words from "with or without hard labour" to the end. In section thirty-nine, the words from "with or without hard labour" to "whipping." Sections sixty-six and seventy-five.

Session and Chapter.	Short Title.	Extent of Repeal.
24 & 25 Vict. c. 100.	The Offences Against the Person Act, 1861.	In section five, the words "or to pay" to the end of the section. In sections sixteen, twenty-eight to thirty, thirty-two and fifty-six, the words "and, if a male under the age of sixteen years, with or without whipping" wherever those words occur. In section sixty-four, the words from "with or without hard labour" to the end. Section seventy.
26 & 27 Vict. c. 44.	The Garrotters Act, 1863.	The whole Act.
27 & 28 Vict. c. 47.	The Penal Servitude Act, 1864.	Section forty-four.
28 & 29 Vict. c. 126.	The Prison Act, 1865.	In section two, the words "with hard labour, or". Sections six to thirty.
33 & 34 Vict. c. 23.	The Forfeiture Act, 1870.	Sections three to five and eight.
34 & 35 Vict. c. 112.	The Prevention of Crimes Act, 1871.	In section seventeen, paragraph (4) of the proviso.
35 & 36 Vict. c. 52.	The Middlesex Grand Juries Act, 1872.	The whole Act.
39 & 40 Vict. c. 42.	The Convict Prisons Returns Act, 1876.	The whole Act.
40 & 41 Vict. c. 21.	The Prison Act, 1877.	In section nine, the words "and enforcement of hard labour". In section eleven, the words "and as to the commercial value of the labour on". Sections thirteen, fourteen, thirty-nine and forty.
42 & 43 Vict. c. 49.	The Summary Jurisdiction Act, 1879.	In section four, the words "impose the same without hard labour and" and the words "or do either of such acts". In section ten, in subsection (2) the words from "and when the child is a male" to the end. In section eleven, in subsection (1), the words "the character and antecedents of the person charged". In section thirty-one, in subsection (1), paragraphs (iii) and (v), and in paragraph (iv) the words "on his complying with the provisions of the preceding paragraph, if he has not already done so and".

10TH SCH.  
—cont.

Session and Chapter.	Short Title.	Extent of Repeal.
42 & 43 Vict. c. 55.	The Prevention of Crime Act, 1879.	The whole Act.
54 & 55 Vict. c. 69.	The Penal Servitude Act, 1891.	Sections two to six and ten.
55 & 56 Vict. c. 32.	The Clergy Discipline Act, 1892.	In section one, the words "with hard labour".
60 & 61 Vict. c. 18.	The Juries Detention Act, 1897.	The whole Act.
61 & 62 Vict. c. 41.	The Prison Act, 1898.	Sections one to six. In section seven, the words "local and convict". Sections eight and eleven. Subsection (1) of section fourteen.
6 Edw. 7. c. 55.	The Public Trustee Act, 1906.	Paragraph (e) of subsection (1) of section two.
7 Edw. 7. c. 17.	The Probation of Offenders Act, 1907.	The whole Act.
7 Edw. 7. c. 23.	The Criminal Appeal Act, 1907.	In section seven, the words "or corporal punishment". In section fourteen, subsections (1), (3) and (5). In section twenty, in subsection (2) the words from "but shall not apply" to the end of the subsection.
8 Edw. 7. c. 59.	The Prevention of Crime Act, 1908.	The whole Act.
10 Edw. 7 & 1 Geo. 5. c. 24.	The Licensing (Consolidation) Act, 1910.	In section thirty-five, paragraph (2).
1 & 2 Geo. 5. c. 28.	The Official Secrets Act, 1911.	In section ten, in subsection (2) the words "in the High Court" and the words "or the Central Criminal Court".
3 & 4 Geo. 5. c. 27.	The Forgery Act, 1913.	In section twelve, subsection (1) and in paragraph (b) of subsection (2) the words "penal servitude or".
3 & 4 Geo. 5. c. 28.	The Mental Deficiency Act, 1913.	The proviso to subsection (2) of section twenty-five.
4 & 5 Geo. 5. c. 58.	The Criminal Justice Administration Act, 1914.	Sections seven to eleven, fifteen and sixteen, paragraph (6) of section seventeen, sections twenty-six and thirty-six and subsection (1) of section thirty-seven.
5 & 6 Geo. 5. c. 90.	The Indictments Act, 1915.	In section four, the words "and the person accused shall have the same right of challenging jurors".
6 & 7 Geo. 5. c. 31.	The Police, Factories, &c. (Miscellaneous Provisions) Act, 1916.	Section twelve.

Session and Chapter.	Short Title.	Extent of Repeal.
6 & 7 Geo. 5. c. 50.	The Larceny Act, 1916	<p>In section two, the words from "and the offender" to the end.</p> <p>Paragraph (c) of section sixteen.</p> <p>In section seventeen, the words from "and in the case of a clerk" to the end.</p> <p>In section twenty-three, in subsection (1) the words from "and, in addition" to the end.</p> <p>In section twenty-nine, in subsection (1) the words from "and, if a male under the age of sixteen years" to the end.</p> <p>In section thirty-three, paragraph (c) of subsection (1).</p> <p>In section thirty-four, the words from "and, if a male under the age of sixteen years" to the end.</p> <p>In section thirty-seven, subsections (3), (4) and (6) and in paragraph (b) of subsection (5) the words "penal servitude or"</p>
10 & 11 Geo. 5. c. 23.	The War Pensions Act, 1920.	Subsection (1) of section seven.
11 & 12 Geo. 5. c. 39.	The Admiralty Pensions Act, 1921.	Subsection (1) of section two.
15 & 16 Geo. 5. c. 20.	The Law of Property Act, 1925.	In section seven, paragraph (a) of subsection (3).
15 & 16 Geo. 5. c. 86.	The Criminal Justice Act, 1925.	<p>Sections one to ten.</p> <p>In section twelve, in subsection (5) the word "forthwith," in the first place where that word occurs, the words "after the conclusion of the evidence of the accused" and the words "either forthwith or, if a speech is to be made by counsel or solicitor on behalf of the accused after the conclusion of that speech".</p> <p>In section twenty-four, in subsection (1) the words "the character and antecedents of the accused".</p> <p>Sections twenty-five and forty-six.</p>
16 & 17 Geo. 5. c. 13.	The Criminal Justice (Amendment) Act, 1926.	The whole Act.
16 & 17 Geo. 5. c. 58.	The Penal Servitude Act, 1926.	The whole Act.

10TH SCH.  
—cont.

Session and Chapter.	Short Title.	Extent of Repeal.
23 & 24 Geo. 5. c. 12.	The Children and Young Persons Act, 1933.	<p>Section thirty-three.</p> <p>In section forty-eight, in subsection (3) the words from "and where" to the end.</p> <p>Section fifty-two.</p> <p>In section fifty-three, in subsection (2) the words "notwithstanding anything in the other provisions of this Act".</p> <p>In section fifty-eight, in proviso (a), the words "undergoing detention in a Borstal Institution, or was".</p> <p>In section fifty-nine, the proviso to subsection (1).</p> <p>In section sixty-six, subsection (3).</p> <p>In section eighty-two, in subsection (1), the words from "and that court", to the end.</p> <p>So much of the Third Schedule as amends the Probation of Offenders Act, 1907.</p> <p>In the Fourth Schedule, in paragraph 8, the words from "and that court" to the end.</p>
23 & 24 Geo. 5. c. 36.	The Administration of Justice (Miscellaneous Provisions) Act, 1933.	<p>In section one, in subsection (1) the words "Subject to the provisions of this section"; and subsection (4).</p> <p>In the Second Schedule, in paragraph 4, the words "in the case of any bill of indictment preferred under this Act".</p>
23 & 24 Geo. 5. c. 38.	The Summary Jurisdiction (Appeals) Act, 1933.	<p>In section two, subsection (9).</p> <p>In section three, in subsection (1), the words "so soon as an appellant has complied with the provisions of paragraph (iii) of subsection (1) of section thirty-one of the Summary Jurisdiction Act, 1879, with respect to entering into a recognisance or giving other security" and the words "and the recognisance, if any, and a statement as to any other security given by the appellant" and in subsection (2) the word "separate".</p>
26 Geo. 5. & 1 Edw. 8. c. 16.	The Coinage Offences Act, 1936.	<p>In section twelve, in subsection (1), the words "penal servitude or".</p>

10TH SCH.  
—cont.

Session and Chapter.	Short Title.	Extent of Repeal.
1 Edw. 8. & 1 Geo. 6. c. 12.	The Firearms Act, 1937.	In section twenty-one, in paragraph (b) of subsection (2) the words "is subject to the supervision of the police or". In section twenty-five, in subsection (1), the words "to be subject to police supervision or".
1 Edw. 8. & 1 Geo. 6. c. 58.	The Summary Procedure (Domestic Proceedings) Act, 1937.	Section seven.
1 & 2 Geo. 6. c. 21.	The Dogs Amendment Act, 1938.	In section one, the words "or until the appeal can no longer be prosecuted under the Summary Jurisdiction Acts, as the case may be".
1 & 2 Geo. 6. c. 63.	The Administration of Justice (Miscellaneous Provisions) Act, 1938.	In section eleven, in subsection (1) the words from "and (b) any indictment" to the end of the subsection; and in subsection (2) the words from "and with respect" to the end of the subsection.
7 & 8 Geo. 6. c. 31.	The Education Act, 1944.	In section one hundred and twenty, in subsection (2) the words "subsection (3) of section fifty-two and".
10 & 11 Geo. 6. c. 38.	The Probation Officers (Superannuation) Act, 1947.	In section two, the words from "Part I" to the words "first column of" in the second place where they occur. Part I of the Schedule.

## PART II.

## REPEALS EXTENDING TO SCOTLAND.

Session and Chapter.	Short Title.	Extent of Repeal.
1 Geo. 4. c. 57.	The Whipping Act, 1820.	The whole Act.
5 & 6 Vict. c. 51.	The Treason Act, 1842.	In section two the words from "and during the period of such imprisonment" to the end.
23 & 24 Vict. c. 105.	The Prisons (Scotland) Act, 1860.	Section seventy-four.
25 & 26 Vict. c. 18.	The Whipping Act, 1862.	The whole Act.
48 & 49 Vict. c. 69.	The Criminal Law Amendment Act, 1885.	In section four, the words from "Provided that in the case of an offender" to "in manner in that Act mentioned".

10TH SCH.  
—cont.

Session and Chapter.	Short Title.	Extent of Repeal.
55 & 56 Vict. c. 55.	The Burgh Police (Scotland) Act, 1892.	Section five hundred and fourteen.
2 & 3 Geo. 5. c. 20.	The Criminal Law Amendment Act, 1912.	Section three. In section seven, in subsection (5) the words from "and, in the case of a second or subsequent conviction" to the end.

## PART III.

## REPEALS EXTENDING TO SCOTLAND AND NORTHERN IRELAND.

Session and Chapter.	Short Title.	Extent of Repeal.
20 Hen. 6. c. 9	Recital of Magna Charta relating to Trial by Peers; Noble ladies to be tried as Peers of the Realm are tried.	The whole Act.
31 Hen. 8. c. 10	An Act for the placing of the Lords in the Parliament.	Section nine.
33 Hen. 8. c. 12	An Act for Murder and Malicious Bloodshed within the Court.	Section seven.
35 Hen. 8. c. 2	An Act concerning the Trial of Treasons committed out of the King's Majesty's Dominions.	Section two.
2 & 3 Edw. 6. c. 1.	An Act for the uniformity of service and administration of the Sacraments throughout the Realm.	Section ten.
1 Eliz. c. 1 ...	An Act for restoring to the Crown the ancient Jurisdiction over the State Ecclesiastical and Spiritual and abolishing all foreign power repugnant to the same.	Section eighteen.
1 Eliz. c. 2 ...	An Act for the Uniformity of Common Prayer and Divine Service in the Church, and the administration of the Sacraments.	Section nine.
2 Eliz. c. 1 ...	An Act of the Parliament of Ireland restoring to the Crown the ancient Jurisdiction over the State Ecclesiastical and Spiritual, and abolishing all foreign power repugnant to the same.	In section fifteen, the words from "And if it shall happen" to the end of the section.



Session and Chapter.	Short Title.	Extent of Repeal.
2 Eliz. c. 2 ...	An Act of the Parliament of Ireland for the Uniformity of Common Prayer and Service in the Church, and the administration of the Sacraments.	Section nine.
13 Chas. 2. Stat. I. c. I.	An Act for the Safety and Preservation of His Majesty's Person and Government against Treasonable and Seditious practices and attempts.	In section seven, the words "that no peer of this realm shall be tried for any offence against this Act but by his peers, and further".
1707 Anne c. 7.	An Act of the Parliament of Scotland ratifying and approving the Treaty of Union of the two Kingdoms of Scotland and England.	So far as it ratifies, approves and confirms the following words in Article XXIII of the Treaty of Union, that is to say, the words from "and particularly the right of sitting upon the trials of peers" to "at such trials as any other peers of Great Britain"; the words "and shall be tried as peers of Great Britain"; and the words "and particularly the right of sitting upon the trials of peers".
6 Anne c. 11 ...	The Union with Scotland Act, 1706.	Section four, so far as it ratifies, approves and confirms the following words in Article XXIII of the Treaty of Union, that is to say, the words from "and particularly the right of sitting upon the trials of peers" to "at such trials as any other peers of Great Britain"; the words "and shall be tried as peers of Great Britain"; and the words "and particularly the right of sitting upon the trials of peers".
6 Anne c. 78. ...	The Scottish Representative Peers Act, 1707.	Section twelve.
33 Geo. 3. c. 45.	An Act of the Parliament of Ireland for the trial of Treason committed out of the King's dominions.	Section two.
39 & 40 Geo. 3. c. 67.	The Union with Ireland Act, 1800.	Section one, so far as it ratifies, confirms and approves the following words in Article IV of the Articles

10TH SCH.  
—cont.

Session and Chapter.	Short Title.	Extent of Repeal.
39 & 40 Geo. 3. c. 67.—cont.	The Union with Ireland Act, 1800—cont.	of Union, that is to say, in the fourth paragraph, the words from "and that he shall be liable" to "charged"; and in the last paragraph the words from "and the lords" to "respectively on the part of Great Britain"; the words "and particularly the right of sitting on the trial of peers"; the words "be sued and tried as peers, except as aforesaid, and shall"; and the words "and the right of sitting on the trial of peers".
40 Geo. 3. c. 38.	An Act of the Parliament of Ireland for the Union of Great Britain and Ireland.	Section one, so far as it ratifies, confirms and approves the following words in Article IV of the Articles of Union, that is to say, in the fourth paragraph, the words from "and that he shall be liable" to "charged"; and in the last paragraph the words from "and the lords" to "respectively on the part of Great Britain"; the words "and particularly the right of sitting on the trial of peers"; the words "be sued and tried as peers, except as aforesaid, and shall"; and the words "and the right of sitting on the trial of peers".
6 Geo. 4. c. 66.	The Trial of Peers (Scotland) Act, 1825.	The whole Act.
4 & 5 Vict. c. 22.	The Felony Act, 1841 ...	The whole Act.
25 & 26 Vict. c. 65.	The Jurisdiction in Homicides Act, 1862.	Section nineteen.
20 & 21 Geo. 5. c. 45.	The Criminal Appeal (Northern Ireland) Act, 1930.	In section nineteen, in subsection (2), the words from "but shall not apply" to the end of the subsection.

## CHAPTER 59.

An Act to declare the meaning of references in Acts of Parliament and subordinate legislation to the laying of instruments or other documents before Parliament or before either House of Parliament, and the effect during a vacancy in the office of the Lord Chancellor or of the Speaker of the House of Commons of the requirement in section four of the Statutory Instruments Act, 1946, to send notification forthwith to each of them of an instrument's being made so as to operate before it has been laid before Parliament.

[30th July 1948.]

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

1.—(1) For the removal of doubt it is hereby declared that a reference in any Act of Parliament or subordinate legislation, whether passed or made before or after the passing of this Act, to the laying of any instrument, report, account or other document before either House of Parliament is, unless the contrary intention appears, to be construed as a reference to the taking, during the existence of a Parliament, of such action as is directed by virtue of any Standing Order, Sessional Order or other direction of that House for the time being in force to constitute the laying of that document before that House, or as is accepted by virtue of the practice of that House for the time being as constituting such laying, notwithstanding that the action so directed or accepted consists in part or wholly in action capable of being taken otherwise than at or during the time of a sitting of that House ; and that a reference in any such Act or subordinate legislation to the laying of any instrument, report, account or other document before Parliament is, unless the contrary intention appears, to be construed accordingly as a reference (construed in accordance with the preceding declaration) to the laying of the document before each House of Parliament.

Meaning of references to laying before Parliament.

(2) It is hereby further declared that nothing in section four of the Statutory Instruments Act, 1946, is to be taken as indicating an intention that any reference in that section to the laying of copies of certain statutory instruments as therein mentioned is to be construed otherwise than in accordance with the preceding declaration.

Notification under 9 & 10 Geo. 6. c. 36, s. 4. during vacancy of office of Lord Chancellor or of Speaker.

2. It is hereby declared that the requirement imposed by subsection (1) of section four of the Statutory Instruments Act, 1946, to send notification forthwith to the Lord Chancellor and to the Speaker of the House of Commons where a statutory instrument required to be laid before Parliament has been made so as to come into operation before it has been so laid, is to be treated as having been complied with, in a case in which notification forthwith is impossible by reason of a vacancy for the time being in the office of the Lord Chancellor or of the Speaker, whether occurring by death, resignation, dissolution of Parliament or otherwise, if the notification is sent to him immediately after the vacancy is filled.

Short title.

3. This Act may be cited as the Laying of Documents before Parliament (Interpretation) Act, 1948.

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## CHAPTER 60.

### *Development of Inventions Act, 1948.*

#### ARRANGEMENT OF SECTIONS.

Section.

1. The National Research Development Corporation.
2. Constitution of Corporation.
3. Balancing of accounts of Corporation.
4. Powers of Board of Trade as to exercise of functions of Corporation.
5. Power of Government departments to meet Corporation's losses on services provided for departments.
6. Temporary borrowing powers of Corporation.
7. Power of Board of Trade to make advances to Corporation.
8. Repayment of, and interest on, advances under last foregoing section.
9. Establishment of reserve.
10. Accounts and audit.
11. Issues out of the Consolidated Fund.
12. Application of, and accounting for, receipts of Board of Trade.
13. Exercise of powers of Board of Trade.
14. Short title.

SCHEDULE.—Provisions relating to constitution, etc., of Corporation.

An Act to establish a national corporation for securing the development and exploitation of inventions ; to authorise advances to the corporation out of the Consolidated Fund and, in respect of certain services, payments to the corporation out of moneys provided by Parliament ; and for matters connected therewith.

[30th July 1948.]

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

1.—(1) There shall be established, in accordance with the provisions of this Act, a body corporate to be called the National Research Development Corporation, which shall have the functions—

The National  
Research  
Development  
Corporation.

- (a) of securing, where the public interest so requires, the development or exploitation of inventions resulting from public research, and of any other invention as to which it appears to the Corporation that it is not being developed or exploited or sufficiently developed or exploited ;
- (b) of acquiring, holding, disposing of and granting rights (whether gratuitously or for consideration) in connection with inventions resulting from public research and, where the public interest so requires, in connection with inventions resulting from other sources.

(2) In this Act—

- the expression " invention " includes any new process or new technique and shall be construed without regard to whether or not a patent has been or could be granted ;
- the expression " public research " means research carried out by a Government department or other public body or any other research in respect of which financial assistance is provided out of public funds.

(3) In the exercise of their functions under paragraph (a) of subsection (1) of this section, the said Corporation (hereinafter referred to as " the Corporation ") shall have power, subject to the provisions of this Act, to carry on any activity the carrying on of which appears to the Corporation to be requisite, advantageous or convenient for or in connection with the exercise of their said functions, and in particular may carry on, or promote or facilitate the carrying on by other persons, of any business.

(4) The Corporation shall, except where it appears to them that special circumstances otherwise require, exercise their function of securing the exploitation of any invention by entrusting the exploitation thereof, on terms appearing to the Corporation to be appropriate, to persons engaged in the industry concerned.

Constitution  
of  
Corporation.

2.—(1) The Corporation shall consist of a chairman and a managing director appointed by the Board of Trade, and such number of other members so appointed, not being less than four or more than ten, as the Board may from time to time determine.

(2) The members of the Corporation shall be appointed from among persons appearing to the Board of Trade qualified as having had experience, and shown capacity, in matters relating to science, technology, industry, finance, administration or the acquisition and disposal of rights in inventions.

(3) The provisions of the Schedule to this Act shall have effect with respect to the remuneration of members of the Corporation out of the funds of the Corporation, as to the appointment, and tenure and vacation of office, of the said members, and otherwise in relation to the Corporation.

Balancing of  
accounts of  
Corporation.

3. The Corporation shall so exercise their functions as to secure, in so far as can be done consistently with the fulfilment of their purposes, that as soon as may be after the establishment of the Corporation the return to them from their activities shall be sufficient to meet their outgoings on revenue account, taking one year with another.

Powers of  
Board of  
Trade as to  
exercise of  
functions of  
Corporation.

4.—(1) The Board of Trade may, after consultation with the Corporation, give to them directions of a general character as to the exercise of their functions, and the Corporation shall comply with any such directions.

(2) The approval of the Board of Trade shall be requisite for the exercise by the Corporation of any of the following activities, that is to say—

- (a) the carrying out by the Corporation, or the entering by the Corporation into any agreement for the carrying out on their behalf, of any project for the making of goods, the construction of works or the provision of services, or the setting-up by the Corporation of any company or other organisation for carrying out any such project ;
- (b) the provision of financial assistance to any person undertaking the development or exploitation of any invention ;
- (c) the acquisition of, or of any interest in, any undertaking:

Provided that the approval of the Board shall not be requisite—

- (i) by virtue of paragraph (a) of this subsection, for anything done only by way of experiment or trial, or
- (ii) by virtue of paragraph (b) of this subsection, for the giving of assistance to a person in any year where the amount of that assistance together with any other assistance given to him by the Corporation in that year (less, where that other assistance took the form of a loan, any repayment made by him) does not exceed five hundred pounds.

The approval of the Board of Trade may be given for the purposes of this subsection either as respects any particular case or as respects any class of cases, and subject to such conditions and limitations as the Board think fit.

(3) The Corporation shall furnish the Board of Trade with such information concerning the property and activities of the Corporation as the Board of Trade may from time to time require.

(4) The Corporation shall as soon as possible after the end of each financial year of the Corporation make a general report to the Board of Trade as to the exercise by the Corporation of their functions during that year, and the report for any year shall set out any direction given to the Corporation under subsection (1) of this section during that year unless the Board have notified to the Corporation their opinion that it would be against the national interest so to do.

(5) The Board of Trade shall lay a copy of every report of the Corporation before Parliament.

5. Where in the exercise of their functions under paragraph (a) of subsection (1) of section one of this Act the Corporation carry out any project in response to representations made by a Government department that it is in the public interest that the project should be carried out, the Minister in charge of the department may with the consent of the Treasury make to the Corporation out of moneys provided by Parliament the Corporation in respect of any loss or estimated loss arising or likely to arise in the carrying out of the project.

Power of Government departments to meet Corporation's losses on services provided for departments.

6.—(1) With the approval of the Board of Trade given, with the consent of the Treasury, either generally or as respects the particular case, the Corporation may borrow temporarily, whether by way of overdraft or otherwise, sums required by them for meeting any of their obligations or discharging any of their functions :

Temporary borrowing powers of Corporation.

Provided that the aggregate amount outstanding of any sums borrowed under this section shall not at any time exceed two hundred and fifty thousand pounds.

(2) A person lending money to the Corporation shall not be bound to inquire whether the borrowing is within the power of the Corporation.

Power of Board of Trade to make advances to Corporation.

7.—(1) For the purpose of enabling the Corporation to defray expenditure properly chargeable to capital account, including initial expenses and the provision of working capital, the Board of Trade with the consent of the Treasury may within five years from the establishment of the Corporation make advances to the Corporation within the limit specified in the next following subsection.

(2) The aggregate amount outstanding in respect of any advances made under this section shall not at any time exceed five million pounds.

Repayment of, and interest on, advances under last foregoing section.

8.—(1) The Corporation shall make to the Board of Trade, at such times and in such manner as the Board may with the approval of the Treasury direct,—

- (a) payments of such amounts as the Board may with the like approval direct in or towards repayment of advances made to the Corporation under the last foregoing section; and
- (b) payments of interest on any sums for the time being outstanding in respect of such advances at such rate as the Board may with the like approval direct.

(2) Different rates of interest may be directed under this section as respects different advances and as respects interest for different periods, and the Board may, with the approval of the Treasury, waive any payments by way of interest due under this section within five years from the establishment of the Corporation.

(3) The Board of Trade shall lay before each House of Parliament a statement of any payment due from the Corporation under this section which is not duly paid to the Board as required thereunder.

Establishment of reserve.

9.—(1) The Corporation shall establish a reserve, applicable to the purposes of the Corporation at such times and in such manner as the Corporation may, subject to the provisions of this section, determine.

(2) The management of the reserve and the sums to be carried from time to time to the reserve shall, subject as aforesaid, be as the Corporation may determine.

Accounts and Audit.

(3) The power of the Board of Trade to give directions to the Corporation shall extend to the giving to them, with the approval of the Treasury, of directions as to any matter relating to the establishment or management of the reserve, the carrying of sums thereto, or the application thereof to the purposes of the Corporation, notwithstanding that the directions may be of a specific character.



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 of the Corporation a statement of accounts in such form as the Board of Trade may with the approval of the Treasury direct, being a form which shall conform with the best commercial standards. Accounts and  
audit.

(2) The accounts of the Corporation shall be audited by auditors to be appointed annually by the Board of Trade.

(3) A person shall not be qualified to be so appointed unless he is a member of one or more of the following bodies :—

The Institute of Chartered Accountants in England and Wales ;

The Society of Incorporated Accountants and Auditors ;

The Society of Accountants in Edinburgh ;

The Institute of Accountants and Actuaries in Glasgow ;

The Society of Accountants in Aberdeen ;

The Association of Certified and Corporate Accountants ;

The Institute of Chartered Accountants in Ireland.

(4) So soon as the accounts of the Corporation for any financial year thereof have been audited, the Corporation shall send to the Board of Trade a copy of the statement of accounts prepared in respect of that year together with a copy of any report made by the auditors on the statement or on the accounts.

(5) The Board of Trade shall lay a copy of every such statement and report before Parliament.

11.—(1) The Treasury may issue to the Board of Trade out of the Consolidated Fund or the growing produce thereof such sums as are necessary to enable the Board to make advances to the Corporation under this Act. Issues out of  
the  
Consolidated  
Fund.

(2) For the purpose of providing sums or any part of sums to be issued under this section, or of providing for the replacement of all or any part of sums 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 be created and issued under that Act. 2 & 3 Geo. 6.  
c. 117.

12.—(1) Sums received by the Board of Trade under section eight of this Act shall be paid into the Exchequer, and shall be issued out of the Consolidated Fund or the growing produce thereof at such times as the Treasury may direct and shall be applied by the Treasury as follows, that is to say— Application  
of, and  
accounting  
for, receipts  
of Board of  
Trade.

(a) so much thereof as represents principal shall be applied in redeeming or paying off debt of such description as the Treasury think fit ;

(b) so much thereof as represents interest shall be applied to the payment of interest which would, apart from this provision, have fallen to be paid out of the permanent annual charge for the National Debt.

(2) The Board of Trade shall, as respects each financial year, prepare in such form and manner as the Treasury may direct an account of sums issued to the Board under subsection (1) of the last foregoing section and of sums received by the Board under section eight of this Act, and of the disposal by the Board of those sums respectively.

(3) Any account prepared under this section shall, on or before the thirtieth day of November next following the expiration of the financial year in question be submitted to the Comptroller and Auditor General, who shall examine and certify the account and lay copies thereof together with his report before each House of Parliament.

Exercise of powers of Board of Trade.

13. Anything authorised or required by 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 secretary, under-secretary or assistant secretary of the Board, or any person authorised in that behalf by the President.

Short title.

14. This Act may be cited as the Development of Inventions Act, 1948.

Section 2.

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## SCHEDULE.

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### PROVISIONS RELATING TO CONSTITUTION, ETC., OF CORPORATION.

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1. The Corporation shall have a common seal, and shall have power to hold land.

2. A person shall be disqualified for being appointed or being a member of the Corporation so long as he is a member of the Commons House of Parliament.

3.—(1) The Board of Trade shall have power, exercisable by statutory instrument, to make regulations with respect to—

(a) the appointment of the members of the Corporation and their tenure and vacation of office ;

(b) the execution of instruments and the mode of entering into contracts by or on behalf of the Corporation, and the proof of documents purporting to be executed, issued or signed by the Corporation or a member or officer thereof.

(2) Subject to the provisions of regulations under sub-paragraph (1) of this paragraph, the Corporation shall have power to regulate their own procedure, including the manner in which matters subject to the determination of the Corporation are to be determined by or on behalf of the Corporation.

(3) Regulations made under this paragraph shall be subject to annulment in pursuance of resolution of either House of Parliament.

4. The validity of any proceeding of the Corporation shall not be affected by any vacancy among the members thereof or by any defect in the appointment of a member thereof.

5. The Corporation shall—

(a) pay to each member of the Corporation other than the managing director, in respect of the member's office as such, such remuneration and allowances as the Board of Trade may with the consent of the Treasury determine, and to the chairman, in respect of his office as such, such remuneration and allowances (in addition to any remuneration and allowances to which he may be entitled in respect of his office as a member) and to the managing director such salary and allowances, as the Board of Trade may with the like consent determine; and

(b) as regards any member in whose case the Board of Trade may with the consent of the Treasury determine to make provision for the payment on his death or retirement of a pension, gratuity, or other like benefit, pay or provide for the payment of such pension, gratuity or other like benefit to him or to others by reference to his service as the Board of Trade may with the like consent determine.

6. If any member of the Corporation, other than the chairman or the managing director, is employed about the affairs of the Corporation otherwise than as a member thereof, the Corporation may pay to that member such remuneration and allowances (in addition to any remuneration or allowances to which he may be entitled in respect of his office as a member) as the Corporation may determine.

7. The Corporation shall—

(a) pay to their officers, servants and agents such remuneration as the Corporation may determine; and

(b) as regards any officer, servants or agents in whose case it may be determined by the Corporation with the approval of the Board of Trade to make provision for the payment on their death or retirement of pensions, gratuities or other like benefits, pay, or provide for the payment of, such pensions, gratuities or other like benefits to them or to others by reference to their service as may be so determined.

8. Provision for pensions, gratuities or other like benefits under this Schedule may be made either by contributory or by non-contributory arrangements or partly by the one and partly by the other.

9. Without prejudice to the provisions of subsection (3) of section one of this Act, the Corporation shall have power to do any thing

and to enter into any transaction which in their opinion is calculated to facilitate the proper discharge of their functions or is incidental or conducive thereto :

Provided that—

- (a) the borrowing powers of the Corporation shall not extend beyond the powers expressly conferred by the provisions of this Act in that behalf ;
- (b) the provisions of this paragraph shall not affect the provisions of this Act as to the giving of directions to the Corporation.

10. It is hereby declared that nothing in this Act exempts the Corporation from liability to any tax, duty, rate, levy or other charge whatsoever, whether general or local.

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## CHAPTER 61.

An Act to amend the law with respect to customs in the  
Isle of Man. [30th July 1948.]

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

Tobacco.

1.—(1) In lieu of the duties imposed on tobacco by section one of the Act of 1947, there shall, until the first day of August, nineteen hundred and forty-nine, be payable, on the removal or importation into the Isle of Man of tobacco of the descriptions specified in the first column of the First Schedule to this Act, the following duties of customs—

- (a) in the case of tobacco not being an Empire product, duties at the rates respectively specified in the second column of that Schedule ; and
- (b) in the case of tobacco being an Empire product, duties at the rates respectively specified in the third column of that Schedule.

(2) In the said Schedule, the expression “ stripped tobacco ” means tobacco of which the leaf is not complete by reason of the removal of the stalk or midrib or of some portion thereof, but tobacco shall not be deemed to be stripped tobacco solely by reason of its having been subjected to such process of butting as the Commissioners may allow.

(3) The preceding provisions of this section shall be deemed to have had effect as from the tenth day of April, nineteen hundred and forty-eight.

(4) Section two of the Act of 1947 (which provides for relief for pensioners) shall have effect as if for the reference in paragraph (a) of subsection (1) thereof to the increase in the retail price of tobacco occasioned by the duties imposed by that Act there were substituted a reference to the increase in the retail price of tobacco over that prevailing immediately before the twenty-third day of April, nineteen hundred and forty-seven, occasioned by the duties for the time being in force in the Isle of Man.

2.—(1) In lieu of the duties imposed on spirits by section one Spirits. of the Act of 1943, there shall, until the first day of August, nineteen hundred and forty-nine, be payable, on the removal or importation of spirits into the Isle of Man, the following duties of customs—

- (a) in the case of spirits of any description, being Empire products produced in Great Britain or Northern Ireland, a duty of ten pounds ten shillings and ten pence for every gallon computed at proof, whether in cask or bottle ;
- (b) in the case of spirits of the descriptions specified in the first column of Part I of the Second Schedule to this Act, being Empire products produced elsewhere than in Great Britain or Northern Ireland, duties at the preferential rates respectively specified in the second column of that Part of that Schedule ;
- (c) in the case of spirits of the descriptions so specified, not being Empire products, duties at the full rates respectively specified in the third column of that Part of that Schedule ;
- (d) in the case of spirits of the descriptions specified in the first column of Part II of that Schedule—
  - (i) where the spirits have been warehoused for a period of less than three but not less than two years, duties at the rates respectively specified in the second column of that Part of that Schedule ; and
  - (ii) where the spirits have not been warehoused, or have been warehoused for a period of less than two years, duties at the rates respectively specified in the third column of that Part of that Schedule,

in addition to the duty payable under the foregoing provisions of this section :

Provided that no duty shall be payable under this section on the removal to the Isle of Man of spirits methylated in Great Britain or Northern Ireland.

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

**Wines.**

3. In lieu of the duties imposed on wines by section two of the Act of 1943, there shall, until the first day of August, nineteen hundred and forty-nine, be payable on the removal or importation of wines into the Isle of Man, the following duties of customs—

(a) in the case of wines of the descriptions specified in the first column of Part I of the Third Schedule to this Act, not being Empire products, duties at the rates respectively specified in the second column of that Part of that Schedule ; and

(b) in the case of wines of the descriptions specified in the first column of Part II of that Schedule, being Empire products, duties at the rates respectively specified in the second column of that Part of that Schedule :

2 & 3 Geo. 6.  
c. 109. Provided that if, by virtue of the proviso to section three of the Finance (No. 2) Act, 1939, the preferential rate chargeable under that section (as amended by any subsequent enactment) on wine not exceeding twenty-seven degrees of proof spirit is increased either generally or as respects wine produced or manufactured in any particular country, the Governor may from time to time make such orders as may be necessary to provide that this subsection has the same effect as respects wine removed or imported into the Isle of Man as the said section three has for the time being as respects wine imported into Great Britain or Northern Ireland.

**53 & 54 Vict.  
c. 8.**

(2) Subsection (2) of section eight of the Customs and Inland Revenue Act, 1890 (which provides that wine rendered sparkling in warehouse is to be deemed sparkling wine for the purposes of certain duties imposed on sparkling wine) shall apply for the purposes of the duty imposed on sparkling wine by this section as it applied for the purposes of the duty mentioned in that subsection.

(3) In this section, the expression " wine " includes the lees of wine, but does not include wine made in Great Britain or Northern Ireland.

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

**Sweets.**

4.—(1) In lieu of the duties imposed on sweets by section three of the Act of 1943, there shall, until the first day of August, nineteen hundred and forty-nine, be payable, on the removal or

importation of sweets into the Isle of Man, the following duties of customs—

- (a) in the case of sparkling sweets not exceeding twenty-seven degrees proof spirit, a duty at the rate of one pound eight shillings per gallon ;
- (b) in the case of sparkling sweets exceeding twenty-seven degrees proof spirit, a duty at the rate of one pound sixteen shillings per gallon ;
- (c) in the case of other sweets not exceeding twenty-seven degrees proof spirit, a duty at the rate of one pound two shillings per gallon ; and
- (d) in the case of other sweets exceeding twenty-seven degrees proof spirit, a duty at the rate of one pound ten shillings per gallon.

(2) In this section, the expression " sweets " means any liquor which is made in Great Britain or Northern Ireland from fruit and sugar, or from fruit or sugar mixed with any other material, and which has undergone a process of fermentation in the manufacture thereof, and includes British wines, made wines, mead and metheglin.

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

5.—(1) If the Treasury by order made under subsection (2) of section eight of the Finance Act, 1948, direct in relation to any class or description of goods specified in the order that any duties chargeable on those goods under the Safeguarding of Industries Act, 1921 (including any additional duties so chargeable by virtue of subsection (4) of section five of the Finance Act, 1936) shall be so charged at such reduced rates as may be so specified or shall cease to be charged, the Governor may by order make corresponding provision in relation to that class or description of goods with respect to any duties chargeable on those goods under section thirteen of the Act of 1926 (including any additional duties so chargeable by virtue of subsection (4) of section five of the Act of 1936).  
Power to vary certain duties by order. 11 & 12 Geo. 6. c. 49. 11 & 12 Geo. 5. c. 47. 26 Geo. 5. & 1 Edw. 8. c. 34.

(2) If the Treasury by order made under subsection (2) of section nine of the Finance Act, 1948, vary the rates of duties of customs chargeable under section nine of the Finance Act, 1933, on articles of apparel made wholly or partly of silk or artificial silk which are Empire products, the Governor may by order make corresponding provision with respect to the rates of duties of Customs chargeable on those articles under section four of the Act of 1933.  
23 & 24 Geo. 5. c. 19.

Any order made under this subsection shall have effect notwithstanding anything in subsection (7) of the said section four (which provides that the preferential rate for Empire products shall be five-sixths of the full rate) and notwithstanding anything in section three of the Act of 1937 (which provides for a further reduction in the preferential rate for silk stockings or socks).

22 & 23 Geo. 5.  
c. 8.  
1 & 2 Geo. 6.  
c. 46.

(3) If the Treasury by order made under subsection (3) of section nine of the Finance Act, 1948, vary the rates of duties of customs chargeable under Part I of the Import Duties Act, 1932, on Empire goods within the meaning of section six of the Finance Act, 1938, of the following descriptions, that is to say, agricultural tractors (not being track-laying tractors), motor bicycles and motor tricycles, the Governor may by order make corresponding provision in relation to such goods with respect to the rates of duties of customs chargeable thereon under Part I of the first Act of 1932.

Any order made under this subsection shall have effect notwithstanding any provision contained in or made under section six of the Act of 1938 (which provides for a preferential rate of duty of two-thirds of the full rate on the said goods).

(4) Where any such order made by the Treasury as is mentioned in the preceding provisions of this section is varied or revoked, any corresponding order made by the Governor under this section may be varied or revoked accordingly by a subsequent order of the Governor.

(5) Any order made by the Governor under this section increasing a duty of customs shall (if it has not previously ceased to have effect by virtue of section nine of the Act of 1936) be laid before Tynwald as soon as may be after it is made, and if Tynwald by resolution passed at the sitting at which the order is so laid, or at the next sitting of Tynwald, resolve that the order be not approved, the order shall thereupon cease to have effect, but without prejudice to anything previously done thereunder, or to the making of a new order.

Prunes.

6. The duties of customs chargeable on prunes under section nine of the Act of 1933 shall cease to be chargeable and, accordingly, the reference to prunes in Part I of the Third Schedule to that Act shall cease to have effect, and prunes shall not be chargeable as preserved plums under that Act.

Annual duties  
(continuation).

7.—(1) Subject to the provisions of this section, the duties of customs imposed on goods removed or imported into the Isle of Man, being goods of the descriptions set out in the first column of the following Table, by the respective enactments set out in



the second column of that Table, shall continue to be payable until the first day of August, nineteen hundred and forty-nine :—

TABLE.

Description of goods.	Enactment imposing duty.
Ale and beer ... ..	Section one of the Act of 1940.
Cocoa ... ..	Section four of the Act of 1924.
Hops and extracts, essences and other similar preparations (other than hop oil) made from hops.	Section five of the Act of 1925.
Hop oil ... ..	Section three of the Act of 1929.
Matches ... ..	Section six of the Act of 1940.
Silk and artificial silk and articles made wholly or in part from silk or artificial silk.	Section seven of the Act of 1925, as amended by section eight of the Act of 1926, section nine of the second Act of 1932, section four of the Act of 1933, section three of the Act of 1936, section three of the Act of 1937, and section four of the Act of 1947.
Tea ... ..	Section five of the Act of 1938.

(2) Where any enactment set out in the second column of the foregoing table confers power on the Governor to make orders varying or repealing the duties of customs payable on the goods referred to in that enactment or imposing a new duty on such goods, the provisions of that enactment relating to the said power shall continue in force until the said first day of August, nineteen hundred and forty-nine, and the foregoing provisions of this section shall have effect subject to any orders made in pursuance of any such power (whether before or after the commencement of this Act), which are for the time being in force.

(3) This section shall be deemed to have come into operation on the first day of August, nineteen hundred and forty-eight.

8.—(1) This Act may be cited as the Isle of Man (Customs) Act, 1948. Short title,  
interpretation  
and repeals.

(2) In this Act, the expression "Empire product" has the same meaning as in section five of the Act of 1919 as amended by any subsequent enactment.

(3) The enactments set out in the Fourth Schedule to this Act are hereby repealed to the extent specified in the third column of that Schedule, with effect, in the case of the repeals of and in the Acts of 1943 and 1947 respectively, as from the tenth day of April, nineteen hundred and forty-eight.

## SCHEDULES.

## Section 1.

## FIRST SCHEDULE.

## RATES OF DUTIES ON TOBACCO.

Description of Tobacco.  (1)	Rate of duty per pound	
	Non-Empire products. (2)	Empire products. (3)
	£ s. d.	£ s. d.
Tobacco unmanufactured—		
containing 10 lbs. or more of moisture in every 100 lbs. weight thereof—		
unstripped ... ..	2 18 2	2 16 7½
stripped ... ..	2 18 2½	2 16 7½
containing less than 10 lbs. of moisture in every 100 lbs. weight thereof—		
unstripped ... ..	2 19 2	2 17 5½
stripped ... ..	2 19 2½	2 17 5½
Tobacco manufactured, viz.—		
Cigars... ..	3 7 9	3 4 9½
Cigarettes ... ..	3 3 8	3 1 3½
Cavendish or Negrohead ... ..	3 2 8	3 0 5
Cavendish or Negrohead manufactured in bond ... ..	3 0 8	2 18 8½
Other manufactured tobacco ... ..	3 0 11	2 18 11½
Snuff—		
containing more than 13 lbs. of moisture in every 100 lbs. weight thereof ... ..	3 0 2	2 18 3½
containing not more than 13 lbs. of moisture in every 100 lbs. weight thereof ... ..	3 2 8	3 0 5

and so in proportion for any less quantity.

## SECOND SCHEDULE.

Section 2.

## RATES OF DUTIES ON SPIRITS.

## PART I.

*Ordinary rates payable on spirits not produced in Great Britain or Northern Ireland.*

(1) Description of Spirits	(2) Preferential Rates.		(3) Full Rates.	
	In Cask.	In Bottle.	In Cask.	In Bottle.
	£ s. d.	£ s. d.	£ s. d.	£ s. d.
For every gallon computed at proof of—				
Brandy or rum ...	10 11 2	10 12 2	10 13 8	10 14 8
Imitation rum or geneva ...	10 11 3	10 12 3	10 13 9	10 14 9
Unsweetened spirits other than those already enumerated	10 11 3	10 11 3	10 13 9	10 13 9
For every gallon of perfumed spirits ...	9 12 0	9 13 0	9 12 0	9 13 0
For every gallon of liqueurs, cordials, mixtures and other preparations in bottle entered in such manner as to indicate that the strength is not to be tested ...	—	14 5 10	—	14 9 2
For every gallon computed at proof of spirits of any description not heretofore mentioned, including naphtha and methylic alcohol purified so as to be potable, and mixtures and preparations containing spirits ...	10 11 3	10 12 3	10 13 9	10 14 9

2ND SCH.  
—cont.

## PART II.

*Additional customs duties in respect of immature spirits.*

(1)	(2)	(3)
Description of spirits.	Where the spirits have been warehoused for a period of two years and less than three years.	Where the spirits have not been warehoused or have been warehoused for a period of less than two years.
	s. d.	s. d.
For every gallon computed at proof of spirits of any description except perfumed spirits ... ..	1 0	1 6
For every gallon of liqueurs, cordials, mixtures and other preparations entered in such manner as to indicate that the strength is not to be tested ... ..	1 4	2 0
For every gallon of perfumed spirits	1 7	2 5

Section 3

## THIRD SCHEDULE.

## RATES OF DUTIES ON WINES.

## PART I.

*Non-Empire Products.*

Description of Wine.	Rate of duty per gallon.
	£ s. d.
Not exceeding 25 degrees proof spirit ...	1 5 0
Exceeding 25 degrees proof spirit and not exceeding 42 degrees proof spirit ... ..	2 10 0
For every degree or fraction of a degree above 42 degrees proof spirit, an additional duty	4 2
Sparkling, an additional duty ... ..	12 6
Still, in bottle, an additional duty ... ..	2 6

3RD SCH.  
—cont.

## PART II.

*Empire Products.*

Description of Wine.	Rate of duty per gallon.
	£ s. d.
Exceeding 27 degrees proof spirit and not exceeding 42 degrees proof spirit ... ..	2 0 0
For every degree or fraction of a degree above 42 degrees proof spirit, an additional duty	3 4
Sparkling, an additional duty ... ..	12 6
Still, in bottle, an additional duty ... ..	1 6

## FOURTH SCHEDULE.

Section 8.

## ENACTMENTS REPEALED.

Session and Chapter.	Short Title.	Extent of Repeal.
23 & 24 Geo. 5. c. 40.	The Isle of Man (Customs) Act, 1933.	In Part I of the Third Schedule, the word "prunes."
6 & 7 Geo. 6. c. 37.	The Isle of Man (Customs) Act, 1943.	The whole Act.
10 & 11 Geo. 6. c. 50.	The Isle of Man (Customs) Act, 1947.	Section one and the Schedule.

## CHAPTER 62.

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

[30th July 1948.]

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

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

Enactments  
in schedule  
repealed.

1. The enactments described in the First Schedule to this Act are hereby repealed, subject to the provisions of this Act and subject to the exceptions and qualifications in the said schedule mentioned; and every part of a title, preamble, or recital specified after the words "in part, namely," in connection with an Act mentioned in the said schedule may be omitted from any revised edition of the statutes published by authority after the passing of this Act, and there may be added in the said edition such brief statement of the Acts, officers, persons, and things mentioned in the title, preamble, or recital, as may in consequence of such omission appear necessary:

Provided as follows:—

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

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

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

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

and this Act shall not affect the validity, invalidity, effect, or consequences of anything already done or suffered,—or any existing status or capacity,—or any right, title, obligation, or liability, already acquired, accrued, or incurred, or any remedy or proceeding in respect thereof,—or any release or discharge of or from any debt, penalty, obligation, liability, claim, or demand,—or any indemnity,—or the proof of any past act or thing;

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

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

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

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

Application  
of repealed  
enactments in  
local courts.

3.—(1) From any revised edition of the statutes published by authority there may be omitted—

Omissions.

- (a) words of enactment, whether in the form “ Be it  
“ enacted by the King's (or Queen's) most ex-  
“ cellent 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 ” or

in any other form or to the like effect, and words such as "item," "also" and "that" referring to or consequential on words of enactment;

- (b) clauses of attestation added to ancient statutes;
- (c) in any enactment relating to courts now merged in the Supreme Court the words "debt," "suit," "bill," "plaint," "proceeding" or any of those words occurring after or in connection with the word "action";
- (d) in any enactment relating to Scotland the word "stewartry" occurring in connection with the words "shire," "sheriffdom" or "county," and the word "stewart" occurring in connection with the word "sheriff," whether any of these words be used in the singular or the plural;
- (e) the words "of", "and" or "or" where used in connection with any word omitted by virtue of paragraphs (c) and (d) of this subsection; and
- (f) enactments or words in respect of matters exclusively relating to territory within the jurisdiction of a self-governing Dominion.

(2) An omission made under the authority of this Act shall not affect the construction or interpretation of any statute.

General repeal  
of obsolete or  
unnecessary  
words.

4. The following words, being obsolete or unnecessary, are hereby repealed wherever occurring:—

- (a) words barring the allowance in any action or proceeding of any essoin or privilege or protection or wager of law or imparlance or of bail or mainprise or benefit of clergy; and
- (b) the words "that part of Britain called" or "that part of the United Kingdom called," or words to the like effect, where used before the words "England", "Scotland" or "Ireland."

Citation of  
Acts.

5. Each of the Acts mentioned in the Second Schedule to this Act may, without prejudice to any other mode of citation, be cited by the short title therein mentioned in that behalf.

Short title  
and extent.

6.—(1) This Act may be cited as the Statute Law Revision Act, 1948.

(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 appointed day within the meaning of the Government of Ireland Act, 1920.

10 & 11 Geo. 5.  
c. 67.



## SCHEDULES.

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### THE FIRST SCHEDULE.

Section 1.

#### ENACTMENTS REPEALED.

Reign and Chapter	Short Title
20 Hen. 3.: Stat. Merton: c. 2.	Widows may bequeath the corn on their lands. The whole chapter.
c. 9.	Special bastardy. The whole chapter.
52 Hen. 3.: Stat. Marlb.: c. 2.	Distresses for suit of court. The whole chapter.
c. 17.	The duty of guardians in socage. The whole chapter.
3 Edw. 1.: Stat. Westm. prim.:	
c. 28.	Maintenance by officers of courts. In part, namely,— The words to "his service."
c. 29.	Deceits by pleaders. The whole chapter.
13 Edw. 1.: Stat. Westm. sec.:	
c. 5.	Three original writs of advowson. In part, namely,— The words from "And when the parson" to "in the King's court."
c. 18.	Execution either by levying of the land and goods, or by delivery of goods and half the land, at the choice of the creditor. The whole chapter so far as unrepealed.

181 SCH.  
—cont.

Reign and Chapter	Short Title
13 Edw. I.: Stat. Westm.	
sec.:	
c. 34.	Dower forfeited by elopement with adulterer. Taking away of a nun. The whole chapter so far as unrepealed.
c. 35.	Punishment of him that taketh away a ward. The whole chapter so far as unrepealed.
c. 45.	On matters of record execution within the year, &c. The whole chapter.
c. 49.	Purchasing title of lands in suit. The whole chapter.
Stat. Circum- specte Agatis:	In part, namely,— The words from “ item, if a parson demands from his parishioners ” to “ be not demanded ” save as to any tithes which have not been commuted, the words “ and likewise for breaking an oath,” and the words from “ under what form shall ” to “ before prelates a prohibition shall lie.”
Statutum de Frangentibus Prisonam:	Statute of Breaking Prisons. The whole statute.
25 Edw. I.: Magna Carta:	
c. 10.	Distress for services. The whole chapter.
c. 22.	Lands of felons. The whole chapter.
c. 25.	Measures and Weights. The whole chapter.
Confirmatio Chartarum:	
c. 1.	Confirmation of the charters. In part, namely,— The words from “ the same charters shall be sent ” to “ in all points and that.”
c. 7.	A release of toll for wool. In part, namely,— To the words “ by the communalty afore- said.”

Reign and Chapter	Short Title
25 Edw. 1.: The King's Pardon to Humphrey de Bohun and others:	The whole chapter.
33 Edw. 1.:	An Ordinance concerning Conspirators. In part, namely,— The words from " and also such as cause children " to " sore grieved."
34 Edw. 1.:	Statute of joint tenants. The whole Statute so far as unrepealed.
7 Edw. 2.:	That no one be molested for the Death of Piers de Gavaston. The whole statute.
	That none be molested for the Return of Piers de Gavaston. The whole statute.
9 Edw. 2.: Articuli Cleri:	<p data-bbox="144 955 684 982">c. 1. No Prohibition in Suits for Tythes, &amp;c. In part, namely,— The words from " violent laying hands on " to " defamation," and, save as to any tithes which have not been commuted, the words from " But if a clerk " to the end of the chapter.</p> <p data-bbox="144 1170 816 1277">c. 2. Penance pecuniary and corporal. In part, namely,— The words from " Also if a prelate " to the end of the chapter.</p> <p data-bbox="144 1304 816 1376">c. 5. Prohibition shall not lie upon Demand of Tythe for a new Mill. The whole chapter.</p> <p data-bbox="144 1403 816 1537">c. 6. Jurisdiction of the King's Court jointly with the Spiritual. In part, namely,— The words from " as above appeareth " to " hands on a clerk."</p>
15 Edw. 2.:	The Exile of Hugh le Despenser, Father and Son. The whole statute.

1ST SCH.  
—cont.

Reign and Chapter	Short Title
15 Edw. 2.:	Revoking the Pardon granted to the Pursuers of the Despensers. The whole statute.
17 Edw. 2.: Stat. 2.:	Statute concerning the Lands of the Templars. The whole statute.
Statutes of uncertain date:	
Stat. de Pistoribus:	Toll at a mill. The whole statute so far as unrepealed.
Consuetudines Cantiae:	Customs of Kent. The whole statute so far as applying to deaths occurring after the first day of January, 1926.
Prerogativa Regis:	
c. 12.	Of lands of lunaticks. In part, namely,— The words from " And if the party die " to the end of the chapter.
c. 16.	Escheats of felons during the vacancy of bishopricks. The whole statute.
c. 18.	The lands and goods of felons attainted. The whole statute so far as unrepealed. De Catallis Felonum. The whole chapter.
1 Edw. 3.: Stat. 2.:	
c. 16.	Keepers of the peace in each county. The whole chapter.
5 Edw. 3.:	
c. 11.	Process against felons appealed, &c., in one county and dwelling in another. The whole chapter.
14 Edw. 3.: Stat. 3.:	The Realm and People of England never shall be subject to the Kings of England as Kings of France. The whole statute.
18 Edw. 3.: Stat. 2.:	
c. 2.	Keepers of the peace. The whole chapter.

Reign and Chapter	Short Title
25 Edw. 3.: Stat. 1:	A Statute for those who are born in Parts beyond Sea. In part, namely,— The words to "one assent have said that," and the word "said" wherever afterwards occurring.
Stat. 4:	The Statute of Provisors of Benefices. The whole statute.
Stat. 5.:	c. 2. The Treason Act, 1351. In part, namely,— The words from "and of such treason" to "as of himself," and the words from "And because that many other" to "judged treason or other felony."
c. 3.	Challenge of an indictor upon an inquest. The whole chapter.
27 Edw. 3.: Stat. 1:	c. 2. In a pardon of felony the suggestions and suggestor's name shall be comprised. The whole chapter.
31 Edw. 3.: Stat. 1:	c. 3. Discharge of estreats of felon's goods in the Exchequer. The whole chapter.
c. 14.	Escapes of thieves, chattels of felons, &c., shall be levied as they fall. The whole chapter.
34 Edw. 3:	c. 1. Who shall be justices of the peace, &c. In part, namely,— The words from "and also to inform them and" to "wont in times past" and the words from "and that writs of oyer" to the end of the chapter.
c. 12.	Seizure of lands on surmise of treason in dead persons. The whole chapter.
c. 15.	Alienations made by the tenants of K. Henry 3 confirmed. The whole chapter.

1ST SCH.  
—cont.

1ST SCH.  
—cont.

Reign and Chapter	Short Title
38 Edw. 3.: Stat. 2:	The several enormities of citations and of impetra- tions of benefices obtained from Rome, &c. The whole chapter.
42 Edw. 3.: c. 4.	Commissions of inquiry shall in all cases be granted to the judges or justices of the peace. The whole chapter.
42 Edw. 3.: c. 11.	Names of jurors shall be returned previously to sessions at nisi prius. The whole chapter so far as unrepealed.
45 Edw. 3.: c. 3.	Prohibition to spiritual courts in plea for title of wood of twenty years growth. The whole chapter.
1 Ric. 2.: c. 4.	Penalties for maintenance. In part, namely,— The words from "and then to be ransomed" to "degree, estate and desert" and the words "and to be ransomed as the other aforesaid."
3 Ric. 2.: c. 3.	Causes why advowsons of benefices were given to spiritual persons. Inconveniences of giving bene- fices to aliens, &c. The whole chapter.
5 Ric. 2.: Stat. 1:	c. 7. Forcible entries forbidden. In part, namely,— The words "of his body and thereof ran- somed at the King's will."
Stat. 2:	c. 4. Everyone shall obey his summons to Parliament. In part, namely,— The words from "and if any sheriff of the realm" to the end.
7 Ric. 2.: c. 3.	For Trespasses within the Forest Juries shall give their verdict where they received their Charge. The whole chapter.

Reign and Chapter	Short Title	1ST SCH. —cont.
7 Ric. 2.:		
c. 4.	Penalty on undue imprisonment by officers of the forest, &c. The whole chapter.	
c. 12.	Stat. 3 Ric. 2. c. 3 recited; confirmed and extended to aliens holding benefices in England, &c. The whole chapter.	
Words following c. 17.	Duty to proclaim certain statutes. The words from " And therefore we command you " to " effect of the same."	
12 Ric. 2.:		
c. 10.	Six Justices of Peace in each County, &c. The whole chapter so far as unrepealed except the words " the justices of peace shall keep their sessions in every quarter of the year at the least."	
c. 15.	Provisors of benefices beyond sea declared out of the King's protection, &c. The whole chapter.	
13 Ric. 2.:		
Stat. 1.:		
c. 1.	The Statute 25 Edw. 3. stat. 6 c. 3 confirmed, &c. In part, namely,— The words from " and if any presentee " to the end.	
Stat. 2.:		
c. 1.	No pardon for murder, treason, rape, &c., shall be allowed unless the offence shall be specified. The whole chapter so far as unrepealed.	
c. 2.	Effect of the Statute 25 Edw. 3. Statute 4, concerning provisors recited, &c. The whole chapter.	
c. 3.	Penalty for bringing or sending of summons or excommunication against any for enforcing the recited Statute of Provisors. The whole chapter.	
14 Ric. 2.:		
c. 11.	Eight justices of peace in each county, &c. The whole chapter so far as unrepealed.	
16 Ric. 2.:		
c. 6.	The Statute 13 Ric. 2. st. 2. ch. 1 recited; so much thereof as relates to the terms of charters of pardon confirmed, &c. The whole chapter.	

1ST SCH.  
—cont.

Reign and Chapter	Short Title
17 Ric. 2.:	c. 8. The Statute 5 Ric. 2. st. 1. ch. 7, against riots, &c., recited, &c. In part, namely,— The words from the beginning to “traytor to the King and his realm.”
2 Hen. 4.:	c. 3. The Statute of Provisors, 13 Ric. 2. st. 2. c. 2, 3, extended. The whole chapter.
4 Hen. 4.:	c. 12. St. 15 Ric. 2. c. 6, touching the appropriation of churches, confirmed, &c. In part, namely,— The words from “And if any church” to the end of the chapter except the words from “And that from henceforth in” to “keep hospitality there.”
	c. 22. Recital of 25 Edw. 3. st. 6. ch. 3, &c. The whole chapter.
5 Hen. 4.:	c. 1. Lands whereof certain Traitors were seised to Uses shall not be forfeited. The whole chapter.
	c. 10. Justices of peace shall imprison in the common gaol only. The whole chapter.
	c. 11. Farmers of the lands of aliens shall pay their tithes to the parsons. The whole chapter.
7 Hen. 4.:	c. 2. The Crown of England and France entailed upon K. Henry 4 and his Sons. The whole chapter.
	c. 5. The Lands whereof certain Traitors were seised to Uses shall not be forfeited. The whole chapter.
	c. 12. The Lands whereof certain Traitors were seised to Uses shall not be forfeited. The whole chapter.



Reign and Chapter	Short Title
13 Hen. 4.:	
c. 7.	Justices of peace and sheriffs shall arrest all rioters; and record their offences; and inquire thereof, &c. In part, namely,— The words from “ and the same justices ” to “ made to the contrary.”
1 Hen. 5.:	
c. 7.	Ordinance 13 Ric. 2, restraining Aliens from the holding of Benefices in England, confirmed. The whole chapter.
2 Hen. 5.:	
Stat. I.:	
c. 1.	The Purposes of Hospitals, &c. The whole chapter.
c. 4.	Times when justices of the quorum resident in the shire; except lords, &c. The whole chapter so far as unrepealed.
c. 8.	Recital of the Statute 13 H. 4. c. 7 against Riots, &c. In part, namely,— The words from the beginning to “ officers aforesaid in this behalf; And that ”, the words “ and ransom ”, and the words from “ And that the bailiffs ” to “ the same franchises.”  The words from “ and that this statute ” to the end of the chapter.
9 Hen. 5.:	
Stat. I.:	
c. 7.	Statute 2 H. 5. stat. 1. ch. 5, touching Offenders in Tyndal and Exhamshire recited: the recited Statute extended to the like Offenders in Ridesdale. The whole chapter.
2 Hen. 6.:	
c. 2.	The Hospital of St. Leonard in York, &c. The whole chapter.
3 Hen. 6.:	
c. 5.	Chancellor may award commissions to reform the River Lee. The whole chapter.

1ST SCH.  
—cont.

1ST SCH.  
—cont.

Reign and Chapter	Short Title
8 Hen. 6.:	<p>c. 9. Recital of the Statute 15 Ric. 2. c. 2. against forcible entries; defects of that statute; recited statute and others confirmed and extended to forcible detainers, &amp;c.</p> <p>In part, namely,—  The words from " And if any person " to " holden for none."  The words from " whereof every man " to " after the double "; and  The words from " And moreover " to " and ransom to the King."</p>
9 Hen. 6.:	<p>c. 3. Proceedings against Owen Glendour, attainted of high treason, declared valid; but without prejudice to his Heirs in Lands entailed. The whole chapter.</p> <p>c. 5. Free passage in the River Severn with goods, &amp;c. The whole chapter.</p> <p>c. 9. The Statutes 25 Edw. 3. st. 3. c. 4; 45 Edw. 3. c. 2; 1 Hen. 4. c. 12; respecting Wears in Rivers; Obstructions in the River Ley, &amp;c. The whole chapter.</p>
14 Hen. 6.:	<p>c. 3. The Statute 6 Ric. 2. st. 1. c. 5. recited. The Justices of Assize and of Gaol for Cumberland shall hold their Sessions at Carlisle. The whole chapter.</p>
27 Hen. 6.:	<p>c. 5. The scandal of holding fairs and markets on Sundays and upon high feast days, &amp;c. In part, namely,— The words from " Provided always that " to the end.</p>
29 Hen. 6.:	<p>c. 1. John Cade attainted of Treason; Forfeiture on such Attainder. The whole chapter.</p> <p>c. 3. All Patents exempting Persons from Offices in York declared void, &amp;c. The whole chapter.</p>
17 Edw. 4.:	<p>c. 2. Abuse of Courts of Piepowder at Fairs. The whole chapter.</p>

Reign and Chapter	Short Title	1ST SCH. —cont.
22 Edw. 4.:	c. 7. Woods felled within Forests require to be inclosed more than Three Years, &c. The whole chapter.	
	c. 8. For Benefit of the Town of Berwick, &c. The whole chapter so far as unrepealed.	
1 Ric. 3.:	c. 6. An Act for tryall of matters in Courtes of Pypowder held in fayres. The whole Act.	
	c. 15. An Acte for adnullinge letters patentes made to Elizabeth late Wyfe of Sir Jo. Grey. The whole Act.	
1 Hen. 7.:	Titulus Regis (part preceding c. 1). The whole Act.	
3 Hen. 7.:	c. 2 [or part of c. 1] An Acte agaynst Murderers. The whole Act so far as unrepealed.	
	c. 3. An Act that Justices of Peace may take Bayle. The whole Act so far as unrepealed.	
4 Hen. 7.:	c. 20. An Acte agaynst collusions and fayned accions. In part, namely,— The words from “ and over that be it enacted and ordeyned ” to “ woll sue in that be-half.”	
7 Hen. 7.:	c. 4. An Act that the challenge called Riens Deyns le gard be noe challenge. The whole Act.	
	c. 8. Crofte. The whole Act.	
	c. 12. De Feoffamento Regis. The whole Act.	
	c. 13. Pro Regina. The whole Act.	
	c. 14. An Act to make the somme of fyve markes payable by the Abbas & Covent of Barkinge to be parcell of the Manner of Havering. The whole Act.	

1ST SCH.  
—cont.

Reign and Chapter	Short Title
7 Hen. 7.:	
c. 15.	Pro Comitissa Richemond & Derby. The whole Act.
c. 17.	Pro Vicecomite Welles & Uxore ejus. The whole Act.
c. 18.	Pro Domino la Warre. The whole Act.
c. 20.	Pro Thoma Lovell Milite. The whole Act.
c. 21.	Pro Hugone Johnson & Johanna uxore ejus. The whole Act.
c. 22.	Convictio Johannis Hayes. The whole Act.
c. 23.	Attincta Roberti Chamberleyn Militis. The whole Act.
11 Hen. 7.:	
c. 9.	An Acte to make the Lordshipp of North Tyndall & South Tyndall to be within the County of Northumberland. The whole Act except section one.
c. 28.	Pro Rege. The whole Act.
c. 29.	Pro Rege: An Acte of Resumpcion. The whole Act.
c. 30.	Pro Rege: Horne. The whole Act.
c. 31.	Pro Rege: An Acte that all Grauntes made of the Mannor of Woodstock be voide. The whole Act.
c. 32.	Pro Regina: An Acte for the Quenes Joynture. The whole Act.
c. 33.	Pro Principe Walliae: an Acte for the making voide of dyvers leases & offices within the Principality of Wales, &c. The whole Act.

Reign and Chapter	Short Title	1ST SCH. —cont.
<b>11 Hen. 7.:</b>		
c. 38.	Pro Comite Oxonie. The whole Act.	
c. 41.	Pro Comite Surrey. The whole Act.	
c. 42.	De feoffamento facto per Comitem Surrey. The whole Act.	
c. 43.	De feoffamento facto per Comitem Devonie. The whole Act.	
c. 46.	De Custodia Vicecomitis Beaumont. The whole Act.	
c. 47.	Pro Domino Dudley. The whole Act.	
c. 48.	Pro Domino Souche & Seymour. The whole Act.	
c. 49.	Pro Ricardo Guldeford Milite. The whole Act.	
c. 50.	Pro Willelmo Berkley Milite. The whole Act.	
c. 51.	Pro Johanne Shaa. The whole Act.	
c. 52.	Pro Decano Sancti Pauli. The whole Act.	
c. 53.	Pro Thoma Middelton. The whole Act.	
c. 54.	Pro Georgio Catysby. The whole Act.	
c. 55.	Pro Simone Dygby Armigero. The whole Act.	
c. 56.	Pro Ricardo Ratclyff. The whole Act.	
c. 57.	Pro Clemente Skelton. The whole Act.	

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—cont.

Reign and Chapter	Short Title
11 Hen. 7.:	
c. 58.	Pro Heredibus Willelmi Waynsforde. The whole Act.
c. 59.	Pro Johanne Slyngesby. The whole Act.
c. 60.	Pro Hugone Mayne. The whole Act.
c. 62.	Assignacio expensorum Hospicii Regis. The whole Act.
c. 63.	Actus conviccionis Francisci nuper Vicecomitis Lovell. The whole Act.
c. 64.	Actus conviccionis certarum personarum. The whole Act.
c. 65.	An Acte concerninge the Peace betwene the Kinge of England & Kinge of Fraunce. The whole Act.
12 Hen. 7.:	
c. 11.	Pro Guidone Sapcote. The whole Act.
19 Hen. 7.:	
c. 18.	De Fluvio Sabrini. The whole Act.
c. 36.	De Billa Willelmi Meryng Militis. The whole Act.
3 Hen. 8.:	
c. 11.	An Act concerning Phesicians & Surgeons. The whole Act.
4 Hen. 8.:	
c. 20.	Pro Johanne Skelton. The whole Act.
5 Hen. 8.:	
c. 6.	An Acte that Surgeons be discharged of Constable- shipe and other thinges. The whole Act so far as unrepealed.
c. 19.	An Acte concernyng Surveyorshipe in the Port of London. The whole Act.

Reign and Chapter	Short Title	1ST SCH. —cont.
6 Hen. 8.:	c. 16. Acte concernyng Burgesses of the Parliament. In part, namely,— The words from “ and that all the counties ” to the end.	
	c. 18. Acte concernyng Undershiryffes in Bristowe. The whole Act.	
	c. 25. The Resumpcion. The whole Act.	
14 & 15 Hen. 8.:	c. 5. An Acte concernyng Phisicions. In part, namely,— Section three.	
	c. 6. An Acte for George Guldeford to laye out a newe Waye. The whole Act.	
	c. 28. An Acte for the Castell of Dovorr. The whole Act.	
	c. 29. Pro Mercatoribus de Hansa. The whole Act.	
	c. 32. Pro Henrico Wiat Milite. The whole Act.	
	c. 35. An Acte for George Roll to hold his place. The whole Act.	
21 Hen. 8.:	c. 6. An Acte concerninge the takinge of Mortuaries . . . In part, namely,— In section one the words of commencement, and the words “ of det by writ byll plaint.”	
	c. 17. An Acte repellinge a graunte latlie made by the Kinges Highnes to the Citizens of Yorke for the shippinge of certayne Wolles unto the Porte of Hull. The whole Act.	
	c. 20. An Acte that the Presidente of the Kynges Counsaile shall be associate with the Chauncellor and Treasurer of Englonde and the Keper of the Kinges Privie Seale. The whole Act so far as unrepealed.	

1ST SCH.  
—cont.

Reign and Chapter	Short Title
21 Hen. 8. :	
c. 25.	An Acte that no parson or parsons shall susteyne any prejudice by means of thattaynder of the Lorde Cardinall, by meanes that the saide Cardinall was seased in their landes to divers uses. The whole Act.
22 Hen. 8. :	
c. 3.	An Acte concernyng Plumsted Marshe. The whole Act.
c. 5.	An Acte concernyng the amendement of Bridges in High Wayes. In part, namely,— In sections one and seven the words “ whereof one to be of the quorum ”. In section three the words “ or iiii of the said justices at the leaste whereof one to be of the quorum ” where those words first occur, the words from “ to call before them the constables ” to “ inhabitauntes shall have power and auctoritie,” and the words from “ and after suche taxacion made ” to “ delyver to the owner thereof ”; Sections four and five.
c. 11.	An Acte concernyng Powdyke in Mersheland. The whole Act.
23 Hen. 8. :	
c. 9.	An Acte that no personne shalbe cited oute of the Diocese where he or she dwelleth excepte in certayne cases. In part, namely,— In section one the words “ by accion of dette or accion upon the case,” the words from “ by originall writte of dette ” to “ shalbe admitted ” where first occurring, and the words from “ in whiche accion ” where last occurring to the end of the section. Section four.
c. 12.	An Acte for takinge Exaccions upon the pathes of Severne. The whole Act.
c. 13.	An Acte that Men in Cities, Borowes and Townes which be clerely worth xl li in goodes shall passe in trial of murders. The whole Act.



Reign and Chapter	Short Title	1ST SCH. —cont.
<b>24 Hen. 8.:</b>		
c. 11.	An Acte for pavyng of the Highe Waye betwene the Stronde Crosse and Charyng Crosse. The whole Act.	
c. 15.	An Acte concernyng the repelyng of certen Letters patentes graunted unto the Mayre Burgesys and Comynaltye of the Towne of Hull. The whole Act.	
<b>25 Hen. 8.:</b>		
c. 8.	An Acte for pavyng of Holburne. The whole Act.	
c. 12.	An Acte concernyng the Attaynder of Elizabeth Barton & others. The whole Act.	
c. 19.	An Acte for the submission of the Clergie to the Kynges Majestie. In part, namely,— In sections four and five the words of commencement.	
c. 21.	An Acte for the exoneracion from exaccions payde to the See of Rome. In part, namely,— Sections nineteen, twenty and twenty-two.	
c. 27.	An Acte concernyng the Depryvacyons of the Bysshops of Sarum and Wurster. The whole Act.	
c. 29.	An Acte concernyng the Bysshop of Norwychis pardon. The whole Act.	
<b>26 Hen. 8.:</b>		
c. 7.	An Acte for amendynge of Highe Wayes in Sussex. The whole Act.	
c. 15.	An Acte for takinge awaie certeyne Exacions taken within the Archedeaconrie of Richemond by Spirituall men. The whole Act.	
c. 26.	A Provysyon for the Marchauntes of the Stylyard in London. The whole Act.	

1ST SCH.  
—cont.

Reign and Chapter	Short Title
27 Hen. 8.:	
c. 18.	An Acte for the preservacion of the River of Thamyse. The whole Act.
c. 21.	An Acte lymtyng an Order for payment of Tithes within the Citie of London. The whole Act.
c. 24.	An Acte for recontinyng of certayne liberties and franchises heretofore taken frome the Crowne. In part, namely,— The words of commencement. In section ten the words from “ and his Graces clerkes of the market ” to “ clerke of the markett.” Sections sixteen and eighteen. Section nineteen save as relating to the tem- poral Chancellor; and section twenty.
c. 26.	An Acte for Lawes & Justice to be ministred in Wales in like fourme as it is in this Realme. In part, namely,— The words of commencement. Section twenty-two.
c. 28.	An Acte whereby all Relygeous Houses of Monkes Chanons and Nonnes whiche may not dyspend Manors Landes Tenementes & Heredytamentes above the clere yerly Value of ii C li are geven to the Kinges Highnes his heires and Successours for ever. In part, namely,— Sections four to six, eight to twelve, and fourteen.
c. 35.	An Acte concernyng thassuraunce of the moytye of Londes lately inned by Cornelys Vanderdelf unto Richard Hyll and his heires. The whole Act.
c. 42.	An Acte concernyng the exoneracyon of Oxford & Cambrydg from payment of there fyrst frutes & tenthes. The whole Act.

Reign and Chapter	Short Title	1ST SCH. —cont.
28 Hen. 8.:		
c. 5.	An Acte for avoydyng of exaccyons taken upon Prentesis in the Cyties Borowghes and Townes corporatt.	
	In part, namely:— From the beginning to the words “ more playnly may appere.”	
c. 7.	An Acte for the Establisshement of the Succession of the Imperyall Crowne of this Realme. The whole Act so far as unrepealed.	
c. 11.	An Acte for restitution of the first Fruytys in the tyme of Vacacion to the next Incumbent.	
	In part, namely,— The words from the beginning to “ spirituall afore rehersed and that ” and from “ towarde the payment of ” to “ heirs and successours ”; in section two the words from “ at any tyme heretofore ” to “ receyved or taken or,” the words “ chauntreys only excepted ” wherever occurring, and the words “ except before excepted.”	
c. 15.	The Offences at Sea Act, 1536.	
	In part, namely,— In section two the words from “ and noo chalenge ” to the end of the section. Section three.	
c. 16.	An Acte for the release of such as have obteyned pretended Lycences and Dispensacions from the See of Rome.	
	In part, namely,— The preamble. Sections two and four. In section three the words from “ And that all ecclesiasticall ” to “ their obedience and.”	
c. 23.	An Acte concernyng the assuraunce of a Pencyon unto Robert Shurborn late Bisshopp of Chichester. The whole Act.	
31 Hen. 8.:		
c. 3.	An Acte changing the Custome of Gavelkind. The whole Act.	

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—cont.

Reign and Chapter	Short Title
31 Hen. 8. :	
c. 10.	<p>An Acte for the placing of the Lordes in the Parliament.</p> <p>In part, namely,—</p> <p>Section two except the words from “ And forasmuch ” to “ Church of England.”</p> <p>In section ten the words “ in the Sterr Chamber and.”</p>
32 Hen. 8. :	
c. 5.	<p>Contentacion of Dettes upon executions.</p> <p>The whole Act.</p>
c. 9.	<p>Agenst maintenaunce and embracery byeng of titles, &amp;c.</p> <p>In part, namely,—</p> <p>In section three the words from “the Sterre Chamber ” to “ marches of the same ” except the words “ or elliswhere within England ”.</p> <p>In sections three and six the words “ of dett bill playnte.”</p>
c. 17.	<p>For paving of Holborne &amp; other places.</p> <p>The whole Act.</p>
c. 18.	<p>For Reedifieng of Townes.</p> <p>The whole Act.</p>
c. 19.	<p>For Reedification of Townes westward.</p> <p>The whole Act.</p>
c. 24.	<p>The Possessions of Thospitalle of St. Johns of Hierusalem.</p> <p>The whole Act.</p>
c. 25.	<p>The Dissolution of the pretended mariage with the Lady Anne of Cleves.</p> <p>The whole Act.</p>
c. 27.	<p>Resumption at Calais, Berwick and Wales.</p> <p>The whole Act.</p>
c. 29.	<p>Oswaldebeck Socke.</p> <p>The whole Act.</p>
c. 35.	<p>Justices of Foreste to make deputies.</p> <p>The whole Act.</p>

Reign and Chapter	Short Title	1ST SCH. —cont.
32 Hen. 8. :	<p>c. 37. For recovering of Arrerages by Executors &amp; Administrators. In part, namely,— In section four the word “ And ” where first occurring, and the words from “ and the avowry ” to the end of the Act.</p> <p>c. 43. Countie days in Chester. The whole Act.</p> <p>c. 47. An Acte charging the Busshopp of Norwich with the Tenthez. The whole Act.</p> <p>c. 48. The Castell of Dover. The whole Act.</p> <p>c. 51. The Kinges authoritie to make Joyntures &amp; to geve landes to the Prince, &amp;c. In part, namely,— In the preamble the words from “ And also that the Kinges Majesty now being ” to “ His Graces will and pleasure ”; Section three.</p>	
33 Hen. 8. :	<p>c. 9. An Acte for Mayntenance of Artyllarie and debar- ringe of unlawful Games. In part, namely,— In the preamble the words from “ amongst which one ” to “ sixte yere of your said raigne ” and the words from “ by reason whereof archerie ys sore decayed ” to “ the contynual chardge thereof.” In section eight the words of commencement and the words from “ And yf any person hereafter sue for any placarde ” to the end of the section. Sections eleven to thirteen.</p> <p>c. 12. An Acte for Murther and malicious Bloudshed within the Courte. In part, namely,— So far as relates to offences committed or residence occurring between the feast of All Saints last past and the passing of the Act; The words “ lorde greate maister or,” wherever occurring;</p>	

1ST SCH  
—cont.

Reign and Chapter	Short Title
33 Hen. 8.: c. 12.	<p>In section one the words from " and steward of the Marshalsey " to " beinge to be one," the words from " whiche steward of the Marshalsey " to " stewarde for the tyme beinge," and the words " or two of them as ys abovesaide."</p> <p>In section two the word " saide " where first occurring; the words from " and the saide stewarde of the Marshalsey " to " to be one " where next occurring; the words from " and steward of the Marshalsey " to " to be one " where next occurring; the words from " and the said stewarde " to " to be one " where next occurring; the words from " and stewarde or " to " one as ys aforesaide "; the words from " and stewarde or " where secondly occurring to " to be one " where next occurring; the words from " &amp; stewarde of " where first occurring to " as ys aforesaid " where next occurring; the words from " and stewarde of " where secondly occurring to " to be one " where next occurring; the words from " and shall forfeit all " to " goodes and cattelles "; and the words from " without allowinge " to " any sanctuarie."</p> <p>Section four. Sections six and twelve.</p>
c. 20.	<p>An Acte for due Proces to be had in Highe Treason in Cases of Lunacye or Madnes. The whole Act so far as unrepealed.</p>
c. 21.	<p>The Bill of Atteynder of Mestres Katherin Hawarde late Quene of England and divers other personnes her complices. The whole Act except sections three and five.</p>
c. 25.	<p>An Act for the making free and to putt in the nature off mere Englisshmen certayne children begotten and born byyonde the sea. The whole act.</p>
c. 27.	<p>An Acte for Leases of Hospitales Colledges and other Corporacions to be good and effectuall with the Consent of the more partie. In part, namely,— The words from " all othes heretofore " to " that from hensforth ". The words " of debt bill playnt."</p>

Reign and Chapter	Short Title	1ST SCH. —cont.
<b>33 Hen. 8.:</b>		
c. 30.	A Bill for the confirmation of thautorite of the Dean and Chaptre of Lychefeld in making Leasses and other Grauntes. The whole Act.	
c. 31.	A Bill for the dissevering off Bisshopriche of Chester and off the Isle of Man from the Jurisdiction off Cantorbery to the Jurisdiction off Yorke. In part, namely,— Section four.	
c. 33.	A Bill for the previlegis of Kingstowne upon Hull. The whole Act.	
c. 36.	An Acte for the repayringe of Canterburie, Stamforde and diverse other Townes. The whole Act.	
c. 39.	The Byll for thestablishment of the Courte of Surveyors. In part, namely,— Section thirty-six. In section thirty-seven the words “ augmentacions of the revenues of his crowne ” and the words from “ maister of the wards ” to “ first frutes and tenthes.” Sections forty-three to fifty. Section fifty-eight.	
<b>34 &amp; 35 Hen. 8.:</b>		
c. 9.	An Acte for the Preservation of the Ryver of Severne. In part; namely,— Sections one to three. In section four the words of commencement.	
c. 12.	An Acte for the paving of certain lanes and stretes in London and Westminster. The whole Act.	
c. 13.	An Acte for Knightes and Burgesses to have place in the Parliament for the Countie Palantyne and Citie of Chestre. The whole Act so far as unrepealed.	

1ST SCH.  
—cont.

Reign and Chapter	Short Title
34 & 35 Hen. 8.:	
c. 17.	An Acte for the newe erected Bisshoppes to paie theyre tenths into the Courte of First Fruictes. The whole Act.
c. 24.	An Acte for thassurance of certaine landes to John Hynde Sergeant at Lawe. The whole Act.
c. 26.	An Acte for certaine Ordinaunces in the Kinges Majesties Domynion and Principallitie of Wales. In part, namely,— Section nine. In section twenty-one the words “ and quorum ” and “ whereof oone to be of the quorum,” and the words from “ and fees ” to “ theyre clerkes.” In sections thirty-three, thirty-six, thirty-seven and thirty-eight the words of commencement. Section fifty. In section fifty-six the words from “ And that all ” to “ realme of Englande.” In section fifty-seven the words from “ And that the tenants ” to the end of the section. Section fifty-eight.
35 Hen. 8.:	
c. 1.	An Acte concerninge the establishment of the Kinges Majesties Succession in the Imperiall Crowne of the Realme. The whole Act so far as unrepealed.
c. 4.	An Acte touchinge the repayringe and amendinge of certain decayed Houses and tenements as well in Englande as in Wales. The whole Act.
c. 9.	The Byll for the particion of Wapping Marshe. The whole Act.
c. 10.	The Byll concernyng the Conduytes in London . . . The whole Act.
c. 13.	A Byll concernyng the houses tenementes and landes lying in Walsyngham to be letten by Copy, which late were belongyng to the Pryory. The whole Act.



Reign and Chapter	Short Title	1ST SCH. —cont.
35 Hen. 8. : c. 14.	An Acte for the Reservacion of tenures upon Houses, with Landes belonging to the same, under the clere yerely value of xl s. The whole Act.	
37 Hen. 8. : c. 1.	An Acte for the Offyces of the Custos Rotulorum. In part, namely,— Section four.	
c. 2.	An Acte for the particion of Hounsloo Heath. The whole Act.	
c. 3.	An Acte for the mending of the Highe Wayes besides Chester. The whole Act.	
c. 11.	An Acte for the Mershes besides Grenewych. The whole Act.	
c. 12.	An Acte for Tithes in London. The whole Act.	
1 Edw. 6. : c. 1.	An Acte against suche as shall unreverentlie speake against the Sacrament of the bodie and bloude of Christe commonlie called the Sacrament of the Altar and for the receyving thereof in bothe kyndes. In part, namely,— In section one the words from “ from and after ” to “ nexte cominge.” In section two the words to “ Maie next coming ” and “ whereof one of them to be of the quorum ” and the words “ after the saide first daie of Maye.”	
c. 7.	An Acte for the contynuaunce of Actions after the death of anny King of this Realme. In part, namely,— Preamble. In section four the words from “ justice of assize ” to “ delivery or,” the words from “ or being in ” to “ what so ever,” and the words “ sergeaunt at lawe or shrief ” and “ and commissioner.”	

1ST SCH.  
—cont.

Reign and Chapter	Short Title
1 Edw. 6.:	
c. 7.	In section five the words to " And over that, that," the words " justices of assise, gaole deliverye oyer and terminer " wherever occurring, " or other of the Kinges commissioners " " or associacion," " or other the Kinges commissioners " " of assise gaole deliverye and," " and other commissioners " and " and commissioners."
c. 8.	An Acte for confirmation of letters patentes. The whole Act.
c. 9.	An Acte for the uniting of certaine Churches within the Citie of Yorke. The whole Act.
c. 12.	An Acte for the Repeale of certaine Statutes concerning Treasons, Felonies, &c. The whole Act so far as unrepealed.
2 & 3 Edw. 6.:	
c. 1.	An Acte for the Unyformytie and Admynistracion of the Sacramentes throughout the Realme. In part, namely,— The words of commencement wherever occurring. In section one the words from " that all and singular person " to " thereof: And."
c. 7.	An Acte againste the craftie and deceptfull buyinge of Pencions. The whole Act.
c. 17.	An Acte for the confirmation of the Attayndor of Sir William Sherington. The whole Act.
c. 30.	An Acte for the Townes of Rye and Wynchellsey and for casting of Balaste into the Camber. The whole Act.
3 & 4 Edw. 6.:	
c. 4.	An Acte concerninge grauntes and gyftes made by Patentees out of Letters Patentes. The whole Act.
c. 13.	An Acte for the Restitucion in bloude of Sir William Sharyngton Knighte. The whole Act.

Reign and Chapter	Short Title	1ST SCH. —cont.
5 & 6 Edw. 6.:		
c. II.	An Acte for the punyshment of diverse Treasons. In part, namely,— Preamble. Sections six and ten.	
c. 16.	The Sale of Offices Act, 1551. In part, namely,— Section three.	
7 Edw. 6.:		
c. 3.	An Acte for the Confirmation of letters Patentes notwithstanding the misnaminge of anny thinge contained in the same. The whole Act.	
1 Mar. sess. 2.:		
c. I.	An Acte declaring the Quenes Hyghness to have bene borne in a most just and lawful Matrimonie and also repealing all Actes of Parliament and Sentences of Divorce hadd and made to the con- trarie. The whole Act.	
c. 3.	An Acte against Offenders of Preachers and other Ministers in the Churche. In part, namely,— Section three.	
c. 9.	An Acte touching thincorporations of the Phisitions in London. The whole Act so far as unrepealed.	
c. 15.	An Acte for the reedifieing of the Parishe Churche of Saynte Elens in Stanegate within the Citie of Yorcke. The whole Act.	
1 Mar. sess. 3.:		
c. 5.	An Acte for the continuacion of a Statute made for the repairing of Shirbourne Causeye. The whole Act.	
c. 6.	An Acte for the repairing of a Cawseie betwext Bristowe and Gloucestre. The whole Act.	

1ST SCH.  
—cont.

Reign and Chapter	Short Title
1 & 2 Phil. & Mar.:	
c. 10.	An Acte whereby certayne Offences bee made Tresons and also for the Governement of the Kinges and Quenes Majesties Issue. In part, namely,— In the title the words from “ and also ”.
c. 12.	An Acte touching thimpounding of Distresses. In part, namely,— The words of commencement.
2 & 3 Phil. & Mar.:	
c. 7.	An Acte agaynst the byeing of stolen Horses. In part, namely,— In section two the words of commencement, the words “ byll playnt ” and “ of dett ”. Section four.
c. 14.	An Acte for the Reedifienge of iiii Milles near the Cite of Hereford. The whole Act.
c. 17.	An Act to take away the Benefite of Clergie from Benet Smythe for the Murther of Rufforde. The whole Act.
c. 19.	An Acte touching Poodyke in Marshelande. The whole Act.
4 & 5 Phil. & Mar.:	
c. 1.	An Acte for the confirmation of Letters Patentes. The whole Act.
1 Eliz.:	
c. 1.	The Act of Supremacy. In part, namely,— The words of commencement. In section two the words from “ and also one other Acte made in the xxviiiith yere ” to “ sea of Rome ”; In section three the words from “ and also one Acte made ” to “ Edward the Syxte, ” and the word “ their ”. Section six. In section fifteen the words from “ and in case any ” to the end of the section. Section sixteen.
c. 3.	An Acte of Recognition of the Quenes Highnes Title to the Imperyall Crowne of this Realme. The whole Act.

Reign and Chapter	Short Title	1ST SCH. —cont.
1 Eliz. :	<p>c. 4. An Acte for the Restitution of the First Fruites and Tenths and Rentes reserved Nomine Decime and of Parsonages impropriate to Thimperial Crowne of this Realme. The whole Act so far as unrepealed.</p> <p>c. 17. An Acte for the preservacion of Spawne and Frye of Fyshe. The whole Act so far as unrepealed.</p> <p>c. 19. An Acte giving Authorite to the Quenes Majestie upon thadvoidance of any Archebishoppricke or Bishoppricke to take into her Handes certeine of the Temporall Possessions thereof, recompensing the same with Parsonages Impropriate and Tenthes. The whole Act so far as unrepealed.</p> <p>c. 23. An Acte wherby the Quenes Highnes is restored in bloode to the late Quene Anne her Highnes Mother. The whole Act.</p> <p>c. 24. An Acte to annexe to the Crowne certayne Religious Howses and Monasteries and to refourme certayne Abuses in Chantreis. In part, namely,— Sections three, ten and twelve.</p>	
5 Eliz. :	<p>c. 23. An Acte for the due Execucion of the Writ De excommunicato capiendo. In part, namely,— In section one the words of commencement and the words from " and after the same writte " to the end of the section. In section two the words from " and yf the said sheryff " to the end of the section. Section three. In section five the words from " and the same to signifie " to the end of the section. Section six. In section seven the words from " And that yf the offendor " to the end of the section.</p>	
8 Eliz. :	<p>c. 21. An Acte confirmynge the Quenes Majesties letters Patentes concernyng the makinge of Allome and Copras within this Realme and other her Highnes Domyinions. The whole Act.</p>	

1ST SCH.  
—cont.

Reign and Chapter	Short Title
8 Eliz. :	
c. 22.	An Acte for making of Salte within the Queenes Majesties Domynions. The whole Act.
13 Eliz. :	
c. 2.	An Acte agaynste the bringing in and putting in Execution of Bulls and other Instruments from the Sea of Rome. In part, namely,— The words of commencement. In section one the words from “ and being thereof lawfully indicted ” to the end of the section. Sections two, three, seven and nine.
c. 6.	An Acte that Constathes and Exemplifications of Letters Patentes shalbe as good and avayleable as the Letters Patentes themselves. In part, namely,— The words to “ present Parliament that.”
c. 12.	An Acte to refourme certayne Dysorders touching Ministers of the Church. In part, namely,— In section two the words from “ or before ” to “ causes ecclesiasticall ” and the words “ or the said commissioners.” In section four the words “ being under thage of foure and twenty yeres, nor.” Section five.
c. 18.	An Acte for the brynging of the Ryver of Lee to the Northside of the Citie of London. The whole Act.
c. 20.	An Acte touchinge Leasses of Benefices and other Ecclesiasticall Lyvynges with Cure. The whole Act so far as unrepealed.
c. 23.	An Acte for pavyng of a Streete without Algate. The whole Act.
18 Eliz. :	
c. 2.	An Acte for Confirmacion aswell of all Grauntes made to the Queenes Majestie as of letters patentes made by Her Majestie to others. The whole Act.
c. 4.	An Acte for the avoyding of Fraudes in certeyne Conveyaunces and Assuraunces made by the late Rebelles in the Northe. The whole Act.

Reign and Chapter	Short Title	1ST SCH. —cont.
18 Eliz. :	<p>c. 5. An Acte to redresse Disorders in Common In-fourmers upon Penall Lawes.</p> <p>In part, namely,—</p> <p>In section one the words from “ everye informer ” to “ courte; and ” and the words from “ nor shall have ne use ” to the end of the section.</p> <p>In section two the words to “ fourme afore-said; and,” and the words from “ and that every clerke ” to the end of the section.</p> <p>Section three.</p> <p>In section five the words from “ in some markt ” to “ twoo houres,” the words “ of debte.”</p> <p>In section seven the words from “ extende to ” to “ nor shall.”</p>	
	<p>c. 11. An Acte for Thexplanacion of the Statutes entytuled againste the defeating of Dilapidacions, and againste Leases to bee made of Spiritual Promocions in some Respectes.</p> <p>In part, namely,—</p> <p>Preamble to the words “ more playnely appeareth.”</p> <p>Sections three and four.</p>	
	<p>c. 21. An Acte for the Releife and reedifyeng of the Boroughe of Newe Woodstocke in the Countye of Oxforde.</p> <p>The whole Act.</p>	
23 Eliz. :	<p>c. 6. An Acte for the repaying of Dover Haven.</p> <p>The whole Act.</p> <p>c. 12. An Acte for an Adition unto a former Acte made Anno xiii of her Majesties Raigne for the pavinge of a Strete without Algate leading to Her Highenes Storehowses at the Minories and other Places.</p> <p>The whole Act.</p> <p>c. 13. An Acte for the ynninge of Earith and Plumsted Marshe.</p> <p>The whole Act.</p> <p>c. 17. An Acte that Gavelkind Landes within the Cittye of Exceter maye be enheritable as Landes at the Common Lawe.</p> <p>The whole Act.</p>	

1ST SCH.  
—cont.

Reign and Chapter	Short Title
27 Eliz. :	
c. 22.	An Acte for the bringinge of the Haven of the Cittie of Chichester by a newe cut Channell to the Suburbes of the same Cyttie. The whole Act.
c. 24.	An Acte for the repayreng and mayntenance of the Seabanckes and Seawoorckes on the Seacostes in the Cowntie of Norfolk. The whole Act.
c. 27.	An Acte for the Inninge of Earithe and Plumsted Marshe. The whole Act.
31 Eliz. :	
c. 5.	An Acte concerninge Informers. In part, namely,— In section one the words from “ And that noe person ” to the end of the section. Sections two and three.
c. 6.	An Acte against Abuses in Election of Scollers and presentacions to Benefices. In part, namely,— The words of commencement. Section three.
c. 12.	An Acte to avoyde Horse stealinge. In part, namely,— The words of commencement.
c. 13.	An Acte for the revivinge and enlarginge of a Statute made in the xxiith yere of her Majesties Raigne for repayringe of Doverr Haven. The whole Act.
39 Eliz. :	
c. 5.	An Acte for erecting of Hospitalles or abiding and working howses for the Poore. In part, namely,— In section one the words from “ at any tyme ” to “ next ensuyng.”
c. 23.	An Acte for the repayring of the Bridges of Newport & Carlion in the County of Monmouth. The whole Act.



Reign and Chapter	Short Title	1ST SCH. —cont.
39 Eliz. :	<p>c. 24. An Acte for the erectinge and buyldinge of a Bridge over the Ryver at Wye, at Wylton upon Wye near the Towne of Rosse in the County of Hereforde. The whole Act.</p> <p>c. 25. An Act for the inlardging of the Statute made for followinge Hue and Cry . . . to relieve the Inhabitanes of the small Hundred of Beynershe alias Benherste . . . The whole Act.</p>	
43 Eliz. :	<p>c. 2. The Poor Relief Act, 1601. In part, namely,— Section one to the words “ weekelie or otherwise ” except the words “ Overseers of the poore shall take order from tyme to tyme to raise.” In the said section one the words from “ in the saide parishe in such ” to the end except the words “ competent summes of money for the necessarie reliefe of the poore.” Section two except the words “ it shall be lawful for the overseers by warrant from any two justices of the peace to levie the saide summes of money and all arrerages of every one that shall refuse to contribute accordinge as they shall be assessed, by distresse and sale of the offenders goodes.” Sections five, eight and ten.</p> <p>c. 5. An Acte to prevent Perjurie and subornacion of Perjurie and unnecessarie Expenses in Suites of Lawe. The whole Act so far as unrepealed.</p> <p>c. 11. An Acte for the Recoverye of many hundred thousand Acres of Marishes . . . within the Isle of Ely . . . and the Countie Palatine of Durham. The whole Act.</p> <p>c. 16. An Acte for the reedifienge repairing and maintayninge of Two Bridges over the Ryver of Eden neere the Citie of Carlile in Cumberland. The whole Act.</p>	

1ST SCH  
—cont.

Reign and Chapter	Short Title
1 Jac. 1.:	
c. 1.	A moste joyfull and juste Recognition of the immediate lawfull and undoubted Succession Descent and Righte of the Crowne. The whole Act.
c. 3.	An Acte againste the Diminution of the Possessions of Archbishoprickes and Bishoprickes and for avoydinge of Dilapidations of the same. The whole Act.
c. 30.	An Acte for the erecting and buildinge of a Church . . . to be the Parishe Church of Radipoll . . . The whole Act.
c. 32.	An Acte for repaire of Dover Haven. The whole Act.
3 Jac. 1.:	
c. 5.	An Acte to prevente & avoid dangers which may grow by Popish Recusantes. In part, namely,— The words of commencement in section thirteen.
c. 19.	An Acte for repairing of the Highway from Non-such to Taleworthe in the Paryshes of Ewell and Long Ditton . . . . leading to Kingston-upon-Thame . . . . The whole Act.
c. 22.	An Acte for paving of Drury Lane and the Towne of St. Giles in the Fieldes within the County of Middlesex. The whole Act.
c. 23.	An Acte for the newe making up & keeping in Reparacion of Chepstow Bridge. The whole Act.
c. 24.	An Acte for the reedifying of a Bridge over the River of Seaverne neere the Towne of Upton upon Seaverne. The whole Act.
4 Jac. 1.:	
c. 8.	An Act touchinge the drowned Marshes of Lesnes and Fantes in the Countye of Kent. The whole Act.

Reign and Chapter	Short Title
7 Jac. I.:	
c. 9.	An Acte for the bringing of fresh Streemes of Water by Engine from Hackney Marsh to the Cittie of London, for the benefitt of the Kinge's Colledge at Chelsey. The whole Act.
c. 12.	An Acte to avoide the double Payment of Debtes. In part, namely,— In section one the words of commencement, and the words " hereafter to be " wherever occurring.
c. 15.	An Acte concerninge some manner of Assignement of Debtes to His Majestie. In part, namely,— The words of commencement.
c. 18.	An Acte for the takinge landinge and carryinge of Sea Sand for the bettringe of Groundes and for the increase of Corne and Tillage within the counties of Devon and Cornwall. In part, namely,— The words from " This Act to contynue " to " next Parliament."
c. 20.	An Acte for the speedye Recoverye of manye thousand Acres of Marshe Groundes . . . within the Counties of Norffolke and Suffolke . . . The whole Act.
c. 21.	An Acte for the confirmacion of Decrees hereafter to be made in the Exchequer Chamber and Dutchye Courte concerninge Customarie or Cppyhold Lands and Tenementes. The whole Act.
21 Jac. I.:	
c. 1.	An Acte for the erecting of Hospitalles and Working Houses for the Poore. The whole Act.
c. 3.	The Statute of Monopolies. In part, namely,— In section four the words of commencement, the words from " and in such suites " to " imperlance "; and the words " or attaint." Sections thirteen and fourteen.

1ST SCH.  
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1ST SCH.  
—cont.

Reign and Chapter	Short Title
21 Jac. 1.:	
c. 4.	An Act for the Ease of the Subject concerning the Informations upon Penall Statutes. In part, namely,— In section one the words from “ after the end ” to “ session of Parliament.” In section five the words from “ nor to any suit ” to “ poundage, wooll &c.”
c. 11.	An Acte for Confirmation of a Judgment geven agaynst Henry Heron. The whole Act.
c. 15.	An Acte to enable Judges & Justices of the Peace to geve Restitucion of Possession in certayne cases. In part, namely,— The words “ from henceforth ” and the words from “ tenantes by copie of court rolle ” to “ statute merchant and staple.”
c. 23.	An Acte for avoyding of vexacions and delays caused by removing Accions and Suites out of inferiour Courtes. The whole Act.
c. 24.	An Acte for the reliefe of Creditors agaynst such persons as dye in Execucion. The whole Act.
c. 25.	An Acte for the Reliefe of Patentees Tenauntes & Farmors of Crowne Landes in Cases of Forfeiture. In part, namely,— In section one the words “ or Court of Wardes.”
c. 29.	An Acte to enable Prince Charles to make Leases of Landes parcell of the Duchie of Cornwall. The whole Act.
1 Car. 1.:	
c. 1.	The Sunday Observance Act, 1625. In part, namely,— The words of commencement, the words from “ to the constables or churchwardens ” to “ shalbe committed ” and the words from “ and in default of such distress ” to “ space of three hours.”

Reign and Chapter	Short Title	1ST SCH. —cont.
1 Car. I.:	c. 2. An Acte to enable the King to make Leases of Landes parcell of his Highnes Duchie of Cornwall or annexed to the same. The whole Act.	
3 Car. I.:	c. 2. An Act for the further reformation of sondry abuses committed on the Lordes Day commonlie called Sondag. In part, namely,— The words of commencement and the words “ by any constable or churchwarden.”	
16 Car. I.:	c. 10. An Act for the Regulating the Privie Councill and for taking away the Court commonly called the Star Chamber. In part, namely,— The words of commencement. In the preamble the words from “ and by another Statute made in the six and thirtieth ” to “ inrolled in Latine.”	
	c. 11. An Act for repeal of a branch of a Statute primo Elizabethhe concerning Commissioners for causes Ecclesiasticall. In part, namely,— The words of commencement.	
12 Car. 2.:	c. 11. An Act of Free and Generall Pardon Indempnity and Oblivion. The whole Act.	
	c. 12. An Act for Confirmation of Judiciall Proceedings. The whole Act.	
	c. 24. An Acte takeing away the Court of Wards and Liveries and Tenures in Capite and by Knights Service and Purveyance and for settling a Revenue upon His Majesty in Lien thereof. In part, namely,— Section three. In section thirteen the words from “ nor to prejudice ” to the end of the section. Sections fourteen, sixteen to eighteen and twenty-four.	

1ST SCH.  
—cont.

Reign and Chapter	Short Title
12 Car. 2.:	
c. 30.	An Act for the Attainder of severall Persons guilty of the Horrid Murther of His late Sacred Majestie King Charles the First. In part, namely,— The words from “ And for the better vindication ” to the end of the Act.
c. 31.	An Act for Confirmation of Leases and Grants from Colledges and Hospitalls. The whole Act.
13 Car. 2.:	
Stat. 1:	
c. 1.	An Act for Safety and Preservation of His Majesties Person and Government against Treasonable and Seditious practices and attempts. In part, namely,— Preamble, from the words “ and remembering ” to “ Her Majesties person.” In section three the words from “ at any time after ” to “ sixty and one ”; the words from “ Provided nevertheless ” to the end of the section. In section four the words from “ other then ” to “ high treason.” In section five the words “ treasons or ” and “ treason or.”
c. 5.	An Act against Tumults and Disorders upon pretence of preparing or presenting publick Petitions or other Addresses to His Majesty or the Parliament: In part, namely,— In section one the words to “ assembled and that ”.
c. 15.	An Act declaring the Paines Penalties and Forfeitures imposed upon the Estates and Persons of certaine notorious Offenders excepted out of the Act of . . . Oblivion. The whole Act.
Stat. 2:	
c. 4.	An Act to enable the King’s Majestie to make Leases Grants and Copies of Offices Lands Tenements and Hereditaments parcell of his Highnes Dutchy of Cornwall . . . The whole Act.

Reign and Chapter	Short Title	1ST SCH. —cont.
14 Car. 2.:		
c. 2.	An Act for repairing the Highwayes and Sewers . . . in and about the Cities of London and Westminster . . . and for the Regulating and Licensing of Hackney Coaches . . . The whole Act.	
c. 4.	An Act for the Uniformity of Publique Prayers and Administracion of Sacraments & other Rites & Ceremonies and for establishing the Form of making ordaining and consecrating Bishops Preists and Deacons in the Church of England. In part, namely,— Section twenty-five.	
c. 12.	The Poor Relief Act, 1662. The whole Act so far as unrepealed.	
c. 25.	An Act for the restoring of all such Advowsons, Rectories, Improprate Gleeb Lands & Tithes to his Majesties Loyal Subjects as were taken from them . . . by the late usurped Powers. The whole Act.	
c. 27.	An Act for repairing of Dover Harbour. The whole Act.	
c. 29.	An Act for the reversing the Earle of Strafford his Attainder. The whole Act.	
15 Car. 2.:		
c. 1.	An Act for repairing the Highwayes within the Countyes of Hertford Cambridge and Huntingdon. The whole Act so far as unrepealed.	
18 & 19 Car. 2.:		
c. 7.	An Act for erecting a Judicature for Determination of Differences touching Houses burned or demolished by reason of the late Fire which happened in London. The whole Act.	
c. 11.	An Act for Redresse of Inconveniencies by want of Proove of the Deceases of Persons beyond the Seas or absenting themselves . . . In part, namely,— In the Preamble the words from "used to grant" to "have alsoe." Section two.	

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-cont.

Reign and Chapter	Short Title
19 & 20 Car. 2.:	
c. 2.	An Act for banishing and disabling the Earl of Clarendon. The whole Act.
22 Car. 2.:	
c. 2.	An Act for repairing of the Haven and Peers of Great Yarmouth. The whole Act.
c. 6.	An Act for advancing the Sale of Fee-Farme Rents and other Rents. The whole Act so far as unrepealed.
c. 7.	An Act to enable the King's Majestie to make Leases, Grants and Copyes of Offices, Lands Tenements and Hereditaments Parcell of his Highnese Dutchy of Cornwall. The whole Act.
c. 10.	An Act for sale of part of the Estate of Sir John Pritiman for satisfaction of a debt due by him to the King's Majestie. The whole Act.
c. 12.	An Additionall Act for the better repairing of Highwayes and Bridges. In part, namely,— In the title the words "Highways and." Sections fourteen and fifteen.
22 & 23 Car. 2.:	
c. 14.	An Act for determination of Differences touching Houses burnt or demolished within fewer years since the late dreadfull Fire in London. The whole Act.
c. 15.	An Act for the better Settlement of the Maintenance of the Parsons, Vicars and Curates in the Parishes of the City of London burnt by the late dreadfull Fire there. The whole Act.
c. 16.	An Act for the discovery of such as have defrauded the Poore of the City of London of the Moneys given for their Reliefe at the times of the late Plague and Fire and for recovery of the Arreares thereof. The whole Act.



Reign and Chapter	Short Title
22 & 23 Car 2. : c. 22.	An Act for the better and more certaine Recovery of Fines and Forfeitures due to his Majestie. Section five so far as unrepealed.
25 Car. 2. : c. 3.	An Act for enableing his Majestie to make Leases of his Lands belonging to the Dutchy of Cornwall. The whole Act.
c. 10.	An Act for reviveing the Judicature for determination of Differences touching Houses burnt downe and demolished by reason of the late Fire, which happened in London, and for rebuilding of the Navy Office. The whole Act.
27 Car. 2. :	An Act for the better and more easy rebuilding the Towne of Northampton. The whole Act.
29 Car. 2. : c. 3.	The Statute of Frauds. In part, namely,— Section four to the words " twentieth day of June."
c. 6.	An Act for the Naturalizing of Children of his Majestyes English Subjects borne in Foreigne Countryes dureing the late Troubles. The whole Act.
c. 7.	The Sunday Observance Act, 1677. In part, namely,— In section two the words from " and in default of such distresse " to " space of two hours." Section five.
c. 10.	An Act for the better repairing and maintaining the Piere of Great Yarmouth. The whole Act.
30 Car. 2. : c. 8.	An Act for the Admeasurement of Keeles and Boates carrying Coales. The whole Act.

1ST SCH.  
—cont.

Reign and Chapter	Short Title
31 Car. 2.:	
c. 2.	The Habeas Corpus Act, 1679. In part, namely,— In section eleven the words “treble” and “nor any more than one imparlance.” Sections twelve and thirteen. In section twenty the words “petty treason or” wherever occurring.
1 Jac. 2.:	
c. 2.	An Act to Attaint James Duke of Monmouth of High Treason. The whole Act.
c. 9.	An Act to enable His Majestie to make Grants Leases and Copies of Offices Lands and Heredita- ments parcell of His Highnesses Dutchy of Corn- wall or annexed to the same and for Confirmation of Leases and Grants already made. The whole Act.
c. 15.	An Act for Rebuilding Finishing and Adorning of the Cathedral Church of St. Pauls London. The whole Act.
c. 16.	An Act for Cleareing preserveing Maintaineing and Repaireing the Haven and Piers of Great Yar- mouth. The whole Act.
1 Will. & Mar.:	
c. 1.	An Act for removeing and Preventing all Questions and Disputes concerning the Assembling and Sitting of this present Parliament. In part, namely,— The words from “and that this present Act” to “thereto belonging.”
c. 11.	An Act for the Explaining and makeing Effectuall a Statute made in the First Yeare of King James the Second concerning the Haven and Piers of Great Yarmouth. The whole Act.
c. 18.	An Act for Exempting their Majestyes Protestant Subjects dissenting from the Church of England from the Penalties of certaine Lawes. In part, namely,— In section five the words “as aforesaid.” In section fifteen the words “after the tenth day of June.”

Reign and Chapter	Short Title	1ST SCH. —cont.
1 Will. & Mar.	<p>c. 21. An Act for enabling Lords Commissioners for the Great Seale to execute the Office of Lord Chancellor or Lord Keeper. In part, namely,— Sections seven and eight.</p>	
	<p>c. 30. An Act to Repeale the Statute made in the fifth yeare of King Henry the Fourth against the Multiplying Gold and Silver. In part, namely,— In section three the words to “ aforesaid that.”</p>	
1 Will. & Mar. Sess. 2:	<p>c. 2. The Bill of Rights. In part, namely,— In section two the words to “ of Parlyament ” and the words from “ and except in ” to the end of the section.</p>	
	<p>c. 9. An Act for the better Security and Reliefe of their Majesties Protestant Subjects of Ireland. The whole Act.</p>	
2 Will. & Mar.:	<p>c. 5. An Act for enabling the Sale of Goods distrained for Rent in case the Rent be not paid in a reasonable time. In part, namely,— The words of commencement.</p>	
2 Will. & Mar.: Sess. 2:	<p>c. 8. An Act for Paveing and Cleansing the Streets in the Cityes of London and Westminster. The whole Act, so far as unrepealed.</p>	
4 Will. & Mar.:	<p>c. 24. An Act for reviving continuing and explaining several Laws therein mentioned that are expired and neare expiring. In part, namely,— Section four.</p>	
5 Will. & Mar.:	<p>c. 4. An Act to repeal a clause in the Statute . . . by which Justices of Peace in Wales are limited to Eight in each County. The whole Act.</p>	

1ST SCH.  
—cont.

Reign and Chapter	Short Title
5 Will. & Mar. : c. 7.	<p>An Act for granting to their Majesties certain Rates and Duties. . . towards carrying on the Warr against France.</p> <p>In part, namely,— In section fifty-nine the words to “ authority aforesaid that,” and the words from “ and those appointed ” to the end of the section.</p>
5 & 6 Will & Mar. :	<p>c. 18. An Act for enabling their Majesties to make Grants Leases and Copies of Offices Landes and Hereditamentes Parcell of their Dutchy of Cornwall . . . The whole Act.</p> <p>c. 20. The Bank of England Act, 1694.</p> <p>In part, namely,— In sections eighteen and nineteen the word “ heires.” In section eighteen the words “ arising by and out of the said duties and impositions before mentioned,” the words from “ in the proportion hereafter mentioned ” to “ one hundred thousand pounds ” where secondly occurring thereafter, and the words “ as the same shall come into the said receipte of Exchequer.” Section twenty-nine. Sections thirty and thirty-one.</p>
6 & 7 Will. & Mar. :	<p>c. 4. An Act for exempting Apothecaries from serving the offices of Constable Scavenger and other Parish and Ward Offices and from serving upon Juries. The whole Act so far as unrepealed.</p> <p>c. 10. An Act for the better Admeasurement of Keels and Keel-Boates in the Port of New-Castle &amp; the Members thereunto belonging. The whole Act.</p> <p>c. 15. An Act to indemnifie Sir Thomas Cooke from actions . . . by reason of his discovering to whom hee paid . . . summs of money therein mentioned to be received out of the Treasure of the East-India Company . . . The whole Act.</p>

Reign and Chapter	Short Title	1ST SCH. —cont.
6 & 7 Will. & Mar. :	c. 19. An Act for imprisoning Sir Thomas Cooke . . . and James Cragges and restraining them from aliening their estates. The whole Act.	
7 & 8 Will. 3.:	c. 3. The Treason Act, 1695. In part, namely,— In section five the words of commencement. c. 7. An Act to prevent False and Double Returns of Members to serve in Parliament. In part, namely,— The words " and cinque-ports," " baron of the cinque-ports," and the word " cinque- port " wherever occurring. c. 25. An Act for the further regulating Elections of Members . . . returning such members. In part, namely,— In section one the words from " there shall bee " to " summons And that."	
8 & 9 Will. 3.:	c. 11. An Act for the better preventing frivolous and vexatious Suits. In part, namely,— In section eight the words from " from and after " to " ninety and seven." c. 20. The Bank of England Act, 1696. In part, namely,— Section twenty-six. Sections thirty-one and thirty-four. c. 27. An Act for the more Effectual Relief of Creditors in Cases of Escapes & for preventing Abuses in Prisons and pretended privileged places. The whole Act so far as unrepealed.	
9 Will. 3.:	c. 12. An Act for enlarging repaireing and preserving the Bridge & Key of the Borough of Bridgewater in the County of Somersett. The whole Act. c. 20. An Act to naturalize the Children of such Officers and Souldiers & others the natural borne Sub- jectes of this Realme who have been borne abroad during the Warr the Parentes of such Children having been in the Service of this Government. The whole Act.	

1ST SCH.  
—cont.

Reign and Chapter	Short Title
10 Will. 3.:	
c. 5.	An Act for the clearing repairing preserving and maintaining the Haven and Piers of Great Yarmouth in the County of Norfolk. The whole Act.
c. 6.	An Act to enlarge the Trade to Russia. The whole Act.
c. 12.	An Act for the better apprehending prosecuting and punishing of Felons that commit Burglary . . . or that steal Horses. The whole Act so far as unrepealed.
11 Will. 3.:	
c. 7.	An Act for the more effectually Suppression of Piracy. In part, namely,— In section seven the words from “ and they and every of them ” to the end. In section eight the words from “ and being convicted thereof ” to the end. In section nine the words from “ after the twenty ” to “ seaven hundred.” In section ten the words from “ after the said nine ” to “ September ” and from “ and being thereupon attainted ” to the end. Sections fourteen, sixteen and seventeen.
c. 18.	An Act for the more effectually Punishment of Vagrants and sending them whither by Law they ought to be sent. The whole Act so far as unrepealed.
12 & 13 Will. 3.:	
c. 7.	An Act for the better settling and preserving the Library kept in the House at Westminster called Cotton House . . . The whole Act.
c. 13.	An Act to enable His Majesty to make Leases and Copies of Offices Lands and Hereditaments Parcel of His Dutchy of Cornwall . . . The whole Act.
13 & 14 Will. 3.:	
c. 3.	An Act for the Attainder of the pretended Prince of Wales of High Treason. The whole Act.

Reign and Chapter	Short Title	1ST SCH. —cont.
<b>1 Anne :</b>		
c. 1.	The Crown Lands Act, 1702. In part, namely,— Sections six and eight.	
c. 12.	An Act to explain and alter the Act made in the Two and twentieth year of King Henry the Eighth concerning repairing and amending of Bridges in the Highways . . . In part, namely,— In the preamble the words from “ or any four of them ” to “ said constables and inhabitants ” and from “ and after such taxation ” to “ towns corporate ridings or divisions.” In section two the words “ from and after ” to “ hundred and two ” and the words from “ by the respective constables ” to “ receivers of the same.” Section three. Section six. Sections ten to twelve.	
<b>1 Anne : Stat. 2 :</b>		
c. 6.	An Act for the better preventing Escapes out of the Queens Bench and Fleet Prisons. The whole Act so far as unrepealed.	
c. 7.	An Act for explaining and making effectual a late statute concerning the Haven . . . of the Burgh of Great Yarmouth . . . The whole Act.	
c. 9.	An Act for punishing of Accessories to Feloneys and Receivers of stolen Goods . . . The whole Act so far as unrepealed.	
c. 21.	An Act . . . for the further Security of Her Majesties Person and the Succession of the Crown in the Protestant line . . . In part, namely,— In section three the words from “ at any time after ” to “ hundred and two ” and the words “ and all losses and forfeitures ”.	

181 SCH.  
—cont.

Reign and Chapter	Short Title
2 & 3 Anne: c. 20.	An Act for the making more effectuall Her Majesties Gracious Intentions for the Augmentation of the Maintenance of the Poor Clergy . . . In part, namely,— In section four the words from “ inrolled in such manner ” to “ bargaines and sales ” and the word “ inrolled ” where thereafter occurring.
3 & 4 Anne: c. II.	An Act for the relief of the Creditors of Thomas Pitkin a Bankrupt and for the apprehending of him . . . The whole Act.
4 & 5 Anne: c. 3.	An Act for the Amendment of the Law and the better Advancement of Justice. In part, namely,— Sections twelve and thirteen. In section twenty-four the words from “ from and after ” to “ Trinity term ” and the words “ and all the statutes of jeofails.”
6 Anne: c. 7.	An Act for settling upon John Duke of Marlborough and his Posterity a Pension of Five thousand Pounds . . . The whole Act.
c. 10.	An Act for regulating and ascertaining the Duties to be paid by the Unfreemen Importers of Coal into . . . Great Yarmouth . . . The whole Act.
c. II.	The Union with Scotland Act, 1706. In part, namely,— In Article VI the words from “ excepting and reserving ” to “ as before the same.” In Article VII the words from “ excepting only that ” to the end of the Article. In Article XIX the words from “ and that the said Court ” to the end of the Article. In section two, as from the date when the corresponding words in the Scots Act 1706 c. 7 shall be repealed, the words from “ and that in all time coming no professors ” to “ may be thereto provided.” In section six the words from “ And that of the said forty five ” to “ a member in his or their place ” and from “ and protestant excluding ” to the end of the section.



Reign and Chapter	Short Title
<b>6 Anne:</b>	
c. 12.	The Prison (Escape) Act, 1706. The whole Act so far as unrepealed.
c. 23.	An Act to subject the Estate of Thomas Brerewood to the Creditors of Thomas Pitkin notwithstanding any Agreement or Composition made with the Creditors of the said Thomas Pitkin. The whole Act.
c. 30.	An Act for the better securing Her Majesties Purchase of Cotton House in Westminster. The whole Act.
c. 41.	The Succession to the Crown Act, 1707. In part, namely,— In section one the words " and all losses and forfeitures."
c. 52.	An Act to enable Her Majesty to make Leases and Copies of Offices Lands and Hereditaments Parcel of Her Dutchy of Cornwall or annexed to the same. The whole Act.
c. 53.	The Exchequer Court (Scotland) Act, 1707. In part, namely,— Sections two to six, eight to ten, and fourteen to thirty-two.
c. 78.	The Scottish Representative Peers Act, 1707. In part, namely,— In the title the words from " and for the further."
<b>7 Anne:</b>	
c. 20.	The Middlesex Registry Act, 1708. The whole Act so far as unrepealed, but without prejudice to any registration, entry or duty to register thereunder.
c. 21.	The Treason Act, 1708. In part, namely,— In sections five, seven, eight, eleven and twelve the words of commencement. In section five the words " corruption of blood, pains " and " and forfeitures." Section ten.

1ST SCH.  
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1ST SCH.  
—cont.

Reign and Chapter	Short Title
7 Anne:	
c. 30.	The Bank of England Act, 1708. In part, namely,— Section sixty-six. Section sixty-seven.
8 Anne:	
c. 16.	The Circuit Courts (Scotland) Act, 1709. In part, namely,— In section one the words of commencement. Sections two, four and six.
c. 18.	The Landlord and Tenant Act, 1709. In part, namely,— In sections one, four and six the words of commencement.
9 Anne:	
c. 24.	An Act to enable Her Majesty to grant the Site of the Castle of Exon (Parcel of Her Dutchy of Cornwall) for Ninety nine years . . . The whole Act.
c. 26.	An Act for Relief of the Creditors and Proprietors of the Company of Mine Adventurers . . . The whole Act.
10 Anne:	
c. 44.	An Act for the better supplying the Town of Boston in the County of Lincoln with fresh Water. The whole Act.
13 Anne:	
c. 11.	The Simony Act, 1713. In part, namely,— In the title the words from “ for the better ” to “ England and.” In section two the words of commencement.
c. 20.	An Act for the speedy and effectual preserving the Navigation of the River of Thames by stopping the Breach in the Levels of Havering and Dagenham . . . The whole Act so far as unrepealed.
c. 25.	An Act to continue an Act of the Sixth Year of Her Majesties Reign . . . to enable Her Majesty to make Leases . . . of Offices Lands and Hereditaments Parcel of her Dutchy of Cornwall. The whole Act.

Reign and Chapter	Short Title
1 Geo. I. Stat. 2:	
c. 5.	<p>The Riot Act. In part, namely,— In sections one and six the words of commencement. Sections four and six so far as they relate to Scotland. Section seven. In section nine the words from “ And all prosecutions ” to the end. Section ten.</p>
c. 10.	<p>The Queen Anne’s Bounty Act, 1714. In part, namely,— Section two. In section four the words “ come in by donation or ”, “ donor ”, and “ or donatives.”. Sections fourteen and fifteen. In section sixteen the words “ donative ” wherever occurring, “ patron of any ”, and “ patron ” where secondly occurring.</p>
c. 37.	<p>An Act to enable His Majesty to grant all the Regalities and Lands now remaining in the Crown in North Wales and South Wales and County of Chester to His Royal Highness the Prince of Wales . . . and also to enable His said Royal Highness to make leases of lands parcel of . . . Duchy of Cornwall . . . The whole Act.</p>
c. 44.	<p>An Act for the continuing the Duty of two Pennies Scots . . . on every pint of ale . . . sold within the City of Glasgow . . . The whole Act.</p>
c. 54.	<p>The Highlands Services Act, 1715. In part, namely,— In sections ten and twelve the words of commencement.</p>
3 Geo. I.:	
c. 5.	<p>An Act for continuing the Duty of two Pennies Scots . . . on every pint of Ale . . . sold within the City of Edinburgh . . . The whole Act.</p>
c. 6.	<p>An Act for laying a Duty of two Pennies Scots . . . upon every Pint of Ale . . . sold within the Town of Dumfries . . . The whole Act.</p>

1ST SCH.  
—cont.

Reign and Chapter	Short Title
3 Geo. I.:	
c. 8.	<p>The Bank of England Act, 1718.</p> <p>In part, namely,—</p> <p>In section thirtynine the words “ or to be paid upon demand,” the words from “ although the same ” to “ to be taken,” and the words from “ and they are hereby ” to the end.</p> <p>Section fifty-three.</p>
c. 15.	<p>The Estreats Act, 1716.</p> <p>The whole Act so far as unrepealed.</p>
c. 20.	<p>An Act to enlarge the Time for making Claims before the Commissioners appointed to enquire of the Forfeited Estates.</p> <p>The whole Act.</p>
4 Geo. I.:	
c. 8.	<p>An Act for vesting the forfeited Estates in Great Britain and Ireland in Trustees, to be sold for the Use of the Public . . . .</p> <p>The whole Act so far as unrepealed.</p>
c. 11.	<p>The Piracy Act, 1717.</p> <p>In part, namely,—</p> <p>In section seven the words from “ and shall and ought ” to the end.</p>
5 Geo. I.:	
c. 16.	<p>An Act for laying a Duty of two Pennies Scots . . . upon every Pint of Ale . . . sold within the Town of Dunbar . . . .</p> <p>The whole Act.</p>
c. 17.	<p>An Act for laying a Duty of two Pennies Scots . . . upon every Pint of Ale . . . sold within the Town of Inverness . . . .</p> <p>The whole Act.</p>
c. 20.	<p>The Revenue of Scotland Act, 1718.</p> <p>In part, namely,—</p> <p>Preamble to “ For obviating whereof.”</p> <p>In section one the words from “ and every year ” to “ hundred and nineteen ” and from “ and that the said several annuities ” to the end of the section.</p> <p>Sections two to four.</p> <p>Sections fifteen and sixteen.</p>

Reign and Chapter	Short Title
5 Geo. I.:	
c. 22.	An Act for enlarging the Time to determine Claims on the forfeited Estates. The whole Act.
c. 30.	The Highway (Scotland) Act, 1718. The whole Act so far as unrepealed.
6 Geo. I.:	
c. 6.	An Act for preventing the Carriage of Excessive Loads . . . within ten Miles of . . . London and Westminster. The whole Act so far as unrepealed.
c. 7.	An Act for laying a Duty of two Pennies Scots . . . upon every Pint of Ale . . . sold within the Town of Montrose . . . The whole Act.
c. 8.	An Act for laying a Duty of two Pennies Scots . . . upon every Pint of Ale . . . sold within the Town of Bruntisland . . . The whole Act.
c. 9.	An Act for laying a Duty of two Pennies Scots . . . upon every Pint of Ale . . . sold within the Town of Pittenweem . . . The whole Act.
c. 24.	An Act for better explaining the Nature of Conveyances to be made to the Purchasers of the Forfeited Estates by the Commissioners and Trustees acting in Scotland . . . The whole Act.
7 Geo. I.:	
Stat. I:	
c. 22.	An Act for . . . enlarging the Time for determining Claims upon the forfeited Estates . . . The whole Act.
c. 25.	An Act for laying a Duty of two Pennies Scots . . . upon every Scots Pint of Ale . . . vended or tapped within the Town of Jedburgh . . . The whole Act.
c. 27.	The Pension Duties Act, 1720. The whole Act so far as unrepealed.

1ST SCH.  
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1ST SCH.  
—cont.

Reign and Chapter	Short Title
8 Geo. I.:	
c. 7.	An Act for laying a Duty of two Pennies Scots . . . upon every Scots Pint of Ale . . . vended or tapped within the Town of Elgine . . . The whole Act.
c. 14.	An Act for making the River Eden navigable to Bank End in the County of Cumberland. The whole Act.
c. 15.	An Act for Encouragement of the Silk Manufactures . . . The whole Act so far as unrepealed.
c. 24.	The Piracy Act, 1721. In part, namely,— The words of commencement. In section one the words from “ which by an Act ” to “ ought to suffer.” In section three the words from “ and being thereupon ” to the end of the section. Section seven.
c. 27.	An Act for the better preventing Abuses committed in weighing and packing of Butter in the City of York. The whole Act.
9 Geo. I.:	
c. 7.	The Poor Relief Act, 1722. The whole Act so far as unrepealed.
c. 9.	An Act for the better Qualifying the Manufacturers of Stuffs and Yarn in the City of Norwich and Liberties thereof to bear Offices of Magistracy in the said City and for regulating Elections of such Officers. The whole Act.
c. 14.	An Act for enlarging the Term granted by an Act . . . for continuing the Duty of two Pennies Scots upon every Pint of Ale . . . sold in the City of Edinburgh . . . The whole Act.
c. 19.	The Lotteries Act, 1722. In part, namely,— Sections fifteen, eighteen and nineteen.

Reign and Chapter	Short Title
9 Geo. I.: c. 20.	An Act for laying a Duty of two Pennies Scots . . . upon every Pint of Ale . . . sold within the Town of Linlithgow . . . The whole Act.
10 Geo. I.: c. 19.	The Court of Session Act, 1723. In part, namely,— In the title the words " Tryal and Admission of the ".
11 Geo. I.: c. 9.	The National Debt Reduction Act, 1724. In part, namely,— Section four.
c. 30.	The Adulteration of Tea and Coffee Act, 1724. In part, namely,— In section five the words of commencement. Section forty-three.
12 Geo. I.: c. 2.	The Pension Duties Act, 1725. The whole Act so far as unrepealed.
c. 27.	An Act for vesting in His Majesty on Imposition of two Pennies Scots upon all Ale . . . brewed and sold in the City of Glasgow . . . The whole Act.
c. 29.	The Frivolous Arrests Act, 1725. The whole Act so far as unrepealed.
13 Geo. I.: c. 28.	An Act for Sale of such of the forfeited Estates in . . . Scotland as remain unsold . . . and for determining . . . Claims on the said Estates . . . The whole Act.
1 Geo. 2. Stat. I:	c. 5. The Demise of the Crown Act, 1727. In part, namely,— In the title the words from " and to the " to " therein mentioned " where next occurring. In section seven the words from " the office of sheriff " to " Chester " where next occurring, the words from " the said sheriffs " to " Chester and " and the word " other " thereafter occurring.

1ST SCH.  
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1ST SCH.  
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Reign and Chapter	Short Title
1 Geo. 2. Stat. 2.:	
c. 8.	The Bank of England Act, 1727. In part, namely,— Sections eight and fifteen.
c. 21.	An Act to explain and amend an Act passed in the thirteenth year of his late Majesty's Reign . . . The whole Act.
c. 22.	An Act to explain the Acts . . . for continuing the Duty of two Pennies Scots on every Pint of Ale . . . sold in the City of Edinburgh . . . The whole Act except section four.
2 Geo. 2.:	
c. 3.	The Bank of England Act, 1728. In part, namely,— Sections seven and fourteen.
c. 11.	An Act for better paving and cleansing the Streets in the City and Liberty of Westminster . . . The whole Act.
c. 33.	An Act for obviating any Doubts or Difficulties that may arise from an Act passed in the first year of his present Majesty . . . The whole Act.
3 Geo. 2.:	
c. 8.	An Act for the better regulating Elections in the City of Norwich and for preserving the Peace, good Order and Government of the said City. The whole Act.
c. 32.	The Execution of Sentences (Scotland) Act, 1729. The whole Act so far as unrepealed.
4 Geo. 2.:	
c. 11.	An Act for continuing the Duty of two Pennies Scots . . . upon every Scots Pint of Ale . . . sold within the Town of Dundee . . . The whole Act.
c. 13.	An Act for the further continuing the Duties granted . . . paying off the debts of the Town of Aberdeen . . . The whole Act.



Reign and Chapter	Short Title	1ST SCH. -cont.
4 Geo. 2.:	<p>c. 14. The Adulteration of Tea Act, 1730. In part, namely,— In section ten the words from “ and that one moiety ” to the end. In section eleven the words of commencement.</p> <p>c. 28. The Landlord and Tenant Act, 1730. In part, namely,— In section one the words from “ whereunto the defendant ” to the end.</p>	
5 Geo. 2.:	<p>c. 3. An Act to encourage and compel George Robinson Esquire and John Thomson to appear and produce the Books and discover the Effects of the Charitable Corporation . . . The whole Act.</p> <p>c. 8. An Act for providing a Recompence to Sir Thomas Lombe for . . . introducing the Arts of making and working the three Capital Italian Engines for making Organzine Silk . . . The whole Act.</p> <p>c. 19. The Quarter Sessions Appeal Act, 1731. The whole Act so far as unrepealed.</p> <p>c. 23. An Act for making void the several Contracts for Sale of the Estate of James late Earl of Derwentwater . . . The whole Act.</p> <p>c. 31. An Act for appointing Commissioners for taking . . . all the Claims and Demands of the Creditors of the Charitable Corporation . . . The whole Act.</p> <p>c. 32. An Act to restrain Sir Robert Sutton . . . from going out of this Kingdom for the Space of one year . . . and for discovering their Estates . . . and to prevent the . . . alienating the same . . . The whole Act.</p>	
6 Geo. 2.:	<p>c. 2. An Act to allow a further Time to John Thomson to appear . . . and discover the Effects of The Charitable Corporation . . . The whole Act.</p>	

1ST SCH.  
—cont.

Reign and Chapter	Short Title
6 Geo. 2.:	
c. 18.	An Act for continuing a Duty of two Pennies Scots . . . upon every Scots Pint of Ale . . . sold within the Town of Linlithgow . . . The whole Act.
c. 36.	An Act for making effectual such Agreement as shall be made between the Charitable Corporation . . . and their Creditors. The whole Act.
7 Geo. 2.:	
c. 4.	An Act for naturalizing the most Serene Prince William Charles Henry Friso, Prince of Orange and Nassau. The whole Act.
c. 5.	An Act for enlarging . . . an Act for laying a Duty of two Pennies Scots . . . upon every Pint of Ale . . . sold within the Town of Montrose . . . The whole Act.
c. 16.	The Parliamentary Elections (Scotland) Act, 1733. In part, namely,— In the title the words from “ the better ” to “ and for ” and the words “ and Barons of the Court of Exchequer.” In section four the words “ or baron of the Court of Exchequer.” Sections six to eight.
c. 20.	The Mortgage Act, 1733. The whole Act.
c. 24.	An Act for granting to Samuel Buckley, Citizen and Stationer of London, the sole Liberty of Printing and Reprinting the Histories of Thuanus, with Additions and Improvements, during the Time therein limited. The whole Act.
8 Geo. 2.:	
c. 29.	An Act for the Application of the Rents and Profits of the Estates forfeited by the Attainders of James late Earl of Derwentwater and Charles Radcliffe. The whole Act.
9 Geo. 2.:	
c. 5.	The Witchcraft Act, 1735. In part, namely,— In sections three and four the words of commencement.

Reign and Chapter	Short Title	1ST SCH. —cont.
9 Geo. 2.:		
c. 12.	An Act to enable the Justices of the Peace . . . of the County of Kent to purchase . . . ground for building a gaol for the said County and . . . to apply Part of the County Stock . . . towards the same. The whole Act.	
c. 27.	An Act for laying a Duty of two Pennies Scots . . . upon every Scots Pint of Ale . . . sold within the town of Irvine . . . The whole Act.	
c. 28.	An Act for naturalizing her Royal Highness the Princess of Wales. The whole Act.	
c. 31.	An Act for continuing the Duty of two Pennies Scots . . . on every Pint of Ale . . . sold within the the City of Glasgow . . . The whole Act.	
c. 33.	The Lobsters (Scotland) Act, 1735. The whole Act so far as unrepealed.	
10 Geo. 2.:		
c. 4.	An Act for continuing . . . an Act for laying a duty of Two Pennies Scots . . . upon every Pint of Ale . . . sold within the Town of Dunbar . . . The whole Act.	
c. 7.	An Act for continuing . . . An Act for laying a Duty of Two Pennies Scots . . . on every Pint of Ale . . . sold within the Town of Dumfries . . . The whole Act.	
c. 20.	An Act to enable the Magistrates and Town Council of the Burgh of Lanark to repair and maintain their Bridge over the River Clyd at Clydshom . . . The whole Act.	
c. 34.	An Act to disable Alexander Wilson Esquire from taking holding or enjoying any Office . . . in the City of Edinburgh or elsewhere in Great Britain and for imposing a fine upon the Corporation of the said City. The whole Act.	

1ST SCH.  
—cont.

Reign and Chapter	Short Title
11 Geo. 2.: c. 4.	An Act for laying a Duty of Two Pennies Scots . . . upon every Scots Pint of Ale . . . sold within the Town of Aberbrothock . . . The whole Act.
c. 15.	An Act to empower the Court of Lord Mayor and Aldermen of the City of London to set the Price upon all Coals, commonly called Sea Coals, imported into the Port of London from Newcastle . . . for the space of one year . . . The whole Act.
c. 16.	An Act for continuing the Duty of Two Pennies Scots . . . on each Pint of Ale . . . sold within the Town of Inverness . . . The whole Act.
c. 19.	The Distress for Rent Act, 1737. In part, namely,— In section three the words " or in the courts of grand sessions in Wales." In section four the words from " residing near the place " to " same were found," the words from " or if any such witness " to " required by law," and from " and in case the offender " to the end of the section.
c. 22.	The Corn Exportation Act, 1737. The whole Act so far as unrepealed.
c. 30.	An Act for explaining and amending an Act of the eighth Year of his present Majesty's Reign . . . estates forfeited by the attainder of . . . Charles Radcliffe. The whole Act.
c. 38.	An Act for vesting the Real and Personal Estate of Hugh Naish Esquire who was late a Prisoner in His Majesty's Prison of the Fleet and escaped out of the same in Trustees for the Benefit of his Creditors. The whole Act.
12 Geo. 2.: c. 23.	An Act for providing a Reward to Joanna Stephens upon a proper Discovery to be made by her . . . of the Medicines prepared by her for the Cure of the Stone. The whole Act.

Reign and Chapter	Short Title	1ST SCH. —cont.
12 Geo. 2.:		
c. 26.	The Plate (Offences) Act, 1738. In part, namely,— In sections eleven, thirteen, fifteen, twenty and twenty-one, the words of commence- ment.	
c. 28.	The Gaming Act, 1738. In part, namely,— In the Preamble the words down to “ whol- some laws before mentioned And ” except as to Northern Ireland.	
c. 29.	The County Rates Act, 1738. In part, namely,— Section six so far as unrepealed. Sections twenty and twenty-one.	
13 Geo. 2.:		
c. 17.	The Exemption from Impressment Act, 1739. The whole Act.	
c. 19.	The Gaming Act, 1739. In part, namely,— In section nine the words from “ and all and every such offenders ” to the end of the section.	
14 Geo. 2.:		
c. 4.	An Act to empower Joseph Porter, James Bourdieu and Abraham Desmarette to import a certain Quantity of Raw Silk of the Growth of Spain from Leghorn. The whole Act.	
c. 30.	An Act for appointing new Commissioners and Trustees for putting in Execution an Act . . . intituled an Act for vesting the Estate and Effect of John Coggs and John Dan, Goldsmiths and Co-Partners, in Trustees for the speedier Payment of their Creditors and for determining Differences thereupon. The whole Act.	
15 Geo. 2.:		
c. 8.	An Act for laying a Duty of two Pennies Scots . . . upon every Scots Pint of Ale . . . sold within the Town of Kirkcaldy . . . The whole Act.	
c. 20.	The Gold and Silver Thread Act, 1741. In part, namely,— In sections two to four, six and eight the words of commencement.	

1ST SCH.  
—cont.

Reign and Chapter	Short Title
15 Geo. 2.:	
c. 22.	The House of Commons Disqualification Act, 1741. In part, namely,— In section one the words from “ from and after ” to “ this present Parliament,” the words from “ or of the commissioners of the salt ” to “ hawkers and pedlars,” and the words “ within the island of Minorca or.”
c. 23.	An Act for securing to John Byrom, Master of Arts, the sole Right of publishing for a certain Term of Years the Art and Method of Shorthand invented by him. The whole Act.
c. 33.	The Starr and Bent Act, 1741. In part, namely,— In sections six and nine the words of commencement. In sections six and seven the words from “ the same to be ” to the end of the section.
16 Geo. 2.:	
c. 8.	The Spirits Act, 1742. The whole Act so far as unrepealed.
c. 31.	The Prison (Escape) Act, 1742. In part, namely,— Sections one and two. In section three the words of commencement, the words from “ or if any person ” to “ in order for transportation ” and from “ to one of ” to “ America.”
17 Geo. 2.:	
c. 5.	The Justices Commitment Act, 1743. The whole Act so far as unrepealed.
c. 8.	An Act to prevent . . . Abuses in the weighing and packing of Butter in the Town and Borough of New Malton in the County of York. The whole Act.
c. 30.	The Linen (Trade Marks) Act, 1743. In part, namely,— In section one the words of commencement.

Reign and Chapter	Short Title
17 Geo. 2.:	
c. 37.	<p>The Land Drainage (Rating) Act, 1743.            In part, namely,—            In section one the words of commencement.            Section three.</p>
c. 38.	<p>The Poor Relief Act, 1743.            In part, namely,—            In section four the words “ or assessment ”            and “ or by any of His Majesty’s justices            of the peace.”            Section five.            Section six.            In section seven the words from “ not only in            the place ” to “ warrant and certificate.”            In section eight the words from “ in the            warrant for ” to “ overseers or.”            Section eleven.            In section thirteen the words “ for the time            being or one of them ” and the words from            “ and shall be delivered ” to “ preserved            as aforesaid.”            In section fourteen the words from “ to be            levied ” to “ such justices.”            Section fifteen.</p>
c. 40.	<p>The Universities (Wine Licences) Act, 1743.            In part, namely,—            In section eleven the words of commence-            ment, and the words from “ and that no            writ of certiorari ” to the end of the sec-            tion.</p>
18 Geo. 2.:	
c. 24.	<p>The Linen (Trade Marks) Act, 1744.            In part, namely,—            In sections one, three and four the words of            commencement.            In section four the words from “ stand on the            pillory ” to “ forenoon and also.”</p>
c. 30.	<p>The Piracy Act, 1744.            In part, namely,—            In the preamble the words from “ all piracies            felonies ” to “ further enacted that ” and            from “ and they being duly ” to “ to have            and suffer.”            In section one the words from “ and such            persons being upon ” to the end of the            section.            Section two.</p>

1ST SCH.  
—cont.

Reign and Chapter	Short Title
18 Geo. 2.:	
c. 33.	An Act to repeal a Clause . . . and to prevent the Misbehaviour of the Drivers of Carts in Streets within the said limits. The whole Act so far as unrepealed.
c. 34.	The Gaming Act, 1744. In part, namely,— In the title the words from “and to restrain.” In section one the words of commencement and the words from “and in case any person” to the end of the section. Section two. Section four. Section five. Section eleven.
c. 37.	An Act for empowering the surviving Commissioners and Trustees for forfeited Estates to execute proper Conveyances . . . The whole Act.
19 Geo. 2.:	
c. 6.	The Bank of England Act, 1745. In part, namely,— In the title the words from “and for obliging them.” In section eleven the words from “and from and after” to the end of the section.
c. 21.	The Profane Oaths Act, 1745. In part, namely,— In section one the words of commencement. In section three the words “and form” wherever occurring. In section seven the words from “to be levied” to “magistrate and” and from “and in case” to the end of the section. In section twelve the words “or hereinafter.”
c. 22.	The Harbours Act, 1745. The whole Act.
20 Geo. 2.:	
c. 17.	An Act for enlarging the Term and Power granted by two Acts . . . for laying a Duty of two Pennies Scots upon every pint of Ale . . . vended within the Town of Dundee . . . The whole Act.



Reign and Chapter	Short Title
20 Geo. 2.:	
c. 21.	An Act for holding the Summer Assizes and Sessions of the Peace for the County of Norfolk in the City and County of Norwich until a new Shire House can be built . . . The whole Act.
c. 22.	An Act for building a Bridge cross the River Thames from the Parish of Walton upon Thames . . . to Shepperton in the County of Middlesex. The whole Act.
c. 26.	An Act for reviving and continuing . . . An Act for laying a Duty of two Pennies Scots . . . upon every Scots Pint of Beer . . . sold within the Town of Bruntisland . . . The whole Act.
c. 30.	The Treason Act, 1746. In part, namely,— The words of commencement.
c. 34.	An Act to enable His Majesty to allow to the Residuary Legatees of Sir Joseph Jekyll, Knight . . . Part of the Legacy given by his Will to the use of the Sinking Fund. The whole Act.
c. 41.	An Act for vesting in His Majesty the Estates of certain Traitors . . . The whole Act.
c. 42.	The Wales and Berwick Act, 1746. In part, namely,— In section three the words " further " and " by the authority aforesaid."
c. 43.	The Heritable Jurisdictions (Scotland) Act, 1746. In part, namely,— Sections fifteen and seventeen. Section nineteen. Section thirty-eight. Sections forty-one and forty-two.
c. 49.	An Act for declaring valid such Acts as have been done by Thomas Paulin as one of the Principal Land Coal meters of the City and Liberty of Westminster . . . The whole Act.

1ST SCH.  
—cont.

1ST SCH.  
—cont.

Reign and Chapter	Short Title
22 Geo. 2.:	
c. 10.	An Act for laying a Duty of two Pennies Scots upon every Scots Pint of Beer . . . sold . . . within the Town of Anstruther Easter . . . The whole Act.
c. 13.	An Act for laying a Duty of two Pennies Scots . . . upon every Scots Pint of Ale . . . sold within the Town of Kinghorn . . . The whole Act.
c. 27.	The Frauds by Workmen Act, 1748. In part, namely,— The preamble. In section one the words of commencement, the words from “by the oath” to “with such offence”, “any one or more justice or”, the words from “of the county” to “to administer” “justice or”, “his or”, “hand and seal or”, “the house of correction or other publick” and from “of such county” to the end. In section two the words from “and in case the said” to “appear reasonable.” In sections four, five and six the words “justice or,” “his or,” “hand and seal or,” and “him or,” wherever those words occur. In section four the words “or headborough.” In section five the words “house of correction or other” and “master or” wherever occurring. In section six the words from “which shall be held” to “or made.” Section twelve.
c. 52.	An Act for vesting the several Estates of James late Earl of Derwentwater and Charles Radcliffe deceased in Trustees . . . The whole Act.
23 Geo 2.:	
c. 6.	An Act for repairing improving and maintaining the Haven and Piers of Great Yarmouth . . . The whole Act.
c. 14.	An Act for assigning a place proper for holding the Market in the City of Westminster in lieu of the Ancient Market Place called Round Woolstaple . . . The whole Act.

Reign and Chapter	Short Title	1ST SCH. —cont.
23 Geo. 2.:		
c. 37.	An Act for building a Bridge cross the River of Thames from Hampton Court in the County of Middlesex to East Moulsey in the County of Surry. The whole Act.	
24 Geo. 2.:		
c. 23.	The Calendar (New Style) Act, 1750. In part, namely,— In section six the words "annuity or annuities," the words from "or to accelerate the payment" to "things whatsoever," the words "annuity or" where next occurring, the words from "or the time of the attaining" to "hiring whatsoever," the words "annuity and annuities," the words from "and the delivery" to "shall be made," the words "and annuities" where next occurring, and the words from "and that no person" to "not been made." The Tables to find Easter till the year 1899 inclusive and the Table of the Moveable Feasts for Fifty-two Years.	
c. 31.	The Linen and Hemp Manufactures Act, 1750. The whole Act so far as unrepealed.	
c. 38.	An Act for levying a Duty of two Pennies Scots . . . on every Scots Pint of Ale . . . sold within the Town of Greenock . . . The whole Act.	
c. 40.	The Sale of Spirits Act, 1750. In part, namely,— In section twelve the words of commencement. Sections thirteen to sixteen. Section thirty-one.	
c. 43.	An Act for the more effectual Preservation of the Turnpike Roads in . . . England . . . and for the more effectual preventing of Mischiefs occasioned by the Drivers riding upon Carts . . . in the City of London . . . The whole Act so far as unrepealed.	
c. 44.	The Constables Protection Act, 1750. In part, namely,— In section six the words of commencement. Section eight.	

1ST SCH.  
—cont.

Reign and Chapter	Short Title
24 Geo. 2.: c. 50.	An Act to enable His Majesty to make Leases and Copies of Offices, Lands and Hereditaments, Parcel of his Dutchy of Cornwall . . . The whole Act.
25 Geo. 2.:	
c. 9.	An Act for enlarging the Term granted by . . . Acts . . . for continuing the duty of two Pennies Scots upon every Pint of Ale or Beer sold in the City of Edinburgh . . . The whole Act.
c. 20.	An Act to obviate Doubts . . . with regard to the Admission of the Vassals of the Principality of Scotland and Payment of their Rents and Dues. The whole Act.
c. 36.	The Disorderly Houses Act. In part, namely,— In sections two and ten the words of commencement.
c. 37.	The Murder Act, 1751. In part, namely,— Sections three, four, six, seven and eight, so far as relating to Scotland.
26 Geo. 2.:	
c. 27.	The Justices Act, 1753. The whole Act.
c. 44.	An Act for laying a Duty of two Pennies Scots . . . on every Scots Pint of Ale . . . sold within the Town of Dysart . . . The whole Act.
c. 79.	An Act for laying a Duty of two Pennies Scots . . . upon every Scots Pint of Ale . . . sold within the Town . . . of Preston Pans . . . The whole Act.
c. 96.	An Act for laying a Duty of two Pennies Scots . . . on every Scots Pint of Ale . . . sold within the Town of Paisley . . . The whole Act.

Reign and Chapter	Short Title
26 Geo. 2.: c. 101.	An Act to enable James Mallors to open a new street from the west side of King Street in the parish of St. Margaret in the City of Westminster . . . The whole Act.
27 Geo. 2.: c. 16.	The Justices Clerks Fees (Middlesex) Act, 1754. In part, namely,— In the title the words from " that all Acts " to " Publick Acts and " and the words from " and for confirming." Section two.
c. 35.	An Act for laying a Duty of two Pennies Scots . . . upon every Scots Pint of Ale . . . sold within the Town . . . of Alloa . . . The whole Act.
28 Geo. 2.: c. 29.	An Act for continuing . . . an Act for continuing the Duty of two Pennies Scots . . on every Pint of Ale . . . sold within the City of Glasgow . . . The whole Act.
29 Geo. 2.: c. 23.	The Fisheries (Scotland) Act, 1756. In part, namely,— In section one the words of commencement.
c. 48.	An Act for rebuilding the Common Gaol for the County of Derby . . . The whole Act.
c. 90.	An Act to enable the Proprietors and Inhabitants of Houses in York Buildings in the Parish of Saint Martin in the Fields . . . to make and levy a Rate on themselves . . . The whole Act.
30 Geo. 2.: c. 22.	An Act to explain and amend an Act . . . to prevent the misbehaviour of the Drivers of Carts in the Streets in London . . . The whole Act so far as unrepealed.
c. 63.	An Act for building a Bridge or Bridges cross the River of Thames from . . . Old Brentford . . . to the opposite Shore in the County of Surrey. The whole Act.

1ST SCH.  
—cont.

Reign and Chapter	Short Title
31 Geo. 2.:	
c. 22.	The Pension Duties Act, 1757. The whole Act so far as unrepealed.
c. 40.	An Act to ascertain the Weight of Trusses of Straw . . . and also to restrain Salesmen, Brokers or Factors in Cattle from buying on their own Account to sell again any Live Cattle in London . . . The whole Act so far as unrepealed.
c. 52.	An Act for enlarging the Term granted by an Act . . . for laying a Duty of two Pennies Scots . . . on every Scots Pint of Ale . . . sold within the Town . . . of Preston Pans . . . The whole Act.
c. 69.	An Act to continue . . . an Act for laying a Duty of two Pennies Scots . . . upon every Scots Pint of Ale . . . sold within the Town of Kirkcaldy . . . The whole Act.
32 Geo. 2.:	
c. 15.	The Turnpike Roads (Scotland) Act, 1758. The whole Act.
c. 28.	The Debtors Imprisonment Act, 1758. The whole Act.
c. 33.	The Pension Duties Act, 1758. The whole Act.
c. 56.	An Act for laying a Duty of two Pennies Scots . . . upon every Scots Pint of Ale . . . sold within the Town of Kelso . . . The whole Act.
33 Geo. 2.:	
c. 10.	An Act to enable His Majesty to make Leases and Copies of Offices Lands and Hereditaments Parcel of his Dutchy of Cornwall. The whole Act.
c. 53.	An Act for laying a Duty of Two Pennies Scots . . . upon every Scots Pint of Ale . . . vended within the Town . . . of Dalkeith. The whole Act.
1 Geo. 3.:	
c. 11.	An Act to enable His Majesty to make Leases and Copies of Offices Lands and Hereditaments Parcel of his Dutchy of Cornwall . . . The whole Act.

Reign and Chapter	Short Title	1ST SCH. —cont.
1 Geo. 3.: c. 13.	The Justices Qualification Act, 1760. The whole Act.	
2 Geo. 3.: c. 15.	The Fish Carriage Act, 1762. The whole Act so far as unrepealed.	
c. 55.	An Act for continuing . . . an Act . . . for laying a Duty of two Pennies Scots . . . on every Pint of Ale . . . sold within the Town of Dumfries. The whole Act.	
3 Geo. 3.: c. 28.	An Act for continuing an Act . . . for laying a Duty of two Pennies Scots . . . upon every Scots Pint of Ale . . . sold within the Town Aberbrothock. The whole Act.	
4 Geo. 3.: c. 5.	An Act for naturalizing his Highness Charles William Ferdinand, Hereditary Prince of Brunswick Lunenburg. The whole Act.	
c. 10.	The Recognizances (Discharge) Act, 1764. The whole Act.	
c. 46.	An Act to continue an Act . . . for laying a Duty of two Pennies Scots . . . upon every Pint of Ale . . . sold within the Town of Dunbar . . . The whole Act.	
c. 56.	An Act for the better Relief . . . of the Poor in the Hundred of Blything in the County of Suffolk. The whole Act.	
c. 91.	An Act for the better Relief . . . of the Poor in the Hundred of Wangford in the County of Suffolk. The whole Act.	
5 Geo. 3.: c. 13.	An Act for empowering the Commissioners for putting in Execution the several Acts passed for Paving Cleansing and Lighting the Squares Streets and Lanes within the City . . . of Westminster . . . to collect certain Tolls on Sundays . . . The whole Act.	

1ST SCH.  
—cont.

Reign and Chapter	Short Title
6 Geo. 3.:	
c. 33.	An Act to enable His Majesty to exchange the Lands of Fernan and Lix in the County of Perth for other Lands belonging to the . . . Earl of Breadalbane in Pitkellony in the said County . . . The whole Act.
c. 66.	An Act for building a Bridge cross the River Thames from Battersea in the County of Surry to Chelsea in the County of Middlesex. The whole Act.
7 Geo. 3.:	
c. 21.	The Justices Quorum Act, 1766. The whole Act.
c. 48.	The Public Companies Act, 1767. In part, namely,— The words of commencement.
8 Geo. 3.:	
c. 10.	An Act to enable His Majesty to licence a Playhouse in the City of Bath. The whole Act.
c. 26.	An Act to enable His Majesty to make Leases Copies and Grants of Offices Lands and Hereditaments Parcel of the Duchy of Cornwall . . . The whole Act.
c. 28.	An Act for licensing a Playhouse within the City of Norwich. The whole Act.
9 Geo. 3.:	
c. 17.	An Act for enabling His Majesty to licence a Playhouse in the City of York and in the Town . . . of Kingston upon Hull. The whole Act.
c. 57.	An Act for continuing two Acts . . . for laying a Duty of two Pennies Scots . . . upon every Pint of Ale . . . sold within the Town of Montrose . . . The whole Act.
10 Geo. 3.:	
c. 28.	An Act for rebuilding the Common Gaol of the County of Essex. The whole Act.
c. 50.	The Parliamentary Privilege Act, 1770. In part, namely,— In sections one and six the words of commencement.



Reign and Chapter	Short Title
11 Geo. 3.:	
c. 16.	An Act to enable His Majesty to license a Play-house in the Town of Liverpoole . . . The whole Act.
12 Geo. 3.:	
c. 20.	The Felony and Piracy Act, 1772. The whole Act.
c. 45.	The Traffic Regulation (Scotland) Act, 1772. In part, namely,— In sections one, five, six and seven the words of commencement.
c. 72.	The Bills of Exchange (Scotland) Act, 1772. In part, namely,— In sections thirty-six, thirty-seven, forty-two and forty-three the words of commencement. Section forty-one.
13 Geo. 3.:	
c. 18.	An Act to repeal an Act . . . for the more effectual Relief of the Poor in the County of Devon and for the purposes therein mentioned. The whole Act.
c. 32.	The Stealing of Vegetables Act, 1772. In part, namely,— In the title the words from " for repealing " to " Turnips and." In section one the words of commencement.
c. 41.	An Act for enabling James Cox, Jeweller, to dispose of his Musaeum . . . by Way of Chance . . . for the Benefit of himself and his Creditors. The whole Act.
c. 75.	An Act for enabling John, Robert, James and William Adam to dispose of several Houses and Buildings in the Parishes of Saint Martin in the Fields . . . and other their Effects by way of Chance for the Benefit of themselves and Creditors. The whole Act.
c. 81.	The Inclosure Act, 1773. In part, namely,— In sections twenty-two and twenty-four the words " tenants by the courtesy of England."

1ST SCH.  
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1ST SCH.  
—cont.

Reign and Chapter	Short Title
13 Geo. 3.: c. 82.	The Lying-in Hospitals Act, 1773. The whole Act so far as unrepealed.
14 Geo. 3.: c. 22.	An Act to enable His Majesty to grant unto Major General Simon Fraser the Lands and Estate of the late Simon Lord Lovat . . . . The whole Act.
c. 28.	An Act to continue an Act . . . . for laying a Duty of two Pennies Scots . . . . upon every Scots Pint of Ale . . . . sold within the Town of Kinghorn . . . . The whole Act.
c. 35.	An Act to enable the . . . . Lord High Treasurer . . . . to compound certain Debts due to His Majesty and affecting the Estates heretofore of Charles Mason . . . . The whole Act.
c. 40.	An Act for divesting out of the Crown the . . . . Estate of Ulysses Fitzmaurice Esquire deceased and for vesting the same in Trustees to be sold for Payment of his Debts . . . . The whole Act.
c. 78.	The Fires Prevention (Metropolis) Act, 1774. In part, namely,— In section eighty-six the words "after the said twenty-fourth day of June."
15 Geo. 3.: c. 19.	An Act to enable the . . . . Lord High Treasurer . . . . to compound . . . . a debt due to His Majesty from William Williams deceased. The whole Act.
c. 47.	An Act for enabling His Majesty to licence a Playhouse in the Town of Manchester . . . . The whole Act.
c. 48.	An Act to continue the Term of an Act . . . . for laying a Duty of Two Pennies Scots upon every Scots Pint of Beer . . . . sold . . . . within the Town of Anstruther Easter. The whole Act.
c. 57.	An Act for watering Piccadilly . . . . The whole Act.

Reign and Chapter	Short Title	1ST SCH. —cont.
15 Geo. 3.: c. 61.	An Act for vesting in James Watt, Engineer . . . the sole Use and Property of certain Steam Engines . . . of his Invention . . . for a limited Time. The whole Act.	
16 Geo. 3.: c. 16.	An Act for enlarging the Term . . . for laying a Duty of Two Pennies Scots upon every Pint of Ale . . . vended within the Town of Dundee . . . The whole Act.	
c. 18.	An Act for enlarging the Term of Letters Patent granted . . . to Elizabeth Taylor . . . for the Sole Use and Exercise of certain Engines . . . used in the Rigging of Ships. The whole Act.	
c. 29.	An Act for vesting in John Liardet . . . the Sole Use and Property of a certain . . . Cement of his Invention . . . for a limited Time. The whole Act.	
17 Geo. 3.: c. 6.	An Act for vesting in David Hartley . . . the sole Use and Property of a certain Method . . . of securing Buildings . . . against Fire . . . for a limited Time. The whole Act.	
c. 11.	An Act for more effectually preventing Frauds and Abuses committed by Persons employed in the Manufactures of Combing Wool, Worsted Yarn and Goods made from Worsted in the Counties of York, Lancaster and Chester. In part, namely,— Preamble to "Materials used in the said Manufactures." In section one the words from "at Halifax" to "of the County of York" where next occurring, and from "and the Management" to "be created." In section two the words from "to be recovered in" to the end. Section eight. In section nine the words from "to be paid" to "of this Act." In section ten the words "recovered and." In sections twelve and sixteen the words from "which Oath" to "to administer."	

1ST SCH.  
—cont.

Reign and Chapter	Short Title
17 Geo. 3.: c. II.	<p>In section twelve the words from " shall be recovered " to " which said penalties."</p> <p>In section fourteen the words from " shall be recovered " to " recovered and."</p> <p>In section sixteen the words from " the House of Correction " to the words " be committed " except the word " Prison."</p> <p>Sections twenty-one and twenty-two.</p>
c. 14.	<p>An Act to enable His Majesty to licence a Theatre in the City of Chester.</p> <p>The whole Act.</p>
c. 20.	<p>An Act for continuing two Acts . . . for laying a Duty of two Pennies Scots . . . upon every Scots Pint of Beer . . . sold within the Town of Burntisland . . .</p> <p>The whole Act.</p>
c. 31.	<p>An Act to enable the . . . Lord High Treasurer to make an Agreement or Composition with the several Sureties of William Brown . . .</p> <p>The whole Act.</p>
c. 49.	<p>An Act to enable the Lords Commissioners of His Majesty's Treasury to compound a Debt due to the Crown from the Estate of William Harry deceased . . .</p> <p>The whole Act.</p>
c. 56.	<p>The Frauds by Workmen Act, 1777.</p> <p>In part, namely,—</p> <p>The words of commencement wherever occurring.</p> <p>The preamble.</p> <p>In section three the words to " consequences of non-payment."</p>
18 Geo. 3.:	
c. 8.	<p>An Act to enable His Majesty to licence a Theatre in the City of Bristol.</p> <p>The whole Act.</p>
c. 17.	<p>An Act for building an additional Jail . . . within the County of Cornwall . . .</p> <p>The whole Act.</p>
c. 35.	<p>An Act for the better Relief . . . of the Poor within the Hundred of Stow in the County of Suffolk.</p> <p>The whole Act.</p>

Reign and Chapter	Short Title
18 Geo. 3. : c. 43.	An Act to repeal an Act . . . for the Recovery of Small Debts within the several Parishes of . . . within the Hundred of Kirton and County of Lincoln. The whole Act.
19 Geo. 3. : c. 30.	An Act for the better Relief . . . of the Poor . . . within the Hundred of Cosford . . . and also . . . within the Hundred of Babergh in the County of Suffolk. The whole Act.
c. 70.	The Inferior Courts Act, 1779. In part, namely,— In section five the words of commencement. Section six.
c. 77.	An Act to enable the Commissioners of His Majesty's Treasury to compound a Debt due to the Crown from James Gildart and his Sureties . . . The whole Act.
20 Geo. 3. : c. 11.	An Act for continuing . . . an Act for laying a Duty of two Pennies Scots . . . upon every Scots Pint of Ale . . . sold within the Town of Kelso . . . The whole Act.
c. 22.	An Act for the better Government and Regulation of the Poor in the Town and Parish of Maidstone . . . The whole Act.
c. 32.	An Act for enlarging the Powers of an Act . . . for building a Bridge cross the River Thames from . . . Walton upon Thames . . . to Shepperton . . . The whole Act.
21 Geo. 3. : c. 13.	An Act for rendering effectual an Act . . . for the better Relief . . . of the Poor within the Hundred of Stow in the County of Suffolk. The whole Act.
22 Geo. 3. : c. 18.	An Act for continuing . . . an Act for laying a Duty of two Pennies Scots . . . on every Scots Pint of Ale . . . vended within the Town . . . of Dalkeith. The whole Act.

1ST SCH.  
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1ST SCH.  
—cont.

Reign and Chapter	Short Title
22 Geo. 3.:	
c. 22.	An Act for better securing the Duties payable by virtue of an Act . . . on the importation of Coals . . . into the Port of Great Yarmouth. The whole Act.
c. 42.	An Act for building a Stone Bridge cross the River of Thames from . . . Ealing . . . to . . . Kew . . . The whole Act.
c. 45.	The House of Commons (Disqualification) Act, 1782. In part, namely,— In sections one, six and nine the words of commencement.
c. 52.	An Act for preventing the Slaughtering of Cattle within the City of Edinburgh . . . The whole Act.
c. 65.	An Act to enable . . . to open a Street from the Strand . . . near the east end of the new Church . . . in the Parish of Saint Clement Danes . . . The whole Act.
c. 82.	The Civil List and Secret Service Money Act, 1782. In part, namely,— In section twenty-seven the words " or before the cursitor baron." Section thirty-seven.
23 Geo. 3.:	
c. 15.	The Dyeing Trade (Frauds) Act, 1783. The whole Act so far as unrepealed.
c. 29.	An Act for rendering effectual an Act . . . for the better Relief and Employment of the Poor within the Hundred of Forehoe in the County of Norfolk. The whole Act.
24 Geo. 3.	
Sess. 1.:	
c. 20.	An Act for appointing an Additional Overseer for the better Government of the Poor of the Parish of Bradford in the County of Wilts. The whole Act.
Sess. 2.:	
c. 14.	An Act to enable the . . . Treasury to compound a Debt due to the Crown from Francis Dixon Esquire deceased and his Sureties . . . The whole Act.

Reign and Chapter	Short Title	1ST SCH. —cont.
24 Geo. 3. Sess. 2. : c. 22.	An Act for enabling Sir Ashton Lever to dispose of his Museum . . . at Leicester House by way of Chance. The whole Act.	
c. 57.	An Act to enable his Majesty to grant to the Heirs of the former Proprietors . . . the forfeited Estates in Scotland . . . The whole Act.	
25 Geo. 3. :		
c. 18.	The Newgate Gaol Delivery Act, 1785. The whole Act.	
c. 38.	An Act for vesting in Edward Bancroft . . . the sole Property of his Invention . . . of the Use . . . of certain Vegetables for Dying, Staining . . . and Painting . . . for a limited Time. The whole Act.	
c. 42.	An Act for vesting in Archibald Earl of Dundonald . . . the sole Use . . . of a Method of extracting . . . Tar . . . from Pit Coal . . . for a limited Time. The whole Act.	
c. 77.	The Fires Prevention (Metropolis) Act, 1785. In part, namely,— In section one the words of commencement.	
26 Geo. 3. :		
c. 23.	An Act for the Appointment of an additional Overseer for the better Government of the Poor of the Parish of Westbury in the County of Wilts. The whole Act.	
c. 29.	An Act to enable his Majesty to licence a Playhouse within the Town . . . of Margate in the Isle of Thanet. The whole Act.	
c. 37.	An Act for laying a Toll upon all Horses and Carriages passing on a Sunday over Blackfriars Bridge . . . The whole Act.	

1ST SCH.  
—cont.

Reign and Chapter	Short Title
26 Geo. 3.:	
c. 102.	An Act for enlarging the Term . . . of an Act . . . for putting in Execution the several Acts . . . for paving . . . the Squares . . . within the City . . . of Westminster . . . to collect certain Tolls on Sundays . . . The whole Act.
27 Geo. 3.:	
c. 31.	The Exports Act, 1787. The whole Act so far as unrepealed.
c. 44.	The Ecclesiastical Suits Act, 1787. The whole Act so far as unrepealed.
c. 46.	An Act for continuing . . . two Acts . . . for laying a Duty of two Pennies Scots . . . upon every Scots Pint of Ale . . . sold within the Town of Aberbrothock . . . The whole Act.
c. 50.	An Act to enable His Majesty to License a Play-house in the Town . . . of Newcastle upon Tyne. The whole Act.
c. 57.	An Act for continuing . . . Acts . . . for laying a Duty of two Pennies Scots . . . on every Pint of Ale . . . sold within the Town of Dumfries . . . The whole Act so far as relating to duties on ale or beer.
28 Geo. 3.:	
c. 32.	An Act for vesting the Estates of Edward Henwick in Trustees to be sold . . . in discharge of a Debt owing by him to the Crown. The whole Act.
c. 59.	An Act for establishing a permanent Fund for the Relief and Support of Skippers and Keelmen employed on the River Tyne . . . The whole Act.
29 Geo. 3.:	
c. 4.	An Act for more effectually carrying into Execution . . . certain Acts . . . for the better Relief . . . of the Poor within the Hundred of Forehoe in the County of Norfolk. The whole Act.
c. 29.	An Act for providing a Workhouse for the Use of the Parish of Highworth in the County of Wilts and for appointing an additional Overseer . . . The whole Act.



Reign and Chapter	Short Title	1ST SCH. —cont.
29 Geo. 3.: c. 46.	The Destruction of Property (Scotland) Act, 1789. The whole Act.	
30 Geo. 3.:		
c. 22.	An Act for the better Relief . . . of the Poor within the Hundreds of Colneis and Carlford in the County of Suffolk. The whole Act.	
c. 31.	The Silver Plate Act, 1790. In part, namely,— The words of commencement.	
c. 48.	The Treason Act, 1790. In part, namely,— In section one the words "drawn to the place of execution and be," where severally occur- ring so far as unrepealed.	
31 Geo. 3.:		
c. 36.	An Act to prevent Keels . . . and other Boats and Wains and Carts being used in the Removal or Carriage of Coals after having undergone . . . Repairs without being first . . . readmeasured . . . The whole Act.	
c. 57.	An Act for building and maintaining a Bridewell and Correction House in and for the City and County of Edinburgh. The whole Act.	
c. 82.	An Act to continue two Acts . . . for laying a Duty of two Pennies Scots . . . upon every Scots Pint of Ale . . . sold within the Town of Kirkcaldy . . . The whole Act.	
32 Geo. 3.:		
c. 56.	The Servants' Characters Act, 1792. In part, namely,— In sections one to six the words of commence- ment.	
c. 62.	An Act for removing the Stand of Hackney Coaches out of New Bond Street and Old Bond Street . . . in the Liberty of Westminster. The whole Act.	

1ST SCH.  
—cont.

Reign and Chapter	Short Title
32 Geo. 3.: c. 63.	<p>The Scottish Episcopalians Relief Act, 1792.</p> <p>In part, namely,—</p> <p>In section two the words to “ aforesaid that,” the words from “ within six months ” to “ ninety-two or,” the word “ other ” and the words “ at the same time and place.”</p> <p>Section three.</p> <p>In section four the words “ taken and ”, “ oaths and ” and from “ and produced ” to “ of this Act.”</p> <p>In sections four, five, six and ten, the words from “ at any time after ” to “ day of July.”</p> <p>Sections twelve and thirteen.</p>
c. 72.	<p>An Act for vesting in James Turner . . . the sole Use and Property of a certain Yellow Colour of his Invention . . . for a limited Time.</p> <p>The whole Act.</p>
c. 73.	<p>An Act for more effectually securing to Joseph Booth . . . the Benefit of a certain Invention . . .</p> <p>The whole Act.</p>
c. 91.	<p>An Act for more effectually draining . . . certain low lands within the Parish of Great Carlton in the County of Lincoln.</p> <p>The whole Act.</p>
33 Geo. 3.: c. 31.	<p>An Act to enable the Common Council of the Town of Liverpool . . . to issue negotiable Notes for a limited Time and to a limited Amount.</p> <p>The whole Act.</p>
c. 39.	<p>An Act for the more easy raising Money upon the Hundred of Hemlingford in the County of Warwick for paying the Damages and Costs incurred on Account of the late Riots . . .</p> <p>The whole Act.</p>
c. 41.	<p>An Act to enable Robert Claxton of Bristol, Merchant, to take the Oath prescribed . . . by an Act . . . for the further Encrease of . . . Navigation.</p> <p>The whole Act.</p>

Reign and Chapter	Short Title	1ST SCH. —cont.
33 Geo. 3.:	c. 55. The Parish Officers Act, 1793.	
	<p>In part, namely,—  The title from the words “ and on masters.”  In the preamble the words from “ and it is also expedient ” to “ granted by magistrates.”  In section one the words from “ or upon complaint made ” to “ such master or mistress,” the words “ master or mistress ” in both places where next occurring, and the words from “ and such fine or fines ” where secondly occurring to “ usage as aforesaid.”</p>	
	c. 67. The Shipping Offences Act, 1793.	
	<p>In part, namely,—  In the title the words from “ and in obstructing.”  In section one the words from “ at any time ” to “ ninety-three.”</p>	
	c. 77. An Act for further settling and securing a certain Annuity on the Heirs Male . . . of the late Lord Rodney . . . The whole Act so far as unrepealed . . .	
	c. 78. An Act to enable his Royal Highness George Prince of Wales to make Leases, Copies and Grants of Offices Lands and Hereditaments Parcel of his . . . Duchy of Cornwall . . . The whole Act.	
	c. 79. An Act requiring and authorising Charles Gilbert . . . to pay certain sums of Money received by . . . the said Treasurers, on Account of the not raising the Militia of the said County, into the publick Stocks . . . The whole Act.	
	c. 126. An Act for amending . . . an Act for the better Relief . . . of the Poor in the Hundred of Blything in the County of Suffolk. The whole Act.	
34 Geo. 3.:	c. 66. An Act to enable the . . . Treasury to ascertain what sum shall be paid . . . in full satisfaction of the Debt . . . due from . . . Richard Rigby to His Majesty. The whole Act.	

1ST SCH.  
—cont.

Reign and Chapter	Short Title
34 Geo. 3.: c. 67.	An Act for vesting in John Wilkinson . . . hereditaments in Saint James's Square . . . and for discharging the same from . . . Alienage. The whole Act.
c. 101.	An Act to enable His Majesty to grant . . . certain Estates . . . vested in him by reason of the Attainers of the Persons therein named . . . The whole Act.
35 Geo. 3.: c. 42.	An Act for enlarging the Term and Powers of . . . Acts . . . for laying a Duty of two Pennies Scots . . . upon every Pint of Ale . . . sold within the Town of Montrose . . . The whole Act.
c. 45.	An Act to explain . . . an Act for paving, lighting . . . and keeping in Repair Finsbury Square in the Parish of St. Luke . . . and for preventing . . . Nuisances . . . within the same. The whole Act.
c. 68.	An Act for vesting for a certain Term of years in . . . Henry Seymour Conway . . . the sole Property of a Kiln or Oven by him invented for burning Lime . . . The whole Act.
c. 69.	An Act for repealing so much of an Act made in the twenty-fourth year of the Reign of his present Majesty . . . as relates to the Amount of the Debt charged upon the Lands and Estate . . . forfeited . . . The whole Act.
c. 122.	The Burghs of Barony (Scotland) Act, 1795. In part, namely,— The title from the words " and for removing." In section one the words from " and that it shall " to the end of the section. Sections two and three.
c. 125.	The Heir Apparent's Establishment Act, 1795. The whole Act.

Reign and Chapter	Short Title	1ST SCH. —cont.
36 Geo. 3.:	<p>c. 7. The Treason Act, 1795. In part, namely,— In section one the words from “ after the day ” to “ demise of the Crown,” the words “ the same ” and the words “ and also lose and forfeit.”</p> <p>c. 9. The Passage of Grain Act, 1795. The whole Act so far as unrepealed.</p> <p>c. 27. An Act to explain and enlarge the powers contained in the Charter of the London Assurance . . . The whole Act.</p> <p>c. 60. The Metal Buttons Act, 1796. In part, namely,— In sections one, two, three and five the words of commencement.</p> <p>c. 85. The Mills Act, 1796. In part, namely,— In sections one, five and six the words of commencement.</p> <p>c. 91. An Act for dissolving a certain Partnership, Society or Undertaking called The Million Bank and for dividing the Joint Stock and Funds belonging thereto amongst the Members thereof. The whole Act.</p>	
37 Geo. 3.:	<p>c. 133. An Act for enabling Thomas Macklin to dispose of his Collection of modern Paintings . . . by way of Chance. The whole Act.</p>	
38 Geo. 3.:	<p>c. 5. The Land Tax Act, 1797. In part, namely,— In the title the words from “ for the service ” to the end. In section nineteen the words “ as aforesaid.” In section ninety-five the words from “ the first clerk ” to “ kitchen ” and the words from “ and that no such ” to the end.</p>	

1ST SCH.  
—cont.

Reign and Chapter	Short Title
38 Geo. 3.:	
c. 21.	An Act for settling . . . a certain Annuity on John Earl Saint Vincent and the two next Persons to whom the Title of Earl St. Vincent shall descend . . . The whole Act so far as unrepealed.
c. 48.	The Land Tax Commissions Act, 1798. In part, namely,— In section one the words from " over and above " to " corrupt perjury."
c. 52.	The Counties of Cities Act, 1798. In part, namely,— In section five the words " after the passing of this Act." Section nine.
c. 60.	The Land Tax Perpetuation Act, 1798. In part, namely,— In the title the words from " subject to Redemption " to " therein stated." In section one the words " except as hereinafter mentioned " and the words from " subject nevertheless " to the end.
c. 69.	The Gold Plate (Standard) Act, 1798. In part, namely,— In section two the words from " from and after " to " ninety-eight " where next occurring. In section six the words from " from and after " to " ninety-eight." In section seven the words from " from and after " to " ninety-eight " where next occurring, the words from " either before on " to " ninety-eight " where next occurring, and from " to such parts " to " shall direct."
39 Geo. 3.:	
c. 37.	The Offences at Sea Act, 1799. In part, namely,— In section two the words from " shall be entitled " to " manner and."

Raign and Chapter	Short Title	1ST SCH. —cont.
39 Geo. 3.:	c. 56. The Colliers (Scotland) Act, 1799. The whole Act so far as unrepealed.	
	c. 79. The Unlawful Societies Act, 1799. In part, namely,— The words " from and after the passing of this Act " and " after the passing of this Act " wherever occurring. In section two the words from " or who being " to " member thereof " where next occurring. In section eight the words from " in the manner provided " to " transportation of offenders " and the words from " and every such offender " to the end of the section. Sections ten and eleven. Section fourteen. In section thirty-five the words from the beginning to " full costs and " and the words " not exceeding the sum of twenty pounds ". Section thirty-eight. Schedule.	
	c. 100. An Act to revive and continue . . . an Act for the more effectual Encouragement of the British Fisheries and to amend an Act made in the twenty-sixth Year of the Reign of His present Majesty . . . The whole Act so far as unrepealed.	
39 & 40 Geo. 3.:	c. 28. The Bank of England Act, 1800. In part, namely,— In section thirteen the words from " out of the " to " is mentioned," the words from " and of the fourth " to " present Majesty " and from " freed and discharged " to " advantages or any of them." Section fourteen. In section fifteen the words from " and that it shall " to the end of the section.	
	c. 36. The Transfer of Stock Act, 1800. In part, namely,— In the title the words from " or the United " to " parts of America." Section four.	

1ST SCH.  
—cont.

Reign and Chapter	Short Title
39 & 40 Geo. 3.:	
c. 41.	The Ecclesiastical Leases Act, 1800. In part, namely,— Section seven.
c. 43.	An Act to confirm an Agreement . . . between . . . His Majesty's Treasury and the . . . Duke of Richmond . . . to grant a Compensation . . . by way of Annuity payable out of the Consoli- dated Fund. The whole Act.
c. 54.	The Public Accountants Act, 1800. The whole Act so far as unrepealed.
c. 67.	The Union with Ireland Act, 1800. In part, namely,— In Article six—In the third paragraph the words from "on the several" to "other countervailing duties," and in the fifth paragraph the words from "and that for the said" to "herein specified."
c. 77.	The Collieries and Mines Act, 1800. The whole Act so far as unrepealed.
c. 78.	An Act to discharge from a disputed and dormant Claim of the Publick . . . several Estates . . . The whole Act.
c. 94.	The Criminal Lunatics Act, 1800. In part, namely,— Sections one and three so far as relating to Scotland.
c. 97.	An Act to incorporate certain Persons by the name of the London Company for the Manufacture of Flour . . . for a limited Time. The whole Act.
c. 109.	The Exchequer Bills Act, 1800. The whole Act so far as unrepealed.



## THE SECOND SCHEDULE.

Section 5.

## SHORT TITLES.

Session and Chapter.	Title.	Short Title.
20 Hen. 3 : Stat. Merton : c. 4.	Common and pasture by freeholders within great manors . . .	The Commons Act, 1236.
52 Hen. 3 : Stat. Marl. : c. 1.	Of wrongful distresses or defiances of the King's courts . . .	The Distress Act, 1267.
13 Edw. 1 : Stat. Westm. sec. : c. 37.	No distress but by bailiffs known and sworn.	The Distress Act, 1285.
c. 46.	Lords may approve common against their neighbours leaving them sufficient . . .	The Commons Act, 1285.
34 Edw. 3. c. 1.	Who shall be justices of the peace . . .	The Justices of the Peace Act, 1361.
5 Ric. 2. Stat. 1. c. 7.	Forcible entries forbidden -	The Forcible Entry Act, 1381.
15 Ric. 2. c. 3.	Jurisdiction of the admiral -	The Admiralty Jurisdiction Act, 1391.
16 Ric. 2. c. 5.	Recital that the remedy to recover presentations is in the King's court . . . Praemunire for purchasing translations bulls or any other instrument from Rome or elsewhere.	The Statute of Praemunire.
13 Hen. 4. c. 7.	Justices of peace and sheriffs shall arrest all rioters and record their offences and inquire thereof . . .	The Riot Act, 1411.
2 Hen. 5. Stat. 1. c. 8.	Recital of the Statute 13 H. 4. c. 7. against riots, &c.	The Riot Act, 1414.
8 Hen. 6. c. 9.	Recital of the Statute 15 Ric. 2. c. 2. against forcible entries, &c. . . .	The Forcible Entry Act, 1429.
20 Hen. 6. c. 9.	Recital of Magna Carta relating to trial by peers; Noble ladies shall be tried as peers of the realm are tried.	The Peereses Act, 1441.
27 Hen. 6. c. 5.	The scandal of holding fairs and markets on Sundays and upon high feast days . . .	The Sunday Fairs Act, 1448.
4 Hen. 7. c. 20.	An Acte agaynst collusions and fayned accions.	The Collusive Actions Act, 1488.
19 Hen. 7. c. 7.	De privatis & illicitis statutis non faciendis.	The Ordinances of Corporations Act, 1503
4 Hen. 8. c. 8.	Pro Ricardo Strode - - -	The Privilege of Parliament Act, 1512.

2ND SCH.  
—cont.

Session and Chapter.	Title.	Short Title.
21 Hen. 8. c. 6.	An Acte concerninge the takinge of Mortuaries or demaunding receivinge or clayminge of the same.	The Mortuaries Act, 1529.
22 Hen. 8. c. 5.	An Acte concernyng the amende-ment of Bridges in Highe Wayes.	The Bridges Act, 1530.
23 Hen. 8. c. 9.	An Act that no personne shalbe cited oute of the Diocese where he or she dwelleth excepte in certayne cases.	The Ecclesiastical Jurisdiction Act, 1531.
24 Hen. 8. c. 12.	An Acte that the Appeles in suche Cases as have ben used to be pursued to the See of Rome shall not be from hensforth had ne used but wythin this Realme.	The Ecclesiastical Appeals Act, 1532.
25 Hen. 8. c. 19.	An Acte for the Submission of the Clergie to the Kynges Majestie.	The Submission of the Clergy Act, 1533.
25 Hen. 8. c. 20.	An Acte restraynyng the pay-ment of Annates, &c.	The Appointment of Bishops Act, 1533.
25 Hen. 8. c. 21.	An Acte for the exoneration from exaccions payde to the See of Rome.	The Ecclesiastical Licences Act, 1533.
26 Hen. 8. c. 14.	An Acte for nominacion and consecracyon of Suffragans wythin this Realme.	The Suffragan Bishops Act, 1534.
27 Hen. 8. c. 24.	An Acte for recontynuyng of certayne liberties and fran-chises heretofore taken frome the Crowne.	The Jurisdiction in Liberties Act, 1535.
27 Hen. 8. c. 26.	An Acte for Lawes & Justice to be Ministred in Wales in like Fourme as it is in this Realme.	The Laws in Wales Act, 1535.
27 Hen. 8. c. 28.	An Acte wherby all Relygeous Houses of Monkes Chanons and Nonnes whiche may not dyspend Manors Landes Tene-mentes & Heredyaments above the clere yerly Value of ij CLi are geven to the Kinges Highnes his Heires and Successours for ever.	The Suppression of Religious Houses Act, 1535.
28 Hen. 8. c. 5.	An Acte for avoydyng of exaccyons taken upon Pren-tesis in the Cyties Borowghes and Townes corporatt.	The Apprentices Act, 1536.
28 Hen. 8. c. 11.	An Acte for restitution of the first Fruytys in the tyme of Vacacion to the next Incum-bent.	The Tithe Act, 1536.
28 Hen. 8. c. 16.	An Acte for the release of suche as have obteyned pretended Lycences and Dispensacions from the See of Rome.	The Ecclesiastical Licences Act, 1536.

Session and Chapter.	Title.	Short Title.
31 Hen. 8. c. 10.	An Acte for the placing of the Lordes in the Parliament.	The House of Lords Precedence Act, 1539.
31 Hen. 8. c. 13.	An Acte for dissolucion of Abbeys.	The Suppression of Religious Houses Act, 1539.
32 Hen. 8. c. 7.	Payment of tithes & offrings -	The Tithe Act, 1540.
32 Hen. 8. c. 9.	Agenst maintenaunce and embracery byeng of titles, &c.	The Maintenance and Embracery Act, 1540.
32 Hen. 8. c. 37.	For recovering of Arrerages by Executors & Administrators.	The Cestui que vie Act, 1540.
32 Hen. 8. c. 38.	Concerning precontractes and degrees of Consanguinite.	The Marriage Act, 1540.
32 Hen. 8. c. 40.	Concerning Phisicians - -	The Physicians Act, 1540.
32 Hen. 8. c. 51.	The Kinges authoritie to make Joyntures & to geve landes to the Prince, &c.	The Queen Consort Act, 1540.
33 Hen. 8. c. 9.	An Acte for Mayntenance of Artyllarie and debarringe of unlawful Games.	The Unlawful Games Act, 1541.
33 Hen. 8. c. 12.	An Acte for Murther and malicious Bloudshed within the Courte.	The Offences within the Court Act, 1541.
33 Hen. 8. c. 21.	The Bill of Atteynder of Mestres Katherin Hawarde late Quene of England, and divers other personnes her complices.	The Royal Assent by Commission Act, 1541.
33 Hen. 8. c. 27.	An Acte for Leases of Hospitales Colledges and other Corporacions to be good and effectuall with the consent of the more partie.	The Leases by Corporations Act, 1541.
33 Hen. 8. c. 39.	The Byll for theestablishment of the Courte of Surveyors.	The Crown Debts Act, 1541.
34 & 35 Hen. 8. c. 8.	An Acte that persones being no commen Surgeons maie mynistre medicines owtwarde.	The Herbalists Act, 1542.
34 & 35 Hen. 8. c. 20.	An Acte to embarre fayned recoveries of Landes wherein the Kinges Majestie is in revercion.	The Feigned Recoveries Act, 1542.
34 & 35 Hen. 8. c. 26.	An Acte for certaine Ordinaunces in the Kinges Majesties Domynion and Principalitie of Wales.	The Laws in Wales Act, 1542.
35 Hen. 8. c. 2.	An Acte concerninge the triall of Treasons commytted out of the Kinges Majesties Domynions.	The Treason Act, 1543.
37 Hen. 8. c. 1.	An Acte for the Offyces of the Custos Rotulorum.	The Custos Rotulorum Act, 1545.
37 Hen. 8. c. 4.	An Acte for dissolucion of Colledges.	The Dissolution of Colleges Act, 1545.

2ND SCH.  
—cont.

Session and Chapter.	Title.	Short Title.
1 Edw. 6. c. 1. -	An Acte against suche as shall unreverentlie speake against the Sacrament of the bodie and bloude of Christe commonlie called the Sacrament of the Altar, and for the receiving thereof in bothe kyndes.	The Sacrament Act, 1547.
1 Edw. 6. c. 7. -	An Acte for the contynuaunce of Actions after the deathe of anny King of this Realme.	The Justices of the Peace Act, 1547.
1 Edw. 6. c. 14	An Acte wherby certayne Chauntries Colleges Free Chapelles and the Possessions of the same be given to the Kinges Majestie.	The Dissolution of Colleges Act, 1547.
2 & 3 Edw. 6. c. 1.	An Acte for the unyformytie of Service and Admystracion of the Sacramentes throughout the Realme.	The Act of Uniformity, 1548.
2 & 3 Edw. 6. c. 21.	An Acte to take awaye all posityve Lawes againste Marriage of Priestes.	The Clergy Marriage Act, 1548.
5 & 6 Edw. 6. c. 1.	An Acte for the Unyformytie of Comon Prayer and admystracion of the Sacramentes.	The Act of Uniformity, 1551.
5 & 6 Edw. 6. c. 3.	An Acte for the keping of Hollie daies and Fasting dayes.	The Holy Days and Fasting Days Act, 1551.
5 & 6 Edw. 6. c. 4.	An Acte agaynste fightinge and quarelunge in Churches and Churcheyardes.	The Brawling Act, 1551.
5 & 6 Edw. 6. c. 11.	An Acte for the punyshment of diverse Treasons.	The Treason Act, 1551.
5 & 6 Edw. 6. c. 12.	An Acte for the declaracion of a Statute made for the Marriage of Priestes and for the legittimacion of their Children.	The Clergy Marriage Act, 1551.
1 Mary Sess. 1. c. 1.	An Acte repealing certayne Treasons Felonies and Premunire.	The Treason Act, 1553.
1 Mary Sess. 2. c. 3.	An Acte against Offenders of Preachers and other Ministers in the Churche.	The Brawling Act, 1553.
1 Mary Sess. 3. c. 1.	An Acte declaring that the Regall Power of this Realme is in the Quenes Majestie as fully and absolutely as ever it was in any of her moste noble Progenitours Kinges of this Realme.	The Queen Regent's Prerogative Act, 1554.
1 & 2 Phil. & Mary. c. 10.	An Acte wherby certayne Offences bee made Treasons; and also for the Government of the Kinges and Quenes Majesties Issue.	The Treason Act, 1554.

2ND SCH.  
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Session and Chapter.	Title.	Short Title.
1 & 2 Phil. & Mary. c. 12.	An Acte touching thimpounding of Distresses.	The Distress Act, 1554.
2 & 3 Phil. & Mary. c. 7.	An Acte agaynst the byeng of Stolen Horses.	The Sale of Horses Act, 1555.
1 Eliz. c. 1. -	An Acte restoring to the Crowne thauncyent Jurisdiction over the State Ecclesiasticall and Spirituall, and abolyshing all Forreine Power repugnaunt to the same.	The Act of Supremacy.
1 Eliz. c. 2. -	An Acte for the Uniformitie of Common Prayoure and Dyvne Service in the Church, and the Administration of the Sacramentes.	The Act of Uniformity, 1558.
5 Eliz. c. 18. -	An Acte declaring thauctoritee of the L. Keeper of the Great Seale of England and the L. Chancellor to bee one.	The Lord Keeper Act, 1562.
5 Eliz. c. 23. -	An Acte for the due Execucion of the Writ De Excommunicato capiendo.	The Writ De Excommunicato Capiendo Act, 1562.
13 Eliz. c. 6. -	An Acte that the Constathes and Exemplifications of Letters Patentes shalbe as good and avayleable as the Letters Patentes themselves.	The Letters Patent Act, 1571.
13 Eliz. c. 10. -	An Acte against Fraudes, defeating Remedies for Dilapidations, &c.	The Ecclesiastical Leases Act, 1571.
13 Eliz. c. 12. -	An Acte to reforme certayne Dysorders touching Ministers of the Church.	The Ordination of Ministers Act, 1571.
13 Eliz. c. 29. -	An Acte for Thincorporacion of bothe Thunyversities.	The Oxford and Cambridge Act, 1571.
14 Eliz. c. 11. -	An Acte for the continuacion explanacion perfiting and enlarging of divers Estatutes.	The Ecclesiastical Leases Act, 1572.
14 Eliz. c. 14. -	An Acte for the assurance of Gyftes Grauntes, &c. made and to bee made for the Relyef of the Poore in Hospitalles, &c.	The Hospitals for the Poor Act, 1572.
18 Eliz. c. 5. -	An Acte to redresse Disorders in Common Informers upon Penall Lawes.	The Common Informers Act, 1575.
18 Eliz. c. 11. -	An Acte for Thexplanacion of the Statutes entytuled agaynst the defeating of Dilapidacions, and agaynst Leases to bee made of Spirituall Promociions in some Respectes.	The Ecclesiastical Leases Act, 1575.
31 Eliz. c. 5. -	An Acte concerninge Informers	The Common Informers Act, 1588.

2ND SCH.  
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Session and Chapter.	Title.	Short Title.
31 Eliz. c. 6. -	An Acte against Abuses in Election of Scollers and presentations to Benefices.	The Simony Act, 1588.
31 Eliz. c. 11. -	An Acte for Explanacion or Declaracion of the Statute of Octavo Regis Henrici Sexti, concerninge forcible Entries & the Indictmentes therupon to be founde.	The Forcible Entry Act, 1588.
31 Eliz. c. 12. -	An Acte to avoyde Horse stealing.	The Sale of Horses Act, 1588.
39 Eliz. c. 5. -	An Acte for erecting of Hospitales or abiding and working Howses for the Poore.	The Hospitals for the Poor Act, 1597.
1 Jac. I. c. 13.	An Acte for new Executions to be sued againste any which shall hereafter be delivered out of Execution by Priviledge of Parliament, and for discharge of them out of whose custody such persons shall be delivered.	The Privilege of Parliament Act, 1603.
3 Jac. I. c. 5. -	An Acte to prevent & avoid dangers which may grow by Popish Recusantes.	The Presentation of Benefices Act, 1605.
7 Jac. I. c. 12.	An Acte to avoide the double Payment of Debtes.	The Shop-books Evidence Act, 1609
7 Jac. I. c. 15.	An Acte concerninge some maner of Assignementes of Debtes to His Majesty.	The Crown Debts Act, 1609.
21 Jac. I. c. 3.	An Act concerning Monopolies and Dispensations with penall Lawes and the Forfeytur thereof.	The Statute of Monopolies.
21 Jac. I. c. 4.	An Act for the Ease of the Subject concerning the Informations upon Penall Statutes.	The Common Informers Act, 1623.
21 Jac. I. c. 14.	An Acte to admytt the Subject to plead the General Yssue in Informations of Intrusion.	The Intrusions Act, 1623
21 Jac. I. c. 15.	An Acte to enable Judges & Justices of the Peace to geve Restitucion of Possession in certayne Cases.	The Forcible Entry Act, 1623.
21 Jac. I. c. 25.	An Acte for the Reliefe of Patentees Tenauntes & Farmors of Crowne Landes in Cases of Forfeytur.	The Crown Lands Act, 1623.

Session and Chapter.	Title.	Short Title.
3 Car. 1. c. 1. -	The Petition Exhibited to His Majestie by the Lordes Spirituall and Temporall and Commons in this present Parliament assembled concerning divers Rightes and Liberties of the Subjectes : with the Kinges Majesties Royall Aunswere thereunto in full Parliament.	The Petition of Right.
16 Car. 1. c. 10.	An Act for the Regulating the Privie Councell and for taking away the Court commonly called the Star Chamber.	The Habeas Corpus Act, 1640.
16 Car. 1. c. 14.	An Act for declaring unlawfull and void the late proceedings touching Ship money and for the vacating of all Records and Processe concerning the same.	The Ship Money Act, 1640.
16 Car. 1. c. 16.	An Act for the certainty of Forrests and of the Meers Meets Limits & Bounds of the Forrests.	The Delimitation of Forests Act, 1640.
12 Car. 2. c. 1. -	An Act for removing and preventing all Questions and Disputes concerning the Assembling and Sitting of this present Parliament.	The Parliament Act, 1660.
12 Car. 2. c. 24.	An Act taking away the Court of Wards and Liveries and Tenures in Capite and by Knights Service and Purveyance, and for setting a Revenue upon His Majesty in Lieu thereof.	The Tenures Abolition Act, 1660.
13 Car. 2. stat. 1. c. 1.	An Act for Safety and Preservation of His Majesties Person and Government against Treasonable and Seditious practices and attempts.	The Sedition Act, 1661.
13 Car. 2. stat. 1. c. 5.	An Act against Tumults and Disorders upon pretence of preparing or presenting Petitions or other Addresses to His Majesty or the Parliament.	The Tumultuous Petitioning Act, 1661.
13 Car. 2. stat. 1. c. 12.	An Act for Explanation of a Clause contained in Act of Parliament made in the seventeenth yeare of the late King Charles, Entituled An Act for Repeal of a Branch of a Statute Primo Elizabethhe concerning Commissioners for Causes Ecclesiasticall.	The Ecclesiastical Jurisdiction Act, 1661.

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Session and Chapter.	Title.	Short Title.
14 Car. 2. c. 3. -	An Act for ordering the Forces in the several Counties of this Kingdom.	The City of London Militia Act, 1662.
14 Car. 2. c. 4. -	An Act for the Uniformity of Publique Prayers and Administracion of Sacraments & other Rites & Ceremonies and for establishing the Form of making ordaining and consecrating Bishops Preists and Deacons in the Church of England.	The Act of Uniformity, 1662.
15 Car. 2. c. 6. -	An Act for Releife of such Persons as by Sicknes or other Impediment were disabled from subscribing the Declaration in the Act of Uniformity and Explanation of part of the said Act.	The Act of Uniformity (Explanation) Act, 1663.
16 & 17 Car. 2. c. 5.	An Act to prevent Delays in Extending Statutes Judgements and Recognizances.	The Execution Act, 1664.
17 Car. 2. c. 3.	An Act for uniting Churches in Cityes and Townes Corporate.	The Augmentation of Benefices Act, 1665.
18 & 19 Car. 2. c. 11.	An Act for Redresse of Inconveniencies by want of Proofoe of the Deceases of Persons beyond the Seas or absenting themselves upon whose lives Estates doe depend.	The Cestui que Vie Act, 1666.
22 Car. 2. c. 12.	An Additionall Act for the better repairing of Highwayes and Bridges.	The Bridges Act, 1670.
22 & 23 Car. 2. c. 11.	An Act to prevent the delivery up of Merchants Shippes, and for the Increase of good and serviceable shipping.	The Piracy Act, 1670.
29 Car. 2. c. 8.	An Act for confirming and perpetuating Augmentations made by Ecclesiasticall Persons to small Vicarages and Curacies.	The Augmentation of Benefices Act, 1677.
29 Car. 2. c. 9.	An Act for takeing away the Writt De Heretico cumbundo.	The Ecclesiastical Jurisdiction Act, 1677.
31 Car. 2. c. 1.	An Act for granting a Supply to His Majestie of Two hundred and six thousand fower hundred sixtie two pounds seven-teene shillings and three pence for paying off and disbanding the Forces raised since the nine and twentyeth of September one thousand six hundred and seaventy seaven.	The Billeting Act, 1679.



Session and Chapter.	Title.	Short Title.
1 Will. & Mary c. 6.	An Act for Establishing the Coronation Oath.	The Coronation Oath Act, 1688.
1 Will. & Mary c. 16.	An Act that the Simoniacall Promotion of one Person may not prejudice another.	The Simony Act, 1688.
1 Will. & Mary c. 18.	An Act for Exempting their Majestyes Protestant Subjects dissenting from the Church of England from the Penalties of certaine Lawes.	The Toleration Act, 1688.
1 Will. & Mary c. 21.	An Act for enabling the Lords Commissioners for the Great Seale to Execute the office of Lord Chancellor or Lord Keeper.	The Great Seal Act, 1688.
1 Will. & Mary c. 26.	An Act to vest in the two Universities the Presentations of Benefices belonging to Papists.	The Presentation of Benefices Act, 1688.
1 Will. & Mary c. 30.	An Act to Repeale the Statute made in the fifth yeare of King Henry the Fourth against the Multiplying Gold and Silver.	The Royal Mines Act, 1688.
1 Will. & Mary c. 1.	An Act for recognizing King William and Queene Mary and for avoiding all Questions touching the Acts made in the Parliament assembled at Westminster the thirteenth day of February one thousand six hundred and eighty eight.	The Crown and Parliament Recognition Act, 1689.
2 Will. & Mary c. 5.	An Act for enabling the Sale of Goods distrained for Rent in Case the Rent be not paid in a reasonable time.	The Distress for Rent Act, 1689.
5 & 6 Will. & Mary c. 6.	An Act to prevent Disputes and Controversies concerning Royal Mines.	The Royal Mines Act, 1693.
5 & 6 Will. & Mary c. 7.	An Act for granting to their Majesties certain Rates and Duties upon Salt and upon Beer, Ale and other Liquors . . . towards carrying on the Warr against France.	The House of Commons (Disqualification) Act, 1693.
6 & 7 Will. & Mary c. 2.	An Act for the frequent Meeting and calling of Parliaments.	The Meeting of Parliament Act, 1694.
7 & 8 Will. 3. c. 7.	An Act to prevent False and Double Returns of Members to Serve in Parliament.	The Parliamentary Elections (Returns) Act, 1695.

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Session and Chapter.	Title.	Short Title.
7 & 8 Will. 3. c. 25.	An Act for the further regulating Elections of Members to serve in Parliament and for the preventing irregular Proceedings of Sheriffs and other Officers in the electing and returning such Members.	The Parliamentary Elections Act, 1695.
8 & 9 Will. 3. c. 11.	An Act for the better preventing of frivolous and vexatious Suits.	The Administration of Justice Act, 1696.
9 Will. 3. c. 35.	An Act for the more effectual suppressing of Blasphemy and Profaneness.	The Blasphemy Act, 1697.
11 Will. 3. c. 7.	An Act for the more effectual Suppression of Piracy.	The Piracy Act, 1698.
12 & 13 Will. 3. c. 4.	An Act for appointing Wardens and Assay Masters for assaying Wrought Plate in the Cities of York, Exeter, Bristol, Chester, and Norwich.	The Plate Assay Act, 1700.
1 Anne c. 2. -	An Act for explaining a Clause in an Act made at the Parliament begun and holden at Westminster the two and twentieth of November in the Seventh year of the Reign of our Sovereign Lord King William the Third intituled An Act for the better Security of His Majesties Royal Person and Government.	The Demise of the Crown Act, 1702.
1 Anne c. 12. -	An Act to explain and alter the Act made in the two and twentieth year of King Henry the Eighth concerning repairing and amending of Bridges in the Highways and for repealing an Act made in the Twenty third year of Queen Elizabeth for the re-edifying of Cardiffe Bridge in the County of Glamorgan and also for changing the day of Election of the Wardens and Assistants of Rochester Bridge.	The Bridges Act, 1702.
2 & 3 Anne c. 20.	An Act for making more effectually Her Majesties Gracious Intencions for the Augmentation of the Maintenance of the Poor Clergy by enabling Her Majesty to grant in Perpetuity the Revenues of the First Fruits and Tenths and also for enabling any other Persons to make Grants for the same Purpose.	The Queen Anne's Bounty Act, 1703.

Session and Chapter.	Title.	Short Title.
4 & 5 Anne c. 3.	An Act for the Amendmeft of the Law and the better Advancement of Justice.	The Administration of Justice Act, 1705.
26 Geo. 2. c. 22.	An Act for the purchase of the Museum or Collection of Sir Hans Sloane and of the Harleian Collection of Manuscripts and for providing one general repository for the better reception and more convenient use of the said collections and of the Cottonian Library and of the additions thereto.	The British Museum Act, 1753.
7 Geo. 3. c. 18.	An Act to enable the Trustees of the British Museum to exchange, sell or dispose of any Duplicates of printed Books, Medals, Coins or other Curiosities, and for laying out the Money arising by such sale in the Purchase of other things that may be wanting in or proper for the said Museum.	The British Museum Act, 1767.
17 Geo. 3. c. 11.	An Act for more effectually preventing Frauds and Abuses committed by Persons employed in the Manufacture of Combing Wool, Worsted Yarn, and Goods made from Worsted in the Counties of York, Lancaster, and Chester.	The Worsted Act, 1776.
19 Geo. 3. c. 45.	An Act to enable the Chancellor and Council of the Duchy of Lancaster to sell and dispose of certain Fee-farm Rents and other Rents and to enfranchise Copyhold and Customary Tenements within their Survey and to encourage the Growth of Timber on Lands held of the said Duchy.	The Duchy of Lancaster Act, 1779.
25 Geo. 3. c. 77.	An Act to amend so much of the Fires Prevention (Metropolis) Act, 1774, as relates to Manufactories of Turpentine ; for extending the provisions of the said Act, so amended, to Manufactories of Pitch, Tar and Turpentine, throughout that part of Great Britain called England.	The Fires Prevention Act, 1785.

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Session and Chapter.	Title.	Short Title.
27 Geo. 3. c. 34.	An Act to amend an Act passed in the nineteenth year of the Reign of his present Majesty intituled An Act to enable the Chancellor and Council of the Duchy of Lancaster to sell and dispose of certain Fee-farm Rents . . . and to enable the said Chancellor and Council to discharge Incumbrances affecting the Possessions or the said Duchy.	The Duchy of Lancaster Act, 1787.
39 & 40 Geo. 3. c. 86.	An Act for the better Preservation of Timber in the New Forest in the County of Southampton; and for ascertaining the Boundaries of the said Forest and of the lands of the Crown within the same.	The New Forest Act, 1800.
45 Geo. 3. c. 127.	An Act to vest the Townleian Collection of Ancient Sculpture in the Trustees of the British Museum for the Use of the Publick.	The British Museum Act, 1805.
47 Geo. 3. sess. 2. c. 36.	An Act to enable the Trustees of the British Museum to exchange, sell or dispose of such parts of the Collections, and under such Restrictions, as are therein specified.	The British Museum Act, 1807.
52 Geo. 3. c. 161.	An Act for enabling His Majesty to grant leases under certain circumstances, . . . and for enabling the Commissioners of the Treasury to appropriate small portions of land for ecclesiastical purposes.	The Duchy of Lancaster Act, 1812.
56 Geo. 3. c. 99.	An Act to vest the Elgin Collection of Ancient Marbles and Sculpture in the Trustees of the British Museum for the Use of the Public.	The British Museum Act, 1816.
59 Geo. 3. c. 62.	An Act for the Protection of Banks for Savings in Scotland.	The Savings Bank (Scotland) Act, 1819.
1 Geo. 4. c. 108.	An Act for enabling His Majesty to settle Annuities upon certain Branches of the Royal Family in lieu of Annuities which have ceased upon the Demise of His late Majesty.	The Apportionment Act, 1820.
5 Geo. 4. c. 39.	An Act for amending former Acts relative to the British Museum.	The British Museum Act, 1824.

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Session and Chapter.	Title.	Short Title.
5 Geo. 4. c. 60.	An Act to carry into Effect the Will of Richard Payne Knight Esquire, so far as the same relates to a Bequest by the said Richard Payne Knight of a Collection of Coins, Medals and other valuable Articles, to the British Museum; and to vest the said Collection in the Trustees of the said British Museum, for the Use of the Public.	The British Museum (No. 2) Act, 1824.
5 Geo. 4. c. 90.	An Act to amend an Act for building additional Places of Worship in the Highlands and Islands of Scotland.	The Church of Scotland Act, 1824.
2 & 3 Will. 4. c. 46.	An Act to enable His Majesty, His Heirs and Successors, to appoint a Trustee of the British Museum.	The British Museum Act, 1832.
3 & 4 Will. 4. c. 85.	The Government of India Act, 1833.	The Saint Helena Act, 1833.
1 & 2 Vict. c. 42.	An Act to empower the Commissioners of Her Majesty's Woods, Forests and Land Revenues to confirm the Titles to, and to grant Leases of, Encroachments in the Forest of Dean in the County of Gloucester.	The Dean Forest (Encroachments) Act, 1838.
1 & 2 Vict. c. 75.	An Act to amend so much of the Fires Prevention (Metropolis) Act, 1785, as relates to Manufactories of Pitch, Tar and Turpentine.	The Fires Prevention Act, 1838.
1 & 2 Vict. c. 101.	An Act . . . to make Provision for rendering to Parliament annual Accounts of the Receipts and Disbursements of the Duchies of Cornwall and Lancaster.	The Duchies of Lancaster and Cornwall (Accounts) Act, 1838.
5 & 6 Vict. c. 65.	An Act to divide the Forest of Dean in the County of Gloucester into Ecclesiastical Districts.	The Dean Forest Act, 1842.
7 & 8 Vict. c. 65.	An Act to enable the Council of His Royal Highness Albert Edward Prince of Wales to sell and exchange Lands and Enfranchise Copyholds, Parcel of the Possessions of the Duchy of Cornwall, to purchase other Lands, and for other Purposes.	The Duchy of Cornwall Act, 1844.

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Session and Chapter.	Title.	Short Title.
7 & 8 Vict. c. 105.	An Act to confirm and enfranchise the Estates of the Conventiary Tenants of the ancient Assessionable Manors of the Duchy of Cornwall, and to quiet Titles within the County of Cornwall as against the Duchy, and for other Purposes.	The Duchy of Cornwall (No. 2) Act, 1844.
19 & 20 Vict. c. 43.	An Act to authorise issues out of the Consolidated Fund for the redemption of certain Annuities charged on branches of the gross revenue.	The Hereditary Revenues Act, 1856.
23 & 24 Vict. c. 53.	An Act for the limitation of actions and suits by the Duke of Cornwall in relation to real property and for authorising certain leases of possessions of the Duchy.	The Duchy of Cornwall Act, 1860.

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## CHAPTER 63.

### *Agricultural Holdings Act, 1948.*

#### ARRANGEMENT OF SECTIONS.

##### *Meaning of "Agricultural Holding".*

##### Section.

1. Meaning of "agricultural holding".

##### *Provisions as to Contracts of Tenancy.*

2. Restriction on letting agricultural land for less than from year to year.
3. Tenancies for two years or more, unless terminated by notice, to continue as tenancies from year to year.
4. Extension of tenancies in lieu of claims to emblements.
5. Provisions for securing written tenancy agreements.
6. Power of Minister to prescribe terms as to maintenance, repair and insurance of fixed equipment for incorporation in contracts of tenancy.
7. Provisions supplementary to two preceding sections.
8. Arbitration on terms of tenancies as to rent.
9. Increases of rent for certain improvements carried out by landlord.
10. Variation of terms of tenancies as to permanent pasture.

*Miscellaneous Provisions affecting Relationship of Landlord  
and Tenant.*

## Section.

11. Tenant's] rights as respects disposal of produce and cropping of arable land.
12. Prohibition of removal of manure, &c., after notice to terminate tenancy.
13. Tenant's right to remove fixtures and buildings.
14. Tenant's right to, and measure of, compensation for damage by game, and indemnity to landlord.
15. Restriction of landlord's remedies for breach of terms of contract of tenancy.
16. Landlord's and tenant's right to require making of record of condition of holding, &c.
17. Landlord's power of entry.

*Distress.*

18. No distress for rent due more than a year previously.
19. Limitation of distress on stock agisted on an agricultural holding.
20. No distress on machinery or breeding stock on an agricultural holding.
21. Settlement of disputes as to distress on an agricultural holding.
22. Ascertained compensation to be set off against rent for purposes of distress.

*Provisions as to Notices to Quit.*

23. Twelve months' notice to quit to be given.
24. Restrictions on operation of notices to quit.
25. Provisions as to consents for purposes of preceding section.
26. Provisions supplementary to two preceding sections.
27. Applications for certificates of bad husbandry for purposes of notices to quit.
28. Prevention of deterioration of holding after grant of certificate of bad husbandry.
29. Power of Minister, on breach of condition attached to consent to operation of notice to quit, to take possession of the land.
30. Provisions as to notices to quit where holding agreed to be sold.
31. Notices to quit parts of holdings not to be invalid in certain cases.
32. Tenant's right to cause notice to quit part of holding to operate as notice to quit entire holding.
33. Reduction of rent where notice is given to quit part of holding.

*Compensation to Tenant for Disturbance.*

34. Right to, and measure of, compensation for disturbance.

*Compensation to Tenant, on Termination of Tenancy, for  
Improvements begun before 1st March, 1948.*

35. Application of Sections 36 to 45.
36. Tenant's right to compensation for old improvements.
37. Measure of compensation for old improvements.
38. Compensation for certain old improvements conditional on consent of landlord to execution thereof.
39. Conditions attaching to right to compensation for drainage.
40. Conditions attaching to right to compensation for repairs to buildings.
41. Agreements as to compensation for old improvements specified in Part III of Second Schedule.
42. Exclusion of right to compensation for old improvements begun in last year of tenancy.

## Section.

43. Reduction in amount of, and exclusion of right to, compensation for old improvements in certain cases.
44. Old improvements made during any tenancy of a series to qualify for compensation.
45. Right to compensation for old improvements of tenant who has paid compensation therefor to outgoing tenant.

*Compensation to Tenant, on Termination of Tenancy, for  
Improvements begun on or after 1st March, 1948,  
and for tenant-right Matters.*

46. Application of Sections 47 to 55.
47. Tenant's right to compensation for new improvements and for other matters.
48. Measure of compensation for long-term new improvements.
49. Compensation for long-term new improvements conditional on consent of landlord to execution thereof.
50. Approval of Minister equivalent to consent of landlord in certain cases.
51. Measure of compensation for short-term new improvements and for other matters.
52. Compensation for mole drainage conditional on notice to landlord of carrying out thereof.
53. Grants out of public moneys to be taken into account in assessing compensation for new improvements.
54. New improvements made during any tenancy of a series to qualify for compensation.
55. Right to compensation for new improvements of tenant who has paid compensation therefor to outgoing tenant.

*Compensation to Tenant, on Termination of Tenancy, for  
continuous Adoption of special System of Farming.*

56. Right to, and measure of, compensation for continuous adoption of special system of farming.

*Compensation to Landlord, on Termination of Tenancy,  
for Deterioration of Holding.*

57. Right to, and measure of, compensation for deterioration, &c., of particular parts of holding.
58. Right to, and measure of, compensation for general deterioration of holding.
59. Compensation for deterioration, &c., to be made in respect of acts done during any tenancy of a series.

*Supplementary Provisions with respect to Compensation.*

60. Compensation provisions of this Act applicable to parts of holdings in certain cases.
61. Provisions as to compensation where holding is divided.
62. Adjustment of compensation in respect of ploughing grants.
63. No compensation under this Act, custom or agreement for things done in compliance with this Act.
64. Claims not to be made for compensation for improvements based on custom.
65. Extent to which compensation recoverable under agreements.

*Special Provisions as to Compensation, &c., in case of Tenancy  
not binding on Mortgagee of Holding.*

66. Special provisions as to compensation, &c., in case of tenancy not binding on mortgagee of holding.



*Special Provisions affecting Market Gardens as regards  
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## Section.

- 67. Effect of agreement to let or treat an agricultural holding as a market garden.
- 68. Power of the Minister in default of agreement to treat an agricultural holding as a market garden.
- 69. Agreements as to compensation relating to market gardens.

*Settlement of Claims between Landlord and Tenant on  
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- 70. Settlement of claims between landlord and tenant on termination of tenancy.

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- 71. Recovery of compensation, &c., by order of county court.
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- 73. Recovery of compensation, &c., due from trustee landlord.
- 74. Recovery of compensation, &c., where contract of tenancy not binding on mortgagee.

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- 75. Representations to the Minister.
- 76. References to Agricultural Land Tribunal.
- 77. Arbitration under this Act.
- 78. Power of Minister to vary Third, Fourth and Fifth Schedules to this Act.
- 79. Advisory committee on valuation of improvements and other matters specified in Fourth Schedule to this Act.
- 80. Power of limited owners to give consents, &c., for purposes of this Act.
- 81. Power of limited owners to apply capital moneys for improvements.
- 82. Power of landlord to obtain charge on holding for repayment of compensation, &c., paid by him.
- 83. General provisions as to charges under this Act on holdings.
- 84. Power of county court to appoint, for purposes of this Act, guardian of landlord or tenant of unsound mind.
- 85. Women married before 1883.
- 86. Estimation of best rent for purposes of Acts and other instruments.

*Provisions as to Crown Land, ecclesiastical Land and Land  
held for charitable Purposes.*

- 87. Crown land.
- 88. Ecclesiastical land.
- 89. Land held for charitable purposes.

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- 90. Expenses and receipts.
- 91. Entry and inspection.
- 92. Service of notices.
- 93. Revocation and variation of orders.
- 94. Interpretation.
- 95. Amendments of other Acts.
- 96. Construction of references in other Acts to First Schedule to, and holdings as defined by, the Agricultural Holdings Act, 1923.
- 97. Improvements executed before 1909.
- 98. Repeal.
- 99. Provisions as to tenants quitting before commencement of this Act, or thereafter in consequence of notice given, &c., before 1st March, 1948.
- 100. General savings.
- 101. Saving for other rights, &c.
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First Schedule.—Matters for which Provision is to be made in written tenancy Agreements.

Second Schedule.—Improvements begun before 1st March, 1948, for which Compensation is payable.

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Fourth Schedule.—Improvements begun on or after 1st March, 1948, for which Compensation is payable without Consent of Landlord to their Execution, and other Matters for which Compensation is payable.

Fifth Schedule.—Market garden Improvements for which Compensation may be payable.

Sixth Schedule.—Provisions as to Arbitrations under this Act.

Seventh Schedule.—Amendments of other Acts.

Eighth Schedule.—Enactments Repealed.

An Act to consolidate the Agricultural Holdings Act, 1923, Part III of the Agriculture Act, 1947, and certain other enactments relating to agricultural holdings, save, with respect to rights to compensation, in their application to certain cases determined by reference to past events. [30th July 1948.]

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

*Meaning of " Agricultural Holding ".*

Meaning of  
" agricultural  
holding ".

1.—(1) In this Act the expression " agricultural holding " means the aggregate of the agricultural land comprised in a contract of tenancy, not being a contract under which the said land is let to the tenant during his continuance in any office, appointment or employment held under the landlord.

(2) For the purposes of this and the next following section, the expression " agricultural land " means land used for agriculture which is so used for the purposes of a trade or business and includes any other land which, by virtue of a designation of the Minister of Agriculture and Fisheries (hereafter in this Act referred to as " the Minister ") under subsection (1) of section one hundred and nine of the Agriculture Act, 1947, is agricultural land within the meaning of that Act.

10 & 11 Geo. 6  
c. 48.

*Provisions as to Contracts of Tenancy.*

Restriction  
on letting  
agricultural  
land for less  
than from  
year to year.

2.—(1) Subject to the provisions of this section, where under an agreement made on or after the first day of March, nineteen hundred and forty-eight, any land is let to a person for use as agricultural land for an interest less than a tenancy from year to year, or a person is granted a licence to

occupy land for use as agricultural land, and the circumstances are such that if his interest were a tenancy from year to year he would in respect of that land be the tenant of an agricultural holding, then, unless the letting or grant was approved by the Minister before the agreement was entered into, the agreement shall take effect, with the necessary modifications, as if it were an agreement for the letting of the land for a tenancy from year to year :

Provided that this subsection shall not have effect in relation to an agreement for the letting of land, or the granting of a licence to occupy land, made (whether or not the agreement expressly so provides) in contemplation of the use of the land only for grazing or mowing during some specified period of the year, or to an agreement for the letting of land, or the granting of a licence to occupy land, by a person whose interest in the land is less than a tenancy from year to year and has not by virtue of this section taken effect as such a tenancy.

(2) Any dispute arising as to the operation of the foregoing subsection in relation to any agreement shall be determined by arbitration under this Act.

3.—(1) A tenancy of an agricultural holding for a term of two years or upwards shall, instead of terminating on the expiration of the term for which it was granted, continue (as from the expiration of that term) as a tenancy from year to year, but otherwise on the terms of the original tenancy so far as applicable, unless, not less than one year nor more than two years before the date fixed for the expiration of the term, a written notice has been given by either party to the other of his intention to terminate the tenancy.

Tenancies for two years or more, unless terminated by notice, to continue as tenancies from year to year.

(2) A notice given under the foregoing subsection shall be deemed, for the purposes of this Act, to be a notice to quit.

(3) This section shall not apply to a tenancy granted or agreed to be granted before the first day of January, nineteen hundred and twenty-one or to a tenancy granted on or after that day which, by virtue of subsection (6) of section one hundred and forty-nine of the Law of Property Act, 1925, takes effect as such a term of years as is mentioned in that subsection.

15 & 16 Geo. 5.  
c. 20.

(4) This section shall have effect notwithstanding any agreement to the contrary.

4.—(1) Where the tenancy of an agricultural holding held by a tenant at a rackrent determines by the death or cesser of the estate of any landlord entitled for his life, or for any other uncertain interest, instead of claims to emblements the tenant shall continue to hold and occupy the holding until the occupation is determined by a twelve months' notice to quit expiring at the end of a year of the tenancy, and shall then quit upon the terms of his tenancy in the same manner as if the tenancy were

Extension of tenancies in lieu of claims to emblements.

then determined by effluxion of time or other lawful means during the continuance of his landlord's estate.

(2) The succeeding landlord shall be entitled to recover from the tenant, in the same manner as his predecessor could have done, a fair proportion of the rent for the period which may have elapsed from the date of the death or cesser of the estate of his predecessor to the time of the tenant so quitting.

(3) The succeeding landlord and the tenant respectively shall as between themselves and as against each other be entitled to all the benefits and advantages and be subject to the terms, conditions and restrictions to which the preceding landlord and the tenant respectively would have been entitled and subject in case the tenancy had determined in manner aforesaid at the expiration of the said twelve months' notice.

Provisions  
for securing  
written  
tenancy  
agreements.

5.—(1) Where there is not in force in respect of a tenancy of an agricultural holding, whether created before or after the commencement of this Act, an agreement in writing embodying the terms of the tenancy, or there is such an agreement in force but it contains no provision for one or more of the matters specified in the First Schedule to this Act, the landlord or the tenant of the holding may, if he has requested his tenant or landlord to enter into such an agreement containing provision for all of the said matters but no such agreement has been concluded, refer the terms of the tenancy to arbitration under this Act.

(2) On any such reference the arbitrator shall by his award specify the existing terms of the tenancy, subject to any variations thereof agreed between the landlord and the tenant, and, in so far as those terms as so varied make no provision therefor and do not make provision inconsistent therewith, make provision for all the matters specified in the First Schedule to this Act having such effect as may be agreed between the landlord and the tenant or, in default of agreement, as appears to the arbitrator to be reasonable and just between the landlord and the tenant.

(3) On any such arbitration the arbitrator may include in his award any further provisions relating to the tenancy which may be agreed between the landlord and the tenant.

Power of  
Minister to  
prescribe  
terms as to  
maintenance,  
repair  
and insurance  
of fixed  
equipment for  
incorporation  
in contracts of  
tenancy.

6.—(1) The Minister may, after consultation with such bodies of persons as appear to him to represent the interests of landlords and tenants of agricultural holdings, make regulations prescribing terms as to the maintenance, repair and insurance of fixed equipment which shall be deemed to be incorporated in every contract of tenancy of an agricultural holding, whether made before or after the commencement of this Act, except in so far as they would impose on one of the parties to an agreement in writing a liability which under the agreement is imposed on the other.

(2) Where an agreement in writing relating to a tenancy of an agricultural holding, whether created before or after the commencement of this Act, effects substantial modifications in the operation of regulations under the foregoing subsection, the landlord or the tenant of the holding may, if he has requested his tenant or landlord to vary the agreement so as to bring it into conformity with the provisions of regulations under that subsection but no agreement has been reached on the request, refer to arbitration under this Act the terms of the tenancy with respect to the maintenance, repair and insurance of fixed equipment :

Provided that where there has been a previous reference under this subsection relating to the same tenancy, no further such reference shall be made before the expiration of three years from the coming into effect of the award of the arbitrator on the previous reference.

(3) On any reference under the last foregoing subsection the arbitrator shall consider whether (disregarding the rent payable for the holding) the said modifications effected by the agreement are justifiable having regard to the circumstances of the holding and of the landlord and the tenant, and, if he determines that they are not justifiable as aforesaid, he may by his award vary the terms referred to arbitration in such manner as appears to him reasonable and just between the landlord and the tenant.

(4) The powers conferred on the Minister by subsection (1) of this section shall be exercisable by statutory instrument which shall be subject to annulment in pursuance of a resolution of either House of Parliament.

7.—(1) Where by virtue of either of the two last foregoing sections the liability for the maintenance or repair of any item of fixed equipment is transferred from the tenant to the landlord, the landlord may within the prescribed period beginning with the date on which the transfer takes effect require that there shall be determined by arbitration under this Act and paid by the tenant the amount of any compensation which would have been payable either under subsection (1) of section fifty-seven of this Act or in accordance with subsection (3) of that section, in respect of any previous failure by the tenant to discharge the said liability, if the tenant had quitted the holding on the termination of his tenancy at the date on which the transfer takes effect.

Provisions supplementary to two preceding sections.

(2) Where by virtue of either of the two last foregoing sections the liability for the maintenance or repair of any item of fixed equipment is transferred from the landlord to the tenant, any claim by the tenant in respect of any previous failure by the landlord to discharge the said liability shall, if the tenant within

the prescribed period beginning with the date on which the transfer takes effect so requires, be determined by arbitration under this Act.

(3) Where it appears to the arbitrator—

(a) on any reference under section five of this Act that by reason of any provision which he is required by that section to include in his award, or

(b) on any reference under subsection (2) of the last foregoing section that by reason of any provision included in his award,

it is equitable that the rent of the holding should be varied, he may vary the rent accordingly.

(4) Where regulations under the last foregoing section have varied the terms of a tenancy of an agricultural holding as to maintenance, repair or insurance of fixed equipment (whether those terms were established by agreement or by the operation of regulations under the last foregoing section), then, if a reference is made under section five of this Act within the prescribed period after the coming into operation of the first-mentioned regulations, the arbitrator shall, for the purposes of subsection (2) of the said section five, disregard the variation.

(5) The award of an arbitrator under either of the two last foregoing sections shall have effect as if the terms and provisions specified and made therein were contained in an agreement in writing entered into by the landlord and the tenant and having effect as from the making of the award or, if the award so provides, from such later date as may be specified therein.

Arbitration on terms of tenancies as to rent.

8.—(1) Subject to the provisions of this section, the landlord or the tenant of an agricultural holding may, whether the tenancy was created before or after the commencement of this Act, by notice in writing served on his tenant or landlord demand a reference to arbitration under this Act of the question what rent should be payable in respect of the holding as from the next ensuing day on which the tenancy could have been determined by notice to quit given at the date of demanding the reference, and on a reference under this subsection the arbitrator shall determine what rent should be properly payable in respect of the holding at the date of the reference and accordingly shall, as from the day aforesaid, increase or reduce the rent previously payable or direct that it continue unchanged.

(2) On a reference under the foregoing subsection the arbitrator—

(a) shall not take into account any increase in the rental value of the holding which is due to—

(i) improvements which have been executed thereon, in so far as they were executed wholly or partly at

the expense of the tenant (whether or not that expense has been or will be reimbursed by a grant out of moneys provided by Parliament) without any equivalent allowance or benefit made or given by the landlord in consideration of their execution and have not been executed under an obligation imposed on the tenant by the terms of his contract of tenancy, or

(ii) improvements which have been executed thereon by the landlord, in so far as the landlord has received or will receive grants out of moneys provided by Parliament in respect of the execution thereof ;

- (b) shall not take into account the relief from payment of rates granted by Part V of the Local Government Act, 19 & 20 Geo. 5. 1929, to occupiers of agricultural hereditaments ; and <sup>c. 17.</sup>
- (c) shall not fix the rent at a lower amount by reason of any dilapidation or deterioration of, or damage to, buildings or land caused or permitted by the tenant.

(3) A reference to arbitration under subsection (1) of this section shall not be demanded in such circumstances that any increase or reduction of rent made in consequence thereof would take effect as from a date earlier than the expiration of three years from any of the following dates, that is to say—

- (a) the commencement of the tenancy, or
- (b) the date as from which there took effect a previous increase or reduction of rent (whether made under this section or otherwise), or
- (c) the date as from which there took effect a previous direction of an arbitrator under this section that the rent should continue unchanged :

Provided that there shall be disregarded for the purposes of this subsection—

- (i) an increase or reduction of rent under subsection (3) of the last foregoing section ;
- (ii) an increase of rent under subsection (1) of the next following section or such an increase as is referred to in subsection (2) of that section ;
- (iii) a reduction of rent under section thirty-three of this Act or subsection (6) of section seventeen of the Agriculture Act, 1947.

(4) The continuous adoption by the tenant of a system of farming more beneficial to the holding—

- (a) than the system of farming required by the contract of tenancy ; or

(b) in so far as no system is so required, than the system of farming normally practised on comparable agricultural holdings ;

shall be deemed, for the purposes of subsection (2) of this section, to be an improvement executed at his expense.

**Increases of rent for certain improvements carried out by landlord.**

9.—(1) Where the landlord of an agricultural holding has, whether before or after the commencement of this Act, carried out on the holding any improvement, whether or not one for the carrying out of which compensation is provided under the following provisions of this Act, being either an improvement carried out—

13 & 14 Geo. 5.  
c. 9.

- (a) at the request of, or in agreement with, the tenant ;
- (b) under subsection (3) of section three of the Agricultural Holdings Act, 1923, or in pursuance of a notice served by the landlord under subsection (3) of section fifty of this Act ;
- (c) in compliance with a direction given by the Minister under powers conferred on him by or under any enactment ; or
- (d) in accordance with a provision in that behalf of a hill farming land improvement scheme approved under the Hill Farming Act, 1946, being a provision included in the scheme at the instance or with the consent of the tenant ;

9 & 10 Geo. 5.  
c. 73.

or works for the supply of water to the holding executed in pursuance of directions under Defence Regulations given by the War Agricultural Executive Committee or the County Agricultural Executive Committee, or of a scheme approved for the purposes of section fifteen of the Agriculture (Miscellaneous War Provisions) Act, 1940, as amended by any subsequent enactment, by the War Agricultural Executive Committee or the Minister, then, subject to the provisions of this section, the rent of the holding shall, if the landlord by notice in writing served on the tenant within six months from the completion of the improvement so requires, be increased as from the completion of the improvement or, where the improvement was completed before the first day of March, nineteen hundred and forty-eight, as from that day, by an amount equal to the increase in the rental value of the holding attributable to the carrying out of the improvement :

3 & 4 Geo. 6.  
c. 14.

Provided that where a grant has been made to the landlord in respect of the improvement out of moneys provided by Parliament, the increase in rent provided for by the foregoing provisions of this subsection shall be reduced proportionately.

(2) No increase of rent shall be made under the foregoing subsection if, before the first day of March, nineteen hundred and forty-eight, the landlord and the tenant agreed on any increase



of rent or other benefit to the landlord in respect of the improvement or if before that day any sum had become payable under subsection (3) of section three of the Agricultural Holdings Act, 6 & 7 Geo. 6. 1923, or section nine of the Agriculture (Miscellaneous Pro- c. 16. visions) Act, 1943, in respect of the cost of executing it.

(3) Where interest on the cost of works for the supply of water became payable under section nine of the Agriculture (Miscellaneous Provisions) Act, 1943, before the first day of March, nineteen hundred and forty-eight, it shall continue to be recoverable notwithstanding the repeal of that section by the Agriculture Act, 1947.

(4) Any dispute arising between the landlord and the tenant of the holding under this section shall be determined by arbitration under this Act.

(5) In this section the expression " War Agricultural Executive Committee " means such a committee as defined by section thirty of the Agriculture (Miscellaneous War Provisions) Act, 1940.

10. Where under the contract for a tenancy of an agricultural holding, whether created before or after the commencement of this Act, provision is made for the maintenance of specified land, or a specified proportion of the holding, as permanent pasture, and it appears to the Minister, either on the application of the landlord or the tenant or otherwise,—

Variation of terms of tenancies as to permanent pasture.

- (a) that it is expedient in order to secure the full and efficient farming of the holding that the amount of land required to be maintained as permanent pasture should be reduced ; and
- (b) where there has been an application under this section by the landlord or the tenant, that the landlord or tenant has requested his tenant or landlord to agree to the appropriate reduction but no agreement has been reached thereon ;

the Minister, after affording to the landlord and to the tenant an opportunity of making representations to the Minister, whether in writing or on being heard by a person appointed by the Minister, may—

- (i) direct that the contract of tenancy shall have effect subject to such modifications of the provisions thereof as to land which is to be maintained as permanent pasture or is to be treated as arable land, and as to cropping, as appear to the Minister expedient as aforesaid and are specified in the direction ; and
- (ii) if he gives a direction reducing the area of land which under the contract of tenancy is to be maintained as

permanent pasture, order that the contract of tenancy shall have effect as if it provided that on quitting the holding on the termination of the tenancy the tenant should leave as permanent pasture, or should leave as temporary pasture sown with a seeds mixture of such kind as may be specified in the order, such area of land (in addition to the area of land required by the contract of tenancy, as modified by the direction, to be maintained as permanent pasture) as may be so specified, so however that the area required to be left as aforesaid shall not exceed the area by which the land required by the contract of tenancy to be maintained as permanent pasture has been reduced by virtue of the direction.

*Miscellaneous Provisions affecting Relationship of Landlord and Tenant.*

Tenant's rights as respects disposal of produce and cropping of arable land.

11.—(1) Subject to the provisions of this section, the tenant of an agricultural holding shall, notwithstanding any custom of the country or the provisions of the contract of tenancy or of any agreement respecting the disposal of crops or the method of cropping of arable lands, have full right, without incurring any penalty, forfeiture or liability,—

- (a) to dispose of the produce of the holding, other than manure produced thereon ;
- (b) to practise any system of cropping of the arable land on the holding :

Provided that this subsection shall not have effect unless, before exercising his rights thereunder or as soon as may be after exercising them, the tenant makes suitable and adequate provision, in the case of an exercise of the right to dispose of produce, to return to the holding the full equivalent manurial value of all crops sold off or removed from the holding in contravention of the custom, contract or agreement, and, in the case of an exercise of the right to practise any system of cropping, to protect the holding from injury or deterioration.

(2) If the tenant of an agricultural holding exercises his rights under the foregoing subsection in such a manner as to injure or deteriorate, or to be likely to injure or deteriorate, the holding, the landlord shall have the following remedies, but no other, that is to say,—

- (a) should the case so require, he shall be entitled to obtain an injunction to restrain the exercise of the tenant's rights under that subsection in that manner ;

(b) in any case, on the tenant's quitting the holding on the termination of the tenancy the landlord shall be entitled to recover damages for any injury to or deterioration of the holding attributable to the exercise by the tenant of his rights under that subsection.

(3) For the purposes of any proceedings for an injunction brought under the last foregoing subsection, the question whether the tenant is exercising, or has exercised, his rights under subsection (1) of this section in such a manner as to injure or deteriorate his holding, or to be likely to injure or deteriorate his holding, shall be determined by the Minister after affording to the landlord and to the tenant an opportunity to make representations to the Minister, whether in writing or on being heard by a person appointed by the Minister; and a certificate of the Minister as to his determination of any such question as aforesaid shall, for the purposes of any proceedings (including an arbitration) brought under this section, be conclusive proof of the facts stated in the certificate.

(4) Subsection (1) of this section shall not apply,—

- a) in the case of a tenancy from year to year, as respects the year before the tenant quits the holding or any period after he has given or received notice to quit which results in his quitting the holding;
- b) in the case of any other tenancy, as respects the year before the termination thereof; or
- c) to a tenancy of a smallholding as defined in Part IV of the Agriculture Act, 1947, granted in pursuance of a scheme for the farming of such holdings on a co-operative basis, being a scheme approved by the Minister for the purposes of this paragraph.

(5) In this section the expression "arable land" does not include land in grass which, by the terms of a contract of tenancy, is to be retained in the same condition throughout the tenancy.

12.—(1) Where notice to terminate the tenancy of an agricultural holding is given either by the tenant or by the landlord, the tenant shall not, subject to any agreement in writing to the contrary, at any time after the date of the notice sell or remove from the holding any manure or compost or any hay or straw or roots grown in the last year of the tenancy unless before the sale or removal the landlord has consented thereto in writing.

Prohibition of removal of manure, &c., after notice to terminate tenancy.

(2) In this section the expression "roots" means the produce of any root crop of a kind normally grown for consumption on the holding.

Tenant's  
right to  
remove  
fixtures and  
buildings.

13.—(1) Subject to the provisions of this section—

- (a) any engine, machinery, fencing or other fixture affixed to an agricultural holding by the tenant thereof; and
- (b) any building (other than one in respect of which the tenant is entitled to compensation under this Act or otherwise) erected by him on the holding;

not being a fixture affixed or, as the case may be, a building erected, in pursuance of some obligation in that behalf or instead of some fixture or building belonging to the landlord, as the case may be, shall be removable by the tenant at any time during the continuance of the tenancy or before the expiration of two months from the termination of the tenancy, and shall remain his property so long as he may remove it by virtue of this subsection.

(2) The right conferred by the foregoing subsection shall not be exercisable in relation to a fixture or building unless the tenant—

- (a) has paid all rent owing by him and has performed or satisfied all other his obligations to the landlord in respect of the holding; and
- (b) has, at least one month before both the exercise of the right and the termination of the tenancy, given to the landlord notice in writing of his intention to remove the fixture or building.

(3) If, before the expiration of the notice aforesaid, the landlord gives to the tenant a counter-notice in writing electing to purchase a fixture or building comprised in the notice, subsection (1) of this section shall cease to apply to that fixture or building, but the landlord shall be liable to pay to the tenant the fair value thereof to an incoming tenant of the holding.

(4) In the removal of a fixture or building by virtue of subsection (1) of this section, the tenant shall not do to any other building or other part of the holding any avoidable damage, and immediately after the removal shall make good all damage so done that is occasioned by the removal.

(5) The foregoing provisions of this section—

- (a) shall apply to a fixture or building acquired by a tenant since the thirty-first day of December, nineteen hundred, as they apply to a fixture or building affixed or erected by him; but
- (b) shall not apply to a fixture or building affixed or erected before the first day of January, eighteen hundred and eighty-four.

14.—(1) Subject to the provisions of this section, where the tenant of an agricultural holding has sustained damage to his crops from game, the right to kill and take which is vested neither in him nor in anyone claiming under him other than the landlord, being game which the tenant has not permission in writing to kill, he shall be entitled to compensation from his landlord for the damage if it exceeds in amount the sum of one shilling per acre of the area over which it extends :

Tenant's right to, and measure of, compensation for damage by game, and indemnity to landlord.

Provided that compensation shall not be recoverable under this section unless—

(a) notice in writing is given to the landlord before the expiration of one month after the tenant first became, or ought reasonably to have become, aware of the occurrence of the damage, and a reasonable opportunity is given to the landlord to inspect the damage—

(i) in the case of damage to a growing crop, before the crop is begun to be reaped, raised or consumed ; and

(ii) in the case of damage to a crop reaped or raised, before the crop is begun to be removed from the land ; and

(b) notice in writing of the claim, together with the particulars thereof, is given to the landlord within one month after the expiration of the calendar year, or such other period of twelve months as by agreement between the landlord and tenant may be substituted therefor, in respect of which the claim is made.

(2) The amount of compensation under this section shall, in default of agreement made after the damage has been suffered, be determined by arbitration under this Act.

(3) Where the right to kill and take the game is vested in some person other than the landlord, the landlord shall be entitled to be indemnified by that other person against all claims for compensation under this section, and any question arising under the foregoing provisions of this subsection shall be determined by arbitration under this Act.

(4) In this section the expression " game " means deer, pheasants, partridges, grouse and black game.

15. Notwithstanding any provision in a contract of tenancy of an agricultural holding making the tenant thereof liable to pay a higher rent or other liquidated damages in the event of a breach or non-fulfilment of a term or condition of the contract, the landlord shall not be entitled to recover in consequence of any such breach or non-fulfilment, by distress or otherwise, any sum in excess of the damage actually suffered by him in consequence thereof.

Restriction of landlord's remedies for breach of terms of contract of tenancy.

Landlord's  
and tenant's  
right to  
require  
making of  
record of  
condition of  
holding, &c.

16.—(1) The landlord or the tenant of an agricultural holding may, at any time during the tenancy, require the making of a record of the condition of the buildings, fences, gates, roads, drains and ditches on, and the cultivation of, the holding, and the tenant may, at any time during the tenancy, require the making of a record of—

- (a) existing improvements executed by him or in respect of the execution of which he, with the written consent of the landlord, paid compensation to an outgoing tenant; and
- (b) any fixtures or buildings which, under section thirteen of this Act, he is entitled to remove.

(2) Any such record as aforesaid shall be made by a person appointed, in default of agreement between the landlord and tenant, by the Minister.

(3) The cost of making any such record as aforesaid shall, in default of agreement between the landlord and tenant, be borne by them in equal shares.

Landlord's  
power of  
entry.

17. The landlord of an agricultural holding or any person authorised by him may at all reasonable times enter on the holding for any of the following purposes, that is to say,—

- (a) viewing the state of the holding;
- (b) fulfilling the landlord's responsibilities to manage the holding in accordance with the rules of good estate management;
- (c) providing or improving fixed equipment on the holding otherwise than in fulfilment of his said responsibilities.

#### *Distress.*

No distress  
for rent due  
more than  
a year  
previously.

18. It shall not be lawful for a landlord entitled to the rent of an agricultural holding to distrain for rent which became due in respect of that holding more than one year before the making of the distress:

Provided that where it appears that, according to the ordinary course of dealing between the landlord and the tenant of the holding, the payment of rent has been deferred until the expiration of a quarter or half-year after the date at which the rent legally became due, the rent shall, for the purposes of this section, be deemed to have become due at the expiration of that quarter or half-year and not at the date at which it became legally due.

Limitation of  
distress on  
stock agisted  
on an  
agricultural  
holding.

19.—(1) Where livestock belonging to another person has been taken in by the tenant of an agricultural holding to be fed at a fair price, the livestock shall not be distrained by the landlord for rent where there is other sufficient distress to be found, and, if distrained by him by reason of other sufficient distress not being

found, there shall not be recovered by that distress a sum exceeding the amount of the price agreed to be paid for the feeding, or any part thereof which remains unpaid.

(2) The owner of the livestock may, at any time before it is sold, redeem it by paying to the distrainer a sum equal to the amount aforesaid, and payment of that sum to the distrainer shall be in full discharge as against the tenant of any sum of the like amount which would otherwise be due from the owner of the livestock to the tenant in respect of the price of feeding.

(3) Any portion of the livestock shall, so long as it remains on the holding, continue liable to be distrained for the amount for which the whole of the livestock is distrainable.

(4) In this section the expression "livestock" includes any animal capable of being distrained.

20.—(1) Agricultural or other machinery that is the property of a person other than the tenant of an agricultural holding and is on the holding under an agreement with the tenant for the hire or use thereof in the conduct of his business, and livestock that is the property of a person other than the tenant and is on the holding solely for breeding purposes, shall not be distrained for rent.

No distress on machinery or breeding stock on an agricultural holding.

(2) In this section the expression "livestock" includes any animal capable of being distrained.

21.—(1) Where a dispute arises—

- (a) in respect of any distress having been levied on an agricultural holding contrary to the provisions of this Act ;
- (b) as to the ownership of any livestock distrained or as to the price to be paid for the feeding of that stock ; or
- (c) as to any other matter or thing relating to a distress on an agricultural holding ;

Settlement of disputes as to distress on an agricultural holding.

the dispute may be heard and determined by the county court or by a court of summary jurisdiction, and the court may make an order for restoration of any livestock or things unlawfully distrained, may declare the price agreed to be paid for feeding or may make any other order that justice requires.

(2) Any such dispute shall be deemed to be a matter in which a court of summary jurisdiction has authority by law to make an order on complaint in pursuance of the Summary Jurisdiction Acts.

(3) Any person aggrieved by a decision of a court of summary jurisdiction under this section may appeal to a court of quarter sessions.

(4) In this section the expression "livestock" includes any animal capable of being distrained.

Ascertained compensation to be set off against rent for purposes of distress.

**22.** Where the amount of any compensation due to the tenant of an agricultural holding, whether under this Act or a former enactment relating to agricultural holdings or under custom or agreement, has been ascertained before the landlord distrains for rent, that amount may be set off against the rent and the landlord shall not be entitled to distrain for more than the balance.

*Provisions as to Notices to Quit.*

Twelve months' notice to quit to be given.

**23.—(1)** A notice to quit an agricultural holding or part of an agricultural holding shall (notwithstanding any provision to the contrary in the contract of tenancy of the holding) be invalid if it purports to terminate the tenancy before the expiration of twelve months from the end of the then current year of tenancy :

Provided that this section shall not apply—

(a) where a receiving order in bankruptcy is made against the tenant ;

(b) to a notice given in pursuance of a provision in the contract of tenancy authorising the resumption of possession of the holding or some part thereof for some specified purpose other than the use of the land for agriculture ;

(c) to a notice given by a tenant to a sub-tenant ; or

(d) where the tenancy subsists under an agreement entered into before the twenty-fifth day of March, nineteen hundred and forty-seven,—

(i) to a notice given by or on behalf of the Admiralty, War Department or Air Council under the provisions of any agreement of tenancy, where possession of the land is required for naval, military or air force purposes ; or

(ii) to a notice given, by a corporation carrying on a railway, dock, canal, water or other undertaking in respect of land acquired by the corporation for the purposes of their undertaking or by a government department or local authority, where possession of the land is required by the corporation, government department or authority for the purpose (not being the use of the land for agriculture) for which it was acquired by the corporation, department or authority or appropriated under any statutory provision ; or

(e) where the tenancy is one which, by virtue of subsection (6) of section one hundred and forty-nine of the Law of Property Act, 1925, has taken effect as such a term of years as is mentioned in that subsection.



(2) In the application of sub-paragraph (ii) of paragraph (d) of the proviso to the foregoing subsection to the British Transport Commission, the reference to land acquired by the corporation for the purposes of their undertaking shall be construed as including a reference to land—

- (a) acquired, for the purpose of an undertaking vested in the said Commission by Part II of the Transport Act, 1947,<sup>10 & 11 Geo. 6. c. 49.</sup> by the body carrying on that undertaking ; or
- (b) acquired by a body carrying on an undertaking vested in any such undertaking as aforesaid by virtue of an amalgamation or absorption scheme under the Railways Act, 1921, being a scheme that came into operation on or after the seventh day of July, nineteen hundred and twenty-three ;<sup>11 & 12 Geo. 6. c. 55.</sup>

and the reference to the purpose for which the land was acquired or appropriated by the corporation shall be construed accordingly ; and where by virtue of an Act (whether public general or local) passed, or an instrument having effect under an Act made, after the said seventh day of July and before the commencement of this Act any right of a corporation carrying on a water undertaking or of a local authority to avail itself of the benefit conferred by paragraph (b) of subsection (2) of section twenty-five of the Agricultural Holdings Act, 1923, was transferred to some other person, that other person shall have the like right to avail himself of the benefit conferred by the said sub-paragraph (ii) as the corporation or authority would have had if the Act or instrument by virtue of which the transfer was effected had not been passed or made.

24.—(1) Where notice to quit an agricultural holding or part of an agricultural holding is given to the tenant thereof, and not later than one month from the giving of the notice to quit the tenant serves on the landlord a counter-notice in writing requiring that this subsection shall apply to the notice to quit, then, subject to the provisions of the next following subsection, the notice to quit shall not have effect unless the Minister consents to the operation thereof.

Restrictions on  
operation of  
notices to quit.

(2) The foregoing subsection shall not apply where—

- (a) the Minister has consented under this section to the operation of the notice to quit before the giving thereof and that fact is stated in the notice ;
- (b) the notice to quit is given on the ground that the land is required for a use, other than for agriculture, for which permission has been granted on an application made under the enactments relating to town and country planning, or for which (otherwise than by virtue of any provision of those enactments) such permission is not required, and that fact is stated in the notice :

- (c) the Minister, in pursuance of an application in that behalf made to him in accordance with the following provisions of this Act not more than six months before the giving of the notice to quit, was satisfied in relation to the holding that the tenant was not fulfilling his responsibilities to farm in accordance with the rules of good husbandry, and certified that he was so satisfied, and that fact is stated in the notice ;
- (d) at the date of the giving of the notice to quit the tenant had failed to comply with a notice in writing served on him by the landlord requiring him within two months from the service of the notice to pay any rent due in respect of the agricultural holding to which the notice to quit relates, or within a reasonable time or within such reasonable period as was specified in the notice to remedy any breach by the tenant that was capable of being remedied of any term or condition of his tenancy which was not inconsistent with the fulfilment of his responsibilities to farm in accordance with the rules of good husbandry, and it is stated in the notice to quit that it is given by reason of the matter aforesaid ;
- (e) at the date of the giving of the notice to quit the interest of the landlord in the agricultural holding to which the notice relates had been materially prejudiced by the commission by the tenant of a breach, which was not capable of being remedied, of any term or condition of the tenancy that was not inconsistent with the fulfilment by the tenant of his responsibilities to farm in accordance with the rules of good husbandry, and it is stated in the notice that it is given by reason of the matter aforesaid ;
- (f) at the date of the giving of the notice to quit the tenant was a person who had become bankrupt or compounded with his creditors, and it is stated in the notice that it is given by reason of the matter aforesaid ;
- (g) the tenant with whom the contract of tenancy was made had died within three months before the date of the giving of the notice to quit, and it is stated in the notice that it is given by reason of the matter aforesaid.
- (3) Nothing in this section shall apply to a notice to terminate a tenancy of an agricultural holding subsisting under a written contract entered into before the twenty-fifth day of March, nineteen hundred and forty-seven,—
- (a) where, immediately before the creation of the tenancy, the holding had been for a period of not less than twelve months in the occupation of the landlord ;

- (b) the holding is let upon the express terms that, if the landlord desires to resume that occupation before the expiration of a specified period not exceeding seven years, the landlord shall be entitled to give notice to quit without becoming liable to pay to the tenant any compensation for disturbance ; and
- (c) the notice to terminate the tenancy is given so as to enable the landlord to resume occupation of the holding within the specified period.

25.—(1) Without prejudice to the discretion of the Minister in a case falling within paragraphs (a) to (e) of this subsection, the Minister shall withhold his consent under the last foregoing section to the operation of a notice to quit an agricultural holding or part of an agricultural holding unless he is satisfied—

Provisions as to consents for purposes of preceding section.

- (a) that the carrying out of the purpose for which the landlord proposes to terminate the tenancy is desirable in the interests of efficient farming, whether as respects good estate management or good husbandry or otherwise ; or
  - (b) that the carrying out thereof is otherwise desirable for the purposes of agricultural research, education, experiment or demonstration or for the purposes of the enactments relating to smallholdings or allotments ; or
  - (c) where the tenancy was created on or after the sixth day of August, nineteen hundred and forty-seven, that the landlord proposes to terminate the tenancy for a purpose, specified in the contract of tenancy, for which the interest of the landlord was held immediately before the creation of the tenancy, and that greater hardship would be caused by the Minister's withholding than by his granting his consent to the operation of the notice ; or
  - (d) where the tenancy was created before the said sixth day of August, and the same person was landlord at the beginning of that day as at the time when the notice to quit was given, or, if the application for the Minister's consent is made before giving the notice to quit, at the time of the application, that greater hardship would be caused by the Minister's withholding than by his granting his consent to the operation of the notice ; or
  - (e) that the landlord proposes to terminate the tenancy for the purpose of the land's being used for a use, other than for agriculture, not falling within paragraph (b) of subsection (2) of the last foregoing section.
- (2) The Minister shall not give or withhold his consent under the last foregoing section to the operation of a notice to quit an agricultural holding or part of an agricultural holding except after

affording to the landlord and to the tenant an opportunity of making representations to the Minister, whether in writing or on being heard by a person appointed by the Minister.

(3) Forthwith after the giving or withholding of his consent as aforesaid the Minister shall give notice thereof in writing to the landlord and to the tenant.

(4) If the landlord or the tenant is dissatisfied with the Minister's decision to withhold or to give his consent as aforesaid, the landlord or tenant may within the prescribed time and in the prescribed manner require that the matter shall be referred to the Agricultural Land Tribunal and, where a reference to the Tribunal under this subsection is duly required, subsection (1), and paragraph (a) of subsection (2), of the last foregoing section and subsection (1) of this section shall have effect with the substitution (except in so much of paragraph (d) of subsection (1) of this section as relates to the application for the Minister's consent) for references to the Minister of references to the Tribunal.

(5) Where the Minister or the Agricultural Land Tribunal consent under the last foregoing section to the operation of a notice to quit, the Minister or the Tribunal may impose such conditions as appear to the Minister or the Tribunal requisite for securing that the land to which the notice relates will be used for the purpose for which the landlord proposes to terminate the tenancy.

(6) Where, on an application by the landlord in that behalf, the Minister is satisfied that by reason of any change of circumstances or otherwise any condition imposed under the last foregoing subsection ought to be varied or revoked, he shall vary or revoke the condition accordingly.

Provisions  
supplementary  
to two  
preceding  
sections.

26.—(1) The Minister may make regulations—

- (a) for requiring any question arising under subsection (2) of section twenty-four of this Act to be determined by arbitration under this Act, for limiting the time within which any such arbitration may be required or any proceedings for the purposes thereof may be taken, and for extending the period within which a counter-notice may be given by the tenant under subsection (1) of that section where any such arbitration is required;
- (b) as to the time within which and the manner in which applications for the Minister's consent to the operation of notices to quit may be made under the said section twenty-four;
- (c) for suspending the operation of notices to quit until the termination of any such arbitration as aforesaid or of any reference to the Agricultural Land Tribunal under the last foregoing section;

(d) for postponing the date at which a tenancy is to be terminated by a notice to quit which has effect in consequence of any such arbitration or reference as aforesaid ;

(e) for excluding the application of subsection (1) of the said section twenty-four in relation to sub-tenancies in such cases as may be specified in the regulations, and for making such provision as appears to the Minister expedient for the purpose of safeguarding the interests of sub-tenants, including provision enabling the Minister or the Agricultural Land Tribunal, where the interest of a tenant is terminated by notice to quit, to secure that a sub-tenant will hold from the landlord on the like terms as he held from the tenant.

(2) The power conferred on the Minister by this section shall be exercisable by statutory instrument which shall be subject to annulment in pursuance of a resolution of either House of Parliament.

27.—(1) For the purposes of paragraph (c) of subsection (2) of section twenty-four of this Act, the landlord of an agricultural holding may, in the prescribed manner and after giving to the tenant of the holding notice in writing of the proposed application, apply to the Minister for a certificate that the tenant is not fulfilling his responsibilities to farm in accordance with the rules of good husbandry : Applications for certificates of bad husbandry for purposes of notices to quit.

Provided that no such application shall be made while an order is in force under section twelve of the Agriculture Act, 1947, or this section for the supervision of the tenant's farming of the holding.

(2) Where such an application is made the Minister shall, after affording to the landlord and to the tenant an opportunity of making representations to the Minister, whether in writing or on being heard by a person appointed by the Minister, either—

(a) give notice in writing to the landlord and to the tenant that he proposes to grant or refuse the certificate ; or

(b) by order having the like effect as a supervision order under the said section twelve place under the Minister's supervision the tenant's farming of the holding to which the application relates ;

and if before the expiration of the prescribed period from the making of the application the Minister has not given such a notice or made such an order as aforesaid he shall be deemed to have given notice in writing to the landlord and to the tenant that he proposes to refuse the certificate.

(3) Where notice of a proposal is given or deemed to have been given under the last foregoing subsection, the landlord may require that the Minister's proposal to refuse a certificate shall be referred to the Agricultural Land Tribunal, or the tenant may require that the Minister's proposal to grant a certificate shall be so referred.

(4) Where an agricultural holding forms part only of an agricultural unit, an opportunity of making representations shall be afforded under subsection (2) of this section to every person who for any of the purposes of Part II of the Agriculture Act, 1947, is the owner of land comprised in the unit, and paragraph (b) of that subsection shall have effect with the substitution for the reference to the holding of a reference to the unit.

Prevention of  
deterioration of  
holding after  
grant of  
certificate of  
bad  
husbandry.

28.—(1) If, while a certificate under paragraph (c) of subsection (2) of section twenty-four of this Act is in force, the landlord within six months from the application for the certificate gives notice to quit to the tenant, the Minister shall have power, after affording to the tenant an opportunity of making representations to the Minister, whether in writing or on being heard by a person appointed by the Minister, by notice in writing to give to the tenant such directions as appear to the Minister necessary for securing that the holding shall not further deteriorate before the termination of the tenancy.

(2) Where the tenant contravenes or fails to comply with a direction given under the foregoing subsection—

(a) he shall be liable on summary conviction to a fine not exceeding one hundred pounds; and

(b) the Minister may order that the tenancy shall terminate by virtue of the notice to quit at such date earlier than the date specified in that notice as may be specified in the order, being a date not less than three months later than the service on the tenant of notice in writing of the making of the order.

(3) Without prejudice to the bringing of proceedings under the last foregoing subsection, where a direction under this section to carry out any work is not complied with, any person authorised by the Minister in that behalf may enter upon the land to which the direction relates and any other land farmed in conjunction therewith, and carry out the work required by the direction, and the reasonable cost of carrying out work in the exercise of powers conferred by this subsection shall be recoverable by the Minister from the tenant.

Any dispute arising under this subsection as to what is the reasonable cost of any work shall be determined by the arbitration of an arbitrator appointed, in default of agreement, by the President of the Royal Institution of Chartered Surveyors.

(4) Any person who obstructs a person acting in the exercise of powers conferred by the last foregoing subsection shall be 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 such imprisonment and such fine.

(5) Where a direction under this section provides for the doing of anything within a specified time and (whether before or after the expiration of the said time) the Minister is satisfied that it is reasonable that the said time should be extended, he may extend it accordingly.

29.—(1) If the Minister is satisfied that within a reasonable time after a notice to quit an agricultural holding or part of an agricultural holding has expired any condition imposed under subsection (5) of section twenty-five of this Act in connection with consent to the operation of the notice has not been complied with, the Minister may take possession of the land to which the notice relates for the purpose of farming it, and—

Power of Minister, on breach of condition attached to consent to operation of notice to quit, to take possession of the land.

(a) on the Minister's taking possession of the land, any tenancy thereof granted without the Minister's approval since the imposition of the condition shall be deemed to have terminated by reason of a notice to quit duly given by the landlord; and

(b) if the tenant whose tenancy is deemed to have terminated as aforesaid remains in occupation of the land after the date on which his tenancy is deemed to have terminated, the Minister may make complaint to a court of summary jurisdiction and thereupon the court shall by its warrant order vacant possession of the land to be given to the Minister forthwith.

A warrant under this subsection shall, subject to the necessary modifications, be in the form set out in the Schedule to the Small Tenements Recovery Act, 1838, or in a form to the like effect.

1 & 2 Vict.  
c. 74.

(2) While the Minister is in possession of land under this section it shall be his duty to secure that it is farmed in accordance with the rules of good husbandry either—

(a) by a person acting under the direction of the Minister; or

(b) by a person entrusted by the Minister with the farming thereof on such terms, being terms which in the opinion of the Minister would be appropriate to a letting thereof to a tenant from year to year, as may be agreed between the Minister and the said person;

and, subject to the provisions of this section, the Minister and the person who, apart from any tenancy deemed to have terminated

under paragraph (a) of subsection (1) of this section, for the time being would be entitled to possession of the land but for the exercise by the Minister of his powers under this section (hereafter in this section referred to as "the owner") shall have the like rights against and liabilities to each other as if the Minister were a tenant of the land under a tenancy from year to year beginning on the date on which the Minister took possession of the land and granted by the owner under a tenancy agreement containing such provisions (other than provisions as to rent or any such payment as is mentioned in the next following subsection) as may be agreed between the Minister and the owner, and providing for the making of payments by the Minister of such amounts at such times as a tenant under such an agreement might reasonably be expected to make by way of rent.

(3) On the Minister's taking possession of land under this section there shall be ascertained—

- (a) the amount (if any) in addition to rent which might reasonably have been expected to be payable by an incoming tenant, under the agreement referred to in the last foregoing subsection, in respect of things previously done for the purposes of the farming of the land, and in respect of seeds, tillages, growing crops and other matters ;
- (b) the cost of the carrying out of any work which under the rules of good husbandry or under a contract of tenancy ought to have been carried out on the land by the occupier before the Minister took possession thereof, being work which is necessary for putting the land into good tenantable condition ;

and if the said amount is greater than the said cost the difference shall be recoverable from the Minister by the owner, and if less the difference shall be recoverable from the owner by the Minister.

(4) Where the Minister takes possession of land under this section, the owner shall (without prejudice to his responsibilities under the rules of good estate management) be liable to the Minister to carry out any work which, under the contract of tenancy with the tenant to whom notice to quit was given, the owner of the reversion expectant upon the termination of the tenancy was liable to carry out, being work which is necessary for putting the land into good tenantable condition ; and any such liability shall be enforceable by the Minister in like manner as if it were imposed by the agreement referred to in subsection (2) of this section.



(5) The Minister shall be entitled to continue in possession of land under this section—

- (a) where it is being farmed by a person acting under the direction of the Minister and it is shown to the Minister that the owner has made arrangements satisfactory to the Minister for the farming of the land by himself or by a person approved by the Minister, until the next twenty-ninth day of September, eleventh day of October, twenty-fifth day of March, or sixth day of April, as may be specified in a notice in writing served on the Minister by the owner not later than two months before the said day ;
- (b) where it is being farmed by a person to whom the Minister has entrusted the farming thereof, until that person is entitled to possession of the land as tenant thereof under an agreement with the owner approved by the Minister.

(6) Nothing in subsection (2) of this section shall entitle the Minister, on giving up possession of land, to compensation for disturbance ; but save as aforesaid that subsection shall apply as if when the Minister gives up possession he were quitting the land on the termination of the tenancy referred to in that subsection by notice to quit duly given by the owner.

(7) The enactments relating to income tax and the enactments relating to land tax, and in particular such of those enactments as relate to the deduction of tax from rent and to the taxation of excess rents, shall apply—

- (a) in relation to payments made under subsection (2) of this section by the Minister to the owner, as if the Minister were a tenant and the owner were a lessor of the land under such a tenancy agreement as is mentioned in the said subsection (2) and the payments were rent paid thereunder ;
- (b) in relation to payments made by any such person as is mentioned in paragraph (b) of that subsection to the Minister, as if the said person were a tenant and the Minister were a lessor of the land under such a letting as is mentioned in the said paragraph (b) and the payments were rent paid thereunder.

(8) Any question arising under subsections (2) to (6) of this section between the Minister and the owner shall, in default of agreement, be determined by arbitration under this Act.

30.—(1) The provisions of the two next following subsections shall have effect where, after the commencement of this Act, notice to quit land being or comprised in an agricultural holding is given to the tenant and at any time while the notice is current

Provisions as to notices to quit where holding agreed to be sold.

a contract is made for the sale of the landlord's interest in the land or any part thereof.

(2) Unless within the period of three months ending with the making of the contract the landlord and the tenant have agreed in writing whether on the making of such a contract the notice shall continue in force or be of no effect,—

(a) the landlord shall, before the expiration of the prescribed period from the making of the contract, or, where the notice to quit expires within the last-mentioned period, before the expiration of the notice to quit, give notice in writing to the tenant of the making of the contract; and

(b) the tenant may before the expiration of the notice to quit notify the landlord in writing that the tenant elects that the notice to quit shall continue in force, so however that the tenant shall not give a notification under this paragraph after the expiration of one month from the receipt by him of a notice under the foregoing paragraph of the making of the contract.

(3) In default of any such agreement or notification as aforesaid the notice to quit shall be of no effect unless the landlord has failed duly to give notice of the making of the contract and the tenant quits the holding in consequence of the notice to quit.

(4) A notice to quit shall not be invalid by reason only that under any such agreement as aforesaid the operation of the notice is conditional.

Notices to quit parts of holdings not to be invalid in certain cases.

31.—(1) A notice to quit part of an agricultural holding held on a tenancy from year to year given by the landlord of the holding shall not be invalid on the ground that it relates to part only of the holding if it is given for the purpose of adjusting the boundaries between agricultural units or amalgamating agricultural units or parts thereof or with a view to the use of the land to which the notice relates for any of the objects mentioned in the following subsection, and the notice states that it is given for the said purpose or with a view to any such use as aforesaid, as the case may be.

(2) The objects referred to in the foregoing subsection are the following, namely,—

- (a) the erection of farm labourers' cottages or other houses with or without gardens ;
- (b) the provision of gardens for farm labourers' cottages or other houses ;
- (c) the provision of allotments ;

- (d) the provision of small holdings as defined by subsection (1) of section sixty-one of the Small Holdings and Allotments Act, 1908, as amended by section sixteen of the Small Holdings and Allotments Act, 1926, or as defined by Part IV of the Agriculture Act, 1947 ; 8 Edw. 7. c. 36. 16 & 17 Geo. 5. c. 52.
- (e) the planting of trees ;
- (f) the opening or working of a deposit of coal, ironstone, limestone, brick-earth or other mineral, or a stone quarry or a clay, sand or gravel pit, or the construction of any works or buildings to be used in connection therewith ;
- (g) the making of a watercourse or reservoir ;
- (h) the making of a road, railway, tramroad, siding, canal or basin, or a wharf, pier, or other work connected therewith.

- 32.** Where there is given to the tenant of an agricultural holding a notice to quit part of the holding, being either— Tenant's right to cause notice to quit part of holding to operate as notice to quit entire holding.
- (a) such a notice as is rendered valid by the last foregoing section ; or
- (b) a notice given by a person entitled to a severed part of the reversionary estate in the holding ;

then, if within twenty-eight days after the giving of the notice or, where the operation of the notice depends on any proceedings under the foregoing provisions of this Act, within twenty-eight days after the time at which it is determined that the notice has effect, the tenant gives to the landlord or, as the case may be, to the persons severally entitled to the severed parts of the reversion a counter-notice in writing to the effect that he accepts the notice to quit as a notice to quit the entire holding given by the landlord or, as the case may be, those persons, to take effect at the same time as the original notice, the notice to quit shall have effect accordingly.

- 33.** Where the landlord of an agricultural holding resumes possession of part of the holding either— Reduction of rent where notice is given to quit part of holding.
- (a) by virtue of subsection (1) of section thirty-one of this Act ; or
- (b) in pursuance of a provision in that behalf contained in the contract of tenancy ;

the tenant shall be entitled to a reduction of rent, of an amount to be settled by arbitration under this Act, proportionate to that part of the holding and in respect of any depreciation of the

value to him of the residue of the holding caused by the severance or by the use to be made of the part severed :

Provided that, in a case falling within paragraph (b) of this section, the arbitrator, in assessing the amount of the reduction, shall take into consideration any benefit or relief allowed to the tenant under the contract of tenancy in respect of the land possession of which is resumed by the landlord.

*Compensation to Tenant for Disturbance.*

Right to, and  
measure of,  
compensation  
for disturbance.

34.—(1) Where the tenancy of an agricultural holding terminates by reason either—

- (a) of a notice to quit the holding given by the landlord ; or
- (b) of a counter-notice given by the tenant under section thirty-two of this Act after the giving to him of such a notice to quit part of the holding as is mentioned in that section ;

and in consequence of the notice or counter-notice, as the case may be, the tenant quits the holding, then, subject to the provisions of this section, compensation for the disturbance shall be payable by the landlord to the tenant in accordance with the provisions of this section :

Provided that compensation shall not be payable under this subsection where the operation of subsection (1) of section twenty-four of this Act in relation to the notice to quit the holding or part, as the case may be, is excluded by virtue of paragraph (c), (d), (e), (f) or (g) of subsection (2) of that section or of subsection (3) thereof.

(2) The amount of the compensation payable under this section shall be the amount of the loss or expense directly attributable to the quitting of the holding which is unavoidably incurred by the tenant upon or in connection with the sale or removal of his household goods, implements of husbandry, fixtures, farm produce or farm stock on or used in connection with the holding, and shall include any expenses reasonably incurred by him in the preparation of his claim for compensation (not being costs of an arbitration to determine any question arising under this section) :

Provided that—

- (a) compensation shall be payable under this section of an amount equal to one year's rent of the holding at the rate at which rent was payable immediately before the termination of the tenancy without proof by the tenant of any such loss or expense as aforesaid ;
- (b) the tenant shall not be entitled to claim any greater amount than one year's rent of the holding unless before

the sale of any such goods, implements, fixtures, produce or stock as aforesaid he has given to the landlord a reasonable opportunity of making a valuation thereof ;

- (c) the tenant shall not be entitled to claim any greater amount than aforesaid unless not less than one month before the termination of the tenancy he has given to the landlord notice in writing of his intention to make such a claim ;
- (d) the tenant shall not in any case be entitled to compensation in excess of two years' rent of the holding.

(3) Where the tenant of an agricultural holding has sub-let the holding, and in consequence of a notice to quit given by his landlord becomes liable to pay compensation under this section to the sub-tenant, the tenant shall not be debarred from recovering compensation under this section by reason only that, owing to not being in occupation of the holding, on the termination of his tenancy he does not quit the holding.

(4) Where the tenancy of an agricultural holding terminates by virtue of such a counter-notice as is mentioned in paragraph (b) of subsection (1) of this section and—

- (a) the part of the holding affected by the notice given by the landlord, together with any part of the holding affected by any such previous notice given by the landlord as is rendered valid by section thirty-one of this Act is less than one-fourth part of the original holding ; and
- (b) the holding as proposed to be diminished is reasonably capable of being farmed as a separate holding ;

compensation shall not be payable under this section except in respect of the part of the holding to which the notice to quit relates and shall, if the notice to quit was given for the purposes of a final scheme under section eighty-seven of the Agriculture Act, 1947, for the adjustment of boundaries between agricultural units or the amalgamation of agricultural units or parts thereof be limited (notwithstanding proviso (a) to subsection (2) of this section) to the loss or expense referred to in that subsection proved to have been incurred by the tenant.

(5) Compensation payable under this section shall be in addition to any compensation to which the tenant may be entitled apart from this section.

*Compensation to Tenant, on Termination of Tenancy,  
for Improvements begun before 1st March, 1948.*

35.—(1) The provisions of the ten next following sections shall have effect with respect to the rights of the tenant of an agricultural holding with respect to compensation for improvements specified in the Second Schedule to this Act carried out on Application of sections 36 to 45.

the holding, being improvements begun before the first day of March, nineteen hundred and forty-eight.

(2) Improvements falling within the foregoing subsection are in this Act referred to as "old improvements".

Tenant's  
right to  
compensation  
for old  
improvements.

36.—(1) The tenant shall, subject to the provisions of this Act, be entitled on the termination of the tenancy, on quitting the holding, to obtain from his landlord compensation for an old improvement carried out by the tenant :

Provided that where the contract of tenancy was made before the first day of January, nineteen hundred and twenty-one, the tenant shall not be entitled to compensation under this section for an improvement which he was required to carry out by the terms of his tenancy.

(2) Nothing in this section shall prejudice the right of a tenant to claim any compensation to which he may be entitled under custom or agreement, or otherwise, in lieu of any compensation provided by this section.

Measure of  
compensation  
for old  
improvements.

37. The amount of any compensation under this Act for an old improvement shall be such sum as fairly represents the value of the improvement to an incoming tenant.

Compensation  
for certain  
old improve-  
ments  
conditional on  
consent of  
landlord to  
execution  
thereof.

38.—(1) Compensation under this Act shall not be payable for an old improvement specified in Part I of the Second Schedule to this Act unless, before the execution thereof, the landlord consented in writing (whether unconditionally or upon terms as to compensation or otherwise agreed between him and the tenant) to the execution thereof.

(2) Where the consent was given upon agreed terms as to compensation, compensation payable under the agreement shall be substituted for compensation under this Act.

Conditions  
attaching  
to right to  
compensation  
for drainage.

39.—(1) Compensation under this Act shall not be payable for an old improvement consisting of that specified in Part II of the Second Schedule to this Act unless the tenant gave to the landlord, not more than three nor less than two months before beginning to execute the improvement, notice in writing under section three of the Agricultural Holdings Act, 1923, of his intention to execute the improvement and of the manner in which he proposed to execute it, and—

(a) the landlord and tenant agreed on the terms on which the improvement was to be executed ; or

(b) in a case where no agreement was reached and the tenant did not withdraw the notice, the landlord failed to exercise the right conferred on him by that section to

execute the improvement himself within a reasonable time :

Provided that this subsection shall not have effect—

- (i) if the landlord and tenant agreed, by the contract of tenancy or otherwise, to dispense with notice under the said section three ; or
- (ii) where the improvement consists of mole drainage works executed by the tenant in pursuance of a direction given to him under or by virtue of Defence Regulations.

(2) If the landlord and tenant agreed (whether after notice was given under the said section three or by an agreement to dispense with notice under that section) upon terms as to compensation upon which the improvement was to be executed, compensation payable under the agreement shall be substituted for compensation under this Act.

40. Compensation under this Act shall not be payable in respect of any such repairs as are mentioned in paragraph 29 of the Second Schedule to this Act unless, before beginning to execute the repairs, the tenant gave to the landlord notice in writing under paragraph 29 of the First Schedule to the Agricultural Holdings Act, 1923, of his intention to execute the repairs, together with particulars thereof, and the landlord failed to exercise the right conferred on him by that paragraph to execute the repairs himself within a reasonable time after receiving the notice.

Conditions attaching to right to compensation for repairs to buildings.

41. Where an agreement in writing entered into before the first day of January, nineteen hundred and twenty-one, secures to the tenant for an old improvement specified in Part III of the Second Schedule to this Act fair and reasonable compensation, having regard to the circumstances existing when the agreement was made, the compensation so secured shall, as respects that improvement, be substituted for compensation under this Act.

Agreements as to compensation for old improvements specified in Part III of Second Schedule.

42.—(1) The tenant shall not be entitled to compensation under this Act in respect of an old improvement (other than manuring) begun by him within one year before he quits the holding :

Exclusion of right to compensation for old improvements begun in last year of tenancy.

Provided that this subsection shall not apply—

- (a) where the tenant, before beginning the improvement, served notice on his landlord of his intention to begin it, and the landlord either assented to the making of the improvement or failed for a month after the receipt of the notice to object to the making of the improvement; or

- (b) in a case where the tenant is a tenant from year to year, where he began the improvement before the receipt of a notice to quit given by the landlord ; or
- (c) where the improvement consists of mole drainage works executed by the tenant in pursuance of a direction given to him under or by virtue of Defence Regulations.

(2) In this section the expression " manuring " means any of the improvements specified in paragraphs 25 to 27 of the Second Schedule to this Act.

Reduction in amount of, and exclusion of right to, compensation for old improvements in certain cases.

43.—(1) In the ascertainment of the amount of the compensation payable under this Act to the tenant in respect of an old improvement, there shall be taken into account—

- (a) any benefit which the landlord has given or allowed to the tenant in consideration of the tenant's executing the improvement, whether expressly stated in the contract of tenancy to be so given or allowed or not ; and
- (b) as respects manuring, the value of the manure required by the contract of tenancy or by custom to be returned to the holding in respect of any crops grown on and sold off or removed from the holding within the last two years of the tenancy or other less time for which the tenancy has endured, not exceeding the value of the manure which would have been produced by consumption on the holding of the crops so sold off or removed.

(2) In assessing the amount of any compensation payable to the tenant, whether under this Act or under custom or agreement, by reason of the improvement of the holding by—

- (a) the addition thereto of lime in respect of which a contribution has been made under Part I of the Agriculture Act, 1937 ; or
- (b) mole drainage works in respect of which a grant has been made under section fifteen of the Agriculture (Miscellaneous War Provisions) Act, 1940 ;

the contribution shall be taken into account as if it had been a benefit allowed to the tenant in consideration of his executing the improvement, and the compensation shall be reduced accordingly.

(3) Notwithstanding anything in the foregoing provisions of this Act, the tenant shall not be entitled to compensation thereunder for an old improvement made on land which, at the time when the improvement was begun, was not a holding within the

1 Edw. 8. &  
1 Geo. 6. c. 70.



meaning of the Agricultural Holdings Act, 1923, as originally enacted, and would not have fallen to be treated as such a holding by virtue of section thirty-three of that Act.

(4) In this section the expression "manuring" means any of the improvements specified in paragraphs 25 to 27 of the Second Schedule to this Act.

44. Where the tenant has remained in the holding during two or more tenancies, he shall not be deprived of his right to compensation under this Act in respect of old improvements by reason only that the improvements were made during a tenancy other than the one at the termination of which he quits the holding.

Old improvements made during any tenancy of a series to qualify for compensation.

45. Where, on entering into occupation of the holding, the tenant, with the consent in writing of his landlord, paid to an outgoing tenant any compensation payable under or in pursuance of this Act or the Agricultural Holdings Act, 1923, in respect of the whole or part of an old improvement, he shall be entitled, on quitting the holding, to claim compensation for the improvement or part in like manner, if at all, as the outgoing tenant would have been entitled if the outgoing tenant had remained tenant of the holding and quitted it at the time at which the tenant quits it.

Right to compensation for old improvements of tenant who has paid compensation therefor to outgoing tenant.

*Compensation to Tenant, on Termination of Tenancy, for Improvements begun on or after 1st March, 1948, and for tenant-right Matters.*

46.—(1) The provisions of the nine next following sections shall have effect with respect to the rights of the tenant of an agricultural holding with respect to—

Application of sections 47 to 55.

- (a) compensation for improvements specified in the Third Schedule to this Act or in Part I of the Fourth Schedule thereto carried out on the holding, being improvements begun on or after the first day of March, nineteen hundred and forty-eight; and
- (b) compensation for the matters specified in Part II of the said Fourth Schedule;

and the said provisions shall have effect as well where the tenant entered into occupation of the holding before the said first day of March as where he entered into occupation of the holding on or after that day.

(2) Improvements falling within paragraph (a) of the foregoing subsection are in this Act referred to as "new improvements".

Tenant's right to compensation for new improvements and for other matters.

47.—(1) The tenant shall, subject to the provisions of this Act, be entitled on the termination of the tenancy, on quitting the holding, to obtain from his landlord compensation for a new improvement carried out by the tenant and for any such matter as is specified in Part II of the Fourth Schedule to this Act :

Provided that—

- (a) where the contract of tenancy was made before the first day of January, nineteen hundred and twenty-one, the tenant shall not be entitled to compensation under this section for an improvement which he was required to carry out by the terms of his tenancy ;
- (b) the tenant shall not be entitled to compensation under this section for crops or produce grown, seeds sown, cultivations, fallows or acts of husbandry performed, or pasture laid down, in contravention of the terms of a written contract of tenancy unless either the growing of the crops or produce, the sowing of the seeds, the performance of the cultivations, fallows or acts of husbandry, or the laying down of the pasture, as the case may be, was reasonably necessary in consequence of the giving of a direction under the Agriculture Act, 1947, or this Act, or the tenant shows that the term of the contract contravened was inconsistent with the fulfilment of his responsibilities to farm the holding in accordance with the rules of good husbandry ; and
- (c) where the tenant entered into occupation of the holding before the first day of March, nineteen hundred and forty-eight, this subsection shall not apply to him so far as regards the matters specified in Part II of the Fourth Schedule to this Act unless, before the termination of the tenancy, he gives notice in writing to the landlord stating that he elects that it is to apply to him as regards those matters.

(2) In the cases mentioned in paragraphs (a) and (b) of this subsection, the tenant shall not be entitled to give a notice under proviso (c) to the foregoing subsection after the expiration of the periods respectively mentioned in those paragraphs, that is to say,—

- (a) where the tenancy terminates by reason of a notice to quit and at any time while the notice to quit is current the landlord gives notice in writing to the tenant requiring him to elect whether that subsection is to apply to him as regards the matters specified in Part II of the Fourth Schedule to this Act, one month from the giving of the notice under this paragraph or if the operation of the notice to quit depends upon any

proceedings under section twenty-four or twenty-five of this Act, one month from the termination of those proceedings ;

- (b) where the tenancy terminates by reason of an order under subsection (1) of section seventeen of the Agriculture Act, 1947, and at any time after the making of the order and before the termination of the tenancy the landlord gives such a notice in writing as aforesaid to the tenant, one month from the giving of the notice under this paragraph.

48. The amount of any compensation under this Act for a new improvement specified in the Third Schedule thereto shall be an amount equal to the increase attributable to the improvement in the value of the agricultural holding as a holding, having regard to the character and situation of the holding and the average requirements of tenants reasonably skilled in husbandry.

*Measure of compensation for long-term new improvements.*

49.—(1) Subject to the provisions of the next following section, the tenant shall not be entitled to compensation for a new improvement specified in the Third Schedule to this Act unless the landlord has given his consent in writing to the carrying out thereof, and any such consent may be given by the landlord unconditionally or upon such terms as to compensation or otherwise as may be agreed upon in writing between the landlord and the tenant.

*Compensation for long-term new improvements conditional on consent of landlord to execution thereof.*

(2) If any such agreement as aforesaid is made, the provisions of the last foregoing section shall have effect subject to the provisions of the agreement.

50.—(1) Where, in the case of an improvement specified in Part II of the Third Schedule to this Act, the tenant is aggrieved by the refusal of his landlord to give his consent under the last foregoing section, or is unwilling to agree to any terms subject to which the landlord is prepared to give his consent, the tenant may, after giving notice in writing to the landlord of his intention so to do, apply to the Minister for approval of the carrying out of the improvement, and the following provisions of this section shall have effect with respect to the application.

*Approval of Minister equivalent to consent of landlord in certain cases.*

(2) The Minister may, after affording to the tenant and to the landlord an opportunity of making representations to the Minister, whether in writing or on being heard by a person appointed by the Minister, approve the carrying out of the improvement, either unconditionally or upon such terms, whether as to reduction of the compensation which would be payable if the Minister approved unconditionally or as to other matters, as appear to the Minister to be just, or may withhold his approval,

and in either case forthwith after coming to a decision on the application shall notify his decision to the landlord and to the tenant.

(3) If the Minister grants his approval, the landlord may, within the prescribed period from receiving notification of the Minister's decision, serve notice in writing on the Minister and the tenant that the landlord proposes himself to carry out the improvement.

(4) Where the Minister grants his approval, then if either—

- (a) no notice is duly served by the landlord under the last foregoing subsection ; or
- (b) such a notice is duly served, but on an application in that behalf made by the tenant the Minister after affording to the tenant and to the landlord an opportunity of making representations to the Minister, whether in writing or on being heard by a person appointed by the Minister, determines that the landlord has failed to carry out the improvement within a reasonable time ;

the approval of the Minister shall have effect for the purposes of the last foregoing section as if it were the consent of the landlord, and any terms subject to which the approval was given shall have effect as if they were contained in an agreement in writing between the landlord and the tenant.

Measure of compensation for short-term new improvements and for other matters.

51.—(1) The amount of any compensation under this Act for a new improvement specified in Part I of the Fourth Schedule thereto, or for any matter falling within Part II of that Schedule, shall be the value thereof to an incoming tenant calculated in accordance with such method, if any, as may be prescribed.

(2) Nothing in this Act shall prevent the substitution, in the case of matters falling within Part II of the Fourth Schedule thereto, for the measure of compensation specified in subsection (1) of this section, of such measure of compensation, to be calculated according to such method, if any, as may be specified in a written contract of tenancy.

(3) Where the landlord and the tenant have entered into an agreement in writing whereby any benefit is given or allowed to the tenant in consideration of his carrying out an improvement specified in Part I of the Fourth Schedule to this Act, the benefit shall be taken into account in assessing compensation under this section for the improvement.

Compensation for mole drainage conditional on notice to landlord of carrying out thereof.

52. The tenant shall not be entitled to compensation for a new improvement specified in paragraph 1 of the Fourth Schedule to this Act unless, not later than one month before the improvement was begun, he gave notice in writing to the landlord of his intention to carry out the improvement.

**53.** Where a grant out of moneys provided by Parliament has been or will be made to the tenant in respect of a new improvement, the grant shall be taken into account in assessing compensation under this Act for the improvement.

Grants out of public moneys to be taken into account in assessing compensation for new improvements.

**54.** Where the tenant has remained in the holding during two or more tenancies, he shall not be deprived of his right to compensation under this Act in respect of new improvements by reason only that the improvements were made during a tenancy other than the one at the termination of which he quits the holding.

New improvements made during any tenancy of a series to qualify for compensation.

**55.—(1)** Where, on entering into occupation of the holding, the tenant, with the consent in writing of his landlord, paid to an outgoing tenant any compensation payable by the landlord under or in pursuance of this Act or Part III of the Agriculture Act, 1947, in respect of the whole or part of a new improvement, or has paid to the landlord the amount of any such compensation payable to an outgoing tenant, the tenant shall be entitled, on quitting the holding, to claim compensation in respect of the improvement or part in like manner, if at all, as the outgoing tenant would have been entitled if the outgoing tenant had remained tenant of the holding and quitted it at the time at which the tenant quits it.

Right to compensation for new improvements of tenant who has paid compensation therefor to outgoing tenant.

(2) Where, in a case not falling within the foregoing subsection, the tenant, on entering into occupation of the holding, paid to his landlord any amount in respect of the whole or part of a new improvement, he shall, subject to any agreement in writing between the landlord and the tenant, be entitled on quitting the holding to claim compensation in respect of the improvement or part in like manner, if at all, as he would have been entitled if he had been tenant of the holding at the time when the improvement was carried out and the improvement or part had been carried out by him.

*Compensation to Tenant, on Termination of Tenancy, for continuous Adoption of special System of Farming.*

**56.—(1)** Where the tenant of an agricultural holding shows that, by the continuous adoption of a system of farming which has been more beneficial to the holding—

(a) than the system of farming required by the contract of tenancy ; or

(b) in so far as no system of farming is so required, than the system of farming normally practised on comparable agricultural holdings,

Right to, and measure of, compensation for continuous adoption of special system of farming.

the value of the holding as a holding has been increased during the tenancy, having regard to the character and situation of the holding and the average requirements of tenants reasonably skilled in husbandry, the tenant shall be entitled, on quitting the

holding on the termination of the tenancy, to obtain from the landlord compensation of an amount equal to the increase :

Provided that compensation shall not be recoverable under this subsection unless—

- (i) the tenant has, not later than one month before the termination of the tenancy, given to the landlord notice in writing of his intention to claim compensation under this subsection ; and
- (ii) a record has been made under section sixteen of this Act of the condition of the buildings, fences, gates, roads, drains and ditches on, and the cultivation of, the holding ;

and shall not be so recoverable in respect of any matter arising before the date of the making of the said record, or if more than one such record has been made as aforesaid, the first of them.

(2) In assessing the value of an agricultural holding for the purposes of this section due allowance shall be made for any compensation agreed or awarded to be paid to the tenant for an old or new improvement or for any such matter as is specified in Part II of the Fourth Schedule to this Act, being an improvement or matter which has caused, or contributed to, the benefit.

(3) Nothing in this section shall entitle a tenant to recover, for an old or new improvement or an improvement to which the provisions of this Act relating to market gardens apply or for any such matter as is specified in Part II of the Fourth Schedule to this Act, any compensation which he is not entitled to recover apart from this section.

(4) In a case where subsection (1) of section forty-seven of this Act does not apply to the tenant as regards the matters specified in Part II of the Fourth Schedule to this Act, subsections (2) and (3) of this section shall have effect with the omission of references to a matter so specified.

*Compensation to Landlord, on Termination of Tenancy,  
for Deterioration of Holding.*

Right to, and measure of, compensation for deterioration, &c., of particular parts of holding.

57.—(1) The landlord of an agricultural holding shall be entitled to recover from a tenant of the holding, on the tenant's quitting the holding on the termination of the tenancy, compensation in respect of the dilapidation or deterioration of, or damage to, any part of the holding or anything in or on the holding caused by non-fulfilment by the tenant of his responsibilities to farm in accordance with the rules of good husbandry.

(2) The amount of the compensation payable under the foregoing subsection shall be the cost, as at the date of the tenant's quitting the holding, of making good the dilapidation, deterioration or damage.

(3) Notwithstanding anything in this Act, the landlord may, in lieu of claiming compensation under subsection (1) of this

section, claim compensation in respect of matters specified therein under and in accordance with a written contract of tenancy, so however that—

- (a) compensation shall be so claimed only on the tenant's quitting the holding on the termination of the tenancy ; and
- (b) compensation shall not be claimed in respect of any one holding both under such a contract and under the said subsection (1) ;

and for the purposes of paragraph (b) of this subsection any claim under subsection (1) of section seven of this Act shall be disregarded.

58. Where, on the quitting of an agricultural holding by the tenant thereof on the termination of the tenancy, the landlord shows that the value of the holding generally has been reduced, whether by reason of any such dilapidation, deterioration or damage as is mentioned in subsection (1) of the last foregoing section or otherwise by non-fulfilment by the tenant of his responsibilities to farm in accordance with the rules of good husbandry, the landlord shall be entitled to recover from the tenant compensation therefor, in so far as the landlord is not compensated therefor under subsection (1) of that section or in accordance with subsection (3) thereof, of an amount equal to the decrease attributable thereto in the value of the holding as a holding, having regard to the character and situation of the holding and the average requirements of tenants reasonably skilled in husbandry :

Right to, and measure of, compensation for general deterioration of holding.

Provided that compensation shall not be recoverable under this section unless the landlord has, not later than one month before the termination of the tenancy, given notice in writing to the tenant of his intention to claim compensation thereunder.

59. Where the tenant of an agricultural holding has remained therein during two or more tenancies, his landlord shall not be deprived of his right to compensation under either of the two last foregoing sections in respect of any dilapidation, deterioration or damage by reason only that the tenancy during which an act or omission occurred which in whole or in part caused the dilapidation, deterioration or damage was a tenancy other than the tenancy at the termination of which the tenant quits the holding.

Compensation for deterioration, &c., to be made in respect of acts done during any tenancy of a series.

*Supplementary Provisions with respect to Compensation.*

60. Where the landlord of an agricultural holding resumes possession of part of the holding either—

- (a) by virtue of subsection (1) of section thirty-one of this Act ; or
- (b) in pursuance of a provision in that behalf contained in the contract of tenancy ;

Compensation provisions of this Act applicable to parts of holdings in certain cases.

the provisions of this Act with respect to compensation shall apply to that part of the holding as if it were a separate holding which the tenant had quitted in consequence of a notice to quit:

Provided that—

- (i) in a case falling within paragraph (b) of this section, the arbitrator, in assessing the amount of compensation payable to the tenant, shall take into consideration any benefit or relief allowed to the tenant under the contract of tenancy in respect of the land possession of which is resumed by the landlord ; and
- (ii) compensation for disturbance payable by virtue of this subsection shall, where notice to quit part of the holding was given for the purposes of a final scheme under section eighty-seven of the Agriculture Act, 1947, for the adjustment of boundaries between agricultural units or the amalgamation of agricultural units or parts thereof be limited (notwithstanding proviso (a) to subsection (2) of section thirty-four of this Act) to the loss or expense referred to in that subsection proved to have been incurred by the tenant.

Provisions as to compensation where holding is divided.

61. Where an agricultural holding has become vested in more than one person in several parts and the rent payable by the tenant of the holding has not been apportioned with his consent or under any statute, the tenant shall be entitled to require that any compensation payable to him under this Act shall be determined as if the holding had not been divided, and the arbitrator shall, where necessary, apportion the amount awarded between the persons who for the purposes of this Act together constitute the landlord of the holding, and any additional costs of the award caused by the apportionment shall be directed by the arbitrator to be paid by those persons in such proportions as he shall determine.

Adjustment of compensation in respect of ploughing grants.  
2 & 3 Geo. 6.  
c. 48.

62. In assessing the amount of any compensation payable, whether under this Act, or under custom or agreement, to the tenant of an agricultural holding comprising land in respect of which a payment in respect of a ploughing grant under Part IV of the Agricultural Development Act, 1939, has been made to the tenant, or has been or is to be applied for by him, if it is shown to the satisfaction of the person assessing the compensation that the improvement or cultivations in respect of which the compensation is claimed was or were wholly or in part the result of or incidental to the operations by virtue of which the land became eligible for the grant, the grant shall be taken into account as if it had been a benefit allowed to the tenant in consideration of his executing the improvement or cultivations, and the compensation shall be reduced to such extent as that person considers appropriate.



63.—(1) Notwithstanding anything in the foregoing provisions of this Act or any custom or agreement—

- (a) no compensation shall be payable to the tenant of an agricultural holding in respect of anything done in pursuance of an order under paragraph (ii) of section ten of this Act ;
- (b) in assessing compensation to an outgoing tenant of an agricultural holding where land has been ploughed up in pursuance of a direction under that section, the value per acre of any tenant's pasture comprised in the holding shall be taken not to exceed the average value per acre of the whole of the tenant's pasture comprised in the holding on the termination of the tenancy.

No compensation under this Act, custom or agreement for things done in compliance with this Act.

In this subsection the expression "tenant's pasture" means pasture laid down at the expense of the tenant or paid for by the tenant on entering on the holding.

(2) The tenant of an agricultural holding shall not be entitled to any compensation for an old improvement specified in Part III of the Second Schedule to this Act or a new improvement specified in Part I of the Fourth Schedule thereto or for any such matter as is specified in Part II of the said Fourth Schedule, being an improvement or matter made or effected for the purposes of the proviso to subsection (1) of section eleven of this Act or the proviso to subsection (1) of section thirty of the Agricultural Holdings Act, 1923 :

Provided that where subsection (1) of section forty-seven of this Act does not apply to the tenant as regards the matters specified in Part II of the Fourth Schedule to this Act, the foregoing provisions of this subsection shall have effect with the omission of references to a matter so specified.

64. A landlord or tenant of an agricultural holding shall not be entitled under custom to any compensation from his tenant or landlord for any improvement, whether or not one in respect of the carrying out of which compensation is provided under this Act, or any matter specified in Part II of the Fourth Schedule to this Act, or otherwise :

Claims not to be made for compensation for improvements based on custom.

Provided that this section shall not apply to compensation for an improvement of a kind specified in the Third Schedule or Part I of the Fourth Schedule to this Act begun before the first day of March, nineteen hundred and forty-eight, or, in a case where subsection (1) of section forty-seven of this Act does not apply to the tenant as regards the matters specified in Part II of the said Fourth Schedule, to compensation for a matter so specified.

Extent to which compensation recoverable under agreements.

65.—(1) Save as expressly provided in this Act, in any case for which apart from this section the provisions of this Act provide for compensation, a tenant or landlord shall be entitled to compensation in accordance with those provisions and not otherwise, and shall be so entitled notwithstanding any agreement to the contrary :

Provided that where the landlord and tenant of an agricultural holding enter into an agreement in writing for any such variation of the terms of the contract of tenancy as could be made by direction or order under section ten of this Act, the agreement may provide for the exclusion of compensation in like manner as under subsection (1) of section sixty-three of this Act.

(2) Nothing in the said provisions, apart from this section, shall be construed as disentitling a tenant or landlord to compensation in any case for which the said provisions do not provide for compensation, but a claim for compensation in any such case as aforesaid (except a claim by a tenant for compensation for a matter specified in Part II of the Fourth Schedule to this Act in a case where subsection (1) of section forty-seven of this Act does not apply to him as regards the matters so specified) shall not be enforceable except under an agreement in writing.

*Special Provisions as to Compensation, &c., in case of Tenancy not binding on Mortgagee of Holding.*

Special provisions as to compensation, &c., in case of tenancy not binding on mortgagee of holding.

66. Where a person occupies an agricultural holding under a contract of tenancy with a mortgagor which is not binding on the mortgagee, then,—

- (a) the occupier shall, as against the mortgagee who takes possession, be entitled to any compensation which is, or would but for the mortgagee taking possession be, due to the occupier from the mortgagor as respects crops, improvements, tillages, or other matters connected with the holding, whether under this Act or custom or an agreement authorised by this Act ; and
- (b) if the contract of tenancy is for a tenancy from year to year or for a term of years, not exceeding twenty-one, at a rackrent, the mortgagee shall, before he deprives the occupier of possession otherwise than in accordance with the contract of tenancy, give to the occupier six months' notice in writing of his intention so to do, and, if he so deprives him, compensation shall be due to the occupier for his crops, and for any expenditure upon the land which he has made in the expectation of remaining in the holding for the full term of his contract of tenancy, in so far as any improvement resulting therefrom is not exhausted at the time of his being so deprived.

*Special Provisions affecting Market Gardens as regards  
Compensation and Fixtures.*

67.—(1) In the case of an agricultural holding in respect of which it is agreed by an agreement in writing made on or after the first day of January, eighteen hundred and ninety-six, that the holding shall be let or treated as a market garden—

Effect of agreement to let or treat an agricultural holding as a market garden.

- (a) the provisions of this Act shall apply as if improvements of a kind specified in the Fifth Schedule to this Act begun before the first day of March, nineteen hundred and forty-eight, were included amongst the improvements specified in Part III of the Second Schedule to this Act and as if improvements of such a kind begun on or after that day were included amongst the improvements specified in Part I of the Fourth Schedule to this Act ;
- (b) section thirteen of this Act shall extend to every fixture or building affixed or erected by the tenant to or upon the holding or acquired by him since the thirty-first December, nineteen hundred, for the purposes of his trade or business as a market gardener ;
- (c) it shall be lawful for the tenant to remove all fruit trees and fruit bushes planted by him on the holding and not permanently set out, but if the tenant does not remove them before the termination of his tenancy they shall remain the property of the landlord and the tenant shall not be entitled to any compensation in respect thereof ; and
- (d) the right of an incoming tenant to claim compensation in respect of the whole or part of an improvement which he has purchased may be exercised although his landlord has not consented in writing to the purchase.

(2) Where under a contract of tenancy current on the first day of January, eighteen hundred and ninety-six, an agricultural holding was at that date in use or cultivation as a market garden with the knowledge of the landlord, and the tenant thereof had then executed thereon, without having received previously to the execution thereof a written notice of dissent by the landlord, an improvement of a kind specified in the Fifth Schedule to this Act (other than one consisting of such an alteration of a building as did not constitute an enlargement thereof), the provisions of this section shall apply in respect of the holding as if it had been agreed in writing after that date that the holding should be let or treated as a market garden, so however that the improvements in respect of which compensation is payable under those provisions as so applied shall include improvements executed before as well as improvements executed after that date.

(3) Where the land to which such agreement relates, or so used and cultivated, consists of part of an agricultural holding only, this section shall apply as if that part were a separate holding.

(4) Nothing in this section shall confer a right to compensation for the alteration of a building (not being an alteration constituting an enlargement) where the alteration was begun before the first day of March, nineteen hundred and forty-eight.

Power of the Minister in default of agreement to treat an agricultural holding as a market garden.

68.—(1) Subject to the provisions of this section, where the tenant of an agricultural holding desires to make on the holding or any part thereof an improvement specified in the Fifth Schedule to this Act and the landlord refuses, or fails within a reasonable time, to agree in writing that the holding or that part thereof, as the case may be, shall be treated as a market garden, the Minister may, on the application of the tenant and after affording to the landlord and to the tenant an opportunity to make representations to the Minister, whether in writing or on being heard by a person appointed by the Minister, and after being satisfied that the holding or part is suitable for the purposes of market gardening, direct that the last foregoing section shall, either in respect of all the improvements specified in the said Fifth Schedule or in respect of some only of those improvements, apply to the holding or to that part thereof, and the said section shall apply accordingly as respects any improvements executed after the date on which the direction is given.

(2) Where a direction is given under the foregoing subsection, then, if the tenancy is terminated by notice to quit given by the tenant or by reason of the tenant becoming bankrupt or compounding with his creditors, the tenant shall not be entitled to compensation in respect of improvements specified in the direction unless the tenant not later than one month after the date on which the notice to quit is given or the date of the bankruptcy or composition, as the case may be, or such later date as may be agreed, produces to the landlord an offer in writing by a substantial and otherwise suitable person (being an offer which is to hold good for a period of three months from the date on which it is produced), to accept a tenancy of the holding from the termination of the existing tenancy thereof, and on the terms and conditions of that tenancy so far as applicable, and, subject as hereinafter provided, to pay to the outgoing tenant all compensation payable under this Act or under the contract of tenancy, and the landlord fails to accept the offer within three months after the production thereof.

(3) If the landlord accepts any such offer as aforesaid, the incoming tenant shall pay to the landlord on demand all sums payable to him by the outgoing tenant on the termination of the tenancy in respect of rent or breach of contract or otherwise in respect of the holding, and any amount so paid may, subject to any agreement between the outgoing tenant and incoming

tenant, be deducted by the incoming tenant from any compensation payable by him to the outgoing tenant.

(4) A direction under subsection (1) of this section may be given subject to such conditions (if any) for the protection of the landlord as the Minister thinks fit to attach to the direction and, without prejudice to the generality of this subsection, where the direction relates to part only of an agricultural holding, it may, on the application of the landlord, be given subject to the condition that it shall become operative only in the event of the tenant's consenting to the division of the holding into two parts, of which one shall be that to which the direction relates, to be held at rents settled, in default of agreement, by arbitration under this Act, but otherwise on the same terms and conditions (so far as applicable) as those on which the holding is held.

(5) A new tenancy created by the acceptance of a tenant in accordance with the provisions of this section on the terms and conditions of the existing tenancy shall be deemed for the purposes of section eight of this Act not to be a new tenancy.

69.—(1) Where an agreement in writing secures to the tenant of an agricultural holding, for an improvement for which compensation is payable by virtue of either of the two last foregoing sections, fair and reasonable compensation having regard to the circumstances existing when the agreement was made, the compensation so secured shall, as respects that improvement, be substituted for compensation under this Act.

Agreements  
as to  
compensation  
relating to  
market  
gardens.

(2) The landlord and tenant of an agricultural holding who have agreed that the holding shall be let or treated as a market garden may by agreement in writing substitute, for the provisions as to compensation which would otherwise be applicable to the holding, the provisions as to compensation known as the "Evesham custom", and set out in subsections (2) and (3) of the last foregoing section.

#### *Settlement of Claims between Landlord and Tenant on Termination of Tenancy.*

70.—(1) Without prejudice to any other provision of this Act, any claim of whatever nature by the tenant or landlord of an agricultural holding against his landlord or tenant, being a claim which arises—

Settlement  
of claims  
between  
landlord  
and tenant  
on termination  
of tenancy.

(a) under this Act or any custom or agreement; and

(b) on or out of the termination of the tenancy of the holding or part thereof,

shall, subject to the provisions of this section, be determined by arbitration under this Act.

(2) No such claim as aforesaid shall be enforceable unless before the expiration of two months from the termination of the tenancy

the claimant has served notice in writing on his landlord or tenant, as the case may be, of his intention to make the claim.

A notice under this subsection shall specify the nature of the claim, and it shall be a sufficient specification thereof if the notice refers to the statutory provision, custom or term of an agreement under which the claim is made.

(3) The landlord and tenant may, within the period of four months from the termination of the tenancy, by agreement in writing settle any such claim as aforesaid, and the Minister may, upon the application of the landlord or tenant made within that period extend that period by two months and, on a second such application made during those two months, by a further two months.

(4) Where, by the expiration of the said period and any extension thereof made under the last foregoing subsection, any such claim as aforesaid has not been settled, it shall cease to be enforceable unless, before the expiration of one month from the end of the said period and any such extension, or within such longer time as the Minister may in special circumstances allow, an arbitrator has been appointed by agreement between the landlord and the tenant under the subsequent provisions of this Act in that behalf or an application for the appointment of an arbitrator under those provisions has been made by the landlord or the tenant.

(5) Where a tenant lawfully remains in occupation of part of an agricultural holding after the termination of a tenancy, references in subsections (2) and (3) of this section to the termination thereof shall, in the case of a claim relating to that part of the holding, be construed as references to the termination of the occupation.

(6) This section shall not apply to a claim arising on or out of the termination of a tenancy before the first day of March, nineteen hundred and forty-eight.

*Recovery of Sums due under this Act.*

Recovery of compensation, &c., by order of county court.

71. Subject to the provisions of this Act, where a sum agreed or awarded under this Act to be paid for compensation, costs or otherwise by a landlord or tenant of an agricultural holding is not paid within fourteen days after the time when the payment becomes due, it shall be recoverable upon order made by the county court as money ordered by a county court under its ordinary jurisdiction to be paid is recoverable.

Power of tenant to obtain charge on holding for compensation.

72. Where a sum becomes due to a tenant of an agricultural holding in respect of compensation from the landlord, and the landlord fails to discharge his liability therefor within the period of one month from the date on which the sum becomes due, the tenant shall be entitled to obtain from the Minister an order charging the holding with payment of the amount due.

**73.** Where the landlord of an agricultural holding is entitled to receive the rents and profits thereof otherwise than for his own benefit (whether as trustee or in any other character)—

(a) he shall not be under any liability to pay any sum agreed or awarded under this Act to be paid to the tenant or awarded under this Act to be paid by the landlord, and it shall not be recoverable against him personally; but

(b) if he fails to pay any such sum to the tenant for one month after it becomes due, the tenant shall be entitled to obtain from the Minister an order charging the holding with payment of the sum.

Recovery of compensation, &c., due from trustee landlord.

**74.** A mortgagee of an agricultural holding shall not be under any liability to pay any sum ascertained to be due under section sixty-six of this Act to the occupier of the holding for compensation or costs connected therewith and it shall not be recoverable against him personally, but—

(a) it may be set off against any rent or other sum due from the occupier in respect of the holding; and

(b) if the said sum is not set off as aforesaid, the occupier shall be entitled to obtain from the Minister an order charging the holding with payment of the sum.

Recovery of compensation, &c., where contract of tenancy not binding on mortgagee.

#### *Supplementary Provisions.*

**75.—(1)** Any enactment in this Act providing, in relation to the taking of any action by the Minister, for his taking the action after affording a person an opportunity to make representations to the Minister, whether in writing or on being heard by a person appointed by the Minister, shall be construed as a provision that the Minister shall comply with the following requirements.

Representations to the Minister.

(2) The Minister shall give notice to the said person specifying the action proposed to be taken and informing him of the effect of the three following subsections.

(3) If within the prescribed time and in the prescribed manner the said person makes representations to the Minister in writing, the Minister shall not take the action in question until he has considered the representations.

(4) If, whether or not representations are made to the Minister in writing, the said person within the prescribed time and in the prescribed manner requires that an opportunity be afforded to him of being heard by a person appointed by the Minister for the purpose, such an opportunity shall be afforded to him and, on the same occasion, to any other person to whom under the enactment referred to in subsection (1) of this section the Minister is required to afford such an opportunity, and the Minister shall not take the action in question until he has considered any representations made at the hearing.

(5) No officer or servant of a County Agricultural Executive Committee, or any sub-committee or district committee thereof, shall be appointed under the last foregoing subsection to receive representations relating to land in the area of the Committee.

(6) If for the purposes of any such hearing the person to whom the opportunity is afforded so desires, the like opportunity shall be afforded to a person chosen by him to represent his views to the Minister.

References to  
Agricultural  
Land  
Tribunal.

76.—(1) In any case where by any of the provisions of this Act a person is empowered to require that a proposal of the Minister to take any action shall be referred to the Agricultural Land Tribunal, then, if within the prescribed time and in the prescribed manner the said person so requires, the proposal shall be referred accordingly.

(2) On any such reference the Tribunal shall determine—

(a) whether the conditions as to which the Minister must be satisfied before taking the action are fulfilled; and

(b) whether, having regard to their determination under the foregoing paragraph and to all the circumstances of the case, the Minister should or should not take the action proposed,

and shall report to the Minister accordingly, and the Minister shall forward a copy of the report to any person who availed himself of an opportunity to make representations to the Minister afforded to him under the provisions in question of this Act.

(3) In any such case as is mentioned in subsection (1) of this section, the Minister shall not give effect to the proposal until the expiration of the period within which a reference to the Tribunal may be required.

(4) Where such a reference is duly required, the Minister shall act in accordance with the report of the Tribunal and not otherwise.

(5) Forthwith after taking action in any such case as is mentioned in subsection (1) of this section, the Minister shall serve notice thereof in writing on any person who, under the provisions in question of this Act, was entitled to be afforded an opportunity to make representations to the Minister.

(6) Where any land lies partly in the area of one Agricultural Land Tribunal and partly in the area of another, the Minister may direct that for the purpose of any reference under this Act to such a Tribunal in relation to that land, the whole of the land shall be deemed to be comprised in the area of the Tribunal specified in the direction.



77.—(1) Any matter which by or by virtue of this Act or regulations made thereunder is required to be determined by arbitration under this Act shall, notwithstanding any agreement, under a contract of tenancy or otherwise, providing for a different method of arbitration, be determined by the arbitration of a single arbitrator in accordance with the provisions of the Sixth Schedule to this Act, and the Arbitration Acts, 1889 to 1934, shall not apply to any such arbitration. Arbitration under this Act.

(2) The Minister may by rules make such provision as he thinks desirable for expediting, or reducing the costs of, proceedings on arbitrations under this Act :

Provided that the Minister shall not make rules inconsistent with the provisions of the said Sixth Schedule.

(3) The power conferred by the last foregoing subsection on the Minister shall be exercisable by statutory instrument which shall be subject to annulment in pursuance of a resolution of either House of Parliament.

78.—(1) The Minister may, after consultation with such bodies of persons as appear to him to represent the interests of landlords and tenants of agricultural holdings, by order made by statutory instrument vary the provisions of the Third, Fourth and Fifth Schedules to this Act. Power of Minister to vary Third, Fourth and Fifth Schedules to this Act.

(2) An order under this section may make such provision as to the operation of this Act in relation to tenancies current when the order takes effect as appears to the Minister to be just having regard to the variation of the said Schedules effected by the order.

(3) An order under this section shall be of no effect unless approved by resolution of each House of Parliament.

79.—(1) The Minister shall appoint a committee to advise him as to the provisions to be included in regulations under section fifty-one of this Act, consisting of such number of persons, having such qualifications, as the Minister thinks expedient, including persons appointed by the Minister as having experience in land agency, farming, estate management and the valuation of tenant right. Advisory committee on valuation of improvements and other matters specified in Fourth Schedule to this Act.

(2) The Minister may pay to the members of the committee such travelling and other allowances as he may with the consent of the Treasury determine.

80. The landlord of an agricultural holding, whatever may be his estate or interest therein, may, for the purposes of this Act, give any consent, make any agreement or do or have done to him any other act which he might give, make, do or have done to him if he were owner in fee simple or, if his interest is an interest in a leasehold, were absolutely entitled to that leasehold. Power of limited owners to give consents, &c., for purposes of this Act.

Power of limited owners to apply capital moneys for improvements.  
15 & 16 Geo. 5. c. 18.

81.—(1) Where under powers conferred by the Settled Land Act, 1925, or the Law of Property Act, 1925, capital money is applied in or about the execution of any improvement specified in the Third Schedule to this Act no provision shall be made for requiring the money or any part thereof to be replaced out of income, and accordingly any such improvement shall be deemed to be an improvement authorised by Part I of the Third Schedule to the Settled Land Act, 1925.

15 & 16 Geo. 5. c. 24.

(2) Where under powers conferred by the Universities and College Estates Act, 1925, capital money is applied in payment for any improvement specified in the Third Schedule to this Act no provision shall be made for replacing the money out of income unless the Minister requires such provision to be made under subsection (5) of section twenty-six of that Act.

Power of landlord to obtain charge on holding for repayment of compensation, &c., paid by him.

82.—(1) Subject to the provisions of this Act, where the landlord of an agricultural holding—

(a) has paid to the tenant of the holding an amount due to him under this Act, or under custom or agreement, or otherwise, in respect of compensation for an old or new improvement, for any such matter as is specified in Part II of the Fourth Schedule to this Act or for disturbance ; or

(b) has defrayed the cost of the execution by him, in pursuance of the right conferred on him by section three of the Agricultural Holdings Act, 1923, of an old improvement consisting of that specified in Part II of the Second Schedule to this Act, or, in pursuance of a notice served under subsection (3) of section fifty of this Act, of a new improvement specified in Part II of the Third Schedule to this Act ;

he shall be entitled to obtain from the Minister an order charging the holding or any part thereof with repayment of the amount of the compensation or the amount of the cost, as the case may be ; and where there falls to be determined by arbitration under this Act the amount of compensation for an old or new improvement or for any such matter as is specified in Part II of the Fourth Schedule to this Act payment whereof entitles the landlord to obtain a charge under this subsection, the arbitrator shall, at the request and cost of the landlord certify the amount of the compensation and the term for which the charge may properly be made, having regard to the time at which each improvement or matter in respect of which compensation is awarded is to be deemed to be exhausted.

(2) Subject to the provisions of this Act, where the landlord of an agricultural holding is entitled to receive the rents and profits thereof otherwise than for his own benefit (whether as

trustee or in any other character) he shall, either before or after paying to the tenant of the holding any sum agreed or awarded under this Act to be paid to the tenant for compensation or awarded under this Act to be paid by the landlord, be entitled to obtain from the Minister an order charging the holding with repayment of that sum.

83.—(1) An order of the Minister under this Act charging an agricultural holding or any part of an agricultural holding with payment or repayment of a sum shall charge it, in addition, with payment of all costs properly incurred in obtaining the charge. General provisions as to charges under this Act on holdings.

(2) Any such order shall be made in favour of the person obtaining the charge and of his executors, administrators and assigns, and the order shall make such provision as to the payment of interest and the payment of the sum charged by instalments, and shall contain such directions for giving effect to the charge, as the Minister thinks fit.

(3) In the case of a charge under subsection (1) of the last foregoing section—

(a) where the landlord is not absolute owner of the holding for his own benefit, no instalment or interest shall be made payable after the time when the improvement in respect whereof compensation is paid will, in the opinion of the Minister, have become exhausted; and

(b) the sum charged shall be a charge on the holding or the part thereof charged, as the case may be, for the landlord's interest therein and for all interests therein subsequent to that of the landlord, but so that in any case where the landlord's interest is an interest in a leasehold, the charge shall not extend beyond the interest of the landlord, his executors, administrators and assigns.

(4) Where the estate or interest in an agricultural holding of the landlord thereof is determinable or liable to forfeiture by reason of his creating or suffering any charge thereon, that estate or interest shall not be determined or forfeited by reason that the tenant obtains a charge on the holding under section seventy-two of this Act or that the landlord obtains a charge on the holding under subsection (1) of the last foregoing section, anything in any deed, will or other instrument to the contrary notwithstanding.

(5) A charge created under section seventy-two, seventy-three or seventy-four of this Act shall rank in priority to any other charge, however and whenever created or arising; and charges created under those sections shall, as between themselves, rank in the order of their creation.

This subsection shall bind the Crown.

(6) Any company now or hereafter incorporated by Parliament, and having power to advance money for the improvement of land, may take an assignment of any charge created under section seventy-two of this Act or subsection (1) of the last foregoing section, upon such terms and conditions as may be agreed upon between the company and the person entitled to the charge, and may assign any charge of which they have taken an assignment under this subsection.

Power of county court to appoint, for purposes of this Act, guardian of landlord or tenant of unsound mind.

84. Where the landlord or tenant of an agricultural holding is of unsound mind, not so found by inquisition, the county court on the application of any person interested may appoint, for the purposes of this Act, a person to act as his guardian, and may revoke the appointment and appoint another such person if and as occasion requires.

Women married before 1883. 45 & 46 Vict. c. 75.

85. Where a woman married before the commencement of the Married Women's Property Act, 1882, has any title to land her title to which accrued before the commencement of that Act, then—

- (a) if she is entitled to the land for her separate use and is not restrained from anticipation, she shall, for the purposes of this Act, be treated in respect of that land as if she were a feme sole ; and
- (b) in any other case her husband's concurrence shall be requisite, and she shall, for the purposes of this Act (subject, however, to the provisions of subsection (2) of section one hundred and sixty-seven of the Law of Property Act, 1925), be examined apart from him by the county court, or by the judge of the county court for the place where she is, touching her knowledge of the nature and effect of the intended act and it shall be ascertained that she is acting freely and voluntarily.

Estimation of best rent for purposes of Acts and other instruments.

86. In estimating the best rent or reservation in the nature of rent of an agricultural holding for the purposes of any Act of Parliament, deed or other instrument, authorising a lease to be made, provided that the best rent, or reservation in the nature of rent, is reserved, it shall not be necessary to take into account against the tenant any increase in the value of the holding arising from any improvements made or paid for by him.

*Provisions as to Crown Land, ecclesiastical Land  
and Land held for charitable Purposes.*

Crown land.

87.—(1) This Act shall apply to land belonging to His Majesty in right of the Crown or the Duchy of Lancaster and to land belonging to the Duchy of Cornwall, subject in either case to

such modifications as may be prescribed, and for the purposes of this Act—

- (a) as respects land belonging to His Majesty in right of the Crown, the Commissioners of Crown Lands or other the proper officer or body having charge of the land for the time being, or, if there is no such officer or body, such person as His Majesty may appoint in writing under the Royal Sign Manual, shall represent His Majesty and shall be deemed to be the landlord.
- (b) as respects land belonging to His Majesty in right of the Duchy of Lancaster, the Chancellor of the Duchy shall represent His Majesty and shall be deemed to be the landlord ;
- (c) as respects land belonging to the Duchy of Cornwall, such person as the Duke of Cornwall or other the possessor for the time being of the Duchy of Cornwall appoints shall represent the Duke of Cornwall or other the possessor aforesaid, and shall be deemed to be the landlord and may do any act or thing under this Act which a landlord is authorised or required to do thereunder.

(2) Without prejudice to the provisions of the foregoing subsection it is hereby declared that the provisions of this Act apply to land notwithstanding that the interest of the landlord or tenant thereof is held on behalf of His Majesty for the purposes of any Government department ; but in the application thereof to any land an interest in which is held as aforesaid the said provisions shall have effect subject to such modifications as may be prescribed.

(3) Section fifteen of the Crown Lands Act, 1927 (which enables <sup>17 & 18 Geo. 5-</sup> the Commissioners of Crown Lands to pay out of capital the cost <sup>c. 23.</sup> of carrying out any works mentioned in the Third Schedule to the Settled Land Act, 1925, or of any works for any of the purposes mentioned in that Schedule) shall apply to compensation payable under this Act for new improvements specified in the Third Schedule thereto or for improvements specified in paragraphs 1, 2 and 5 of the Fifth Schedule thereto begun on or after the first day of March, nineteen hundred and forty-eight, as it applies to the cost specified in the said section fifteen, and any compensation payable under this Act by the said Commissioners for old improvements specified in Part III of the Second Schedule to this Act, for new improvements specified in Part I of the Fourth Schedule to this Act or for any such matters as are specified in Part II of that Schedule shall be paid as part of the expenses of the management of the land revenues of the Crown.

(4) The amount of any compensation payable under this Act by the Chancellor of the Duchy of Lancaster for old improvements specified in Part I or II of the Second Schedule to this Act, for

new improvements specified in the Third Schedule thereto or for improvements specified in the Fifth Schedule thereto shall be raised and paid as an expense incurred in improvement of land belonging to His Majesty in right of the Duchy within section twenty-five of the Act of the fifty-seventh year of King George the Third, Chapter ninety-seven, and any compensation so payable for old improvements specified in Part III of the Second Schedule to this Act, for new improvements specified in Part I of the Fourth Schedule to this Act or for any such matters as are specified in Part II of that Schedule shall be paid out of the annual revenues of the Duchy.

(5) Any compensation payable under this Act by the Duke of Cornwall or other the possessor for the time being of the Duchy of Cornwall for old improvements specified in Part I or II of the Second Schedule to this Act, for new improvements specified in the Third Schedule thereto or for improvements specified in the Fifth Schedule thereto shall be paid, and advances therefor made, in the manner and subject to the provisions of section eight of the Duchy of Cornwall Management Act, 1863, with respect to improvements of land mentioned in that section.

26 & 27 Vict.  
c. 49.

Ecclesiastical  
land.

88.—(1) Where lands are assigned or secured as the endowment of a see, the rights conferred by this Act on a landlord to obtain an order charging land shall not be exercised in respect of those lands by the bishop except with the previous approval in writing of the Estates and Finance Committee constituted by subsection (1) of section six of the Church Commissioners Measure, 1947.

10 & 11 Geo. 6.  
No. 2.

(2) Where the landlord of an agricultural holding is incumbent of an ecclesiastical benefice, the said rights shall not be exercised by him in respect of land belonging to the benefice except with the previous approval in writing of the Church Commissioners or the patron of the benefice, that is to say, the person or authority who, if the benefice were vacant, would be entitled to present thereto.

(3) The Church Commissioners may, if they think fit, out of any money in their hands, pay on behalf of the incumbent of an ecclesiastical benefice to the tenant of an agricultural holding the amount of compensation due to him for an old or new improvement or for any such matter as is specified in Part II of the Fourth Schedule to this Act, and thereupon they may, instead of the incumbent, obtain from the Minister a charge on the holding in respect thereof in favour of themselves, and every such charge shall be effectual notwithstanding any change in the incumbency.

Land held for  
charitable  
purposes.

89. The rights conferred by this Act on a landlord of an agricultural holding to obtain an order charging land shall not be exercised by trustees for ecclesiastical or charitable purposes except with the approval in writing of the Charity Commissioners or the Minister of Education, as the case may require.

*General.*

**90.—(1)** All expenses incurred under this Act by the Minister shall be defrayed out of moneys provided by Parliament. Expenses  
and receipts.

(2) All sums received under this Act by the Minister, including sums received on his behalf by any body of persons exercising functions on his behalf, shall be paid into the Exchequer.

**91.—(1)** Any person authorised by the Minister in that behalf shall have power at all reasonable times to enter on and inspect any land for the purpose of determining whether, and if so in what manner, any of the powers conferred by this Act are to be exercised in relation to the land, or whether, and if so in what manner, any direction given under any such power has been complied with. Entry and  
inspection.

(2) Any person authorised by the Minister who proposes to exercise any power of entry or inspection conferred by this Act shall if so required produce some duly authenticated document showing his authority to exercise the power.

(3) Admission to any land used for residential purposes shall not be demanded as of right in the exercise of any such power as aforesaid unless twenty-four hours' notice of the intended entry has been given to the occupier of the land.

(4) Save as provided by the last foregoing subsection, admission to any land shall not be demanded as of right in the exercise of any such power as aforesaid unless notice has been given to the occupier of the land that it is proposed to enter during a period, specified in the notice, not exceeding fourteen days and beginning at least twenty-four hours after the giving of the notice, and the entry is made on the land during the period specified in the notice.

(5) Any person who obstructs any person authorised by the Minister exercising any such power as aforesaid shall be guilty of an offence and liable on summary conviction to a fine not exceeding five pounds in the case of a first offence or twenty pounds in the case of a second or any subsequent offence.

**92.—(1)** Any notice, request, demand or other instrument under this Act shall be duly given to or served on the person to or on whom it is to be given or served if it is delivered to him, or left at his proper address, or sent to him by post in a registered letter. Service of  
notices.

(2) Any such instrument as aforesaid shall be duly given to or served on an incorporated company or body if it is given or served on the secretary or clerk of the company or body.

(3) Any such instrument as aforesaid to be given to or served on a landlord or tenant shall, where an agent or servant is responsible for the control of the management or farming, as the case may be, of the agricultural holding, be duly given or served if given to or served on that agent or servant.

52 & 53 Vict.  
c. 63.

(4) For the purposes of this section and of section twenty-six of the Interpretation Act, 1889, the proper address of any person to or on whom any such instrument as aforesaid is to be given or served shall, in the case of the secretary or clerk of an incorporated company or body, be that of the registered or principal office of the company or body, and in any other case be the last known address of the person in question.

(5) Unless or until the tenant of an agricultural holding has received notice that the person theretofore entitled to receive the rents and profits of the holding (hereinafter referred to as "the original landlord") has ceased to be so entitled, and also notice of the name and address of the person who has become entitled to receive the rents and profits, any notice or other document served upon or delivered to the original landlord by the tenant shall be deemed for the purposes of this Act to have been served upon or delivered to the landlord of the holding.

Revocation  
and variation  
of orders.

93. Any power to make an order conferred by this Act on the Minister (except the powers conferred by sections seventy-three, seventy-four and eighty-two of this Act) shall include a power exercisable in the like manner and subject to the like conditions, to revoke or vary the order.

Interpretation.

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

"agreement" includes an agreement arrived at by means of valuation or otherwise, and "agreed" has a corresponding meaning;

"agricultural holding" has the meaning assigned to it by section one of this Act;

"Agricultural Land Tribunal" means such a Tribunal established under Part V of the Agriculture Act, 1947;

"agricultural unit" means land which is an agricultural unit for the purposes of the Agriculture Act, 1947;

"agriculture" includes horticulture, fruit growing, seed growing, dairy farming and livestock breeding and keeping, the use of land as grazing land, meadow land, osier land, market gardens and nursery grounds, and the use of land for woodlands where that use is ancillary to the farming of land for other agricultural purposes, and "agricultural" shall be construed accordingly;

"building" includes any part of a building;

"contract of tenancy" means a letting of land, or agreement for letting land, for a term of years or from year to year, and for the purposes of this definition a letting of land, or an agreement for letting land, which, by virtue of subsection (6) of section one hundred and forty-nine of



the Law of Property Act, 1925, takes effect as such a letting of land or agreement for letting land as is mentioned in that subsection shall be deemed to be a letting of land, or, as the case may be, an agreement for letting land, for a term of years ;

“ county court ”, in relation to an agricultural holding, means the county court within the district whereof the holding or the larger part thereof is situate ;

“ Defence Regulations ” means Regulations made under the Emergency Powers (Defence) Acts, 1939 and 1940 ;

“ fixed equipment ” includes any building or structure affixed to land and any works on, in, over or under land, and also includes anything grown on land for a purpose other than use after severance from the land, consumption of the thing grown or of produce thereof, or amenity, and any reference to fixed equipment on land shall be construed accordingly ;

“ former enactment relating to agricultural holdings ” means Part III of the Agriculture Act, 1947, the Agricultural Holdings Act, 1923, and any enactment repealed by the last-mentioned Act ;

“ landlord ” means any person for the time being entitled to receive the rents and profits of any land ;

“ livestock ” includes any creature kept for the production of food, wool, skins or fur or for the purpose of its use in the farming of land or the carrying on in relation to land of any agricultural activity ;

“ the Minister ” means the Minister of Agriculture and Fisheries ;

“ new improvement ” has the meaning assigned to it by subsection (2) of section forty-six of this Act ;

“ old improvement ” has the meaning assigned to it by subsection (2) of section thirty-five of this Act ;

“ pasture ” includes meadow ;

“ prescribed ” means prescribed by the Minister by regulations made by statutory instrument which shall be subject to annulment in pursuance of a resolution of either House of Parliament ;

“ tenant ” means the holder of land under a contract of tenancy, and includes the executors, administrators, assigns, committee of the estate, or trustee in bankruptcy of a tenant, or other person deriving title from a tenant ;

“ termination ”, in relation to a tenancy, means the cesser of the contract of tenancy by reason of effluxion of time or from any other cause.

(2) Sections ten and eleven of the Agriculture Act, 1947 (which specify the circumstances in which an owner of agricultural land is deemed for the purposes of that Act to fulfil his responsibilities to manage the land in accordance with the rules of good estate management and an occupier of such land is deemed for those purposes to fulfil his responsibilities to farm it in accordance with the rules of good husbandry), shall apply for the purposes of this Act as they apply for the purposes of that Act.

(3) References in this Act to the farming of land include references to the carrying on in relation to the land of any agricultural activity.

(4) References in this Act to the use of land for agriculture include, in relation to land forming part of an agricultural unit, references to any use of the land in connection with the farming of the unit.

(5) The designations of landlord and tenant shall continue to apply to the parties until the conclusion of any proceedings taken under or in pursuance of this Act in respect of compensation.

Amendments  
of other Acts.

**95.** The enactments specified in the Seventh Schedule to this Act shall have effect subject to the amendments specified in that Schedule.

Construction  
of references  
in other Acts  
to First  
Schedule to  
and holdings  
as defined  
by, the  
Agricultural  
Holdings  
Act, 1923.

**96.—(1)** References in any enactment, other than an enactment contained in the Agricultural Holdings Act, 1923, or the Agriculture Act, 1947, to the First Schedule to the said Act of 1923, shall be construed as follows, that is to say—

- (a) references to Part I, II or III thereof shall be construed respectively as references to the Third Schedule to this Act, to Part II of that Schedule and to the Fourth Schedule to this Act ;
- (b) subject as aforesaid, references to the said First Schedule shall be construed as references to the Third and Fourth Schedules to this Act ;

and references in any enactment, other than as aforesaid, to improvements specified in Part III of the said First Schedule shall be construed as including references to any matters specified in Part II of the Fourth Schedule to this Act.

(2) References, in whatever terms, in any enactment, other than an enactment contained in this Act, the Agricultural Holdings Act, 1923, or Part III of the Agriculture Act, 1947, to a holding within the meaning of the Agricultural Holdings Act, 1923, shall be construed as references to an agricultural holding as defined by section one of this Act.

(3) The two foregoing subsections shall not apply to an enactment in so far as its operation is material for the purposes

of the provisions of the said Act of 1923 or the said Act of 1947 to the extent to which they are excepted from the repeal of enactments effected by this Act.

97. The compensation in respect of an improvement made before the first day of January, nineteen hundred and nine (being the date of the commencement of the Agricultural Holdings Act, 1908), or made upon an agricultural holding held under a contract of tenancy, other than a tenancy from year to year, current on the first day of January, eighteen hundred and eighty-four, shall be such (if any) as could have been claimed if the Agricultural Holdings Act, 1923 and this Act had not passed, but the procedure for the ascertainment and recovery thereof shall be such as is provided by this Act, and the amount so ascertained shall be payable, recoverable and chargeable as if it were compensation under this Act. Improvements executed before 1909.

98. Subject to the provisions of the next following section, the enactments mentioned in the first and second columns of the Eighth Schedule to this Act are hereby repealed to the extent specified in the third column of that Schedule. Repeal.

99. In a case where the tenant of an agricultural holding has quitted the holding before the commencement of this Act, or quits it after the commencement of this Act in consequence of a notice to quit given (whether by him or his landlord) before the first day of March, nineteen hundred and forty-eight, or in consequence of a surrender of the tenancy in pursuance of an agreement in writing made before that day, and in a case where the occupier of an agricultural holding has been deprived of possession thereof before the commencement of this Act by a mortgagee, the provisions of this Act, so far as relating to the rights of landlords, tenants and occupiers to compensation (including the provisions relating to the determination of compensation where a holding is divided, the apportionment of compensation in such a case and the payment of costs caused by such an apportionment), the payment and recovery of compensation (including the raising of money for the payment of compensation), and the charging of land for the purposes of securing payment or repayment of compensation, shall not apply, and in lieu thereof the enactments specified in the Eighth Schedule to this Act, so far as relating to the matters aforesaid, shall continue to apply and shall accordingly be excepted from the operation of the last foregoing section. Provisions as to tenants quitting before commencement of this Act, or thereafter in consequence of notice given, &c., before 1st March, 1948.

100.—(1) Nothing in this Act shall affect any order, rule, regulation, record, appointment, application or complaint made, approval, consent or direction given, proceeding or assignment taken, notice served or given, certificate issued, condition imposed or thing done under a former enactment relating to agricultural holdings or the proviso to subsection (2) of section General savings.

16 & 17 Geo. 5.  
c. 11.

one hundred and forty of the Law of Property Act, 1925, as amended by section two of the Law of Property (Amendment) Act, 1926, but any such order, rule, regulation, record, appointment, application, complaint, approval, consent, direction, proceeding, assignment, notice, certificate, condition or thing which is in force at the commencement of this Act, shall continue in force, and so far as it could have been made, given, taken, served, issued, imposed or done under the corresponding provision of this Act shall (save where it is material only for the purposes of the enactments specified in the Eighth Schedule to this Act so far as continued in force by virtue of the last foregoing section) have effect as if it had been made, given, taken, served, issued, imposed or done under that corresponding provision :

Provided that this subsection shall not apply to any such regulations, directions or charges as are mentioned in the three next following subsections.

(2) Nothing in this Act shall affect any regulations having effect for the purposes of section twenty-five, thirty-two, seventy-four or one hundred and four of the Agriculture Act, 1947, which are in force at the commencement of this Act, but any such regulations shall continue to have effect for those purposes and shall also have effect for the purposes of section fifty-one, thirty, seventy-six or seventy-five of this Act, as the case may be, as if they had been made by virtue of those sections respectively.

(3) Nothing in this Act shall affect any direction given under subsection (1) of section forty-nine of the Agricultural Holdings Act, 1923, or the corresponding provision of an enactment repealed by that Act, by an agricultural committee as defined by that Act as originally enacted, but any such direction which is in force at the commencement of this Act shall continue in force and shall (save where it is material only for the purposes of the enactments specified in the Eighth Schedule to this Act so far as continued in force by virtue of the last foregoing section) have effect as if it were a direction of the Minister under subsection (1) of section sixty-eight of this Act.

(4) Subsection (4) of section eighty-three of this Act shall apply in relation to a charge obtained under subsection (3) of section twenty of the Agricultural Holdings Act, 1923, or subsection (1) of section forty-one of the Agriculture Act, 1947, as it applies to a charge obtained under section seventy-two or subsection (1) of section eighty-two of this Act, and for the purposes of subsections (5) and (6) of the said section eighty-three a charge created by virtue of section fifteen of the Agricultural Holdings Act, 1923, or the corresponding provision of an enactment repealed by that Act shall be deemed to have been created under section seventy-four of this Act, and a charge created under section twenty or by virtue of paragraph (iii) of section forty-one of the Agricultural Holdings Act, 1923, or the corresponding provision

of an enactment repealed by that Act or under subsection (1) of section forty-one of the Agriculture Act, 1947, shall be deemed to have been created under subsection (1) of section eighty-three, section seventy-three or section seventy-two of this Act, as the case may be.

(5) Any order made under section eighty-three of the County Courts Act, 1934, by virtue of section eighteen of the Arbitration Act, 1934, which is in force at the commencement of this Act shall have effect as if it were an order under paragraph 11 of the Sixth Schedule to this Act.

(6) Any notice deemed to have been given by the Minister under the Fifth Schedule to the Agriculture Act, 1947, shall be deemed to have been given under subsection (2) of section twenty-seven of this Act.

(7) Any provision of the Agricultural Holdings Act, 1923, or Part III of the Agriculture Act, 1947, or of any other enactment which (whatever its terms) has the effect of requiring a matter to be determined by arbitration under the said Act of 1923, shall be construed as having the effect of requiring that matter to be determined by arbitration under this Act, and an arbitration under the said Act of 1923 uncompleted at the commencement of this Act may be carried on and completed as if it had been begun under this Act :

Provided that, in the application of the Sixth Schedule to this Act to an arbitration for the purposes of the enactments specified in the Eighth Schedule to this Act so far as continued in force by virtue of the last foregoing section, paragraph 17 of the said Sixth Schedule shall have effect with the substitution, for references to this Act, of references to those enactments.

(8) Notwithstanding subsection (1) of section thirty-eight of the Interpretation Act, 1889 (which relates to the effect of repeals) any reference which is or is to be construed as a reference to a former enactment relating to agricultural holdings or an enactment repealed by the Agricultural Holdings Act, 1908 <sup>8 Edw. 7. c. 28.</sup> (other than a reference in such an enactment or this Act or such a reference as is mentioned in subsection (1) or (2) of section ninety-six of this Act or adapted by the last foregoing subsection) shall, so far as the operation of the enactment in which the reference occurs is material for the purposes of the enactments specified in the Eighth Schedule to this Act so far as continued in force by virtue of the last foregoing section, be construed in like manner as if this Act had not passed, and otherwise shall (save where the context otherwise requires) be construed as a reference to the corresponding provision of this Act.

(9) Any document referring to a former enactment relating to agricultural holdings or an enactment repealed by the Agricultural Holdings Act, 1908, shall, so far as it or its operation is material

for the purposes of the enactments specified in the Eighth Schedule to this Act so far as continued in force by virtue of the last foregoing section, be construed in like manner as if this Act had not passed, and otherwise shall be construed as referring to the corresponding provision of this Act.

(10) Nothing in this Act shall affect the provisions of the Allotments Act, 1922, or be construed as repealing—

- (a) section twenty-six of the Agriculture (Miscellaneous War Provisions) Act, 1940 (which excludes the operation of the Agricultural Holdings Act, 1923, in relation to certain tenancies granted during the war period);
- (b) section fifteen of the Agriculture (Miscellaneous Provisions) Act, 1943 (which relieves occupiers of agricultural land from liabilities and loss of compensation resulting from directions given under Defence Regulations); or
- (c) any enactment contained in Part II or V of the Agriculture Act, 1947.

(11) Any person holding office or acting or serving under or by virtue of a former enactment relating to agricultural holdings shall continue to hold his office or to act or serve as if he had been appointed by or by virtue of the corresponding provision of this Act.

(12) Notwithstanding subsection (2) of section thirty-eight of the Interpretation Act, 1889, rights to compensation conferred by this Act shall be in lieu of rights to compensation conferred by any former enactment relating to agricultural holdings.

(13) Save to the extent to which it is otherwise provided by subsections (8) and (12) of this section, the mention of particular matters in this section shall not be taken to affect the general application of section thirty-eight of the Interpretation Act, 1889.

Saving for  
other rights,  
&c.

101. Subject to the provisions of subsection (2) of section eleven and subsection (1) of section seventy of this Act in particular, and to any other provision of this Act which otherwise expressly provides, nothing in this Act shall prejudicially affect any power, right or remedy of a landlord, tenant or other person vested in or exercisable by him by virtue of any other Act or law or under any custom of the country or otherwise, in respect of a contract of tenancy or other contract, or of any improvements, deteriorations, waste, emblements, tillages, away-going crops, fixtures, tax, rate, tithe rentcharge, rent or other thing.

Short title  
and extent.

102.—(1) This Act may be cited as the Agricultural Holdings Act, 1948.

(2) This Act shall not extend to Scotland or to Northern Ireland.

**SCHEDULES.**  

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**FIRST SCHEDULE.**  

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Section 5.

**MATTERS FOR WHICH PROVISION IS TO BE MADE IN WRITTEN  
TENANCY AGREEMENTS.**

1. The names of the parties.
  2. Particulars of the holding with sufficient description, by reference to a map or plan, of the fields and other parcels of land comprised therein to identify the extent of the holding.
  3. The term or terms for which the holding or different parts thereof is or are agreed to be let.
  4. The rent reserved and the dates on which it is payable.
  5. The incidence of the liability for land tax and rates (including drainage rates).
  6. In respect of all work of maintenance and repair of fixed equipment comprised in the holding, a covenant by one or other of the parties to carry out the work.
  7. A covenant by the landlord in the event of damage by fire to any building comprised in the holding to reinstate or replace the building if its reinstatement or replacement is required for the fulfilment of his responsibilities to manage the holding in accordance with the rules of good estate management, and (except where the interest of the landlord is held for the purposes of a Government department, or a person representing His Majesty or the Duke of Cornwall under subsection (1) of section eighty-seven of this Act is deemed to be the landlord, or where the landlord has made provision approved by the Minister for defraying the cost of any such reinstatement or replacement as aforesaid), a covenant by the landlord to insure all such buildings against damage by fire.
  8. A covenant by the tenant in the event of the destruction by fire of harvested crops grown on the holding for consumption thereon, to return to the holding the full equivalent manorial value of the crops destroyed, in so far as the return thereof is required for the fulfilment of his responsibilities to farm in accordance with the rules of good husbandry, and (except where the interest of the tenant is held for the purposes of a Government Department or where the tenant has made provision approved by the Minister in lieu of such insurance) a covenant by the tenant to insure all dead stock on the holding, and all such harvested crops as aforesaid, against damage by fire.
  9. A power for the landlord to re-enter on the holding in the event of the tenant not performing his obligations under the agreement.
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Sections 35, 38,  
39, 40, 41, 42,  
43, 63, 67, 82, 87.

## SECOND SCHEDULE.

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IMPROVEMENTS BEGUN BEFORE 1ST MARCH, 1948,  
FOR WHICH COMPENSATION IS PAYABLE.

### PART I.

IMPROVEMENTS FOR WHICH COMPENSATION IS PAYABLE IF CONSENT OF  
LANDLORD WAS OBTAINED TO THEIR EXECUTION.

1. Erection, alteration or enlargement of buildings.
2. Formation of silos.
3. Laying down of permanent pasture.
4. Making and planting of osier beds.
5. Making of water meadows or works or irrigation.
6. Making of gardens.
7. Making or improvement of roads or bridges.
8. Making or improvement of watercourses, ponds, wells or reservoirs or of works for the application of water power or for supply of water for agricultural or domestic purposes.
9. Making or removal of permanent fences.
10. Planting of hops.
11. Planting of orchards or fruit bushes.
12. Protecting young fruit trees.
13. Reclaiming of waste land.
14. Warping or weiring of land.
15. Embankments and sluices against floods.
16. Erection of wirework in hop gardens.
17. Provision of permanent sheep-dipping accommodation.
18. In the case of arable land, the removal of bracken, gorse, tree roots, boulders or other like obstructions to cultivation.

### PART II.

IMPROVEMENT FOR WHICH COMPENSATION IS PAYABLE IF NOTICE WAS  
GIVEN TO LANDLORD BEFORE EXECUTION THEREOF.

19. Drainage.

### PART III.

IMPROVEMENTS FOR WHICH COMPENSATION IS PAYABLE WITHOUT  
EITHER CONSENT OF OR NOTICE TO LANDLORD OF THEIR EXECUTION.

20. Chalking of land.
21. Clay-burning.
22. Claying of land or spreading blaes upon land.



23. Liming of land.

24. Marling of land.

25. Application to land of purchased artificial or other purchased manure.

26. Consumption on the holding by cattle, sheep or pigs, or by horses other than those regularly employed on the holding, of corn, cake or other feeding stuff not produced on the holding.

27. Consumption on the holding by cattle, sheep, or pigs, or by horses other than those regularly employed on the holding, of corn proved by satisfactory evidence to have been produced and consumed on the holding.

28. Laying down temporary pasture with clover, grass, lucerne, sain-foin, or other seeds, sown more than two years prior to the termination of the tenancy, in so far as the value of the temporary pasture on the holding at the time of quitting exceeds the value of the temporary pasture on the holding at the commencement of the tenancy for which the tenant did not pay compensation.

29. Repairs to buildings, being buildings necessary for the proper cultivation or working of the holding, other than repairs which the tenant is himself under an obligation to execute.

2ND SCH.  
—cont.

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### THIRD SCHEDULE.

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Sections 46, 48,  
49, 50, 53, 64,  
78, 81, 82, 87,  
96.

IMPROVEMENTS BEGUN ON OR AFTER 1ST MARCH, 1948, FOR WHICH COMPENSATION IS PAYABLE IF CONSENT OF LANDLORD OR APPROVAL OF THE MINISTER IS OBTAINED TO THEIR EXECUTION.

#### PART I.

IMPROVEMENTS TO WHICH CONSENT OF LANDLORD REQUIRED.

1. Making or planting of osier beds.
2. Making of water meadows or works of irrigation.
3. Making of watercress beds.
4. Planting of hops.
5. Planting of orchards or fruit bushes.
6. Warping or weiring of land.
7. Making of gardens.

#### PART II.

IMPROVEMENTS TO WHICH CONSENT OF LANDLORD OR APPROVAL OF THE MINISTER REQUIRED.

8. Erection, alteration or enlargement of buildings, and making or improvement of permanent yards.

3RD SCH.  
— cont.

9. Construction of silos.
10. Claying of land.
11. Marling of land.
12. Making or improvement of roads or bridges.
13. Making or improvement of water courses, culverts, ponds, wells or reservoirs, or of works for the application of water power for agricultural or domestic purposes or for the supply of water for such purposes.
14. Making or removal of permanent fences.
15. Reclaiming of waste land.
16. Making or improvement of embankments or sluices.
17. Erection of wirework for hop gardens.
18. Provision of permanent sheep-dipping accommodation.
19. Removal of bracken, gorse, tree roots, boulders or other like obstructions to cultivation.
20. Land drainage (other than mole drainage and works carried out to secure the efficient functioning thereof).
21. Provision or laying-on of electric light or power.
22. Provision of means of sewage disposal.
23. Repairs to fixed equipment, being equipment reasonably required for the proper farming of the holding, other than repairs which the tenant is under an obligation to carry out.
24. The growing of herbage crops for commercial seed production.

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#### FOURTH SCHEDULE.

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Sections 46, 47,  
51, 52, 53, 56,  
63, 64, 65, 67,  
78, 82, 87, 88, 96.

IMPROVEMENTS BEGUN ON OR AFTER 1ST MARCH, 1948, FOR WHICH COMPENSATION IS PAYABLE WITHOUT CONSENT OF LANDLORD TO THEIR EXECUTION, AND OTHER MATTERS FOR WHICH COMPENSATION IS PAYABLE.

#### PART I.

#### IMPROVEMENTS.

1. Mole drainage and works carried out to secure the efficient functioning thereof.
2. Protection of fruit trees against animals.
3. Chalking of land.
4. Clay burning.
5. Liming of land.
6. Application to land of purchased manure (including artificial manure).

7. Consumption on the holding of corn (whether produced on the holding or not) or of cake or other feeding stuff not produced on the holding, by—

4TH SCH.  
—cont.

- (a) horses, cattle, sheep or pigs,
- (b) poultry folded on the land as part of a system of farming practised on the holding.

## PART II.

### OTHER MATTERS.

8. Growing crops and severed or harvested crops and produce, being in either case crops or produce grown on the holding in the last year of the tenancy, but not including crops or produce which the tenant has a right to sell or remove from the holding.

9. Seeds sown and cultivations, fallows and acts of husbandry performed on the holding at the expense of the tenant.

10. Pasture laid down with clover, grass, lucerne, sainfoin or other seeds, being either—

- (a) pasture laid down at the expenses of the tenant otherwise than in compliance with an obligation imposed on him by an agreement in writing to lay it down to replace temporary pasture comprised in the holding when the tenant entered thereon which was not paid for by him ; or
- (b) pasture paid for by the tenant on entering on the holding.

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## FIFTH SCHEDULE.

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Sections 66, 67,  
68, 78, 87.

### MARKET GARDEN IMPROVEMENTS FOR WHICH COMPENSATION MAY BE PAYABLE.

1. Planting of standard or other fruit trees permanently set out.
  2. Planting of fruit bushes permanently set out.
  3. Planting of strawberry plants.
  4. Planting of asparagus, rhubarb and other vegetable crops which continue productive for two or more years.
  5. Erection, alteration or enlargement of buildings for the purpose of the trade or business of a market gardener.
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Sections 77, 100.

## SIXTH SCHEDULE.

## PROVISIONS AS TO ARBITRATIONS UNDER THIS ACT.

*Appointment and Remuneration of Arbitrator.*

1.—(1) The arbitrator shall be a person appointed by agreement between the parties or, in default of agreement, a person appointed on the application of either of the parties by the Minister from among the members of the panel constituted for the purposes of this paragraph.

(2) A person appointed by the Minister as arbitrator shall, where the arbitration relates to an agricultural holding in Wales or Monmouthshire, be a person who possesses a knowledge of Welsh agricultural conditions, and, if either party to the arbitration so requires, a knowledge also of the Welsh language.

(3) For the purposes of this Schedule there shall be constituted a panel consisting of such number of persons as the Lord Chief Justice of England may determine, to be appointed by him.

2. If the arbitrator dies, or is incapable of acting, or for seven days after notice from either party requiring him to act fails to act, a new arbitrator may be appointed as if no arbitrator had been appointed.

3. Neither party shall have power to revoke the appointment of the arbitrator without the consent of the other party.

4. Every appointment, application, notice, revocation and consent under the foregoing paragraphs must be in writing.

5. The remuneration of the arbitrator shall be—

(a) where he is appointed by agreement between the parties, such amount as may be agreed upon by him and the parties or, in default of agreement, fixed by the registrar of the county court (subject to an appeal to the judge of the court) on an application made by the arbitrator or either of the parties ;

(b) where he is appointed by the Minister, such amount as may be fixed by the Minister,

and shall be recoverable by him as a debt due from either of the parties to the arbitration.

*Conduct of Proceedings, Witnesses, &c.*

6. The parties to the arbitration shall, within fourteen days from the appointment of the arbitrator, deliver to him a statement of their respective cases with all necessary particulars and—

(a) no amendment or addition to the statement or particulars delivered shall be allowed after the expiration of the said fourteen days except with the consent of the arbitrator ;

(b) a party to the arbitration shall be confined at the hearing to the matters alleged in the statement and particulars delivered by him and any amendment thereof or addition thereto duly made.

7. The parties to the arbitration and all persons claiming through them respectively shall, subject to any legal objection, submit to be examined by the arbitrator, on oath or affirmation, in relation to the matters in dispute and shall, subject as aforesaid, produce before the arbitrator all samples and documents within their possession or power respectively which may be required or called for, and do all other things which during the proceedings the arbitrator may require.

6TH SCH.  
—cont.

8. Witnesses appearing at the arbitration shall, if the arbitrator thinks fit, be examined on oath or affirmation, and the arbitrator shall have power to administer oaths to, or to take the affirmation of, the parties and witnesses appearing.

9. The provisions of county court rules as to the issuing of witness summonses shall, subject to such modifications as may be prescribed by such rules, apply for the purposes of the arbitration as if it were an action or matter in the county court.

10.—(1) Any person summoned in pursuance of county court rules as a witness in the arbitration who—

(a) refuses or neglects, without sufficient cause, to appear or to produce any documents required by the summons to be produced; or

(b) refuses to be sworn or give evidence;

shall forfeit such fine not exceeding ten pounds as the judge of the county court may direct:

Provided that no person so summoned shall forfeit a fine as aforesaid unless there has been paid or tendered to him at the time of the service of the summons such sum in respect of his expenses (including, in such cases as may be prescribed by county court rules, compensation for loss of time) as may be so prescribed for the purposes of subsection (1) of section eighty-one of the County Courts Act, 1934.

24 & 25 Geo. 5.  
c. 53.

(2) Any person present at the arbitration who, being required to give evidence, refuses to be sworn or give evidence shall forfeit such a fine as aforesaid.

(3) The judge of the county court may at his discretion direct that the whole or any part of any such fine, after deducting costs, shall be applicable towards indemnifying the party injured by the refusal or neglect.

11.—(1) The judge of the county court may, if he thinks fit, upon application on affidavit by either party to the arbitration, issue an order under his hand for bringing up before the arbitrator any person (hereafter in this paragraph referred to as a "prisoner") confined in any place under any sentence or under commitment for trial or otherwise, to be examined as a witness in the arbitration:

Provided that no such order shall be made with respect to a person confined under process in any civil action or matter.

(2) The prisoner mentioned in any such order shall be brought before the arbitrator under the same custody, and shall be dealt with in the same manner in all respects, as a prisoner required by a writ

6TH SCH.  
—cont.

of habeas corpus to be brought before the High Court and examined therein as a witness :

Provided that the person having the custody of the prisoner shall not be bound to obey the order unless there is tendered to him a reasonable sum for the conveyance and maintenance of a proper officer or officers and of the prisoner in going to, remaining at, and returning from the place where the arbitration is held.

12. The High Court may order that a writ of habeas corpus ad testificandum shall issue to bring up a prisoner for examination before the arbitrator, if the prisoner is confined in any prison under process in any civil action or matter.

#### *Award.*

13. The arbitrator shall make and sign his award within forty-two days of his appointment :

Provided that the Minister may from time to time enlarge the time limited for making the award, whether that time has expired or not.

14. The arbitrator may if he thinks fit make an interim award for the payment of any sum on account of the sum to be finally awarded.

15. The award shall be made in such form as may be specified by statutory instrument made by the Minister.

16. The arbitrator shall—

- (a) state separately in the award the amounts awarded in respect of the several claims referred to him ; and
- (b) on the application of either party, specify the amount awarded in respect of any particular improvement or any particular matter the subject of the award.

17. Where by virtue of this Act compensation under an agreement is to be substituted for compensation under this Act for improvements or for any such matters as are specified in the Fourth Schedule to this Act, the arbitrator shall award compensation in accordance with the agreement instead of in accordance with this Act.

18. The award shall fix a day not later than one month after the delivery thereof for the payment of the money awarded as compensation, costs or otherwise.

19. The award shall be final and binding on the parties and the persons claiming under them respectively.

20. The arbitrator shall have power to correct in the award any clerical mistake or error arising from any accidental slip or omission.

#### *Costs.*

21. The costs of, and incidental to, the arbitration and award shall be in the discretion of the arbitrator who may direct to and by whom and in what manner the costs or any part thereof are to be paid.

22. The said costs shall be taxable by the registrar of the county court on the application of either party, but the taxation shall be subject to review by the judge of the county court.

23. The arbitrator shall, in awarding costs, take into consideration the reasonableness or unreasonableness of the claim of either party, whether in respect of amount or otherwise, and any unreasonable demand for particulars or refusal to supply particulars, and generally all the circumstances of the case, and may disallow the costs of any witness whom he considers to have been called unnecessarily and any other costs which he considers to have been unnecessarily incurred.

6TH SCH.  
—cont.

*Special Case and setting aside Award, &c.*

24. The arbitrator may at any stage of the proceedings, and shall, upon a direction in that behalf given by the judge of the county court upon an application made by either party, state in the form of a special case for the opinion of the county court any question of law arising in the course of the arbitration.

25.—(1) Where the arbitrator has misconducted himself the county court may remove him.

(2) Where the arbitrator has misconducted himself, or an arbitration or award has been improperly procured, the county court may set the award aside.

*Miscellaneous.*

26. Any amount paid, in respect of the remuneration of the arbitrator by either party to the arbitration, in excess of the amount, if any, directed by the award to be paid by him in respect of the costs of the award shall be recoverable from the other party.

27. Any forms for proceedings on arbitrations under this Act which may be specified by statutory instrument made by the Minister shall, if used, be sufficient.

28. Where the Minister or any other person acting on behalf of His Majesty is a party to the arbitration, anything which under this Schedule is to be done by the Minister in relation to the appointment or remuneration of the arbitrator or the extension of time for making and signing his award shall be done instead by the President of the Royal Institution of Chartered Surveyors.

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SEVENTH SCHEDULE.

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Section 95.

AMENDMENTS OF OTHER ACTS.

*The Rent and Mortgage Interest Restrictions Acts, 1920 to 1939.*

1. The Rent and Mortgage Interest Restrictions Acts, 1920 to 1939, shall not apply to any dwelling-house which is comprised in an agricultural holding and is occupied by the person responsible for the control (whether as tenant or as servant or agent of the tenant) of the farming of the holding.

*The Law of Property Act, 1925.*

2.—(1) In section ninety-nine of the Law of Property Act, 1925 (which provides for the making by a mortgagee or mortgagor of such leases as are authorised by that section, which shall be binding on the

7TH SCH.  
—cont.

mortgagor or mortgagee), subsection (13), which provides that the section applies only if and so far as the contrary intention is not expressed in the mortgage deed or otherwise in writing and that the section has effect subject to the terms of the mortgage deed or of any such writing, shall not have effect in relation to a mortgage made after the first day of March, nineteen hundred and forty-eight, of agricultural land within the meaning of the Agriculture Act, 1947.

(2) This paragraph shall be construed as one with the said section ninety-nine.

*The Land Charges Act, 1925.*

3. For head (iii) of the paragraph in subsection (1) of section ten of the Land Charges Act, 1925, defining land charges of Class A, there shall be substituted the following :—

“(iii) under section seventy-two, seventy-three, seventy-four or eighty-two of the Agricultural Holdings Act, 1948, or any previous similar enactment”.

*The Hill Farming Act, 1946.*

4. The Hill Farming Act, 1946, shall, in its application to England and Wales, have effect with the substitution, for section nine thereof, of the following section :—

“ Operation  
of the  
Agricul-  
tural  
Holdings  
Act, 1948,  
&c., in  
relation to  
improve-  
ment  
schemes.

9.—(1) Subject to the provisions of this section, the Agricultural Holdings Act, 1948, shall apply to improvements for which provision is made by an approved hill farming land improvement scheme as it applies to other improvements.

(2) Where a tenant of an agricultural holding within the meaning of the said Act of 1948 has made thereon an improvement specified in the Third Schedule to that Act in accordance with provision in such a scheme for the making of the improvement and for the tenant's being responsible for doing the work, being provision included in the scheme at the instance or with the consent of the landlord, then, the landlord shall be deemed to have consented as mentioned in subsection (1) of section forty-nine of that Act, and any agreement as to compensation or otherwise made between the landlord and the tenant in relation to the improvement shall have effect as if it had been such an agreement on terms as is mentioned in the said subsection (1) :

Provided, as respects an improvement comprised in Part II of that Schedule, that the provisions of section fifty of that Act as to the carrying out of improvements by the landlord shall not apply.

(3) If on the ground of work's being badly done the appropriate Minister withholds or reduces the improvement grant in respect of an improvement, he may direct that any right conferred by section nine of the Agricultural Holdings Act, 1948, to have the rent of an agricultural holding increased shall not be exercisable in respect of the improvement, or shall be exercisable only to such



extent as may be specified in the direction, and any such direction given after that right has been exercised shall be retrospective and any excess rent paid shall be repaid accordingly.

7TH SCH.  
—cont.

(4) In assessing the amount of any compensation payable under custom or agreement to the tenant of an agricultural holding, if it is shown to the satisfaction of the person assessing the compensation that the cultivations in respect of which the compensation is claimed were wholly or in part the result of or incidental to work in respect of the cost of which an improvement grant has been paid or will be payable, the amount of the grant shall be taken into account as if it had been a benefit allowed to the tenant in consideration of his executing the cultivations and the compensation shall be reduced to such extent as that person considers appropriate."

## EIGHTH SCHEDULE.

Sections 98, 99  
100.

### ENACTMENTS REPEALED.

Session and Chapter.	Short Title.	Extent of Repeal.
13 & 14 Geo. 5. c. 9.	The Agricultural Holdings Act, 1923.	The whole Act.
13 & 14 Geo. 5. c. 25.	The Agriculture (Amendment) Act, 1923.	The whole Act.
15 & 16 Geo. 5. c. 20.	The Law of Property Act, 1925.	In section one hundred and forty, the proviso to subsection (2). Section two.
16 & 17 Geo. 5. c. 11.	The Law of Property (Amendment) Act, 1926.	In the Tenth Schedule, paragraph 17.
19 & 20 Geo. 5. c. 17.	The Local Government Act, 1929.	Section eighteen and the proviso to section nineteen.
24 & 25 Geo. 5. c. 14.	The Arbitration Act, 1934.	Section five, so far as it relates to agricultural holdings.
1 Edw. 8 & 1 Geo. 6. c. 70.	The Agriculture Act, 1937.	In section thirty, subsection (2) so far as it relates to agricultural holdings.
2 & 3 Geo. 6. c. 48.	The Agricultural Development Act, 1939.	In section fifteen, subsection (2) so far as it relates to agricultural holdings.
3 & 4 Geo. 6. c. 14.	The Agriculture (Miscellaneous War Provisions) Act, 1940.	In section one, subsection (2).
3 & 4 Geo. 6. c. 50.	The Agriculture (Miscellaneous War Provisions) (No. 2.) Act, 1940.	

8TH SCH.  
—cont.

Session and Chapter.	Short Title.	Extent of Repeal.
10 & 11 Geo. 6. c. 48.	The Agriculture Act, 1947.	Part III except section thirty-two in relation to notices to quit given before the commencement of this Act and except section forty-six so far as relating to the provisions therein mentioned so far as continued in force by this Act. In section eighty-seven, subsection (10) In the Second Schedule, in paragraph 2 the words from "or a direction" to "permanent pasture" in the first place where those words occur, and in paragraph 4 the words from the beginning to "this Act". The Third, Fourth, Fifth, Sixth and Seventh Schedules.

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## CHAPTER 64.

### *National Service Act, 1948.*

#### ARRANGEMENT OF SECTIONS.

##### PART I.

##### SERVICE IN THE ARMED FORCES.

##### *Liability for service in armed forces.*

##### Section.

1. Liability to be called up for service.
2. Volunteer service in lieu of part-time service.
3. Transfer.

##### *Training during part-time service.*

4. Length of training during part-time service.
5. Summoning for training during part-time service.

##### *Procedure for calling up persons for service in armed forces.*

6. Persons required to register.
7. Registration.
8. Medical examination.
9. Enlistment in the forces.
10. Early registration and call up.
11. Late call up for medical and dental practitioners.

*Postponement of liability for service in armed forces.*

## Section.

12. Applications for postponement on grounds of hardship of liability to be called up for service.
13. Appeals from determinations of Military Service (Hardship) Committees.
14. Revocation of postponement certificates.
15. Provisions as to Military Service (Hardship) Committees and umpires, etc.
16. Suspension of right to postponement of liability to be called up for service.

*Conscientious objectors.*

17. Registration in register of conscientious objectors.
18. Changes in register of conscientious objectors.
19. Breach of condition of registration as conscientious objector.
20. Provisions as to certain persons sentenced for failure to attend medical examination.
21. Provisions as to certain persons sentenced by court martial.
22. Provisions as to local and appellate tribunals.

*Supplemental.*

23. Liability to complete interrupted service.
24. Provisions as to persons called up under National Service (Armed Forces) Act, 1939, etc.
25. Calling out of reservists during part-time service.
26. Modification of enactments relating to persons called up for service.
27. Candidates for commissions.
28. Further education during whole-time service.
29. Information to be furnished by education authorities.
30. False statements and forgery.
31. General provisions as to offences.
32. Orders and regulations.
33. Service of notices.
34. Interpretation of Part I.

## PART II.

## SAFEGUARDING OF EMPLOYMENT.

*Reinstatement in civil employment after whole-time service.*

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36. Mode of making, time for making and duration of applications for reinstatement.
37. Duty of applicant to state date of availability for employment.
38. Obligation of employers to continue to employ reinstated employees.
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40. Special provisions as to re-enlistment.
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*Prohibition of dismissal of employees by reason of liability for whole-time service.*

50. Prohibition of dismissal of employees by reason of liability for whole-time service.

*Provisions as to persons performing part-time service.*

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## PART III.

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55. Expenses.  
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## SCHEDULES :

- First Schedule.—Persons not liable to be called up for service.  
Second Schedule.—Length of whole-time service.  
Third Schedule.—Military Service (Hardship) Committees.  
Fourth Schedule.—Conscientious objectors tribunals.  
Fifth Schedule.—Provisions applicable to orders of Reinstatement Committees.  
Sixth Schedule.—Enactments repealed.

An Act to consolidate the National Service Acts, 1939 to 1947, and the Reinstatement in Civil Employment Act, 1944, so far as that Act applies to persons called up for national service after the thirty-first day of December, nineteen hundred and forty-eight.

[30th July 1948.]

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

## PART I.

## SERVICE IN THE ARMED FORCES.

*Liability for service in the armed forces.*

Liability to be called up for service.

1.—(1) Subject to the provisions of this Part of this Act, every male British subject ordinarily resident in Great Britain who has attained the age of eighteen years and has not attained the age of twenty-six years and is not a person mentioned in the First Schedule to this Act shall be liable to be

called upon to serve in the armed forces of the Crown for two terms of service, that is to say—

PART I.  
—cont.

(a) a term of whole-time service in the regular forces; and

(b) a term of part-time service in an auxiliary force in accordance with this section.

(2) Subject to the provisions of this Part of this Act, the term of whole-time service for which a person shall be liable to be called up under this Part of this Act shall be a period of twelve months beginning with the day on which he is required by an enlistment notice served under section nine of this Act to present himself to the authority specified therein and ending when his term of whole-time service is completed in accordance with the provisions of the Second Schedule to this Act:

Provided that His Majesty may by Order in Council appoint a period shorter than twelve months as the term of whole-time service for which a person shall be liable to be called up as aforesaid.

(3) On the day next after that on which the term of a person's whole-time service is completed he shall, subject to the provisions of the next following section, be deemed—

(a) if his last service during that term was in the royal navy or the royal marines, to be entered for service in a royal naval special reserve which the Admiralty shall raise and maintain for the purposes of this Part of this Act; or

(b) if that last service was in the regular army, to be enlisted for service in the territorial army or the army reserve, as the Army Council may direct; or

(c) if that last service was in the regular air force, to be enlisted for service in the air force reserve;

for a term of part-time service ending with the expiration of the seventh year after the beginning of his term of whole-time service; so, however, that the end of a person's part-time service shall be postponed by any period by which the term of his whole-time service was extended by virtue of proviso (b) to paragraph 1 of the Second Schedule to this Act.

2.—(1) If, during his whole-time service, any person is accepted by a Service Authority as a volunteer for service in the royal naval reserve, the royal naval volunteer reserve, the royal marine forces volunteer reserve, the territorial army, the army reserve, the royal air force volunteer reserve or the royal auxiliary air force, and enters into an engagement whereby he will, on the day next after that on which his term of whole-time service is completed, be entered or enlisted in one of those auxiliary forces as a volunteer for a term not less than the term of part-time service which he

Volunteer  
service in lieu  
of part-time  
service.

PART I.  
—cont.

would otherwise be required to serve under this Part of this Act, he shall be entered or enlisted in accordance with that engagement and shall not be deemed to be entered or enlisted in accordance with the provisions of subsection (3) of the foregoing section.

(2) A person who is entered or enlisted for service as a volunteer in one of the forces aforesaid in accordance with the provisions of this section shall perform the service required of members of that force in lieu of the part-time service required by this Part of this Act.

## Transfer.

3. The Service Authorities shall by regulations make provision for enabling or requiring a person serving in any auxiliary force during his part-time service, or during service performed in lieu thereof, to be transferred to any other auxiliary force; so, however, that such regulations shall not provide for the transfer of any person to the royal naval reserve, the royal naval volunteer reserve, the royal marine forces volunteer reserve, the royal air force volunteer reserve or the royal auxiliary air force except at his own request.

*Training during part-time service.*Length of  
training  
during part-  
time service.

4.—(1) During his term of part-time service a person may be required to undergo training for any periods not exceeding in the aggregate—

- (a) sixty days during the whole of his term of part-time service;
- (b) twenty-one days in any year of that service.

(2) The Service Authorities shall by regulations make provision for defining what constitutes a day's training for the purposes of this Part of this Act; and any such regulations may in particular allow, with such limitations as may be prescribed, hourly periods of instruction to be aggregated so that four such periods may be reckoned as a day's training.

Summoning  
for training  
during part-  
time service.

5.—(1) The Service Authority may cause to be served on any person during his term of part-time service a training notice which shall state that he is summoned for training and the period for which he is summoned and shall require him to present himself at such place and time on such day (not earlier than the thirtieth day after the date of the service of the notice), and to such authority, as may be specified in the notice.

(2) Where a training notice has been served on any person, the Service Authority may at any time before the day on which he is thereby required to present himself cause to be served on him a supplementary notice varying the training notice by altering the place or time at which, but not the date on which, he is thereby required to present himself.

(3) Every training notice served otherwise than by registered post shall require the person upon whom it is served to acknowledge receipt thereof within such time as may be specified in the requirement; and if acknowledgment is not received, the Service Authority may cause a further training notice to be served on him by registered post and may by that notice direct that the former notice shall be deemed never to have had effect.

(4) A person who fails to comply with a training notice shall be liable to be apprehended and unless he has some reasonable excuse punished in the same manner as a person belonging to an auxiliary force failing to appear when called into actual or permanent service or on embodiment so, however, that the maximum punishment that may be awarded in respect of any such offence shall be, in the case of a person convicted by a court of summary jurisdiction, a fine of twenty-five pounds, and in any other case detention or imprisonment for a term not exceeding two years.

(5) If at any time during a person's term of part-time service any change occurs in his name or address, he shall forthwith notify the change to such person and in such manner as may be notified to him under regulations of the Service Authority; and if he fails to do so, he shall be guilty of an offence under this Part of this Act.

(6) A person shall not during his term of part-time service be required to perform any duty under this Part of this Act so long as he is not ordinarily resident in Great Britain or is a person specified in the First Schedule to this Act; and where by virtue of this subsection any person upon whom a training notice is served under this section is not, on the day on which he is thereby required to present himself, liable to perform any duty under this Part of this Act, he shall, for the purposes of that notice, be deemed not to have been liable to perform any such duty at the date of the service of the notice.

*Procedure for calling up for service in armed forces.*

6.—(1) The Minister may from time to time by public notice require male persons who have attained such age as may be specified in the notice (not being less than seventeen years and eight months), being persons who if they had attained the age of eighteen would have become liable under this Part of this Act to be called up for service in the armed forces of the Crown, to be registered for such service under this Part of this Act.

Persons  
required to  
register.

(2) Subject to the provisions of section ten of this Act, references in this Part of this Act to persons subject to registration shall be construed as references to all persons, including persons who have been registered, who for the time

PART I.  
—cont.

being are liable under this Part of this Act to be called up for service or who, having been required to be registered by virtue of a notice under this section, would for the time being be liable to be so called up if they had attained the age of eighteen.

## Registration.

7.—(1) The Minister may make regulations requiring persons who become subject to registration—

- (a) to furnish, at such place and time, in such manner, and to such authority or person, as may be notified in accordance with the regulations, such particulars about himself as may be so notified; and
- (b) except in the case of a person not required by the regulations to make such an application, to make at such place and time, in such manner and to such authority or person as may be notified in accordance with the regulations, an application to be registered under this Part of this Act.

(2) Regulations made under the last foregoing subsection may make different provision in relation to different classes of persons subject to registration, and may provide for exempting from any requirements of the regulations any class of persons with respect to whom the Minister is satisfied that particulars sufficient for the purposes of this Part of this Act can be ascertained by him otherwise than by virtue of those requirements.

(3) If any person fails to comply with any requirements imposed on him by regulations made under subsection (1) of this section, he shall be guilty of an offence under this Part of this Act.

(4) It shall be the duty of the Minister to secure—

- (a) that upon application being duly made for registration under this Part of this Act, the name and address of the applicant (together with particulars of the matters with respect to which information was given by the applicant in accordance with the regulations) are entered in a register kept for the purposes of this Part of this Act (in this Part of this Act referred to as “ the military service register ”); and
- (b) that upon the applicant being registered, a certificate of registration is issued to him in the prescribed form.

(5) The Minister may cause a certificate of registration to be issued to any person of a class exempted from any of the requirements of regulations made under subsection (1) of this section, as if that person had duly applied to be registered under this Part of this Act.



(6) If any person subject to registration notifies the Minister in the prescribed manner that he has a preference for naval or air force service, that fact shall be recorded in the military service register, or, if he is a person of a class exempted from registration, in such other manner as the Minister thinks fit.

(7) A person to whom a certificate of registration has been issued under this section shall, if at any time while he remains subject to registration he is requested so to do by a constable in uniform, produce the certificate to the constable or, if he has not the certificate with him, produce it in person within two clear days at such police station as he may notify to the constable making the request.

If a person fails to comply with this subsection, he shall be guilty of an offence under this Part of this Act.

(8) The Minister may by regulations provide for the issue in specified circumstances of fresh certificates of registration in place of certificates which have been lost, destroyed or defaced.

(9) If at any time while a person registered under this Part of this Act remains subject to registration any change occurs in his name or address, he shall forthwith notify the change to the Minister in the prescribed manner, and at the same time return to the Minister any certificate of registration held by him, and if he fails to do so, he shall be guilty of an offence under this Part of this Act; and the Minister, upon the receipt of such a notification, shall cause the necessary corrections to be made in the register and shall either cause the certificate to be corrected and returned to the person registered or cause a fresh certificate to be issued to him.

8.—(1) The Minister may from time to time cause to be served on any person subject to registration a written notice in the prescribed form requiring that person to submit himself to medical examination by a medical board at such place and time as may be specified in the notice; and where such a notice has been served on any person, the Minister may at any time while that person remains subject to registration cancel the notice or cause to be served on him a further notice varying the original notice by altering the place or time at which he is thereby required to submit himself to medical examination. Medical examination.

(2) The Minister may make regulations for determining the constitution of medical boards for the purposes of this section, and for regulating the procedure of such boards, and such regulations may, in particular, enable a medical board—

(a) in a case where the board is unable to complete a medical examination on one occasion, to direct the

PART I.  
—cont.

person examined to submit himself to a further medical examination by a medical board at a specified time and place; and

(b) to direct the person examined to submit himself to examination by a consultant examiner.

(3) The Minister shall by regulations determine the categories in which persons medically examined under this section are to be placed by reference to their physical condition.

(4) If any person fails to comply with the requirements of a notice served on him under subsection (1) of this section or of any regulations made or directions given by virtue of subsection (2) of this section, he shall be guilty of an offence under this Part of this Act.

(5) The court, by which a person is convicted of an offence under this Part of this Act by reason of his failure to comply with—

(a) a notice served on him by the Minister under subsection (1) of this section requiring him to submit himself to medical examination by a medical board; or

(b) directions given by a medical board by virtue of paragraph (a) of subsection (2) of this section requiring him to submit himself to a further medical examination by a medical board; or

(c) directions given by a medical board by virtue of paragraph (b) of the said subsection (2) requiring him to submit himself to examination by a consultant examiner,

may, without prejudice to any penalty which may be imposed upon him, order him to submit himself to medical examination, further medical examination, or examination by a consultant examiner, as the case may be, at such time and place as may be fixed by a notice served on him by the Minister and any such order may provide that he shall be detained in custody until that time and taken by a constable to that place at that time:

Provided that no person shall be detained by virtue of any such order for more than seven days.

(6) A person who, having been ordered by a court under the last foregoing subsection to submit himself to examination and to be detained in custody and taken by a constable to the place and at the time at which he is to be examined, fails to submit himself for examination in accordance with the order may be arrested by a constable without warrant.

(7) A person who fails to submit himself for examination in accordance with an order made under subsection (5) of this

section shall be guilty of an offence under this Part of this Act and liable—

PART I.  
—cont.

- (a) on conviction on indictment, to imprisonment for a term not exceeding two years, or to a fine not exceeding one hundred pounds, or to both such imprisonment and such fine; or
  - (b) on summary conviction, to imprisonment for a term not exceeding twelve months, or to a fine not exceeding fifty pounds or to both such imprisonment and such fine.
- (8) A notice served on a person under this section shall cease to have effect if, before the date on which he is thereby required to submit himself to examination, he ceases to be subject to registration.
- (9) The Minister may pay—
- (a) to members of medical boards constituted for the purposes of this section, and to consultant examiners employed for those purposes, such remuneration and allowances as he may, with the approval of the Treasury, determine, and
  - (b) to persons undergoing examination under this section such travelling and other allowances, including compensation for loss of remunerative time, in accordance with such scale as he may, with the consent of the Treasury, approve.

9.—(1) The Minister may cause to be served on any person for the time being liable under this Part of this Act to be called up for service who has been medically examined under the last foregoing section a written notice (in this Part of this Act referred to as "an enlistment notice") stating that he is called up for service in such one of the regular forces as may be specified in the notice, and requiring him to present himself at such place and time, and to such authority, as may be so specified; and, subject to the following provisions of this Part of this Act, the person upon whom the notice is served shall be deemed, as from the day so specified, to have been duly entered or enlisted for service in the force so specified, and the term or period for which he is so entered or enlisted shall, notwithstanding anything in any Act or regulations, begin with the said day and end when his term of whole-time service is completed in accordance with the provisions of the Second Schedule to this Act: Enlistment in the forces.

Provided that an enlistment notice shall not require the person upon whom it is served to present himself on a day earlier than the fourteenth day after the date of the service of the notice or such earlier day as may be determined at his request.

PART I.  
—cont.

(2) Where an enlistment notice has been duly served on any person, the Minister may, at any time while that person remains liable under this Part of this Act to be called up for service, cancel the notice or cause to be served on him a further enlistment notice varying the original notice by altering the place or time at which he is thereby required to present himself, and in particular, without prejudice to the generality of the foregoing provision, the Minister may, if he is in doubt whether an enlistment notice served on any person other than by registered post has been received by him, cause a further enlistment notice to be served on him by registered post and may by that notice direct that the former notice shall be deemed never to have had effect.

(3) Where, at the beginning of the day specified in an enlistment notice as the day on which the person to whom the notice relates is thereby required to present himself, any of the following conditions is fulfilled, that is to say—

- (a) that a postponement certificate relating to him is in force,
- (b) that any application or appeal by him under section twelve, section thirteen or section seventeen of this Act is pending,
- (c) that any determination made with respect to any such application or appeal is subject to appeal or further appeal and that the time for bringing such an appeal or further appeal has not expired,

the enlistment notice served on him shall be of no effect.

(4) Where, immediately before the time at which a person is deemed under this section to be entered or enlisted for service, he is a member of an auxiliary force, his service in that force shall be deemed to have been duly terminated at that time.

(5) An enlistment notice served on any person shall cease to have effect if before the day on which he is thereby required to present himself he ceases to be liable under this Part of this Act to be called up for service.

(6) The Minister may pay to persons required to present themselves in accordance with enlistment notices served upon them such travelling and other allowances as he may, with the approval of the Treasury, determine.

Early  
registration  
and call up.

10.—(1) The Minister shall by regulations make provision whereby, for sufficient cause, any person who is subject to registration, or might but for his age be made subject to registration, may if he so desires be called up for service at

any time after he has attained the age of seventeen years and six months; and any regulations so made may allow any person as aforesaid who has attained the age of seventeen years and two months to be registered in the military service register notwithstanding that he has not been required to be so registered by notice under section six of this Act or by regulations under section seven of this Act.

(2) Any reference in any provision of this Part of this Act, other than this section, to persons subject to registration shall include a reference to persons registered in the military service register by virtue of this section.

11. If the Minister is satisfied that any registered medical practitioner or person registered in the dentists' register under the Dentists Acts, 1878 to 1923, is undergoing or about to undergo training for the purpose of acquiring further qualifications or special experience, the Minister may at the request of that person direct that he may be called up at any time before he attains the age of thirty years; and, in relation to any person with respect to whom such a direction is given, references in this Part of this Act to twenty-six years shall accordingly be construed as references to thirty years.

Late call up  
for medical  
and dental  
practitioners

*Postponement of liability for service in armed forces.*

12.—(1) Subject to the provisions of this section, any person for the time being subject to registration who has been medically examined under section eight of this Act, or is permitted under this section so to apply without having been medically examined, may apply in the prescribed manner to the Minister for a certificate of postponement of liability under this Act to be called up for service (in this Part of this Act referred to as "a postponement certificate"), on the ground that exceptional hardship would ensue if he were called up for service, and may, on that ground, apply in the prescribed manner to the Minister for the renewal of any postponement certificate granted to him.

Applications  
for postpone-  
ment on  
grounds of  
hardship of  
liability to be  
called up for  
service.

(2) Where application for a postponement certificate or for the renewal of a postponement certificate is made, the Minister shall, unless he grants the certificate or renewal, refer the application for decision by a Military Service (Hardship) Committee constituted under the Third Schedule to this Act.

(3) If, with respect to any person subject to registration who has not been medically examined under section eight of this Act, the Minister is satisfied that, by reason of special circumstances, it is desirable that he should be able to apply

PART I.  
—cont.

for a postponement certificate without having been medically examined thereunder, the Minister may permit him to apply for such a certificate.

(4) An application for the grant of a postponement certificate may be made at any time when an enlistment notice has not yet been served on the applicant, or, if such a notice has been served on him, be made at any time before the day specified in the notice as the day on which he is thereby required to present himself; and an application for the renewal of a postponement certificate may be made within the prescribed time before the expiration of the period for which that certificate was granted or last renewed:

Provided that—

- (a) where, in the case of a person who has been medically examined under section eight of this Act, an application for the grant of a postponement certificate is made more than two days after the completion of his medical examination, the Minister shall dismiss it unless he is satisfied, having regard to the grounds on which the application is made, that the making thereof has not been unreasonably delayed; and
- (b) the Minister may, in special circumstances, allow an application for the renewal of a postponement certificate to be made at any time before an enlistment notice is served on the holder of the certificate.

(5) The Minister may make regulations as to the principles to be applied, and the circumstances to which regard is and is not to be had, on the hearing of any application for the grant or renewal of a postponement certificate, and as to the period for which a postponement certificate may be granted or renewed.

(6) The period during which a postponement certificate is in force shall be added to the period during which the person to whom the certificate was granted is liable under this Part of this Act to be called up for service; and accordingly this Part of this Act shall, in relation to that person, have effect as if for references therein to the age of twenty-six years there were substituted references to an age being the sum of twenty-six years and the period during which the certificate is in force.

Appeals from  
determina-  
tions of  
Military  
Service  
(Hardship)  
Committees.

13. An applicant for a postponement certificate who is aggrieved by the determination of a Military Service (Hardship) Committee, and the Minister, if he considers it necessary, may, within the prescribed time and in the prescribed manner, appeal to the umpire or any deputy umpire appointed or deemed to have been appointed under section forty-one of this

Act, whose decision shall be final; and the umpire or any deputy umpire shall, when considering any such appeal, sit with two assessors appointed by the Minister :

PART I.  
—cont.

Provided that—

- (a) if the determination of the Committee with respect to any applicant was unanimous, the applicant shall not be entitled to appeal to the umpire or any deputy umpire except with the leave of the Committee;
- (b) if one or both of the assessors appointed to sit with the umpire or deputy umpire is or are absent, then, with the consent in writing of the person to whose application the appeal relates, the umpire or deputy umpire may proceed to consider and determine the appeal with the other assessor or without either assessor, as the case may be.

14.—(1) If, at any time while a postponement certificate is in force, it appears to the Minister that, by reason of any change in the circumstances of the person to whom the certificate was granted, the certificate ought to be revoked or the period for which it was granted or last renewed ought to be shortened, the Minister may apply to a Military Service (Hardship) Committee, and that Committee may either refuse the application or cancel the certificate or vary it by shortening the said period.

Revocation  
of postpone-  
ment  
certificates.

(2) Where an application is made under the last foregoing subsection, the person to whom the postponement certificate in question was granted shall be entitled to be heard on the application; and the provisions as to appeals contained in the last foregoing section shall apply in relation to the application as if it were an application for the grant of a postponement certificate made by the person to whom the certificate in question was granted.

15.—(1) The Minister or any person authorised by him shall be entitled to be heard on any reference to a Military Service (Hardship) Committee or appeal to the umpire or a deputy umpire under the last three foregoing sections.

Provisions as  
to Military  
Service  
(Hardship)  
Committees  
and umpires,  
etc.

(2) No determination of the Minister, of a Military Service (Hardship) Committee, of the umpire or of any deputy umpire made for the purposes of the last three foregoing sections shall be called in question in any court of law.

(3) The Minister may pay—

- (a) to members of Military Service (Hardship) Committees, and to persons appointed to sit as assessors with the umpire or any deputy umpire under section

PART I.  
—cont.

thirteen of this Act such remuneration and allowances as the Minister may, with the approval of the Treasury, determine; and

- (b) to persons whose applications are referred to such Committees or who appeal from the decisions of such Committees, and to any witnesses whose attendance is certified by any such Committee or by the umpire or any deputy umpire, as the case may be, to have been necessary, travelling and subsistence allowances in accordance with such scale as the Minister may, with the approval of the Treasury, determine.

Suspension of right to postponement of liability to be called up for service.

16.—(1) The Minister, if satisfied at any time that by reason of the gravity of the situation it is necessary so to do, may by order—

- (a) cancel, either generally or in relation to a specified class of persons, all postponement certificates in force at the date of the order; and  
(b) abrogate, either generally or in relation to a specified class of persons, any right to apply for the grant of a postponement certificate and any right to appeal from the refusal to grant such a certificate;

and the Minister may by order vary or revoke any order in force under this section, without prejudice, however, to the previous effect of that order.

(2) Where, on the day on which an order comes into force under this section abrogating any right to appeal from the refusal to grant a postponement certificate, such an appeal is pending on the part of a person to whom the order applies or the time for bringing such an appeal by such a person has not expired, the appeal shall be deemed to be dismissed or the time to expire, as the case may be, in the course of that day.

*Conscientious objectors.*

Registration in register of conscientious objectors.

17.—(1) If any person subject to registration claims that he conscientiously objects—

- (a) to being registered in the military service register, or  
(b) to performing military service, or  
(c) to performing combatant duties,

he may, on furnishing the prescribed particulars about himself, apply in the prescribed manner to be registered as a conscientious objector in a special register to be kept by the Minister (in this Part of this Act referred to as "the register of conscientious objectors"):

Provided that where, in the case of a person who has been medically examined under section eight of this Act, such an



application is made more than two days after the completion of his medical examination, the Minister shall dismiss the application unless he is satisfied, having regard to the grounds on which the application is made, that the making thereof has not been unreasonably delayed.

(2) Where any person applies in accordance with the last foregoing subsection to be registered in the register of conscientious objectors, he shall, unless his application is dismissed in accordance with the proviso to that subsection be provisionally registered in that register.

(3) A person who has been provisionally registered in the register of conscientious objectors shall within the prescribed period and in the prescribed manner, make to a local tribunal constituted under the Fourth Schedule to this Act an application stating to which of the matters mentioned in paragraphs (a) to (c) of subsection (1) of this section he conscientiously objects, and if he fails to do so the Minister shall remove his name from the register of conscientious objectors.

(4) An applicant for registration as a conscientious objector who is aggrieved by any order of a local tribunal and the Minister, if he considers it necessary, may, within the prescribed time and in the prescribed manner, appeal to the appellate tribunal constituted under the Fourth Schedule to this Act, and the decision of the appellate tribunal shall be final.

(5) The Minister or any person authorised by him shall be entitled to be heard on any application or appeal to a tribunal under this section.

(6) A local tribunal, if satisfied, upon an application duly made to it under this section, or the appellate tribunal if satisfied on appeal, that the ground upon which the application was made is established shall by order direct either—

- (a) that the applicant shall without conditions be registered in the register of conscientious objectors; or
- (b) that he shall be conditionally registered in that register until the end of a period of twelve months and sixty days, the condition being that he must until the end of that period undertake work specified by the tribunal, of a civil character and under civilian control, and
  - (i) submit himself to such medical examination at such place and time as the Minister may direct for the purpose of ascertaining the applicant's fitness for that work;

PART I  
—cont.

- (ii) undergo such training provided or approved by the Minister as the Minister may direct for the purpose of fitting the applicant for that work; and that at the end of that period he shall be registered in that register without conditions; or
- (c) that he shall be registered in that register as a person liable or prospectively liable under this Part of this Act to be called up for service but to be employed only in non-combatant duties;

but, if not so satisfied, shall by order direct that his name shall be removed from the register of conscientious objectors:

Provided that in relation to any person who, by reason of his age, has not yet become liable under this Part of this Act to be called up for service, any condition imposed under paragraph (b) of this subsection shall be suspended until he attains the age of eighteen.

(7) The Minister may provisionally register in the register of conscientious objectors any person subject to registration, notwithstanding that he has refused or failed to make any application in that behalf, if in the Minister's opinion there are reasonable grounds for thinking that he is a conscientious objector, and the Minister may refer the case of that person to a local tribunal; and thereupon the provisions of this section shall have effect in relation to that person as if the necessary applications had been made by him, and references in this section to the "applicant" shall be deemed to include references to him.

(8) Any person unconditionally registered in the register of conscientious objectors by virtue of paragraph (a) of subsection (6) of this section or conditionally registered therein by virtue of paragraph (b) of that subsection shall not be liable to be called up for service so long as he is so registered.

(9) The Service Authorities shall make arrangements for securing that, where a person registered in the register of conscientious objectors by virtue of paragraph (c) of subsection (6) of this section as a person liable or prospectively liable under this Part of this Act to be called up for service but to be employed only in non-combatant duties is called up for service under this Part of this Act, he shall, during the period for which he serves by virtue of being so called up, be employed only in such duties.

(10) If, while a person is conditionally registered in the register of conscientious objectors, any change occurs in the particulars about him registered in that register, he shall

forthwith notify the change to the Minister in the prescribed manner, and if he fails to do so shall be liable on summary conviction to a fine not exceeding five pounds.

PART I.  
—cont.

18.—(1) A registered conscientious objector may at any time apply to the Minister in the prescribed manner either—

(a) for the removal of his name from the register of conscientious objectors and for his registration in the military service register as a person liable or prospectively liable under this Part of this Act to be called up for service; or

(b) for his registration in the register of conscientious objectors as a person liable or prospectively liable as aforesaid, but to be employed only in non-combatant duties.

Changes in  
register of  
conscientious  
objectors.

(2) A person registered in the register of conscientious objectors as a person liable or prospectively liable under this Part of this Act to be called up for service but to be employed only in non-combatant duties, may, at any time before the day specified in an enlistment notice served upon him as the day on which he is thereby required to present himself, apply to the Minister in the prescribed manner for the removal of his name from that register and for his registration in the military service register as a person liable or prospectively liable under this Part of this Act to be called up for service.

(3) The Service Authorities shall make arrangements for enabling a person registered in the register of conscientious objectors as a person liable to be called up for service under this Part of this Act, but to be employed only in non-combatant duties, to apply to the Minister, at any time on or after the day mentioned in the last foregoing subsection, for the removal of his name from that register and for his registration in the military service register as a person liable to be called up for service under this Part of this Act; and where such an application is granted, the applicant may be employed in combatant duties.

(4) Where an application made under this section is granted, the Minister shall cause the register or registers to be amended accordingly.

19.—(1) Where it appears to the Minister that a conditionally registered conscientious objector has failed to comply with any condition on which he is registered, but had reasonable excuse for the failure, the Minister may refer his case to a local tribunal.

Breach of  
condition of  
registration as  
conscientious  
objector.

(2) Where it appears to the Minister that a conditionally registered conscientious objector has, at any time after the expiration of one month after the condition relating to his

**PART I.**  
**—cont.**

undertaking work has been imposed on him, failed to undertake the work specified by the tribunal or ceased to undertake it, the Minister may direct him to undertake any work so specified until the end of the period during which he is so registered or the direction is withdrawn.

(3) On any reference of the case of any person to a local tribunal under subsection (1) of this section, the tribunal, if it is satisfied that he has failed to comply with the condition but had reasonable excuse for the failure, shall report to the Minister accordingly and either—

- (a) make no order in the matter; or
- (b) order that the person whose case has been referred shall be registered without conditions in the register of conscientious objectors; or
- (c) order that the condition on which he was registered shall be varied, or that another condition shall be substituted therefor,

and any order made under paragraph (b) or (c) of this subsection shall have effect notwithstanding any previous order made by a local or appellate tribunal.

(4) Where the case of any person has been referred to a local tribunal under subsection (1) of this section—

- (a) that person, if he is aggrieved by the order of the tribunal or by its failure to make an order or report to the Minister; or
- (b) the Minister, if he considers it necessary;

may within the prescribed time and in the prescribed manner appeal to the appellate tribunal, and the decision of the appellate tribunal shall be final.

(5) If a person conditionally registered as a conscientious objector fails to comply with any condition on which he is registered or any direction given to him by the Minister under subsection (2) of this section, he shall, unless he satisfies the court that he had reasonable excuse for the failure, be guilty of an offence under this Part of this Act and liable—

- (a) on conviction on indictment, to imprisonment for a term not exceeding two years, or to a fine not exceeding one hundred pounds, or to both such imprisonment and such fine; or
- (b) on summary conviction, to imprisonment for a term not exceeding twelve months, or to a fine not exceeding fifty pounds, or to both such imprisonment and such fine.

(6) A prosecution against any person under the last foregoing subsection for failing to comply with a condition or direction shall not be instituted except by or with the consent of the Minister; and where the case of any person has been referred to a local tribunal under subsection (1) of this section, the Minister shall not institute or consent to the institution of such a prosecution against him—

- (a) unless that tribunal has determined the matter and made no report that he had reasonable excuse for the failure and the time for appealing from that determination has expired; or,
- (b) where an appeal has been brought from the determination of the local tribunal, unless the appellate tribunal has determined the matter and made no such report as aforesaid.

(7) On the prosecution of any person for such an offence, a certificate purporting to be signed on behalf of the Minister and stating—

- (a) that he has not referred the case of that person to a local tribunal under subsection (1) of this section; or
- (b) that he has so referred the case and either—
  - (i) that the local tribunal has determined the matter and made no such report as aforesaid and that the time for appealing from the determination has expired; or
  - (ii) that an appeal has been brought from the determination of the local tribunal and that the appellate tribunal has determined the matter and made no such report; or
- (c) that he has directed a person to undertake any work and has not withdrawn that direction,

shall be conclusive evidence of the facts so stated.

20.—(1) If any person, being a person who has applied for registration or who has at any time been provisionally registered as a conscientious objector, has undergone or is undergoing a sentence of imprisonment for a term of three months or more imposed upon him for failing to comply with an order made under subsection (5) of section eight of this Act, then, if he claims that the offence was committed by reason of his conscientiously objecting to performing military service or combatant duties, he may apply in the prescribed manner to have his case considered by the appellate tribunal.

Provision as to certain persons sentenced for failure to attend medical examination.

PART I.  
—cont.

(2) On any such application the appellate tribunal shall, if it finds that the offence for which the applicant was sentenced was committed by reason of such a conscientious objection as aforesaid, have power to make any order with respect to his registration as a conscientious objector which they would have had power to make on an appeal under section seventeen of this Act, and any such order shall have effect immediately or upon his discharge from prison as the case may be.

Provisions  
as to certain  
persons  
sentenced  
by court  
martial.

21.—(1) If any person, being a person who has applied for registration as a conscientious objector but has nevertheless been called up for service, is undergoing a sentence of penal servitude, imprisonment or detention for a term of three months or more imposed on him by a court martial in respect of an offence committed by him while in Great Britain, then if he claims that the offence was committed by reason of his conscientiously objecting to performing military service or to obeying any order in respect of which the offence was committed, he may apply in the prescribed manner to have his case considered by the appellate tribunal.

(2) On any such application the appellate tribunal shall, if it finds that the offence for which the applicant was sentenced was committed by reason of such a conscientious objection as aforesaid, have power to recommend to the Service Authority that he be discharged from service in the armed forces of the Crown as soon as may be after serving the sentence imposed upon him.

(3) Upon receiving from the appellate tribunal a recommendation made under this section that a person be discharged from the armed forces of the Crown, it shall be the duty of the Service Authority to arrange for his discharge accordingly.

(4) Where the appellate tribunal recommend under this section that a person be discharged from whole-time service, the tribunal shall have power to make any order with respect to his registration as a conscientious objector which they would have had power to make on an appeal under section seventeen of this Act, and any such order shall have effect immediately upon his discharge.

(5) Where under the last foregoing subsection the tribunal have ordered that a person be conditionally registered in the register of conscientious objectors, the Minister may by order of which he shall serve a copy on that person provide that the period for which that person is so registered shall be reduced by any period of which in the opinion of the Minister account might be taken in reckoning the end of the term of that person's whole-time service.

22.—(1) The regulations made under this Part of this Act regulating the procedure of tribunals constituted under the Fourth Schedule to this Act shall—

PART I.  
—cont.  
Provisions  
as to local  
and appellate  
tribunals.

- (a) make provision for the appellate tribunal to sit in two or more divisions of which at least one shall sit for Scotland;
- (b) empower the tribunals to take evidence on oath;
- (c) make provision as to the representation of parties to proceedings before the tribunals which shall include the right to appear either in person or by counsel or a solicitor or by a representative of any trade union to which they belong or by any person who satisfies such a tribunal that he is a relative or personal friend of the party he proposes to represent.

(2) No determination of a local tribunal or the appellate tribunal made for the purposes of this Part of this Act shall be called in question in any court of law.

(3) The Minister may pay—

- (a) to members of tribunals constituted under the Fourth Schedule to this Act such remuneration and allowances as he may, with the approval of the Treasury, determine;
- (b) to applicants appearing before such tribunals and to any witnesses whose attendance is certified by any such tribunal to have been necessary, travelling and subsistence allowances in accordance with such scale as the Minister may, with the consent of the Treasury, approve;
- (c) to persons undergoing training in accordance with directions given by the Minister under paragraph (b) of subsection (6) of section seventeen of this Act training allowances in accordance with such scale as he may, with the consent of the Treasury, approve;
- (d) to persons conducting any medical examination under the said paragraph (b) such remuneration and allowances as he may, with the approval of the Treasury, determine; and
- (e) to persons submitting themselves to such medical examination as aforesaid such travelling and other allowances, which may include compensation for loss of remunerative time, in accordance with such scale, as he may, with the consent of the Treasury, approve.

PART I.  
—cont.

Liability to  
complete  
interrupted  
service.

*Supplemental.*

23.—(1) If any person serving in the armed forces of the Crown ceases to serve therein before he has completed his whole-time and part-time service, or terms of service equivalent thereto, he shall, unless he has attained the age of thirty-six years, or has ceased to be liable under this Part of this Act to be called up for service otherwise than by reason of his having attained the age of twenty-six years, be liable to be called upon to serve for such terms of whole-time or part-time service as will, with the service completed by him, be equivalent to the terms of service for which persons are liable under section one of this Act.

(2) The Service Authorities shall by regulations make provision for defining what terms of service shall be treated as equivalent to terms of whole-time and part-time service for the purposes of this section and for prescribing the terms of whole-time or part-time service which will, with any service completed by any person, be equivalent to the terms of service for which persons are liable under section one of this Act; so, however, that with respect to service as a volunteer in lieu of part-time service in pursuance of subsection (1) of section two of this Act, such regulations shall not permit more than fifteen days' training in any year to be reckoned towards the total of sixty days' training which a person is required to undergo during the whole of his term of part-time service.

(3) The Minister may cause to be served on any person liable under this section to be called upon to undertake part-time service a written notice specifying the term of part-time service which he is liable to perform, and, subject as hereinafter provided, that person shall after the expiration of a period of fourteen days after the service of the notice be deemed to be entered or enlisted for service in such force as may be specified in the notice;

Provided that if within the said period of fourteen days that person applies in the prescribed manner to the Minister for the cancellation or variation of the notice on the ground that he is not liable to be called upon to undertake part-time service under this section or is liable to undertake a term of part-time service shorter than that specified in the notice, the Minister shall, unless he grants the application, refer it to a referee selected by the Minister from a panel of persons nominated by the Lord Chancellor; and the notice shall not become operative to enter or enlist the applicant for service except as from such date and for such a term as may be determined by the Minister or the referee as aforesaid.



## PART I.

## —cont.

Provisions  
as to persons  
called up  
under  
National  
Service (Armed  
Forces) Act,  
1939, etc.  
2 & 3 Geo. 6.  
c. 81.

24.—(1) Where, between the thirty-first day of December, nineteen hundred and forty-six, and the commencement of this Act, a person—

- (a) has presented himself in pursuance of an enlistment notice served under section four of the National Service (Armed Forces) Act, 1939, or has entered or enlisted for service in the regular forces; or
- (b) has received a commission whereby he became an officer of a regular force, or of a reserve force on actual or permanent service,

then, if he has ceased to serve in the armed forces of the Crown or has been transferred to a reserve (whether before or after the commencement of this Act) before he has completed a term of twelve months' service, he shall, unless he has attained the age of thirty-six years or has ceased to be liable under this Part of this Act to be called up for service otherwise than by reason of his having attained the age of twenty-six years, be liable to be so called up to complete that term; and the proviso to paragraph 1 of the Second Schedule to this Act shall apply for the purpose of reckoning the said term of twelve months as it applies for the purpose of reckoning the term of whole-time service for which a person is liable in pursuance of an enlistment notice served under this Part of this Act.

(2) A person who has been entered or enlisted under section four of the National Service (Armed Forces) Act, 1939, for a term or period ending with the present emergency and is serving in pursuance of that engagement or enlistment at the commencement of this Act shall, subject to the provisions of the last foregoing subsection, continue to serve in pursuance thereof for that term or period.

(3) Subject to the foregoing provisions of this section, a person who has served in the armed forces of the Crown before the commencement of this Act shall not be liable under section one of this Act to be called upon to serve in those forces:

Provided that for the purposes of this subsection service in an auxiliary force since the seventh day of November, nineteen-hundred and forty-six, other than embodied service in the territorial army or the royal auxiliary air force and permanent service in the royal air force volunteer reserve, shall not be deemed to be, or to have been, service in the armed forces of the Crown.

25. The provisions of this Part of this Act and of any regulations made thereunder relating to terms and conditions of service of a person serving in any auxiliary force during

Calling out  
of reservists  
during part-  
time service.

PART I.  
—cont.

his part-time service shall be subject to the provisions of any enactment whereby reservists may be called into actual service or called out on permanent service or to aid the civil power, or the territorial army or the auxiliary air force may be embodied, or whereby men of the air force reserve or the royal auxiliary air force may be called out to serve in defence of the British Islands.

Modifications  
of enactments  
relating to  
persons  
called up for  
service.

26.—(1) His Majesty may by Order in Council direct that any enactment relating to the length or conditions of service of persons serving in the armed forces of the Crown shall, in its application to persons serving or who have served in those forces in pursuance of the requirements of this Part of this Act (including persons performing service as volunteers in lieu of part-time service), have effect subject to such adaptations and modifications as may appear to him to be necessary or expedient having regard to the provisions of this Part of this Act; and, without prejudice to the generality of the foregoing provision, any such Order in Council may in particular alter the term of service for which a person may be entered or enlisted for service.

(2) A royal naval special reservist shall, during any period of training for which he has been summoned, and when called into actual service, be subject—

(a) if he is entered for marine service, to the law for the time being in force for the government of the royal marine forces;

(b) if he is not so entered, to the Naval Discipline Act; and, subject to the foregoing provisions of this subsection, the Royal Naval Reserve (Volunteer) Act, 1859, shall apply to royal naval special reservists subject to such adaptations and modifications as may be directed under the last foregoing subsection.

22 & 23 Vict.  
c. 40.

(3) For the removal of doubt it is hereby declared that any person who fails without reasonable excuse to comply with an enlistment notice or a training notice may, for the purposes of section nineteen of the Naval Discipline Act, be deemed to be a deserter notwithstanding that he has not been previously in the ship or at the place where his duty requires him to be.

(4) Section ninety-six of the Army Act and section ninety-six of the Air Force Act (which enable masters of apprentices who have been attested as soldiers of the regular forces or as airmen of the regular air force to claim them while they are under the age of twenty-one years) shall not apply in relation to apprentices who are deemed, by virtue of this Part of this Act, to have been duly enlisted in any of His Majesty's forces.

PART I.  
—cont.

7 Edw. 7. c. 9.

(5) A man of the territorial army who is deemed under section one of this Act to have been enlisted therein shall not, during his term of part-time service, be exempt from serving on a jury under subsection (4) of section twenty-three of the Territorial and Reserve Forces Act, 1907.

27. Where persons are during their terms of whole-time or part-time service selected as candidates for commissions in His Majesty's forces, it shall not be made a condition of their acceptance as such candidates that they shall perform additional whole-time service after the completion of their terms of whole-time service except in accordance with regulations made by the Service Authorities under this Part of this Act.

Candidates  
for  
commissions.

28.—(1) The duty of local education authorities under section forty-one of the Education Act, 1944, to secure the provision for their area of adequate facilities for further education shall not extend to any person during his term of whole-time service; and a person shall, during his term of whole-time service, be exempt from compulsory attendance for further education under that Act.

Further  
education  
during  
whole-time  
service.  
7 & 8 Geo. 6.  
c. 31.

(2) It shall be the duty of the Service Authorities to provide, so far as may be practicable, further education within the meaning of the said section forty-one for persons during their terms of whole-time service; and, notwithstanding the provisions of the last foregoing subsection, every local education authority shall have power to provide, or secure the provision of, such facilities for further education for such persons as aforesaid as may be agreed between them and any Service Authority, upon such terms, if any, as may be so agreed.

(3) In making arrangements for such further education as aforesaid the Service Authorities shall have regard to any representations made to them by or on behalf of bodies of persons concerned with education.

29. It shall be the duty of every local education authority, and of the governing body or other persons having the management of any university, school or other educational institution, to give to the Minister, on his request, such information in their possession, or reasonably available to them, about male persons receiving, or who have received, education for which the local education authority are responsible, or, as the case may be, education at the university, school or other institution, as the Minister may from time to time require for the purpose of assisting his consideration of questions connected with their being called up for service under this Part of this Act.

Information  
to be furnished  
by education  
authorities.

PART I.  
—cont.  
False  
statements  
and forgery.

30. Any person who—

- (a) in giving any information for the purposes of this Part of this Act knowingly or recklessly makes a statement which is false in a material particular, or
- (b) with intent to deceive—
- (i) forges or uses, or lends to or allows to be used by any other person, any certificate issued under this Part of this Act, or
  - (ii) makes, or has in his possession, any document so closely resembling any certificate so issued as to be calculated to deceive,

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 such imprisonment and such fine.

General  
provisions  
as to offences.

31.—(1) A person guilty of an offence under this Part of this Act, not being an offence for which a penalty is thereby expressly provided, by reason of non-compliance with any of the provisions of this Part of this Act shall be liable on summary conviction to a fine not exceeding five pounds:

Provided that in any proceedings for an offence punishable under this section it shall be a defence for the defendant to prove that he was prevented from complying with the relevant provisions of this Part of this Act by circumstances beyond his control.

(2) Proceedings for an offence under this Part of this Act may be taken against a person at any place at which he is for the time being.

(3) Notwithstanding any limitation imposed by law as respects the time within which proceedings under the Summary Jurisdiction Acts may be begun, proceedings against a person for an offence under this Part of this Act alleged to have been committed by him while outside Great Britain may be begun at any time after the date on which he is alleged to have committed that offence, and proceedings for any other offence under this Part of this Act may be begun at any time within the period of six months from the date on which evidence sufficient in the opinion of the Minister to justify a prosecution for the offence comes to his knowledge, or within the period of twelve months after the commission of the offence, whichever period last expires.

(4) For the purposes of the last foregoing subsection, a certificate purporting to be signed by the Minister stating the date on which such evidence as aforesaid came to his knowledge shall be conclusive evidence thereof.

(5) Where for the purpose of the prosecution of any person for an offence by reason of his failure to comply—

PART I.  
—cont.

- (a) with the requirements of regulations made under subsection (1) of section seven of this Act or with the requirements of subsection (9) of that section; or
- (b) with the requirements of a notice served on him or direction given to him under section eight of this Act;

it is necessary to show that he is, or was at any particular time, a British subject or within particular limits of age, he shall be presumed to be, or to have been at that time, a British subject or within those limits of age, unless the contrary is proved:

Provided that, if it appears to the court that there are any special circumstances giving rise to doubt as to either of the matters aforesaid, the court may require the matter to be proved by the prosecution.

(6) On the prosecution of any person (hereafter in this subsection referred to as the "defendant") for any offence under this Part of this Act—

- (a) a certificate purporting to be signed on behalf of the Minister, and stating that a person bearing the name in which the defendant is charged is or was at any particular time a conditionally registered conscientious objector and so registered on a condition specified in the certificate shall be evidence that the defendant is or was at that time such a conscientious objector and registered on the condition so specified;
- (b) a certificate purporting to be signed by the chairman of a medical board, and stating that a person bearing the name in which the defendant is charged was examined by that board on a date specified in the certificate, shall be evidence that the defendant was so examined on that date:

Provided that, if it appears to the court that there are special circumstances giving rise to doubt as to any matter stated in any such certificate, or as to the relation of any such certificate to the defendant, the court may require the prosecution to prove that matter, or that the certificate relates to the defendant, as the case may be.

32.—(1) His Majesty may by Order in Council make provision for such consequential matters as it appears to him expedient to provide for by reason of the coming into force of this Part of this Act, and may by any such Order modify any enactment relating to such matters. Orders and regulations.

(2) The Minister may make regulations regulating any matter of procedure under this Part of this Act, and such

PART I.  
—cont.

regulations may, in particular, make provision as to the quorum necessary to constitute a meeting of any tribunal or committee appointed for the purposes of this Part of this Act.

(3) A draft of any Order in Council under this Part of this Act shall be laid before Parliament; and the draft shall not be submitted to His Majesty except in pursuance of an address presented by each House of Parliament praying that the Order be made.

(4) Any power to make regulations conferred by this Part of this Act on the Minister or a Service Authority shall be exercisable by statutory instrument which shall be subject to annulment in pursuance of a resolution of either House of Parliament.

(5) Any Order in Council made under this Part of this Act may be varied or revoked by a subsequent Order made in the same manner and subject to the same conditions as the original Order.

Service of  
notices.

33. Any notice to be served on any person for the purposes of any of the provisions of this Part of this Act may be sent by post addressed to that person at his last known address:

52 & 53 Vict.  
c. 63.

Provided that, notwithstanding anything in section twenty-six of the Interpretation Act, 1889, where an enlistment notice or a training notice has been served on any person by post, service on him shall not be deemed to have been duly effected unless it is proved either that he received the notice or that it was sent by registered post addressed to him at his last known address.

Interpretation  
of Part I.

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

“appellate tribunal” means an appellate tribunal constituted under the Fourth Schedule to this Act;

“auxiliary force” means the royal naval special reserve, the royal naval reserve, the royal naval volunteer reserve, the royal marine forces volunteer reserve, the territorial army, the army reserve, the air force reserve, the royal air force volunteer reserve or the royal auxiliary air force;

“local tribunal” means a local tribunal constituted under the Fourth Schedule to this Act;

“mandated territory” means a territory in respect of which a mandate on behalf of the League of Nations has been accepted by His Majesty and is being exercised by the Government of any part of His Majesty’s dominions;

“ the Minister ” means the Minister of Labour and National Service;

“ postponement certificate ” has the meaning assigned to it by section twelve of this Act;

“ prescribed ” means prescribed by regulations made by the Minister under this Part of this Act;

“ regular forces ” means the royal navy, the royal marines, the regular army and the regular air force;

“ registered conscientious objector ” means a person who is for the time being registered in the register of conscientious objectors and the expression “ conditionally registered ”, in relation to a conscientious objector, means a person who is for the time being conditionally so registered by virtue of an order made or having effect as if it had been made under paragraph (b) of subsection (6) of section seventeen of this Act, or made under paragraph (c) of subsection (3) of section nineteen of this Act, subsection (2) of section twenty of this Act or subsection (4) of section twenty-one of this Act;

“ royal naval special reserve ” means the force raised and maintained in accordance with the provisions of paragraph (a) of subsection (3) of section one of this Act;

“ Service Authorities ” means the Admiralty, the Army Council and the Air Council; and the expression “ Service Authority ” means such one of those authorities as the context may require;

“ training notice ” means a notice served or to be served on a person during his term of part-time service whereby he is called up for training for a period of not less than six days;

“ trust territory ” means a territory placed under international trusteeship and administered by the Government of any part of His Majesty’s dominions;

“ year ” means, in relation to the service of any person, the period of twelve months beginning with the commencement of that service or any anniversary thereof.

(2) So long as a period shorter than twelve months is appointed by Order in Council under subsection (2) of section one of this Act as the term of whole-time service, references in this Part of this Act and in the Second Schedule to this Act to a period of twelve months shall be construed as references to that shorter period.

PART I.  
—cont.

(3) For the purposes of this Part of this Act, the time at which a person attains a relevant age shall be deemed to be, according to the law in force elsewhere than Scotland as well as according to the law in force in Scotland, the commencement of the relevant anniversary of the date of his birth.

(4) For the purposes of this Part of this Act, a person who is resident in Great Britain shall be deemed to be ordinarily resident there unless—

- (a) he is residing there only for the purposes of attending a course of education; or
- (b) the circumstances of his residence in Great Britain are otherwise such as to show that he is residing there for a temporary purpose only; or
- (c) being a person who is, under the provisions of any Act in force in any part of His Majesty's dominions outside Great Britain, a national or citizen of that part within the meaning of that Act, or a person who was born or is domiciled in any such part of His Majesty's dominions or in a British protectorate, a mandated territory, a trust territory or any other country or territory being a country or territory under His Majesty's protection or suzerainty, he has been resident in Great Britain for less than two years.

(5) For the purposes of this Part of this Act, service in the home guard or service as an officer holding a commission in the royal naval volunteer reserve (sea cadet corps), or as an officer of the territorial army reserve of officers commissioned for service with the army cadet force, or as a commissioned officer of the training branch of the royal air force volunteer reserve, shall not be deemed to be service in the armed forces of the Crown.

## PART II.

## SAFEGUARDING OF EMPLOYMENT.

*Reinstatement in civil employment after whole-time service.*

Obligation of employers to reinstate former employees.

35.—(1) Where a person who has been called up under Part I of this Act for whole-time service makes an application to his former employer to be taken into his employment, the former employer shall, so long as the application remains in force, be under an obligation to take the applicant into his employment—

- (a) in the occupation in which the applicant was last employed by the former employer before the beginning of his whole-time service and on terms and conditions



not less favourable to him than those which would have been applicable to him in that occupation had he not been called up for whole-time service; or

- (b) if it is not reasonable and practicable that the applicant should be taken into employment in that occupation and on those terms and conditions, in the most favourable occupation and on the most favourable terms and conditions which are reasonable and practicable in his case.

(2) The said obligation shall be an obligation to take the applicant into employment as aforesaid at the first opportunity (if any) at which it is reasonable and practicable for the former employer so to do on or after such date as may be notified to him in accordance with section thirty-seven of this Act as the date on which the applicant will be available for employment; and accordingly if the former employer, after giving reasonable notice thereof to the applicant, makes such employment as aforesaid available to him at the said first opportunity, his obligation shall be discharged:

Provided that—

- (a) an opportunity for taking the applicant into his former employer's employment shall not be deemed for the purposes of this subsection to have arisen if—

(i) the former employer makes employment available to the applicant, but the applicant has, or reasonably believes that he has, reasonable cause for not taking it; and

(ii) the facts on which the applicant relies as constituting the reasonable cause are notified in writing to the former employer by him or by some person acting with his authority as soon as may be after he has been notified by the former employer that the employment is being made available to him; and

- (b) in no case shall the former employer be under any obligation under this section to take the applicant into his employment after six months have elapsed from the end of the applicant's whole-time service.

(3) Any notice to be given under the last foregoing subsection by the former employer to the applicant shall, without prejudice to any other mode for the giving thereof, be deemed to have been duly given if it is sent to the applicant addressed to him at such address as may be provided by him for the purpose or, if no such address is so provided, at his last known place of abode.

## PART II

—cont.

Mode of  
making, time  
for making  
and duration  
of applications  
for  
reinstatement.

36.—(1) An application under the last foregoing section—

- (a) shall be of no effect unless it is made in writing;
- (b) may be made either by the applicant or by some person acting with his authority.

(2) An application under the said section shall be of no effect unless it is made during the period beginning with the end of the applicant's whole-time service and ending with the second Monday after the end thereof:

Provided that an application made after the end of the said period shall not be invalid by virtue of this subsection if the applicant was prevented from making it within that period by his sickness or other reasonable cause, and the application was made as soon as reasonably may be after the expiration of the said period.

(3) An application under the said section shall cease to have effect on the expiration of thirteen weeks from the date of the making thereof:

Provided that—

- (a) while the application is still in force it may from time to time be renewed in writing by the applicant or by some person acting with his authority, and, if it is so renewed, shall not cease to have effect by virtue of this subsection until thirteen weeks from the date of the renewal; and
- (b) if, at the time when the application would otherwise cease to have effect, proceedings for the determination of any question affecting the application are pending under the subsequent provisions of this Part of this Act, the application shall not cease to have effect by virtue of this subsection until fourteen days after those proceedings have ceased to be pending; and, for the purposes of this proviso, proceedings shall not be treated as having ceased to be pending until the time for appealing has expired or, where an appeal is brought, until the appeal is decided or withdrawn.

(4) An application under the said section or any renewal of any such application may be made either directly to the former employer or, in the prescribed manner, at an employment exchange or any such other local office of the Minister or of the Ministry of Labour and National Insurance for Northern Ireland as may be appointed by the Minister or Ministry, as the case may be, and where any application or

renewal is so made or given at such an exchange or local office, it shall be the duty of the Minister to take such steps as may be practicable to forward it to the former employer.

PART II.  
—cont

37.—(1) Where an application is made under section thirty-five of this Act, the applicant or some person acting with his authority shall, at or after the time of making the application, but not later than fourteen days from the latest date allowed by the last foregoing section for the making thereof, notify to the former employer in writing a date, not later than the expiration of the said fourteen days, on which the applicant will be available for employment:

Duty of applicant to state date of availability for employment.

Provided that if, owing to his sickness or other reasonable cause, the applicant is not available for employment until after the expiration of the said fourteen days, the date to be so notified may be a date as soon as reasonably may be after the expiration of the said fourteen days, and accordingly the notification shall not be invalid by reason only that it is given after the expiration of the said fourteen days.

(2) The provisions of subsection (4) of the last foregoing section shall apply to any notification under this section as they apply to applications under section thirty-five of this Act.

38.—(1) Where an applicant has been taken into the employment of his former employer in pursuance of section thirty-five of this Act, the former employer shall be under an obligation to employ the applicant for the following twenty-six weeks or so much thereof as is reasonable and practicable—

Obligation of employers to continue to employ reinstated employees.

- (a) in an occupation not less favourable to him than that in which, and on terms and conditions not less favourable to him than those on which, the applicant is so taken into employment; or
- (b) if, at any time during the period for which he has under this section to be employed, it ceases to be reasonable and practicable for the applicant to be employed in that occupation and on those terms and conditions, in the most favourable occupation and on the most favourable terms and conditions which are thereafter for the time being reasonable and practicable in his case:

Provided that—

(i) if, when the applicant last ceased to be employed by his former employer before the beginning of his whole-time service, he had been in the continuous employment of that former employer

PART II.  
—cont.

for a consecutive period of not less than fifty-two weeks, the foregoing provisions of this section shall have effect as if for the reference to twenty-six weeks there were substituted a reference to fifty-two weeks; and

(ii) if, when the applicant last ceased to be employed by his former employer as aforesaid, he had been in the continuous employment of that former employer for a consecutive period of less than thirteen weeks, the foregoing provisions of this section shall have effect as if for the first reference therein to twenty-six weeks there were substituted a reference to thirteen weeks.

(2) In computing the period of continuous employment for the purposes of the proviso to the last foregoing subsection—

- (a) where the employment is in an undertaking, and any change has taken place in the person carrying on that undertaking or any other undertaking has become comprised in that undertaking, periods in the employment of the person for the time being carrying on the undertaking or the other undertaking, as the case may be, shall be treated as periods of employment by the former employer;
- (b) a person shall not be treated as otherwise than continuously employed by reason of any temporary absence from work,

Priority of  
claims to  
employment.

39.—(1) It shall not be treated for the purposes of the foregoing provisions of this Part of this Act as reasonable and practicable for the former employer to take the applicant into his employment, or to employ him, either at all or in any particular occupation or on particular terms and conditions, if it can only be done by discharging some other person who—

- (a) was employed by the former employer before the relevant date; and
- (b) had been so employed before the relevant date for a longer period than the applicant; and
- (c) was so employed in employment of a kind that was not less permanent in character than the applicant's employment;

or by refusing to take into employment, in accordance with section thirty-five of this Act or section one of the Act of 1944, some such other person as aforesaid who is either a person who has been called up under Part I of this Act for whole-time service or a person to whom the Act of 1944 applies and

who has duly made an application under the said section thirty-five or section one of the Act of 1944 which is still in force.

PART II.  
—cont.

In this subsection the expression “ the relevant date ” means the beginning of the applicant’s whole-time service, or where the other person as well as the applicant is either a person who has been called up under Part I of this Act for whole-time service or a person to whom the Act of 1944 applies, the beginning of the applicant’s whole-time service or the beginning of the other person’s war service or whole-time service, whichever is the earlier.

(2) It shall not be treated for the purposes of the foregoing provisions of this Part of this Act as otherwise than reasonable and practicable for the former employer to take the applicant into his employment, or to employ him, either at all or in any particular occupation or on particular terms and conditions, by reason only that it can only be done by discharging some other person who is not such a person as is mentioned in paragraphs (a), (b) and (c) of the last foregoing subsection; and this subsection shall apply whether or not the other person is either a person who has been called up under Part I of this Act for whole-time service or a person to whom the Act of 1944 applies, and whether or not that other person has been taken into the employment of the former employer in accordance with section thirty-five of this Act or section one of the Act of 1944.

- 40.—(1) Subject to the provisions of this section, where—
- (a) a person who has been called up under Part I of this Act for whole-time service ceases to serve in the armed forces of the Crown before he has completed his whole-time service and is called up under section twenty-three of this Act to complete that service; or
- (b) a person to whom the Act of 1944 applies whose war service has ended before he has completed a term of twelve months’ service is called up under section twenty-four of this Act to complete that term,

Special provisions as to re-enlistment.

his previous period of whole-time service or war service, as the case may be, shall be treated for the purposes of the foregoing provisions of this Part of this Act as continuing without intermission until the end of his subsequent period of whole-time service.

(2) The provisions of the last foregoing subsection shall not apply in relation to any person where the interval between the two periods of whole-time service or, as the case may be,

PART II.  
—cont.

between the period of war service and the period of whole-time service, exceeds twenty-six weeks or where during the said interval either—

- (a) the period specified in subsection (2) of section thirty-six of this Act for making an application under section thirty-five of this Act or, as the case may be, the period specified in subsection (2) of section two of the Act of 1944 for making an application under section one of that Act, has expired since the end of the first of the two periods of whole-time service or the period of war service without his having applied to his former employer for employment; or
- (b) his former employer has made available to him such employment as is specified in subsection (1) of section thirty-five of this Act or in subsection (1) of section one of the Act of 1944 and he has failed without reasonable excuse to take that employment or has left it otherwise than to undertake a period of whole-time service.

Reinstatement  
Committees,  
umpire and  
deputy  
umpires.

41.—(1) For the purposes of determining the questions and making the orders specified in the next following section such number of Committees (in this Part of this Act referred to as "Reinstatement Committees") shall be appointed as the Minister may determine.

(2) Every Reinstatement Committee shall consist of—

- (a) a chairman selected by the Minister from a panel constituted by him for the purposes of this section of persons to act as chairmen of Reinstatement Committees; and
- (b) one person selected by the Minister from a panel constituted as aforesaid of persons chosen to represent employers; and
- (c) one person selected by the Minister from a panel constituted as aforesaid of persons chosen to represent employed persons.

(3) The Minister may appoint such number of persons as he thinks fit as assessors to be available to Reinstatement Committees being persons who, in the opinion of the Minister, have expert knowledge of any matters which are likely to fall to be considered by those Committees in exercising their jurisdiction under this Part of this Act.

An assessor shall not vote or otherwise be a party to any determination or order of a Reinstatement Committee.

(4) For the purpose of hearing appeals from Reinstatement Committees under section forty-three of this Act, His Majesty may appoint an umpire and one or more deputy umpires.

(5) Any Reinstatement Committee, assessor, umpire or deputy umpire appointed, or panel constituted, under section eight of the Act of 1944 shall be deemed to have been appointed or constituted under this section.

PART II.  
—cont.

42.—(1) A person who has or claims to have been called up under Part I of this Act for whole-time service and claims that he has rights under the foregoing provisions of this Part of this Act which are being or have been denied him, may, within the prescribed time, apply to a Reinstatement Committee for the determination of any question relating to his rights, if any, under the said foregoing provisions, and the Committee shall determine that question.

Applications  
to  
Reinstatement  
Committees.

(2) Where the Committee are satisfied that default has been made by the former employer of the applicant in the discharge of his obligations under the foregoing provisions of this Part of this Act, the Committee may make either or both of the following orders according as is in their opinion appropriate, having regard to all the circumstances of the case and the nature and extent of the default, that is to say,—

- (a) an order requiring employment to be made available to the applicant by his former employer on such date, in such occupation, on such terms and conditions and at such place as may be specified in the order, being employment which, in the opinion of the Committee is such as is required by the foregoing provisions of this Part of this Act to be made available to the applicant;
- (b) an order requiring that there shall be paid to the applicant by way of compensation for any loss suffered or likely to be suffered by him by reason of the default a sum specified in the order, not exceeding in any event the amount of the remuneration which, in the opinion of the Committee, the applicant would, if the obligations imposed by the said foregoing provisions in relation to him had been duly discharged, have been entitled to receive from his former employer in respect of the period during which under the said provisions he has to be employed by his former employer.

(3) The provisions of the Fifth Schedule to this Act shall have effect in relation to orders made under the last foregoing subsection.

43.—(1) An appeal may, within the prescribed time, be brought from any determination or order of a Reinstatement Committee under the last foregoing section, or from the refusal

Appeals from  
Reinstatement  
Committees.

PART II.  
—cont.

of such a Committee to make an order, to the umpire or a deputy umpire, as follows:—

- (a) at the instance of an organisation of employers of which the employer concerned was a member on the date on which the application was made to the Reinstatement Committee;
- (b) at the instance of an association of employed persons of which the applicant was a member on that date;
- (c) at the instance either of the employer concerned or of the applicant—
  - (i) without leave in any case in which the decision of the Committee is not unanimous; and
  - (ii) with the leave of the Committee, or, if the Committee refuse leave and an application for leave is made within the prescribed time to the umpire or a deputy umpire, with the leave of the umpire or a deputy umpire.

In this section, the expression “ the employer ” includes, in a case where different persons have at different periods been the former employer of the applicant, any person against whom an order was made by the Reinstatement Committee.

(2) On any such appeal, the umpire or deputy umpire may make any determination or order which a Reinstatement Committee might make under the last foregoing section or may dismiss the appeal, and his decision shall be final; and in considering how to exercise his powers under this subsection, the umpire or deputy umpire shall, where there has been any change in the relevant facts since the date of the hearing before the Reinstatement Committee, have regard to the facts existing on the date of the hearing before him.

(3) The umpire or deputy umpire shall, when considering an appeal under this section, sit with two assessors appointed by the Minister:

Provided that where, on any such appeal, one or both of the assessors appointed to sit is or are absent, then, with the consent in writing of the parties, the umpire or deputy umpire may proceed to consider and determine the appeal without the other assessor or without either assessor, as the case may be.

(4) Any assessor appointed under section ten of the Act of 1944 shall be deemed to have been appointed under the last foregoing subsection.

Enforcement.

44.—(1) Where an order has been made by a Reinstatement Committee or by the umpire or a deputy umpire on appeal that employment shall be made available to a person on a specified day and employment is not made available to him on that day in accordance with the order, the person



against whom the order was made shall be liable on summary conviction to a fine not exceeding one hundred pounds, and the court by whom he is found guilty may order him to pay to the person to whom the employment should have been made available, by way of compensation for any loss suffered or likely to be suffered by him by reason of the offence, a sum specified in the order, not exceeding in any event the amount of the remuneration which, in the opinion of the court, that person would have been entitled to receive from his former employer if the order, and the obligation as to subsequent employment resulting from the order, had been complied with:

Provided that—

- (a) proceedings shall not be brought against any person for failure to comply with an order of a Reinstatement Committee until the time allowed for appealing has expired or, where an appeal is brought, until the appeal is decided or withdrawn;
  - (b) where the person against whom the order was made is no longer the former employer of the applicant at the date of the failure to comply with the order, it shall be a defence to him to prove that he took all reasonable steps to secure compliance with the order.
- (2) Where an order has been made by a Reinstatement Committee or by the umpire or a deputy umpire on appeal for the payment to a person of any sum, that sum may, without prejudice to any other mode for the recovery thereof, be recovered from the person against whom the order is made summarily as a civil debt; but proceedings shall not be brought, whether summarily or otherwise, for the recovery of any such sum until the time allowed for appealing against the order has expired or, where an appeal is brought, until the appeal is decided or withdrawn.
- (3) Save as provided in this section, no proceedings, whether civil or criminal, shall be brought against any person in respect of a failure to discharge an obligation imposed on him by or under the foregoing provisions of this Part of this Act.

(4) Any officer authorised in that behalf by special or general directions of the Minister may institute on behalf of and in the name of any person who has been called up under Part I of this Act for whole-time service civil proceedings for the recovery of any such sum as is mentioned in subsection (2) of this section, and in any such proceedings the court may make an order for the payment of costs by the officer as if he were a party to the proceedings:

Provided that the powers conferred by this subsection for the recovery of sums due to a person who has been called up under Part I of this Act for whole-time service shall not

PART II.  
—cont.

be in derogation of any right of that person himself to recover such sums by civil proceedings.

## Waiver, etc.

45.—(1) The foregoing provisions of this Part of this Act requiring a person who has been called up under Part I of this Act for whole-time service, as a condition of obtaining his rights thereunder, to make and renew an application to his former employer to be taken into employment and to notify a date on which he will be available for employment are for the protection of the former employer and accordingly can be waived or dispensed with by the former employer, either in whole or in part and either expressly or by conduct:

Provided that, except where the applicant has in fact been taken into the employment of his former employer since the end of his whole-time service, any requirement that anything should be done in writing shall not be deemed to be capable of being waived or dispensed with by the former employer otherwise than in writing.

## (2) Where—

(a) a person who has been called up under Part I of this Act for whole-time service has made an application under section thirty-five of this Act to be taken into the employment of his former employer and is so taken into employment before that application has expired; or

(b) a person who has been called up for service as aforesaid is taken into the employment of his former employer under such circumstances that such an application has been waived or dispensed with,

and in either case the employment is not such as is specified in subsection (1) of section thirty-five of this Act, the rights of the said person against his former employer shall not be less than they would have been if the employment into which he is taken were such employment.

Meaning of  
expression  
“ former  
employer ”.

46.—(1) Subject to the provisions of this section, the expression “ former employer ” in the foregoing provisions of this Part of this Act means, in relation to a person who has been called up under Part I of this Act for whole-time service, the employer by whom he was last employed within the period of four weeks immediately preceding the beginning of his whole-time service.

(2) Where a person who has been called up under Part I of this Act as aforesaid was last employed within the said period of four weeks in any undertaking, and (whether before or after the commencement of this Act) any change takes place in the person carrying on that undertaking or that undertaking becomes comprised in any other undertaking, references in the foregoing provisions of this Part of this Act to the former employer of that person shall be construed as

references to the person for the time being carrying on that undertaking or that other undertaking, as the case may be:

PART II.  
—cont.

Provided that where the person in question was last employed as aforesaid in a branch or part of an undertaking which (whether before or after the commencement of this Act) becomes, or becomes part of, some other undertaking, and either—

- (a) he has as a consequence become employed in that other undertaking; or
- (b) it is reasonable to suppose that he would as a consequence have become employed in that other undertaking if his employment had not been interrupted by his whole-time service,

this subsection shall have effect as if that branch or part were itself an undertaking.

(3) Where—

- (a) by virtue of any provision made by or under any Act, employers of any class are required, in taking persons of any class into their employment (whether in all cases or not and whether absolutely or subject to exceptions), to restrict themselves to, or to give preference to, persons for the time being included in a specified pool or register; and
- (b) under the said provision, all persons included in that pool or register are in the employment of a specified body when not otherwise employed; and
- (c) the occupation in which a person who has been called up under Part I of this Act for whole-time service was last employed before the beginning of that service is such that the taking of him into employment by the person who, but for the provisions of this subsection, would be his former employer is affected by the said provision,

the said body shall, for the purposes of the foregoing provisions of this Part of this Act, be deemed to be the former employer of that person.

47.—(1) A certificate of the competent naval, military or air force authority as to the duration of a person's whole-time service shall be conclusive for the purposes of any proceedings before, or on appeal from, a Reinstatement Committee. Evidence.

(2) Every document purporting to be such a certificate as aforesaid or any other certificate authorised by this Part of this Act and to be signed by or on behalf of the Minister, the Ministry of Labour and National Insurance for Northern Ireland or the competent naval, military or air force authority shall be received in evidence, and shall, until the contrary is

PART II.  
—cont.

proved, be deemed to be such a certificate of the Minister, Ministry or authority, as the case may be; and in any proceedings before, or on appeal from, a Reinstatement Committee, the production of a document purporting to be certified by or on behalf of the Minister, Ministry or authority, as the case may be, to be a true copy of any such certificate as is mentioned in this subsection shall, unless the contrary is proved, be sufficient evidence of the certificate.

(3) The production, in any proceedings (whether civil or criminal), of a document purporting to be certified by the chairman of a Reinstatement Committee or by the umpire or a deputy umpire to be a true record of a determination or order of the Committee or of the umpire or deputy umpire on appeal, as the case may be, shall, unless the contrary is proved, be sufficient evidence of the determination or order.

(4) Where in any proceedings, whether civil or criminal, brought under the foregoing provisions of this Part of this Act against a person for failure to comply with an order of a Reinstatement Committee or of the umpire or a deputy umpire on appeal, proof is given of such an order against a person bearing the name in which the person against whom the proceedings are brought is charged or appears in the proceedings, that order shall, unless the contrary is proved, be deemed to be an order against the person against whom the proceedings are brought.

Priority in  
bankruptcy  
of sums  
ordered to be  
paid by  
employer.  
4 & 5 Geo. 5.  
c. 59.

48. There shall be included among the debts which, under section thirty-three of the Bankruptcy Act, 1914, are to be paid in priority to all other debts in the distribution of the property of a bankrupt or person dying insolvent, any sum ordered under the foregoing provisions of this Part of this Act to be paid by way of compensation where the default by reason of which the order for compensation was made occurred before the receiving order or death, whether or not the order for compensation was made before the receiving order or death:

Provided that the sum to which priority is to be given under this subsection shall not in the case of any one claimant exceed fifty pounds.

Expenses of  
Reinstatement  
Committees, etc.

49. The Minister may pay—

- (a) to members of Reinstatement Committees, to the umpire and the deputy umpires, to persons appointed to sit as assessors and to any officers and servants of the Minister employed for the purposes of the foregoing provisions of this Part of this Act, such remuneration and allowances as the Minister may, with the approval of the Treasury, determine;

- (b) to persons attending as parties or witnesses before Reinstatement Committees or the umpire or any deputy umpire, allowances in accordance with such scales as the Minister may, with the approval of the Treasury, determine.

PART II.  
—cont.

*Prohibition of dismissal of employees by reason of liability for whole-time service.*

50.—(1) If the employer of any person liable to be called up under Part I of this Act for whole-time service terminates his employment without his consent before the date on which he is required to present himself in accordance with an enlistment notice, and does so solely or mainly by reason of any duties or liabilities which that person is, or may become, liable to perform or discharge by reason of his being, or being liable to be, called up as aforesaid, the employer shall be guilty of an offence and liable on summary conviction thereof to a fine not exceeding fifty pounds; and the court by which he is convicted may order him to pay to the person whose employment has been terminated, as compensation for any loss suffered or likely to be suffered by him by reason of the termination, a sum not exceeding an amount equal to five weeks' remuneration at the rate at which his remuneration was last payable to him by the employer.

Prohibition of dismissal of employees by reason of liability for whole-time service.

(2) If in any proceedings under this section the court is of opinion that there is reasonable cause to believe that the duties or liabilities aforesaid caused or contributed to the termination of the employment, the employment shall be deemed to have been terminated by reason of those duties or liabilities unless the employer proves that the termination was for a reason unconnected therewith.

*Provisions as to persons performing part-time service.*

51.—(1) If the employment of any person is terminated by his employer solely or mainly by reason of any duties or liabilities which he is, or may become, liable to perform or discharge in pursuance of Part I of this Act during his term of part-time service, that person shall be entitled to recover from his employer as compensation for any loss suffered or likely to be suffered by him by reason of the termination of his employment a sum not exceeding an amount equal to five weeks' remuneration at the rate at which his remuneration was last payable to him by the employer.

Prohibition of dismissal of employees by reason of liability for annual training.

(2) If any dispute arises as to the compensation payable under the last foregoing subsection, the person whose employment has been terminated may, within such time as may be prescribed, apply to a Reinstatement Committee for the

PART II.  
—cont.

determination of his right to recover compensation, and if that right is established to the satisfaction of the Committee they shall make an order for the payment by the employer to the applicant of such sum as they consider him to be entitled to recover.

(3) If in any proceedings under this section the Committee are of opinion that there is reasonable cause to believe that the duties or liabilities aforesaid caused or contributed to the termination of the employment, the employment shall be deemed to have been terminated by reason of those duties or liabilities unless the employer proves that the termination was for a reason unconnected therewith.

(4) The following provisions of this Part of this Act shall, with the necessary modifications, apply for the purposes of this section as they apply for the purposes of the foregoing provisions of this Part of this Act, that is to say:—

section forty-one;

section forty-three, except so much thereof as defines the expression “ the employer ”;

subsections (2) and (4) of section forty-four;

subsections (3) and (4) of section forty-seven;

section forty-eight;

section forty-nine.

Adjustment  
of contracts  
of service and  
apprenticeship  
affected by  
annual  
training.

52.—(1) Where by virtue of any contract of service or apprenticeship or of any order made or direction given under any enactment an employer is required to allow annual holidays to any person liable to be summoned for training in pursuance of a training notice served under Part I of this Act, the annual holidays shall not, except at his request, be allowed at times comprised within the period of training.

In this subsection the expression “ annual holidays ” does not include any bank holidays or other customary holidays on dates not fixed by the employers.

(2) For the purpose of securing the fair adjustment of contracts of service or apprenticeship in force between employers and employees when the employees are summoned for training in pursuance of a training notice as aforesaid, the Minister may make regulations relieving the parties to such contracts of all or any of their obligations thereunder in respect of the period of training required by the notice, and may also make regulations modifying such contracts by extending the periods of service or apprenticeship thereunder by a period not exceeding the period of the said training, and adapting the terms of the contract in relation to any such extension.

*Supplemental.*PART II.  
—cont.  
Regulations.

53.—(1) The Minister may make regulations—

- (a) regulating the procedure to be followed in connection with applications to Reinstatement Committees and appeals to the umpire or a deputy umpire, fixing the quorum of such Committees, and regulating the circumstances and the manner in which assessors are to be or may be summoned to assist such Committees;
- (b) prescribing any other thing which by this Part of this Act is required or authorised to be prescribed.

(2) Any power to make regulations conferred by this Part of this Act on the Minister shall be exercisable by statutory instrument, which shall be subject to annulment in pursuance of a resolution of either House of Parliament.

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

- “ the Act of 1944 ” means the Reinstatement in Civil Employment Act, 1944; Interpretation of Part II.  
7 & 8 Geo. 6.  
c. 15.
- “ the competent naval, military or air force authority ” means the Admiralty, the Army Council or the Air Council, or an officer designated by any of them;
- “ the Minister ” means the Minister of Labour and National Service;
- “ prescribed ” means prescribed by regulations made under section fifty-three of this Act;
- “ undertaking ” includes any business, whether carried on by way of trade or not, and the activities of any body of persons, whether corporate or unincorporated;
- “ whole-time service ” means whole-time service within the meaning of Part I of this Act.

(2) References in this Part of this Act to periods of war service or the beginning or the end of war service, of a person to whom the Act of 1944 applies, shall be construed as references to periods of whole-time service mentioned in subsection (1) of section fifty-nine of this Act and to the beginning and the end thereof.

(3) Any reference in this Part of this Act to the performing of services shall be construed as including a reference to the undergoing of training.

(4) A period of whole-time service shall not be treated for the purposes of this Part of this Act as having ceased by reason—

- (a) of any absence on sick leave; or

PART II.  
—cont.

(b) of any other absence on leave, unless it is leave on or pending release or demobilisation, or leave pending discharge.

(5) For the purposes of this Part of this Act, a person who attends for the purpose of entering any of the armed forces of the Crown but who has been notified that he will not be immediately required to take up duty therewith shall not be treated as having been called up under Part I of this Act for whole-time service until he reports for duty, and any period before he is required for duty during which he is required to attend for purposes connected with his entry into the armed forces of the Crown shall be disregarded.

(6) For the purposes of this Part of this Act, a person who is required to report for the purpose of being released, demobilised or discharged shall not, on reporting for that purpose, be treated as having been called up under Part I of this Act.

(7) Any reference in this Part of this Act to the Act of 1944 shall be construed as a reference to that Act as amended by any subsequent enactment, including this Act.

## PART III.

## GENERAL.

## Expenses.

55. Any expenses incurred by the Minister, a Secretary of State or the Admiralty or by any other Minister of the Crown under this Act, or under any Order in Council made under subsection (1) of section thirty-two of this Act, shall be defrayed out of moneys provided by Parliament.

Application  
to Scotland.

56. In the application of this Act to Scotland—

(a) in section nineteen for subsection (6) there shall be substituted the following subsection:—

“ (6) Where the case of any person has been referred to a local tribunal under subsection (1) of this section, no prosecution under the last foregoing subsection for failing to comply with a condition shall be instituted against him—

(a) unless that tribunal has determined the matter and made no report that he had reasonable excuse for the failure and the time for appealing against that determination has expired, or

(b) where an appeal has been brought from the determination of the local tribunal, unless the appellate tribunal has determined the matter and made no such report as aforesaid.”



(b) for section forty-eight there shall be substituted the following section:—

PART III.  
—cont.

“ Priority  
in  
bankruptcy  
of sums  
ordered to  
be paid by  
employer.  
3 & 4 Geo. 5.  
c. 20.

48. There shall be included among the debts which under section one hundred and eighteen of the Bankruptcy (Scotland) Act, 1913, are to be paid in priority to all other debts in the division of a bankrupt's estate, any sum ordered under the foregoing provisions of this Part of this Act to be paid by way of compensation where the default by reason of which the order for compensation was made occurred before the date mentioned in subsection (4) of that section, whether or not the order for compensation was made before that date:

Provided that the sum to which priority is to be given under this subsection shall not in the case of any one claimant exceed fifty pounds.”

(c) in the First Schedule for paragraph 3 there shall be substituted the following paragraph:—

29 & 30  
Vict. c. 51.

“ 3. A person who is the subject of an order or warrant for his detention or custody under the Lunacy (Scotland) Acts, 1857 to 1919, or is being entertained and kept in an asylum in pursuance of section fifteen of the Lunacy (Scotland) Act, 1866, or is a person for whose safe custody during His Majesty's pleasure His Majesty is authorised to give order or is a prisoner whom the Secretary of State or the Prisons Department for Scotland has, in pursuance of any Act, directed to be removed to a criminal lunatic asylum or to the criminal lunatic department of Perth prison or to an asylum, or is a person placed in an institution or a certified house or under guardianship under section four of the Mental Deficiency and Lunacy (Scotland) Act, 1913, or is the subject of an order under section seven, nine, or ten of that Act.”

3 & 4 Geo. 5.  
c. 38.

(d) for any reference to a local education authority there shall be substituted a reference to an education authority and for any reference to section forty-one of the Education Act, 1944, there shall be substituted a reference to section one of the Education (Scotland) Act, 1946, and

9 & 10 Geo. 6.  
c. 72.

(e) for any reference to the Lord Chancellor there shall except where the context otherwise requires be substituted a reference to the Lord President of the Court of Session.

**PART III.**  
—*cont.*  
Application  
to Northern  
Ireland.

**57.—(1)** In the application of this Act to Northern Ireland, for section forty-eight there shall be substituted the following section:—

“ Priority  
in  
bankruptcy,  
winding up,  
etc. of sums  
ordered to  
be paid by  
employer.

**48.—(1)** There shall be included among the debts which, under section one of the Preferential Payments in Bankruptcy Act (Northern Ireland), 1933, are to be paid in priority to all other debts in the distribution of the property of a bankrupt, arranging debtor or person dying insolvent, any sum ordered under the foregoing provisions of this Part of this Act to be paid by way of compensation where the default by reason of which the order was made occurred before the following date:—

- (a) in the case of a bankrupt, the date of the order of adjudication;
- (b) in the case of an arranging debtor, the date of the filing of the petition for arrangement;
- (c) in the case of a person dying insolvent, the date of his death;

and the said sum shall be so included whether or not the order for compensation was made before the order of adjudication, filing of the petition or date of the death, as the case may be.

(2) There shall be included among the debts which, under section two hundred and thirty-four of the Companies Act (Northern Ireland), 1932, are to be paid in priority to all other debts in the winding up of a company, any sum ordered under the foregoing provisions of this Part of this Act to be paid by way of compensation where the default by reason of which the order for compensation was made occurred before the relevant date within the meaning of that section, whether or not the order for compensation was made before that date.

(3) Where a receiver is appointed on behalf of the holders of any debentures of a company secured by a floating charge, or possession is taken by or on behalf of those debenture holders of any property comprised in or subject to the charge, there shall be included among the debts which, under section seventy-six of the Companies Act (Northern Ireland), 1932, are to be paid in priority to any claim for principal or interest in respect

of the debentures, any sum ordered under the foregoing provisions of this Part of this Act to be paid by way of compensation where the default by reason of which the order for compensation was made occurred before the date of the appointment of the receiver or of possession being taken as aforesaid, whether or not the order for compensation was made before that date.

PART III.  
—cont.

(4) Notwithstanding anything in the three foregoing subsections, the sum to which priority is to be given under those subsections respectively shall not in the case of any one claimant exceed fifty pounds."

(2) The provisions of Part II of this Act with respect to the Minister shall be without prejudice to the making of arrangements under section sixty-three of the Government of Ireland Act, 1920, for the exercise and performance of any powers and duties of the Minister by officers of the Ministry of Labour and National Insurance for Northern Ireland on his behalf.

10 & 11 Geo. 5.  
c. 67.

58.—(1) His Majesty may by Order in Council direct that this Act shall extend to the Isle of Man, subject to such adaptations and modifications as may be specified in the Order; and may by Order in Council vary or revoke any previous Order in Council made under any enactment relating to the extension to the Isle of Man of the National Service Acts, 1939 to 1947.

Power to extend to Isle of Man.

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

59.—(1) The persons to whom the Reinstatement in Civil Employment Act, 1944, applies shall be—

Limitation of application of Reinstatement in Civil Employment Act, 1944.

(a) persons to whom that Act applied by reason of their having before the eighteenth day of July, nineteen hundred and forty-seven, entered upon such a period of whole-time service as is specified in section six of that Act; and

(b) persons who between the seventeenth day of July, nineteen hundred and forty-seven, and the first day of January, nineteen hundred and forty-nine, have entered on a period of whole-time service in the armed forces of the Crown by presenting themselves in pursuance of an enlistment notice served under section four of the National Service (Armed Forces) Act, 1939;

and no others.

PART III.  
—cont.

(2) In relation to any person entered or enlisted for service in pursuance of such an enlistment notice on or after the first day of January, nineteen hundred and forty-seven, being a person to whom the said Act of 1944 applies, that Act shall have effect subject to the following modifications, that is to say—

- (a) section two shall have effect as if, in subsection (2) thereof, for the word “ fifth ” there were substituted the word “ second ”; and
- (b) section three shall have effect as if, in subsection (1) thereof, for the words “ four weeks ” wherever they occur there were substituted the words “ fourteen days ”:

Provided that nothing in this subsection shall affect any person whose war service within the meaning of the said Act had ended before the eighteenth day of July, nineteen hundred and forty-seven.

(3) After the commencement of this Act, no Reinstatement Committee, assessor, umpire or deputy umpire shall be appointed, or panel constituted, under section eight or section ten of the said Act of 1944, and—

- (a) any reference in the said Act to a Reinstatement Committee, umpire or deputy umpire shall be construed as a reference to a Committee, umpire or deputy umpire appointed or deemed to have been appointed under section forty-one of this Act; and
- (b) any reference in section eight of the said Act of 1944 to an assessor shall be construed as a reference to an assessor appointed or deemed to have been appointed under section forty-one of this Act and any reference in section ten of the said Act to an assessor shall be construed as a reference to an assessor appointed or deemed to have been appointed under section forty-three of this Act.

Repeal and  
savings.

60.—(1) Subject to the provisions of this section, the Acts specified in the Sixth Schedule to this Act are hereby repealed to the extent specified in the third column of that Schedule.

(2) The repeal of the National Service (Armed Forces) Act, 1939, shall not affect the operation of subsection (2) of section twenty-one of that Act as respects persons who have been entered or enlisted under section four of that Act for a term or period ending with the present emergency and are serving in pursuance of that engagement or enlistment at the commencement of this Act.

(3) Nothing in this Act shall affect any regulations made for the purposes of the Reinstatement in Civil Employment Act, 1944, under section sixteen of that Act, but any such regulations shall continue to have effect for those purposes and shall also have effect for the purposes of Part II of this Act as if they had been made under section fifty-three of this Act.

(4) Nothing in this Act shall affect any regulations, order, arrangements, application, or appointment made, notice served, direction given, certificate issued, registration effected or other thing done under any enactment repealed by this Act, but any such regulations, order, arrangements, application, appointment, notice, direction, certificate, registration or other thing shall, if in force at the commencement of this Act, continue in force, and so far as they or it could have been made, served, given, issued, effected or done under this Act have effect as if made, served, issued, effected or done under this Act.

(5) Nothing in the foregoing provisions of this section shall be taken as prejudicing the operation of section thirty-eight of the Interpretation Act, 1889 (which relates to the effect of repeals).

61. No person who attains the age of eighteen years on or after the first day of January, nineteen hundred and fifty-four shall be liable under this Act to be called upon to serve in the armed forces of the Crown; and accordingly this Act shall continue in operation only with respect to persons who have attained that age or who have been called up for service under this Act before that date : Duration  
of Act.

Provided that His Majesty may by Order in Council substitute for the said day such later day as may seem to His Majesty expedient.

62.—(1) This Act may be cited as the National Service Act, 1948. Short title  
and com-  
mencement

(2) This Act shall come into force on the first day of January, nineteen hundred and forty-nine.

## SCHEDULES.

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Sections 1, 5.

### FIRST SCHEDULE.

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#### PERSONS NOT LIABLE TO BE CALLED UP FOR SERVICE.

1. A person employed in the service of the Government of a part of His Majesty's dominions outside Great Britain, or in the service of the Government of a British protectorate, a mandated territory, a trust territory, or some other country or territory which is under His Majesty's protection or suzerainty, being a person whose presence in Great Britain is occasioned solely by his employment in that service.

2. A man in holy orders or a regular minister of any religious denomination.

47 & 48 Vict.  
c. 64.  
20 & 21 Geo. 5.  
c. 23.  
3 & 4 Geo. 5.  
c. 28.

3. A person who is the subject of an order or inquisition under the Lunacy and Mental Treatment Acts, 1890 to 1930, or is being detained as a criminal lunatic or in pursuance of an order made under the Criminal Lunatics Act, 1884, or is undergoing treatment as a temporary patient under section five of the Mental Treatment Act, 1930, or has been placed in an institution or a certified house, or under guardianship, under section three of the Mental Deficiency Act, 1913, or is the subject of an order under section six, eight, or nine of that Act, or is under supervision provided under paragraph (b) of section thirty of that Act, or is an inmate of a home approved under section fifty of that Act or is the subject of a notification under subsection (2) of section fifty-one of that Act.

11 & 12 Geo. 6.  
c. 29.

4. A person certified by a local authority, as defined for the purposes of Part III of the National Assistance Act, 1948, to be registered as a blind person under arrangements made by the authority under section twenty-nine of that Act.

Sections 1, 9, 24.

### SECOND SCHEDULE.

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#### LENGTH OF WHOLE-TIME SERVICE.

1. The term of a person's whole-time service shall, for the purposes of Part I of this Act, be completed on, or as soon as is practicable after, the expiration of a period of twelve months beginning with his entry or enlistment for service under Part I of this Act :

Provided that—

- (a) if at the time when that term would otherwise be completed he has become liable to be proceeded against for an offence against the Naval Discipline Act, military law or the Air Force Act, that term shall not be completed until he has been tried or otherwise dealt with for that offence and has

undergone any punishment awarded therefor ; or, if at that time punishment for such an offence as aforesaid has already been awarded, until he has undergone that punishment ; and

(b) in determining the end of the said period of twelve months no account shall be taken—

(i) of any day before the day on which he presented himself in pursuance of the enlistment notice ;

(ii) of any continuous period exceeding fourteen days during which he was absent as a deserter or absent without leave ;

(iii) of any continuous period exceeding fourteen days during which he was serving, or would if he had not been unlawfully at large have been serving, a term of penal servitude, imprisonment, detention, preventive detention or detention in a Borstal institution in pursuance of a sentence of a court or an award by his commanding officer or in default of payment of any sum of money or for doing or failing to do or abstain from doing anything required to be done or left undone ; and

(c) if leave of absence is granted to any person for a period comprising or immediately following the date on which his term of whole-time service would otherwise be completed under this Schedule, the Service Authority may postpone the completion of that term until a date not later than the expiry of his leave.

2. The Service Authority may direct that a person's whole-time service shall be treated as completed at any time earlier than it would otherwise be completed under this Schedule.

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### THIRD SCHEDULE.

Section 12.

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#### MILITARY SERVICE (HARDSHIP) COMMITTEES.

Military Service (Hardship) Committees shall be appointed for such districts as the Minister may determine, and shall consist of a chairman appointed by the Minister and two other persons selected by the Minister from a panel constituted by him for the purposes of Part I of this Act, which, so far as practicable, shall include all persons being members of any panel constituted under section forty-three of the National Insurance Act, 1946, in connection with the establishment of the local tribunals referred to in subsection (3) of that section.

9 & 10 Geo. 6.  
c. 67.

The chairman shall be a person holding the office of chairman of any such local tribunal as aforesaid or having such other qualifications as the Minister considers suitable.

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Sections 17, 22,  
34.

## FOURTH SCHEDULE

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### CONSCIENTIOUS OBJECTORS TRIBUNALS.

#### *Local Tribunals.*

1. Local tribunals shall be appointed for such districts as the Minister may determine, and shall consist of a chairman and six other members appointed by the Minister.

2. In appointing members of local tribunals the Minister shall have regard to the necessity of selecting impartial persons; and of the six members other than the chairman not less than two shall be appointed by the Minister after consultation with organisations representative of workers.

3. The chairman shall, in the case of a local tribunal for a district in England and Wales, be a county court judge or a barrister of at least seven years' standing, and, in the case of a local tribunal for a district in Scotland, a sheriff or sheriff substitute or an advocate of at least five years' standing.

4. Of the six other members four only, to be selected by the Minister, shall be summoned to attend any particular session of the tribunal.

#### *The Appellate Tribunal.*

5. Every division of the appellate tribunal shall consist of a chairman and four other members appointed by the Minister.

6. In appointing members of the appellate tribunal the Minister shall have regard to the necessity of selecting impartial persons; and, of the four members other than the chairman, not less than two shall be appointed by the Minister after consultation with organisations representative of workers.

7. The chairman shall be a person nominated, in the case of any division for England and Wales, by the Lord Chancellor, and, in the case of any division for Scotland, by the Lord President of the Court of Session.

8. Of the four other members two only, to be selected by the Minister, shall be summoned to attend any particular session of the tribunal.

#### *General.*

9. The Minister may appoint another person having the like qualifications, or, as the case may be, nominated in the same manner, as the chairman to act as deputy chairman if the chairman of a tribunal is unable to act.

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## FIFTH SCHEDULE.

Section 42.

PROVISIONS APPLICABLE TO ORDERS OF REINSTATEMENT  
COMMITTEES.*Orders requiring employment to be made available.*

1. An order requiring that employment shall be made available to the applicant by his former employer may be made notwithstanding that more than six months have elapsed since the end of the applicant's whole-time service, and notwithstanding that the date on which employment is to be made available to the applicant is more than six months after the end of the applicant's whole-time service.

2. Any such order shall be made against the person who is the former employer of the applicant at the time of the making of the order, and accordingly it shall be his duty to secure compliance therewith.

3. Where the applicant is taken into the employment of his former employer in pursuance of any such order, the provisions of Part II of this Act shall have effect in relation to the applicant as if he had been taken into employment in pursuance of the obligation imposed on his former employer by section thirty-five of this Act :

Provided that where the applicant has already been in the employment of his former employer for any period since the end of his whole-time service, the period of twenty-six, fifty-two or thirteen weeks for which, under section thirty-eight of this Act as applied by this paragraph, the applicant has to be employed shall be correspondingly reduced.

4. Where, in pursuance of any such order, the former employer of the applicant makes employment available to the applicant on the date specified in the order but the applicant is prevented from taking it by sickness or other reasonable cause, the former employer shall be under the like obligation as he would have been under if the employment had been made available in pursuance of the obligation imposed by section thirty-five of this Act :

Provided that, where the date specified in the order as the date on which employment is to be made available is more than six months from the end of the applicant's whole-time service, so much of that section as provides that in no case shall the former employer be under an obligation to take the applicant into his employment after six months after the end of the applicant's whole-time service shall have effect as if for the reference to the end of the applicant's whole-time service there were substituted a reference to the date so specified.

*Orders for compensation.*

5. An order for the payment of money by way of compensation shall, in so far as the compensation is in respect of a period subsequent to the order, be made against the person who is the former employer of the applicant at the date of the order, and, in so far as the compensation is in respect of a period before the order, be made against the person who was the former employer during the period of default

5TH SCH.  
—cont.

by reason of which the order was made ; and where different persons have been at different times the former employer of the applicant, the sum payable under the order shall be apportioned by the order between those persons and references in Part II of this Act to the person against whom such an order is made shall be construed accordingly.

## SIXTH SCHEDULE.

Section 60.

### ENACTMENTS REPEALED.

Session and Chapter.	Short Title.	Extent of Repeal.
2 & 3 Geo. 6. c. 81.	The National Service (Armed Forces) Act, 1939.	The whole Act.
4 & 5 Geo. 6. c. 15.	The National Service Act, 1941.	The whole Act.
5 & 6 Geo. 6. c. 4.	The National Service (No. 2) Act, 1941.	The whole Act.
6 & 7 Geo. 6. c. 3.	The National Service Act, 1942.	The whole Act.
10 & 11 Geo. 6. c. 31.	The National Service Act, 1947.	The whole Act.
11 & 12 Geo. 6. c. 25.	The Royal Marines Act, 1948.	Subsection (3) of section one.

## CHAPTER 65.

### *Representation of the People Act, 1948.*

#### ARRANGEMENT OF SECTIONS.

##### PART I.

#### PARLIAMENTARY FRANCHISE AND ITS EXERCISE.

##### *Parliamentary franchise and distribution of seats.*

##### Section.

1. Constituencies and electors.
2. Residence.
3. Adaptation of 7 & 8 Geo. 6. c. 41.

##### *Registration of parliamentary electors.*

4. Registration officers and areas.
5. Registers of electors.
6. Service qualification.

##### *Place and manner of voting at parliamentary elections.*

7. Polling districts and polling places.
8. Place and manner of voting as elector.
9. Determination of right to be treated as absent voter.
10. Proxies.
11. Place and manner of voting as proxy.

*Conduct of parliamentary elections.*

## Section.

12. Timetable and procedure.
13. Effect of register, etc.
14. Decision by lot in event of tie.
15. Return of forfeiture of candidate's deposit.
16. Returning officers.
17. Discharge of functions of returning officer.
18. Payments by and to returning officer.

*Supplementary.*

19. Infringements of secrecy and tampering with postal votes.
20. Breaches of official duty.

## PART II.

GENERAL PROVISIONS AS TO LOCAL GOVERNMENT  
FRANCHISE AND ITS EXERCISE.*Local government franchise and registration of electors.*

21. Electors.
22. Residence, occupation, etc.
23. Registration.

*Place and manner of voting at local government elections.*

24. Situation of polling stations at local government elections.
25. Place and manner of voting as elector.
26. Voting by post by absent voters.
27. Proxies.

*Conduct of local government elections.*

28. Amendments of local elections rules.
29. Effect of register, etc.

*Supplementary.*

30. Tampering with postal votes.
31. Breaches of official duty.

## PART III.

CORRUPT AND ILLEGAL PRACTICES AND OTHER  
PROVISIONS AS TO ELECTION CAMPAIGN.*Parliamentary Elections.*

32. Limit of, and return and declarations as to, expenses.
33. Use of motor vehicles for conveying electors to poll.
34. Candidate's right to send election address post free.
35. Candidate's right to use certain schools and halls for election meetings.
36. Use of committee rooms in schools.
37. Election propaganda.

*Local government elections.*

38. Appointment of election agent.
39. Extensions of local corrupt practices Act in England and Wales.
40. Other amendments for securing conformity with rules as to parliamentary elections.

*Provisions applying to parliamentary and local  
government elections.*

41. Effect on rateability of premises of holding election meeting.
42. Prohibition of expenses not authorised by election agent.
43. Miscellaneous amendments as to election expenses and propaganda.
44. Failure to appoint election agent.

## Section.

45. Avoidance of election for employing corrupt agent.
46. Avoidance of election for general corruption, etc.
47. Penalty for illegal canvassing by police officers.
48. Personation.
49. Other voting offences.
50. Prosecutions for corrupt and illegal practices.
51. Powers of courts with respect to granting of relief, restraining false statements and inspection of ballot papers.
52. Period of incapacity for corrupt or illegal practice.
53. Area of incapacity and of inquiries by election commissioners.
54. Computation of time for purposes of election petitions.
55. Inter-relation of U.K. and N.I. law as to corrupt and illegal practices.
56. Application of Part III to City of London.

## PART IV.

SPECIAL PROVISIONS AS TO LOCAL GOVERNMENT  
ELECTIONS IN ENGLAND AND WALES.

57. Ordinary day of election.
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59. Electoral divisions and number of councillors of L.C.C.
60. Method of election of parish councillors.
61. Hours of poll at district and parish elections.

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SPECIAL PROVISIONS AS TO LOCAL GOVERNMENT  
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62. Alteration of dates of election of county, town and district councillors.
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## GENERAL.

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74. Adaptation, interpretation and minor amendments of law.
75. Construction of references to local elections Act, local elections rules, and corrupt practices Acts.
76. General provisions as to interpretation.
77. Interpretation and application of local government provisions in England and Wales.
78. General application to Scotland.
79. General application to Northern Ireland.
80. Commencement, repeals, etc.
81. Short title and citation.

## SCHEDULES :

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 Second Schedule.—Provisions of the House of Commons (Redistribution of Seats) Act, 1944, as amended.  
 Third Schedule.—Proceedings at parliamentary elections.  
   Part I.—Timetable.  
   Part II.—Procedure up to the poll.  
   Part III.—The poll.  
   Part IV.—The count.  
   Part V.—Special cases, and computation of time.  
 Fourth Schedule.—Amendments of local elections rules.  
   Part I.—Adaptations to voting by post and by proxy.  
   Part II.—Amendments to secure conformity with rules as to parliamentary elections.  
 Fifth Schedule.—Supplemental provisions as to use for election meetings of rooms in school premises and of meeting rooms.  
 Sixth Schedule.—Effect of change of date of local government elections in England and Wales.  
 Seventh Schedule.—Consequential and minor amendments as to local government in Scotland.  
 Eighth Schedule.—Provisions which may be contained in regulations as to registration, etc.  
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   Part I.—The Corrupt and Illegal Practices Acts, 1883 to 1895, and the corresponding Acts.  
   Part II.—The Local Government Act, 1933, and the corresponding Acts.  
 Thirteenth Schedule.—Repeals.

An Act to amend the law relating to parliamentary and local government elections and to corrupt and illegal practices, and for purposes connected therewith.  
 [30th July 1948.]

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

## PART I.

## PARLIAMENTARY FRANCHISE AND ITS EXERCISE.

*Parliamentary franchise and distribution of seats.*

1.—(1) Subject to any Order in Council hereafter made under the House of Commons (Redistribution of Seats) Act, 1944, there shall for the purpose of parliamentary elections be the county and borough constituencies, each returning a single member, which are described in the First Schedule to this Act, and no other constituencies.

Constituencies and electors.  
 7 & 8 Geo. 6.  
 c. 41.

PART I.  
—cont.

(2) The persons entitled to vote as electors at a parliamentary election in any constituency shall be those resident there on the qualifying date who, on that date and on the date of the poll, are British subjects of full age and not subject to any legal incapacity to vote:

Provided that a person shall not be entitled to vote as an elector in any constituency unless registered there in the register of parliamentary electors to be used at the election nor, at a general election, to vote as an elector in more than one constituency.

(3) The qualifying date for parliamentary elections shall be determined by reference to the date fixed for the poll as follows:—

(a) in Great Britain—

(i) where the date fixed for the poll is between the fifteenth day of March and the second day of October in any year, the qualifying date shall be, in England and Wales, the twentieth day of the preceding November and, in Scotland, the first day of the preceding December;

(ii) where the date fixed for the poll is between the first day of October in any year and the sixteenth day of the following March, the qualifying date shall in all parts of Great Britain be the fifteenth day of the preceding June;

(b) in Northern Ireland (subject to the following provisions of this Act)—

(i) where the date fixed for the poll is between the first day of April and the second day of October in any year, the qualifying date shall be the thirty-first day of October in the preceding year;

(ii) where the date fixed for the poll is between the first day of October in any year and the second day of the following April, the qualifying date shall be the thirtieth day of the preceding April.

## Residence.

2.—(1) For the purposes of the foregoing section, any question as to a person's residence on the qualifying date for an election shall be determined in accordance with the general principles formerly applied in determining questions arising under the Representation of the People Act, 1918, as to a person's residence on a particular day of the qualifying period, and in particular regard shall be had to the purpose and other circumstances, as well as to the fact, of his presence at or absence from the address in question.

(2) Without prejudice to the said general principles, a person's residence in a dwelling house shall not be deemed

7 & 8 Geo. 5.  
c. 64.

for the purposes of the foregoing section to have been interrupted—

- (a) by reason of that person's absence in the performance of any duty arising from or incidental to any office, service or employment held or undertaken by him, if he intends to resume actual residence within six months of giving it up and will not be prevented by the performance of the duty aforesaid; or
- (b) by reason of permission being given by letting or otherwise for its occupation furnished by some other person—

(i) if the permission is given in the expectation that throughout the period for which it is given the person giving it or his wife or her husband will be absent in the performance of any such duty as aforesaid; or

(ii) if the first mentioned person intends to resume actual residence within nine weeks of giving it up and will not be prevented by the permission given as aforesaid.

(3) A person who is a patient in any establishment maintained wholly or mainly for the reception and treatment of persons suffering from mental illness or mental defectiveness, or who is detained in legal custody at any place, shall not by reason thereof be treated for the purposes aforesaid as resident there.

3.—(1) The provisions contained in sections four to seven of, and the Third Schedule to, the House of Commons (Redistribution of Seats) Act, 1944, as amended by section thirty-three of the Representation of the People Act, 1945, and by the House of Commons (Redistribution of Seats) Act, 1947, shall, as from the passing of this Act, be further amended as hereafter mentioned in this section, and shall accordingly have effect as set out in the Second Schedule to this Act.

Adaptation of  
7 & 8 Geo. 6.  
c. 41.  
8 & 9 Geo. 6.  
c. 5.  
10 & 11 Geo. 6.  
c. 10.

(2) In section four the words " After the submission of their report under the last foregoing section " at the beginning of subsection (1), and the words " and the number of members which they recommend should be returned by each of them " in subsections (1) and (3) shall be omitted, and in subsection (2) for the words " an Act giving effect (whether with or without modifications) to the recommendations contained in the reports submitted by the Commissions under the last foregoing section " there shall be substituted the words " the Representation of the People Act, 1948 ".

(3) In subsection (1) of section five, for the words " a parliamentary county or division of a parliamentary county or a parliamentary borough or division of a parliamentary

PART I.  
—cont.

borough ” there shall be substituted the words “ a county constituency or a borough constituency ”.

(4) Section six (which excepts university constituencies from the scope of the Act) shall be omitted, and for section seven there shall be substituted the following section:—

“ 7. In this Act the expression ‘ constituency ’ means an area having separate representation in the House of Commons.”

(5) In the Third Schedule—

(a) in rule 1, in the table showing the number of constituencies, for the words “ 591 ” there shall be substituted the words “ 613 ”;

(b) there shall be omitted—

(i) paragraph (1) of rule 2, paragraph (2) of rule 5A, and the whole of rule 3 (which relate to two-member constituencies) and in paragraph (2) of the said rule 2 the word “ other ”;

(ii) in rule 5, sub-paragraph (b) (i) of paragraph (1) (which relates to the constitution of parliamentary counties and boroughs in Scotland) and in the definition in paragraph (2) of the expression “ county ” the words “ in sub-paragraph (a) ” and the words from “ and in sub-paragraph (b) ” onwards;

(iii) rule 7 (which provides for the continuance as a separate constituency of the City of London);

(iv) in rule 8, the words “ or, in applying these rules for the purpose of section three of this Act,” and the following words in sub-paragraph (a) (i) of paragraph (1), the words “ or any part thereof ” and the words “ or that part thereof ” and the following words in sub-paragraph (b) (i) of that paragraph and the whole of paragraph (2); and

(c) in lieu of the said rule 7 there shall be inserted immediately before rule 5 the following rule:—

“ 4A. There shall continue to be a constituency which shall include the whole of the City of London and the name of which shall refer to the City of London ”.

#### *Registration of parliamentary electors.*

Registration  
officers and  
areas.

4.—(1) For the registration of electors there shall be electoral registration officers (in this Act referred to as “ registration officers ”).



(2) In England and Wales, there shall be a registration officer for each constituency, and that officer shall be—

- (a) in the case of a county constituency which is coterminous with or wholly contained in one county, or of a borough constituency which is coterminous with or wholly contained in a borough or urban district, the clerk of the authority for that county or that borough or district;
- (b) in any other case, the clerk of the authority for such county or such borough or urban district as the Secretary of State may by order direct;

and any two or more constituencies having the same registration officer shall together form a registration area, which shall be known by the name of the area of the authority whose clerk is registration officer.

(3) In Scotland, the assessor of any county or large burgh shall be the registration officer for any constituency or part of a constituency which is situated within that county or large burgh, and where there is more than one assessor of a county or large burgh such one of them as may be appointed by the county or town council for the purposes of this Act shall be the registration officer and all other assessors thereof shall for the said purposes be subject to and shall act on his instructions.

(4) In Northern Ireland, the county borough of Belfast and each county shall be a registration area, and the town clerk of Belfast or the secretary to the county council, as the case may be, shall be the registration officer for any constituency or part of a constituency in that area; and for the purposes of this subsection the county borough of Londonderry shall be deemed to be included in the county of Londonderry.

5.—(1) It shall be the duty of every registration officer to prepare and publish in each year, for each constituency or part of a constituency in the area for which he acts, the following registers of parliamentary electors:—

- (a) a spring register which, except in Northern Ireland, shall be published not later than the fifteenth day of March and used for elections at which the date fixed for the poll is between that day and the second day of the following October; and
- (b) an autumn register which, except in Northern Ireland, shall be published not later than the first day of October and used for elections at which the date fixed for the poll is between that day and the sixteenth day of the following March.

(2) In Northern Ireland—

- (a) the spring register shall be published not later than the first day of April and used for elections at which

PART I.  
—cont.

- the date fixed for the poll is between that day and the second day of the following October; and
- (b) the autumn register shall be published not later than the first day of October and shall be used for elections at which the date fixed for the poll is between that day and the second day of the following April:

Provided that the interval in Northern Ireland between the qualifying date and the date of publication of the register may be altered by regulations by changing either date, and any such regulations may make such consequential provisions (including the modification of any enactment contained in this or any other Act) as may appear to the Secretary of State to be necessary.

(3) If any part of a register is not published within the time required by this section, then until the day following that on which it is published the corresponding part of the previous register (whether prepared under this Act or not) shall continue in use, and where any part of the register used at an election is a part continued in force by this subsection, this Act shall have effect in relation to the election and the area to which that part relates as if the qualifying date by reference to which that part was prepared were the qualifying date for the election.

(4) Subject to any enactment imposing any disqualification for registration as a parliamentary elector, all persons who may be entitled to vote as electors at elections for which any register is to be used shall be entitled to be registered therein:

Provided that a person who on the qualifying date has a service qualification shall not be entitled to be registered except in pursuance of a service declaration made in accordance with the next following section and in force on that date.

(5) With a view to the preparation of the register, the registration officer shall—

- (a) have a house to house or other sufficient inquiry made as to the persons entitled to be registered (excluding persons entitled to be registered in pursuance of a service declaration);
- (b) have prepared and published electors lists showing the persons appearing to him to be entitled to be registered together with their qualifying addresses;
- (c) except in Northern Ireland, determine all claims for registration duly made by any person, and all objections to any person's registration duly made by another person appearing from the electors lists to be himself entitled to be registered.

(6) In Northern Ireland all such claims and objections as aforesaid shall be determined by a revising officer, who shall

6. for any area, the person having the like duty for the purpose of elections of members to serve in the House of Commons of Northern Ireland, and in relation to the determination of claims and objections in Northern Ireland references in this Act to the registration officer shall be construed as references to the revising officer.

PART I.  
—cont.

6.—(1) The following persons shall have a service qualification for the purpose of this Act, namely,— Service qualification.

- (a) any person who is a member of the forces;
- (b) any person who is employed in the service of the Crown in a post outside the United Kingdom of any prescribed class or description;
- (c) any woman who is the wife of a person having a service qualification and is residing outside the United Kingdom to be with her husband;

so, however, that where a person leaves the United Kingdom to take up employment or residence as aforesaid or returns to the United Kingdom at the end of such employment or residence, the employment or residence shall be deemed to begin from the time of leaving or to continue until the time of returning, as the case may be.

(2) A service declaration shall be made only by a person who has a service qualification or, subject to any prescribed conditions, by a person about to leave the United Kingdom in such circumstances as to acquire a service qualification.

(3) A service declaration may be made by such a person notwithstanding the fact that by reason of his age he is not yet entitled to be registered or to vote.

(4) A service declaration shall state—

- (a) the date of the declaration, and that on that date the declarant was a British subject; and
- (b) whether the declarant had on the date of the declaration attained the age of twenty-one years, and, if he had not, the date of his birth; and
- (c) that on the date of the declaration the declarant was, or but for the circumstances entitling him to make the declaration would have been, residing at an address specified in the declaration; and
- (d) such particulars (if any) as may be prescribed of the declarant's identity and service qualification;

and shall be attested in the prescribed manner.

(5) A person whose service declaration is in force on the qualifying date—

- (a) shall be treated for the purposes of registration as resident at the address specified in the declaration; and

PART I.  
—cont.

(b) shall, until the contrary is proved, be treated also for those purposes as being a British subject of the age appearing from the declaration and as not being subject to any legal incapacity except as appears therefrom.

(6) Where a service declaration appearing to be properly made out and attested is transmitted to the registration officer in the proper manner, the declarant shall, until the contrary is proved, be treated for the purposes of registration as having had from the date of the declaration or such later date if any as appears therefrom, and as continuing to have, a service qualification.

(7) If a person makes a service declaration declaring to more than one address, or makes more than one service declaration bearing the same date and declaring to different addresses, the declaration or declarations shall be void.

(8) A service declaration may at any time be cancelled by the declarant and, subject to the last foregoing subsection, a service declaration bearing a later date shall, without any express cancellation, cancel a declaration bearing an earlier date.

(9) A service declaration, if not cancelled, shall continue in force so long as the declarant has a service qualification, except in so far as regulations provide that it shall cease to be in force on a change in the circumstances giving the service qualification.

(10) Any person who—

(a) makes a service declaration—

(i) when he is not authorised so to do by subsection (2) of this section; or

(ii) except as permitted by this Act, when he knows that he is subject to a legal incapacity to vote; or

(iii) when he knows that it contains a statement which is false; or

(b) attests a service declaration when he knows that he is not authorised to do so or that it contains a false statement as to any particulars required by regulations under this section;

shall be liable on summary conviction to a fine not exceeding fifty pounds or to imprisonment for a term not exceeding three months or to both, or on conviction on indictment to a fine not exceeding one hundred pounds or to imprisonment for a term not exceeding six months or to both.

*Place and manner of voting at parliamentary elections.*

PART I.

—cont.

7.—(1) Every constituency shall be divided into polling districts and, subject to the provisions of this section, there shall be a polling place designated for each polling district. Polling districts and polling places.

(2) It shall be the duty, in England and Wales, of the local authority whose clerk is registration officer and, in Scotland, of the returning officer to make the division into polling districts and to designate the polling places, and to keep the polling districts and polling places under review, in accordance with the following rules, that is to say:—

- (a) the local authority or returning officer shall exercise the powers conferred by this section with a view to giving all electors in the constituency such reasonable facilities for voting as are practicable in the circumstances;
  - (b) in the case of a county constituency, each parish or, in Scotland, each electoral division shall in the absence of special circumstances be a separate polling district or districts;
  - (c) the polling place for any polling district shall be an area in that district, except where special circumstances make it desirable to designate an area wholly or partly outside the polling district, and shall be small enough to indicate to electors in different parts of the polling district how they will be able to reach the polling station;
  - (d) a polling place need not be designated for any polling district, if the size and other circumstances of the district are such that the situation of the polling stations does not materially affect the convenience of the electors or any body of them;
  - (e) before deciding on any scheme relating to the division into polling districts of a constituency wholly or partly in the county of London, the local authority shall send a draft of the scheme to the London County Council and take into consideration any representations made to them by that council.
- (3) In the case of a polling district for which no polling place is designated, the polling district shall be taken to be the polling place for the purpose of the enactments relating to parliamentary elections.
- (4) If any interested authority or not less than thirty electors in a constituency make a representation to the Secretary of State that the powers conferred by this section have not been exercised so as to meet the reasonable requirements of the electors in the constituency or any body of those electors,

PART I.  
—cont.

the Secretary of State shall consider the representation and may, if he thinks fit,—

- (a) direct the local authority or, in Scotland, returning officer by whom the powers are exercisable to make any alterations which the Secretary of State thinks necessary in the circumstances; and
- (b) if the local authority or returning officer fails to make those alterations within a month after the direction is given, himself make the alterations;

and any alterations made by the Secretary of State under this subsection shall have effect as if they had been made by the local authority or returning officer.

In this subsection the expression “interested authority” means a local authority within whose area the constituency is wholly or partly situated, and for the purposes of this definition the expression “local authority” means as respects England and Wales any county, borough, district or parish council (or, where there is no parish council, parish meeting), and as respects Scotland any county, town or district council.

(5) On the exercise of any power given by this section the local authority or returning officer shall publish in the constituency a notice showing the boundaries of any polling districts or polling places constituted as a result of the exercise of the power and, unless the power was exercised by the Secretary of State, shall also send him a report giving the same information.

(6) Subsections (2) to (5) of this section shall not apply to Northern Ireland, and in Northern Ireland the polling districts and polling places shall be those for the time being established under the law relating to the election of members to serve in the House of Commons of Northern Ireland.

(7) Regulations may provide for adapting the register in force for the time being to any alteration of polling districts, and may make special provision for cases where any alteration of polling districts is made between the publication of any electors lists and the coming into force of the register prepared from those lists, but except in cases for which provision is so made by regulations an alteration of polling districts shall not be effective until the coming into force of the first register prepared from electors lists published after the alteration is made.

(8) An election shall not be questioned by reason of any non-compliance with the provisions of this section or any informality relative to polling districts or polling places.

8.—(1) All persons voting as electors at a parliamentary election shall do so in person at the polling station allotted to them under the Ballot Act, 1872, except in so far as this section makes exceptions for—

- (a) those registered as service voters;
- (b) those unable or likely to be unable to go in person to the polling station for one of the following reasons:—

- (i) the general nature of the occupation, service or employment of the person in question;

- (ii) that person's service as a member of any of His Majesty's reserve or auxiliary forces;

- (iii) the particular circumstances of that person's employment on the date of the poll either as a constable or, for a purpose connected with the election, by the returning officer;

- (iv) at a general election, the candidature in some other constituency of that person or that person's wife or husband;

- (v) at a general election, the fact that that person is acting as returning officer for some other constituency;

- (vi) at a general election, the particular circumstances of that person's employment on the date of the poll by the returning officer for some other constituency for a purpose connected with the election in that constituency;

- (c) those unable or likely to be unable, by reason either of blindness or any other physical incapacity, to go in person to the polling station or, if able to go, to vote unaided;

- (d) those unable or likely to be unable to go in person from their qualifying address to the polling station without making a journey by air or sea;

- (e) those no longer residing at their qualifying address.

(2) A person registered as a service voter may vote by proxy unless either—

- (a) he is entitled in pursuance of an application made under subsection (4) of this section to vote by post; or

- (b) he applies for a ballot paper to vote in person before a ballot paper has been issued for him to vote by proxy;

but (where there is in force an appointment of a proxy to vote for him) shall not be entitled to vote in person unless he does so apply.

PART I.  
—cont.  
Place and  
manner of  
voting as  
elector.  
35 & 36 Vict.  
c. 33.

PART I.  
—cont.

(3) A person not registered as a service voter if unable or likely to be unable to go in person to the polling station by reason either—

- (a) of the general nature of his occupation, service or employment; or
- (b) of his service as a member of any of His Majesty's reserve or auxiliary forces;

may vote by proxy if he applies to be treated as an absent voter and is likely to be at sea or out of the United Kingdom on the date of the poll.

(4) Any of the persons mentioned in paragraphs (a) to (c) of subsection (1) of this section may vote by post if he applies to be treated as an absent voter and furnishes an address in the United Kingdom to which a ballot paper is to be sent for the purpose:

Provided that—

- (a) a person shall not be entitled to vote by post if he is not registered as a service voter and there is in force an appointment of a proxy to vote for him; and
- (b) a person shall not be entitled to vote by post on the ground that he no longer resides at his qualifying address if at the time of his application he resides at an address in the same area; and
- (c) a person registered as a service voter shall not be entitled to vote by post on any ground other than his being so registered.

(5) At an election for which a person's application to be treated as an absent voter is allowed, he shall not be entitled to vote in person.

(6) A person not registered as a service voter, if he is entitled to vote in person, but unable or likely to be unable to go in person to the polling station allotted to him by reason of the particular circumstances of his employment on the date of the poll either as a constable or, for a purpose connected with the election, by the returning officer, may vote at any polling station of the constituency.

(7) For the purposes of subsection (4) of this section, two addresses shall be deemed to be in the same area if they satisfy one of the following conditions, but not otherwise, that is to say—

- (a) both are within the area of the same borough or urban district;
- (b) both are within the area of the same parish in England or Wales, or of the same electoral division in Scotland, or of the same rural district in Northern Ireland.



(8) Nothing in this section shall be taken as conferring a right to vote on a person not having the right apart from this section.

PART I.  
—cont.

9.—(1) An application to be treated as an absent voter at parliamentary elections shall be made to the registration officer and shall be allowed by him if he is satisfied that the applicant is, or will if registered be, entitled under the last foregoing section to vote as an absent voter.

Determination of right to be treated as absent voter.

(2) The application shall be for a particular election only, unless it is based on—

- (a) the general nature of the applicant's occupation, service or employment; or
- (b) the applicant's physical incapacity; or
- (c) the necessity of a journey by sea or air to go from the applicant's qualifying address to his polling station; or
- (d) the ground that the applicant no longer resides at his qualifying address.

(3) An application based on one of the grounds mentioned in the last foregoing subsection shall be for an indefinite period but, where such an application is allowed, the applicant shall cease to be entitled to be treated as an absent voter in pursuance thereof if—

- (a) he applies to the registration officer to be no longer so treated; or
- (b) he ceases to be registered at the same qualifying address or becomes so registered as a service voter; or
- (c) the registration officer gives notice that he has reason to believe there has been a material change of circumstances, and the prescribed period elapses after the giving of the notice.

(4) The registration officer shall keep a record of absent voters and of the addresses furnished by them as the addresses to which their ballot papers are to be sent.

10.—(1) A person shall not be entitled to have more than one person at a time appointed as proxy to vote for him at parliamentary elections.

Proxies.

(2) A person shall not be capable of being appointed to vote, or voting, as proxy at a parliamentary election unless he is a British subject of full age and not subject to any legal incapacity to vote thereat as an elector, and a person shall not be entitled to vote as proxy at the same election in any constituency on behalf of more than two electors of whom

PART I  
—cont.

that person is not the husband, wife, parent, grandparent, brother, sister, child or grandchild.

(3) Subject to the foregoing provisions of this section, any person shall be capable of being appointed proxy to vote at a parliamentary election and may vote in pursuance of the appointment.

(4) The appointment shall be made by the registration officer by means of a proxy paper issued by him on the application of the elector, and it shall be the duty of the registration officer to issue a proxy paper in pursuance of any application duly made to him, if he is satisfied—

- (a) that the applicant is or will be registered for elections to which the application relates and entitled in respect of that registration to have a proxy appointed; and
- (b) that the proxy is capable of being and willing to be appointed.

(5) The appointment may be cancelled by the elector by giving notice to the registration officer and shall cease to be in force on the issue of a proxy paper appointing a different person to vote for him, whether in respect of the same registration or elsewhere, but, subject to that, shall remain in force—

- (a) in the case of an appointment for a person registered as a service voter, for all elections for which he is registered in pursuance of the same service declaration; and
- (b) in the case of an appointment for a person not registered as a service voter, for all elections at which he is entitled to vote by proxy in pursuance of the same application to be treated as an absent voter.

(6) Stamp duty shall not be chargeable on any instrument appointing a proxy under this section.

(7) The registration officer shall keep a record of electors for whom proxies have been appointed and of the names and addresses of the persons appointed.

Place and  
manner of  
voting as  
proxy.

11.—(1) A person voting as proxy for an elector at a parliamentary election shall do so in person at the elector's polling station, except in so far as this section entitles the proxy of a person registered as a service voter (in this section referred to as "a service voter's proxy") to vote by post.

(2) A service voter's proxy may exercise the right to vote as such at a parliamentary election by post if—

- (a) he applies so to do and furnishes an address in the United Kingdom to which a ballot paper is to be sent for the purpose; and

(b) either—

(i) he is entitled to vote by post as an absent voter at the election; or

(ii) the said address is not in the same area as the service voter's qualifying address.

(3) For the purposes of this section, two addresses shall be deemed to be in the same area if they satisfy one of the following conditions, but not otherwise, that is to say—

(a) both are within the area of the same borough or urban district;

(b) both are within the area of the same parish in England or Wales, or of the same electoral division in Scotland, or of the same rural district in Northern Ireland.

(4) A service voter's proxy shall not be entitled to exercise the right to vote as such in person at any election for which his application to exercise that right by post is allowed.

(5) Any such application shall be made to the registration officer and shall be allowed by him in any case where he is satisfied that the service voter is or will be registered as such for elections to which the application relates, and that there is in force an appointment of the applicant as his proxy to vote in respect of that registration, and that the conditions entitling the applicant to vote by post are fulfilled.

(6) Where any such application is based on the applicant's right to vote by post as an elector, then—

(a) if that right extends only to a particular election, the application shall also extend only to that election;

(b) in any other case, the application shall be for an indefinite period but, where it is allowed, the applicant shall cease to be entitled to vote by post in pursuance thereof if—

(i) he ceases to have the right to vote by post as an elector, or has that right only by virtue of a new application; or

(ii) he ceases to be proxy for the service voter, or is so only by virtue of a new appointment.

(7) Where any such application is based on the situation of the address to which the ballot paper is to be sent, it shall be for an indefinite period but, if it is allowed, the applicant shall cease to be entitled to vote by post in pursuance thereof if—

(a) he applies for a ballot paper not to be sent to that address; or

(b) he ceases to be proxy for the service voter, or is so only by virtue of a new appointment.

PART I.  
—cont.

(8) The registration officer shall keep a record of the persons whose applications to vote by post as proxy are for the time being allowed and of the addresses furnished by them as the addresses to which their ballot papers are to be sent.

*Conduct of parliamentary elections.*

Timetable  
and  
procedure.

12.—(1) The proceedings at a parliamentary election shall be conducted in accordance with the timetable laid down for general elections and bye-elections respectively by the first and second, and by the first and third, columns of Part I of the Third Schedule to this Act, and Parts II to V of that Schedule (which replace section one of, and rules 1 to 13 of the First Schedule to, the Ballot Act, 1872, as to nomination, and replace or amend the enactments as to matters after nomination) shall have effect with respect to those proceedings.

(2) No parliamentary election shall be declared invalid by reason of any act or omission of the returning officer or any other person in breach of his official duty in connection with the election or otherwise of the rules contained in either of the said Schedules if it appears to the tribunal having cognizance of the question that the election was so conducted as to be substantially in accordance with the law as to elections and that the act or omission did not affect its result.

Effect of  
register, etc.

13.—(1) The register of parliamentary electors shall for the purposes of this Part of this Act be conclusive on the following questions:—

- (a) whether or not a person registered therein was on the qualifying date resident at the address shown;
- (b) whether or not that address is in any constituency or any particular part of a constituency;
- (c) whether or not a person registered therein is registered as a service voter.

(2) The relevant special lists prepared under this Act for a parliamentary election shall, for the purposes aforesaid, be conclusive on the following questions:—

- (a) whether or not a person's right to vote is exercisable by post;
- (b) whether or not there is in force an appointment of a proxy to vote for any person, and (if so) who is appointed.

(3) A person registered as a parliamentary elector, or entered in the list of proxies, shall not be excluded from voting on the ground that he is not a British subject or is not of full age or is otherwise subject to any legal incapacity to vote, or that on the qualifying date or the date of his appointment, as the case may be, he was not a British subject or was not of full age or was otherwise subject to any legal

incapacity to vote; but this provision shall not prevent the rejection of the vote on a scrutiny or affect his liability to any penalty for voting.

(4) No misnomer or inaccurate description of any person or place named in the register of parliamentary electors or in any list, record, proxy paper, nomination paper, ballot paper, notice or other document required for the purposes of the Ballot Act, 1872, or this Part of this Act shall affect the full operation of the document with respect to that person or place, in any case where the description of the person or place is such as to be commonly understood.

14.—(1) Where, after the counting of the votes by the returning officer (including any re-count) is completed, an equality of votes is found to exist between any candidates at a parliamentary election in any constituency, and the addition of a vote would entitle any of those candidates to be declared elected, the returning officer shall not be entitled to a casting vote but shall forthwith decide between those candidates by lot, and proceed as if the candidate on whom the lot falls had received an additional vote.

Decision by  
lot in event  
of tie.

(2) Where, on an election petition, it appears that there is an equality of votes between any candidates at a parliamentary election, and that the addition of a vote would entitle any of those candidates to be declared elected, then—

- (a) any decision under the foregoing subsection shall, in so far as it determines the question between those candidates, be effective also for the purposes of the petition; and
- (b) in so far as that question is not determined by such a decision, the court shall decide between them by lot and proceed as if the one on whom the lot then falls had received an additional vote.

15.—(1) The deposit made under the Third Schedule to this Act by or on behalf of a candidate in connection with his nomination shall either be returned to the person making it or his personal representatives or be forfeited to His Majesty.

Return or  
forfeiture of  
candidate's  
deposit.

(2) Except in the cases hereafter mentioned in this section, the deposit shall be returned as soon as practicable after the result of the election is declared.

(3) If the candidate is not shown as standing nominated in the statement of persons nominated, or if the poll is countermanded by reason of his death, the deposit shall be returned as soon as practicable after publication of the statement or after his death, as the case may be.

**PART I.**  
*—cont.*

(4) Subject to the last foregoing subsection, the deposit shall be forfeited if a poll is taken and, after the counting of the votes by the returning officer (including any re-count) is completed, the candidate is found not to have polled more than one-eighth of the total number of votes polled by all the candidates.

(5) Notwithstanding anything in the three last foregoing subsections, if at a general election a candidate is shown as standing nominated in more than one constituency in the statements of persons nominated, not more than one of the deposits shall be returned and, if necessary, the Treasury shall direct which it is to be.

**Returning  
officers.**

16.—(1) In England and Wales, the returning officer for a parliamentary election shall be—

- (a) in the case of a county constituency which is coterminous with or wholly contained in one county, or of a borough constituency which is coterminous with or wholly contained in a county of a city or town having a sheriff, the sheriff of the county or of the city or town;
- (b) in the case of any other borough constituency which is coterminous with or wholly contained in a borough or urban district, the mayor or chairman of the urban district council;
- (c) in any other case, such sheriff, mayor or chairman of an urban district council as may be designated by the Secretary of State.

(2) In Scotland, the returning officer for a parliamentary election shall be—

- (a) in the case of a constituency wholly situated in one sheriffdom, the sheriff of that sheriffdom; and
- (b) in the case of a constituency situated in more than one sheriffdom, the sheriff of such one of those sheriffdoms as the Secretary of State may by order direct.

(3) In Northern Ireland, the returning officer for a parliamentary election shall be—

- (a) in the case of a constituency wholly contained in the county borough of Belfast or any county, the under-sheriff of that county borough or county; and
- (b) in any other case, such under-sheriff as the Secretary of State may by order direct;

and for the purposes of this subsection the county borough of Londonderry shall be deemed to be included in the county of Londonderry.

(4) The execution of the writ for a parliamentary election shall belong to the returning officer as such and the writ shall be directed to him by the title of his office as returning officer, and that office shall be a distinct office from that by virtue of which he becomes returning officer.

(5) Where a person enters on any office by virtue of which he becomes returning officer, it shall belong to him and not to the outgoing holder of that office to complete the execution of any writ for a parliamentary election previously issued and not yet returned.

17.—(1) In England and Wales, the duties of the returning officer for parliamentary elections except—

- Discharge of functions of returning officer.  
6 & 7 Geo. 6. c. 48.
- (a) any duty imposed on a returning officer under Part II of the Parliament (Elections and Meeting) Act, 1943, (which deals with the delivery of parliamentary writs and matters connected therewith); and
- (b) any other duties which the person (if any) who for the time being holds the office of returning officer reserves to himself and undertakes to perform in person;

shall be discharged by the registration officer (or the person authorised to act as registration officer if the registration officer himself is incapable of acting or there is a vacancy) as acting returning officer; and so shall any such duties as are mentioned in paragraph (b) of this subsection, if for the time being the returning officer is for any reason incapable of discharging his duties as such, or is under any enactment discharged from personally performing the office by virtue of which he is returning officer.

(2) The returning officer shall give to the acting returning officer written notice of any duties which he reserves to himself under paragraph (b) of the foregoing subsection, and that paragraph shall, in the case of any election, apply to the duties (if any) of which notice is so given not later than the day following that on which the writ is received, and to no others.

(3) An acting returning officer, in the discharge of the duties imposed on him by subsection (1) of this section shall have all the powers, obligations, rights and liabilities of the returning officer under any enactment relating to parliamentary elections, and those enactments (including this Act) shall have effect accordingly.

(4) An acting returning officer shall have power to appoint deputies to discharge all or any of the said duties, but the

PART I.  
—cont.

appointment shall require the approval of the Secretary of State, where the powers of the deputy extend—

- (a) to matters other than the receipt of nomination papers and matters connected therewith; or
- (b) to the taking or deciding of objections to nomination papers.

(5) A returning officer at a parliamentary election in England or Wales shall not be disqualified by reason of being returning officer for being a candidate at the election, unless he has reserved to himself any duties at the election which would otherwise be imposed by subsection (1) of this section on the acting returning officer.

(6) In Scotland, the power of appointing deputies conferred by section eight of the Ballot Act, 1872, on certain sheriffs shall be exercisable by any sheriff who—

- (a) is returning officer for more than one constituency; or
- (b) by reason of sickness or unavoidable absence is incapacitated from performing any of the duties devolving upon him as returning officer;

and in the event of no such appointment being made by a sheriff so incapacitated, or in the event of any vacancy in the office of sheriff at the time when any of such duties require to be performed, the senior sheriff substitute of the sheriffdom the sheriff of which is returning officer for the constituency shall act as returning officer, and shall perform all the duties and have all the powers (including the power of appointing deputies) of such returning officer.

(7) In Northern Ireland, the power of appointing deputies conferred by the said section eight shall be exercisable by any under-sheriff who—

- (a) is returning officer for more than one constituency; or
- (b) by reason of sickness or unavoidable absence is incapacitated from performing any of the duties devolving upon him as returning officer;

and in the event of no such appointment being made by an under-sheriff so incapacitated, or in the event of any vacancy in the office of any under-sheriff at the time when any of such duties require to be performed, such person as the Secretary of State may appoint shall act as returning officer and shall perform all the duties and have all the powers (including the power of appointing deputies) of such returning officer.

(8) No person shall be subject to any incapacity to vote at a parliamentary election by reason of his being or acting as returning officer thereat, and section twenty-one of the



Sheriff Courts (Scotland) Act, 1907, in so far as it enacts that no sheriff or salaried sheriff substitute shall be entitled to vote at a parliamentary election held within his sheriffdom shall cease to have effect. PART I.  
—cont.  
7 Edw. 7. c. 51.

(9) Section thirty-six of the Representation of the People (Scotland) Act, 1832, in so far as it prohibits a sheriff clerk or deputy sheriff clerk from voting at parliamentary elections shall cease to have effect. 2 & 3 Will. 4.  
c. 65.

18.—(1) No consideration shall be given by or to a returning officer for the making out, receipt, delivery or return of the writ for a parliamentary election or, subject to the following provisions of this section, otherwise in connection with the execution thereof: Payments by  
and to  
returning  
officer.

Provided that nothing in this subsection shall be taken as applying to any inclusive salary payable to a returning officer in respect of the office by virtue of which he becomes returning officer.

(2) The Treasury shall by statutory instrument prescribe a scale of maximum charges in respect of services rendered and expenses incurred by a returning officer for the purposes of or in connection with parliamentary elections, and may revise the scale as and when they think fit.

(3) A returning officer shall be entitled to his reasonable charges, not exceeding the sums specified in the said scale, in respect of services and expenses of the several kinds so specified which have been properly rendered or incurred by him for the purposes of or in connection with a parliamentary election.

(4) The amount of any such charges shall be charged on and paid out of the Consolidated Fund of the United Kingdom or the growing produce thereof on an account being submitted to the Treasury:

Provided that the Treasury may if they think fit, before payment, apply for the account to be taxed under the following provisions of this section.

(5) On the request of the returning officer for an advance on account of his charges, the Treasury may, if they think fit, and on such terms as they think fit, make such an advance.

(6) The Treasury may make regulations as to the time when and manner and form in which accounts are to be rendered to them for the purpose of the payment of a returning officer's charges.

(7) An application for a returning officer's account to be taxed shall be made—

(a) where the account relates to an election in a constituency in England, in Wales or in Northern Ireland, to the county court;

PART I.  
—*cont.*

(b) where the account relates to an election in a constituency in Scotland, to the Auditor of the Court of Session;

and in the following provisions of this section the expression "the court" means the said court or Auditor.

(8) On any such application the court shall have jurisdiction to tax the account in such manner and at such time and place as the court thinks fit, and finally to determine the amount payable to the returning officer.

(9) On any such application the returning officer may apply to the court to examine any claim made by any person against him in respect of matters charged in the account; and the court, after notice given to the claimant and after giving him an opportunity to be heard and to tender any evidence, may allow or disallow or reduce the claim objected to with or without costs; and the determination of the court shall be final for all purposes and as against all persons.

(10) Any reference in this section to the county court shall be taken, in relation to Northern Ireland, as a reference to the county court having jurisdiction at the place for the delivery of nomination papers at the election in question.

#### *Supplementary.*

Infringements  
of secrecy  
and tampering  
with postal  
votes.

19.—(1) Section four of the Ballot Act, 1872 (which penalises infringements of the secrecy of voting) shall apply to a candidate or a candidate's election agent attending at a polling station in the exercise of the rights conferred on them respectively by that Act and this Act, and to all persons attending at the counting of the votes, as it applies to an officer or clerk so attending; and, when that section is read to a person to whom it applies by virtue of this subsection on his making a declaration of secrecy under the said Act, it shall be read with such modifications as are necessary to show how it applies to him.

(2) Every person attending the proceedings in connection with the issue or the receipt of ballot papers for persons voting by post at parliamentary elections shall maintain and aid in maintaining the secrecy of the voting and shall not—

(a) except for some purpose authorised by law, communicate, before the poll is closed, to any person any information obtained at those proceedings as to the official mark; nor

(b) except for some purpose authorised by law, communicate to any person at any time any information obtained at those proceedings as to the number on the back of the ballot paper sent to any person; nor

(c) except for some purpose authorised by law, attempt to ascertain at the proceedings in connection with the receipt of the ballot papers the number on the back of any ballot paper; nor

(d) attempt to ascertain at the proceedings in connection with the receipt of the ballot papers the candidate for whom any vote is given in any particular ballot paper or communicate any information with respect thereto obtained at those proceedings;

PART I.  
—cont.

and any person who acts in contravention of this subsection shall be liable, on summary conviction, to imprisonment for any term not exceeding six months.

(3) Where any person fraudulently defaces, or fraudulently destroys, or attempts so to deface or destroy, any declaration of identity or official envelope used in connection with voting by post at a parliamentary election, section three of the Ballot Act, 1872, (which penalises the like offences in relation to ballot papers) shall apply as if the declaration or envelope were a ballot paper.

(4) The reference in the said section three to a clerk in attendance at a polling station shall include a reference to a clerk in attendance at the proceedings in connection with the issue or receipt of ballot papers for persons voting by post at a parliamentary election.

20.—(1) If any person to whom this section applies, or who is for the time being under a duty to discharge as deputy or otherwise any of the functions of such a person, is, without reasonable cause, guilty of any act or omission in breach of his official duty, then, subject to subsection (4) of this section, he shall be liable, on summary conviction, to a fine not exceeding one hundred pounds.

Breaches of  
official duty.

(2) No person to whom this section applies shall be liable for breach of his official duty to any penalty at common law or under any enactment except as provided by this section, nor shall any action for damages lie in respect of the breach by any such person of his official duty.

(3) The persons to whom this section applies are the Clerk of the Crown in Chancery, any sheriff clerk, any registration officer, returning officer, presiding officer or clerk or assistant employed by such an officer in connection with his official duties and any postmaster; and the expression "official duty" shall for the purposes of this section be construed accordingly, but shall not include duties imposed otherwise than by the law relating to parliamentary elections or the registration of parliamentary electors.

(4) Nothing in this section shall affect any person's criminal liability under the last foregoing section or the enactments

## PART I.

—cont.

30 &amp; 31 Vict.

c. 102.

31 &amp; 32 Vict.

c. 49.

therein mentioned, or under section fifty of the Representation of the People Act, 1867, or section thirteen of the Representation of the People (Ireland) Act, 1868 (which as extended by the Ballot Act, 1872, prohibit the returning officer and officers appointed by him from acting as agent for a candidate), or shall, in Scotland, impose liability to summary prosecution on a returning officer or any person under a duty to discharge the functions of a returning officer.

## PART II.

## GENERAL PROVISIONS AS TO LOCAL GOVERNMENT FRANCHISE AND ITS EXERCISE

*Local government franchise*

Electors.

21.—(1) The persons entitled to vote as electors at a local government election in any electoral area shall be those who—

(a) on the qualifying date either—

(i) are resident in the area; or

(ii) under the following provisions of this section have a non-resident qualification therein; and

(b) are in either case on that date and on the date of the poll, British subjects of full age and not subject to any legal incapacity to vote:

Provided that a person shall not be entitled to vote as an elector in any electoral area, unless registered there in the register of local government electors to be used at the election nor, at an ordinary election for any local government area which is not a single electoral area, to vote as an elector in more than one electoral area.

(2) In England and Wales, a person shall be deemed for the purposes of this section to have a non-resident qualification in an area if he is occupying as owner or tenant any rateable land or premises therein of the yearly value of not less than ten pounds.

(3) In Scotland, a person shall be deemed to have a non-resident qualification in an area if he is the owner, or occupier as tenant, of any lands and heritages within the area which are of the yearly value of not less than ten pounds and in respect of which rates are payable.

(4) The qualifying date for a local government election shall be determined by reference to the date fixed for the poll in the same way as if it were a parliamentary election.

22.—(1) For the purposes of the last foregoing section—

(a) section two of this Act shall apply as it applies for the purposes of the parliamentary franchise; and

(b) the following provisions of this section shall have effect in relation to the non-resident qualification.

Residence,  
occupation,  
etc.

(2) A person's occupation of a dwelling house shall not be deemed to be interrupted by reason only of permission being given by letting or otherwise for its occupation furnished by some other person, if the first mentioned person intends to resume actual occupation within nine weeks of giving it up and will not be prevented by the permission given as aforesaid.

(3) In England and Wales,—

(a) the expression "tenant"—

(i) shall not include a tenant of a dwelling house let to him furnished for a term of less than nine weeks, or of any room or rooms let to him furnished and occupied by him as a lodger; but

(ii) shall include a tenant of a dwelling house holding over after notice to quit has been given and possession has been demanded by the landlord;

(b) the expression "rateable" means liable for the time being to be rated to the general rate or to any rate expressed by the Act creating it to be in the nature of a general rate, except that in relation to the City of London it means liable for the time being to be rated to the poor rate; and

(c) the yearly value of any land or premises shall be determined in accordance with section eighty of the Local Government Act, 1929 (which provides for determining it for the purposes of the Representation of the People Act, 1918). 19 & 20 Geo. 6. c. 17.

(4) In the case of a joint occupation of any land or premises in an electoral area in England or Wales, each of the joint occupiers shall be treated as occupying land or premises therein of the yearly value of not less than ten pounds, if the aggregate yearly value of the land or premises is not less than the amount produced by multiplying ten pounds by the number of joint occupiers.

(5) Where, in Scotland, any lands and heritages are owned or occupied by two or more persons jointly and the aggregate yearly value of such lands and heritages is not less than the amount produced by multiplying ten pounds by the number of owners or occupiers as the case may be, each of them shall be treated as owning or occupying, as the case may be, lands and heritages of the yearly value of ten pounds.

(6) In the application of this and the last foregoing section to Scotland,—

(a) the expression "owner"—

(i) shall include heir of entail in possession, life-renter and beneficiary entitled under any trust to the rents and profits of lands and heritages; and

PART II.  
—cont.17 & 18 Vict.  
c. 91.

- (ii) shall not include the *fiar* of lands and heritages subject to a *liferent*, or tutor, curator, judicial factor, or commissioners; and the expression "own" shall be construed accordingly;
- (b) the expression "tenant" shall not include a tenant—
- (i) of a dwelling house let to him furnished for a term of less than nine weeks; or
  - (ii) of any room or rooms let to him furnished and occupied by him as a lodger;
- (c) the expression "lands and heritages" shall have the like meaning as in the Lands Valuation (Scotland) Act, 1854; and
- (d) the expression "yearly value" in relation to any lands and heritages shall mean in the case where the lands and heritages are separately entered in the valuation roll the gross annual value appearing therein, and in any other case the gross annual value which would in the opinion of the registration officer be entered in the valuation roll, if the lands and heritages were separately entered therein.

## Registration.

23.—(1) It shall be the duty of a registration officer to prepare for the local government areas or parts of local government areas included in the area for which he acts a register of local government electors whenever he prepares a register of parliamentary electors.

(2) The two registers shall so far as practicable be combined, the names of persons registered only as local government electors being marked to indicate that fact.

(3) The elections for which any register of local government electors is to be used shall be determined by reference to the date fixed for the poll in the same way as in the case of the register of parliamentary electors.

(4) Subject to any enactment imposing any disqualification for registration as a local government elector, all persons who may be entitled to vote as electors at elections for which any register is to be used shall be entitled to be registered therein:

Provided that—

- (a) a person shall not be entitled to be registered more than once in any local government area; and
- (b) a person who on the qualifying date has a service qualification shall not be entitled to be registered as resident in any local government area, except in pursuance of a service declaration such as is mentioned in the next following subsection and in force on that date.

(5) The service declaration in pursuance of which a person having a service qualification may be registered as a local government elector shall—

(a) except in the case of a person who is as a peer subject to a legal incapacity to vote at parliamentary elections, be the service declaration (if any) made by him for the purpose of parliamentary elections; and

(b) in the case of such a person as aforesaid, be a declaration marked to show that it is available for local government elections only, but in all other respects the same as other service declarations.

(6) A person entitled as a resident to be registered as a local government elector in any local government area shall not be entitled to be so registered as a non-resident.

(7) Subsections (3) and (5) of section five and section six of this Act shall apply for the purposes of this Part thereof as they apply for the purposes of Part I thereof.

*Place and manner of voting at local government elections.*

24. At any local government election the polling station allotted to electors from any parliamentary polling district wholly or partly within the electoral area shall, in the absence of special circumstances, be in the parliamentary polling place for that district, unless the polling place is outside the electoral area; and any power to constitute polling districts for the purpose of local government elections shall be exercised with that in view.

Situation of  
polling stations  
at local  
government  
elections.

25.—(1) All persons voting as electors at a local government election shall do so in person at the polling station allotted to them under the local elections rules, except in so far as this section makes exceptions for—

Place and  
manner of  
voting as  
elector.

(a) those registered as service voters;

(b) those unable or likely to be unable to go in person to the polling station for one of the following reasons:—

(i) the general nature of the occupation, service or employment of the person in question;

(ii) that person's service as a member of His Majesty's reserve or auxiliary forces;

(iii) the particular circumstances of that person's employment on the date of the poll either as a constable or, for a purpose connected with the election, by the returning officer;

(iv) at an ordinary election, the fact that that person is acting as returning officer at an ordinary

PART II  
— cont.

election of councillors for some other electoral area;

(v) at an ordinary election, the particular circumstances of that person's employment on the date of the poll by the returning officer at an ordinary election of councillors for some other electoral area for a purpose connected with the election in that area;

- (c) those unable or likely to be unable, by reason either of blindness or any other physical incapacity, to go in person to the polling station or, if able to go, to vote unaided;
- (d) those unable or likely to be unable to go in person from their qualifying address to the polling station without making a journey by air or sea.

(2) A person registered as a service voter may at any local government election vote by proxy unless he applies for a ballot paper to vote in person before a ballot paper has been issued for him to vote by proxy, but (where there is in force an appointment of a proxy to vote for him) shall not be entitled to vote in person unless he does so apply.

(3) Where—

- (a) a person is registered at the same qualifying address both as a parliamentary and as a local government elector, and is not so registered as a service voter; and
- (b) there is in force an appointment of a proxy to vote for him at parliamentary elections in respect of that registration, being an appointment based on the general nature of his occupation, service or employment;

then, in respect of that registration, at local government elections at which postal voting is allowed, he shall be treated as an absent voter and may vote by proxy and not otherwise.

(4) Subject to the last foregoing subsection, any of the persons mentioned in paragraphs (b) to (d) of subsection (1) of this section who is not registered as a service voter, may vote by post at any local government election at which postal voting is allowed, if he applies to be treated as an absent voter and furnishes an address in the United Kingdom to which a ballot paper is to be sent for the purpose.

(5) At an election for which a person's application to be treated as an absent voter is allowed, he shall not be entitled to vote in person.

(6) A person not registered as a service voter, if he is entitled to vote in person, but unable or likely to be unable



to go in person to the polling station allotted to him by reason of the particular circumstances of his employment on the date of the poll either as a constable or, for a purpose connected with the election, by the returning officer, may vote at any polling station of the electoral area.

(7) Postal voting shall be allowed at all local government elections except, in England and Wales, elections of rural district or parish councillors.

(8) Nothing in this section shall be taken as conferring a right to vote on a person not having the right apart from this section.

(9) In this and the next following section, references to employment by a returning officer shall be taken as including, in relation to elections in a borough in England or Wales other than a metropolitan borough, references to employment by the mayor or any person acting in place of the mayor by virtue of paragraph 10 of Part I of the local elections rules.

26.—(1) An application to be treated as an absent voter at local government elections shall be made to the registration officer and shall be allowed by him if he is satisfied that the applicant is, or will if registered be, entitled under the last foregoing section to vote as an absent voter. Voting by  
post by  
absent voters

(2) The application shall be for a particular election only, if it is based on—

- (a) the applicant's service as a member of any of His Majesty's reserve or auxiliary forces; or
- (b) the fact that the applicant is acting as returning officer in some other electoral area; or
- (c) the particular circumstances of the applicant's employment on the date of the poll either as a constable or by a returning officer.

(3) An application not based on one of the grounds mentioned in the last foregoing subsection shall be for an indefinite period but, where such an application is allowed, the applicant shall cease to be entitled to be treated as an absent voter in pursuance thereof if—

- (a) he applies to the registration officer to be no longer so treated; or
- (b) he ceases to be registered at the same qualifying address, or becomes so registered as a resident instead of a non-resident or vice versa, or as a service voter; or
- (c) the registration officer gives notice that he has reason to believe there has been a material change of circumstances, and the prescribed period elapses after the giving of the notice.

PART II.  
—cont.

(4) The registration officer shall keep a record of absent voters and of the addresses furnished by them as the addresses to which their ballot papers are to be sent.

## Proxies.

27.—(1) Except in the case of a service voter who is as a peer subject to a legal incapacity to vote at parliamentary elections, no person shall be specially appointed proxy to vote at local government elections, but any appointment of a person to vote as proxy at parliamentary elections shall have effect also for the purpose of local government elections.

(2) Subject to the next following subsection, in the case of a service voter who is as a peer subject to a legal incapacity to vote at parliamentary elections, any person shall be capable of being appointed proxy to vote at local government elections for him and may vote in pursuance of the appointment:

Provided that not more than one person at a time shall be appointed on behalf of any service voter.

(3) A person shall not be capable of being appointed under the last foregoing subsection to vote, or of voting, as proxy at a local government election unless he is a British subject of full age and not subject to any legal incapacity to vote thereat as an elector.

(4) A person voting as proxy for a service voter at a local government election may do so by post if—

- (a) he applies to vote as proxy by post and furnishes an address in the United Kingdom to which a ballot paper is to be sent for the purpose; and
- (b) he is entitled to vote by post as an absent voter at the election;

but a person voting as proxy for an elector at a local government election, unless entitled to do so by post, shall do so in person at the elector's polling station.

(5) The registration officer shall keep a record of electors for whom proxies have been appointed and of the names and addresses of the persons appointed.

(6) In relation to service voters and their proxies, subsections (4) to (6) of section ten and subsections (4) to (6) and subsection (8) of section eleven of this Act shall apply for the purposes of this Part thereof as they apply for the purposes of Part I thereof.

*Conduct of local government elections.*Amendments  
of local  
elections rules.

28.—(1) The local elections rules shall have effect subject to the provisions of the Fourth Schedule to this Act (being provisions adapting those rules in relation to voting by post or

by proxy or amending them so as to bring them into conformity with the rules governing parliamentary elections as amended by this Act).

PART II.  
—cont.

(2) The candidate's consent to nomination required in England and Wales by paragraph 3 of Part I of the local elections rules shall contain a statement that he is qualified as required by law to be elected to and hold the office in question, and the statement shall give particulars of his qualification.

(3) In the event of an equality of votes at a local government election, section fourteen of this Act shall apply, in place of paragraph 37 of Part III of the local elections rules, as it applies in the case of a parliamentary election.

(4) No election under the local elections Act shall be declared invalid by reason of any act or omission of the returning officer or any other person in breach of his official duty in connection with the election or otherwise of the local elections rules if it appears to the tribunal having cognizance of the question that the election was so conducted as to be substantially in accordance with the law as to elections and that the act or omission did not affect its result.

29.—(1) The register of local government electors shall for the purposes of this Part of this Act be conclusive on the following questions:— Effect of register, etc.

- (a) whether a person registered therein is so registered as a resident or as a non-resident, and whether or not on the qualifying date he was resident at the address shown or had a non-resident qualification in respect of that address, as the case may be;
- (b) whether or not that address is in any local government area or any particular part of a local government area;
- (c) whether or not a person registered therein as a resident is registered as a service voter;
- (d) in the case of a person registered at more than one address in the same local government area, at which of those addresses he is registered as a local government elector for that area.

(2) The relevant special lists prepared under this Act for a local government election shall, for the purposes aforesaid, be conclusive on the following questions:—

- (a) whether or not a person's right to vote is exercisable by post;
- (b) whether or not there is in force an appointment of a proxy to vote for any person, and (if so) who is appointed.

**PART II.**  
—*cont.*

(3) A person registered as a local government elector, or entered in the list of proxies, shall not be excluded from voting on the ground that he is not a British subject or is not of full age or is otherwise subject to any legal incapacity to vote, or that on the qualifying date or the date of his appointment, as the case may be, he was not a British subject or was not of full age or was otherwise subject to any legal incapacity to vote; but this provision shall not prevent the rejection of the vote on a scrutiny or affect his liability to any penalty for voting.

(4) Subsection (2) of section seventy of the local elections Act (which provides for disregarding misnomers and inaccurate descriptions in the register and other documents), shall apply to any special list, record, proxy paper, notice or other document required for the purposes of this Part of this Act.

*Supplementary.*

**Tampering  
with postal  
votes.**

30.—(1) Where any person fraudulently defaces or fraudulently destroys, or attempts so to deface or destroy, any declaration of identity or official envelope used in connection with voting by post at a local government election, section eighty-one of the local elections Act (which penalises the like offences in relation to ballot papers) shall apply as if the declaration or envelope were a ballot paper.

(2) The reference in the said section of the local elections Act to an officer appointed to assist in taking the poll or counting the votes shall include a reference to an officer appointed to assist at the proceedings in connection with the issue or receipt of ballot papers for persons voting by post at a local government election.

**Breaches of  
official duty.**

31.—(1) If any person to whom this section applies, or who is for the time being under a duty to discharge as deputy or otherwise any of the functions of such a person, is, without reasonable cause, guilty of any act or omission in breach of his official duty, he shall be liable on summary conviction to a fine not exceeding one hundred pounds.

(2) No person to whom this section applies shall be liable for breach of his official duty to any penalty at common law, nor shall any action for damages lie in respect of the breach by any such person of his official duty.

(3) The persons to whom this section applies are—

- (a) any registration officer or person whose duty it is to prepare a corrupt and illegal practices list under the local corrupt practices Act or clerk or assistant employed by him in connection with his official duties;
- (b) any person whose duty it is to act as returning officer at or to take part in the conduct of an election under

the local elections Act or to be responsible after a local government election for the used ballot papers and other documents (including returns and declarations as to expenses);

PART II.  
—cont.

and the expression "official duty" shall for the purposes of this section be construed accordingly but shall not include duties imposed otherwise than by the law relating to elections under the local elections Act or the registration of local government electors.

(4) Section seventy-nine of the local elections Act (which penalises some of the breaches of duty dealt with by this section) shall cease to have effect.

### PART III.

#### CORRUPT AND ILLEGAL PRACTICES AND OTHER PROVISIONS AS TO ELECTION CAMPAIGN.

##### *Parliamentary elections.*

32.—(1) Parts III and IV of the First Schedule to the parliamentary corrupt practices Act (which limit the amount of election expenses) shall cease to have effect, and for any reference in that Act to the maximum amount specified in the said Part IV (which deals with the aggregate amount of the permitted expenses) there shall be substituted a reference to the following maximum amount, namely—

Limit of, and  
return and  
declarations as  
to, expenses.

- (a) in relation to an election in a county constituency, four hundred and fifty pounds together with an additional twopence for each entry in the register of parliamentary electors to be used at the election;
- (b) in relation to an election in a borough constituency, four hundred and fifty pounds together with an additional penny halfpenny for each such entry as aforesaid:

Provided that, if the said register is not published before the day of publication of the notice of election, then for any reference in this subsection to an entry in the register there shall be substituted a reference to an entry in the electors lists therefor as first published which gives the name of a person appearing from those lists to be entitled to be registered.

(2) The said maximum amount shall not be required to cover the candidate's personal expenses as defined in the said Act, but shall cover the whole of any fee paid to the candidate's election agent.

(3) For the forms of declaration as to election expenses set out in Part I of the Second Schedule to the said Act there shall be substituted the form set out in Part II of the Ninth Schedule to this Act.

PART III.  
—cont.

(4) Notwithstanding anything in the said Act, no declaration or return as to election expenses shall be required under that Act in the case of a person—

(a) who—

(i) is a candidate at an election as defined by section sixty-three thereof; but

(ii) is so, only because he has been declared by others to be a candidate; and

(b) who has not consented to the declaration or taken any part as a candidate in the election.

(5) No penalty shall be recoverable except by the Crown under subsection (5) of section thirty-three of the said Act (which penalises a Member of Parliament sitting or voting when the return and declarations as to his election expenses have not been sent in in time).

(6) In Northern Ireland paragraphs (a) and (b) of subsection (1) and subsection (2) of this section shall not apply and—

(a) the maximum amount referred to in the said subsection (1) shall (subject to the proviso to that subsection) be the same as at the passing of this Act, namely, twopence for each entry in the register of parliamentary electors to be used at the election; and

(b) the said maximum amount shall not be required to cover either the candidate's personal expenses as defined in the said Act or (to an amount not exceeding in the case of an election in a county constituency seventy-five pounds and in the case of an election in a borough constituency fifty pounds) the fee, if any, paid to his election agent.

(7) This section shall apply for the purposes of the first general election after the passing of this Act and any subsequent election.

Use of motor vehicles for conveying electors to poll.

33.—(1) Subject to the provisions of this section, a person shall not, with a view to supporting or opposing the candidature of any individual as against any other or others at a parliamentary election, either let, lend or employ, or hire, borrow or use, any motor vehicle for the purpose of the conveyance of electors or their proxies to or from the poll, and a person knowingly acting in contravention of this subsection shall be guilty of an illegal practice within the meaning of the parliamentary corrupt practices Act:

Provided that—

(a) the court before whom a person is convicted under this subsection may, if they think it just in the special

circumstances of the case, mitigate or entirely remit any incapacity imposed by section ten of the said Act; and

PART III.  
—cont.

(b) a candidate shall not be liable, nor shall his election be avoided, for an illegal practice under this subsection committed without his consent or connivance by an agent other than his election agent.

(2) Where it is shown—

(a) that a motor vehicle was employed for the purpose aforesaid; and

(b) that at the time when it was so employed there was to the knowledge of any person employing or using it for that purpose displayed on it or on a trailer drawn by it any placard, colours or other thing indicating a preference for or against any candidate at the election;

it shall be presumed until the contrary is shown that that person was so employing or using it with a view to supporting or opposing the candidature of some individual as against some other or others.

(3) Nothing in this section shall—

(a) render unlawful anything made lawful by subsection (3) of section fourteen of the parliamentary corrupt practices Act (which relates to the use of vehicles by electors at their joint cost); or

(b) prevent any person employing a motor vehicle for the purpose of conveying to or from the poll himself or any member of the same household, or borrowing a motor vehicle from a member of the same household to be employed for that purpose; or

(c) prevent a candidate at an election or some person on his behalf employing a motor vehicle for the purpose of conveying any person to or from the poll, if the conditions hereafter mentioned in this section are complied with, or borrowing a motor vehicle to be employed for that purpose from any person; or

(d) prevent a person lending or using a motor vehicle in a case in which it is lawfully borrowed or employed by virtue of either of the last two foregoing paragraphs.

(4) The conditions under which a motor vehicle may be employed under the said paragraph (c) by or on behalf of a candidate are the following:—

(a) the motor vehicle shall be registered in the prescribed manner with the returning officer, and there shall be prominently displayed thereon a placard indicating that it is so registered;

PART III.  
—cont.

(b) the number of motor vehicles so employed shall not exceed in a county constituency one for every fifteen hundred electors or in a borough constituency one for every twenty-five hundred electors.

(5) Regulations made with respect to the registration of motor vehicles with the returning officer under this section may make provision as to the retention, destruction and inspection of the register and the right to take or receive copies thereof, and as to the fees (if any) payable for the exercise of any right under the regulations.

(6) For the purposes of this section—

(a) the expression “motor vehicle” means any mechanically propelled vehicle constructed or adapted for use on roads;

(b) the expression “member of the same household” includes a visitor spending the night before or after the day of the poll in the same dwelling house and a person employed by a member of the household at the dwelling house unless so employed exclusively for the purpose of that member’s trade, profession or business; and

(c) the number of electors shall be taken to be the same as the number of entries in the register or electors lists by reference to which the maximum amount of the candidate’s election expenses is determined, any residual fraction of fifteen hundred or, in a borough constituency, twenty-five hundred being treated as a complete fifteen or twenty-five hundred, as the case may be.

Candidate’s  
right to send  
election  
address post  
free.

34.—(1) A candidate at a parliamentary election shall, subject to regulations of the Postmaster General, be entitled to send free of any charge for postage to each elector one postal communication containing matter relating to the election only and not exceeding two ounces in weight.

(2) He shall also, subject as aforesaid, be entitled to send free of any charge for postage to each person entered in the list of proxies for the election one such communication as aforesaid for each appointment in respect of which that person is so entered.

(3) A person shall not be deemed to be a candidate for the purposes of this section unless he is shown as standing nominated in the statement of persons nominated, but until the publication of that statement any person who declares himself to be a candidate shall be entitled to exercise the right of free postage conferred by this section if he gives such security as may be required by the Postmaster General for the payment of postage should he not be shown as standing nominated as aforesaid.



(4) For the purposes of this section, the expression "elector" means a person who is registered as a parliamentary elector in the constituency in the register to be used at the election or who, pending the publication of that register, appears from the electors lists therefor as corrected by the registration officer to be entitled to be so registered.

PART III.  
—cont.

35.—(1) Subject to the provisions of this section, a candidate at a parliamentary election shall be entitled for the purpose of holding public meetings in furtherance of his candidature to the use at reasonable times between the receipt of the writ and the date of the poll of—

Candidate's  
right to use  
certain schools  
and halls for  
election  
meetings.

(a) a suitable room in the premises of any school to which this section applies;

(b) any meeting room to which this section applies.

(2) This section applies—

(a) in England and Wales, to county schools and voluntary schools of which the premises are situated in the constituency or an adjoining constituency; and

(b) in Scotland, to any school of which the premises are so situated, not being an independent school within the meaning of the Education (Scotland) Act, 1946;

9 & 10 Geo. 6.  
c. 72.

but a candidate shall not be entitled under this section to the use of a room in school premises outside the constituency if there is a suitable room in other premises in the constituency which are reasonably accessible from the same parts of the constituency as those outside and are premises of a school to which this section applies.

(3) This section applies to meeting rooms situated in the constituency, the expense of maintaining which is payable wholly or mainly out of public funds or out of any rate, or by a body whose expenses are so payable.

(4) Where a room is used for a meeting in pursuance of the rights conferred by this section, the person by whom or on whose behalf the meeting is convened—

(a) may be required to pay for the use of the room a charge not exceeding the amount of any actual and necessary expenses incurred in preparing, warming, lighting and cleaning the room and providing attendance for the meeting and restoring the room to its usual condition after the meeting; and

(b) shall defray any damage done to the room or the premises in which it is situated, or to the furniture, fittings or apparatus in the room or premises.

(5) A candidate shall not be entitled to exercise the rights conferred by this section except on reasonable notice and this section shall not authorise any interference with the hours during which a room in school premises is used for educational

PART III.  
—cont.

purposes, or any interference with the use of a meeting room either for the purposes of the person maintaining it or under a prior agreement for its letting for any purpose.

(6) The provisions of the Fifth Schedule to this Act shall have effect with respect to the rights conferred by this section and the arrangements to be made for their exercise.

(7) For the purposes of this section (except those of paragraph (b) of subsection (4) thereof), the premises of a school shall not be taken to include any private dwelling house, and in this section—

- (a) the expression " meeting room " means any room which it is the practice to let for public meetings; and
- (b) the expression " room " includes a hall, gallery or gymnasium.

(8) This section shall not apply to Northern Ireland.

Use of  
committee  
rooms in  
schools.

**36.—(1)** Paragraph (d) of section twenty of the parliamentary corrupt practices Act (which prohibits the use for a committee room of the premises of a public elementary school in receipt of an annual parliamentary grant), shall—

- (a) in England and Wales, apply to the premises of all schools maintained or assisted by a local education authority and all other schools in respect of which grants are made out of moneys provided by Parliament to the person or body of persons responsible for the management of the school; and
- (b) in Scotland, apply to the premises of all schools other than independent schools within the meaning of the Education (Scotland) Act, 1946; and
- (c) in Northern Ireland, apply to the premises of all schools other than independent schools within the meaning of the Education Act (Northern Ireland), 1947.

(2) For the purposes of the said section twenty and of this section, the premises of a school shall be taken to include any dwelling house which forms part thereof and is occupied by a person employed for the purposes of the school.

Election  
propaganda.

**37.—(1)** No person shall, with intent to influence persons to give or refrain from giving their votes at a parliamentary election, use, or aid, abet, counsel, or procure the use of, any wireless transmitting station outside the United Kingdom for the transmission of any matter having reference to the election otherwise than in pursuance of arrangements made with the British Broadcasting Corporation for it to be received and re-transmitted by that Corporation.

(2) No person shall for the purpose of promoting or procuring the election of any candidate at a parliamentary election issue any poll card or document so closely resembling an official poll card as to be calculated to deceive.

(3) Any offence under this section shall be an illegal practice within the meaning of the parliamentary corrupt practices Act:

PART III.  
—cont.

Provided that the court before whom a person is convicted of an offence under this section may, if they think it just in the special circumstances of the case, mitigate or entirely remit any incapacity imposed by section ten of that Act.

(4) Where any act or omission of an association or body of persons, corporate or unincorporated, is an illegal practice under this section, any person who at the time of the act or omission was a director, general manager, secretary or other similar officer of the association or body, or was purporting to act in any such capacity, shall be deemed to be guilty of the illegal practice, unless he proves that the act or omission took place without his consent or connivance and that he exercised all such diligence to prevent the commission of the illegal practice as he ought to have exercised having regard to the nature of his functions in that capacity and to all the circumstances.

#### *Local government elections.*

38.—(1) In relation to local government elections, sections twenty-four and twenty-six to thirty-five of the parliamentary corrupt practices Act (which deal with the appointment and functions of an election agent, and the payment of and making of returns as to expenses, at parliamentary elections), shall apply as if those sections had been enacted in the local corrupt practices Act as they apply to a parliamentary election in the part of Great Britain in question, but with the modifications mentioned in the next following subsection.

Appointment  
of election  
agent.

(2) The said modifications are as follows:—

- (a) there shall be omitted any reference to a sub-agent, any limit on the amount of the candidate's personal expenses which may be paid by him and subsection (1) of section thirty-five (which requires a summary of the return of election expenses to be published in two newspapers);
- (b) for references to the constituency, to the returning officer and to sitting or voting in the House of Commons as a member for the constituency there shall respectively be substituted references to the local government area, to the town clerk or, in Scotland, the prescribed officer, and to sitting or voting in the council, and, in relation to Scotland, for any reference to the High Court there shall be substituted a reference to the sheriff;
- (c) the penalty recoverable by the Crown in civil proceedings for a contravention of subsection (5) of section

PART III  
—cont.

thirty-three (which penalises a person sitting or voting when the return and declaration as to his election expenses have not been sent in in time) shall be fifty, and not a hundred, pounds and, instead of civil proceedings for a penalty, proceedings may be instituted in a court of summary jurisdiction and the person charged shall be liable, on conviction, to a fine of an amount not exceeding the amount of the penalty which would be recoverable in civil proceedings.

1 & 2 Geo. 5.  
c. 7.

(3) The following amendments (being amendments consequential on the foregoing provisions of this section) shall be made in the local corrupt practices Act and in the Municipal Elections (Corrupt and Illegal Practices) Act, 1911, as they apply in relation to elections at which a candidate is required to appoint an election agent:—

58 & 59 Vict.  
c. 40.

(a) the words of the corresponding provisions of the parliamentary corrupt practices Act and of the Corrupt and Illegal Practices Prevention Act, 1895, shall be respectively substituted for those of subsection (3) of section six, section fourteen, subsection (2) of section seventeen, paragraphs (a) and (b) of section nineteen and subsection (1) of section twenty-six of the local corrupt practices Act and for those of subsection (4) of section one of the said Act of 1911, except that in relation to Scotland for any reference to the High Court there shall be substituted a reference to the sheriff;

(b) in section twenty-five of the local corrupt practices Act—

(i) in subsection (1) after the words “ candidate to whose election the petition relates ” there shall be inserted the words “ and his election agent ”, and for the words following the word “ relates ” there shall be substituted the words of subsection (4) of section forty of the parliamentary corrupt practices Act with the appropriate modification of the reference to the returning officer; and

(ii) in subsection (2) after the words “ with the privity of the candidate ” there shall be inserted the words “ or his election agent ”;

(c) where two or more candidates at an election appoint the same election agent, subsection (4) of section five of the local corrupt practices Act (which deals with the cases in which candidates are to be treated as joint candidates for the purpose of determining the permitted amount of election expenses) shall apply as it applies where two or more candidates employ the same polling agent, except that proviso (a) (which

deals with the case where the employment is accidental or casual) shall not apply;

(d) the said section five shall not apply to sums paid or expenses incurred otherwise than by the candidate or his election agent.

(4) This section shall apply in relation to the first ordinary election of councillors held after the passing of this Act and to any subsequent election.

(5) In the application of this section to Scotland, for the reference in subsection (2) to proceedings in a court of summary jurisdiction there shall be substituted a reference to summary proceedings in the sheriff court.

39.—(1) In the provisions of the local elections Act which apply the local corrupt practices Act to elections of metropolitan borough, district and parish councillors in England and Wales, there shall cease to have effect the words excepting from that application the provisions of the last mentioned Act referred to in section thirty-seven thereof (being the provisions of that Act which relate to election expenses):

Extensions of  
local corrupt  
practices Act  
in England  
and Wales.

Provided that in relation to elections of parish councillors section twenty-one of the local corrupt practices Act, and not the provisions substituted therefore by the last foregoing section, shall apply but with the modifications mentioned in the next following subsection of this section.

(2) In relation to elections of parish councillors, the said section twenty-one shall be modified as follows:—

(a) no penalty shall be recoverable in civil proceedings under subsection (4) (which penalises a person sitting or voting when the return and declaration as to his election expenses have not been sent in in time), except by the Crown; and

(b) instead of civil proceedings for a penalty, proceedings may be instituted in a court of summary jurisdiction and the person charged shall be liable, on conviction, to a fine of an amount not exceeding the amount of the penalty which would be recoverable in civil proceedings; and

(c) any declaration as to election expenses shall be in such form as may be prescribed by parish election rules made under section fifty-four of the Local Government Act, 1933, instead of in the form set out in the Fourth Schedule to the local corrupt practices Act.

23 & 24 Geo. 5.  
c. 51.

(3) In relation to elections of a chairman of a district council or parish council or meeting in England or Wales, Part IV of the Municipal Corporations Act, 1882, and the local corrupt practices Act shall, subject to such adaptations, alterations and exceptions as may be made by district or parish election

45 & 46 Vict.  
c. 50.

PART III.  
—*cont.*

rules under the Local Government Act, 1933, apply in like manner as in the case of elections under that Act of the mayor of a borough.

(4) This section shall apply in relation to the first ordinary election of councillors held after the passing of this Act and to any subsequent election of councillors, and in relation to any election so held of the chairman of a council.

Other amendments for securing conformity with rules as to parliamentary elections.

40.—(1) Section sixteen of the local corrupt practices Act (which prohibits the use of certain premises for committee rooms or election meetings), shall be amended as follows:—

- (a) any reference to holding a meeting shall cease to have effect;
- (b) the prohibition on the use of any premises, or part of any premises, where intoxicating liquor is supplied to members of a club, society or association shall not apply where the club, society or association is a permanent political club; and
- (c) the premises to which the section applies shall include any premises which are within the prohibition imposed by section twenty of the parliamentary corrupt practices Act on the use of school premises at parliamentary elections.

(2) For the purpose of determining the amount of the election expenses permitted by section five of the local corrupt practices Act, the number of the electors shall be taken to be the number of entries in the register of local government electors to be used at the election or, if that register is not published before the day of publication of the notice of election, the number of entries in the electors lists therefor as first published which give the name of a person appearing from those lists to be entitled to be registered.

8 Edw. 7. c. 66.

(3) In subsection (1) of section one of the Public Meeting Act, 1908 (which penalises attempts to break up a public meeting and makes them an illegal practice if made in the course of a parliamentary election), after the words "the Corrupt and Illegal Practices Prevention Act, 1883" there shall be inserted the words "and, if the offence is committed on, or within three weeks before, the day of election at a local government election at a meeting held in the electoral area with reference to that election, he shall be guilty of an illegal practice within the meaning of the Municipal Elections (Corrupt and Illegal Practices) Act, 1884, or, if the offence is committed in Scotland, within the meaning of the Elections (Scotland) (Corrupt and Illegal Practices) Act, 1890."

47 & 48 Vict.  
c. 70.  
53 & 54 Vict.  
c. 55.

(4) Section eighty-five of the Municipal Corporations Act, 1882, and section six of the Elections (Scotland) (Corrupt and Illegal Practices) Act, 1890 (which provide for striking off on a scrutiny the vote of any person in respect of whom a corrupt

practice was committed at the election), shall cease to have effect, and section one hundred of the said Act of 1882 and subsection (2) of section forty-seven of the said Act of 1890 (which apply the rules governing parliamentary election petitions) shall be construed as if the said section eighty-five or the said section six, as the case may be, had never been passed.

PART III.  
—cont.

*Provisions applying to parliamentary and local government elections.*

41. The use of any premises for the holding of public meetings in furtherance of any person's candidature at a parliamentary or local government election shall not render any person liable to be rated or to pay any rate for the premises.

Effect on rateability of premises of holding election meeting.

42.—(1) No expenses shall, with a view to promoting or procuring the election of a candidate at a parliamentary or local government election, be incurred by any person other than the candidate, his election agent and persons authorised in writing by the election agent on account—

Prohibition of expenses not authorised by election agent.

- (a) of holding public meetings or organising any public display; or
- (b) of issuing advertisements, circulars or publications; or
- (c) of otherwise presenting to the electors the candidate or his views or the extent or nature of his backing or disparaging another candidate:

Provided that paragraph (c) of this subsection shall not—

- (i) restrict the publication of any matter relating to the election in a newspaper or other periodical; or
- (ii) apply to any expenses not exceeding in the aggregate the sum of ten shillings which may be incurred by an individual and are not incurred in pursuance of a plan suggested by or concerted with others, or to expenses incurred by any person in travelling or in living away from home or similar personal expenses.

(2) Where a person incurs any expenses required by this section to be authorised by the election agent, that person shall within fourteen days after the date of publication of the result of the election send to the appropriate officer a return of the amount of those expenses, stating the election at which and the candidate in whose support they were incurred, and the return shall be accompanied by a declaration made by the said person (or in the case of an association or body of persons, by a director, general manager, secretary or other similar officer thereof) verifying the return and giving particulars of the matters for which the expenses were incurred:

Provided that this subsection shall not apply to any person engaged or employed for payment or promise of payment by the candidate or his election agent.

PART III.  
—cont.

(3) The return and declaration under the foregoing provisions of this section shall be in the prescribed form, and the authority received from the election agent shall be annexed to and deemed to form part of the return, and subsection (2) of section thirty-five of the corrupt practices Act (which deals with the retention, inspection and destruction or return of the returns and declarations as to election expenses under that Act), shall apply also to any returns and declarations under the foregoing provisions of this section, except that they shall be returned after two years not to the candidate if he or his election agent so require, but to the person sending them if he so require.

(4) The election agent's return respecting election expenses shall deal under a separate heading or sub-heading with any expenses included therein as respects which a return is required to be made by subsection (2) of this section.

(5) Subsection (1) of this section shall not affect the right of any creditor, who, when the expense was incurred, was ignorant of its being in contravention of this section.

(6) A copy of every return and declaration made under subsection (2) of this section in relation to a parliamentary election in England, Wales or Northern Ireland shall be sent to the Clerk of the Crown in Chancery within fourteen days after the date of publication of the result of the election by the person making the return or declaration, and rules 39 and 42 of the First Schedule to the Ballot Act, 1872 (which deal with the retention, inspection and destruction of certain documents under that Act), shall apply to any documents sent to the Clerk of the Crown under this subsection.

(7) In this section the expression "the appropriate officer" means the officer to whom the election agent's return respecting election expenses is required to be sent.

(8) This section shall not apply to elections of parish councillors in England or Wales.

(9) If any person incurs, or aids, abets, counsels or procures any other person to incur, any expenses in contravention of this section, or knowingly makes the declaration required by subsection (2) thereof falsely, he shall be guilty of a corrupt practice within the meaning of the corrupt practices Act, and if a person fails to send any declaration or return or a copy thereof as required by this section he shall be guilty of an illegal practice within the meaning of the said Act:

Provided that—

(a) the court before whom a person is convicted under this subsection may, if they think it just in the special circumstances of the case, mitigate or entirely remit any incapacity imposed by section six or ten of the corrupt practices Act; and



(b) a candidate shall not be liable, nor shall his election be avoided, for a corrupt or illegal practice under this subsection committed by an agent without his consent or connivance.

PART III.  
—cont.

(10) Where any act or omission of an association or body of persons, corporate or unincorporated, is an offence declared to be a corrupt or illegal practice by this section, any person who at the time of the act or omission was a director, general manager, secretary or other similar officer of the association or body, or was purporting to act in any such capacity, shall be deemed to be guilty of that offence, unless he proves that the act or omission took place without his consent or connivance and that he exercised all such diligence to prevent the commission of the offence as he ought to have exercised having regard to the nature of his functions in that capacity and to all the circumstances.

(11) Section forty of the corrupt practices Act (which provides a longer time for presenting an election petition, where an illegal practice is alleged) shall apply to any corrupt practice under this section as if it were an illegal practice.

43.—(1) The following provisions of the corrupt practices Act shall cease to have effect, namely—

- Miscellaneous amendments as to election expenses and propaganda.
- (a) section seven in so far as it prohibits payments or contracts for payment in respect of committee rooms in excess of a specified number;
  - (b) section sixteen except in so far as it relates to bands of music, torches, flags and banners; and
  - (c) subject to the next following subsection, section seventeen (which relates to paid employment).

(2) The said section seventeen shall continue to prohibit the engagement or employment for payment or promise of payment of any person as a canvasser, and accordingly in subsection (1) thereof for the words from " for any purpose or in any capacity " onwards there shall be substituted the words " as a canvasser ".

(3) Where the expenses required by the corrupt practices Act to be shown in the election agent's return include expenditure on account of the remuneration or expenses of speakers at public meetings, the amount of that expenditure (with the name of the speaker and the date and place of the meeting in each case) shall be shown under a separate heading or sub-heading.

(4) Section seven of the Corrupt Practices Prevention Act, 17 & 18 Vict. 1854 (which prohibits candidates at a parliamentary election from giving or providing cockades, ribbons and other marks of distinction), shall cease to have effect. c. 102.

PART III.  
—*cont.*

(5) Section eighteen of the corrupt practices Act (which requires election placards to bear the name and address of printer and publisher), shall apply to every printed document distributed for the purpose of promoting or procuring the election of a candidate as it applies to bills, placards and posters, but with the substitution of references to distributing for references to posting.

(6) For the purposes of the said section eighteen, any process for multiplying copies of a document, other than copying it by hand, shall be deemed to be printing and the expression "printer" shall be construed accordingly.

Failure to  
appoint  
election  
agent.

44.—(1) Notwithstanding anything in section twenty-four of the corrupt practices Act,—

- (a) the election agent of a candidate who remains validly nominated at the latest time for delivery of notices of withdrawals shall be named, and his name and address given to the appropriate officer, as required by that section, not later than that time; and
- (b) if no person's name and address is so given within that time as those of the candidate's election agent, the candidate shall be deemed at that time to have named himself as election agent and to have revoked any appointment of another person as his election agent.

(2) If the person whose name and address have been so given as those of the candidate's election agent (not being the candidate himself) dies, and a new appointment is not made on the day of the death or on the following day, the candidate shall be deemed to have appointed himself as from the time of the death.

(3) If the appointment of a candidate's election agent is revoked without a new appointment being made, the candidate himself shall be deemed to have been appointed (or re-appointed) election agent.

(4) Where a candidate is by virtue of this section to be treated as his own election agent, he shall be deemed to have his office at his address as given in the statement as to persons nominated or, if that address is not in the constituency or local government area or in a county of a city or town adjoining thereto, at the qualifying address of the person (or first person) named in that statement as his proposer.

(5) The appropriate officer, on being satisfied that a candidate is by virtue of this section to be treated as his own election agent, shall forthwith proceed to publish the like notice as if the name and address of the candidate and the address of his office had been duly given to him under

sections twenty-four and twenty-six of the corrupt practices Act.

PART III.  
—cont.

(6) In paragraph 48 of Part III of the local elections rules which prohibits a returning officer or officer appointed under those rules or his partner or clerk from acting as polling or counting agent) for the words "polling or counting agent" wherever they occur there shall be substituted the words "candidate's agent in the management or conduct of the election"; but nothing in the foregoing provisions of this subsection or in section fifty of the Representation of the People Act, 1867, or section thirteen of the Representation of the People (Ireland) Act, 1868 (which make similar provision in relation to parliamentary elections), shall be taken as preventing a candidate from acting as his own election agent.

(7) This section shall have effect in its application to a local government election in Scotland as if—

(a) for subsection (4) there were substituted the following subsection—

"(4) Where a candidate is by virtue of this section to be treated as his own election agent, he shall be deemed to have his office at his address as given in his nomination paper or papers or if that address is not in the local government area or in a county of a city or town adjoining thereto, at the address of the person named as the proposer of the candidate in the nomination paper first delivered in which the address of the proposer is in the local government area."; and

(b) the reference in subsection (6) to the provision of the local elections rules therein mentioned included a reference to subsection (2) of section sixty-seven of the Local Government (Scotland) Act, 1947.

10 & 11 Geo. 6.  
c. 43.

45.—(1) If at a parliamentary or local government election a candidate or his election agent personally engages as a canvasser or agent for the management of the election any person whom he knows or has reasonable grounds for supposing to be subject to an incapacity to vote at the election by reason—

Avoidance of  
election for  
employing  
corrupt agent.

(a) of his having been convicted or reported of any corrupt or illegal practice within the meaning of the corrupt practices Act or of the law relating to elections for the Parliament of Northern Ireland; or

(b) of his having been convicted more than once of an offence under the Public Bodies Corrupt Practices Act, 1889;

52 & 53 Vict.  
c. 69.

the candidate shall be incapable of being elected to fill the vacancy or any of the vacancies for which the election is held.

PART III.  
—*cont.*

(2) For the purposes of section eighty-seven of the Municipal Corporations Act, 1882, and section thirty of the Elections (Scotland) (Corrupt and Illegal Practices) Act, 1890 (which provide that an election may, on the grounds there mentioned, be questioned by petition, and not otherwise) a person declared by this section incapable of being elected shall be deemed to have been disqualified at the time of the election; but a vote given for such a person shall not, by reason of his incapacity under this section, be deemed to be thrown away so as to entitle another candidate to be declared elected, unless given at a poll consequent on the decision of an election court that he was so incapable.

31 & 32 Vict.  
c. 125.

(3) Section forty-four of the Parliamentary Elections Act, 1868 (which makes as respects parliamentary elections provision similar to subsection (1) of this section), shall cease to have effect.

Avoidance of  
election for  
general  
corruption,  
etc.

46.—(1) Where on an election petition it is shown that offences under the corrupt practices Act committed in reference to the election for the purpose of promoting or procuring the election of any person thereat have so extensively prevailed that they may be reasonably supposed to have affected the result, his election, if he has been elected, shall be void and he shall be incapable of being elected to fill the vacancy or any of the vacancies for which the election was held.

(2) In section eighty-seven of the Municipal Corporations Act, 1882, and section thirty of the Elections (Scotland) (Corrupt and Illegal Practices) Act, 1890 (which provide that an election may, on the grounds there mentioned, be questioned by petition, and not otherwise), for the references to an election being avoided by general bribery, treating, undue influence or personation there shall be substituted a reference to its being avoided under this section.

(3) For the purpose of the enactments relating to the time within which an election petition may be presented or amended, an allegation that an election is avoided under this section shall be deemed to be an allegation of corrupt practices, notwithstanding that the offences alleged are or include offences other than corrupt practices.

(4) The reference in subsection (1) of this section to offences under the corrupt practices Act shall include offences under any other enactment which are punishable as corrupt or illegal practices under that Act.

(5) An election to which the corrupt practices Act applies shall not be liable to be avoided otherwise than under this section by reason of general corruption, bribery, treating or intimidation.

47.—(1) No member of a police force shall by word, message, writing or in any other manner, endeavour to persuade any person to give, or dissuade any person from giving, his vote, whether as an elector or as proxy, at any parliamentary election for a constituency wholly or partly within the police area, or at any local government election for any electoral area wholly or partly within the police area, and a person acting in contravention of this subsection shall be liable on summary conviction to a fine not exceeding one hundred pounds:

PART III.  
—cont.  
Penalty for illegal canvassing by police officers.

Provided that nothing in this subsection shall subject a member of a police force to any penalty for anything done in the discharge of his duty as a member of the force.

(2) In the foregoing subsection references to a member of a police force and to a police area are to be taken—

- (a) in relation to England, Wales and Scotland, as references to a member of a police force and to a police area within the meaning of the Police Pensions Act, 1921; and
- (b) in relation to Northern Ireland, as references to a member of the Royal Ulster Constabulary and to Northern Ireland.

11 & 12 Geo. 5.  
c. 31.

(3) The enactments mentioned in the following subsection (the main effect of which is to impose penalties, varying in amount and recoverable in civil proceedings, on persons connected with the police who canvass at elections) shall cease to have effect, except so far as they render any person incapable of being elected to or sitting in the House of Commons.

(4) The said enactments are section eighteen of the Metropolitan Police Act, 1829, section eighteen of the Constabulary (Ireland) Act, 1836, section nine of the County Police Act, 1839, section eight of the local Act of the second and third years of Queen Victoria, chapter ninety-four, section nine of the Metropolitan Police Act, 1856, section nine of the County and Borough Police Act, 1856, section seventeen of the Police (Scotland) Act, 1857, and section five of the Metropolitan Police Act, 1860.

10 Geo. 4. c. 44.  
6 & 7 Will. 4.  
c. 13.  
2 & 3 Vict. c. 93.  
19 & 20 Vict.  
c. 2.  
19 & 20 Vict.  
c. 69.  
20 & 21 Vict.  
c. 72.  
23 & 24 Vict.  
c. 135.

48.—(1) A person shall be deemed to be guilty of personation at a parliamentary or local government election if he—

Personation.

- (a) votes in person or by post as some other person, whether as an elector or as proxy, and whether that other person is living or dead or is a fictitious person; or

- (b) votes in person or by post as proxy—

(i) for a person whom he knows or has reasonable grounds for supposing to be dead or to be a fictitious person; or

PART III.  
—*cont.*

(ii) when he knows or has reasonable grounds for supposing that his appointment as proxy is no longer in force.

(2) For the purposes of this section, a person who has applied for a ballot paper for the purpose of voting in person or who has marked, whether validly or not, and returned a ballot paper issued for the purpose of voting by post, shall be deemed to have voted.

13 & 14 Vict.  
c. 69.

(3) Sections twenty-four and twenty-six of the Ballot Act, 1872, sections ninety and ninety-one of the Representation of the People (Ireland) Act, 1850, and section eighty-two of the local elections Act (which provide for the punishment of personation) shall cease to have effect, and any reference in any Act to personation, so far as it relates to personation at parliamentary or local government elections, shall be taken as a reference to personation as defined by this section.

Other voting  
offences.

49.—(1) A person shall be guilty of an offence if—

- (a) he votes in person or by post, whether as an elector or as proxy, or applies to be treated as an absent voter or to vote by post as proxy, at a parliamentary or local government election, knowing that he is subject to a legal incapacity to vote; or
- (b) he applies for the appointment of a proxy to vote for him at parliamentary or local government elections, knowing that he or the person to be appointed is subject to a legal incapacity to vote; or
- (c) he votes, whether in person or by post, or applies to vote by post, as proxy for some other person at a parliamentary or local government election, knowing that that person is subject to a legal incapacity to vote:

Provided that a person shall not be guilty of an offence under paragraph (b) of this subsection by reason only of his applying as a service voter, while not of full age, for the appointment of a proxy.

(2) A person shall be guilty of an offence if—

- (a) he votes as elector otherwise than by proxy, either—
  - (i) more than once in the same constituency at any parliamentary election, or more than once in the same electoral area at any local government election; or
  - (ii) in more than one constituency at a general election, or in more than one electoral area at an ordinary election of councillors for a local government area which is not a single electoral area; or

(iii) in any constituency at a general election, or in any electoral area at such an ordinary election as aforesaid, when there is in force an appointment of a person to vote as his proxy at the election in some other constituency or electoral area; or

(b) he votes as elector in person at a parliamentary or local government election at which he is entitled to vote as an absent voter; or

(c) he votes as elector in person at a parliamentary or local government election for which he is registered as a service voter, knowing that a person appointed to vote as his proxy at the election either has already voted in person thereat or is entitled to vote by post thereat; or

(d) not being a service voter, he applies for a person to be appointed as his proxy to vote for him at parliamentary elections without applying for the cancellation of a previous appointment of a third person then in force or without withdrawing a pending application for such an appointment.

(3) A person shall be guilty of an offence if—

(a) he votes as proxy for the same elector either—

(i) more than once in the same constituency at any parliamentary election, or more than once in the same electoral area at any local government election; or

(ii) in more than one constituency at a general election, or in more than one electoral area at an ordinary election of councillors for a local government area which is not a single electoral area; or

(b) he votes in person as proxy for an elector at a parliamentary or local government election at which he is entitled to vote by post as proxy for that elector; or

(c) he votes in person as proxy for an elector registered as a service voter at a parliamentary or local government election knowing that the elector has already voted in person thereat or is entitled to vote by post thereat.

(4) A person shall also be guilty of an offence if he votes at a parliamentary election in any constituency as proxy for more than two persons of whom he is not the husband, wife, parent, grandparent, brother, sister, child or grandchild.

(5) A person shall also be guilty of an offence if he knowingly induces or procures some other person to do an

PART III.  
—cont.

act which is, or but for that other person's want of knowledge would be, an offence in that other person under the foregoing subsections of this section.

(6) For the purposes of this section, a person who has applied for a ballot paper for the purpose of voting in person, or who has marked, whether validly or not, and returned a ballot paper issued for the purpose of voting by post, shall be deemed to have voted:

Provided that for the purpose of determining whether an application for a ballot paper constitutes an offence under subsection (4) of this section, a previous application made in circumstances which entitle the applicant only to mark a tendered ballot paper shall, if he does not exercise that right, be disregarded.

(7) An offence under this section shall be an illegal practice within the meaning of the corrupt practices Act:

Provided that—

- (a) the court before whom a person is convicted of any such offence may, if they think it just in the special circumstances of the case, mitigate or entirely remit any incapacity imposed by section ten of the said Act; and
- (b) a candidate shall not be liable, nor shall his election be avoided, for an illegal practice under this section of any agent of his other than an offence under subsection (5).

Prosecutions  
for corrupt  
and illegal  
practices.

**50.—(1)** In section forty-five of the corrupt practices Act (which imposes on the appropriate authority a duty to inquire and prosecute, where informed that corrupt or illegal practices have prevailed in reference to an election) for the words "corrupt or illegal practices have prevailed" there shall be substituted the words "any corrupt or illegal practice has occurred".

(2) Subject to the provisions of this Act, a corrupt practice within the meaning of the corrupt practices Act shall be punishable thereunder on summary conviction.

(3) A person summarily convicted of a corrupt practice by virtue of this section shall be liable to imprisonment for a term not exceeding three months or to a fine not exceeding one hundred pounds, or to both, but not to the incapacities imposed by section six of the corrupt practices Act on a person convicted on indictment.

(4) A person charged with personation at a parliamentary or local government election shall not be summarily convicted by virtue of this section or committed for trial, except on the evidence of not less than two credible witnesses.



(5) For the purposes of subsection (6) of section forty-three of the corrupt practices Act (which deals with the steps to be taken by an election court where they think an offence should be prosecuted before some other court) a corrupt practice shall be deemed not to be an indictable offence, if the election court think it should be prosecuted summarily, and subsection (4) of this section shall not apply to a committal under the said subsection (6); and in paragraph (a) of section thirty of the local corrupt practices Act (which extends the local jurisdiction of courts of summary jurisdiction to deal with offences other than corrupt practices) the words "other than a corrupt practice" shall cease to have effect.

(6) In the application of this section to Scotland, in subsection (4) the words "summarily" and "or committed for trial" and subsection (5) shall be omitted.

51.—(1) The county court shall have, concurrently with the High Court, all the powers of the High Court in relation—

(a) to any application under section twenty-three of the corrupt practices Act for relief in respect of a payment made in contravention of subsection (2) or subsection (4) of section twenty-nine of that Act (which relate to payments of election expenses made out of time or on a claim made out of time);

(b) to any application under subsection (9) of the said section twenty-nine for leave to pay a claim in respect of election expenses which is sent in out of time or is sent to the candidate instead of the election agent;

(c) to any application for relief under section thirty-four of the corrupt practices Act (which relates to relief for any failure to make the statutory return or declaration as to election expenses within due time and for any defect in the return or declaration);

(d) to any application under section three of the Corrupt and Illegal Practices Prevention Act, 1895 (which relates to injunctions restraining false statements as to the character or conduct of a candidate at a parliamentary election), or under the corresponding provision of the Municipal Elections (Corrupt and Illegal Practices) Act, 1911;

and references in the corrupt practices Act to the High Court shall be construed accordingly.

(2) The county court shall also have, concurrently with the High Court, all the powers of the High Court in relation to any application under rule 40 of the First Schedule to the Ballot Act, 1872 (which relates to the inspection or production of rejected ballot papers); and the High Court or the county court, on being satisfied by evidence on oath that the opening

Powers of  
courts  
with respect  
to granting  
of relief,  
restraining  
false  
statements  
and inspection  
of ballot  
papers.

PART III.  
—cont.

of the sealed packet of counterfoils or the inspection of any counted ballot papers in the custody of the Clerk of the Crown in Chancery is required for the purpose of instituting or maintaining a prosecution for an offence in relation to ballot papers, or for the purpose of a petition questioning an election or return, shall have the same power under rule 41 of the said First Schedule to make an order for that purpose as a tribunal having cognisance of petitions complaining of undue returns or undue elections, but subject to the same provision for preserving the secrecy of an elector's vote.

(3) Any power given to a court by this section may be exercised by any judge of the court otherwise than in open court.

(4) An appeal shall lie to the High Court from any order of a county court made by virtue of this section.

(5) In the application of this section in relation to parliamentary elections in Scotland—

- (a) for any reference to the High Court there shall be substituted a reference to the Court of Session;
- (b) for any reference to the county court or to a judge thereof there shall be substituted a reference to the sheriff;
- (c) for any reference to the Clerk of the Crown in Chancery, there shall be substituted a reference to a sheriff clerk;

and, except in relation to those elections, this section shall not apply to Scotland.

(6) In the application of this section to Northern Ireland—

- (a) any reference to the High Court shall be construed as a reference to the High Court of Justice in Northern Ireland; and
- (b) subsection (3) shall not apply to a county court, but any power given to a county court by this section may be exercised in such manner as may be provided by county court rules.

Period of incapacity for corrupt or illegal practice.

52.—(1) In subsections (3) and (4) of section six of the corrupt practices Act (which render persons convicted of a corrupt practice subject for a period of seven years to certain incapacities in relation to elections and holding office), for the words "seven years" in each place there shall, in relation to persons convicted after the coming into force of this section, be substituted the words "five years".

(2) Section four of the corrupt practices Act (which, in the case of a candidate reported on an election petition to have been personally concerned in any corrupt practice, imposes

the same incapacities as the said section six and a further incapacity for election in the locality in question) shall impose the said further incapacity for a period of ten years only after the date of the report, instead of for life.

(3) Where any person is subject to any incapacity by virtue of the report of an election court or of election commissioners, and he or some other person in respect of whose acts the incapacity was imposed is on a prosecution acquitted of any of the matters in respect of which the incapacity was imposed, the court may order that the incapacity shall thenceforth cease so far as it is imposed in respect of those matters.

(4) Where any person who is subject to any incapacity as aforesaid is on a prosecution convicted of any such matters as aforesaid, no further incapacity shall be taken to be imposed by reason of the conviction, and the court shall have the like power (if any) to mitigate or remit for the future the incapacity so far as it is imposed by reference to section six or section ten of the corrupt practices Act in respect of the matters of which he is convicted, as if the incapacity had been imposed by reason of the conviction.

(5) The period of incapacity under subsection (5) of section thirty-eight of the corrupt practices Act (which relates to reports of election courts and of election commissioners with respect to persons other than candidates) shall run from the date of the report, instead of the date of the election; but where a person convicted of a corrupt or illegal practice is subsequently reported to have been guilty thereof by an election court or election commissioners (whether under that section or otherwise), no further incapacity shall be imposed on him by reference to section six or ten of the said Act by reason of the report.

(6) A person shall not be prosecuted summarily for a corrupt practice in any case where there may be occasion to exercise the powers conferred by subsections (3) and (4) of this section, and a court exercising any of those powers shall make an order declaring how far, if at all, the incapacities imposed by virtue of the relevant report remain unaffected by the exercise of the said power, and that order shall be conclusive for all purposes.

(7) In paragraphs (c) and (d) of section two of the Public Bodies Corrupt Practices Act, 1889 (which impose certain incapacities on conviction under that Act), for the words "seven years" in each place there shall be substituted the words "five years".

## PART III.

—cont.

Area of  
incapacity  
and inquiry  
into corrupt  
and illegal  
practices.

53.—(1) Any provision of the corrupt practices Act imposing on a person convicted or reported of a corrupt or illegal practice in reference to an election an incapacity to be elected or sit for the constituency or to be elected to or hold any corporate office in the local government area for which the election was held, shall apply to being elected or sitting for any constituency or to being elected to or holding any corporate office in any local government area, as the case may be, of which the area includes the whole or part of that of the constituency or local government area for which the election was held as constituted for the purposes of the election.

(2) Any provision of the corrupt practices Act imposing on a person convicted or reported of a corrupt or illegal practice in reference to an election an incapacity to be registered as an elector or vote at an election for or within the constituency or local government area for which the election was held shall apply to being registered as an elector and voting at elections for constituencies or local government areas wholly or partly within the area of the constituency or local government area, as the case may be, for which the election was held as constituted for the purposes of the election.

15 & 16 Vict.  
c. 57.

(3) The power of election commissioners under section six of the Election Commissioners Act, 1852, where they find that corrupt or illegal practices have been committed at a parliamentary election, to inquire into the latest previous election for the same constituency shall, where a change of boundaries has intervened, extend to the latest election before the change for any constituency of which the area at that election included the whole or part of that of the first mentioned constituency as constituted for the purpose of the election at which the corrupt or illegal practices are found to have been committed:

Provided that, where there has been more than one change of boundary the commissioners shall not inquire into an election for a constituency of which the area at that election did not include some part of the area of the constituency in relation to which they were appointed as constituted for the purposes of the election in relation to which they were appointed.

Computation  
of time for  
purposes of  
election  
petitions, etc.

54.—(1) Where the day or last day on which anything is required or permitted to be done by or in pursuance of the Parliamentary Elections Act, 1868, or Part IV of the Municipal Corporations Act, 1882, or the corrupt practices Act or this Part of this Act is any of the days mentioned in the next following subsection, the requirement or permission shall

be deemed to relate to the first day thereafter which is not one of those days, and in computing any period of not more than seven days for the purposes of the said enactments any of the days so mentioned shall be disregarded.

PART III.  
—cont.

(2) The days referred to in the foregoing subsection are any Sunday, Christmas Day, Good Friday, any bank holiday under the Bank Holidays Act, 1871, and any day appointed for public thanksgiving or mourning.

34 & 35 Vict.  
c. 17.

(3) Section forty-nine of the Parliamentary Elections Act, 1868 (which makes other provision as to the computation of time), shall cease to have effect, and section two hundred and thirty of the Municipal Corporations Act, 1882, shall not have effect for the purposes of Part IV of that Act.

55.—(1) So much of the corrupt practices Act, or of that Act as applied in relation to the Parliament of Northern Ireland and local elections in Northern Ireland, as provides—

Inter-relation  
of United  
Kingdom and  
Northern  
Ireland law as  
to corrupt and  
illegal  
practices.

(a) for things done in reference to elections for the Parliament of Northern Ireland and local elections in Northern Ireland affecting matters relating to the Parliament of the United Kingdom and local elections and holding office in Great Britain;

(b) for things done in reference to elections for the Parliament of the United Kingdom and local elections in Great Britain affecting matters relating to the Parliament of Northern Ireland and local elections and holding office in Northern Ireland;

shall cease to have effect.

(2) So long as any person is subject by virtue of the corrupt practices Act as applied as aforesaid or of any Act of the Parliament of Northern Ireland amending or replacing that Act to any incapacity with respect to the Parliament of Northern Ireland, he shall be subject to the like incapacity with respect to the Parliament of the United Kingdom.

(3) So long as any person is subject by virtue of the corrupt practices Act to any incapacity with respect to the Parliament of the United Kingdom, he shall be subject to the like incapacity with respect to the Parliament of Northern Ireland.

(4) Where, by reason of anything done in reference to an election, a person is subject to an incapacity with respect to either Parliament, and the incapacity is limited to a particular constituency or constituencies, then the like incapacity imposed by this section with respect to the other Parliament shall be limited to any constituency which includes the area or part of the area for which the said election was held.

56.—(1) For the purposes of this Part of this Act, the expression "local government area," shall include the City of London, the expression "local government election" shall

Application  
of Part III  
to City of  
London.

PART III.  
—*cont.*

include any municipal election in that City (that is to say, any election to which the local corrupt practices Act is applied by section thirty-five thereof) and the expression "corporate office," shall include any office mentioned in paragraph (1) of that section:

Provided that in relation to municipal elections in the City of London this Part of this Act shall have effect subject to the modifications hereafter mentioned in this section.

## (2) In relation to those elections—

- (a) in subsection (3) of section forty the reference to the day of election shall be taken as a reference to the day fixed for the election and (where a poll is taken) any day thereafter up to and including the day of the poll, but in relation to a meeting held with reference to an election other than an annual election that subsection shall not apply to an offence committed on or before the day on which the precept is issued;
- (b) the expression "vote" in sections forty-eight and forty-nine shall not include voting otherwise than on a poll, and in the said section forty-nine subparagraph (ii) of paragraph (a) of subsection (2) shall not apply;
- (c) subsection (2) of section forty and subsection (2) of section fifty-one shall not apply.

## (3) In relation to ward elections—

- (a) the expression "electoral area" means ward;
- (b) subsection (4) of section thirty-eight shall not apply.

## (4) In relation to elections other than ward elections—

- (a) the expression "electoral area" means the City of London;
- (b) sections thirty-eight, forty-two and forty-four shall not apply, and accordingly—

(i) section twenty-one of the local corrupt practices Act shall be modified as mentioned in subsection (2) of section thirty-nine of this Act, except that the form of declaration as to election expenses shall be such as may be prescribed by Act of Common Council; and

(ii) in subsection (1) of section fifty-one of this Act, paragraph (b) shall not apply and references to subsection (1) and to subsection (7) of the said section twenty-one shall respectively be substituted for the references to subsection (2) or subsection (4) of section twenty-nine and to section thirty-four of the corrupt practices Act.

## PART IV.

SPECIAL PROVISIONS AS TO LOCAL ELECTIONS IN ENGLAND AND  
WALES.

57.—(1) The ordinary day of election of councillors in England or Wales shall be that provided by the following provisions of this section and not that provided by the local elections Act. Ordinary day  
of election.

(2) In the case of county councillors the day shall be a day in the week beginning with the Sunday before the ninth day of April or, if the said ninth day of April is a Sunday, with that day, and shall be such day in that week as the county council may, not later than the preceding twenty-fifth day of January, fix for that purpose :

Provided that, if the said week is Easter week, the week beginning with the Thursday in Easter week shall be substituted therefor, and if the said week is the week before Easter, the week ending with the Wednesday in the week before Easter shall be substituted therefor.

(3) In the case of any other councillors, the day shall be a day in the week beginning with the Sunday before the ninth day of May or, if the said ninth day is a Sunday, with that day :

Provided that if the said week is the week before Whit Sunday, the week ending on the Thursday before Whit Sunday shall be substituted therefor.

(4) The day of election for borough councillors shall be the same throughout England and Wales and shall be fixed for each year by the Secretary of State.

(5) The day of election for district councillors and parish councillors shall be such day as the county council may, not later than the end of the preceding February, fix for that purpose, after consultation, in the case of the election of district councillors, with the district council concerned.

(6) If default is made by a county council in fixing a day of election as required by this section, the day shall be the Tuesday in the week provided by this section.

(7) The Sixth Schedule to this Act shall have effect, as from the passing of this Act, with respect to the day of retirement and date of the annual meeting in the case of councils to which this section applies and for making other amendments consequential on the provisions of this section.

PART IV.  
—cont.  
Time table  
for local  
government  
elections.

58.—(1) At an election of county councillors in England or Wales—

- (a) the latest time for the delivery of nomination papers shall be noon on the fourteenth day before the day of election (instead of five o'clock in the afternoon on the twelfth day before the day of election); and
- (b) the latest time for the despatch of notices of decisions on nominations and for the publication of the statement of persons nominated shall be noon on the thirteenth day before the day of election (instead of five o'clock in the afternoon on the eleventh day before the day of election); and
- (c) the latest time for delivery of notices of withdrawals from candidatures, and for giving or withdrawing notices as to extending the hours of polling, shall be noon on the twelfth day before the day of election (instead of five o'clock in the afternoon on the ninth day before the day of election);

and the time for doing anything at an election of borough councillors in England or Wales shall be the same as at an election of county councillors.

(2) Paragraph 12 of Part I of the local elections rules (which provides for disregarding Sundays and other days in computing time for the purpose of those rules) shall in England and Wales apply in relation to the Saturday before, and the Tuesday after, Easter day or Whit Sunday as it applies in relation to Sundays and the other days therein mentioned.

Electoral  
divisions and  
number of  
councillors  
of L.C.C.

59.—(1) Each parliamentary constituency described in the First Schedule to this Act which is within the administrative county of London shall be an electoral division for the purposes of the election of county councillors, and the number of county councillors to be elected for an electoral division shall be three.

(2) The additional alderman required, in consequence of the increase by virtue of this Act in the number of the said county councillors, to maintain the proportion between the number of aldermen and the number of councillors shall be elected at the first ordinary election of county aldermen after the coming into force of the foregoing subsection.

(3) The consequential matters for which provision may be made by an Order in Council under the House of Commons (Redistribution of Seats) Act, 1944, shall, where the Order makes any change affecting constituencies in the administrative county of London, include any modification of subsection (1) of this section.



**60.** In England and Wales, the ordinary election of parish councillors shall in all cases be conducted by means of nomination and, if necessary, a poll, and any provision of the Local Government Act, 1933, for their election at a parish meeting or at a poll consequent thereon shall cease to have effect.

PART IV.

—cont.

Method of  
election  
of parish  
councillors.

**61.—(1)** In England and Wales, the poll at elections of district councillors or parish councillors shall be kept open after eight in the evening if, but only if, a number of candidates nominated at the election, not being less than the number of councillors to be elected, request that the poll may be kept open till nine o'clock in the evening, and shall in that case be kept open until but not after nine o'clock in the evening.

Hours of poll  
at district  
and parish  
elections.

(2) Any request for the purposes of this section shall be by notice in writing signed by the candidate and delivered at the place at which notices of withdrawals from candidatures are required to be delivered not later than the time appointed for the delivery of the said notices by the rules governing the election, and a notice given by any candidate for the purposes of this section shall be of no effect if the candidate is not validly nominated, or if he withdraws, or is deemed to have withdrawn, from his candidature or if he withdraws the notice by a further notice in writing signed by him and delivered at the place and within the time appointed for the delivery of the first mentioned notice.

## PART V.

SPECIAL PROVISIONS AS TO LOCAL GOVERNMENT ELECTIONS  
IN SCOTLAND.

**62.—(1)** The election of county councillors representing the landward area of a county and the election of elected district councillors for any district of a county shall take place on the second Tuesday of May in the year nineteen hundred and forty-nine and in every third year thereafter.

Alteration of  
dates of  
election of  
county, town  
and district  
councillors.

(2) The annual retirement and election of town councillors of a burgh shall, in the year nineteen hundred and forty-nine and in every year thereafter, take place on the first Tuesday of May.

(3) The county councillors representing any burgh within a county shall be elected at a meeting of the town council to be held in the month of May after the annual election of town councillors in the year nineteen hundred and forty-nine and in every third year thereafter.

PART V.  
—cont.

(4) No triennial or annual election of county, town or district councillors shall take place in the year nineteen hundred and forty-eight, and the term of office of any such councillor in office at the commencement of this Part of this Act shall be extended until the day of election of county, town or elected district councillors, as the case may be, next after the day on which such councillor would have retired in ordinary course if this Act had not been passed:

Provided that nothing in this subsection shall operate to continue in office a county councillor representing a burgh after he has ceased to be a town councillor.

(5) A person holding at the commencement of this Part of this Act, any of the following offices—

- (a) convener of a county
- (b) provost of a burgh
- (c) honorary treasurer of a burgh
- (d) chairman of a district council

shall not retire in ordinary course from his office until the day of election of county, town or elected district councillors, as the case may be, next after the day on which such person would have so retired if this Act had not been passed.

(6) A member of a committee of or appointed by any county, town or district council holding office at the commencement of this Part of this Act shall not retire from his office until the day of election of county, town or elected district councillors as the case may be next after the day on which he would have so retired if this Act had not been passed.

(7) Section twenty-seven of the Local Government (Scotland) Act, 1947 (which empowers the Secretary of State to make provision for a different day of election of town councillors of fishing burghs) shall have effect as if for the words from " a day other than " to " Tuesday of February " there were substituted the words " such day not being earlier than the first or later than the last Tuesday of April as may be specified in the order ", and any order made, or having effect as if made, under the said section twenty-seven and in force at the commencement of this Part of this Act shall cease to have effect.

(8) At an election of town councillors in Scotland, the latest times for publication of the notice of election, for delivery of nomination papers, and for delivery of notices of withdrawals of nominations, shall be the same in relation to the day of election as in the case of an election of county councillors in relation to the day of that election, and accordingly Part II

of the Second Schedule to the Local Government (Scotland) Act, 1947, shall have effect as if in the heading to the second column the words " or town " were inserted after the word " county," and as if the third column were omitted.

PART V.  
—cont.

63.—(1) In the year nineteen hundred and forty-nine and in every year thereafter, a burgh licensing court shall in lieu of meeting on the second Tuesday of April, meet on the second Tuesday of March, and a county or district licensing court shall in lieu of meeting on the third Tuesday of April meet on the third Tuesday of March.

Alteration of  
date of  
licensing  
courts.

(2) For the purposes of—

- (a) any proceeding at the half yearly meeting in March in any year of a licensing court for any area or at any adjournment thereof; or
- (b) any appeal from any such proceeding; or
- (c) any application for confirmation of a new certificate granted at any such meeting or adjournment,

which is not finally disposed of before the expiry in that year of the term of office of any of the members of the licensing court or court of appeal, as the case may be, the members of the licensing court or court of appeal in office at the date of the said meeting, shall, notwithstanding such expiry, be deemed to constitute the licensing court or court of appeal therefrom as the case may be.

64.—(1) The poll at a local government election in Scotland shall, subject as hereinafter provided, commence at eight o'clock in the morning and shall be kept open until eight o'clock in the afternoon of the same day and no longer.

Hours of poll  
at local  
government  
elections in  
Scotland.

(2) If before the time appointed by Part II of the Second Schedule to the Local Government (Scotland) Act, 1947, for the delivery of notices of withdrawals of nominations—

- (a) the appropriate council resolve; or
- (b) there is delivered at the place at which such notices as aforesaid are required to be delivered a notice signed by the candidate or candidates authorised as hereinafter mentioned, requesting,

that the poll at a local government election shall—

- (i) commence at seven o'clock in the morning; or
- (ii) be kept open until nine o'clock in the afternoon; or
- (iii) commence at seven o'clock in the morning and be kept open until nine o'clock in the afternoon;

the poll shall commence or be kept open in accordance with such resolution or notice.

PART V.  
—cont.

- (3) For the purposes of the last foregoing subsection—
- (a) the appropriate council shall be, in relation to the election of a county councillor or to the election of an elected district councillor or councillors, the county council, and in relation to the election of a town councillor or councillors the town council; and
- (b) the candidate or candidates authorised shall be in the case of an election where only one councillor is to be elected a candidate nominated at that election, and in the case of any other local government election a number of candidates nominated at the election not being less than the number of councillors to be elected.

(4) A resolution under subsection (2) of this section shall not be passed unless the council are satisfied that the extension of the hours during which the poll is to be open is necessary in order to afford all the electors such reasonable facilities for voting as are practicable in the circumstances, and a notice signed by a candidate under the said subsection shall be of no effect if the candidate is not validly nominated or withdraws or is deemed to have withdrawn from his candidature or if the candidate or candidates signing the notice withdraws or withdraw the request by a notice signed by him or them and delivered at the place and before the time appointed by Part II of the Second Schedule to the Local Government (Scotland) Act, 1947, for the delivery of notices of withdrawals of nominations.

(5) Where in pursuance of the foregoing provisions of this section the poll at an election of a county councillor for an electoral division is required to commence earlier or to be kept open later than the hours specified in subsection (1) of this section, the requirement shall apply to the poll at an election of a district councillor or councillors for that division or any ward thereof, and where any such requirement is in operation as regards the election of an elected district councillor or councillors for any such electoral division or any ward thereof, the requirement shall apply to the poll at the election of a county councillor for that electoral division or to the poll in that ward as the case may be.

Consequential  
and minor  
amendments.

65.—(1) The enactments set forth in the Seventh Schedule to this Act shall have effect subject to the amendments therein specified being amendments consequential on the foregoing provisions of this Part of this Act or amendments relating to minor details.

(2) Where it appears to the Secretary of State that by reason of special circumstances affecting any local authority, the provisions of this Part of this Act are in relation to that

authority or any members thereof, inapplicable or inadequate without some addition or modification, he may by order make such provision (including amendment of a local Act applying to the authority) as appears to him to be necessary or expedient in consequence of the changes effected by this Part of this Act in the dates of local government elections.

PART V.  
—*cont.*

(3) The power conferred by the last foregoing subsection to make an order shall be exercisable by statutory instrument, and any such instrument shall be subject to annulment by resolution of either House of Parliament.

## PART VI.

### GENERAL.

#### *Supplemental provisions as to registration, etc.*

66.—(1) A registration officer shall comply with any general or special directions which may be given by the Secretary of State with respect to the arrangements to be made by the registration officer for carrying out his registration duties. Discharge of registration duties.

(2) Except in Scotland, any of the duties and powers of a registration officer may be performed and exercised by any deputy for the time being approved by the Secretary of State, and the provisions of this Act shall apply to any such deputy so far as respects any duties or powers to be performed or exercised by him as they apply to the registration officer.

(3) A registration officer in England or Wales whose appointment was made by an order of the Secretary of State shall comply with any conditions made by the order as to the appointment of deputies for any part of the constituency.

(4) Any acts authorised or required to be done by or with respect to the registration officer may, in the event of his incapacity to act, or of a vacancy, be done—

(a) in England or Wales, by or with respect to the standing or temporary deputy acting as clerk of the authority under section one hundred and fifteen or one hundred and sixteen of the local elections Act or, in the case of the secondary of the City of London, by or with respect to any person temporarily appointed in that behalf by the Lord Mayor; and

(b) in Northern Ireland, by or with respect to the person appointed to take his place as registration officer for the purpose of elections of members to serve in the House of Commons of Northern Ireland.

(5) A district council in England or Wales (as well as a county or borough council) may assign officers to assist the

PART VI.  
—*cont.*

clerk of the council in carrying out any of his duties in relation to the registration of electors and the conduct of parliamentary elections upon such terms as may be agreed between the council and the clerk, and in Northern Ireland a county, county borough or county district council shall, in relation to the registration of electors, have the like power.

(6) If the Secretary of State is of opinion, as respects any constituency in Northern Ireland which is not wholly within one registration area, that any power or duty of the registration officer ought to be exercised or performed by an officer acting for the whole of the constituency, he may by order direct that that power or duty shall be exercised or performed as respects the whole constituency by the registration officer for such one of the registration areas in which part of the constituency is included as may be specified in the order.

Power to  
make  
regulations  
as to  
registration,  
etc.

67.—(1) Provision may be made by regulations with respect to the form of the register of electors and of the electors lists or any special lists or records required by this Act in connection with the register or with any election, and with respect to the procedure to be followed in their preparation, and with respect to the time, place and manner of their publication, and generally with respect to any matters incidental to the provisions of this Act so far as those provisions relate to the registration of electors or to voting by post or proxy.

(2) The said incidental matters shall be taken to include the time and manner of preparation and publication and form of, and the making and determination of claims or objections with respect to, the corrupt and illegal practices lists required by section thirty-nine of the corrupt practices Act, and that section, except subsection (1) thereof, shall accordingly cease to have effect.

(3) Without prejudice to the generality of the foregoing subsections, regulations made with respect to the matters therein mentioned may contain any such provisions as are mentioned in the Eighth Schedule to this Act.

Payment of  
expenses of  
registration.

68.—(1) Any expenses properly incurred by a registration officer in the performance of his registration duties (in this Act referred to as "registration expenses") shall (except in Northern Ireland) be paid by the local authority whose clerk is registration officer and there shall be paid to the local authority—

(a) out of moneys provided by Parliament one half of the amount of the registration expenses paid by the authority; and

(b) where the registration officer acts for an area outside the area of the authority such contributions by any other local authority as the Secretary of State may direct.

PART VI.  
—cont.

(2) The registration expenses of a registration officer in Northern Ireland shall be paid out of moneys provided by Parliament.

(3) Any fees or other sums received by the registration officer in respect of his registration duties, other than sums paid to that officer in respect of his registration expenses, shall be accounted for by that officer and paid to the local authority whose clerk he is, and any sums receivable by a local authority under this subsection shall be accounted for by that authority to the Treasury and, as to one half thereof, be paid into the Exchequer of the United Kingdom:

Provided that, in the case of a registration officer in Northern Ireland, the whole amount shall be accounted for by that officer to the Treasury and paid into the Exchequer of the United Kingdom.

(4) Any expenses properly incurred by the clerk of the authority of any county borough, metropolitan borough or county district in pursuance of the requisition of a registration officer requiring him to perform any of the functions of that registration officer or to furnish him with information shall be paid by the registration officer as part of his registration expenses.

(5) On the request of a registration officer for an advance on account of registration expenses, the local authority whose clerk is registration officer or, in the case of a registration officer in Northern Ireland, the Treasury may, if they think fit, make such an advance to him of such an amount and subject to such conditions as they may approve.

(6) Any registration expenses or contribution thereto paid by a county council in England or Wales shall, if the case requires, be paid as expenses for special county purposes.

(7) Any registration expenses or contribution thereto paid by the common council of the City of London shall be paid out of the general rate and any sums paid to the common council under this section shall be placed to the credit of that rate.

(8) In the application of this section to Scotland, for any reference to the local authority whose clerk is registration officer there shall be substituted a reference to the council of the county or burgh the assessor of which is registration officer.

PART VI.  
—*cont.*  
Ascertainment  
of amount of  
registration  
expenses.

69.—(1) The registration expenses payable to a registration officer—

- (a) shall include all proper and reasonable charges for his own personal remuneration for performing his registration duties and for the remuneration and expenses of any staff provided by a local authority to enable him to perform them; but
- (b) shall not include any sum on account of the use of premises, furniture or equipment provided by a local authority in excess of the amount by which that authority's expenditure has been actually and directly increased by the use of those premises or of that furniture or equipment in connection with registration.

(2) The foregoing subsection shall apply in relation to the expenses payable by a registration officer to the clerk of the authority of a county borough, metropolitan borough or county district acting in pursuance of a requisition of that registration officer, as it applies in relation to the registration expenses payable to a registration officer.

(3) The Treasury may frame a scale of registration expenses applicable to all or any class or classes of those expenses, and may alter the scale as and when they think fit, and any expenses incurred by a registration officer of a class to which the scale is applicable—

- (a) shall be taken to be properly incurred if they do not exceed the maximum amount determined by or in accordance with the scale; and
- (b) shall be taken not to have been properly incurred so far as they do exceed that amount, unless the sanction (whether previous or not) of the Treasury, and (except in Northern Ireland) that of the local authority, is specially given for the excess.

(4) Nothing in paragraph (a) of the last foregoing subsection shall be construed as entitling a registration officer to receive payments in excess of the expenses actually incurred by him, except his proper and reasonable charges for his own personal remuneration.

(5) If any question arises whether any expenses incurred by a registration officer of a class to which no scale framed under this section is applicable have been properly incurred or not, that question shall be referred to the Secretary of State, and his decision thereon shall be final.

(6) The Treasury may make with the appropriate department of the government of Northern Ireland arrangements for determining what part of any expenses incurred in connection with the registration of electors or voting by post or



proxy in Northern Ireland is to be attributed respectively to this Act and to the law of Northern Ireland, in cases where any document used or thing done has effect for the purposes of both, and the arrangements may make provision—

PART VI.  
—cont.

- (a) for making any scale of registration expenses framed for the purposes of either applicable to expenses incurred wholly or partly for the purposes of the other, being expenses which cannot readily be kept separate from other expenses to which the scale applies;
- (b) for the apportionment in such manner as may be agreed of any such expenses; and
- (c) as to the manner in which any such expenses are to be paid in the first instance;

and in the application of this section to Northern Ireland paragraph (b) of subsection (1) shall not apply.

70.—(1) An appeal shall lie to the county court—

Registration  
appeals.

- (a) from any decision under this Act of the registration officer on any claim for registration or objection to a person's registration made to and considered by him;
- (b) from any decision under this Act of the registration officer disallowing a person's application to be treated as an absent voter or to vote by post as proxy, in any case where the application is not made for a particular election only;
- (c) from any decision under this Act of the registration officer to place or not to place against any name in the register a mark indicating that the person registered is or is not registered as a service voter or as a non-resident or is or is not entitled to vote for a particular local government area :

Provided that an appeal shall not lie where the person desiring to appeal has not availed himself of a prescribed right to be heard by or make representations to the registration officer on the matter which is the subject of the appeal, or has not given the prescribed notice of appeal within the prescribed time.

(2) No appeal shall lie from the decision of the Court of Appeal on appeal from a decision of the county court under this section.

(3) An appeal to the county court or Court of Appeal by virtue of this section which is pending when notice of an election is given shall not prejudice the operation as respects the election of the decision appealed against, and anything

PART VI.  
—*cont.*

done in pursuance of the decision shall be as good as if no such appeal had been brought and shall not be affected by the decision of the appeal.

(4) Notice shall be sent to the registration officer in manner provided by rules of court of the decision of the county court or of the Court of Appeal on any appeal by virtue of this section, and the registration officer shall make such alterations in the electors lists or register as may be required to give effect to the decision.

(5) The registration officer shall undertake such duties in connection with appeals brought by virtue of this section as may be prescribed and shall on any such appeal be deemed to be a party to the proceedings, and the registration expenses payable to a registration officer shall include any expenses properly incurred by him by virtue of this subsection.

(6) Where a county court judge appoints a person to act as his deputy, and the Lord Chancellor on the representation of the judge is satisfied that the judge would otherwise have been unable, owing to the necessity of dealing with appeals under this section, to transact the business of his court with proper despatch, there shall be paid to the deputy out of moneys provided by Parliament such remuneration as the Lord Chancellor, with the approval of the Treasury, thinks fit to allow.

(7) This section shall apply in relation to decisions on claims and objections with respect to any corrupt and illegal practices list as it applies in relation to the decisions mentioned in subsection (1) but as if a reference to that list were included in the reference to the electors lists and with any other prescribed modifications.

(8) This section shall apply to Scotland subject to the following modifications:—

- (a) subsections (2) and (6) shall be omitted;
- (b) for any reference to the county court there shall be substituted a reference to the sheriff;
- (c) an appeal shall lie on any point of law from any decision of the sheriff under this section to the court of three judges of the Court of Session appointed under section twenty-three of the Representation of the People (Scotland) Act, 1868, and that section shall have effect as if for references to the appeals therein mentioned and to that Act there were respectively substituted references to appeals under this paragraph and to this Act; and
- (d) for any reference to the Court of Appeal there shall be substituted a reference to the said court of three judges.

(g) Subsections (2), (4) and (6) of this section shall not apply to Northern Ireland, but—

PART VI  
—cont.

(a) any decision of a county court upon a point of law under subsection (1) of this section shall be appealable in the same way and subject to the same provisions as a corresponding decision under the law relating to the registration of electors for elections of members to sit in the House of Commons of Northern Ireland, and the reference in subsection (3) of this section to the Court of Appeal shall be construed accordingly; and

(b) any provision of the said law relating to the appointment of assistants to judges of county courts by reason of pressure of business due to appeals thereunder and any power to make rules of court with respect to those appeals shall apply to appeals under this section.

71.—(1) For the purposes of this Act, the expression “member of the forces” means a person serving on full pay as a member of any of the naval, military or air forces of the Crown raised in the United Kingdom:

Supplemental provisions as to members of the forces and service voters.

Provided that the expression shall not include a person serving only as a member of a reserve or auxiliary force except in so far as regulations provide that it shall include persons so serving during a period of emergency.

(2) The reference in the foregoing subsection to the naval, military or air forces of the Crown shall include any women’s force administered by the Admiralty, Army Council or Air Council.

(3) Where a person is not a member of the forces as defined by the foregoing provisions of this section but is, in the performance of his duty as a member of any of His Majesty’s reserve or auxiliary forces, absent on the qualifying date from an address at which he has been residing, any question arising under subsection (2) of section two of this Act whether his residence at that address has been interrupted on that date by his absence in the performance of that duty shall be determined as if the performance thereof did not prevent his resuming actual residence at any time after that date.

(4) Arrangements shall be made by the appropriate government department for securing that (so far as circumstances permit) every person having a service qualification by virtue of paragraph (a) or (b) of subsection (1) of section six of this Act shall—

(a) have an effective opportunity of exercising from time to time as occasion may require the rights conferred

PART VI.  
—cont.

on him by this Act in relation to the making and cancellation of service declarations and of appointments of a proxy, and in relation to voting by post; and

- (b) receive such instructions as to the effect of this Act and any regulations made under it, and such other assistance, as may be reasonably sufficient in connection with the exercise by him and, in the case of a man, by his wife of any rights conferred on them as aforesaid:

Provided that the arrangements need not extend to members of the forces who are for the time being under the age of twenty-one and will in the ordinary course cease to be members of the forces before attaining that age.

(5) In the last foregoing subsection the expression "the appropriate government department" means, in relation to members of the forces, the Admiralty, Army Council or Air Council, as the case requires, and in relation to any other person means the government department under which he is employed in the employment giving the service qualification.

Superannuation rights of contributory employees in England and Wales.

72.—(1) Any contributory employee or local Act contributor who received remuneration in respect of work done by him in the year nineteen hundred and thirty-nine in connection with the preparation of a register of electors under the Representation of the People Act, 1918, for any area in England or Wales shall be entitled to contribute a sum in respect of that remuneration to the appropriate superannuation fund in respect of any year in which a register is prepared under this Act, if—

- (a) he was required to do the work in the year nineteen hundred and thirty-nine by virtue (directly or indirectly) of the post as officer or servant of a local authority which he holds in the later year; and
- (b) he does not receive remuneration in respect of work done by him in the later year in connection with the preparation of the register under this Act to an amount greater than that of the first-mentioned remuneration.

(2) Where a person makes a contribution under this section in respect of any year, he shall not be required or entitled to make, in respect of that year, any contribution under the Local Government Superannuation Act, 1937, or the local

1 Edw. 8 &  
1 Geo. 6. c. 68.

Act scheme, as the case may be, in respect of any remuneration received by him in respect of work done by him in that year in connection with the preparation of a register under this Act.

(3) Where a person makes a contribution under this section in respect of any year, then for the purpose of computing in

accordance with the provisions of section eight of the said Act of 1937 his average remuneration (if he is a contributory employee), or of calculating his superannuation allowance under a local Act scheme (if he is a local Act contributor) he shall be deemed—

PART VI.  
—cont.

- (a) to have received in respect of service rendered in that year the remuneration by reference to which the contribution was calculated; and
  - (b) not to have received in respect of that year any such remuneration as is mentioned in the last foregoing subsection.
- (4) In this section—
- (a) the expressions “ contributory employee,” “ local Act contributor,” “ local Act scheme ” and “ appropriate superannuation fund ” have the same meanings respectively as in the said Act of 1937, except that in relation to a local Act contributor the last mentioned expression means the superannuation fund in the benefits of which he is entitled to participate;
  - (b) references to remuneration in respect of any work do not include an inclusive salary paid partly in respect of that work and partly in respect of the recipient's ordinary work as an officer or servant of a local authority.

#### Miscellaneous.

73.—(1) Proceedings under the Ballot Act, 1872, or under the Corrupt and Illegal Practices Prevention Act, 1883, or under this Act so far as it relates to parliamentary elections, in respect of an offence alleged to have been committed outside the United Kingdom by a British subject may be taken before the appropriate court in the United Kingdom having jurisdiction in the place where the person charged is for the time being.

Punishment of offences committed outside the U.K.

(2) Any period fixed by law as the period within which proceedings may be commenced shall, in the case of any such proceedings as aforesaid, be reckoned as from the date on which the person charged first landed in the United Kingdom next after the commission of the offence, and for the purposes of this provision a person entering Northern Ireland by land shall be deemed thereby to land in the United Kingdom.

74.—(1) The Tenth Schedule to this Act shall have effect with respect to the interpretation and adaptation of Acts other than this Act and with respect to the other matters dealt with in that Schedule, so, however, that the inclusion in that Schedule of any express provision shall not be taken to prejudice the operation in relation to this Act of any provision of the Interpretation Act, 1889, as to repeals.

Adaptation, interpretation and minor amendments of law.

52 & 53 Vict.  
c. 63.

PART VI.  
—cont.

(2) The provisions of the said Tenth Schedule may be supplemented in relation to any Act passed before this Act by an order made by the Secretary of State in any particular case where that appears to him necessary for harmonising that Act with this Act.

(3) Any power conferred by this section or by the said Schedule to make an order shall be exercisable by statutory instrument, and any such instrument shall be subject to annulment by resolution of either House of Parliament.

(4) For the form of writ for a parliamentary election set out in the Second Schedule to the Ballot Act, 1872, there shall be substituted the form set out in Part I of the Ninth Schedule to this Act.

(5) The enactments mentioned in the Eleventh Schedule to this Act shall cease to have effect to the extent specified in the third column of that Schedule.

Construction of references to local elections Act, local elections rules, and corrupt practices Acts. 23 & 24 Geo. 5. c. 51. 2 & 3 Geo. 6. c. 40. 10 & 11 Geo. 6. c. 43.

75.—(1) In this Act, except in so far as the context otherwise requires—

- (a) the expression “ the local elections Act ” means—
- (i) in relation to England and Wales, except London, the Local Government Act, 1933;
  - (ii) in relation to London, the London Government Act, 1939; and
  - (iii) in relation to Scotland, the Local Government (Scotland) Act, 1947; and
- (b) the expression “ the local elections rules ” means the Second Schedule to the local elections Act.

(2) In this Act, except in so far as the context otherwise requires—

- (a) the expression “ the parliamentary corrupt practices Act ” means the Corrupt and Illegal Practices Prevention Act, 1883;
- (b) the expression “ the local corrupt practices Act ” means the Municipal Elections (Corrupt and Illegal Practices) Act, 1884, or, in relation to Scotland, the Elections (Scotland) (Corrupt and Illegal Practices) Act, 1890; and
- (c) the expression “ the corrupt practices Act ” means the parliamentary corrupt practices Act and the local corrupt practices Act.

(3) The tables of comparison set out in the Twelfth Schedule to this Act show (so far as is necessary for the construction of this Act) the provisions of the Acts there mentioned which

46 & 47 Vict. c. 51.

47 & 48 Vict. c. 70.

53 & 54 Vict. c. 55.

correspond to one another, and except in so far as the context otherwise requires—

PART VI.  
—cont.

(a) any reference in this Act to a specified provision of the local elections Act or rules, or of the corrupt practices Act, by that name shall be taken as a reference both to—

(i) the provision specified of the Act or rules referred to in the first column of the said Schedule; and

(ii) any corresponding provision of the Acts referred to in the second and third columns thereof; and

(b) any reference in this Act to a specified provision of the local corrupt practices Act by that name shall be taken as a reference to—

(i) the provision specified of the Act referred to in the second column of that Schedule; and

(ii) any corresponding provision of the Act referred to in the third column thereof.

76.—(1) In this Act, unless the context otherwise requires,—

the expression “ dwelling house ” includes any part of a house where that part is occupied separately as a dwelling house;

the expression “ legal incapacity ” includes (in addition to any incapacity by virtue of any subsisting provision of the common law) any disqualification imposed by the corrupt practices Act or any other Act;

the expression “ prescribed ” means prescribed by regulations;

the expression “ registration duties ” includes the duties of a registration officer as such with respect to voting by post or by proxy, with respect to any corrupt and illegal practices list and with respect to the lists of rooms to the use of which candidates are entitled under this Act;

the expression “ service voter ” means a person whose service declaration is for the time being in force or who remains registered in pursuance of a service declaration no longer in force.

(2) Any provision of the local elections Act applying the local elections rules to elections under that Act shall have, in relation to the provisions of this Act dealing with the subject matter of those rules, the like operation as it has in relation to those rules:

Provided that voting by post or by proxy shall not be allowed at any election of auditors in a borough to which

General  
provisions as to  
interpretation.

PART VI.  
—cont.

the local elections rules are applied by section two hundred and thirty-eight of the Local Government Act, 1933.

(3) References in this Act to any enactment shall, except in so far as the context otherwise requires, be taken as referring to that enactment as amended by any other enactment, including this Act.

(4) Any power conferred by this Act to make regulations shall, except where this Act otherwise provides, be a power exercisable by the Secretary of State by statutory instrument, which shall not come into force unless or until it is approved by resolution of each House of Parliament.

Interpretation  
and  
application  
of local  
government  
provisions in  
England  
and Wales.

77.—(1) In this Act unless the context otherwise requires the following expressions have, in relation to England and Wales, the meanings assigned to them by this subsection, that is to say—

the expression “borough” includes a metropolitan borough;

the expression “county” means (subject to subsection (5) of this section) an administrative county;

the expression “county district” means a borough other than a metropolitan or county borough, an urban district or a rural district;

the expression “electoral area” means any electoral division, borough, ward, district, parish or other area for which an election of councillors is held under the Local Government Act, 1933, or the London Government Act, 1939;

the expression “local government area” means a county, borough, urban or rural district or parish;

the expression “local government election” means an election of councillors for any electoral area;

the expression “parish” means a rural parish within the meaning of the Local Government Act, 1933.

(2) In this Act the expression “clerk of the authority” in relation to a borough means the town clerk, and where the town clerk of a borough is registration officer, references to the authority whose clerk he is refer to the borough council; and references to the clerk of the authority of a county borough, metropolitan borough or county district acting on the requisition of a registration officer include an officer designated by the council thereof and so acting.

(3) Any provision of the Local Government Act, 1933, the Local Government Act, 1888, or the London Government Act, 1939, applying the Municipal Elections (Corrupt and Illegal Practices) Acts, 1884 and 1911, or either of them in relation to local authorities in England or Wales shall have,



in relation to the provisions of this Act dealing with the subject matter of the enactments applied, the like operation as it has in relation to those enactments.

PART VI.  
—*cont.*

(4) Subject to any express provision therein contained this Act, so far as it has effect for the purposes of parliamentary elections or of elections of London county councillors, shall apply in relation to the City of London as if it were a metropolitan borough and as if the common council were a metropolitan borough council, but with the substitution for references to the town clerk of references to the secondary; and for the purposes of this subsection the Inner Temple and Middle Temple shall be treated as forming part of the said City.

(5) This Act shall apply in relation to the Isles of Scilly as if those isles were an administrative county and as if the council of those isles were a county council, except that—

- (a) paragraph 1 of the Eighth Schedule and any reference to a person acting in pursuance of the requisition of a registration officer shall apply as if the isles were a county district and the council were a district council; and
- (b) the provisions of Part II relating to the conduct of local government elections shall have effect in relation to those isles subject to such adaptations as the Minister of Health may by statutory instrument prescribe.

78.—(1) 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.

General  
application  
to Scotland.

(2) For any reference to a county borough or a borough there shall be substituted a reference to a burgh, and for any reference to a borough constituency whether in this Act or in any amendment made by this Act in any other Act there shall be substituted a reference to a burgh constituency.

(3) The following expressions have the following meanings respectively:—

the expression “ assessor ” means the assessor appointed under the Lands Valuation (Scotland) Act, 1854;

the expression “ local authority ” means the council of a county or of a large burgh;

the expression “ county ” means a county inclusive of any small burgh situate therein, and in the case of counties combined for the purposes mentioned in subsection (1) of section one hundred and eighteen of the Local Government (Scotland) Act, 1947, means the combined county, and “ council ” means the joint county council;

PART VI.  
—cont.

the expressions "electoral area", "large burgh" and "small burgh" have the like meanings as in the last mentioned Act;

the expression "local government area" means a county, burgh or district; and

the expression "local government election" means an election of councillors for any electoral area.

(4) Any reference to the report of an election court shall in relation to an election court under the Elections (Scotland) (Corrupt and Illegal Practices) Act, 1890, be construed as a reference to a finding of the court and the expression "reported of a corrupt or illegal practice," shall be construed accordingly.

General application to Northern Ireland.

79.—(1) The following provisions shall, in addition to any express provision for the application to Northern Ireland of any provision of this Act, have effect for the general application of this Act to Northern Ireland, that is to say:—

(a) for references to the Clerk of the Crown in Chancery there shall be substituted references to the Clerk of the Crown for Northern Ireland;

(b) the expression "summary conviction" means conviction subject to, and in accordance with, the Petty Sessions (Ireland) Act, 1851, and any Act (including an Act of the Parliament of Northern Ireland) amending that Act;

(c) subject to the next following subsection, a reference to any enactment shall be construed as a reference to that enactment as it applies in Northern Ireland.

(2) Nothing in this Act shall affect the law relating to the Parliament of Northern Ireland or to local government in Northern Ireland except so far as is expressly provided by this Act.

(3) 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 for the purposes of section six of the Government of Ireland Act, 1920 (which relates to that power) to be a provision of an Act passed before the appointed day for the purposes of that section.

10 & 11 Geo. 5.  
c. 67.

Commencement, repeals, etc.

80.—(1) Except where otherwise expressly provided, the provisions of Parts I and II of this Act and, for the purposes of the said Parts I and II, Part VI thereof shall come into force so as to enable the first register of electors prepared under this Act to be the autumn register in the year nineteen hundred and forty-nine, and shall have effect with respect to that register and subsequent registers under this Act and the elections for which they are used.

(2) Notwithstanding anything in the foregoing subsection, the provisions of the said Parts I and VI relating to the constituencies which are to return members to serve in Parliament (including provisions relating to returning officers for those constituencies) except as aforesaid, shall come into force for the purposes of the first general election after the passing of this Act, and shall not affect—

(a) the constitution of the House of Commons in the Parliament passing this Act; or

(b) the right of any person to vote at an election of a member to serve for a university constituency in that Parliament or the conduct of any such election (including the manner of voting thereat):

Provided that, without prejudice to section thirty-seven of the Interpretation Act, 1889 (which authorises the taking before an Act comes into operation of the necessary steps to bring it into operation), it shall be the duty of the authority having power to divide a constituency established by this Act into polling districts, and designate polling places for the polling districts, to take the matter into consideration as soon as may be after the passing of this Act and make such division and designate such polling places as will be required for the purposes of the said general election.

(3) The provisions of the said Parts II and VI, so far as they relate to voting by post or by proxy at local government elections or amend the local elections rules, shall come into force on the appointed day.

(4) Except where otherwise expressly provided, the provisions of Part III of this Act and, so far as relates to the said Part III, Part VI thereof shall come into force on the appointed day.

(5) Except where otherwise expressly provided, the provisions of Part IV of this Act and, so far as relates to the said Part IV, Part VI thereof shall come into force for the purposes of the first ordinary election of councillors held after the passing of this Act.

(6) The provisions of Part V of this Act and, so far as relates to the said Part V, Part VI thereof shall come into force on the first day of October, nineteen hundred and forty-eight.

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

Provided that without prejudice to any provision of the Interpretation Act, 1889, as to repeals,—

(a) the repeal by this Act of any enactment abolishing any ground of incapacity to be registered as an

PART VI.  
—cont.

- elector or to vote shall not be taken as restoring that ground of incapacity;
- (b) the repeal by this Act of any provision relating to registration expenses, or the expenses of returning officers at parliamentary elections, shall not affect the operation of that provision with respect to expenses incurred in connection with any register prepared or election begun before the repeal has effect;
- (c) the repeal by this Act of section eighteen of the Representation of the People Act, 1918, shall not affect any compensation payable thereunder;
- (d) any document referring to any Act or enactment repealed by this Act shall be construed as referring to this Act or to the corresponding enactment, if any, in this Act.
- (8) No provision in this Act shall apply in relation to any parliamentary bye-election or local government election begun before it comes into force.
- (9) Regulations may be made for the purpose of facilitating the coming into operation, or into full operation, of the provisions of this Act and for adjusting those provisions during any period when it has a partial operation only, including in particular regulations providing—
- (a) for altering, in connection with the first register prepared under this Act, the qualifying date or the date of publication;
- (b) for continuing in force anything made or done for the purposes of any enactment repealed by this Act until superseded under this Act;
- (c) for making any savings or additional savings from the effect of any repeal.
- (10) For the purposes of this section—
- (a) the expression “ the appointed day ” means such day as the Secretary of State may by statutory instrument appoint, and different days may be appointed for different purposes;
- (b) an election shall be deemed to be begun on the day on which notice of the election is given.

Short title,  
and citation.

81. This Act may be cited as the Representation of the People Act, 1948, and this Act and the House of Commons (Redistribution of Seats) Act, 1947, shall be included among the Acts which may be cited as the Representation of the People Acts.

## SCHEDULES.

## FIRST SCHEDULE.

Section 1.

## PARLIAMENTARY CONSTITUENCIES.

[NOTE.—The constituencies are described by reference to circumstances as they existed immediately before the end of the year 1947, except as otherwise stated and except that any subsequent accretion from the sea, whether natural or artificial and whether occurring before or after the passing of this Act, shall be taken to be included in the constituency or constituencies which it adjoins, in proportion to the extent of the common boundary.]

## PART I.

## ENGLAND.

## BEDFORDSHIRE.

(a) *County Constituencies*

<i>Name.</i>	<i>Contents.</i>
1. Bedford ...	(i) The borough of Bedford ; (ii) the urban district of Kempston ; (iii) the rural district of Bedford, except the parishes included in the Mid-Bedfordshire constituency.
2. Mid-Bedfordshire...	(i) The urban districts of Ampthill, Biggleswade and Sandy ; (ii) the rural districts of Ampthill and Biggleswade and the following parishes in the rural district of Bedford, namely, Cardington, Colmworth, Cople, Eaton Socon, Eastcotts, Elstow, Great Barford, Kempston Rural, Little Barford, Renhold, Roxton, Stagsden, Stewartby, Wilden, Willington, Wilshamstead and Wootton.
3. South Bedfordshire	(i) The borough of Dunstable and the Leagrave and Limbury wards of the borough of Luton ; (ii) the urban district of Leighton Buzzard ; (iii) the rural district of Luton.

(b) *Borough Constituency.*

<i>Name.</i>	<i>Contents.</i>
1. Luton ...	... The borough of Luton, except the Leagrave and Limbury wards.

1ST SCH.  
—cont.

## BERKSHIRE.

(a) *County Constituencies.*

<i>Name.</i>	<i>Contents.</i>
1. Abingdon ...	(i) The boroughs of Abingdon and Wallingford ; (ii) the urban district of Wantage ; (iii) the rural districts of Abingdon, Faringdon, Wallingford and Wantage.
2. Newbury ...	(i) The borough of Newbury ; (ii) the rural districts of Bradfield, Hungerford and Newbury.
3. Windsor ...	(i) The boroughs of Maidenhead and New Windsor ; (ii) the rural districts of Cookham and Windsor.
4. Wokingham ...	(i) The borough of Wokingham ; (ii) the rural districts of Easthampstead and Wokingham.

(b) *Borough Constituencies.*

1. Reading North ...	The following wards of the county borough of Reading, namely, Abbey, Battle, Castle, Caversham East, Caversham West, Tilehurst and Victoria.
2. Reading South ...	The following wards of the county borough of Reading, namely, Church, East, Katesgrove, Minster, Redlands and West.

## BUCKINGHAMSHIRE.

(a) *County Constituencies.*

1. Aylesbury ...	(i) The borough of Aylesbury ; (ii) the urban district of Chesham ; (iii) the rural district of Aylesbury and the following parishes in the rural district of Amersham, namely, Ashley Green, Chartridge, Cholesbury cum St. Leonards, Great Missenden, Latimer, Lee and Little Missenden.
2. Buckingham ...	(i) The borough of Buckingham ; (ii) the urban districts of Bletchley, Linslade, Newport Pagnell and Wolverton ; (iii) the rural districts of Buckingham, Newport Pagnell, Wing and Winslow.
3. South Buckinghamshire	(i) The urban district of Beaconsfield ; (ii) the rural district of Eton and the following parishes in the rural district of Amersham, namely, Amersham, Chalfont St. Giles, Chalfont St. Peter, Chenies, Chesham Bois, Coleshill, Penn and Seer Green.
4. Wycombe ...	(i) The borough of High Wycombe ; (ii) the urban district of Marlow ; (iii) the rural district of Wycombe.

(b) *Borough Constituency.*1ST SCH  
—cont*Name.**Contents.*

1. Eton and Slough ... (i) The borough of Slough ;  
(ii) the urban district of Eton.

## CAMBRIDGESHIRE.

(a) *County Constituency.*

1. Cambridgeshire ... The county of Cambridge, except the borough of Cambridge.

(b) *Borough Constituency.*

1. Cambridge ... The borough of Cambridge.

## CHESHIRE.

(a) *County Constituencies.*

1. Cheshire ... The urban districts of Bredbury and Romiley, Cheshire and Gatley, Hazel Grove and Bramhall and Marple.

2. City of Chester ... (i) The county borough of Chester ;  
(ii) the urban district of Hoole ;  
(iii) the rural district of Chester.

3. Crewe ... (i) The borough of Crewe ;  
(ii) the urban district of Nantwich ;  
(iii) the rural district of Nantwich.

4. Knutsford ... (i) The urban districts of Alderley Edge, Alsager, Bowdon, Hale, Knutsford, Sandbach and Wilmslow.  
(ii) The rural districts of Bucklow and Congleton.

5. Macclesfield ... (i) The boroughs of Congleton and Macclesfield ;  
(ii) the urban district of Bollington ;  
(iii) the rural districts of Disley and Macclesfield.

6. Northwich ... (i) The urban districts of Middlewich, Northwich and Winsford ;  
(ii) the rural districts of Northwich and Tarvin.

7. Runcorn ... (i) The urban districts of Lymm and Runcorn ;  
(ii) the rural district of Runcorn.

8. Stalybridge and Hyde (i) The boroughs of Dukinfield, Hyde and Stalybridge ;  
(ii) the urban district of Longdendale ;  
(iii) the rural district of Tintwistle.

9. Wirral ... The urban districts of Ellesmere Port, Hoylake, Neston and Wirral.

(b) *Borough Constituencies.*

1. Altrincham and Sale The boroughs of Altrincham and Sale.

1ST SCH.  
—cont.

<i>Name.</i>	<i>Contents.</i>
2. Bebington...	... The borough of Bebington and the following wards of the county borough of Birkenhead, namely, Bebington, Devonshire, Egerton, Mersey and Prenton.
3. Birkenhead	... The county borough of Birkenhead, except the wards included in the Bebington constituency.
4. Stockport North ...	The following wards of the county borough of Stockport, namely, Edgeley, Heaton Lane, Heaton Norris North, Heaton Norris South, Hollywood, Lancashire Hill, Old Road, Reddish North and Reddish South.
5. Stockport South ...	The following wards of the county borough of Stockport, namely, Cale Green, Davenport, Heaviley, Hempshaw Lane, Portwood, St. Mary's, St. Thomas's, Shaw Heath and Vernon.
6. Wallasey ...	... The county borough of Wallasey.

## CORNWALL.

*County Constituencies.*

1. Bodmin ...	(i) The boroughs of Bodmin, Fowey, Liskeard, Lostwithiel, and Saltash ; (ii) the urban districts of Looe and Torpoint ; (iii) the rural districts of St. Germans and Liskeard, the following parishes in the rural district of St. Austell, namely, Lanlivery, Luxulyan and St. Sampson, and the following parishes in the rural district of Wadebridge, namely, Blisland, Cardinham, Helland, Lanhydrock, Lanivet and Withiel.
2. Falmouth and Camborne	(i) The boroughs of Falmouth and Penryn ; (ii) the urban district of Camborne-Redruth ; (iii) the following parishes in the rural district of Kerrier, namely, Budock, Constantine, Crowan, Mabe, Mawnan, St. Gluvas, Stithians and Wendron, the following parishes in the rural district of West Penwith, namely, Gwinear-Gwithian and Hayle, and the parish of Gwennap in the rural district of Truro.
3. North Cornwall ...	(i) The borough of Dunheved, otherwise Launceston ; (ii) the urban districts of Bude-Stratton, Newquay and Padstow ; (iii) the rural districts of Camelford, Launceston and Stratton, the following parishes in the rural district of St. Austell, namely, Colan, Mawgan in Pyder, St. Columb Major, St. Enoder and St. Wenn and the rural district of Wadebridge except the parishes included in the Bodmin constituency.



<i>Name.</i>	<i>Contents.</i>	1ST SCH. — <i>cont.</i>
4. St. Ives ...	(i) The boroughs of Helston, Penzance and St. Ives ; (ii) the urban district of St. Just ; (iii) the Isles of Scilly ; (iv) the rural districts of Kerrier and West Penwith except the parishes included in the Falmouth and Camborne constituency.	
5. Truro ...	(i) The borough of Truro ; (ii) the urban district of St. Austell ; (iii) the rural district of Truro except the parish included in the Falmouth and Camborne constituency, and the rural district of St. Austell except the parishes included in the Bodmin and North Cornwall constituencies.	

## CUMBERLAND.

(a) *County Constituencies.*

1. Penrith and the Border	(i) The urban district of Penrith ; (ii) the rural districts of Alston with Garrigill, Border, Penrith and Wigton.
2. Whitehaven ...	(i) The borough of Whitehaven ; (ii) the rural districts of Ennerdale and Millom.
3. Workington ...	(i) The borough of Workington ; (ii) the urban districts of Cockermouth, Keswick and Maryport ; (iii) the rural district of Cockermouth.

(b) *Borough Constituency.*

1. Carlisle ...	... The county borough of Carlisle.
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## DERBYSHIRE.

(a) *County Constituencies.*

1. Belper ...	(i) The urban districts of Belper and Swadlincote District ; (ii) the rural district of Repton and the rural district of Belper except the parish of Shipley.
2. Bolsover ...	(i) The urban district of Bolsover ; (ii) the rural districts of Blackwell and Clowne.
3. High Peak ...	(i) The boroughs of Buxton and Glossop ; (ii) the urban districts of New Mills and Whaley Bridge ; (iii) the rural district of Chapel en le Frith.

1ST SCH  
—cont

<i>Name.</i>	<i>Contents.</i>
4. Ilkeston ...	(i) The borough of Ilkeston ; (ii) the urban districts of Alferton, Heanor and Ripley ; (iii) the parish of Shipley in the rural district of Belper.
5. North East Derbyshire	(i) The urban districts of Clay Cross and Dronfield ; (ii) the rural district of Chesterfield except the parish of Brimington.
6. South East Derbyshire	(i) The urban district of Long Eaton ; (ii) the rural district of Shardlow.
7. West Derbyshire ...	(i) The urban districts of Ashbourne, Bakewell, Matlock and Wirksworth ; (ii) the rural districts of Ashbourne and Bakewell.
	(b) <i>Borough Constituencies.</i>
1. Chesterfield ...	(i) The borough of Chesterfield ; (ii) the urban district of Staveley ; (iii) the parish of Brimington in the rural district of Chesterfield.
2. Derby North ...	The following wards of the county borough of Derby, namely, Abbey, Babington, Becket, Bridge, Derwent, Friar Gate, King's Mead and Rowditch.
3. Derby South ...	The following wards of the county borough of Derby, namely, Alvaston, Arboretum, Castle Dale, Litchurch, Normanton, Osmaston and Pear Tree.

## DEVON.

	(a) <i>County Constituencies.</i>
1. Honiton ...	(i) The borough of Honiton ; (ii) the urban districts of Axminster, Budleigh Salterton, Exmouth, Ottery St. Mary, Seaton and Sidmouth ; (iii) the rural districts of Axminster and Honiton and the following parishes in the rural district of St. Thomas, namely, Aylesbeare, Bicton, Clyst Honiton, Clyst St. George, Clyst St. Mary, Colaton Raleigh, East Budleigh, Farringdon, Harpford, Lympstone, Otterton, Rockbeare, Sowton, Topsham and Woodbury.
2. North Devon ...	(i) The boroughs of Barnstaple and South Molton ; (ii) the urban districts of Ilfracombe and Lynton ; (iii) the rural districts of Barnstaple and South Molton.

<i>Name.</i>	<i>Contents.</i>	<i>1st Sch.</i>
3. Tavistock ...	... (i) The urban districts of Holsworthy and Tavistock ; (ii) the rural districts of Broadwoodwidge, Holsworthy and Tavistock and the rural district of Plympton St. Mary except the parishes of Bickleigh and Tamerton Foliot.	— <i>cont.</i>
4. Tiverton ...	... (i) the borough of Tiverton ; (ii) the urban districts of Dawlish and Teignmouth ; (iii) the rural district of Tiverton and the rural district of St. Thomas except the parishes included in the Honiton constituency.	
5. Torrington ...	... (i) The boroughs of Bideford, Great Torrington and Okehampton ; (ii) the urban districts of Crediton and Northam ; (iii) the rural districts of Bideford, Crediton, Okehampton and Torrington.	
6. Totnes ...	... (i) The boroughs of Clifton Dartmouth Hardness and Totnes ; (ii) the urban districts of Ashburton, Buckfastleigh, Kingsbridge, Newton Abbot and Salcombe ; (iii) the rural districts of Kingsbridge and Newton Abbot and the rural district of Totnes except the parishes of Churston Ferrers and Kingswear.	

(b) *Borough Constituencies.*

1. Exeter ...	... The county borough of Exeter.
2. Plymouth, Devonport	(i) The following wards of the county borough of Plymouth, namely, Ford, Keyham Molesworth, Mount Edgecumbe, Nelson, Pennycross, St. Aubyn, St. Budeaux, St. Peter's and Stoke ; (ii) the parish of Tamerton Foliot in the rural district of Plympton St. Mary.
3. Plymouth, Sutton	(i) The following wards of the county borough of Plymouth, namely, Charles, Compton, Crownhill, Drake's, Friary, Laura, Mutley, St. Andrew's Sutton, Valletort and Vintry ; (ii) the parish of Bickleigh in the rural district of Plympton St. Mary.
4. Torquay ...	... (i) The borough of Torquay ; (ii) the urban districts of Brixham and Paignton ; (iii) the parishes of Churston Ferrers and Kingswear in the rural district of Totnes.

1ST SCH.  
—cont.

## DORSET

(a) *County Constituencies.*

<i>Name.</i>	<i>Contents.</i>
1. North Dorset ...	(i) The boroughs of Blandford Forum and Shaftesbury ; (ii) the urban district of Wimborne Minster ; (iii) the rural districts of Blandford, Shaftesbury, Sturminster and Wimborne and Cranborne.
2. South Dorset ...	(i) The boroughs of Wareham and Weymouth and Melcombe Regis ; (ii) the urban districts of Portland and Swanage ; (iii) the rural district of Wareham and Purbeck and the parishes of Bincombe, Chickerell, Fleet, Osmington, Owermoigne and Poxwell in the rural district of Dorchester.
3. West Dorset ...	(i) The boroughs of Bridport, Dorchester and Lyme Regis ; (ii) the urban district of Sherborne ; (iii) the rural districts of Beaminster, Bridport and Sherborne and the rural district of Dorchester, except the parishes included in the South Dorset constituency.

(b) *Borough Constituency.*

1. Poole ...	... The borough of Poole.
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## DURHAM.

(a) *County Constituencies.*

1. Bishop Auckland...	(i) The urban districts of Barnard Castle, Bishop Auckland and Shildon ; (ii) the rural district of Barnard Castle.
2. Blaydon ...	... The urban districts of Blaydon, Ryton and Whickham.
3. Chester-le-Street ...	(i) The urban districts of Chester-le-Street and Washington ; (ii) the rural district of Chester-le-Street.
4. Consett ...	... The urban districts of Consett and Stanley.
5. Durham ...	(i) The borough of Durham ; (ii) the urban districts of Hetton and Spenny-moor ; (iii) the rural district of Durham.
6. Easington ...	... The rural district of Easington.
7. Houghton-le-Spring	(i) The urban districts of Houghton-le-Spring and Seaham ; (ii) the rural district of Sunderland.

<i>Name.</i>	<i>Contents.</i>	1ST SCH. — <i>cont.</i>
8. Jarrow ...	(i) The borough of Jarrow ; (ii) the urban districts of Boldon, Felling and Hebburn.	
9. North West Durham	(i) The urban districts of Brandon and Byshottles, Crook and Willington and Tow Law ; (ii) the rural districts of Lanchester and Weardale.	
10. Sedgefield ...	(i) The urban district of Billingham ; (ii) the rural districts of Darlington, Sedgefield and Stockton.	

(b) *Borough Constituencies.*

1. Darlington ... The county borough of Darlington.
2. Gateshead East ... The following wards of the county borough of Gateshead, namely, East, East-Central, North-East, South and South-Central.
3. Gateshead West ... The following wards of the county borough of Gateshead, namely, Central, North, North-West, West and West-Central.
4. South Shields ... The county borough of South Shields.
5. Stockton-on-Tees... The borough of Stockton-on-Tees.
6. Sunderland North The following wards of the county borough of Sunderland, namely, Bridge, Central, Colliery, Deptford, Fulwell, Monkwearmouth, Monkwearmouth Shore, Roker and Southwick.
7. Sunderland South The following wards of the county borough of Sunderland, namely, Bishopwearmouth, Hendon, Humbledon, Pallion, Park, St. Michael's, Sunderland East, Thornhill and West.
8. The Hartlepoons ... The county borough of West Hartlepool and the borough of Hartlepool.

## THE ISLE OF ELY.

*County Constituency.*

1. The Isle of Ely ... The county of the Isle of Ely.

## ESSEX.

(a) *County Constituencies.*

1. Billericay ... The urban districts of Benfleet, Billericay, Canvey Island and Rayleigh.
2. Chelmsford ... (i) The borough of Chelmsford ;  
(ii) the rural districts of Chelmsford and Ongar.
3. Colchester ... (i) The borough of Colchester ;  
(ii) the urban district of West Mersea ;  
(iii) the rural district of Lexden and Wintree.

1ST SCH.  
—cont.

<i>Name.</i>	<i>Contents.</i>
4. Epping ...	(i) The borough of Chingford ; (ii) the urban districts of Epping and Waltham Holy Cross ; (iii) the rural district of Epping.
5. Harwich ...	(i) The borough of Harwich ; (ii) the urban districts of Brightlingsea, Clacton, Frinton and Walton and Wivenhoe ; (iii) the rural district of Tendring.
6. Maldon ...	(i) The borough of Maldon ; (ii) the urban districts of Braintree and Bocking, Burnham-on-Crouch and Witham ; (iii) the rural district of Maldon and the rural district of Braintree except the parishes of Bardfield Saling and Great Bardfield.
7. Saffron Walden ...	(i) The borough of Saffron Walden ; (ii) the urban district of Halstead ; (iii) the rural districts of Dunmow, Halstead and Saffron Walden and the following parishes in the rural district of Braintree, namely, Bardfield Saling and Great Bardfield.
8. Thurrock ...	The urban district of Thurrock.
	(b) <i>Borough Constituencies.</i>
1. Barking ...	The borough of Barking.
2. Dagenham ...	The borough of Dagenham.
3. East Ham North ...	The Kensington, Little Ilford, Manor Park, Plashet and Woodgrange wards of the county borough of East Ham.
4. East Ham South ...	The Castle, Central, Greatfield, South and Wall End wards of the county borough of East Ham.
5. Hornchurch ...	The urban district of Hornchurch.
6. Ilford North ...	The Barkingside, Clayhall, Fairlop, North Hainault, Seven Kings and South Hainault wards of the borough of Ilford.
7. Ilford South ...	The Clementswood, Cranbrook, Goodmayes, Loxford, Mayfield, and Park wards of the borough of Ilford.
8. Leyton ...	The borough of Leyton.
9. Romford ...	(i) The borough of Romford ; (ii) the urban district of Brentwood.
10. Southend East ...	(i) The following wards of the county borough of Southend-on-Sea, namely, All Saints, Pier, Shoebury, Southchurch and Thorpe ; (ii) the rural district of Rochford.
11. Southend West ...	The following wards of the county borough of Southend-on-Sea, namely, Chalkwell, Eastwood, Leigh, Milton, Prittlewell, St. Clements, Victoria and Westborough.

*Name.**Contents.*1ST SCH.  
—*cont.*

12. Walthamstow East The Hale End, Hoe Street and Wood Street wards of the borough of Walthamstow.
13. Walthamstow West The High Street, Higham Hill and St. James Street wards of the borough of Walthamstow.
14. West Ham North... The following wards of the county borough of West Ham, namely, Broadway, Forest Gate, High Street, Newtown, Park, Plashet Road, Upton and West Ham.
15. West Ham South... The following wards of the county borough of West Ham, namely, Beckton Road, Bemersyde, Canning Town and Grange, Custom House and Silvertown, Hudsons, Ordnance, Plaistow and Tidal Basin.
16. Woodford ... (i) The borough of Wanstead and Woodford;  
(ii) the urban district of Chigwell.

## GLOUCESTERSHIRE.

(a) *County Constituencies.*

1. Cirencester and Tewkesbury (i) The borough of Tewkesbury ;  
(ii) the urban district of Cirencester ;  
(iii) the rural districts of Cheltenham, Cirencester, North Cotswold, Northleach and Tetbury.
2. South Gloucestershire (i) The urban districts of Kingswood and Mangotsfield ;  
(ii) the rural districts of Sodbury and Warmley.
3. Stroud and Thornbury (i) The urban districts of Nailsworth and Stroud ;  
(ii) The rural districts of Dursley, Stroud and Thornbury and the following parishes in the rural district of Gloucester, namely, Arlingham, Brookthorpe, Eastington, Elmore, Frampton-on-Severn, Fretherne with Saul, Frocester, Hardwicke, Harescombe, Haresfield, Longney, Moreton Valence, Quedgeley, Standish, Upton St. Leonards and Whitminster.
4. West Gloucestershire The rural districts of East Dean, Lydney, Newent and West Dean and the following parishes in the rural district of Gloucester, namely, Ashleworth, Chaceley, Churchdown, Down Hatherley, Forthampton, Hasfield, Highnam, Longford, Longlevens, Maisemore, Minsterworth, Newnham, Norton, Sandhurst, Tirley, Twigworth and Westbury-on-Severn.

1ST SCH.  
—cont.(b) *Borough Constituencies.*

<i>Name.</i>	<i>Contents.</i>
1. Bristol Central ...	The following wards of the county borough of Bristol, namely, Easton, Knowle, Redcliffe, St. Paul, St. Philip and Jacob North and St. Philip and Jacob South.
2. Bristol North East	The following wards of the county borough of Bristol, namely, District, Eastville, Hillfields and Stapleton.
3. Bristol North West	The following wards of the county borough of Bristol, namely, Avon, Durdham, Horfield and Westbury-on-Trym.
4. Bristol South ...	The following wards of the county borough of Bristol, namely, Bedminster, Somerset, Southville and Windmill Hill.
5. Bristol South-East	The following wards of the county borough of Bristol, namely, Brislington, Hengrove, St. George East and St. George West.
6. Bristol West ...	The following wards of the county borough of Bristol, namely, Bishopston, Clifton, Redland, St. Augustine, St. James and St. Michael.
7. Cheltenham ...	(i) The borough of Cheltenham ; (ii) the urban district of Charlton Kings.
8. Gloucester... ...	(i) The county borough of Gloucester ; (ii) the following parishes in the rural district of Gloucester, namely, Barnwood, Brockworth, Hempsted, Hucclecote and Wotton Vill.

## HAMPSHIRE.

(a) *County Constituencies.*

1. Aldershot ...	... (i) The borough of Aldershot ; (ii) the urban districts of Farnborough and Fleet ; (iii) the rural district of Hartley Wintney.
2. Basingstoke ...	... (i) The boroughs of Andover and Basingstoke ; (ii) the rural districts of Andover, Basingstoke and Kingsclere and Whitchurch and the following parishes in the rural district of Romsey and Stockbridge, namely, Ashley, Bossington, Broughton, Buckholt, East Tytherley, Frenchmoor, Houghton, King's Somborne, Leckford, Little Somborne, Longstock, Nether Wallop, Over Wallop, Stockbridge and West Tytherley.
3. New Forest ...	... (i) The borough of Lymington ; (ii) the rural districts of New Forest and Ringwood and Fordingbridge.



<i>Name.</i>	<i>Contents.</i>	1ST SCH. —cont.
4. Petersfield	... (i) The urban districts of Alton and Petersfield ; (ii) the rural districts of Alton, Droxford and Petersfield and the parishes of Botley, Bursledon, Hamble, Hedge End, Hound and West End in the rural district of Winchester.	
5. Winchester	... (i) The boroughs of Eastleigh, Romsey and Winchester ; (ii) the following parishes in the rural district of Romsey and Stockbridge, namely, Ampfield, Chilworth, East Dean, Lockerley, Melchet Park and Plaitford, Michelmersh, Mottisfont, North Baddesley, Nursling and Rownhams, Romsey Extra, Sherfield English and Wellow, and the rural district of Winchester except the parishes included in the Petersfield constituency.	

(b) *Borough Constituencies.*

1. Bournemouth East and Christchurch The borough of Christchurch and the following wards of the county borough of Bournemouth, namely, Boscombe East, Boscombe West, King's Park, Queen's Park, Southbourne and West Southbourne.
2. Bournemouth West The following wards of the county borough of Bournemouth, namely, Central, East Cliff, Kinson, Moordown North, Moordown South, Redhill Park, Westbourne, West Cliff and Winton.
3. Gosport and Fareham (i) The borough of Gosport ;  
(ii) the urban district of Fareham.
4. Portsmouth, Langstone (i) The Cosham and Meredith wards of the county borough of Portsmouth ;  
(ii) the urban district of Havant and Waterloo.
5. Portsmouth South The Havelock, Highland, Kingston, St. Paul, St. Simon and St. Thomas wards of the county borough of Portsmouth.
6. Portsmouth West The Buckland, Charles Dickens, Fratton, Guildhall, Nelson, North End, Portsea and St. Mary wards of the county borough of Portsmouth.
7. Southampton, Ichen The following wards of the county borough of Southampton, namely, Bevois, Bitterne and Peartree, Bitterne and Sholing, Newtown, Northam, Portswood, St. Denys, St. Mary's, Trinity and Woolston.

1ST SCH.  
—cont.

<i>Name.</i>	<i>Contents.</i>
8. Southampton, Test	(i) The following wards of the county borough of Southampton, namely, All Saints, Banister, Freemantle, Millbrook, St. Nicholas, Shirley and Town ; (ii) the parish of Millbrook in the rural district of Romsey and Stockbridge.

## HEREFORDSHIRE.

*County Constituencies.*

1. Hereford ...	(i) The borough of Hereford ; (ii) the urban district of Ross on Wye , (iii) the rural districts of Dore and Bredwardine and Ross and Whitchurch and the following parishes in the rural district of Hereford, namely, Aconbury, Allensmore, Bolstone, Callow, Clehonger, Dewshall, Dinedor, Dormington, Eaton Bishop, Fownhope, Grafton, Hampton Bishop, Haywood, Holme Lacy, Little Birch, Little Dewchurch, Lower Bullingham, Mordiford, Much Birch, Much Dewchurch and Stoke Edith.
2. Leominster ...	(i) The borough of Leominster ; (ii) the urban districts of Bromyard, Kington and Ledbury ; (iii) the rural districts of Bromyard, Kington, Ledbury, Leominster and Wigmore and Weobley and the following parishes in the rural district of Hereford, namely, Bartestree, Breinton, Burghill, Credenhill, Dinmore, Holmer, Kenchester, Lugwardine, Marden, Moreton on Lugg, Pipe and Lyde, Preston Wynne, Stretton Sugwas, Sutton, Wellington, Westhide, Weston Beggard and Withington.

## HERTFORDSHIRE.

(a) *County Constituencies.*

1. Barnet ...	(i) The urban districts of Barnet and East Barnet ; (ii) the rural districts of Elstree and Hatfield.
2. Hemel Hempstead	(i) The borough of Hemel Hempstead ; (ii) the urban districts of Berkhamsted, Harpenden, and Tring ; (iii) the rural districts of Berkhamsted and Hemel Hempstead and the parishes of Harpenden Rural and Redbourn in the rural district of St. Albans.

<i>Name.</i>	<i>Contents.</i>	1ST SCH. —cont.
3. Hertford ...	<ul style="list-style-type: none"> <li>(i) The borough of Hertford ;</li> <li>(ii) the urban districts of Bishop's Stortford, Cheshunt, Hoddesdon, Sawbridgeworth and Ware ;</li> <li>(iii) the rural district of Ware, the rural district of Braughing, except the parishes of Anstey, Ardeley, Aspenden, Broadfield, Buckland, Buntingford, Cottered, Hormead, Meesden, Throcking, Westmill and Wyddiall, and the rural district of Hertford, except the parishes of Aston, Bennington, Datchworth, Sacomb, Walkern and Watton-at-Stone.</li> </ul>	
4. Hitchin ...	<ul style="list-style-type: none"> <li>(i) The urban districts of Baldock, Hitchin, Letchworth, Royston and Stevenage ;</li> <li>(ii) the rural district of Hitchin, the rural district of Braughing, except the parishes included in the Hertford constituency and the rural district of Hertford, except the parishes included in the Hertford constituency.</li> </ul>	
5. St. Albans...	<ul style="list-style-type: none"> <li>(i) The borough of St. Alban ;</li> <li>(ii) the urban district of Welwyn Garden City ;</li> <li>(iii) the rural district of Welwyn and the rural district of St. Albans except the parishes of Harpenden Rural and Redbourn.</li> </ul>	
6. South West Hertfordshire	<ul style="list-style-type: none"> <li>(i) The urban districts of Bushey, Chorleywood and Rickmansworth ;</li> <li>(ii) the rural district of Watford.</li> </ul>	
I. Watford ...	<ul style="list-style-type: none"> <li>(b) <i>Borough Constituency.</i></li> <li>The borough of Watford.</li> </ul>	

## HUNTINGDONSHIRE.

*County Constituency.*

- I. Huntingdonshire ... The county of Huntingdon.

## KENT.

(a) *County Constituencies.*

- I. Ashford ...
- (i) The borough of Tenterden ;
  - (ii) the urban district of Ashford ;
  - (iii) the rural districts of Cranbrook, East Ashford, Tenterden and West Ashford.
2. Canterbury ...
- (i) The county borough of Canterbury ;
  - (ii) the urban districts of Herne Bay and Whitstable ;
  - (iii) the rural district of Bridge Blean.

1ST SCH  
—cont.

<i>Name.</i>	<i>Contents.</i>
3. Chislehurst	... (i) The urban district of Chislehurst and Sidcup ; (ii) the parishes of Darenth, Stone, Sutton at Hone, and Wilmington in the rural district of Dartford.
4. Dover	... (i) The boroughs of Deal, Dover and Sandwich ; (ii) the rural district of Dover, and the rural district of Eastry, except the parishes included in the Isle of Thanet constituency.
5. Faversham	... (i) The boroughs of Faversham and Queenborough ; (ii) the urban districts of Sheerness and Sittingbourne and Milton ; (iii) the rural districts of Sheppey and Swale.
6. Folkestone and Hythe	(i) The boroughs of Folkestone, Hythe, Lydd and New Romney ; (ii) the rural districts of Elham and Romney Marsh.
7. Gravesend	... (i) The borough of Gravesend ; (ii) the urban districts of Northfleet and Swanscombe ; (iii) the rural district of Strood.
8. Isle of Thanet	... (i) The boroughs of Margate and Ramsgate ; (ii) the urban district of Broadstairs and St. Peter's ; (iii) the parishes of Acol, Minster, Monkton, St. Nicholas at Wade, and Sarre in the rural district of Eastry.
9. Maidstone	... (i) The borough of Maidstone ; (ii) the rural districts of Hollingbourne and Maidstone.
10. Orpington	... (i) The urban district of Orpington ; (ii) the rural district of Dartford except the parishes included in the Chislehurst constituency.
11. Sevenoaks...	... (i) The urban district of Sevenoaks ; (ii) The rural districts of Malling and Sevenoaks.
12. Tonbridge	... (i) The borough of Royal Tunbridge Wells (ii) the urban districts of Southborough and Tonbridge ; (iii) the rural district of Tonbridge.
(b) <i>Borough Constituencies.</i>	
1. Beckenham	... (i) The borough of Beckenham ; (ii) the urban district of Penge.
2. Bexley	... The borough of Bexley.

<i>Name.</i>	<i>Contents.</i>	1ST SCH. —cont.
3. Bromley ...	... The borough of Bromley.	
4. Dartford ...	... (i) The boroughs of Dartford and Erith (ii) the urban district of Crayford.	
5. Gillingham ...	The borough of Gillingham.	
6. Rochester and Chatham.	The boroughs of Rochester and Chatham.	

## LANCASHIRE.

(a) *County Constituencies.*

1. Chorley ...	... (i) The borough of Chorley ; (ii) the urban districts of Adlington and Leyland ; (iii) the rural district of Chorley.
2. Clitheroe ...	... (i) The borough of Clitheroe ; (ii) the urban districts of Great Harwood, Longridge and Padiham ; (iii) the rural districts of Burnley and Clitheroe, and the parishes of Dutton, Hothersall and Ribchester in the rural district of Preston.
3. Darwen ...	... (i) The borough of Darwen ; (ii) the urban districts of Turton and Withnell ; (iii) the rural district of Blackburn.
4. Farnworth ...	... (i) The borough of Farnworth ; (ii) the urban districts of Kearsley, Little Lever and Worsley.
5. Heywood and Royton	(i) The borough of Heywood ; (ii) the urban districts of Crompton, Little- borough, Milnrow, Royton, Wardle and Whitworth.
6. Huyton ...	... (i) The urban districts of Huyton with Roby and Prescott ; (ii) the parishes of Eccleston, Kirkby, Knowsley and Windle in the rural district of Whiston.
7. Ince ...	... The urban districts of Abram, Ashton in Makerfield, Billinge and Winstanley, Ince in Makerfield, Orrell, Skelmersdale and Upholland.
8. Lancaster ...	... (i) The borough of Lancaster ; (ii) the urban district of Carnforth ; (iii) the rural district of Lunesdale, and the following parishes in the rural district of Lancaster, namely, Ashton with Stodday, Cockerham, Ellel, Heaton with Oxcliffe, Middleton, Overton, Over Wyresdale, Scotforth and Thurnham.

1ST SCH.  
—cont.

<i>Name.</i>	<i>Contents.</i>
9. Middleton and Prestwich	(i) The boroughs of Middleton and Prestwich ; (ii) the urban district of Whitefield.
10. Morecambe and Lonsdale	(i) The borough of Morecambe and Heysham ; (ii) the urban districts of Grange and Ulverston ; (iii) the rural district of Ulverston, and the following parishes in the rural district of Lancaster, namely, Bolton le Sands, Priest Hutton, Silverdale, Slyne with Hest, Warton, Yealand Conyers and Yealand Redmayne.
11. Newton ... ..	(i) The urban districts of Golborne, Haydock, Irlam and Newton-le-Willows ; (ii) the rural district of Warrington ;
12. North Fylde ... ..	(i) The borough of Fleetwood ; (ii) the urban districts of Poulton-le-Fylde, Preesall and Thornton Cleveleys ; (iii) the rural district of Garstang.
13. Ormskirk ... ..	(i) The urban districts of Formby, Ormskirk and Rainford ; (ii) the rural district of West Lancashire except the parishes of Aintree and Ford.
14. South Fylde ... ..	(i) The borough of Lytham St. Anne's ; (ii) the urban district of Kirkham ; (iii) the rural district of Fylde, and the rural district of Preston except the parishes of Dutton, Hothersall and Ribchester.
15. Westhoughton ... ..	(i) The urban districts of Aspull, Blackrod, Hindley, Horwich, Standish with Langtree and Westhoughton ; (ii) the rural district of Wigan.
16. Widnes ... ..	(i) The borough of Widnes ; (ii) the rural districts of Whiston except the parishes of Eccleston, Kirkby, Knowsley and Windle.
(b) <i>Borough Constituencies.</i>	
1. Accrington ... ..	(i) The borough of Accrington ; (ii) the urban districts of Church, Clayton le Moors, Oswaldtwistle and Rishton.
2. Ashton under Lyne	(i) The boroughs of Ashton under Lyne and Mossley ; (ii) the rural district of Limehurst.
3. Barrow in Furness	(i) The county borough of Barrow in Furness ; (ii) the urban district of Dalton in Furness.

*Name.**Contents.*1ST SCH.  
—*cont.*

4. Blackburn East ... The following wards of the county borough of Blackburn, namely, St. John's, St. Mary's, St. Matthew's, St. Michael's, St. Stephen's, St. Thomas's and Trinity.
5. Blackburn West ... The following wards of the county borough of Blackburn, namely, Park, St. Andrew's, St. Luke's, St. Mark's, St. Paul's, St. Peter's and St. Silas's.
6. Blackpool North ... The following wards of the county borough of Blackpool, namely, Bank Hey, Bispham, Brunswick, Claremont, Foxhall, Layton, Talbot and Warbreck.
7. Blackpool South ... The following wards of the county borough of Blackpool, namely, Alexandra, Marton, Stanley, Tyldesley, Victoria and Waterloo.
8. Bolton East ... The following wards of the county borough of Bolton, namely, Astley Bridge, Bradford, Church, Darcy Lever cum Brightmet, East, Great Lever, Hulton, North and Tonge.
9. Bolton West ... The following wards of the county boroughs of Bolton, namely, Deane cum Lostock, Derby, Halliwell, Heaton, Rumworth, Smithills and West.
10. Bootle ... (i) The county borough of Bootle ;  
(ii) the urban district of Litherland.
11. Burnley ... The county borough of Burnley.
12. Bury and Radcliffe (i) The county borough of Bury and the borough of Radcliffe ;  
(ii) the urban district of Tottington.
13. Crosby ... (i) The borough of Crosby ;  
(ii) the parish of Ford in the rural district of West Lancashire.
14. Droylsden ... The urban districts of Audenshaw, Denton, Droylsden and Failsworth.
15. Eccles ... The boroughs of Eccles and Swinton and Pendlebury.
16. Leigh ... (i) The borough of Leigh ;  
(ii) the urban districts of Atherton and Tyldesley.
17. Liverpool,  
Edge Hill The following wards of the county borough of Liverpool, namely, Edge Hill, Fairfield, Kensington and Low Hill.
18. Liverpool,  
Exchange The following wards of the county borough of Liverpool, namely, Abercromby, Brunswick, Castle Street, Exchange, Granby, Great George, St. Anne's, St. Peter's and Vauxhall.

1ST SCH.  
—cont.

<i>Name.</i>	<i>Contents.</i>
19. Liverpool, Garston	The following wards of the county borough of Liverpool, namely, Aigburth, Allerton, Childwall, Garston, Little Woolton and Much Woolton.
20. Liverpool, Kirkdale	The following wards of the county borough of Liverpool, namely, Anfield, Breckfield and Kirkdale.
21. Liverpool, Scotland	The following wards of the county borough of Liverpool, namely, Everton, Netherfield, North Scotland, St. Domingo, Sandhills and South Scotland.
22. Liverpool, Toxteth	The following wards of the county borough of Liverpool, namely, Dingle, Princes Park, Sefton Park East and Sefton Park West.
23. Liverpool, Walton	(i) The Fazakerley, Walton and Warbreck wards of the county borough of Liverpool; (ii) the parish of Aintree in the rural district of West Lancashire.
24. Liverpool, Wavertree	The Old Swan, Wavertree and Wavertree West wards of the county borough of Liverpool.
25. Liverpool, West Derby	The Croxteth and West Derby wards of the county borough of Liverpool.
26. Manchester, Ardwick	The following wards of the county borough of Manchester, namely, Ardwick, Longsight, New Cross and St. Mark's.
27. Manchester, Blackley	The Blackley, Crumpsall and Moston wards of the county borough of Manchester.
28. Manchester, Cheetham	The following wards of the county borough of Manchester, namely, Cheetham, Collegiate Church, Collyhurst, Harpurhey and St. Michael's.
29. Manchester, Clayton	The following wards of the county borough of Manchester, namely, Beswick, Bradford, Miles Platting and Newton Heath.
30. Manchester, Exchange	The following wards of the county borough of Manchester, namely, All Saints, Exchange, Medlock Street, Oxford, St. Ann's, St. Clement's, St. George's, St. John's and St. Luke's.
31. Manchester, Gorton	The following wards of the county borough of Manchester, namely, Gorton North, Gorton South, Levenshulme and Openshaw.
32. Manchester, Moss Side	The Chorlton-cum-Hardy, Moss Side East and Moss Side West wards of the county borough of Manchester.
33. Manchester, Withington	The Rusholme and Withington wards of the county borough of Manchester.



<i>Name.</i>	<i>Contents.</i>	1ST SCR. —cont.
34. Manchester, Wythenshawe	The Didsbury and Wythenshawe wards of the county borough of Manchester.	
35. Nelson and Colne	(i) The boroughs of Nelson and Colne ; (ii) the urban districts of Barrowford, Brierfield and Trawden.	
36. Oldham East ...	(i) The following wards of the county borough of Oldham, namely, Clarksfield, Mumps, St. James, St. Mary's, St. Paul's, St. Peter's and Waterhead ; (ii) the urban district of Lees.	
37. Oldham West ...	(i) The following wards of the county borough of Oldham, namely, Coldhurst, Hartford, Hollinwood, Werneth and Westwood ; (ii) the urban district of Chadderton.	
38. Preston North ...	(i) The following wards of the county borough of Preston, namely, Deepdale, Fishwick, Moorbrook, Park and Ribbleton ; (ii) the urban district of Fulwood.	
39. Preston South ...	(i) The following wards of the county borough of Preston, namely, Ashton, Avenham, Christ Church, Maudland, St. John's, St. Peters and Trinity ; (ii) the urban district of Walton-le-Dale.	
40. Rochdale ...	The county borough of Rochdale.	
41. Rossendale ...	(i) The boroughs of Bacup, Haslingden and Rawtenstall ; (ii) the urban district of Ramsbottom.	
42. St. Helens ...	The county borough of St. Helens.	
43. Salford East ...	The following wards of the county borough of Salford, namely, Albert Park, Crescent, Kersal, Mandley Park, Ordsall Park, Regent, St. Matthias and Trinity.	
44. Salford West ...	The following wards of the county borough of Salford, namely, Claremont, Charlestown, Docks, Langworthy, St. Paul's, St. Thomas', Seedley and Weaste.	
45. Southport ...	The county borough of Southport.	
46. Stretford ...	(i) The borough of Stretford ; (ii) the urban district of Urmston.	
47. Warrington ...	The county borough of Warrington.	
48. Wigan ...	The county borough of Wigan.	
<b>LEICESTERSHIRE.</b>		
(a) <i>County Constituencies.</i>		
1. Bosworth ...	(i) The urban districts of Coalville and Hinckley ; (ii) the rural district of Market Bosworth.	
2. Harborough ...	(i) The urban districts of Market Harborough, Oadby and Wigston ; (ii) the rural districts of Blaby, Lutterworth and Market Harborough.	

1ST SCH.  
—cont.

<i>Name.</i>	<i>Contents.</i>
3. Loughborough ...	(i) The borough of Loughborough ; (ii) the urban districts of Ashby-de-la-Zouch, Ashby Woulds and Shepshed ; (iii) the rural districts of Ashby-de-la-Zouch and Castle Donington.
4. Melton ...	(i) The urban district of Melton Mowbray ; (ii) the rural districts of Barrow upon Soar, Billesdon and Melton and Belvoir.

(b) *Borough Constituencies.*

1. Leicester North-East	The Belgrave, Charnwood, Humberstone and Latimer wards of the county borough of Leicester.
2. Leicester North-West	The Abbey, Newton, St. Margaret's and Westcotes wards of the county borough of Leicester.
3. Leicester South-East	The Evington, Knighton, Spinney Hill and Wycliffe wards of the county borough of Leicester.
4. Leicester South-West	The Aylestone, De Montfort, North Braunstone and The Castle wards of the county borough of Leicester.

## LINCOLNSHIRE—PARTS OF HOLLAND.

*County Constituency.*

Holland with Boston ... The county of the Parts of Holland.

## LINCOLNSHIRE—PARTS OF KESTEVEN AND RUTLANDSHIRE.

*County Constituencies.*

1. Grantham ...	(i) The borough of Grantham ; (ii) the urban district of Sleaford ; (iii) the rural district of North Kesteven, the rural district of East Kesteven, except the parishes included in the Rutland and Stamford constituency, and the following parishes in the rural district of West Kesteven, namely, Allington, Ancaster, Barkston, Barrowby, Belton and Manthorpe, Carlton Scroop, Caythorpe, Claypole, Fenton, Foston, Fulbeck, Great Gonerby, Heydour, Honington, Hougham, Hough-on-the-Hill, Londonthorpe and Harrowby Without, Long Bennington, Marston, Normanton, Sedgebrook, Stubton, Syston Welby and Westborough and Dry Doddington.
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<i>Name.</i>	<i>Contents.</i>	<i>1ST SCH.</i> — <i>cont.</i>
2. Rutland and Stamford	(i) The county of Rutland ; (ii) the borough of Stamford ; (iii) the urban district of Bourne ; (iv) the rural district of South Kesteven, the following parishes in the rural district of East Kesteven, namely, Aswarby and Swarby, Aunsby and Dembleby, Helpringham, Newton and Haceby, Osbournby, Screddington, Swaton, Threekingham and Walcot, and the rural district of West Kesteven, except the parishes included in the Grantham constituency.	

## LINCOLNSHIRE—PARTS OF LINDSEY

(a) *County Constituencies.*

1. Brigg	... ..	(i) The borough of Scunthorpe ; (ii) the urban districts of Barton upon Humber and Brigg ; (iii) the rural district of Glanford Brigg.
2. Gainsborough	... ..	(i) The urban districts of Gainsborough and Market Rasen ; (ii) the rural districts of Caistor, Gainsborough, Isle of Axholme and Welton.
3. Horncastle	... ..	(i) The urban districts of Alford, Horncastle, Mablethorpe and Sutton, Skegness and Woodhall Spa ; (ii) the rural districts of Horncastle and Spilsby.
4. Louth	... ..	(i) The boroughs of Cleethorpes and Louth ; (ii) the rural districts of Grimsby and Louth.

(b) *Borough Constituencies.*

1. Grimsby	... ..	The county borough of Grimsby.
2. Lincoln	... ..	The county borough of Lincoln.

## LONDON.

*Borough Constituencies.*

1. Battersea North	... ..	The Church, Latchmere, Nine Elms, Park and Winstanley wards of the borough of Battersea.
2. Battersea South	... ..	The Bolingbroke, Broomwood, St. John and Shaftesbury wards of the borough of Battersea.
3. Bermondsey	... ..	The borough of Bermondsey.
4. Bethnal Green	... ..	The borough of Bethnal Green.
5. Camberwell, Dulwich	... ..	The following wards of the borough of Camberwell, namely, Alleyn, Lyndhurst, Nunhead, Ruskin, Rye Lane, St. John's, The College, The Hamlet and The Rye.

1ST SCH.  
—*cont.*

<i>Name.</i>	<i>Contents.</i>
6. Camberwell, Peckham	The following wards of the borough of Camberwell, namely, Addington, Clifton, Cobourg, Goldsmith, Marlborough, North Peckham, St. George's, St. Giles, St. Mary's, The West and Town Hall.
7. Chelsea ... ..	The borough of Chelsea and the Brompton ward of the royal borough of Kensington.
8. The Cities of London and Westminster.	The county of the City of London, the borough of the City of Westminster, and the Inner Temple and Middle Temple.
9. Deptford ... ..	The borough of Deptford.
10. Fulham East ... ..	The Barons Court, Lillie, Sands End and Walham wards of the borough of Fulham.
11. Fulham West ... ..	The Hurlingham, Margravine, Munster and Town wards of the Borough of Fulham.
12. Greenwich ... ..	The borough of Greenwich.
13. Hackney South ... ..	The borough of Hackney, except the wards included in the Stoke Newington and Hackney North constituency.
14. Hammersmith North	The following wards (as constituted by the Hammersmith (Councillors and Wards) Order, 1948, S.I., 1948, No. 729) of the borough of Hammersmith, namely, College Park and Latimer, Coningham, Old Oak, Starch Green, White City and Wormholt.
15. Hammersmith South	The following wards (as so constituted) of the borough of Hammersmith, namely, Addison, Broadway, Brook Green, Grove Olympia, Ravenscourt and St. Stephen's.
16. Hampstead ... ..	The borough of Hampstead.
17. Holborn and St. Pancras South.	The borough of Holborn and wards Nos. 5 to 8 of the borough of St. Pancras.
18. Islington East ... ..	The Canonbury, Highbury and Mildmay wards of the borough of Islington.
19. Islington North ... ..	The Tollington, Tufnell and Upper Holloway wards of the borough of Islington.
20. Islington South West	The Barnsbury, Lower Holloway, St. Mary, St. Peter and Thornhill wards of the borough of Islington.
21. Kensington North	The Golborne, Norland, Pembridge and St. Charles wards of the royal borough of Kensington.
22. Kensington South	The Earls Court, Holland, Queens Gate and Redcliffe wards of the royal borough of Kensington.
23. Lambeth, Brixton	The Angell, Stockwell, Town Hall, and Vassa! wards of the borough of Lambeth.
24. Lambeth, Norwood	The Herne Hill, Knight's Hill and Tulse Hill wards of the borough of Lambeth.

<i>Name.</i>	<i>Contents.</i>
25. Lambeth, Vauxhall	The Bishops, Marsh, Oval, Prince's and Vauxhall wards of the borough of Lambeth.
26. Lewisham North ...	The Blackheath and Church Lee, Ladywell, Lewisham Park, Lewisham Village, Manor Lee and South Lee wards of the borough of Lewisham.
27. Lewisham South ...	The Bellingham, Catford, Downham and Hither Green wards of the borough of Lewisham.
28. Lewisham West ...	The Brockley, Forest Hill, Honor Oak Park, Sydenham East and Sydenham West wards of the borough of Lewisham.
29. Paddington North	The Harrow Road, Maida Vale, Queen's Park and Town wards of the borough of Paddington.
30. Paddington South	The Church, Hyde Park, Lancaster Gate East, Lancaster Gate West and Westbourne wards of the borough of Paddington.
31. Poplar ...	The borough of Poplar.
32. St. Marylebone ...	The borough of St. Marylebone.
33. St. Pancras North	Wards Nos. 1 to 4 of the borough of St. Pancras.
34. Shoreditch and Finsbury	The boroughs of Finsbury and Shoreditch.
35. Southwark ...	The borough of Southwark.
36. Stepney ...	The borough of Stepney.
37. Stoke Newington and Hackney North	The borough of Stoke Newington, and the Leaside, Maury, Southwold, Springfield and Stamford wards of the borough of Hackney.
38. Wandsworth Central	The Springfield and Tooting wards of the borough of Wandsworth and the part of the Balham ward of that borough lying to the south of the Southern Railway.
39. Wandsworth, Clapham	The Clapham North and Clapham South wards of the borough of Wandsworth and the part of the Balham ward of that borough lying to the north of the Southern Railway.
40. Wandsworth, Putney	The Fairfield, Putney and Southfields wards of the borough of Wandsworth.
41. Wandsworth, Streatham	The Streatham ward of the borough of Wandsworth.
42. Woolwich East ...	The following wards of the borough of Woolwich, namely, Abbey Wood, Burrage, Central, Dockyard, Glyndon, River, St. Margaret's, St. Mary's and St. Nicholas.
43. Woolwich West ...	The following wards of the borough of Woolwich, namely, Avery Hill, Herbert, St. George's, Sherard and Well Hall.

1ST SCH.  
—cont.

1ST SCH.  
—cont.

## MIDDLESEX.

(a) *County Constituencies.*

- | <i>Name.</i>    | <i>Contents.</i>   |
|-----------------|--|
| 1. Spelthorne   | ... The urban districts of Feltham, Staines and Sunbury on Thames. |
| 2. Uxbridge ... | ... The urban districts of Uxbridge and Yiewsley and West Drayton. |

(b) *Borough Constituencies.*

- |                           |   |
|---------------------------|---|
| 1. Acton ...              | ... The borough of Acton.   |
| 2. Brentford and Chiswick | The borough of Brentford and Chiswick.  |
| 3. Ealing North           | ... The following wards of the borough of Ealing, namely, Greenford Central, Greenford North, Greenford South, Hanger Hill, Northolt and Perivale.  |
| 4. Ealing South           | ... The following wards of the borough of Ealing, namely, Castlebar, Drayton, Grange Grosvenor, Lammas, Manor and Mount Park.   |
| 5. Edmonton               | ... The borough of Edmonton.  |
| 6. Enfield East           | ... The Central, North East and South East wards of the urban district of Enfield.  |
| 7. Enfield West           | ... The urban district of Potters Bar and the South West and West wards of the urban district of Enfield.   |
| 8. Finchley ...           | ... (i) The borough of Finchley ;<br>(ii) the urban district of Friern Barnet.  |
| 9. Harrow Central         | ... The Harrow on the Hill and Greenhill, Headstone, Wealdstone North, Wealdstone South and West Harrow wards of the urban district of Harrow.  |
| 10. Harrow East           | ... The Kenton, Stanmore North and Stanmore South wards of the urban district of Harrow and the part of the Harrow Weald ward which lies to the east of a line drawn from the county boundary down the middle of Oxhey Lane to its junction with Uxbridge Road, along the middle of Uxbridge Road, from its junction with Oxhey Lane to its junction with Headstone Lane and along the middle of Headstone Lane from its junction with Uxbridge Road to the last mentioned ward boundary adjoining the London Midland and Scottish Railway. |

<i>Name.</i>	<i>Contents.</i>	1ST SCH. — <i>cont.</i>
11. Harrow West ...	The Pinner North, Pinner South and Roxeth wards of the urban district of Harrow and the part of the Harrow Weald ward of the urban district of Harrow not included in the Harrow East constituency.	
12. Hayes and Harlington	The urban district of Hayes and Harlington.	
13. Hendon North ...	The Burnt Oak, Edgware, Mill Hill and West Hendon wards of the borough of Hendon.	
14. Hendon South ...	The Central Hendon, Childs Hill, Garden Suburb, Golders Green and Park wards of the borough of Hendon.	
15. Heston and Isleworth	The borough of Heston and Isleworth.	
16. Hornsey ...	The borough of Hornsey.	
17. Ruislip-Northwood	The urban district of Ruislip-Northwood.	
18. Southall ...	The borough of Southall and the Hanwell North and Hanwell South wards of the borough of Ealing.	
19. Southgate ...	The borough of Southgate.	
20. Tottenham ...	The borough of Tottenham except the wards included in the Wood Green constituency.	
21. Twickenham ...	The borough of Twickenham.	
22. Wembley North ...	The following wards of the borough of Wembley, namely, Chalkhill, Fryent, Kenton, Preston, Roe Green and The Hyde.	
23. Wembley South ...	The following wards of the borough of Wembley, namely, Alperton, Central, Sudbury, Sudbury Court, Tokyngton and Wembley Park.	
24. Willesden East ...	The following wards of the borough of Willesden, namely, Brondesbury Park, Carlton, Cricklewood, Kilburn, Mapesbury and Neasden.	
25. Willesden West ...	The following wards of the borough of Willesden, namely, Church End, Harlesden, Kensal Rise, Manor, Roundwood, Stonebridge and Willesden Green.	
26. Wood Green ...	The borough of Wood Green and the Coleraine, Park and White Hart Lane wards of the borough of Tottenham.	

1ST SCH.  
—cont.

## NORFOLK.

(a) *County Constituencies.*

<i>Name.</i>	<i>Contents.</i>
1. Central Norfolk ...	The rural districts of Forehoe and Henstead and St. Faith's and Aylsham and the parishes of Plumstead Great and Little, Postwick and Thorpe next Norwich in the rural district of Blofield and Flegg.
2. King's Lynn ...	(i) The borough of King's Lynn ; (ii) the urban district of New Hunstanton ; (iii) the rural districts of Docking, Freebridge Lynn and Marshland.
3. North Norfolk ...	(i) The urban districts of Cromer, North Walsham, Sheringham and Wells next the Sea ; (ii) the rural districts of Erpingham, Smallburgh and Walsingham.
4. South Norfolk ...	(i) The borough of Thetford ; (ii) the urban districts of Diss and Wymondham ; (iii) the rural districts of Depwade, Loddon and Wayland.
5. South West Norfolk	(i) The urban districts of Downham Market, East Dereham and Swaffham ; (ii) the rural districts of Downham, Mitford and Launditch and Swaffham.
6. Yarmouth...	(i) The county borough of Great Yarmouth ; (ii) the rural district of Blofield and Flegg except the parishes of Plumstead Great and Little, Postwick and Thorpe next Norwich.

(b) *Borough Constituencies.*

1. Norwich North ... The following wards of the county borough of Norwich, namely, Catton, Coslany, Fye Bridge, Heigham, Hellesdon, Mousehold, Thorpe and Westwick.
2. Norwich South ... The following wards of the county borough of Norwich, namely, Ber Street, Conesford, Earlham, Eaton, Lakenham, Nelson, St. Stephen and Town Close.



## NORTHAMPTONSHIRE AND THE SOKE OF PETERBOROUGH.

1ST SCH.  
—cont.(a) *County Constituencies.**Name.**Contents.*

1. Kettering ... (i) The borough of Kettering ;  
(ii) the urban districts of Burton Latimer, Corby, Desborough and Rothwell ;  
(iii) the rural districts of Brixworth and Kettering.
2. Peterborough ... (i) The borough of Peterborough ;  
(ii) the urban district of Oundle ;  
(iii) the rural districts of Barnack and Peterborough and the rural district of Oundle and Thrapston except the parishes of Chelveston cum Caldecott and Hargrave.
3. South Northants ... (i) The boroughs of Brackley and Daventry ;  
(ii) the rural districts of Brackley, Daventry, Northampton and Towcester.
4. Wellingborough ... (i) The borough of Higham Ferrers ;  
(ii) the urban districts of Irthlingborough, Raunds, Rushden and Wellingborough ;  
(iii) the rural district of Wellingborough and the parishes of Chelveston cum Caldecott and Hargrave in the rural district of Oundle and Thrapston.

(b) *Borough Constituency.*

1. Northampton, ... The county borough of Northampton.

## NORTHUMBERLAND.

(a) *County Constituencies.*

1. Berwick upon Tweed (i) The borough of Berwick upon Tweed ;  
(ii) the urban districts of Alnwick and Amble ;  
(iii) the rural districts of Alnwick, Belford, Glendale, Norham and Islandshires and Rothbury.
2. Hexham ... (i) The urban districts of Hexham and Prudhoe ;  
(ii) the rural districts of Bellingham, Castle Ward, Haltwhistle and Hexham.
3. Morpeth ... (i) The borough of Morpeth ;  
(ii) the urban districts of Ashington and Newbiggin by the Sea ;  
(iii) the rural district of Morpeth.

1ST SCH.  
—cont.

(b) *Borough Constituencies.*

<i>Name.</i>	<i>Contents.</i>
1. Blyth ... ..	(i) The borough of Blyth ; (ii) the urban districts of Bedlingtonshire and Seaton Valley.
2. Newcastle upon Tyne Central	(i) The following wards of the county borough of Newcastle upon Tyne, namely, Armstrong, Byker, St. Anthony's, St. Nicholas and Stephenson ; (ii) the rural district of Newcastle upon Tyne.
3. Newcastle upon Tyne East	The following wards of the county borough of Newcastle upon Tyne, namely, Dene, Heaton, St. Lawrence, Walker and Walker Gate.
4. Newcastle upon Tyne North	The following wards of the county borough of Newcastle upon Tyne, namely, Arthur's Hill, Elswick, Jesmond, Sandyford and Westgate.
5. Newcastle upon Tyne West	(i) The following wards of the county borough of Newcastle upon Tyne, namely, Benwell, Fenham, Kenton and Scotswood ; (ii) the urban district of Newburn.
6. Tynemouth ... ..	(i) The county borough of Tynemouth ; (ii) the urban district of Whitley Bay.
7. Wallsend ... ..	(i) The borough of Wallsend ; (ii) the urban districts of Gosforth and Longbenton.

## NOTTINGHAM.

(a) *County Constituencies.*

1. Bassetlaw ... ..	(i) The boroughs of East Retford and Worksop ; (ii) the urban district of Warsop ; (iii) the rural districts of East Retford and Worksop.
2. Broxtowe ... ..	(i) The urban districts of Eastwood, Hucknall and Kirkby in Ashfield ; (ii) the following parishes in the rural district of Basford, namely, Annesley, Awsworth, Bestwood Park, Brinsley, Cossall, Felley, Greasley, Kimberley, Linby, Newstead, Nuthall, Papplewick, Selston, Strelley and Trowell.

<i>Name.</i>	<i>Contents.</i>	1ST SCH. — <i>cont.</i>
3. Carlton ...	(i) The urban districts of Arnold and Carlton ; (ii) the rural district of Bingham and the following parishes in the rural district of Basford, namely, Burton Joyce, Calverton, Lambley, Stoke Bardolph and Woodborough.	
4. Mansfield ...	(i) The borough of Mansfield ; (ii) the urban district of Sutton in Ashfield.	
5. Newark ...	(i) The borough of Newark upon Trent ; (ii) the urban district of Mansfield Woodhouse ; (iii) the rural districts of Newark and Southwell.	
6. Rushcliffe ...	(i) The urban districts of Beeston and Stapleford and West Bridgford ; (ii) the rural district of Basford except the parishes included in the Broxtowe and Carlton constituencies.	

(b) *Borough Constituencies.*

1. Nottingham Central	(i) The following wards of the county borough of Nottingham, namely, Forest, Market, Robin Hood, St. Mary's and Sherwood ; (ii) the rural district of Nottingham.
2. Nottingham East	The following wards of the county borough of Nottingham, namely, Byron, Manvers, Mapperley and St. Anne's.
3. Nottingham North West	The following wards of the county borough of Nottingham, namely, Broxtowe, St. Albans and Wollaton.
4. Nottingham South	The following wards of the county borough of Nottingham, namely, Bridge, Castle, Meadows and Trent.

## OXFORD.

(a) *County Constituencies.*

1. Banbury ...	(i) The boroughs of Banbury, Chipping Norton and Woodstock ; (ii) the urban district of Witney ; (iii) the rural districts of Banbury, Chipping Norton and Witney and the following parishes in the rural district of Ploughley, namely, Begbroke, Gosford and Water Eaton, Hampton Gay and Poyle, Kidlington, Shipton on Cherwell, Thrupp and Yarnton.
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1ST SCH.  
—cont.

<i>Name.</i>	<i>Contents.</i>
2. Henley ...	... (i) The borough of Henley on Thames ; (ii) the urban districts of Bicester and Thame ; (iii) the rural districts of Bullingdon and Henley and the rural district of Ploughley except the parishes included in the Banbury constituency.

(b) *Borough Constituency.*

1. Oxford ...	... The county borough of Oxford.
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## SHROPSHIRE.

*County Constituencies.*

1. Ludlow ...	... (i) The boroughs of Bishop's Castle, Bridgnorth, Ludlow and Wenlock ; (ii) the urban district of Church Stretton ; (iii) the rural districts of Bridgnorth, Clun and Ludlow.
2. Oswestry ...	... (i) The borough of Oswestry ; (ii) the urban districts of Ellesmere, Market Drayton, Wem and Whitchurch ; (iii) the rural districts of Drayton, Ellesmere, Oswestry and Wem.
3. Shrewsbury ...	... (i) The borough of Shrewsbury ; (ii) the rural district of Atcham.
4. The Wrekin ...	... (i) The urban districts of Dawley, Newport, Oakengates and Wellington ; (ii) the rural districts of Shifnal and Wellington.

## SOMERSET.

(a) *County Constituencies.*

1. Bridgwater ...	... (i) The borough of Bridgwater ; (ii) the urban districts of Burnham on Sea, Minehead and Watchet ; (iii) the rural districts of Bridgwater and Williton.
2. North Somerset ...	... (i) The urban districts of Keynsham, Norton Radstock and Portishead ; (ii) the rural districts of Bathavon and Clutton ; (iii) the rural district of Long Ashton, except the parishes of Kenn, Kingston Seymour and Yatton.
3. Taunton ...	... (i) The borough of Taunton ; (ii) the urban district of Wellington ; (iii) the rural districts of Dulverton, Taunton and Wellington.

<i>Name.</i>	<i>Contents.</i>	1ST SCH. —cont.
4. Wells ... ..	(i) The boroughs of Glastonbury and Wells ; (ii) the urban districts of Frome, Shepton Mallet and Street ; (iii) the rural districts of Frome, Shepton Mallet, Wells and Wincanton.	
5. Weston Super Mare	(i) The borough of Weston Super Mare ; (ii) the urban district of Clevedon ; (iii) the rural district of Axbridge and the parishes of Kenn, Kingston Seymour and Yatton in the rural district of Long Ashton.	
6. Yeovil ... ..	(i) The boroughs of Chard and Yeovil ; (ii) the urban districts of Crewkerne and Ilminster ; (iii) the rural districts of Chard, Langport and Yeovil.	
	(b) <i>Borough Constituency.</i>	
1. Bath ... ..	The county borough of Bath.	

## STAFFORDSHIRE.

(a) *County Constituencies.*

1. Brierley Hill ... ..	(i) The urban districts of Amblecote, Brierley Hill and Tettenhall ; (ii) the rural district of Seisdon.
2. Burton ... ..	(i) The county borough of Burton upon Trent ; (ii) the urban district of Uttoxeter ; (iii) the rural districts of Tutbury and Uttoxeter.
3. Cannock ... ..	(i) The urban districts of Brownhills and Cannock ; (ii) the rural district of Cannock.
4. Leek ... ..	(i) The urban districts of Biddulph, Kids-grove and Leek ; (ii) the rural districts of Cheadle and Leek.
5. Lichfield and Tamworth	(i) The boroughs of Lichfield and Tamworth ; (ii) the urban districts of Aldridge and Rugeley ; (iii) the rural district of Lichfield.
6. Stafford and Stone	(i) The borough of Stafford ; (ii) the urban district of Stone ; (iii) the rural districts of Stafford and Stone.

(b) *Borough Constituencies.*

1. Bilston ... ..	(i) The borough of Bilston ; (ii) the urban districts of Coseley and Sedgley.
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1ST SCH.  
—cont.

<i>Name.</i>	<i>Contents.</i>
2. Newcastle under Lyme	(i) The borough of Newcastle under Lyme; (ii) the rural district of Newcastle under Lyme.
3. Rowley Regis and Tipton	The boroughs of Rowley Regis and Tipton.
4. Smethwick ...	The county borough of Smethwick.
5. Stoke on Trent Central	Wards Nos. 10 to 18 and 28 of the county borough of Stoke on Trent.
6. Stoke on Trent North	Wards Nos. 1 to 9 and 27 of the county borough of Stoke on Trent.
7. Stoke on Trent South	Wards Nos. 19 to 26 of the county borough of Stoke on Trent.
8. Walsall ...	The county borough of Walsall.
9. Wednesbury ...	(i) The borough of Wednesbury; (ii) the urban districts of Darlaston, Wednesfield and Willenhall.
10. West Bromwich ...	The county borough of West Bromwich.
11. Wolverhampton North East	The following wards of the county borough of Wolverhampton, namely, Bushbury, Dunstall, Heath Town, Low Hill, Park, St. James', St. Mary's and St. Peter's.
12. Wolverhampton South West.	The following wards of the county borough of Wolverhampton, namely, Blakenhall and St. John's, Graiseley, Penn, St. George's, St. Mark's and Merridale, St. Matthew's and St. Philip's.

#### SUFFOLK.

##### (a) *County Constituencies.*

1. Bury St. Edmunds
  - (i) The borough of Bury St. Edmunds;
  - (ii) the urban districts of Haverhill and Newmarket;
  - (iii) the rural districts of Clare, Mildenhall, Thedwastre and Thingoe.
2. Eye ...
  - (i) The boroughs of Aldeburgh and Eye;
  - (ii) the urban districts of Leiston cum Sizewell, Saxmundham and Stowmarket;
  - (iii) the rural districts of Blyth, Gipping and Hartismere and the following parishes in the rural district of Deben, namely, Blaxhall, Boulge, Bredfield, Burgh, Campsey Ash, Charsfield, Chillesford, Clopton, Cretingham, Dallinghoo, Dallinghoo Wild, Debach, Eyke, Gedgrave, Grundisburgh, Hoo, Iken, Letheringham, Monewden, Orford, Otley, Pettistree, Rendlesham, Sudbourne, Swilland, Tunstall, Ufford, Wantisden, Wickham Market and Witlesham.

## Name.

## Contents.

1ST SCH.  
—cont.

3. Lowestoft ... (i) The boroughs of Beccles, Lowestoft and Southwold ;  
(ii) the urban districts of Bungay and Halesworth ;  
(iii) the rural districts of Lothingland and Wainford.
4. Sudbury and Woodbridge (i) The borough of Sudbury ;  
(ii) the urban districts of Felixstowe, Hadleigh and Woodbridge ;  
(iii) the rural districts of Cosford, Melford and Samford and the rural district of Deben, except the parishes included in the Eye constituency.
- (b) *Borough Constituency.*
1. Ipswich ... The county borough of Ipswich.

## SURREY.

(a) *County Constituencies.*

1. Carshalton ... The urban districts of Banstead and Carshalton.
2. Chertsey ... (i) The urban districts of Chertsey and Egham ;  
(ii) the rural district of Bagshot.
3. Dorking ... (i) The urban district of Dorking ;  
(ii) the rural district of Dorking and Horley and the following parishes in the rural district of Guildford, namely, Albury, East Clandon, East Horsley, Effingham, Ockham, Ripley, St. Martha, Send, Shere, West Clandon, West Horsley and Wisley.
4. East Surrey ... The urban districts of Caterham and Warlingham and Coulsdon and Purley.
5. Epsom ... (i) The borough of Epsom and Ewell ;  
(ii) the urban district of Leatherhead.
5. Esher ... The urban districts of Esher and Walton and Weybridge.
7. Farnham ... (i) The borough of Godalming ;  
(ii) the urban districts of Farnham and Haslemere ;  
(iii) the parish of Seale in the rural district of Guildford and the following parishes in the rural district of Hambledon, namely, Chiddingfold, Dockenfield, Elstead, Frensham, Peper Harow, Thursley, Tilford and Witley.

1ST SCH.  
—cont.

<i>Name.</i>	<i>Contents.</i>
8. Guildford ...	(i) The borough of Guildford ; (ii) the following parishes in the rural district of Guildford, namely, Artington, Compton, Puttenham, Shackleford, Shalford, Wanborough and Worplesdon and the following parishes in the rural district of Hambledon, namely, Alfold, Bramley, Busbridge, Cranleigh, Dunsfold, Ewhurst, Hambledon, Hascombe and Wonersh.
9. Reigate ...	(i) The borough of Reigate ; (ii) the rural district of Godstone.
10. Woking ...	(i) The urban districts of Frimley and Camberley and Woking ; (ii) the parishes of Ash and Normandy and Pirbright in the rural district of Guildford.
(b) <i>Borough Constituencies.</i>	
1. Croydon East ...	The Addington, Addiscombe, East, South Norwood and Woodside wards of the county borough of Croydon.
2. Croydon North ...	The Bensham Manor, Norbury, Thornton Heath, Upper Norwood and West Thornton wards of the county borough of Croydon.
3. Croydon West ...	The Broad Green, Central, South, Waddon and Whitehorse Manor wards of the county borough of Croydon.
4. Kingston-upon-Thames	The boroughs of Kingston upon Thames and Surbiton.
5. Merton and Morden	The urban district of Merton and Morden.
6. Mitcham ...	The boroughs of Mitcham and Beddington and Wallington.
7. Richmond (Surrey)	The boroughs of Richmond and Barnes.
8. Sutton and Cheam	The borough of Sutton and Cheam.
9. Wimbledon ...	The boroughs of Wimbledon and Malden and Coombe.

## EAST SUSSEX.

(a) *County Constituencies.*

1. Eastbourne ...	(i) The county borough of Eastbourne and the borough of Bexhill ; (ii) the following parishes in the rural district of Hailsham, namely, Eastdean, Friston, Hooe, Jevington, Nimfield, Pevensey, Polegate, Wartling, West-ham and Willingdon.
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<i>Name.</i>	<i>Contents.</i>	1ST SCH. — <i>con.</i>
2. East Grinstead ...	(i) The urban districts of Cuckfield and East Grinstead ; (ii) the rural district of Uckfield, the following parishes in the rural district of Cuckfield, namely, Ardingly, Balcombe, Bolney, Cuckfield Rural, Horsted Keynes, Lindfield Rural, Slaugham, West Hoathly and Worth, and the parishes of Burwash, Etchingham and Ticehurst in the rural district of Battle.	
3. Lewes ...	(i) The borough of Lewes ; (ii) the urban districts of Burgess Hill, Newhaven and Seaford ; (iii) the rural district of Chailey, the following parishes in the rural district of Cuckfield, namely, Albourne, Clayton, Fulking, Hurstpierpoint, Keymer, Newtimber, Poynings, Pyecombe and Twineham, and the rural district of Hailsham except the parishes included in the Eastbourne constituency.	
(b) <i>Borough Constituencies.</i>		
1. Brighton, Kempton	The following wards of the county borough of Brighton, namely, Elm Grove, Hanover, King's Cliff, Lewes Road, Moulescomb, Pier, Queens Park, Rottingdean and St. John's.	
2. Brighton, Pavilion	The following wards of the county borough of Brighton, namely, Hollingbury, Montpelier, Patcham, Pavilion, Preston, Preston Park, Regency, St. Nicholas, St. Peters and West.	
3. Hastings ...	(i) The county borough of Hastings, and the borough of Rye ; (ii) the rural district of Battle except the parishes of Burwash, Etchingham and Ticehurst.	
4. Hove ...	(i) The borough of Hove ; (ii) the urban district of Portslade by Sea.	

## WEST SUSSEX.

(a) *County Constituencies.*

1. Arundel and Shoreham	(i) The borough of Arundel ; (ii) the urban districts of Littlehampton, Shoreham by Sea and Southwick ; (iii) the rural districts of Chanctonbury and Worthing.
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1ST SCH.  
—cont.

<i>Name.</i>	<i>Contents.</i>
2. Chichester...	... (i) The borough of Chichester ; (ii) the urban district of Bognor Regis ; (iii) the rural district of Chichester.
3. Horsham ...	... (i) The urban district of Horsham ; (ii) the rural districts of Horsham, Midhurst and Petworth.
(b) <i>Borough Constituency.</i>	
1. Worthing ...	... The borough of Worthing.

## WARWICKSHIRE.

(a) *County Constituencies.*

1. Nuneaton ...	... (i) The borough of Nuneaton ; (ii) the urban district of Bedworth ; (iii) the rural district of Atherstone.
2. Rugby ...	... (i) The borough of Rugby ; (ii) the rural district of Rugby.
3. Solihull ...	... The urban district of Solihull.
4. Stratford ...	... (i) The borough of Stratford on Avon ; (ii) the rural districts of Alcester, Shipston on Stour, Southam and Stratford on Avon.
5. Sutton Coldfield ...	(i) The borough of Sutton Coldfield ; (ii) the rural districts of Meriden and Tam- worth.
6. Warwick and Leamington	(i) The boroughs of Royal Leamington Spa and Warwick ; (ii) the urban district of Kenilworth ; (iii) the rural district of Warwick.

(b) *Borough Constituencies.*

1. Birmingham, Aston	The Aston, Lozells, St. Mary's and St. Paul's wards of the county borough of Birmingham.
2. Birmingham, Erdington	The Bromford, Erdington and Gravelly Hill wards of the county borough of Birmingham.
3. Birmingham, Edgbaston	The Edgbaston, Harborne and Market Hall wards of the county borough of Birmingham.
4. Birmingham, Hall Green	The Hall Green and Sparkhill wards of the county borough of Birmingham.
5. Birmingham, Handsworth	The Handsworth, Sandwell and Soho wards of the county borough of Birmingham.
6. Birmingham, Ladywood	The All Saints', Ladywood and Rotton Park wards of the county borough of Birmingham.
7. Birmingham, King's Norton	The King's Norton and Moseley and King's Heath wards of the county borough of Birmingham.

<i>Name.</i>	<i>Contents.</i>	1ST SCH. —cont.
8. Birmingham, Northfield	The Northfield and Selly Oak wards of the county borough of Birmingham.	
9. Birmingham, Perry Barr	The Perry Barr ward of the county borough of Birmingham.	
10. Birmingham, Small Heath	The Duddeston and Nechells, St. Bartholomew's, Saltley and Small Heath wards of the county borough of Birmingham.	
11. Birmingham, Sparkbrook	The Balsall Heath, St. Martin's and Deritend and Sparkbrook wards of the county borough of Birmingham.	
12. Birmingham, Stechford	The Stechford and Washwood Heath wards of the county borough of Birmingham.	
13. Birmingham, Yardley	The Acock's Green and Yardley wards of the county borough of Birmingham.	
14. Coventry East ...	The Charterhouse and Binley, Longford, Lower Stoke, Upper Stoke and Walsgrave wards of the county borough of Coventry.	
15. Coventry North ...	The Bablake, Foleshill, Holbrook, Radford and Sherbourne wards of the county borough of Coventry.	
16. Coventry South ...	The Cheylesmore, Earlsdon, Godiva, St. Michael's Westwood and Whoberley wards of the county borough of Coventry.	

## WESTMORLAND.

*County Constituency.*

1. Westmorland ... The county of Westmorland.

## ISLE OF WIGHT.

*County Constituency.*

1. Isle of Wight ... The county of the Isle of Wight.

## WILTSHIRE.

*County Constituencies.*

1. Chippenham ... (i) The boroughs of Calne, Chippenham and Malmesbury ;  
(ii) the rural districts of Calne and Chippenham, Cricklade and Wootton Bassett and Malmesbury.
2. Devizes ... (i) The boroughs of Devizes and Marlborough ;  
(ii) the rural districts of Devizes, Highworth, Marlborough and Ramsbury and Pewsey.
3. Salisbury ... (i) The boroughs of Salisbury and Wilton ;  
(ii) the rural districts of Amesbury and Salisbury and Wilton.

1ST SCH.  
—cont.

<i>Name.</i>	<i>Contents.</i>
4. Westbury ...	(i) The urban districts of Bradford on Avon, Melksham, Trowbridge, Warminster and Westbury ; (ii) the rural districts of Bradford and Melksham, Mere and Tisbury and Warminster and Westbury. (b) <i>Borough Constituency.</i>
1. Swindon ...	... The borough of Swindon.

## WORCESTERSHIRE.

(a) *County Constituencies.*

1. Bromsgrove ...	(i) The urban districts of Bromsgrove and Redditch ; (ii) the rural district of Bromsgrove.
2. Kidderminster ...	(i) The boroughs of Bewdley and Kidderminster ; (ii) the urban district of Stourport on Severn ; (iii) the rural districts of Kidderminster, Martley and Tenbury.
3. South Worcester-shire	(i) The borough of Evesham ; (ii) the urban district of Malvern ; (iii) the rural districts of Evesham, Pershore and Upton upon Severn.

(b) *Borough Constituencies.*

1. Dudley ...	... The county borough of Dudley and the borough of Stourbridge.
2. Oldbury and Halesowen	The boroughs of Halesowen and Oldbury.
3. Worcester ...	(i) The county borough of Worcester and the borough of Droitwich ; (ii) the rural district of Droitwich.

## YORKSHIRE—EAST RIDING.

(a) *County Constituencies.*

1. Beverley ...	(i) The borough of Beverley ; (ii) the urban district of Norton ; (iii) the rural districts of Beverley, Derwent, Howden, Norton and Pocklington.
2. Bridlington ...	(i) The boroughs of Bridlington and Hedon ; (ii) the urban districts of Driffield, Filey, Hornsea and Withernsea ; (iii) the rural districts of Bridlington, Driffield and Holderness.

(b) *Borough Constituencies.*1ST SCH.  
—cont.

<i>Name.</i>	<i>Contents.</i>
1. Kingston upon Hull Central	The following wards of the county borough of Kingston upon Hull, namely, Albert, Botanic, Coltman, East Central, Myton, North Newington, Paragon, South Newington and West Central.
2. Kingston upon Hull East	The following wards of the county borough of Kingston upon Hull, namely, Alexandra, Drypool, Marfleet, Southcoates, Stoneferry and Sutton.
3. Kingston upon Hull, Haltemprice	(i) The Pickering and St. Andrews wards of the county borough of Kingston upon Hull ; (ii) the urban district of Haltemprice.
4. Kingston upon Hull North	The Beverley, Newland, Park and University wards of the county borough of Kingston upon Hull.

## YORKSHIRE—NORTH RIDING.

(a) *County Constituencies.*

1. Cleveland ...	... (i) The borough of Redcar ; (ii) the urban districts of Eston, Guisborough, Loftus, Saltburn and Marske by the Sea and Skelton and Brotton.
2. Richmond (Yorks)	(i) The borough of Richmond ; (ii) the urban district of Northallerton ; (iii) the rural districts of Aysgarth, Croft, Leyburn, Masham, Northallerton, Reeth, Richmond, Startforth and Stokesley.
3. Scarborough and Whitby	(i) The borough of Scarborough ; (ii) the urban districts of Pickering, Scalby and Whitby ; (iii) the rural districts of Scarborough and Whitby and the following parishes in the rural district of Pickering, namely, Allerston, Ebberston, Kingthorpe, Levisham, Lockton, Newton, Pickering Marishes, Thornton Dale and Wilton.
4. Thirsk and Malton	(i) The urban district of Malton ; (ii) the rural districts of Bedale, Easingwold, Flaxton, Helmsley, Kirkby Moorside, Malton, Thirsk and Wath and the rural district of Pickering except the parishes included in the Scarborough and Whitby constituency.

1ST SCH.  
—*cont.*(b) *Borough Constituencies.*

<i>Name.</i>	<i>Contents.</i>
1. Middlesbrough East	The county borough of Middlesbrough, except the Acklam, Ayresome and Linthorpe wards.
2. Middlesbrough West	The Acklam, Ayresome and Linthorpe wards of the county borough of Middlesbrough, and the borough of Thornaby on Tees.

## YORKSHIRE—WEST RIDING.

(a) *County Constituencies.*

1. Barkston Ash	... (i) The urban districts of Garforth and Selby ; (ii) the rural districts of Selby and Wetherby and the rural district of Tadcaster except the parishes of Great and Little Preston and Swillington ; (iii) the parishes of Hessay, Knapton, Moor Monkton, Poppleton Nether, Poppleton Upper and Rufforth in the rural district of Nidderdale.
2. Colne Valley	... The urban districts of Colne Valley, Holmfirth, Kirkburton, Meltham and Saddleworth.
3. Dearne Valley	... The urban districts of Conisbrough, Darfield, Mexborough, Swinton, Wath upon Dearne and Wombwell.
4. Don Valley	... (i) The urban districts of Adwick le Street, Bentley with Arksey and Tickhill ; (ii) the rural district of Doncaster.
5. Goole	... (i) The borough of Goole ; (ii) the urban district of Knottingley ; (iii) the rural districts of Goole, Osgoldcross and Thorne.
6. Harrogate	... (i) The borough of Harrogate ; (ii) the urban district of Knaresborough ; (iii) the rural district of Nidderdale except the parishes of Hessay, Knapton, Moor Monkton, Poppleton Nether, Poppleton Upper and Rufforth.
7. Hemsworth	... (i) The urban districts of Cudworth, Dearne, Hemsworth and Royston ; (ii) the rural district of Hemsworth.
8. Normanton	... (i) The urban districts of Normanton, Rothwell and Stanley ; (ii) the parishes of Great and Little Preston and Swillington in the rural district of Tadcaster and the parishes of Crofton, Sharlston and Warmfield cum Heath in the rural district of Wakefield.

*Name.**Contents.*1ST SCH  
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9. Penistone ... (i) The urban districts of Denby Dale, Dodworth, Hoyland Nether, Penistone and Stocksbridge;  
(ii) the rural districts of Penistone and Wortley.
10. Ripon ... (i) The borough of Ripon ;  
(ii) the urban districts of Ilkley and Otley ;  
(iii) the rural districts of Ripon and Pateley Bridge and Wharfedale.
11. Rother Valley ... (i) The urban districts of Maltby and Rawmarsh ;  
(ii) the rural districts of Kiveton Park and Rotherham.
12. Shipley ... The urban districts of Baildon, Bingley and Shipley.
13. Skipton ... (i) The urban districts of Barnoldswick, Earby and Skipton ;  
(ii) the rural districts of Bowland, Sedbergh and Settle and the rural district of Skipton except the parishes of Steeton with Eastburn and Sutton.
14. Sowerby ... (i) The borough of Todmorden ;  
(ii) the urban districts of Elland, Hebden Royd, Ripponden and Sowerby Bridge;  
(iii) the rural district of Hepton.

(b) *Borough Constituencies.*

1. Barnsley ... (i) The county borough of Barnsley ;  
(ii) the urban districts of Darton and Worsbrough.
2. Batley and Morley The boroughs of Batley and Morley.
3. Bradford Central... The Bradford Moor, Exchange, Manningham, North-East and South wards of the county borough of Bradford.
4. Bradford East ... The East Bowling, Little Horton, North Bierley East, Tong and West Bowling wards of the county borough of Bradford.
5. Bradford North ... The Allerton, Bolton, Eccleshill, Heaton and Idle wards of the county borough of Bradford.
6. Bradford South ... The Clayton, Great Horton, Listerhills, North Bierley West and Thornton wards of the county borough of Bradford.
7. Brighouse and Spenborough (i) The borough of Brighouse ;  
(ii) the urban districts of Queensbury and Shelf and Spenborough.

1ST SCH.  
—cont.

<i>Name.</i>	<i>Contents.</i>
8. Dewsbury ...	(i) The county borough of Dewsbury and the borough of Ossett ; (ii) the urban districts of Heckmondwike and Mirfield.
9. Doncaster ...	The county borough of Doncaster.
10. Halifax ...	The county borough of Halifax.
11. Huddersfield East	The following wards of the county borough of Huddersfield, namely, Almondbury, Dalton, Deighton, Fartown, Newsome, North Central and South Central.
12. Huddersfield West	The following wards of the county borough of Huddersfield, namely, Birkby, Crosland Moor, Lindley, Lockwood, Longwood, Marsh, Milnsbridge and Paddock.
13. Keighley ...	(i) The borough of Keighley ; (ii) the urban districts of Denholme and Silsden ; (iii) the parishes of Steeton with Eastburn and Sutton in the rural district of Skipton.
14. Leeds Central ...	The Armley and New Wortley, Blenheim, Central, Holbeck North, Mill Hill and South and Westfield wards of the county borough of Leeds.
15. Leeds North-East	The Burmantofts, Harehills, Potternewton and Richmond Hill wards of the county borough of Leeds.
16. Leeds North ...	The North, Roundhay and Woodhouse wards of the county borough of Leeds.
17. Leeds North-West	The Far Headingley, Hyde Park and Kirkstall wards of the county borough of Leeds.
18. Leeds South ...	The Beeston, Holbeck South, Hunslet Carr and Middleton and West Hunslet wards of the county borough of Leeds.
19. Leeds South-East	The Cross Gates and Templenewsam, East Hunslet and Osmondthorpe wards of the county borough of Leeds.
20. Leeds West ...	The Bramley, Farnley and Wortley and Upper Armley wards of the county borough of Leeds.
21. Pontefract ...	(i) The borough of Pontefract ; (ii) the urban districts of Castleford and Featherstone.



<i>Name.</i>	<i>Contents.</i>	1ST SCH. —cont.
22. Pudsey ... ..	(i) The borough of Pudsey ; (ii) the urban districts of Aireborough and Horsforth.	
23. Rotherham ...	The county borough of Rotherham.	
24. Sheffield, Attercliffe	The Attercliffe, Darnall and Handsworth wards of the county borough of Sheffield.	
25. Sheffield, Brightside	The Brightside, Firth Park and Tinsley wards of the county borough of Sheffield.	
26. Sheffield, Hallam...	The Broomhill, Ecclesall and Hallam wards of the county borough of Sheffield.	
27. Sheffield, Heeley ...	The Heeley, Nether Edge, Norton and Wood- seats wards of the county borough of Sheffield.	
28. Sheffield, Hillsborough	The Crookesmoor, Hillsborough, Owlerton and Walkley wards of the county borough of Sheffield.	
29. Sheffield, Neepsend	The Burngreave, Neepsend, St. Peter's and St. Phillip's wards of the county borough of Sheffield.	
30. Sheffield, Park ...	The Manor, Moor, Park and Sharrow wards of the county borough of Sheffield.	
31. Wakefield ...	(i) The county borough of Wakefield ; (ii) the urban district of Horbury ; (iii) the rural district of Wakefield except the parishes of Crofton, Sharlston and Warmfield cum Heath.	

## YORK.

*Borough Constituency.*

i. York ... ..	The county borough of York.
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## PART II.

## WALES.

## ANGLESEY.

*County Constituency.*

i. Anglesey ... ..	The county of Anglesey.
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## BRECKNOCKSHIRE AND RADNORSHIRE.

*County Constituency.*

i. Brecon and Radnor	The counties of Brecknock and Radnor.
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1ST SCH.  
—cont.

## CAERNARVONSHIRE.

*County Constituencies.*

<i>Name.</i>	<i>Contents.</i>
1. Caernarvon ...	(i) The boroughs of Caernarvon and Pwllheli; (ii) the urban districts of Criccieth and Portmadoc; (iii) the rural districts of Gwyrfaï and Lleyn.
2. Conway ...	(i) The boroughs of Bangor and Conway; (ii) the urban districts of Bethesda, Bettws-y-Coed, Llandudno, Llanfairfechan and Penmaenmawr; (iii) the rural districts of Nant Conway and Ogwen.

## CARDIGANSHIRE.

*County Constituency.*

1. Cardigan ...	... The county of Cardigan.
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## CARMARTHENSHIRE.

*County Constituencies.*

1. Carmarthen ...	(i) The boroughs of Carmarthen, Kidwelly and Llandovery; (ii) the urban districts of Llandilo and Newcastle Emlyn; (iii) the rural districts of Carmarthen and Newcastle Emlyn and the rural district of Llandilo except the parish of Bettws.
2. Llanelly ...	(i) The borough of Llanelly; (ii) the urban districts of Ammanford, Burry Port and Cwmamman; (iii) the rural district of Llanelly and the parish of Bettws in the rural district of Llandilo.

## DENBIGHSHIRE.

*County Constituencies.*

1. Denbigh ...	(i) The boroughs of Colwyn Bay, Denbigh and Ruthin; (ii) the urban districts of Abergele, Llangollen and Llanrwst; (iii) the rural districts of Aled, Hiraethog and Ruthin, the parishes of Llangollen Rural and Llantysilio in the rural district of Wrexham and the rural district of Ceiriog except the parish of Chirk.
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*Name.**Contents.*1ST SCH.  
—cont.

2. Wrexham ... (i) The borough of Wrexham ;  
(ii) the parish of Chirk in the rural district of Ceiriog and the rural district of Wrexham except the parishes of Llangollen Rural and Llantysilio.

## FLINTSHIRE.

*County Constituencies.*

1. East Flint... ... (i) The borough of Flint ;  
(ii) the urban districts of Buckley, Connah's Quay and Holywell ;  
(iii) the rural districts of Hawarden and Overton.
2. West Flint ... (i) The urban districts of Mold, Prestatyn and Rhyl ;  
(ii) the rural districts of Holywell and St. Asaph.

## GLAMORGANSHIRE.

(a) *County Constituencies.*

1. Aberavon ... (i) The borough of Port Talbot ;  
(ii) the urban districts of Glyncoffwrwg and Porthcawl ;  
(iii) the parishes of Kenfig, Pyle, Sker, Tythegston Lower and Tythegston Higher in the rural district of Penybont.
2. Barry ... (i) The borough of Barry ;  
(ii) the rural district of Cardiff.
3. Caerphilly ... The urban districts of Caerphilly and Gelligaer.
4. Gower ... (i) The urban district of Llchwyr ;  
(ii) the rural districts of Gower and Pontardawe.
5. Neath ... (i) The borough of Neath ;  
(ii) the rural district of Neath.
6. Ogmore ... (i) The urban districts of Bridgend, Maesteg and Ogmore and Garw ;  
(ii) the rural district of Penybont except the parishes included in the Aberavon constituency.
7. Pontypridd ... (i) The borough of Cowbridge ;  
(ii) the urban district of Pontypridd ;  
(iii) the rural districts of Cowbridge and Llantrisant and Llantwit-Fardre.

(b) *Borough Constituencies.*

1. Aberdare ... The urban districts of Aberdare and Mountain Ash.

1ST SCH.  
—cont.

<i>Name.</i>	<i>Contents.</i>
2. Cardiff North	... The Cathays, Central, Gabalfa, Penylan and Plasnewydd wards of the county borough of Cardiff.
3. Cardiff South East	(i) The Adamsdown, Roath, Splott and South wards of the county borough of Cardiff ; (ii) the urban district of Penarth.
4. Cardiff West	... The Canton, Ely, Grangetown, Llandaff and Riverside wards of the county borough of Cardiff.
5. Merthyr Tydfil	... The county borough of Merthyr Tydfil.
6. Rhondda East	... Wards nos. 7 to 11 of the urban district of Rhondda and the part of ward no. 6 of that district lying to the east of the middle of the River Rhondda.
7. Rhondda West	... Wards nos. 1 to 5 of the urban district of Rhondda and the part of ward no. 6 of that district lying to the west of the middle of the River Rhondda.
8. Swansea East	... The following wards of the county borough of Swansea namely, Alexandra, Castle, Clase, Kilvey, Landore, Llansamlet, Morriston, Penderry, St. John's and St. Thomas.
9. Swansea West	... The following wards of the county borough of Swansea, namely, Brynmelyn, Cockett, Ffynone, Oystermouth and Brynau, St. Helens, Sketty, Victoria and Waunarwydd.

## MERIONETHSHIRE.

*County Constituency.*

1. Merioneth ... The county of Merioneth.

## MONMOUTHSHIRE.

(a) *County Constituencies.*

1. Abertillery ... The urban districts of Abercarn, Abertillery and Nantyglo and Blaina.
2. Bedwellty ... The urban districts of Bedwas and Machen, Bedwellty, Mynyddislwyn and Risca
3. Ebbw Vale ... The urban districts of Ebbw Vale, Rhymney and Tredegar.

<i>Name:</i>	<i>Contents.</i>	1ST SCH. • —cont.
4. Monmouth	... (i) The boroughs of Abergavenny and Monmouth ; (ii) the urban districts of Caerleon, Chepstow and Usk ; (iii) the rural districts of Abergavenny, Chepstow, Magor and St. Mellons, Monmouth and Pontypool.	
5. Pontypool...	... The urban districts of Blaenavon, Cwmbran and Pontypool.	
	(b) <i>Borough Constituency.</i>	
1. Newport ...	... The county borough of Newport.	
	MONTGOMERYSHIRE. <i>County Constituency.</i>	
1. Montgomery	... The county of Montgomery.	
	PEMBROKESHIRE. <i>County Constituency.</i>	
1. Pembroke	... The county of Pembroke.	

PART III.  
SCOTLAND.

[Note.—The references to the following areas, namely the burghs of Coatbridge and Lochgelly, the counties of Dumfries and Kirkcudbright, the ninth district of Lanarkshire and the Lochgelly district of Fife, are references to those areas as constituted on the sixteenth day of May, 1948.]

ABERDEENSHIRE.

(a) *County Constituencies.*

1. East Aberdeenshire (i) The burghs of Ellon, Fraserburgh, Huntly, Peterhead, Rosehearty and Turriff ;  
(ii) the districts of Deer, Ellon, Huntly and Turriff.
2. West Aberdeenshire (i) The burghs of Ballater, Inverurie, Kintore and Old Meldrum ;  
(ii) the districts of Aberdeen, Alford, Deeside and Garioch.

(b) *Burgh Constituencies.*

1. Aberdeen North ... The following wards of the county of the city of Aberdeen, namely, Gilcomston, Greyfriars, St. Clement, St. Machar, St. Nicholas and Woodside.
2. Aberdeen South ... The following wards of the county of the city of Aberdeen, namely, Ferryhill, Holburn, Rosemount, Rubislaw, Ruthrieston and Torry.

1ST SCH.  
—cont.

## ANGUS AND KINCARDINE.

(a) *County Constituencies.*

<i>Name.</i>	<i>Contents.</i>
1. North Angus and Mearns	(i) The county of Kincardine inclusive of all the burghs situated therein ; (ii) the burghs of Brechin and Montrose ; (iii) the districts of Brechin and Montrose.
2. South Angus ...	(i) The burghs of Arbroath, Carnoustie, Forfar, Kirriemuir and Monifieth ; (ii) the districts of Carnoustie, Forfar, Kirriemuir and Monifieth.

(b) *Burgh Constituencies.*

1. Dundee East ...	The first, fourth, fifth, tenth, eleventh and twelfth wards of the county of the city of Dundee.
2. Dundee West ...	The second, third, sixth, seventh, eighth and ninth wards of the county of the city of Dundee.

## ARGYLL.

*County Constituency.*

1. Argyll ...	... The county of Argyll inclusive of all the burghs situated therein.
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## AYRSHIRE AND BUTE.

(a) *County Constituencies.*

1. Ayr ...	(i) The burghs of Ayr and Prestwick ; (ii) the district of Ayr except in so far as included in the Central Ayrshire constituency.
2. Bute and North Ayrshire	(i) The county of Bute inclusive of all the burghs situated therein ; (ii) the burghs of Ardrossan, Largs and Saltcoats ; (iii) the district of Saltcoats.
3. Central Ayrshire ...	(i) The burghs of Irvine, Kilwinning, Stewarton and Troon ; (ii) the districts of Irvine and Kilbirnie, the electoral division of Dundonald in the district of Ayr and the electoral division of Dunlop and Stewarton in the district of Kilmarnock.
4. Kilmarnock ...	(i) The burghs of Kilmarnock, Darvel, Galston and Newmilns and Greenholm ; (ii) the district of Newmilns and the district of Kilmarnock except in so far as included in the Central Ayrshire constituency.

<i>Name.</i>	<i>Contents.</i>	<b>1ST SCH.</b> —cont.
5. South Ayrshire ...	(i) The burghs of Cumnock and Holmhead, Girvan and Maybole ; (ii) the districts of Cumnock, Dalmellington, Girvan and Maybole.	

**BANFFSHIRE.***County Constituency.*

1. Banff ...	... The county of Banff inclusive of all the burghs situated therein.
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**BERWICKSHIRE AND EAST LOTHIAN.***County Constituency.*

1. Berwick and East Lothian	The counties of Berwick and East Lothian inclusive of all the burghs situated therein.
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**CAITHNESS AND SUTHERLAND.***County Constituency.*

1. Caithness and Sutherland	The counties of Caithness and Sutherland inclusive of all the burghs situated therein.
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**DUMFRIESSHIRE.***County Constituency.*

1. Dumfries ...	... The county of Dumfries inclusive of all the burghs situated therein.
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**DUNBARTONSHIRE.***County Constituencies.*

1. East shire	Dunbarton- (i) The burghs of Clydebank, Kirkintilloch and Milngavie ; (ii) the districts of Cumbernauld, Kirkintilloch and New Kilpatrick.
2. West shire	Dunbarton- (i) The burghs of Dumbarton, Cove and Kilcreggan and Helensburgh ; (ii) the districts of Helensburgh, Old Kilpatrick and Vale of Leven.

**FIFE.***(a) County Constituencies.*

1. East Fife ...	... The burghs of Auchtermuchty, Crail, Cupar, Elie and Earlsferry, Falkland, Kilrenny, Anstruther Easter and Anstruther Wester, Ladybank, Leven, Newburgh, Newport, Pittenweem, St. Andrews, St. Monance and Tayport. The districts of Anstruther, Cupar and St. Andrews and the electoral division of Kennoway and Scoonie in the district of Wemyss.
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1ST SCH.  
—cont.

<i>Name.</i>	<i>Contents.</i>
2. West Fife ...	... The burghs of Culross, Leslie and Markinch. The districts of Dunfermline, Kirkcaldy and Lochgelly, and the Wemyss district in so far as not included in the East Fife constituency.

(b) *Burgh Constituencies.*

1. Dunfermline burghs	The burghs of Dunfermline, Cowdenbeath, Inverkeithing and Lochgelly.
2. Kirkcaldy burghs	The burghs of Kirkcaldy, Buckhaven and Methil, Burntisland and Kinghorn.

## INVERNESSHIRE AND ROSS AND CROMARTY.

*County Constituencies.*

1. Inverness ...	... The county of Inverness inclusive of all the burghs situated therein except in so far as contained within the Western Isles constituency.
2. Ross and Cromarty	The county of Ross and Cromarty inclusive of all the burghs situated therein except in so far as contained within the Western Isles constituency.
3. Western Isles ...	(i) The burgh of Stornoway ; (ii) the districts of Barra, Harris, North Uist and South Uist in the county of Inverness and the district of Lewis in the county of Ross and Cromarty.

## KIRKCUDBRIGHTSHIRE AND WIGTOWNSHIRE.

*County Constituency.*

1. Galloway ...	... The counties of Kirkcudbright and Wigtown inclusive of all the burghs situated therein.
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## LANARKSHIRE.

(a) *County Constituencies.*

1. Bothwell ...	... The sixth district, the electoral divisions of Baillieston, Mount Vernon and Carmyle, Springboig and Garrowhill in the ninth district and that part of the electoral division of Old Monkland in the said ninth district which is bounded on the North by the city of Glasgow and the burgh of Coatbridge, on the West by the electoral division of Baillieston and on the South and East by the electoral divisions of Tannochside and Bellshill North.
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<i>Name.</i>	<i>Contents.</i>	1ST SCH. —cont.
2. Hamilton ...	(i) The burgh of Hamilton ; (ii) the electoral divisions of Hamilton, Larkhall North, Larkhall South and Dalserf in the fourth district and the electoral divisions of Stonefield, Blantyre and High Blantyre in the fifth district.	
3. Lanark ...	(i) The burghs of Biggar and Lanark ; (ii) the first, second and third districts and, so far as not included in the Hamilton constituency, the fourth and fifth districts.	
4. Motherwell ...	(i) The burgh of Motherwell and Wishaw ; (ii) the electoral division of Dalziel-Overtown in the seventh district.	
5. North Lanarkshire	The ninth district so far as not included in the Bothwell constituency and the seventh district so far as not included in the Motherwell constituency.	
6. Rutherglen ...	(i) The burgh of Rutherglen ; (ii) the eighth district.	

(b) *Burgh Constituencies.*

1. Coatbridge and Airdrie	The burghs of Coatbridge and Airdrie.
2. Glasgow, Bridgeton	The following wards (as constituted by the Local Government (Scotland) (Glasgow Wards and Councillors) Order, 1948, S.I., 1948, No. 876) of the county of the city of Glasgow, namely, Calton and Dalmarnock.
3. Glasgow, Camlachie	The following wards (as so constituted) of the county of the city of Glasgow, namely, Dennistoun, Provan and that part of Mile-End ward which lies to the west of a line commencing at a point on the northern boundary of the ward immediately opposite the centre line of Millerston Street thence southward to and along the centre line of Millerston Street to the centre line of Gallowgate ; thence eastward along the centre line of Gallowgate to a point opposite the centre line of Fielden Street ; thence southward along the centre line of Fielden

1ST SCH.  
—cont.

Name.

Contents.

- Street to the termination of the line on the southern boundary of the Mile-End ward immediately opposite the centre of Fielden Street.
4. Glasgow, Cathcart The following wards (as so constituted) of the county of the city of Glasgow, namely, Cathcart, Langside and that part of Govanhill ward which is south and east of a line commencing at a point on the western boundary of the ward where it is cut by the centre line of Calder Street ; thence eastward along the centre line of Calder Street to the centre of Polmadie Road ; thence north-eastward along the centre line of Polmadie Road to the termination of the line on the northern boundary of the ward at the centre of the British Railways main line from Glasgow to Rutherglen.
  5. Glasgow Central ... The following wards (as so constituted) of the county of the city of Glasgow, namely, Exchange and Townhead.
  6. Glasgow, Gorbals... The following wards (as so constituted) of the county of the city of Glasgow, namely, Gorbals, Hutchesontown and that part of the Govanhill ward which is not included in the Cathcart constituency.
  7. Glasgow, Govan ... The following wards (as so constituted) of the county of the city of Glasgow, namely, Craigton, Fairfield and that part of Govan ward which lies to the west of a line commencing on the northwest boundary of the ward where it is cut by the centre line of Greenfield Street ; thence southward along the centre line of Greenfield Street to the centre line of Crossloan Road ; thence south-eastward along the centre line of Crossloan Road to the centre line of Craigton Road ; thence southward along the centre line of Craigton Road to the termination of the line at the ward boundary at the junction of Craigton Road and Shieldhall Road.
  8. Glasgow, Hillhead The following wards (as so constituted) of the county of the city of Glasgow, namely, Kelvinside, Partick (West), and that part of Partick (East) ward which is south and west of a line commencing at a point on the ward boundary at the junction of the centre lines of Dowanside Road and Byres Road :

*Name.**Contents.*1ST SCH.  
—*cont.*

thence southward along the centre line of Byres Road to the centre line of Ashton Road; thence south-eastward along the centre line of Ashton Road to the centre line of University Avenue; thence eastward along the centre line of University Avenue to a point opposite the centre of the southern end of Oakfield Avenue, thence in an easterly direction in a straight line to a point on the east side of Kelvin Way where the north boundary fence of Kelvingrove Park meets the said Kelvin Way, thence in a generally easterly direction along the north boundary fence of Kelvingrove Park to the southmost limit of Westbank Quadrant, thence in a straight line in a south-easterly direction to the east boundary of the ward at the centre of the River Kelvin.

9. Glasgow, Kelvingrove The following wards (as so constituted) of the county of the city of Glasgow, namely, Anderston and Park.
10. Glasgow, Maryhill The following wards (as so constituted) of the county of the city of Glasgow, namely, Maryhill and Ruchill.
11. Glasgow, Pollok ... The following wards (as so constituted) of the county of the city of Glasgow, namely, Camphill, Pollokshaws and Pollokshields.
12. Glasgow, Scotstoun The following wards (as so constituted) of the county of the city of Glasgow, namely, Knightswood, Whiteinch and Yoker.
13. Glasgow, Shettleston The following wards (as so constituted) of the county of the city of Glasgow, namely, Parkhead, Shettleston and Tollcross and that part of Mile-End ward which is not included in the Camlachie constituency.
14. Glasgow, Springburn The following wards (as so constituted) of the county of the city of Glasgow, namely, Cowcaddens, Cowlairs and Springburn.
15. Glasgow, Tradeston The following wards (as so constituted) of the county of the city of Glasgow, namely, Kinning Park, Kingston and that part of Govan ward which is not included in the Govan constituency.
16. Glasgow, Woodside The following wards (as so constituted) of the county of the city of Glasgow, namely, North Kelvin, Woodside and that part of Partick (East) ward which is not included in the Hillhead constituency.

1ST SCH.  
—cont

## MIDLOTHIAN AND PEEBLES SHIRE.

(a) *County Constituency.*

<i>Name.</i>	<i>Contents.</i>
1. Midlothian and Peebles.	The counties of Midlothian and Peebles inclusive of all the burghs situated therein except the county of the city of Edinburgh and the burgh of Musselburgh.

(b) *Burgh Constituencies.*

1. Edinburgh Central	The following wards (as constituted by the Local Government (Scotland) (Edinburgh Wards) Order, 1948, S.I., 1948, No. 1138) of the county of the city of Edinburgh, namely, George Square, Holyrood and St. Giles.
2. Edinburgh East ...	The burgh of Musselburgh and the following wards (as so constituted) of the county of the city of Edinburgh, namely, Craigen-tinny, Craigmillar and Portobello.
3. Edinburgh, Leith	The following wards (as so constituted) of the county of the city of Edinburgh, namely, Central Leith, South Leith and West Leith.
4. Edinburgh North	The following wards (as so constituted) of the county of the city of Edinburgh, namely, Broughton, Calton and St. Andrew's.
5. Edinburgh, Pentlands	The following wards (as so constituted) of the county of the city of Edinburgh, namely, Colinton, Gorgie-Dalry, Merchiston and Sighthill.
6. Edinburgh South	The following wards (as so constituted) of the county of the city of Edinburgh, namely, Liberton, Morningside and Newington.
7. Edinburgh West ...	The following wards (as so constituted) of the county of the city of Edinburgh, namely, Corstorphine, Murrayfield-Cramond, St. Bernard's and Pilton.

## MORAY AND NAIRN SHIRE.

*County Constituency.*

1. Moray and Nairn...	The counties of Moray and Nairn inclusive all the burghs situated therein.
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## ORKNEY AND ZETLAND.

1ST SCH.  
—cont.*County Constituency.*

- 1 Orkney and Zetland The counties of Orkney and Zetland inclusive of all the burghs situated therein.

## PERTHSHIRE AND KINROSSSHIRE.

*County Constituencies.*

1. Kinross and West Perthshire (i) The county of Kinross inclusive of the burgh of Kinross ;  
(ii) the burghs of Aberfeldy, Auchterarder, Callander, Crieff, Doune, Dunblane and Pitlochry ;  
(iii) the Central, Highland and Western districts of the county of Perth.
2. Perth and East Perthshire (i) The burghs of Perth, Abernethy, Alyth, Blairgowrie and Rattray, and Coupar Angus ;  
(ii) the Eastern and Perth districts of the county of Perth.

## RENFREWSHIRE.

(a) *County Constituencies.*

1. East Renfrewshire (i) The burghs of Barrhead and Renfrew ;  
(ii) the first and second districts of the county of Renfrew.
2. West Renfrewshire (i) The burghs of Port Glasgow, Gourrock and Johnstone ;  
(ii) the third, fourth and fifth districts of the county of Renfrew.

(b) *Burgh Constituencies.*

1. Greenock ... The burgh of Greenock.
2. Paisley ... The burgh of Paisley.

## ROXBURGHSHIRE AND SELKIRKSHIRE.

*County Constituency.**Name.**Contents.*

1. Roxburgh and Selkirk. The counties of Roxburgh and Selkirk inclusive of all the burghs situated therein.

1ST SCH.  
—cont.

## STIRLINGSHIRE AND CLACKMANNANSHIRE.

(a) *County Constituencies.*

1. Clackmannan and East Stirlingshire. (i) The county of Clackmannan inclusive of all the burghs situated therein ;  
(ii) the Eastern No. 1, Eastern No. 2 and Eastern No. 3 districts of the county of Stirling.
2. West Stirlingshire (i) The burghs of Bridge of Allan, Denny and Dunipace and Kilsyth ;  
(ii) the Central No. 1, Central No. 2, Western No. 1, Western No. 2 and Western No. 3 districts of the county of Stirling.

(b) *Burgh Constituency.*

1. Stirling and Falkirk burghs. The burghs of Stirling, Falkirk and Grange-mouth.

## WEST LoTHIAN.

*County Constituency.*

1. West Lothian ... The county of West Lothian inclusive of all the burghs situated therein.

## PART IV.

## NORTHERN IRELAND.

(a) *County Constituencies.*

1. North Antrim ... (i) The boroughs of Ballymena and Larne ;  
(ii) the urban districts of Ballycastle, Ballymoney and Portrush ;  
(iii) the rural districts of Ballycastle, Ballymena and Ballymoney, and the following district electoral divisions in the rural district of Larne, namely, Ardclinis, Ballycor, Carncastle, Glenarm North, Glenarm South, Glencloy and Kilwaughter.
2. South Antrim ... (i) The urban districts of Ballyclare, Carrickfergus, Lisburn and Whitehead ;  
(ii) the rural districts of Antrim, Belfast and Lisburn and the following district electoral divisions in the rural district of Larne, namely, Ballynure, Carrickfergus Rural, Eden, Glynn, Islandmagee North, Islandmagee South, Middle Division, Raloo and Templecorran.

<i>Name.</i>	<i>Contents.</i>
3. Armagh ...	... The county of Armagh.
4. North Down ...	... (i) The boroughs of Bangor and Newtownards; (ii) the urban districts of Donaghadee and Holywood; (iii) the rural districts of Castlereagh, Hillsborough and Newtownards.
5. South Down ...	... (i) The urban districts of Banbridge, Downpatrick, Dromore, Kilkeel, Newcastle, Newry and Warrenpoint; (ii) the rural districts of Banbridge, Downpatrick, Kilkeel, Moira and Newry No. 1.
6. Fermanagh and South Tyrone	(i) The county of Fermanagh; (ii) the urban district of Dungannon; (iii) the rural districts of Clogher and Dungannon, and the following district electoral divisions in the rural district of Omagh, namely, Aghafad, Deraghroy, Dromore, Drumharvey, Ecclesville, Fallaghearn, Fintona, Greenan, Killskerry, Lifford, Moorfield, Rahoney, Seskinore, Tattymoyle, and Trillick.
7. Mid-Ulster ...	... (i) The urban districts of Cookstown, Omagh and Strabane; (ii) the rural districts of Castleberg, Cookstown, Magherafelt and Strabane, and the rural district of Omagh, except the district electoral divisions included in the Fermanagh and South Tyrone constituency.
8. Londonderry ...	... (i) The county of Londonderry, except the rural district of Magherafelt; (ii) the county borough of Londonderry.
	(b) <i>Borough Constituencies.</i>
1. Belfast East ...	... The Mountpottinger, Dock and Victoria wards of the county borough of Belfast.
2. Belfast North ...	... The Duncairn, Shankill and Clifton wards of the county borough of Belfast.
3. Belfast South ...	... The Cromac, Windsor and Ormeau wards of the county borough of Belfast.
4. Belfast West ...	... The Falls, Smithfield St. Anne's, St. George's, Court and Woodvale wards of the county borough of Belfast.

## Section 3.

## SECOND SCHEDULE.

PROVISIONS OF THE HOUSE OF COMMONS (REDISTRIBUTION  
OF SEATS) ACT, 1944, AS AMENDED.

Periodical  
reports of  
Commissions  
as to redistri-  
bution.

4.—(1) Each Boundary Commission shall keep under review the representation in the House of Commons of the part of the United Kingdom with which they are concerned, and shall, in accordance with the next following subsection, submit to the Secretary of State reports with respect to the whole of that part of the United Kingdom, either—

- (a) showing the constituencies into which they recommend that it should be divided in order to give effect to the rules set out in the Third Schedule to this Act; or
- (b) stating that, in the opinion of the Commission, no alteration is required to be made in respect of that part of the United Kingdom in order to give effect to the said rules.

(2) Reports under the last foregoing subsection shall be submitted by a Commission—

- (a) in the case of the first report, not less than three or more than seven years from the date of the passing of the Representation of the People Act, 1948; and
- (o) in the case of the second or any subsequent report, not less than three or more than seven years from the date of the submission of their last report under subsection (1) of this section:

Provided that a report stating that no alteration is required to be made in respect of the part of the United Kingdom with which a Commission is concerned shall not be submitted less than six years from the date of the passing of the said Act, or the date of the submission of their last report under subsection (1) of this section, as the case may be.

(3) Any Boundary Commission may also from time to time submit to the Secretary of State reports with respect to the area comprised in any particular constituency or constituencies in the part of the United Kingdom with which they are concerned, showing the constituencies into which they recommend that that area should be divided in order to give effect to the rules set out in the said Third Schedule.

(4) Where a Commission intend to consider making a report under this section, they shall, by notice in writing, inform the Secretary of State accordingly, and a copy of the said notice shall be published—

- (a) in a case where it was given by the Boundary Commission for England or the Boundary Commission for Wales, in the London Gazette; and



- (b) in a case where it was given by the Boundary Commission for Scotland, in the Edinburgh Gazette; and
- (c) in a case where it was given by the Boundary Commission for Northern Ireland, in the Belfast Gazette;

2ND SCH.  
—cont.

and the date on which any such notice is so published with respect to any report shall, for the purposes of the Third Schedule to this Act, be taken to be the enumeration date in relation to that report.

(5) As soon as may be after a Boundary Commission have submitted a report to the Secretary of State under this section, he shall lay the report before Parliament together, except in a case where the report states that no alteration is required to be made in respect of the part of the United Kingdom with which the Commission are concerned, with the draft of an Order in Council for giving effect, whether with or without modifications, to the recommendations contained in the report.

5.—(1) A report of a Boundary Commission under this Act showing the constituencies into which they recommend that any area should be divided shall state, as respects each constituency, the name by which they recommend that it should be known, and whether they recommend that it should be a county constituency or a borough constituency.

General provisions as to reports and Orders in Council.

(2) The draft of any Order in Council laid before Parliament by the Secretary of State under this Act for giving effect, whether with or without modifications, to the recommendations contained in the report of a Boundary Commission may make provision for any matters which appear to him to be incidental thereto or consequential thereon.

(3) Where any such draft gives effect to any such recommendations with modifications, the Secretary of State shall lay before Parliament together with the draft a statement of the reasons for the modifications.

(4) If any such draft is approved by resolution of each House of Parliament, the Secretary of State shall submit it to His Majesty in Council.

(5) If a motion for the approval of any such draft is rejected by either House of Parliament or withdrawn by leave of the House, the Secretary of State may amend the draft and lay the amended draft before Parliament, and, if the draft as so amended is approved by resolution of each House of Parliament, the Secretary of State shall submit it to His Majesty in Council.

(6) Where the draft of an Order in Council is submitted to His Majesty in Council under this section, His Majesty in Council may make an Order in terms of the draft which shall come into force on such date as may be specified therein and shall have effect notwithstanding anything in any enactment:

Provided that the coming into force of any such Order shall not affect any parliamentary election until a proclamation is issued by His Majesty summoning a new Parliament, or affect the constitution of the House of Commons until the dissolution of the Parliament then in being.

2ND SCH.  
—cont.

(7) The validity of any Order in Council purporting to be made under this Act and reciting that a draft thereof has been approved by resolution of each House of Parliament shall not be called in question in any legal proceedings whatsoever.

Interpretation.

7. In this Act the expression "constituency" means an area having separate representation in the House of Commons.

(THIRD SCHEDULE.)

*Rules for Distribution of Seats.*

1. The number of constituencies in the several parts of the United Kingdom set out in the first column of the following table shall be as stated respectively in the second column of that table—

<i>Part of the United Kingdom</i>	<i>No. of Constituencies.</i>
Great Britain ... ..	Not substantially greater or less than 613.
Scotland ... ..	Not less than 71.
Wales ... ..	Not less than 35.
Northern Ireland ... ..	12.

2.—(2) Every constituency shall return a single member.

4A. There shall continue to be a constituency which shall include the whole of the City of London and the name of which shall refer to the City of London.

5.—(1) So far as is practicable having regard to the foregoing rules—

(a) in England and Wales,—

(i) no county or any part thereof shall be included in a constituency which includes the whole or part of any other county or the whole or part of a county borough or metropolitan borough;

(ii) no county borough or any part thereof shall be included in a constituency which includes the whole or part of any other county borough or the whole or part of a metropolitan borough;

(iii) no metropolitan borough or any part thereof shall be included in a constituency which includes the whole or part of any other metropolitan borough;

(iv) no county district shall be included partly in one constituency and partly in another;

(b) in Scotland, no burgh other than a county of a city shall be included partly in one constituency and partly in another;

(c) in Northern Ireland, no county district shall be included partly in one constituency and partly in another.

(2) In paragraph (1) of this rule the following expressions have the following meanings, that is to say:—

“ county ” means an administrative county other than the county of London;

“ county borough ” has the same meaning as in the Local Government Act, 1933;

“ county district ” has, in sub-paragraph (a), the same meaning as in the Local Government Act, 1933, and, in sub-paragraph (c), the same meaning as in the Local Government (Ireland) Act, 1898.

5A.—(1) The electorate of any constituency shall be as near the electoral quota as is practicable having regard to the foregoing rules; and a Boundary Commission may depart from the strict application of the last foregoing rule if it appears to them that a departure is desirable to avoid an excessive disparity between the electorate of any constituency and the electoral quota, or between the electorate thereof and that of neighbouring constituencies in the part of the United Kingdom with which they are concerned.

6. A Boundary Commission may depart from the strict application of the last two foregoing rules if special geographical considerations, including in particular the size, shape and accessibility of a constituency, appear to them to render a departure desirable.

8.—(1) For the purpose of these rules—

(a) the expression “ electoral quota ” means—

(i) in the application of these rules to a constituency in Great Britain, a number obtained by dividing the electorate for Great Britain by the number of constituencies in Great Britain existing on the enumeration date;

(ii) in the application of these rules to a constituency in Northern Ireland, a number obtained by dividing the electorate for Northern Ireland by the number of constituencies in Northern Ireland existing on the enumeration date;

(b) the expression “ electorate ” means—

(i) in relation to a constituency, the number of persons whose names appear on the parliamentary register of electors in force on the enumeration date under the Representation of the People Acts for the constituency;

(ii) in relation to Great Britain or Northern Ireland, the aggregate electorate as hereinbefore defined of all the constituencies therein.

Sections 12, 15.

## THIRD SCHEDULE.

## PROCEEDINGS AT PARLIAMENTARY ELECTIONS.

## PART I.

## TIMETABLE.

<i>Proceeding.</i>	<i>Time in case of general election.</i>	<i>Time in case of bye-election.</i>
Issue of writ ...	As soon as practicable after the issue of the proclamation summoning the new Parliament.	As soon as practicable after the issue of the warrant for the writ.
Publication of notice of election	Not later than four in the afternoon on the second day after that on which the writ is received.	The same as in the case of a general election.
Delivery of nomination papers	Between the hours of ten in the morning and three in the afternoon (or on a Saturday between those of ten in the morning and noon) on any day after the date of publication of the notice of election, but not later than the eighth day after the date of the proclamation summoning the new Parliament.	The same as in the case of a general election, except that the last day shall be a day fixed by the returning officer and shall be— (a) in a county constituency, not earlier than the fourth day after the date of publication of the notice of election, nor later than the ninth day after that on which the writ is received; and (b) in a borough constituency, not earlier than the third day after the date of publication of the notice of election nor later than the seventh day after that on which the writ is received.
The making of objections to nomination papers	During the hours allowed for delivery of nomination papers on the last day for the delivery thereof and the hour following and, if the last day is a Saturday, between the hours of one and three in the afternoon on the day before: Provided that no objection may be	The same as in the case of a general election.

<i>Proceeding.</i>	<i>Time in case of general election.</i>	<i>Time in case of bye-election.</i>
The making of objections to nomination papers— <i>cont.</i>	made in the afternoon of the said last day (or if it is a Saturday at any time on that day) except to a nomination paper delivered within twenty-four hours of the last time for the delivery thereof, and in the case of a nomination paper so delivered no objection may be so made to the sufficiency or nature of the particulars of the candidate unless made at or immediately after the time of the delivery of the nomination paper.	
Publication of statement of persons nominated	At the close of the time for making objections to nomination papers or as soon thereafter as any objections are disposed of.	The same as in the case of a general election.
Polling ... ..	Between the hours of seven in the morning and nine in the evening on the ninth day after the last day for delivery of nomination papers.	Between the hours of seven in the morning and nine in the evening on the day fixed by the returning officer, which shall not be earlier than the seventh nor later than the ninth day after the last day for delivery of nomination papers.

PART II.

PROCEDURE UP TO THE POLL.

*Notice of Election.*

1. The returning officer shall publish notice of the election stating—
  - (a) the place and times at which nomination papers are to be delivered; and
  - (b) the date of the poll in the event of a contest;
 and the notice shall state that forms of nomination paper may be obtained at the place and times aforesaid.

*Nomination of Candidates.*

- 2.—(1) Each candidate shall be nominated by a separate nomination paper delivered by the candidate himself, or his proposer or seconder, to the returning officer at the place fixed for the purpose.

3RD SCH.  
—cont.

(2) The nomination paper shall state the full names, place of residence and description of the candidate and the surname shall be placed first in the list of his names.

(3) The description shall not refer to the candidate's political activities, and need not refer to his rank, profession or calling so long as, with the other particulars of the candidate, it is sufficient to identify him.

(4) If the description is unduly long, the returning officer after consultation (if possible) with the candidate or his election agent, proposer or seconder, may shorten it or substitute another.

3.—(1) The nomination paper shall be subscribed by two electors as proposer and seconder, and by eight other electors as assenting to the nomination.

(2) Where a nomination paper bears the signatures of more than the required number of persons as proposing, seconding or assenting to the nomination of a candidate, the signature or signatures (up to the required number) appearing first on the paper in each category shall be taken into account to the exclusion of any others in that category.

(3) The nomination paper shall give the electoral number of each person subscribing it.

(4) The returning officer shall supply any elector with a form of nomination paper at the place and during the time for delivery of nomination papers and shall at the request of any elector prepare a nomination paper for signature; but it shall not be necessary for a nomination to be on a form supplied by the returning officer.

4. No person shall subscribe more than one nomination paper at the same election and, if he does, his signature shall be inoperative on any paper other than the one first delivered:

Provided that a person shall not be prevented from subscribing a nomination paper by reason only of his having subscribed that of a candidate who has died or withdrawn before delivery of the first mentioned paper.

#### *Consent to Nomination.*

5. A person shall not be validly nominated unless his consent to nomination, given in writing on or within one month before the day fixed as the last day for the delivery of nomination papers, and attested by one witness, is delivered at the place and within the time for the delivery of nomination papers:

Provided that if the returning officer is satisfied that owing to the absence of a person from the United Kingdom it has not been reasonably practicable for his consent in writing to be given as aforesaid, a telegram consenting to his nomination and purporting to have been sent by him shall be deemed, for the purpose of this paragraph, to be consent in writing given by him on the day on which it purports to have been sent, and attestation of his consent shall not be required.

#### *Deposit.*

6.—(1) A person shall not be validly nominated unless the sum of one hundred and fifty pounds is deposited by him or on his behalf with the returning officer at the place and during the time for delivery of nomination papers.

(2) The deposit may be made either by the deposit of any legal tender, or by means of a banker's draft, or with the consent of the returning officer in any other manner :

3RD SCH.  
—cont.

Provided that the returning officer may refuse to accept a deposit sought to be made by means of a banker's draft if he does not know that the drawer carries on business as a banker in the United Kingdom.

*Place for Delivery of Nomination Papers.*

7.—(1) The returning officer shall fix the place at which nomination papers are to be delivered to him, and shall attend there during the time for the delivery thereof and for the making of objections thereto.

(2) The place shall be in the constituency or in the registration area (if any) which includes the constituency or, unless the constituency is a borough constituency, in a borough adjoining the constituency or registration area.

*Right to Attend Nomination.*

8.—(1) Except for the purpose of delivering a nomination paper or of assisting the returning officer, no person shall be entitled to attend the proceedings during the time for delivery of nomination papers or making objections thereto unless he is a person standing nominated as a candidate or is the election agent, proposer or seconder of such a person :

Provided that where a candidate acts as his own election agent, he may name one other person who shall be entitled to attend in place of his election agent.

(2) Where a person stands nominated by more than one nomination paper, only the persons subscribing, as proposer and seconder, such one of them as he may select or, in default of any such selection, that one of them which is first delivered, shall be entitled to attend as his proposer and seconder.

(3) The right to attend conferred by this paragraph shall include the right to inspect, and to object to the validity of, any nomination paper.

*Decisions as to the Validity of Nomination Papers.*

9.—(1) Where a nomination paper and the candidate's consent thereto is delivered and a deposit is made in accordance with this Act, the candidate shall be deemed to stand nominated unless and until the returning officer decides that the nomination paper is invalid, or proof is given to the satisfaction of the returning officer of the candidate's death, or the candidate withdraws.

(2) The returning officer shall be entitled to hold a nomination paper invalid only on one of the following grounds, that is to say,—

- (a) that the particulars of the candidate or the persons subscribing the paper are not as required by law ; and
- (b) that the paper is not subscribed as so required.

(3) The returning officer shall give his decision on any objection to a nomination paper as soon as practicable after it is made.

(4) Where he decides that a nomination paper is invalid, he shall endorse and sign on the paper the fact and the reasons for his decision.

3RD SCH.  
—cont.

(5) The decision of the returning officer that a nomination paper is valid shall be final and shall not be questioned in any proceeding whatsoever.

(6) Subject to the last foregoing sub-paragraph, nothing in this paragraph shall prevent the validity of a nomination being questioned on a petition questioning the election or return.

*Withdrawal of Candidates.*

10.—(1) A candidate may withdraw his candidature by notice of withdrawal signed by him and attested by one witness and delivered to the returning officer at the place and during the time for delivery of nomination papers.

(2) In the case of a candidate who is outside the United Kingdom, a notice of withdrawal signed by his proposer and accompanied by a written declaration also so signed of the candidate's absence from the United Kingdom shall be of the same effect as a notice of withdrawal signed by the candidate :

Provided that where the candidate stands nominated by more than one nomination paper a notice of withdrawal under this sub-paragraph shall be effective if, but only if,—

- (a) it and the accompanying declaration are signed by all the proposers except any who is, and is stated in the said declaration to be, outside the United Kingdom ; or
- (b) it is accompanied, in addition to the said declaration, by a written statement signed by the candidate that the proposer giving the notice is authorised to do so on the candidate's behalf during his absence from the United Kingdom.

*Publication of Nominations.*

11.—(1) The returning officer shall prepare and publish a statement showing the persons who have been and stand nominated and any other persons who have been nominated, with the reason why they no longer stand nominated.

(2) The statement shall show the names, addresses and descriptions of the persons nominated as given in their nomination papers, together with the names of the persons subscribing those papers.

(3) The statement shall show the persons standing nominated arranged alphabetically in the order of their surnames, and, if there are two or more of them with the same surname, of their other names.

(4) In the case of a person nominated by more than one nomination paper, the returning officer shall take the particulars required by the foregoing sub-paragraphs from such one of the papers as the candidate or the returning officer in default of the candidate may select, but if the election is contested a candidate standing nominated may require the returning officer to include in the statement the names of the persons subscribing a second and third nomination paper.

*Declaration of Result of Uncontested Election.*

12. If the statement of persons nominated shows only one person standing nominated, the statement shall also declare that person elected, and the returning officer shall forthwith return his name to the Clerk of the Crown in Chancery.



*Proceedings preliminary to Poll if Election Contested.*3RD SCH.  
—cont.

13. If the statement of persons nominated shows more than one person standing nominated, then—

- (a) a poll shall be taken in accordance with the Ballot Act, 1872 ;
- (b) the statement shall include a notice of the poll, stating the day on which and hours during which the poll will be taken ;
- (c) the persons shown in the statement as standing nominated, and no others, shall be entitled to have their names inserted in the ballot papers ;
- (d) the order of the names in the statement and the particulars therein of the candidates shall be the order of the names and the particulars of the candidates inserted in the ballot papers ;
- (e) the statement may be combined with the notice as to polling stations and mode of voting which is required by rule 19 of the First Schedule to the Ballot Act, 1872.

14.—(1) If a poll is to be taken in a county constituency, the returning officer shall, on publication of the statement of persons nominated and notice of the poll, deliver to the postmaster of the principal post office where the place for the delivery of nomination papers is situated a paper signed by himself, giving the names of the candidates standing nominated, as the names will appear in the ballot paper, and the day and hours of the poll.

(2) The postmaster shall forward the information contained in the paper by telegraph, free of charge, to all postal telegraph offices situated in the constituency, and the information shall be published forthwith at each office in the manner in which post office notices are usually published.

*Absent voters list, list of proxies, etc.*

15.—(1) If a poll is to be taken, the registration officer shall as soon as practicable prepare the following special lists for the purposes of the election, namely,—

- (a) a list (in this Act referred to as " the absent voters list ") giving the name and number on the register of every person entitled to vote at the election as an absent voter ;
- (b) a list (in this Act referred to as " the list of proxies ") giving—
  - (i) the names and numbers on the register of the electors for whom proxies have been appointed, (omitting any of those electors who are registered as service voters and entitled to vote by post) ; and
  - (ii) the names and addresses of the persons appointed ;
- (c) a list of any persons entitled to vote by post as proxy at the election.

(2) The duty of the returning officer under Rule 20 of the First Schedule to the Ballot Act, 1872, to provide each polling station with copies of the register of electors or such part thereof as contains the names of the electors allotted to vote at the station shall include a duty to provide the corresponding parts of any special lists prepared for the election.

3RD SCH.  
—cont.

*Issue of Official Poll Cards.*

16.—(1) If a poll is to be taken, the returning officer shall as soon as practicable send to electors and their proxies an official poll card:

Provided that an official poll card need not be sent to any person as an elector if he is placed on the absent voters list for the election, or to any person as a proxy if his application to vote as such by post is allowed for the election.

(2) An elector's official poll card shall be sent or delivered to his qualifying address, a proxy's to his address as shown in the list of proxies.

(3) The official poll card shall be in the prescribed form and shall set out—

- (a) the name of the constituency ;
- (b) the elector's name, qualifying address and number on the register ;
- (c) the date and hours of the poll and the situation of the elector's polling station.

*Issue and receipt of postal ballot papers.*

17.—(1) If a poll is to be taken, the returning officer shall as soon as practicable send to those entitled to vote by post, at the addresses furnished by them for the purpose, a ballot paper and a declaration of identity in the prescribed form, together with an envelope for their return.

(2) Before the returning officer proceeds to count the votes he shall count such of the said ballot papers as have been duly returned and record the number counted, and the papers counted under this provision shall be included with the ballot papers of those voting in person when they are mixed before the count as required by Rule 34 of the First Schedule to the Ballot Act, 1872.

(3) A ballot paper sent to a person for the purpose of voting by post shall not be deemed to be duly returned, unless it is returned in the proper envelope so as to reach the returning officer before the close of the poll and is accompanied by the declaration of identity duly signed and authenticated.

*Supplemental.*

18. In the foregoing provisions of this Part of this Schedule—

the expression "elector" means a person who is registered as a parliamentary elector in the constituency in the register to be used at the election or who, pending the publication of that register, appears from the electors lists therefor as corrected by the registration officer to be entitled to be so registered ;

the expression "electoral number" means a person's number in the said register or, pending the publication of the register, his number (if any) in the electors lists therefor.

## PART III.

## THE POLL.

*Official mark.*3RD SCH.  
—cont

1.—(1) The official mark stamped on a ballot paper shall be either embossed or perforated.

(2) The form of directions for the guidance of voters which, under the Second Schedule to the Ballot Act, 1872, are to be placarded outside polling stations and in the compartments of polling stations shall include a direction in the following terms :—

“ The voter should see that the ballot paper, before it is handed to him is stamped with the official mark ”.

*Form of ballot paper.*

2.—(1) So far as practicable, the following arrangements shall be observed in the printing of the ballot papers :—

- (a) no words shall be printed on the face except the particulars of the candidates ;
- (b) no rule shall be printed on the face except the horizontal rules separating the particulars of the candidates from one another and the vertical rules separating those particulars from the numbers on the left hand side and the spaces on the right where the vote is to be marked ;
- (c) the whole space between the top and bottom of the paper shall be equally divided between the candidates by the rules separating their particulars.

(2) The surname of each candidate shall in all cases be printed by itself in large capitals, and his full particulars shall be set out below it and shall be printed in ordinary type except that small capitals shall be used—

- (a) if his surname is the same as another candidate's, for his other names ; and
- (b) if his other names are also the same as the other candidate's, either for his description or for his residence unless each of them is the same as that of another candidate with the same surname and other names.

*Right to attend at polling station.*

3. The persons entitled to be present in the polling station under Rule 21 of the First Schedule to the Ballot Act, 1872, shall include the election agents of the candidates, but a candidate attending at a polling station and an election agent attending by virtue of this paragraph shall make the same declaration of secrecy in the presence of a justice of the peace or the returning officer as a candidate's polling agent.

*Cases in which ballot paper may be refused.*

4.—(1) No person shall be admitted to vote in person elsewhere than at his own polling station under the provisions of this Act relating to constables and persons employed by the returning officer, except on production and surrender of a certificate as to his employment, which shall be in the prescribed form and signed by the prescribed officer of police or by the returning officer, as the case may be.

3RD SCH.  
—cont.

(2) Any certificate surrendered under this paragraph shall forthwith be cancelled and thereafter dealt with in the same way as the counter-foils to ballot papers are directed by law to be dealt with.

5.—(1) The presiding officer may, and if required by a candidate or his election or polling agent shall, put to any person applying for a ballot paper at the time of his application, but not afterwards, the following questions, or either of them, that is to say—

(a) in the case of a person applying as an elector—

(i) are you the person registered in the register of parliamentary electors for this election as follows [*read the whole entry from the register*] ?

(ii) have you already voted, here or elsewhere, at this bye-election [general election], otherwise than as proxy for some other person ?

(b) in the case of a person applying as proxy—

(i) are you the person whose name appears as A.B. in the list of proxies for this election as entitled to vote as proxy on behalf of C.D. ?

(ii) have you already voted here or elsewhere at this bye-election [general election] as proxy on behalf of C.D. ?

(2) In the case of a person applying as proxy, the presiding officer may, and if required as aforesaid shall, put the following additional question :—

“ Are you the husband [wife], parent, grandparent, brother [sister], child or grandchild of C.D. ? ”

and if that question is not answered in the affirmative the following question :—

“ Have you at this election already voted in this constituency on behalf of two persons of whom you are not the husband [wife], parent, grandparent, brother [sister], child or grandchild ? ”

(3) A ballot paper shall not be delivered to any person required to answer the above questions or any of them unless he has answered the questions or question satisfactorily.

(4) Save as by this paragraph authorised, no inquiry shall be permitted as to the right of any person to vote, and no person applying for a ballot paper shall be required to take or make any oath or affirmation.

*Challenge of elector or proxy at polling station.*

6.—(1) Sections eighty-six to ninety of the Parliamentary Voters Registration Act, 1843, and sections ninety-three to ninety-seven of the Representation of the People (Ireland) Act, 1850 (which make provision for the challenge of electors suspected of personation and matters connected therewith), shall cease to have effect.

(2) If at the time a person applies for a ballot paper for the purpose of voting in person (whether as elector or as proxy), or after he has applied for a ballot paper for that purpose and before he has left the polling station, a candidate or his election or polling agent declares to the presiding officer that he has reasonable cause to believe that the applicant has committed an offence of personation, and undertakes to substantiate the charge in a court of law, the presiding officer may order a police officer to arrest the applicant, and the order of the presiding officer shall be sufficient authority for the police officer so to do.

(3) A person against whom a declaration is made under this paragraph shall not, by reason thereof, be prevented from voting.

(4) A person arrested under the provisions of this paragraph shall be dealt with as a person taken into custody by a police officer for an offence without a warrant.

*Abolition of declaration of inability to read.*

7. So much of Rule 26 of the First Schedule to the Ballot Act, 1872, as requires a person who is unable to read to make a declaration of his inability before a ballot paper can be marked in the manner directed by him shall cease to have effect, and in that rule for the words "who makes such a declaration as hereinafter mentioned that he is unable to read" there shall be substituted the words "who declares orally that he is unable to read".

*Sealed packets of register and counterfoils.*

8. Notwithstanding anything in the Ballot Act, 1872, the marked copies of the register of electors and the counterfoils of the used ballot papers shall be sealed up in separate packets after the close of the poll, and not in the same packet.

*Adaptations, in relation to voting by proxy, of Ballot Act, 1872.*

9.—(1) Part I of the Ballot Act, 1872, and Part I of the First Schedule and the Second Schedule to that Act shall be modified in accordance with the following provisions of this paragraph.

(2) The word "voter", except in the phrase "register of voters", shall mean a person voting whether as an elector or as proxy for an elector, and the word "vote" (whether noun or verb) shall be construed accordingly:

Provided that, in rules 15, 16, 20, 41 and 43 of the First Schedule and in the phrase "entitled to vote" where used in rule 26A thereof to describe the qualification of the companion of a blind voter, the word "vote" shall refer only to voting as an elector, but shall include voting otherwise than in person, and accordingly in the form of declaration to be made by the companion of a blind voter after the words "entitled to vote" there shall be inserted the words "as an elector".

(3) In the said rule 20 for the word "voters" where it last occurs there shall be substituted the word "electors" and in section nine and in rules 19, 21 and 25 of the First Schedule and in the first place where the word occurs in rule 24 thereof for the word "elector" there shall be substituted the word "voter".

(4) In section four after the word "elector" there shall be inserted the words "or proxy for an elector", and when that section is read as required by the said Second Schedule to a person making a declaration of secrecy it shall be read with the words hereby inserted.

(5) Any reference to a voter's number on the register shall, in relation to a person voting as proxy for an elector, be taken as a reference to the elector's number on the register.

3RD SCH.  
—cont.

(6) Rule 24 of the First Schedule shall, in the case of a person applying for a ballot paper as proxy, be taken to require a mark to be placed against his name in the list of proxies as well as against the number of the elector in the register, and the marked copies of the list of proxies shall after the close of the poll be sealed up in the same packet as the marked copies of the register.

(7) In rule 27 of the First Schedule for the words " If a person, representing himself to be a particular elector named on the register, applies for a ballot paper after another person has voted as such elector " there shall be substituted the following words :—

" If a person, representing himself to be—

(a) a particular elector named on the register and not named in the absent voters list ; or

(b) a particular person named in the list of proxies as proxy for an elector and not named in the list of persons entitled to vote by post as proxy ;

applies for a ballot paper after another person has voted in person either as the elector or as his proxy "

#### PART IV.

#### THE COUNT.

##### *Right to attend.*

1.—(1) A candidate's wife or husband and a candidate's election agent may be present at the counting of the votes, notwithstanding anything in rule 33 of the First Schedule to the Ballot Act, 1872.

(2) The following persons attending the counting of the votes, that is to say—

(a) any candidate ;

(b) any person attending by virtue of sub-paragraph (1) of this paragraph ;

(c) any person permitted by the returning officer to attend though not entitled to do so ;

shall make the same declaration of secrecy in the presence of a justice of the peace or of the returning officer as a candidate's counting agent :

Provided that a declaration required by this sub-paragraph need not be made before the opening of the poll, but shall be made before the person in question is permitted to attend the counting.

##### *Appointment of and facilities for counting agents.*

2.—(1) The counting agents to attend on behalf of a candidate at the counting of the votes may be appointed, and notice of the appointment given to the returning officer, by the candidate's election agent, instead of by the candidate.

(2) Notwithstanding anything in the First Schedule to the Ballot Act, 1872, the returning officer may limit the number of counting agents who may attend on behalf of the candidates, so, however, that the number of those who may attend shall be the same in the case of each candidate and the number allowed to a candidate shall not (except in special circumstances) be less than the number obtained by dividing the number of clerks employed on the counting by the number of candidates.

(3) The counting agents attending on behalf of the candidates shall be given by the returning officer all such reasonable facilities for overseeing the proceedings, and all such information with respect thereto, as he can give them consistently with the orderly conduct of the proceedings and the discharge of his duties in connection therewith.

(4) In particular, where the votes are counted by sorting the ballot papers according to the candidate for whom the vote is given and then counting the number of ballot papers for each candidate, the counting agents shall be entitled to satisfy themselves that the ballot papers are sorted rightly.

3RD SCH.  
—cont.

#### *Adjournments.*

3.—(1) So far as practicable, the counting of the votes shall (unless otherwise agreed) proceed continuously by night as by day, allowing only time for refreshment, and accordingly in rule 35 of the First Schedule to the Ballot Act, 1872 (which excludes the hours between seven o'clock at night and nine o'clock on the succeeding morning, except so far as the returning officer and the candidates' agents otherwise agree), for the words "except so far as he and the agents otherwise agree" there shall be substituted the words "in so far as he and the agents agree."

(2) For the purposes of the said rule 35 the agreement of a candidate or his election agent shall be as effective as the agreement of his counting agents.

#### *Re-counts.*

4.—(1) A candidate or his election agent may, if present when the counting or any re-count of the votes is completed, require the returning officer to have the votes re-counted or again re-counted but the returning officer may refuse to do so if in his opinion the request is unreasonable.

(2) No step shall be taken on the completion of the counting or any re-count of the votes until the candidates and election agents present at the completion thereof have been given a reasonable opportunity to exercise the right conferred by this paragraph.

#### *Rejection of ballot papers.*

5. A ballot paper on which the vote is marked—

- (a) elsewhere than in the proper place; or
- (b) otherwise than by means of a cross; or
- (c) by more than one mark;

shall not by reason thereof be rejected if an intention that the vote shall be for one or other of the candidates clearly appears, and the way the paper is marked does not of itself identify the voter and it is not shown that he can be identified thereby.

### PART V.

#### SPECIAL CASES, AND COMPUTATION OF TIME.

##### *Telegraphic information of writ.*

1.—(1) Official telegraphic information of the writ having been issued for a parliamentary election may be given in such cases and by such persons as may be directed by His Majesty in Council.

(2) Any steps for holding an election which may be taken on or after the receipt of the writ may be taken on or after the receipt of an official telegraphic intimation of the writ having been issued.

3RD SCH.  
—cont.

*Death of candidate.*

2.—(1) If a poll is to be taken in a constituency, and after publication of the statement of persons nominated and before the poll is commenced proof is given to the satisfaction of the returning officer of the death of one of the persons shown as standing nominated, the returning officer shall countermand notice of the poll, and all proceedings with reference to the election shall be commenced afresh in all respects as if the writ had been received on the day on which proof was given to the returning officer of the death :

Provided that no fresh nomination shall be necessary in the case of a person shown in the statement as standing nominated.

(2) Where by reason of the death of a candidate proceedings at an election are commenced afresh under this paragraph, then in the case of a general election, as in the case of a bye-election, the time for delivery of nomination papers and the time for polling shall be determined in accordance with the third column in Part I of this Schedule (with the modification required by the foregoing sub-paragraph of any reference to the date on which the writ is received).

*Adjournment in case of riot.*

3. Where the proceedings for or in connection with nomination are on any day interrupted or obstructed by riot or open violence, the proceedings shall be abandoned for that day, and if that day is the last day for the delivery of nomination papers, the proceedings shall be continued on the next day as if that were the last day for the delivery thereof, and that day shall be treated for the purposes of this Schedule as being the said last day (subject however to any further application of this paragraph in the event of interruption or obstruction on that day) :

Provided that where proceedings are abandoned by virtue of this paragraph—

- (a) nothing may be done after they are continued, if the time for doing it had passed at the time of the abandonment, nor shall anything done before the abandonment be invalidated by reason thereof ;
- (b) subject to the foregoing sub-paragraph, if the day on which the proceedings are continued is a Saturday and is (or is to be treated as) the said last day, the proviso to the entry in Part I of this Schedule relating to the making of objections shall not apply.

4.—(1) Where the proceedings at any polling station are interrupted or obstructed by riot or open violence, the presiding officer shall adjourn the proceedings till the following day and, if he is not the returning officer, shall forthwith give notice to the returning officer.

(2) Where the poll is adjourned at any polling station,—

- (a) the hours of polling on the day to which it is adjourned shall be those laid down by Part I of this Schedule for the original day ; and
- (b) references in any enactment to the close of the poll shall be construed accordingly.



*Computation of time.*3RD SCH.  
—cont.

5.—(1) In computing any period of time for the purposes of this Schedule or of the First Schedule to the Ballot Act, 1872, a Sunday, Christmas Day, Good Friday, bank holiday or day appointed for public thanksgiving or mourning shall be disregarded, and any such day shall not be treated as a day for the purpose of any proceedings mentioned in Part I or II of this Schedule nor shall the returning officer be obliged to proceed with the counting of the votes thereon.

(2) In this paragraph the expression "bank holiday" means—

- (a) in relation to a general election, a day which is a bank holiday under the Bank Holidays Act, 1871, in any part of the United Kingdom; and
- (b) in relation to a bye-election, a day which is a bank holiday under the said Act in that part of the United Kingdom in which the constituency in question is situated:

Provided that at a general election paragraph (b) and not paragraph (a) of this sub-paragraph shall apply—

- (i) in relation to any proceedings commenced afresh by reason of the death of a candidate; and
- (ii) in relation to any proceedings extending, by reason of riot or open violence, beyond the time laid down by Part I of this Schedule.

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**FOURTH SCHEDULE.**

Section 28.

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**AMENDMENTS OF LOCAL ELECTIONS RULES.**
**PART I.****ADAPTATIONS TO VOTING BY POST AND BY PROXY.***Absent voters list, list of proxies, etc.*

1.—(1) At every contested election, the registration officer shall as soon as practicable prepare the following special lists for the purposes of the election, namely,—

- (a) a list (in this Act referred to as "the absent voters list") giving the name and number on the register of every person entitled to vote at the election as an absent voter;
- (b) a list (in this Act referred to as "the list of proxies") giving—
  - (i) the names and numbers on the register of the electors for whom proxies have been appointed; and
  - (ii) the names and addresses of the persons appointed;
- (c) a list of any persons entitled to vote by post as proxy at the election.

(2) The duty of the returning officer or mayor under paragraph 7 of Part III of the local elections rules to provide each polling station with copies of the register of electors or such part thereof as contains the names of the electors allotted to vote at the station shall include a duty to provide the corresponding parts of any special lists prepared for the election.

4TH SCH.  
—cont.

*Issue and receipt of ballot papers for voting by post.*

2.—(1) At every contested election, the returning officer or mayor shall as soon as practicable send to those entitled to vote by post, at the addresses furnished by them for the purpose, a ballot paper and a declaration of identity in the prescribed form, together with an envelope for their return.

(2) Before the returning officer proceeds to count the votes he shall count such of the said ballot papers as have been duly returned and record the number counted, and the papers counted under this provision shall be included with the ballot papers of those voting in person when they are mixed before the count as required by paragraph 31 of Part III of the local elections rules.

(3) A ballot paper sent to a person for the purpose of voting by post shall not be deemed to be duly returned, unless it is returned in the proper envelope so as to reach the returning officer before the close of the poll and is accompanied by the declaration of identity duly signed and authenticated.

(4) Nothing in sub-paragraph (1) of the foregoing paragraph or in this paragraph shall require or authorise any steps to be taken on a Sunday, Christmas Day, Good Friday, Bank Holiday or day appointed for public thanksgiving or mourning, or in Scotland on a public holiday.

*Adaptations in relation to persons voting as proxy.*

3.—(1) Subject to the following provisions of this paragraph, in Parts III and IV of the local elections rules—

- (a) the word “voter” shall be substituted for the word “elector”, wherever it occurs except in the phrases “register of electors” and “register of local government electors”; and
  - (b) the word “voter” shall mean a person voting whether as an elector or as proxy for an elector, and the word “vote” (whether noun or verb) shall be construed accordingly.
- (2) Notwithstanding anything in the foregoing sub-paragraph—
- (a) in sub-paragraph (a) of paragraph 7 of the said Part III and in the last place in sub-paragraph (e) of that paragraph, the word “electors” shall remain and shall be taken as meaning electors entitled to vote in person or by proxy, and the word “vote” shall be construed accordingly in those sub-paragraphs;
  - (b) in sub-paragraphs (a) to (d) of paragraph 18 of the said Part III the word “elector” shall remain but a mark shall be placed against the name of the proxy in the list of proxies as well as against the number of the elector in the register, and the marked copies of the list of proxies shall after the close of the poll be sealed up in the same packet as the marked copies of the register;
  - (c) in any other provision a reference to a voter’s number on the register of electors shall, in relation to a person voting as proxy for an elector, be taken as a reference to the elector’s number on the register:

4TH SCH.  
—cont.

(d) in sub-paragraph (3) of paragraph 21 of the said Part III, and in the said Part IV in the form of declaration to be made by the companion of a blind voter after the words "entitled to vote" there shall be inserted the words "as an elector";

(e) in paragraph 23 of the said Part III, for the words "If a person, representing himself to be a particular elector named on the register, applies for a ballot paper after another person has voted as such elector," there shall be substituted the following words—

"If a person, representing himself to be—

(a) a particular elector named on the register and not named in the absent voters list; or

(b) a particular person named in the list of proxies as proxy for an elector and not named in the list of persons entitled to vote by post as proxy;

applies for a ballot paper after another person has voted in person either as the elector or as his proxy";

(f) in sub-paragraph (4) of paragraph 41 of the said Part III, the word "elector" shall remain, and the word "vote" shall refer only to voting as an elector but shall include voting otherwise than in person;

(g) in paragraph 54 of the said Part III, the word "elector" shall remain in the first place where it is there used and the words "or proxy for an elector" shall be inserted after it in that place.

(3) In the said Part IV in the form of declaration of secrecy for the words "read by me" there shall be substituted the words "read to me", and when the provisions referred to in that form are read to a person making a declaration of secrecy they shall be read as amended by this paragraph.

4.—(1) In paragraph 16 of the said Part III, at the end of the second of the questions which may be asked of a person applying for a ballot paper, there shall in the case of a person applying as an elector be added the words "otherwise than as proxy for some other person".

(2) In the case of a person applying for a ballot paper as proxy there shall be substituted for the questions set out in the said paragraph 16 the following questions, that is to say—

(a) are you the person whose name appears as A.B. in the list of proxies for this election as entitled to vote as proxy on behalf of C.D.?

(b) have you already voted here or elsewhere at the present election as proxy on behalf of C.D.?

and any reference to the questions set out in that paragraph shall be construed accordingly.

#### *Infringement of secrecy.*

5. Every person attending the proceedings in connection with the issue or the receipt of ballot papers for persons voting by post at local

4TH SCH.  
—cont.

government elections shall maintain and aid in maintaining the secrecy of the voting and shall not—

- (a) except for some purpose authorised by law communicate, before the poll is closed, to any person any information obtained at those proceedings as to the official mark; nor
- (b) except for some purpose authorised by law, communicate to any person at any time any information obtained at those proceedings as to the number on the back of the ballot paper sent to any person; nor
- (c) except for some purpose authorised by law, attempt to ascertain at the proceedings in connection with the receipt of the ballot papers the number on the back of any ballot paper; nor
- (d) attempt to ascertain at the proceedings in connection with the receipt of the ballot papers the candidate for whom any vote is given in any particular ballot paper or communicate any information with respect thereto obtained at those proceedings;

and any person who acts in contravention of this paragraph shall be liable on summary conviction to imprisonment for a term not exceeding six months.

#### *Supplementary*

6. Where the expression "returning officer or mayor," is used in this Schedule, the reference to the mayor shall apply, and shall only apply, in the case of an election of borough councillors under the Local Government Act, 1933, and in the case of any such election paragraph 10 of Part I of the Second Schedule to that Act (which provides for the case where there is no mayor or the mayor is unable to act) shall apply for the purpose of this Schedule as it applies for the purpose of that Schedule.

### PART II.

#### AMENDMENTS TO SECURE CONFORMITY WITH RULES AS TO PARLIAMENTARY ELECTIONS.

##### *Nomination and matters connected therewith.*

1.—(1) In the list of a candidate's names in a nomination paper, his surname shall be placed first.

(2) The description of a candidate in his nomination paper shall not refer to his political activities, and need not refer to his rank, profession or calling so long as, with the other particulars of the candidate, it is sufficient to identify him.

(3) If the description is unduly long, the returning officer or mayor after consultation (if possible) with the candidate or his election agent, proposer or seconder, may shorten it or substitute another.

(4) Where a nomination paper bears the signatures of more than the required number of persons as proposing, seconding or assenting to the nomination of a candidate, the signature or signatures (up to the required number) appearing first on the paper in each category shall be taken into account to the exclusion of any others in that category.

(5) In determining whether a person's signature on a nomination paper is inoperative on the ground that he has signed more papers than is allowed, a paper previously signed by him shall be disregarded if the candidate thereby nominated has died or withdrawn before delivery of the first mentioned paper.

(6) The returning officer or mayor shall not in England or Wales be entitled to hold a nomination paper invalid except on one of the following grounds, that is to say—

- (a) that the particulars of the candidate or the persons subscribing the paper are not as required by law; and
- (b) that the paper is not subscribed as so required;

or, where a nomination paper and the candidate's consent is delivered in accordance with paragraphs 3 and 4 of Part I of the local elections rules, be entitled to hold the nomination invalid except on the ground of the invalidity of the nomination paper.

(7) The statement of persons nominated shall show all persons who have been nominated, including those who have withdrawn or died, and in the case of those not remaining nominated shall give the reason why they do not remain nominated.

(8) The said statement shall show the persons standing nominated arranged alphabetically in the order of their surnames, and if there are two or more of them with the same surname, of their other names, and shall take the particulars of all persons nominated from their nomination papers or, in the case of a person nominated by more than one nomination paper, from such one of the papers as the candidate or the returning officer or mayor in default of the candidate may select.

(9) In the case of a candidate nominated by more than one nomination paper, the paper selected under the last foregoing sub-paragraph shall be deemed to be his nomination paper for the purpose of any reference in Part III of the local elections rules.

#### *Withdrawal of Candidates.*

2. In the case of a candidate who is outside the United Kingdom, a notice of withdrawal signed by his proposer and accompanied by a written declaration also so signed of the candidate's absence from the United Kingdom shall be of the same effect for the purpose of paragraph 7 of Part I of the local elections rules as a notice of withdrawal signed by the candidate:

Provided that where the candidate stands nominated by more than one nomination paper a notice of withdrawal under this paragraph shall be effective if, but only if,—

- (a) it and the accompanying declaration are signed by all the proposers except any who is, and is stated in the said declaration to be, outside the United Kingdom; or
- (b) it is accompanied, in addition to the said declaration, by a written statement signed by the candidate that the proposer giving the notice is authorised to do so on the candidate's behalf during his absence from the United Kingdom.

4TH SCH.  
—*cont.*

*Notice of poll.*

3.—(1) The order of the names of the candidates, and the particulars of the candidates, in the notice of poll shall be the same as in the statement as to the persons nominated.

(2) The notice of poll shall give the names of all persons signing a candidate's nomination paper, and not only those of the proposer and seconder, and in the case of a candidate nominated by more than one nomination paper, the candidate may require the returning officer or mayor to include in the notice the names of the persons signing a second and third nomination paper.

*Death of candidate.*

4. If before the commencement of the poll proof is given to the satisfaction of the returning officer that a candidate shown in the statement as to the persons nominated as remaining nominated had in fact died before the latest time for delivery of nomination papers, the returning officer shall countermand the poll and the local elections Act shall apply as if the candidate had died after the latest time for delivery of nomination papers.

*Form of directions for the guidance of voters.*

5. The directions for the guidance of voters which are to be exhibited outside every polling station and in the compartments of polling stations shall include a direction in the following terms—

“ The voter should see that the ballot paper, before it is handed to him, is stamped with the official mark.”

*Form of ballot paper.*

6. So far as practicable, the same arrangements shall be observed in the printing of the ballot papers as in the case of a parliamentary election.

*Proceedings at polling station.*

7.—(1) In paragraph 16 of Part III of the local elections rules for England and Wales (which enables two electors to require the questions there set out to be put to an applicant for a ballot paper) the reference to two electors shall cease to have effect.

(2) So much of paragraph 17 of Part III of the local elections rules as requires the words “ protested against for personation ” to be placed in the register where an elector is challenged by a polling agent shall cease to have effect, and any reference in the said paragraph 17 to a polling agent shall include a reference to a candidate or his election agent.

(3) So much of paragraph 20 of Part III of the local elections rules as requires a person who is unable to read to make a declaration of his inability before a ballot paper can be marked in the manner directed by him shall cease to have effect, and in that paragraph for the words “ makes a declaration ” there shall be substituted the words “ declares orally ”.

(4) No person shall be admitted to vote in person elsewhere than at his own polling station under the provisions of this Act relating to constables and persons employed by the returning officer or mayor,

except on production and surrender of a certificate as to his employment, which shall be in the prescribed form and signed by the prescribed officer of police or by the returning officer or mayor, as the case may be; and any certificate surrendered under this paragraph shall forthwith be cancelled and thereafter dealt with in the same way as the counterfoils to ballot papers are directed by law to be dealt with.

4TH SCH.  
—cont.

(5) Notwithstanding anything in the local elections rules, the marked copies of the register of electors and the counterfoils of the used ballot papers shall be sealed up in separate packets after the close of the poll, and not in the same packet.

*The count.*

8.—(1) In paragraph 33 of Part III of the local elections rules for England and Wales (which excludes from the time during which the counting of the votes is to proceed the hours between eight o'clock in the evening and nine o'clock on the succeeding morning, except so far as the returning officer with the concurrence of the counting agents, if any, otherwise determines), the word "except" and the word "otherwise" where it first occurs shall be omitted; and accordingly, so far as practicable, the counting of the votes under those rules shall (unless otherwise determined) proceed continuously by night as by day, allowing only time for refreshment.

(2) For the purposes of the said paragraph 33, the concurrence of a candidate or his election agent shall be as effective as that of his counting agents:

Provided that where at an election in a metropolitan borough counting agents have been appointed to attend on behalf of more than one candidate jointly, the concurrence of those agents shall be required unless each of those candidates or his election agent concurs.

(3) A candidate or his election agent may, if present when the counting or any re-count of the votes is completed, require the returning officer to have the votes re-counted or again re-counted, but the returning officer may refuse to do so if in his opinion the request is unreasonable.

(4) No steps shall be taken on the completion of the counting or any re-count of the votes until the candidates and election agents present at the completion thereof have been given a reasonable opportunity to exercise the right conferred by the last foregoing subparagraph.

(5) The provisions of section two hundred and ninety-five of the local elections Act and, in England and Wales, paragraph 12 of Part I of the local elections rules (which provide for excluding Sundays and other days therein mentioned) shall not apply in relation to the counting of the votes and the other proceedings of the returning officer after the close of the poll or to things done by other persons in the course of those proceedings, but the returning officer shall not be obliged to proceed with the counting on any day to which those provisions apply.

4TH SCH.  
—cont.

*Rejection of ballot papers.*

9. A ballot paper on which a vote is marked—  
 (a) elsewhere than in the proper place; or  
 (b) otherwise than by means of a cross; or  
 (c) by more than one mark;

shall not by reason thereof be rejected (either wholly or as respects that vote), if an intention that the vote shall be for one or other of the candidates clearly appears, and the way the paper is marked does not of itself identify the voter and it is not shown that he can be identified thereby.

*Right to attend at polling station and counting of votes.*

10.—(1) A candidate's election agent shall have the same right to attend at a polling station or at the counting of the votes as the candidate, and a candidate's wife or husband shall also have the right to attend at the counting of the votes.

(2) Any candidate attending at a polling station or the counting of the votes, and any person so attending by virtue of this paragraph, and any person permitted by the returning officer to attend at the counting of the votes though not entitled to do so, shall be subject to paragraph 54 of Part III of the local elections rules in the same way as a candidate's polling agent or counting agent, but a declaration of secrecy required to be made by a candidate attending the counting or, by virtue of this paragraph, by any other person so attending need not be made before the opening of the poll, but shall be made before the person in question is permitted to attend the counting.

(3) Where the relevant sub-paragraphs of the said paragraph 54 are read to a person making a declaration of secrecy by virtue of this paragraph they shall be read with such modifications as are necessary to show how they apply to that person.

(4) An election agent attending at a polling station shall have the same right as the candidate to require the presiding officer to put the questions permitted by law to a person applying for a ballot paper.

11.—(1) The counting agents to attend on behalf of a candidate at the counting of the votes may be appointed, and notice of the appointment given to the returning officer, by the candidate's election agent, instead of by the candidate.

(2) Notwithstanding anything in the local elections rules, the returning officer may (except at an election in a metropolitan borough) limit the number of counting agents who may attend on behalf of the candidates, so, however, that the number of those who may attend shall be the same in the case of each candidate and the number allowed to a candidate shall not (except in special circumstances) be less than the number obtained by dividing by the number of candidates the number of persons appointed to assist the returning officer.

(3) In the case of an election for a metropolitan borough, sub-paragraph (1) of this paragraph shall apply to joint, as well as to



separate, appointments and sub-paragraph (4) of paragraph 28 of Part II of the Second Schedule to the London Government Act, 1939, shall be construed accordingly.

4TH SCH.  
—cont.

(4) The counting agents attending on behalf of the candidates shall be given by the returning officer all such reasonable facilities for overseeing the proceedings, and all such information with respect thereto, as he can give them consistently with the orderly conduct of the proceedings and the discharge of his duties in connection therewith.

(5) In particular, where the votes are counted by sorting the ballot papers according to the candidate for whom the vote is given and then counting the number of ballot papers for each candidate, the counting agents shall be entitled to satisfy themselves that the ballot papers are sorted rightly.

*Application to Scotland.*

12. This Part of this Schedule shall, in its application to Scotland, have effect as if—

- (a) in sub-paragraph (3) of paragraph 1 and sub-paragraph (2) of paragraph 3, for the expression "mayor" there were substituted the expression "town clerk";
- (b) for references to the proposer and to the seconder of a candidate there were respectively substituted references to the proposer whose name appears first and to the proposer whose name appears second on a nomination paper in respect of the candidate; and
- (c) sub-paragraphs (7), (8) and (9) of paragraph 1, sub-paragraph (1) of paragraph 3 and paragraph 4 were omitted.

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FIFTH SCHEDULE.

Section 35.

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SUPPLEMENTAL PROVISIONS AS TO USE FOR ELECTION MEETINGS OF ROOMS IN SCHOOL PREMISES AND OF MEETING ROOMS.

1.—(1) Any arrangements for the use of a room in school premises shall be made with the local education authority maintaining the school.

(2) Any question as to the rooms in school premises which a candidate in any constituency is entitled to use, or as to the times at which he is entitled to use them, or as to the notice which is reasonable, shall be determined by the Minister of Education.

2.—(1) Every local education authority shall prepare for their area lists of the rooms in school premises which candidates in any constituency are entitled to use.

5TH SCH.  
—cont.

(2) The list shall include the rooms in premises outside, as well as those in premises in, the constituency.

(3) The list shall be revised from time to time as occasion may require.

3.—(1) With the exception of the London County Council, every county, county borough and metropolitan borough council shall prepare for their area lists of the meeting rooms which candidates in any constituency are entitled to use.

(2) The list shall indicate the person to whom applications for the use of the room are to be made in each case.

(3) The list shall be revised from time to time as occasion may require.

(4) The list shall not include any room if the person maintaining it disputes the right of candidates in the constituency to use it.

4. The lists of rooms in school premises and of meeting rooms prepared for each constituency shall be kept by the registration officer, and those lists and particulars of any change made on a revision thereof shall (where necessary) be forwarded to him accordingly.

5. In the event of a dissolution, or of a vacancy occurring in the seat for the constituency, any person stating himself to be, or to be authorised by, a candidate or his election agent shall be entitled at all reasonable hours to inspect the said lists or a copy thereof.

6. In the application of this Schedule to Scotland—

(a) for the reference in paragraph 1 to the Minister of Education there shall be substituted a reference to the Secretary of State, and for any reference to a local education authority there shall be substituted a reference to an education authority;

(b) sub-paragraph (1) of paragraph 2, sub-paragraph (1) of paragraph 3 and paragraph 4 shall not apply and it shall be the duty of the town clerk of each burgh being a county of a city and of the county clerk of each county (after consultation with the clerks of the town and district councils of the burghs and districts in the county) to prepare and keep for each constituency wholly situated in the burgh or county and for each part so situated of any other constituency—

(a) a list of rooms in school premises; and

(b) a list of meeting rooms;

which candidates in the constituency are entitled to use.

## SIXTH SCHEDULE.

Section 57.

EFFECT OF CHANGE OF DATE OF LOCAL GOVERNMENT ELECTIONS IN  
ENGLAND AND WALES.*County Councils.*

1.—(1) In the year nineteen hundred and forty-nine and every subsequent year of election—

(a) the ordinary day of retirement of county councillors shall be the fourth day after the day of election, and the newly elected councillors shall come into office on the said fourth day; and

(b) the date of the annual meeting shall be the eighth day after the day of retirement, or such other day within twenty-one days after the day of retirement as the county council may fix.

(2) So much of paragraph 1 of Part I of the Third Schedule to the Local Government Act, 1933, as directs the three meetings required to be held in addition to the annual meeting by a county council (other than the London County Council) to be held before the eighth day of March next following shall cease to have effect.

*Borough Councils.*

2.—(1) The ordinary elections of borough councillors, and retirement of borough councillors, due (apart from this Act) to take place in November in the year nineteen hundred and forty-eight and subsequent years shall in each case be postponed so as to take place on the day provided by this Act in the following year:

Provided that in the case of metropolitan boroughs the postponement shall, except in the first instance, be to the next following year which is not a year of election of county councillors, and the ordinary election and retirement of metropolitan borough councillors shall accordingly take place in the year nineteen hundred and forty-nine, the year nineteen hundred and fifty-three and every third year after the year nineteen hundred and fifty-three.

(2) In the year nineteen hundred and forty-nine and subsequent years—

(a) the ordinary retirement of borough councillors shall take place on the fourth day after the day of election, and the newly elected councillors shall come into office on the said fourth day; and

(b) the date of the annual meeting shall be the eleventh day after the day of election of borough councillors, or such other day within the following seven days as the borough council may fix.

For the purpose of determining the date for the annual meeting of a metropolitan borough council in a year which is not a year of election, the reference in this sub-paragraph to the day of election shall be taken as a reference to the day of election in that year in boroughs other than metropolitan boroughs.

6TH SCH.  
—*cont.*

(3) The ordinary election of a mayor due to take place at the annual meeting in the year nineteen hundred and forty-eight, and the ordinary election and retirement of aldermen of a borough due to take place at that meeting, shall be postponed till the annual meeting in the following year and the first mentioned meeting shall be treated as not being an annual meeting for the purpose of determining the date of retirement of any deputy mayor of a metropolitan borough.

(4) So much of paragraph 1 of Part II of the Third Schedule to the Local Government Act, 1933, as directs the three meetings required to be held in addition to the annual meeting by a borough council (other than a metropolitan borough council) to be held before the first day of November next following shall cease to have effect; and for the purposes of that requirement the period between the annual meetings mentioned in the last foregoing sub-paragraph shall be treated as a year but so that only one meeting shall be required during that period instead of three.

(5) In a borough having a sheriff, the appointment of a sheriff due to take place at the annual meeting in the year nineteen hundred and forty-eight shall be postponed till the annual meeting in the following year and subsequent appointments shall, notwithstanding anything in section one hundred and seventy of the Municipal Corporations Act, 1882, be made at the annual meeting; and in relation to sheriffs going out of office at the annual meeting in that or any subsequent year the interval between two consecutive annual meetings shall be deemed to be a year for the purposes of section five of the Sheriffs Act, 1887 (which provides that the same person shall not be appointed twice in three years if he has served a full year).

#### *District and Parish Councils.*

3. As respects the year nineteen hundred and forty-nine and subsequent years, the twentieth day of May shall be substituted for the fifteenth day of April in sections thirty-five and fifty of, and Parts III and IV of the Third Schedule to, the Local Government Act, 1933 (which relate among other things to the day of retirement of district and parish councillors and the date of the annual meeting of district and parish councils).

#### *Casual vacancies.*

4.—(1) In subsection (3) of section sixty-seven of the local elections Act (which provides that a casual vacancy in the office of councillor is not to be filled by an election under that section if it occurs within six months before the ordinary day of retirement) for the reference to the ordinary day of retirement there shall be substituted a reference to the ninth day of May or, in the case of a county councillor, April in the year in which the councillor whose office is vacant would regularly have retired.

(2) If at the passing of this Act there is a vacancy in the office of a borough councillor who would (apart from this Act) regularly have retired in November, nineteen hundred and forty-eight, it shall be filled under the said section of the local elections Act as if it had occurred on the date of the passing of this Act.

*General.*6TH SCH  
— cont.

5. The provisions of this Schedule shall have effect notwithstanding any provision of the local elections Act fixing or referring to the term of office of a member of a local authority as one year, three years or six years, or to the retirement of any such members in the third year or at the end of three years, and where inconsistencies arise in the local elections Act by virtue of this Schedule between any such reference and words referring to the day or year of election or retirement of councillors or the date of the annual meeting or any other matter affected by the operation of this Schedule, those words shall prevail.

6.—(1) Where it appears to the Secretary of State that by reason of special circumstances affecting any local authority the provisions of this Schedule are, in relation to that authority or some part of the members thereof, inapplicable or inadequate without some addition or modification, he may by order make such provision as appears to him to accord with the principles of this Schedule and to be necessary or expedient in consequence of the change effected by this Act in the date of the ordinary election of councillors.

(2) Any order under this paragraph shall have effect notwithstanding anything in any enactment (including this Act) or anything in any instrument made by virtue of any such enactment.

## SEVENTH SCHEDULE.

Section 65.

CONSEQUENTIAL AND MINOR AMENDMENTS AS TO LOCAL GOVERNMENT  
IN SCOTLAND.

The Licensing (Scotland) Act, 1903.

(3 Edw. 7. c. 25.)

*Section.*

Section 5 (as amended by the Local Government (Scotland) Act, 1947, s. 365).

*Amendment.*

In subsection (1) for the words "the Local Government (Scotland) Act, 1947," there shall be substituted the words "Part V of the Representation of the People Act, 1948,"; for the word "forty-eight" wherever occurring there shall be substituted the word "forty-nine" and after paragraph (e) there shall be inserted the following paragraph:—

"(f) The foregoing provisions of this section shall apply to the court of appeal for a burgh being a county of a city with the substitution respectively for references to meetings of the county council and to elections of county councillors of references to meetings of the town council and to elections of town councillors."

71H SCH.  
—cont.

<i>Section.</i>	<i>Amendment.</i>
Section 6 ...	For the word "April" in both places where it occurs there shall be substituted the word "March".
Section 17 ...	For the word "April" there shall be substituted the word "March".
Section 40 ...	For the word "April" there shall be substituted the word "March".
The Temperance (Scotland) Act, 1913. (3 & 4 Geo. 5. c. 33.)	
Section 3 ...	For the word "April" in both places where it occurs there shall be substituted the word "March".
The Licensing Act, 1921. (11 & 12 Geo. 5. c. 42.)	
Section 21 ...	In subsection (1), in paragraph (a) for the word "April" there shall be substituted the word "March".
The Licensing (Permitted Hours) Act, 1934. (24 & 25 Geo. 5. c. 26.)	
Section 2 ...	In subsection (1) for the word "April" there shall be substituted the word "March".
The Local Government (Scotland) Act, 1947. (10 & 11 Geo. 6. c. 43.)	
Section 4 ...	In subsection (1) for the word "November" there shall be substituted the word "May"; in subsection (2) paragraph (a) shall be omitted.
Section 5 ...	For the word "November" in both places where it occurs there shall be substituted the word "May"; and for the word "forty-eight" there shall be substituted the word "forty-nine".
Section 12 ...	The words "Subject to the provisions of this Act relating to fishing burghs" shall be omitted; and for the word "November" there shall be substituted the word "May".
Section 14 ...	In subsection (2) for the word "November" there shall be substituted the word "May".
Section 17 ...	In subsection (2) for the word "November" there shall be substituted the word "May".
Section 18 ...	For the word "November" there shall be substituted the word "May".
Section 28 ...	In subsection (2) for the word "November" there shall be substituted the word "May".
Section 30 ...	In subsection (2) for the word "November" there shall be substituted the word "May".
Section 31 ...	In subsection (2) for the word "November" there shall be substituted the word "May".
Section 40 ...	In subsection (2) for the word "November" where first occurring there shall be substituted the word "May" and paragraph (i) of the proviso shall be omitted.

<i>Section.</i>	<i>Amendment.</i>
Section 41	... For the word " November " in both places where it occurs there shall be substituted the word " May "; and for the word " forty-eight " there shall be substituted the word " forty-nine ".
Section 47	... In subsection (2) for the word " November " there shall be substituted the word " May ".
Schedule 2	... For the words " October " and " November " wherever they occur there shall be respectively substituted the words " April " and " May ".
Schedule 3	... For the words " November " and " December " wherever they occur there shall be respectively substituted the words " May " and " June ".

7TH SCH.  
—cont.

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### EIGHTH SCHEDULE.

Section 67.

#### PROVISIONS WHICH MAY BE CONTAINED IN REGULATIONS AS TO REGISTRATION, ETC.

1. Provisions authorising a registration officer (other than a registration officer in Scotland) to require the clerk of the authority of any county borough, metropolitan borough or county district wholly or partly within the area for which he acts (or an officer designated for the purpose by the council of any such borough or district) to perform on his behalf all or any of his registration duties, so far as they relate to the preparation and publication of the electors lists, and to give information required for the purpose of his registration duties.

2. Provisions authorising a registration officer to require any householder or person owning or occupying any land or premises within the area for which he acts, or the agent or factor of any such person, to give information required for the purpose of his registration duties.

3. Provisions laying down a timetable for the preparation of the register and other matters, and providing that notices and other documents received by the registration officer out of time may be or shall be disregarded either altogether or for the purposes of a particular register or election.

4. Provisions as to the manner in which service declarations, and applications and notices from service voters, are to be transmitted to the registration officer.

5.—(1) Provisions as to the evidence which shall or may be required, or be deemed sufficient or conclusive evidence, of a person's service declaration having ceased to be in force.

(2) Provisions as to the evidence of age or nationality which may be required in connection with a person's registration otherwise than as a service voter or with his appointment as a proxy, and provisions—

(a) enabling any person to obtain for the purpose of the regulations a birth certificate on payment of a fee not exceeding sixpence;

8TH SCH.  
—cont.

- (b) exempting statutory declarations made for that purpose from stamp duty, and requiring any fee payable in connection with the making of any such declaration to be paid by the registration officer.
- (3) Provisions as to the evidence which shall or may be required, or be deemed sufficient or conclusive evidence, in connection with a person's application to be treated as an absent voter, of his being subject to any physical incapacity and as to its probable duration or of the fact that he is acting as returning officer at any election or of his employment as a constable or by a returning officer, mayor or person acting as mayor and the circumstances of that employment.
6. Provisions as to the cases in which a claim or objection may be determined by the registration officer without a hearing, and as to a person's right in any such cases to make written representations to him.
7. Provisions authorising a registration officer to require any person's evidence at a hearing before him to be given on oath and to administer oaths for the purpose.
8. Provisions as to marking the register so as to distinguish those registered as service voters and others having special rights as to the place or manner of voting at any election.
9. Provisions requiring copies of the electors lists, register and other documents or prescribed parts thereof to be available for inspection by the public at such places as may be prescribed.
10. Provisions authorising or requiring the registration officer to supply to such persons as may be prescribed copies of the electors lists, register and other documents or prescribed parts thereof, whether free of charge or on payment of a prescribed fee.
11. Provisions as to the proceedings in connection with the issue and receipt of ballot papers for voting by post (including provisions as to the persons who are to be entitled or may be allowed to attend and the rights and obligations of persons attending), and provisions as to the steps to be taken to ensure the secrecy of the voting and the safe custody (before and after the count) of the ballot papers returned and other documents.
- 12.—(1) Provisions imposing pecuniary penalties (not exceeding one hundred pounds for any offence) on persons summarily convicted—
- (a) of having failed to comply with, or given false information in pursuance of, any such requisition of the registration officer as is mentioned in paragraph 2 of this Schedule;
  - (b) of having, without lawful authority, destroyed, mutilated, defaced or removed any notice published by the registration officer in connection with his registration duties, or any copies of a document which have been made available for inspection in pursuance of those duties.
- (2) Any other provisions incidental or supplementary to those mentioned in the foregoing paragraphs of this Schedule.
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NINTH SCHEDULE.

Section 74.

FORMS.

PART I.

Form of Writ for Parliamentary Elections.

\*George the Sixth, by the Grace of God, of Great Britain, Ireland and the British Dominions beyond the Seas King, Defender of the Faith, to the Returning Officer for the Constituency, Greeting:
\*The name of the sovereign may be altered when necessary.

†Whereas by the advice of Our Council We have ordered a Parliament to be holden at Westminster on the day of next, We command you that, due notice being first given, you do cause election to be made according to law of a Member to serve in Parliament for the said Constituency [†in the place of ] and that you do cause the name of such Member when so elected, whether he be present or absent, to be certified to Us, in Our Chancery, without delay.
†This preamble to be omitted except in case of a general election.
†Except in a general election insert here in the place of A.B., deceased or otherwise, stating the cause of vacancy.

Witness Ourselves at Westminster, the day of in the Year of Our Reign, and in the Year of Our Lord 19

Label or direction of writ.

To the Returning Officer for the Constituency. A Writ of a new Election of a Member for the said Constituency.

Endorsement.

Received the within Writ on the day of , 19 (Signed) Returning Officer [or as the case may be,]

Certificate endorsed on writ.

I hereby certify, that the Member elected for the constituency in pursuance of the within written Writ is of in the County of Con-

(Signed) Returning Officer [or as the case may be,]

PART II.

Form of declarations as to expenses.

Election in the.....constituency. Date of publication of notice of election..... Name of candidate.....

9TH SCH.  
—cont.

I solemnly and sincerely declare as follows:—

1. I am the person named above as a candidate at this election [and was my own election agent] or was at this election the election agent of the person named above as a candidate.

2. I have examined the return of election expenses [about to be] transmitted by my election agent [by me] to the returning officer, of which a copy is now shown to me and marked \_\_\_\_\_, and to the best of my knowledge and belief it is a complete and correct return as required by law.

3. To the best of my knowledge and belief, all expenses shown in the return as paid were paid by my election agent [by me], except as otherwise stated in relation to my [the candidate's] personal expenses.

4. I understand that the law does not allow any election expenses not mentioned in this return to be defrayed except in pursuance of a court order.

*Signature of declarant*.....

Signed and declared by the above named declarant on the \_\_\_\_\_ day of \_\_\_\_\_, before me,

(Signed) .....

Justice of the Peace for.....

(NOTE.—Where there has been a change of election agent, suitable variations may be introduced into the declaration as to expenses.)

Section 74.

## TENTH SCHEDULE.

## ADAPTATION AND INTERPRETATION OF ENACTMENTS, ETC.

## PART I.

## GENERAL PROVISIONS FOR ADAPTATION AND INTERPRETATION OF LAW.

*Matters arising out of redistribution.*

1.—(1) The constituencies for the time being established by this Act and any Order in Council under the House of Commons (Redistribution of Seats) Act, 1944, shall take the place of parliamentary counties and boroughs, and writs for parliamentary elections shall, notwithstanding anything in this Act, continue to be sealed and issued in accordance with the rules applying at the passing of this Act in the case of elections in parliamentary counties and boroughs.

(2) Subject to the following sub-paragraph—

(a) any reference in any Act passed before this Act to parliamentary counties and boroughs shall be construed as a reference to constituencies;

- (b) references in any Act passed before this Act to a parliamentary county shall be construed as references to a county constituency, and those to a parliamentary borough as references to a borough constituency, and references to a county election or a borough election shall be construed accordingly;
- (c) for the purposes of this paragraph and of any Act passed after this Act, the expression "constituency" shall mean an area having separate representation in the House of Commons;
- (d) references in any Act passed before this Act to a district of boroughs or to a district borough shall cease to have effect except in relation to Scotland and shall, in relation to Scotland, (subject to any such Order in Council as aforesaid) be taken as referring to the following constituencies, namely, Dunfermline burghs, Kirkcaldy burghs and Stirling and Falkirk burghs.

10TH SCH  
—cont

(3) Any reference in any Act passed before this Act to the authority having power to divide a county or a borough into polling districts or to appoint polling places for a county or a borough for the purposes of parliamentary elections shall, where the context is such as to show that the last foregoing sub-paragraph ought not to apply, be taken as a reference to the county council or the borough council, as the case may be.

*Register, electors, etc.*

2. Any reference in any Act (whenever passed) to the register of parliamentary and local government electors, or to the register of parliamentary electors, or to the register of local government electors, or to the electors lists for any such register, shall be taken as a reference to the register kept under this Act, or to that register so far as it relates to parliamentary electors, or to that register so far as it relates to local government electors, or to the electors lists therefor, as the case may be, and references in any Act to a parliamentary or local government elector shall be construed accordingly; and local government electors registered under this Act shall for all purposes, whether statutory or not, be in the same position as local government electors registered under the Representation of the People Act, 1918.

3. Except in any reference to the register, references in any Act passed before this Act, so far as it relates to elections at which voting by proxy is provided for by this Act, to an elector or voter, or to voting, shall be taken as including an elector's proxy under this Act and to voting by or as proxy, and references to the exercise of an elector's franchise shall be construed accordingly:

Provided that—

- (a) any provision of the local elections Act regulating the number of votes which a person may give at an election shall be taken as referring to the number he may give as an elector or as proxy for any one elector; and

10TH SCH.  
—cont.

- (b) this paragraph shall not have effect so as to qualify a proxy to hold any office, or to subscribe a nomination paper, or to present an election petition or a petition for the appointment of election commissioners.

*Registration and Returning Officers, and Registration Expenses.*

4.—(1) Any reference in any Act (whenever passed) to the registration officer for the registration of parliamentary or local government electors, or to the returning officer for a parliamentary election or constituency, shall be taken as a reference to the registration officer or returning officer appointed under this Act.

(2) Any reference in any Act passed before this Act to a person temporarily appointed under the Representation of the People Act, 1918, to act in place of a registration officer in case of incapacity or a vacancy shall be taken as a reference to the person authorised under this Act so to act.

5.—(1) Any reference in any Act (whenever passed) to registration expenses in connection with the registration of parliamentary or local government electors shall (subject to the following sub-paragraph) be taken as a reference to registration expenses under this Act, and where, by an Act passed before this Act, any expenses are directed to be paid in the same way as such registration expenses, the authority paying them shall be entitled to the like contribution (if any) from any other local authority, and any such contribution shall be paid in the like manner, as if they were registration expenses.

(2) Where by any Act passed before this Act any expenses are directed to be paid in the same way as registration expenses, there shall be substituted in relation to Northern Ireland a direction that they shall be paid by the council of any county or county borough in which the constituency in question is wholly or partly situated and, where more than one council is concerned, shall be paid by them in such proportion as the Secretary of State may direct; and any expenses payable by virtue of this sub-paragraph—

- (a) by a county council shall be paid out of the poor rate as a county at large charge;
- (b) by the council of a county borough shall be paid out of the rate or fund out of which the general expenses of the council are paid.

*Forms.*

6. Any form laid down by any Act passed before this Act for any document shall be adapted in such manner as is necessary to give effect to the provisions of this Act.

*Day and place of election.*

7. Any reference in any Act passed before this Act to the day of election or to the place of election at a parliamentary election shall be taken as referring to the last day, or to the place, for the delivery of nomination papers, as the case may be.

*Supplementary.*10TH SCH.  
—cont.

8.—(1) The foregoing provisions of this Schedule shall apply to a reference to any of the matters mentioned therein, whatever the terms used in that reference, and to a reference to any other matter which was to be construed as a reference to any of the said matters by virtue of an enactment repealed by this Act; but those provisions—

- (a) shall have effect subject to any specific provision contained in this Act and in particular to Part II of this Schedule; and
- (b) so far as they relate to Acts passed after this Act, shall not apply where the context otherwise requires; and
- (c) so far as they relate to Acts not so passed, may be excluded, in whole or in part, by an order of the Secretary of State in any particular case where they appear to him to be inappropriate.

(2) Nothing in the foregoing provisions of this Schedule or in any other provision of this Act shall affect the qualification of any person for any office held by that person immediately before the coming into force of the first register prepared under this Act, so as to vacate or to require that person to vacate the office.

## PART II.

## SPECIFIC ADAPTATIONS.

*Elections.*

1.—(1) In the following provisions of the Ballot Act, 1872, that is to say, sections eight, ten and eleven, and Rules 39, 42, 46, 47 and 50 of the First Schedule, any reference to that Act, and in Rule 59 of the said First Schedule any reference to that Schedule, shall be construed as including a reference to this Act so far as it relates to parliamentary elections.

(2) In subsection (2) of section twenty-five of the parliamentary corrupt practices Act, and in section twenty-three and subsection (2) of section thirty-four of the corrupt practices Act, any reference to that Act shall include a reference to Part III of this Act.

(3) In England and Wales, in section two hundred and ninety-five of the local elections Act (which relates to the computation of time for the purposes of that Act) any reference to that Act shall be construed as including a reference to Part IV of this Act.

2.—(1) In subsection (2) of section twenty-six of the corrupt practices Act, for the reference to any court having jurisdiction in the county or borough in which the election agent's office is situate, there shall be substituted a reference to any court having jurisdiction at the place where that office is situate.

(2) In section twenty-eight of the Parliamentary Elections Act, 1868 (which relates to the reception of the judge trying an election petition and is applied by subsection (4) of section thirty-eight of the parliamentary corrupt practices Act) for the words from "by the mayor" to the words "in which the borough is situate" there shall be substituted the words—

"(a) if the registration officer is town clerk of a borough, by the mayor of that borough; and

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—cont'.

(b) if not, by the sheriff of the county which is or includes the area of the authority whose clerk is registration officer ”.

(3) In subsection (6) of section twenty-seven of the Parliament (Elections and Meeting) Act, 1943 (which relates to the conveyance of writs for parliamentary elections) for the words “ City of London ” where they first occur there shall be substituted the words “ a constituency where the sheriffs of the City of London or either of them are or is returning officer ”.

(4) A notice given (whether before or after the passing of this Act) for the purposes of the proviso to subsection (1) of the said section twenty-seven (which enables a sheriff, mayor or other officer who is returning officer to require the writ to be conveyed to the acting returning officer) shall have effect in relation to all constituencies of which the person giving it is or was returning officer at the time of giving it or of which he or a successor in office becomes returning officer by virtue of that office.

3. So much of section five of the local Act of the twelfth and thirteenth years of Queen Victoria, chapter ninety-four, as requires registration as a parliamentary elector as part of the qualification under that section for election to the common council of the City of London shall cease to have effect.

50 & 51 Vict.  
c. 55.

4. In the Sheriffs Act, 1887, the expression “ writ ” shall be taken as not including a writ for a parliamentary election.

32 & 33 Vict.  
c. 21.

5. Any advance made by the Treasury under section two of the Corrupt Practices Commission Expenses Act, 1869, and any other advance which is recoverable in the same way as an advance under that section, may be recovered by deduction from any sums payable under this Act to the authority liable for the expenses in respect of which the advance was made, or in any other manner, and sections three to six of the said Act and the Election Commissioners Expenses Act, 1871, shall cease to have effect.

34 & 35 Vict.  
c. 61.

6. Where the registration officer is the clerk of a county council and his salary was determined before the passing of this Act, any sums payable to him for his personal remuneration as registration officer in connection with the registration of electors under this Act shall be dealt with under subsection (2) of section ninety-nine of the Local Government Act, 1933 (which provides among other things that the clerk of a county council shall account to the county fund for all fees and costs payable to him except fees and costs excluded when his salary is determined), in the same way as, in his case, any sums payable for his personal remuneration in connection with the registration of electors under the Act of 1918 would be dealt with under the said subsection (2).

#### *Juries.*

7.—(1) No jurors book shall be prepared under the Elections and Jurors Act, 1945, for the year following that in which the first register of electors is prepared under this Act, or for any subsequent year.

(2) In relation to jurors books for the year following that in which the first register is prepared under this Act, and any subsequent year, the Juries Act, 1922, shall have effect with the following modifications—

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—cont.

- (a) the amendments made by any Order in Council under the Representation of the People (Economy Provisions) Act, 1926 (which provided for the modification of the said Act of 1922 in connection with the abolition of the spring register) shall not apply;
- (b) any reference to a registration area shall be deemed to include a constituency not forming part of a registration area, and any reference to registration units shall be taken as a reference to constituencies or parts of constituencies;
- (c) for any reference to the notice to be published by the registration officer under paragraph 6 of the First Schedule to the Representation of the People Act, 1918, there shall be substituted a reference to any notice required by regulations under this Act of the time and manner for making claims and objections in relation to the electors lists under this Act.

## ELEVENTH SCHEDULE.

### OBSOLETE ENACTMENTS.

Section 74.

Session and Chapter.	Title or Short Title.	Provision ceasing to have effect.
7 & 8 Will. 3. c. 7.	An Act to prevent false and double returns of members to serve in Parliament.	The provisions as to procuring returns in sections three and four.
32 Geo. 3. c. 63.	The Scottish Episcopalians Relief Act, 1792.	The provisions as to incapacity to vote at elections in sections seven and thirteen.
60 Geo. 3 & 1 Geo. 4. c. 11.	The Parliamentary Elections (Ireland) Act, 1820.	The provisions as to the attendance of constables at the poll and the expenses of the election in sections twenty-two and twenty-six.
1 & 2 Geo. 4. c. 58.	The Parliamentary Elections (Ireland) Act, 1821.	Section three (which relates to payments to the returning officer and other officers).
4 Geo. 4. c. 55.	The Parliamentary Elections (Ireland) Act, 1823.	The provisions as to the attendance of constables at the poll in sections sixty-three and sixty-six and the provisions as to procuring returns in section seventy-three.
16 & 17 Vict. c. 28.	The County Elections (Scotland) Act, 1853.	Section four (which relates to the provision of polling stations).

11TH SCH.  
—cont.

Session and Chapter.	Title or Short Title.	Provision ceasing to have effect.
16 & 17 Vict. c. 68.	The Parliamentary Elections Act, 1853.	Section six (which relates to the provision of polling stations).
17 & 18 Vict. c. 102.	The Corrupt Practices Prevention Act, 1854.	Section eight (which relates to the employment of special constables on polling day).
30 & 31 Vict. c. 102.	The Representation of the People Act, 1867.	Section thirty-seven (which relates to the provision of polling stations) and section forty-nine (which relates to the corrupt payment of rates by way of bribery).
31 & 32 Vict. c. 46.	The Boundary Act, 1868.	Sections eleven and twelve (which deal with the limits of coastal constituencies and the marking of boundaries).
31 & 32 Vict. c. 49.	The Representation of the People (Ireland) Act, 1868.	Section eight (which disqualifies for voting electors employed by a candidate) and section ten (which relates to the provision of polling stations).
35 & 36 Vict. c. 33.	The Ballot Act, 1872	Section fourteen (which relates to the use of municipal ballot boxes, &c., for parliamentary elections).
41 & 42 Vict. c. 26.	The Parliamentary and Municipal Registration Act, 1878.	Sections eleven and thirteen (which contain provisions as to furnishing and obtaining information).
48 & 49 Vict. c. 15.	The Registration Act, 1885.	Section sixteen (which contains provisions as to furnishing and obtaining information).
48 & 49 Vict. c. 17.	The Parliamentary Registration (Ireland) Act, 1885.	Section sixteen (which provides for information of deaths to be furnished to the registration officer).
54 & 55 Vict. c. 49.	The Returning Officers (Scotland) Act, 1891.	The provisions in section five as to the use at parliamentary elections of ballot boxes, fittings and compartments provided for other elections.
<i>Act of the Irish Parliament.</i>		
35 Geo. 3. c. 29.	An Act for regulating the election of members to serve in Parliament, and for repealing the several Acts therein mentioned.	The provisions as to procuring returns in section fourteen, and those of sections nineteen and twenty-three (which relate to treating and other matters dealt with by the parliamentary corrupt practices Act).



TWELFTH SCHEDULE.

Section 75.

REFERENCES IN CORRUPT PRACTICES ACT AND LOCAL ELECTIONS ACT.

PART I.

THE CORRUPT AND ILLEGAL PRACTICES ACTS, 1883 TO 1895, AND THE CORRESPONDING ACTS.

A : The parliamentary corrupt practices Act (the Corrupt and Illegal Practices Prevention Act, 1883).	A : The local corrupt practices Act.			
	<i>(In England and Wales).</i> The Municipal Elections (Corrupt and Illegal Practices) Act, 1884.	<i>(In Scotland).</i> The Elections (Scotland) (Corrupt and Illegal Practices) Act, 1890.		
Section 4 Section 6, and any subsection thereof.	Section 3 (1) The parliamentary provision as applied by section 2.	Section 4 (1) The parliamentary provision as applied by section 3.		
Section 7	Section 4	Section 8		
Section 9 (3)	Section 5, and subs. (4)	Section 9, and subs. (3)		
Section 10	Section 6 (3)	Section 10 (3)		
Section 16	Section 7	Section 11		
Section 17 and subs. (1)	Section 12	Section 16		
Section 18	Section 13 and subs. (1)	Section 17 and subs. (1)		
Section 21 (2)	Section 14	Section 18		
Section 22, and paras. (a) and (b)	Section 16	Section 20		
Section 23	Section 17 (2)	Section 21 (2)		
	Section 19, and paras. (a) and (b)	Section 23, and paras. (a) and (b)		
	Section 20	Section 24		
	<table border="0"> <tr> <td><i>Elections other than parish elections.</i></td> <td><i>Parish elections.</i></td> </tr> </table>	<i>Elections other than parish elections.</i>	<i>Parish elections.</i>	
<i>Elections other than parish elections.</i>	<i>Parish elections.</i>			
Section 24	The parliamentary provision as applied by this Act.	The parliamentary provision as applied by this Act.		
Section 26	ditto	ditto		
Section 29 (2) and (4)	ditto	ditto		
Section 29 (9)	ditto	ditto		
Section 34	ditto	ditto		
subs. (2)	ditto	ditto		
Section 35 (2)	ditto	ditto		
Section 38 (5)	The parliamentary provision as applied by section 23	Section 28 (2)		
Section 39 and subs. (1)	Section 24 and subs. (1)	Section 29 and subs. (1)		
Section 40	Section 25	Section 32		
Section 41 (1)	Subs. (1) and (2)	Subs. (1) (b) and (c)		
Section 43 (6)	Section 26 (1)	Section 38 (4)		
Section 45	Section 28 (6)	—		
	The parliamentary provision as applied by section 30.	The parliamentary provision as applied by section 49.		

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—cont.

B: The Corrupt and Illegal Practices Prevention Act, 1895.	B: The Municipal Elections (Corrupt and Illegal Practices) Act, 1911.	—
Section 3	Section I (3)	—
Section 4	Section I (4)	—

PART II.

THE LOCAL GOVERNMENT ACT, 1933, AND THE CORRESPONDING ACTS.

The Local Govern- ment Act, 1933.	The London Govern- ment Act, 1939.	The Local Govern- ment (Scotland) Act, 1947.
Section 67 (3)	Section 42 (3)	—
Section 70 (2)	Section 45 (2)	Section 61 (2)
Section 79	Section 53	Section 67 (1)
Section 81	Section 55	Section 68
Section 82	Section 56	Section 69
Section 115	Section 82	—
Section 116	Section 83	—
Section 295	Section 197	Section 366
Schedule II	Schedule II ( <i>The local elections rules.</i> )	Schedule II
Part I	Part I	Part I
para. 3	para. 3	—
para. 4	para. 4	—
para. 7	para. 7	para. 3
para. 12	para. 12	—
Part III	Part II	Part III
The references to paragraphs in these Parts are identical except:—		
para. 54	para. 54	para. 53
Part IV	Part III	Part V (beginning with Form F)

## THIRTEENTH SCHEDULE.

Section 80.

## REPEALS.

Session and Chapter.	Title or Short Title.	Extent of Repeal.
5 Ric. 2. Stat. 2. c. 4.	Everyone shall obey his summons to Parliament. Penalty on sheriffs omitting returns of writs to Parliament.	The words from "and if any sheriff" to the end of the chapter.
34 & 35 Hen. 8. c. 13.	An Acte for Knightes and Burgesses to have places in the Parliament for the Countie Palantyne and Citie of Chestre.	The whole Act.
7 & 8 Will. 3. c. 7.	An Act to prevent false and double returns of members to serve in Parliament.	The whole Act except section five, and in section five the words "and for the more easy and better proof of any such false or double return" and the words from "and that the party" to the end of the section.
7 & 8 Will. 3. c. 25.	An Act for the further regulating elections of members to serve in parliament, and for the preventing irregular proceedings of sheriffs, and other officers, in the electing and returning such members.	The whole Act except section seven, and in section seven the words from the beginning of the section to "any future parliament" where those words first occur.
7 Geo. 2. c. 16.	An Act for the better regulating the election of members to serve in the House of Commons for that Part of Great Britain called Scotland; and for incapacitating the Judges of the Court of Session, Court of Justiciary and Barons of the Court of Exchequer in Scotland to be elected or to sit or vote as Members of the House of Commons.	Section eight.

13TH SCH.  
—cont.

Session and Chapter.	Title or Short Title.	Extent of Repeal.
32 Geo. 3. c. 63.	The Scottish Episcopalians Relief Act, 1792.	Section seven, and section thirteen so far as relating to incapacity to vote. The whole Act.
60 Geo. 3 and 1 Geo. 4. c. 11.	The Parliamentary Elections (Ireland) Act, 1820.	The whole Act.
1 & 2 Geo. 4. c. 58.	The Parliamentary Elections (Ireland) Act, 1821.	The whole Act, except section seventy-four.
4 Geo. 4. c. 55.	The Parliamentary Elections (Ireland) Act, 1823.	In section eighteen, the words from "and no justice" to the end of the section.
10 Geo. 4. c. 44.	The Metropolitan Police Act, 1829.	The whole Act.
2 & 3 Will. 4. c. 45.	The Reform Act, 1832.	Section thirty-one; in section thirty-six the words "to vote or" where those words first occur, and section thirty-eight.
2 & 3 Will. 4. c. 65.	The Representation of the People (Scotland) Act, 1832.	The whole Act.
5 & 6 Will. 4. c. 36.	The Parliamentary Elections Act, 1835.	The whole Act.
5 & 6 Will. 4. c. 78.	The Representation of the People (Scotland) Act, 1835.	In section eighteen, the words from "and no inspector-general" to the end of the section.
6 & 7 Will. 4. c. 13.	The Constabulary (Ireland) Act, 1836.	Section nine.
2 & 3 Vict. c. 93.	The County Police Act, 1839.	Section eight.
2 & 3 Vict. c. xciv.	An Act for regulating the Police in the City of London.	The whole Act except sections eighty-five and ninety-three, and in section ninety-three the words "or members".
6 & 7 Vict. c. 18.	The Parliamentary Voters' Registration Act, 1843.	In section five the words from "and who" to the words "in respect to such premises".
12 & 13 Vict. c. xciv.	An Act to amend an Act passed in the eleventh year of the reign of King George the First for regulating elections within the City of London and for preserving the peace, good order and government of the said City.	The whole Act.
13 & 14 Vict. c. 68.	The Parliamentary Electors (Ireland) Act, 1850.	The whole Act, except section ninety-two.
13 & 14 Vict. c. 69.	The Representation of the People (Ireland) Act, 1850.	

Session and Chapter.	Title or Short Title.	Extent of Repeal.
15 & 16 Vict. c. 57.	The Election Commissioners Act, 1852.	In section one, the words " or members " in the second place where they occur.
16 & 17 Vict. c. 15.	The Parliamentary Elections (Polling) Act, 1853.	The whole Act.
16 & 17 Vict. c. 28.	The County Elections (Scotland) Act, 1853.	The whole Act.
16 & 17 Vict. c. 68.	The Parliamentary Elections Act, 1853.	The whole Act.
17 & 18 Vict. c. 102.	The Corrupt Practices Prevention Act, 1854.	Sections seven, eight and thirty-five, and in section thirty-eight the definitions of " county ", " city or borough ", " returning officer " and " revising barrister " and in the definitions of " election " and " voter " the words " or members ".
19 & 20 Vict. c. 2.	The Metropolitan Police Act, 1856.	In section nine, the words " or indirectly interfering therein ".
19 & 20 Vict. c. 69.	The County and Borough Police Act, 1856.	Section nine.
20 & 21 Vict. c. 72.	The Police (Scotland) Act, 1857.	Section seventeen.
23 & 24 Vict. c. 135.	The Metropolitan Police Act, 1860.	Section five.
25 & 26 Vict. c. 62.	The County Elections (Ireland) Act, 1862.	The whole Act.
30 & 31 Vict. c. 102.	The Representation of the People Act, 1867.	In section two, the words from " nor in anywise " to the end of the section, section thirty-seven, section forty-nine, section fifty-seven, and in section sixty-one, the definitions of " member ", " county " and " borough ", and in the definition of " election " the words " or members ".
31 & 32 Vict. c. 46.	The Boundary Act, 1868.	The whole Act.

13TH SCH.  
—cont.

Session and Chapter.	Title or Short Title.	Extent of Repeal.
31 & 32 Vict. c. 48.	The Representation of the People (Scotland) Act, 1868.	The whole Act, except sections one, two, twenty-three, twenty-eight, twenty-nine and thirty-one to thirty-five and Schedules E. and F.
31 & 32 Vict. c. 49.	The Representation of the People (Ireland) Act, 1868.	The whole Act except section thirteen.
31 & 32 Vict. c. 58.	The Parliamentary Electors Registration Act, 1868.	The whole Act.
31 & 32 Vict. c. 125.	The Parliamentary Elections Act, 1868.	In sections three and fifty-eight, the definitions of "county" and "borough", and in the definition in section three of "election" the words "or members"; and sections forty-four, forty-eight and forty-nine.
32 & 33 Vict. c. 21.	The Corrupt Practices Commission Expenses Act, 1869.	In section two the words "in manner hereinafter mentioned" and sections three to six.
34 & 35 Vict. c. 61.	The Election Commissioners Expenses Act, 1871.	The whole Act.
35 & 36 Vict. c. 33.	The Ballot Act, 1872.	Section one; in section two the words "candidates or" and the words from "Where an equality of votes" to the end of the section; section seven; in section ten the words "and administering the oath" and the words "and administered to"; in section eleven the words from the beginning to "one hundred pounds"; section thirteen; section fourteen; section twenty-four; section twenty-six; in section twenty-seven the words from "and shall apply" to the end of the section; section twenty-nine; section thirty-one; in the First Schedule, rules 1 to 14; rule 18; in rule 22 the words from "contain" to "it shall"; in rule 24 the words "either stamped or perforated"; in rule 26 the words from "the said declaration" where those words first occur to the end of the rule, in rule 27 the words "and taking the oath" and the words "of and to be

Session and Chapter.	Title or Short Title.	Extent of Repeal.
35 & 36 Vict. c. 33— <i>cont.</i>	The Ballot Act, 1872 — <i>cont.</i>	administered to voters", in rule 29 the words "and the declarations of inability to read", in rule 38 the words "declarations of inability to read"; rule 56; in rule 57 the definitions of "district borough" and of "polling place"; rules 60 and 61; in the Second Schedule the forms of writ (including the note) and declaration of inability to read, and in the directions as to printing the ballot paper the words from "The surname" to the last "and"; and the Third Schedule.
38 & 39 Vict. c. 84.	The Parliamentary Elections (Returning Officers) Act, 1875.	The whole Act.
41 & 42 Vict. c. 26.	The Parliamentary and Municipal Registration Act, 1878.	Sections eleven to thirteen.
41 & 42 Vict. c. 41.	The Parliamentary Elections Returning Officers' Expenses (Scotland) Act, 1878.	Sections four and five.
43 Vict. c. 18.	The Parliamentary Elections and Corrupt Practices Act, 1880.	The whole Act.
45 & 46 Vict. c. 50.	The Municipal Corporations Act, 1882.	In section seven, the definition of "parliamentary borough", section eighty-one, section eighty-five, and in section one hundred and seventy the words "on the ninth of November" in subsection (1) and the words "at the quarterly meeting of the council" in subsection (2).
46 & 47 Vict. c. 51.	The Corrupt and Illegal Practices Prevention Act, 1883.	In subsection (1) of section seven, paragraph (c); subsection (1) of section nine; in section sixteen the words "cockades, ribbons, or other marks of distinction"; in subsection (2) of section seventeen the words from "if he knew" to the end of the subsection; in section thirty-three, in subsection (5) the words "to any person who sues for the same"; subsections (2) to (8) of section thirty-nine; subsection (5) of section forty;

13TH SCH.  
—cont.

Session and Chapter.	Title or Short Title.	Extent of Repeal.
46 & 47 Vict. c. 51—cont.	The Corrupt and Illegal Practices Prevention Act, 1883.—cont.	in subsection (3) of section fifty-three the words "or action"; in subsection (1) of section fifty-eight the words from "and the Election Commissioners Expenses Act" to the end of the subsection; section sixty-one; subsection (2) of section sixty-three except the words "Provided that where a person has been declared to be a candidate by others without his consent, nothing in this Act shall be construed to impose any liability on such person unless he has afterwards given his assent to such declaration or has been nominated"; in section sixty-four, in the definition of "election" the words "or members"; in section sixty-eight the definition of "revising barrister" and paragraph (16); paragraphs (3) and (4) of section sixty-nine; the First Schedule except paragraph (2) of Part I; the Second Schedule except the form of return in Part I; and in the Third Schedule Part III except so far as relates to sections two and three of the Corrupt Practices Prevention Act, 1854.
47 & 48 Vict. c. 70.	The Municipal Elections (Corrupt and Illegal Practices) Act, 1884.	Paragraph (c) of subsection (1) of section four; subsection (1) of section six, so far as relates to elections of councillors; in section twelve the words "cockades, ribbons, or other marks of distinction"; in subsection (2) of section thirteen, the words from "if he knew" to the end of the subsection; in subsection (1) of section sixteen the word "either" and the words "or for holding a meeting"; section eighteen; in subsection (4) of section twenty-one the words "to any person who sues for the same"; in section twenty-four, the words



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—cont.

Session and Chapter.	Title or Short Title.	Extent of Repeal.
47 & 48 Vict. c. 70—cont.	The Municipal Elections (Corrupt and Illegal Practices) Act, 1884— <i>cont.</i>	“ in July ” in subsection (1) and subsections (2) to (9); in paragraph (a) of section thirty the words “ other than a corrupt practice ”; the second paragraph of section thirty-four, except as respects the City of London; section thirty-seven; Part I of the Third Schedule so far as it repeats the Representation of the People Act, 1867, s. 49 and the Ballot Act, 1872, s. 24; the Fourth Schedule.
48 & 49 Vict. c. 10.	The Election (Hours of Poll) Act, 1885.	The whole Act.
48 & 49 Vict. c. 15.	The Registration Act, 1885.	The whole Act.
48 & 49 Vict. c. 17.	The Parliamentary Registration (Ireland) Act, 1885.	The whole Act.
48 & 49 Vict. c. 23.	The Redistribution of Seats Act, 1885.	The whole Act.
50 & 51 Vict. c. 9.	The Police Disabilities Removal Act, 1887.	The whole Act.
50 & 51 Vict. c. 55.	The Sheriffs Act, 1887.	In section thirty-one the words “ and of the law relating to the election of members to serve in Parliament. ”
52 & 53 Vict. c. 63.	The Interpretation Act, 1889.	Paragraph (3) of section fifteen, and in paragraph (4) thereof the words from “ and ” onwards; and in paragraph (1) of section seventeen the words “ or members ” and paragraphs (2) and (3) of that section.
53 & 54 Vict. c. 55.	The Elections (Scotland) (Corrupt and Illegal Practices) Act, 1890.	Section five; section six; paragraph (c) of subsection (1) of section eight; in section sixteen the words “ cockades, ribbons, or other marks of distinction ”; in subsection (2) of section seventeen the words from “ if he knew ” to the end of the subsection; in subsection (1) of section twenty the word “ either ” and the words “ or for holding a meeting ”; section twenty-two; section twenty-five; subsections (2) to (6) of section twenty-nine; section fifty-one; the First Schedule except so far as relates to

13TH SCH.  
—cont.

Session and Chapter.	Title or Short Title.	Extent of Repeal.
53 & 54 Vict. c. 55—cont.	The Elections (Scotland) (Corrupt and Illegal Practices) Act, 1890—cont.	sections two and three of the Corrupt Practices Prevention Act, 1854, and sections one and two of the Corrupt and Illegal Practices Prevention Act, 1883.
54 & 55 Vict. c. 49.	The Returning Officers (Scotland) Act, 1891.	Section two from the words "but shall not" to the end of the section, and in section five the words from "of ballot boxes," to "elections and".
56 & 57 Vict. c. 6.	The Police Disabilities Removal Act, 1893.	The whole Act.
62 & 63 Vict. c. 14.	The London Government Act, 1899.	In subsection (1) of section eleven the words "list of voters and of".
7 Edw. 7. c. 51.	The Sheriff Courts (Scotland) Act, 1907.	In section twenty-one the words from "nor shall he be entitled" to "within his sheriffdom".
3 & 4 Geo. 5. c. 6.	The Extension of Polling Hours Act, 1913.	The whole Act.
7 & 8 Geo. 5. c. 64.	The Representation of the People Act, 1918.	The whole Act, except sections nineteen and forty-three in so far as they re-enact regulation 16 of section two of the Universities Elections Amendment (Scotland) Act, 1881, and subsection (3) of section twenty-one, and section forty-two and the Sixth Schedule so far as they relate to the Registration Amendment (Scotland) Act, 1885, or to subsection (1) of section twenty-nine of the Elections (Scotland) (Corrupt and Illegal Practices) Act, 1890.
7 & 8 Geo. 5. c. 65.	The Redistribution of Seats (Ireland) Act, 1918.	The whole Act.
8 & 9 Geo. 5. c. 50.	The Representation of the People (Amendment) Act, 1918.	The whole Act.
9 & 10 Geo. 5. c. 8.	The Representation of the People (Returning Officers' Expenses) Act, 1919.	The whole Act.
10 & 11 Geo. 5. c. 26.	The Sheriffs (Ireland) Act, 1920.	In subsection (1) of section two the words "(including his powers and duties as returning officer)".
10 & 11 Geo. 5. c. 35.	The Representation of the People (No. 2) Act, 1920.	The whole Act.

Session and Chapter.	Title or Short Title.	Extent of Repeal.
10 & 11 Geo. 5. c. 67.	The Government of Ireland Act, 1920.	Paragraph (a) of section nineteen; section seventy-one; Part II of the Fifth Schedule.
11 & 12 Geo. 5. c. 34.	The Representation of the People Act, 1921.	The whole Act.
12 & 13 Geo. 5. c. 12.	The Representation of the People Act, 1922.	The whole Act.
12 & 13 Geo. 5. c. 31.	The Universities (Scotland) Act, 1922.	In section two, the proviso.
12 & 13 Geo. 5. c. 41.	The Representation of the People (No. 2) Act, 1922.	The whole Act.
16 & 17 Geo. 5. c. 9.	The Economy (Miscellaneous Provisions) Act, 1926.	Part III and the Third Schedule.
18 & 19 Geo. 5. c. 12.	The Representation of the People (Equal Franchise) Act, 1928.	The whole Act.
18 & 19 Geo. 5. c. 25.	The Representation of the People (Reading University) Act, 1928.	The whole Act.
23 & 24 Geo. 5. c. 51.	The Local Government Act, 1933.	Section nine; subsection (3) of section twenty-three; in section forty in paragraph (b) of subsection (1) the words "the day of the poll and" and the words from "so" onwards; and in subsection (2) of that section the words "(other than the provisions referred to in section thirty-seven of that Act)"; section fifty-one; in section fifty-four in paragraph (b) of subsection (1) the words "the day of election and the day of the poll and" and the words from "so" onwards, and in subsection (2) of that section the words "(other than the provisions referred to in section thirty-seven of that Act)"; subsection (1) of section seventy; section seventy-nine; sections eighty-two and one hundred and fifty-four; in the Second Schedule, in Part II, columns one and two except the words "Proceeding" and "Time" in the headings and the first and last entries, and the whole of column three; in Part III, sub-paragraph (2)

13TH SCH.  
—cont.

Session and Chapter.	Title or Short Title.	Extent of Repeal.
23 & 24 Geo. 5. c. 51.—cont.	The Local Government Act, 1933—cont.	of paragraph 2; sub-paragraphs (1) and (3) of paragraph 14; in sub-paragraph (1) of paragraph 16 the words "by two local government electors or"; in sub-paragraph (2) of paragraph 17 the words from "but the presiding officer" to the end of the sub-paragraph; in paragraph (c) of sub-paragraph (1) of paragraph 20 the words from "in this" onwards; in sub-paragraph (1) of paragraph 22 the words "The declaration of inability to read and" and the words "applies for a ballot paper or" and "as the case may be"; in sub-paragraph (e) of paragraph 26 the words "and the declarations of inability to read"; in paragraph 33, the word "except" and the word "otherwise" where it first occurs; paragraph 37; in paragraph 40 the words "declarations of inability to read"; and in Part IV of the Second Schedule, Form D and in the directions as to printing the ballot paper the words from "The surname" to the last "and"; in the Third Schedule, in Part I, paragraph (a) of sub-paragraph (2) of paragraph 1 and in sub-paragraph (3) of that paragraph the words "before the eighth day of March next following"; in Part II, the words "on each ninth day of November" and the words "before the first day of November next following" in sub-paragraph (2) of paragraph 1; in Part VI, in paragraph 3 the words "and is not a candidate for election thereat" in sub-paragraph (1); and the words "or unable to take the chair at" in sub-paragraph (3), and sub-paragraph (2) of paragraph 4.

Session and Chapter.	Title or Short Title.	Extent of Repeal.
2 & 3 Geo. 6. c. 40.	The London Govern- ment Act, 1939.	Section ten; subsections (2) and (3) of section eleven; section twenty-four; subsection (1) of section forty-five; proviso (a) to subsection (1) of section forty-six; subsection (2) of section fifty; section fifty-three; section fifty-six; in the Second Schedule, in Part I, in paragraph 4 the words from "not later" in sub-paragraph (1) to the end of the paragraph; in sub-paragraph (5) of paragraph 5 the words from "Not" to "election"; in paragraph 7 the words from "not later" onwards; in Part II, sub-paragraph (2) of paragraph 3; sub-paragraphs (1) and (3) of paragraph 14; in sub-paragraph (1) of paragraph 16 the words "by two electors or"; in sub-paragraph (2) of paragraph 17 the words from "but the presiding officer" to the end of the sub-paragraph, in paragraph (c) of sub-paragraph (1) of paragraph 20, the words from "in this" onwards; in sub-paragraph (1) of paragraph 22 the words "The declaration of inability to read and", the word "respectively", the words "Form D and", and the words "applies for a ballot paper or" and "as the case may be"; in sub-paragraph (e) of paragraph 26 the words "and the declarations of inability to read"; in paragraph 33 the word "except", and the word "otherwise" where it first occurs; paragraph 37; in paragraph 40 the words "declarations of inability to read"; and in Part III of the Second Schedule, Form D and in the directions as to printing the ballot paper the words from "The surname" to the last

13TH SCH.  
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THE BILL

Section and Sub-section	Title or Short Title	Extent of Repeal
Section 3 Sub-section 1	The Local Government Act 1948	<p>of paragraph 2; sub-paragraphs (1) and (3) of paragraph 14; in sub-paragraph 1 of paragraph 16 the words "by two local government electors or"; in sub-paragraph (2) of paragraph 17 the words from "but the presiding officer" to the end of the sub-paragraph; in paragraph (c) of sub-paragraph (1) of paragraph 20 the words from "in this" onwards; in sub-paragraph (1) of paragraph 22 the words "The declaration of inability to read and" and the words "applies for a ballot paper or" and "the case may be"; in sub-paragraph (e) of paragraph 23 the words "and the declarations of inability to read"; in paragraph 33, the words "except" and the word "otherwise" where it first occurs; paragraph 37; paragraph 40 the words "declarations of inability to read"; and in Part IV of the Second Schedule, Form B and in the directions as to printing the ballot paper the words from "The surname to the last" and"; in the Third Schedule, in Part I paragraph (a) of sub-paragraph (2) of paragraph 1 and in sub-paragraph (3) of that paragraph the words "before the eighth day of March next following"; in Part II, the words "on the ninth day of November" and the words "before the day of November next following" in sub-paragraph 1 of paragraph 1 and paragraph 2 of paragraph 1 is not to be repealed; the</p>

13TH SCH.  
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Session and Chapter.	Title or Short Title.	Extent of Repeal.
2 & 3 Geo. 6. c. 40.	The London Govern- ment Act, 1939.	Section ten; subsections (2) and (3) of section eleven; section twenty-four; subsection (1) of section forty-five; proviso (a) to subsection (1) of section forty-six; subsection (2) of section fifty; section fifty-three; section fifty-six; in the Second Schedule, in Part I, in paragraph 4 the words from "not later" in sub-paragraph (1) to the end of the paragraph; in sub-paragraph (5) of paragraph 5 the words from "Not" to "election"; in paragraph 7 the words from "not later" onwards; in Part II, sub-paragraph (2) of paragraph 3; sub-paragraphs (1) and (3) of paragraph 14; in sub-paragraph (1) of paragraph 16 the words "by two electors or"; in sub-paragraph (2) of paragraph 17 the words from "but the presiding officer" to the end of the sub-paragraph, in paragraph (c) of sub-paragraph (1) of paragraph 20, the words from "in this" onwards; in sub-paragraph (1) of paragraph 22 the words "The declaration of inability to read and", the word "respectively", the words "Form D and", and the words "applies for a ballot paper or" and "as the case may be"; in sub-paragraph (e) of paragraph 26 the words "and the declarations of inability to read"; in paragraph 33 the word "except", and the word "otherwise" where it first occurs; paragraph 37; in paragraph 40 the words "declarations of inability to read" and in Part III of the Second Schedule, Form in the directions as to filling the ballot paper from "The sur" to the last

13TH SCH.  
—cont.

Session and Chapter.	Title or Short Title.	Extent of Repeal.
10 & 11 Geo. 6. c. 43.—cont.	The Local Government (Scotland) Act, 1947— <i>cont.</i>	of inability to read " and in Part V of the Second Schedule Form I, and in the directions as to printing the ballot paper the words from " The surname " to the last " and ".
<i>Act of the Irish Parliament.</i>		
35 Geo. 3. c. 29.	An Act for regulating the election of members to serve in Parliament, and for repealing the several Acts therein mentioned.	The whole Act.
<i>Order in Council.</i>		
S.R. & O., 1922, No. 1352.	The Government of Ireland (Election Laws Adaptation) (Northern Ireland) Order, 1922.	In Article 3, sub-paragraphs (a), (b) and (c) of paragraph (1) and paragraph (2).

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## CHAPTER 66.

### *Monopolies and Restrictive Practices (Inquiry and Control) Act, 1948.*

#### ARRANGEMENT OF SECTIONS.

##### Section. *The Monopolies and Restrictive Practices Commission.*

1. Constitution of the Commission.
2. General duties of Commission.

##### *Conditions to which Act applies.*

3. Meaning of " conditions to which this Act applies " in relation to supply.
4. Meaning of " conditions to which this Act applies " in relation to processing.
5. Meaning of " conditions to which this Act applies " in relation to exports.

##### *References to Commission for Investigation and Report.*

6. Scope of references to Commission.
7. Duties of Commission on references.
8. Procedure and powers of Commission on references.
9. Publication of reports of Commission.



*New Powers of Government Departments for dealing with Conditions to which Act applies.*

## Section.

10. Power of competent authority to make orders.
11. Enforcement of orders of competent authority.
12. Investigations as to carrying out of recommendations of Commission or competent authority.
13. Saving for other powers.

*Supplemental Provisions.*

14. Public interest.
15. Reports on general questions.
16. Annual report.
17. Restrictions on disclosure of information.
18. Penalties.
19. Supplemental provisions as to Board of Trade and other Government departments.
20. Interpretation.
21. Application to Northern Ireland, the Isle of Man and the Channel Islands.
22. Short title.

An Act to make provision for inquiry into the existence and effects of, and for dealing with mischiefs resulting from, or arising in connection with, any conditions of monopoly or restriction or other analogous conditions prevailing as respects the supply of, or the application of any process to, goods, buildings or structures, or as respects exports. [30th July 1948.]

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

*The Monopolies and Restrictive Practices Commission.*

1.—(1) For the purposes of this Act there shall be constituted a Commission, to be called the Monopolies and Restrictive Practices Commission (in this Act referred to as "the Commission"). Constitution of Commission.

(2) The Commission shall consist of not less than four nor more than ten members to be appointed by the Board of Trade.

(3) Every member of the Commission shall hold office for such time (not being less than three nor more than seven years) as may be specified by the Board of Trade in making his appointment, and shall not be eligible for re-appointment :

Provided that—

- (a) the Board may from time to time extend the term of office of a member by such period as the Board think fit, so, however, that his total term of office does not exceed twelve years ;

- (b) if a member becomes, in the opinion of the Board, unfit to continue in office or incapable of performing his duties under this Act, the Board shall forthwith declare his office to be vacant and shall notify the fact in such manner as they think fit, and thereupon the office shall become vacant ;
- (c) any member may at any time by notice in writing to the Board resign his office.

(4) Such one of the members of the Commission as the Board of Trade may from time to time direct shall be the chairman of the Commission.

(5) The Commission shall appoint a secretary to the Commission and may appoint such other officers and such servants of the Commission as the Commission may, with the consent of the Board of Trade and the Treasury, determine :

Provided that the appointment of any person to be the secretary to the Commission shall be subject to the approval of the Board.

(6) The expenses of the Commission, to such amount as may be determined by the Board of Trade with the approval of the Treasury (including such salaries and other remuneration paid to, and such contributions under pensions schemes paid in respect of, any of their members, officers or servants as may be so determined), shall be paid out of moneys provided by Parliament.

(7) In the case of an equality of votes on any question at a meeting of the Commission, the chairman shall have a second or casting vote.

(8) The quorum necessary for any meeting of the Commission shall be such as the Commission may from time to time determine :

Provided that the quorum necessary at any meeting held for the final settling of a report of the Commission shall not be less than two-thirds of the members of the Commission.

General  
duties of  
Commission.

2.—(1) Where it appears to the Board of Trade that it is or may be the fact that conditions to which this Act applies prevail as respects either—

- (a) the supply of goods of any description ; or  
(b) the application of any process to goods of any description ;  
or

(c) exports of goods of any description from the United Kingdom, either generally or to any particular market,  
the Board may, if they think fit, refer the matter to the Commission for investigation and report :

Provided that a reference shall not be made under this subsection where the prevalence of the conditions in question is expressly authorised by or under any enactment, other than the enactments relating to patents and trade marks.

(2) Without prejudice to the duties of the Commission where a matter has been referred to them for investigation and report, it shall at all times be the duty of the Commission, at the request of the Board of Trade, to give to the Board any such information and assistance as is in their possession or power in relation to any question connected with conditions to which this Act applies which prevail, are suspected of prevailing or are expected to prevail as respects the supply of goods of any description, as respects the application of any process to goods of any description or as respects exports of goods of any description from the United Kingdom, either generally or to any particular market.

*Conditions to which Act applies.*

3.—(1) Conditions to which this Act applies shall be deemed for the purposes of this Act to prevail as respects the supply of goods of any description if either—

Meaning of "conditions to which this Act applies" in relation to supply.

- (a) at least one-third of all the goods of that description which are supplied in the United Kingdom or any substantial part thereof are supplied by or to any one person, or by or to any two or more persons, being inter-connected bodies corporate, or by or to any such two or more persons as are described in subsection (2) of this section ; or
- (b) any agreements or arrangements (whether legally enforceable or not) are in operation the result of which is that, in the United Kingdom or any substantial part thereof, goods of that description are not supplied at all.

(2) The two or more persons referred to in subsection (1) of this section are any two or more persons who, whether voluntarily or not, and whether by agreement or arrangement or not, so conduct their respective affairs as in any way to prevent or restrict competition in connection with the production or supply of goods of the description in question (whether or not they themselves are affected by the competition and whether the competition is between persons interested as suppliers or producers or between persons interested as customers of suppliers or producers) :

Provided that in considering whether or not any two or more persons so conduct their affairs as aforesaid, practices as to the workers to be employed or not to be employed by them or as to the remuneration, conditions of employment, hours of work or working conditions of workers, or any class of workers, so employed shall be left out of account.

(3) Where goods of any description are the subject of different forms of supply, the references in the preceding provisions of this section to the supply of the goods (other than the first of those references) shall be construed as references to any of those forms of supply taken separately, to all those forms of supply taken together, or to any of those forms of supply taken in groups, according as the Board of Trade or the Commission, as the case may be, think proper in all the circumstances; and the Board of Trade or the Commission, as the case may be, may treat goods as being the subject of different forms of supply whenever the transactions in question differ as to their nature, their parties, their terms or their surrounding circumstances, and the difference is one which, in the opinion of the Board or the Commission, as the case may be, ought for the purposes of this section to be treated as a material difference.

Meaning of "conditions to which this Act applies" in relation to processing.

4.—(1) Conditions to which this Act applies shall be deemed for the purposes of this Act to prevail as respects the application of any process to goods of any description if either—

- (a) at least one-third of all the goods of that description to which that process is applied in the United Kingdom or any substantial part thereof are subjected to that process by or for any one person, or by or for any two or more persons, being inter-connected bodies corporate, or by or for any such two or more persons as are described in subsection (2) of this section; or
- (b) any agreements or arrangements, whether legally enforceable or not, are in operation the result of which is that, in the United Kingdom or any substantial part thereof, that process is not applied at all to goods of that description.

(2) The two or more persons referred to in subsection (1) of this section are any two or more persons who, whether voluntarily or not, and whether by agreement or arrangement or not, so conduct their respective affairs as in any way to prevent or restrict competition in connection with the application of the process in question to goods of the description in question (whether or not they themselves are affected by the competition and whether the competition is between appliers of the process or between persons for whom the process is applied):

Provided that in considering whether or not any two or more persons so conduct their affairs as aforesaid, practices as to the workers to be employed or not to be employed by them, or as to the remuneration, conditions of employment, hours of work or working conditions of workers, or any class of workers, so employed shall be left out of account.

(3) References in the preceding provisions of this section to the application of any process to any goods do not include references to cases where the process is applied by the owner of the goods or his servants.

5.—(1) Conditions to which this Act applies shall be deemed for the purposes of this Act to prevail as respects exports of goods of any description from the United Kingdom, both generally and to each market taken separately, if any one person produces at least one-third of all the goods of that description which are produced in the United Kingdom.

Meaning of "conditions to which this Act applies" in relation to exports.

(2) Conditions to which this Act applies shall also be deemed for the purposes of this Act to prevail as respects exports of goods of any description from the United Kingdom generally if—

- (a) any agreements or arrangements, whether legally enforceable or not, are in operation which in any way prevent or restrict, or prevent or restrict competition in relation to, the export of goods of that description from the United Kingdom ; and
- (b) the agreements or arrangements are operative as respects at least one-third of all the goods of that description which are produced in the United Kingdom.

(3) Conditions to which this Act applies shall also be deemed for the purposes of this Act to prevail as respects exports of goods of any description from the United Kingdom to any particular market if—

- (a) any agreements or arrangements, whether legally enforceable or not, are in operation which in any way prevent or restrict, or prevent or restrict competition in relation to, the supply of goods of that description (whether from the United Kingdom or not) to that market ; and
- (b) the agreements or arrangements are operative as respects at least one-third of all the goods of that description which are produced in the United Kingdom.

(4) In considering for the purposes of this section whether any agreements or arrangements in any way prevent or restrict, or prevent or restrict competition in relation to, the export of goods from the United Kingdom or the supply of goods to any market, so much of any agreements or arrangements as relates to the workers who are to be employed or not to be employed by the parties thereto, or to the remuneration, conditions of employment, hours of work or working conditions of workers, or any class of workers, so employed shall be left out of account.

13TH SCH.  
—cont.

Session and Chapter.	Title or Short Title.	Extent of Repeal.
23 & 24 Geo. 5. c. 51.—cont.	The Local Government Act, 1933—cont.	of paragraph 2; sub-paragraphs (1) and (3) of paragraph 14; in sub-paragraph (1) of paragraph 16 the words "by two local government electors or"; in sub-paragraph (2) of paragraph 17 the words from "but the presiding officer" to the end of the sub-paragraph; in paragraph (c) of sub-paragraph (1) of paragraph 20 the words from "in this" onwards; in sub-paragraph (1) of paragraph 22 the words "The declaration of inability to read and" and the words "applies for a ballot paper or" and "as the case may be"; in sub-paragraph (e) of paragraph 26 the words "and the declarations of inability to read"; in paragraph 33, the word "except" and the word "otherwise" where it first occurs; paragraph 37; in paragraph 40 the words "declarations of inability to read"; and in Part IV of the Second Schedule, Form D and in the directions as to printing the ballot paper the words from "The surname" to the last "and"; in the Third Schedule, in Part I, paragraph (a) of sub-paragraph (2) of paragraph 1 and in sub-paragraph (3) of that paragraph the words "before the eighth day of March next following"; in Part II, the words "on each ninth day of November" and the words "before the first day of November next following" in sub-paragraph (2) of paragraph 1; in Part VI, in paragraph 3 the words "and is not a candidate for election thereat" in sub-paragraph (1) and the words "or unable to take the chair at" in sub-paragraph (3), and sub-paragraph (2) of paragraph 4.

Session and Chapter.	Title or Short Title.	Extent of Repeal.
2 & 3 Geo. 6. c. 40.	The London Govern- ment Act, 1939.	Section ten; subsections (2) and (3) of section eleven; section twenty-four; subsection (1) of section forty-five; proviso (a) to subsection (1) of section forty-six; subsection (2) of section fifty; section fifty-three; section fifty-six; in the Second Schedule, in Part I, in paragraph 4 the words from "not later" in sub-paragraph (1) to the end of the paragraph; in sub-paragraph (5) of paragraph 5 the words from "Not" to "election"; in paragraph 7 the words from "not later" onwards; in Part II, sub-paragraph (2) of paragraph 3; sub-paragraphs (1) and (3) of paragraph 14; in sub-paragraph (1) of paragraph 16 the words "by two electors or"; in sub-paragraph (2) of paragraph 17 the words from "but the presiding officer" to the end of the sub-paragraph, in paragraph (c) of sub-paragraph (1) of paragraph 20, the words from "in this" onwards; in sub-paragraph (1) of paragraph 22 the words "The declaration of inability to read and", the word "respectively", the words "Form D and", and the words "applies for a ballot paper or" and "as the case may be"; in sub-paragraph (e) of paragraph 26 the words "and the declarations of inability to read"; in paragraph 33 the word "except", and the word "otherwise" where it first occurs; paragraph 37; in paragraph 40 the words "declarations of inability to read"; and in Part III of the Second Schedule, Form D and in the directions as to printing the ballot paper the words from "The surname" to the last

13TH SCH.  
—cont.

13TH SCH  
—cont.

Session and Chapter.	Title or Short Title.	Extent of Repeal.
2 & 3 Geo. 6. c. 40.—cont.	The London Govern- ment Act, 1939— cont.	" and " ; in the Third Sched- ule, in Part I, paragraph (a) of sub-paragraph (2) of para- graph 1 ; in Part II, the words " on the ninth of Nov- ember " in sub-paragraph (2) of paragraph 1.
6 & 7 Geo. 6. c. 48.	Parliament (Elections and Meeting) Act, 1943.	Part I; in section twenty- seven, subsection (7) and in subsection (8) the words from " and the expressions " to the end of the subsection ; section twenty-eight ; in section thirty, in subsection (2) the words " except in relation to university elections " ; in subsection (5) of section thirty-one the words from " in section thirteen," to " 1922," the words " or an assistant returning officer," and the words from " and nothing," onwards ; sub- section (1) of section thirty- three ; the First, Second, Fourth and Sixth Schedules.
7 & 8 Geo. 6. c. 24.	Parliamentary Electors (War-time Registra- tion) Act, 1944.	The whole Act.
7 & 8 Geo. 6. c. 41.	The House of Commons (Redistribution of Seats) Act, 1944.	In section four, in subsection (1), the words " after the submission of their report under the last foregoing sec- tion " and in subsections (1) and (3) the words " and the number of members which they recommend should be returned by each of them ", section six, and in the Third Schedule, in rule 2 paragraph (1) and in paragraph (2) the word " other ", rule 3, in rule 5, sub-paragraph (b) (i) of paragraph (1), and in para- graph (2), in the definition of the expression " county " the words " in sub-paragraph (a) " and the words from " and in sub-paragraph (b) " onwards, rule 7 and in rule 8 in sub-paragraph (a) of para- graph (1) the words from " or in applying these rules " to the end of paragraph (i) of the sub-paragraph, and para- graph (2).



Session and Chapter.	Title or Short Title.	Extent of Repeal.
8 & 9 Geo. 6. c. 5.	The Representation of the People Act, 1945.	Parts I, III, and IV ; in section thirty-three in subsection (3) the words " or any part thereof " and the words from " or that part thereof " to " and " ; sections thirty-five to thirty-seven, in section thirty-eight the words from " constituency " to " the same meaning as in that Act ", section thirty-nine ; the First, Second and Fourth Schedules.
9 & 10 Geo. 6. c. 21.	The Elections and Jurors Act, 1945.	The whole Act.
10 & 11 Geo. 6. c. 10.	The House of Commons (Redistribution of Seats) Act, 1947.	Section one from the words " (2) For the purposes " in subsection (2) onwards, and the Schedule.
10 & 11 Geo. 6. c. 43.	The Local Government (Scotland) Act, 1947.	In paragraph (b) of the proviso to subsection (2) of section twenty-two, the words from " no person " to " ward, and " ; in subsection (2) of section forty-four the words from " and (b) a person " to the end of the subsection ; in section fifty-nine, subsection (7) ; in section sixty-one, in sub-section (1) paragraph (a) ; subsection (1) of section sixty-seven ; section sixty-nine ; section seventy ; in section one hundred and forty-five, paragraph (a) ; in Part II of the Second Schedule, column 3 ; in Part III of the Second Schedule, paragraph 3 and sub-paragraphs (1) and (3) of paragraph 14 ; in sub-paragraph (2) of paragraph 17 the words from " but the presiding officer " to the end of the sub-paragraph, in paragraph (c) of sub-paragraph (1) of paragraph 20, the words from " in this Schedule " onwards ; in sub-paragraph (1) of paragraph 22 the words " the declarations of inability to read and " ; in sub-paragraph (e) of paragraph 26 the words " and the declarations of inability to read " ; paragraph 37 ; in paragraph 40 the words " declarations

13TH SCH.  
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Session and Chapter.	Title or Short Title.	Extent of Repeal.
10 & 11 Geo. 6. c. 43.—cont.	The Local Government (Scotland) Act, 1947— <i>cont.</i>	of inability to read " and in Part V of the Second Schedule Form I, and in the directions as to printing the ballot paper the words from " The surname " to the last " and ".
<i>Act of the Irish Parliament.</i>		
35 Geo. 3. c. 29.	An Act for regulating the election of members to serve in Parliament, and for repealing the several Acts therein mentioned.	The whole Act.
<i>Order in Council.</i>		
S.R. & O., 1922, No. 1352.	The Government of Ireland (Election Laws Adaptation) (Northern Ireland) Order, 1922.	In Article 3, sub-paragraphs (a), (b) and (c) of paragraph (1) and paragraph (2).

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## CHAPTER 66.

### *Monopolies and Restrictive Practices (Inquiry and Control) Act, 1948.*

#### ARRANGEMENT OF SECTIONS.

##### Section. *The Monopolies and Restrictive Practices Commission.*

1. Constitution of the Commission.
2. General duties of Commission.

##### *Conditions to which Act applies.*

3. Meaning of " conditions to which this Act applies " in relation to supply.
4. Meaning of " conditions to which this Act applies " in relation to processing.
5. Meaning of " conditions to which this Act applies " in relation to exports.

##### *References to Commission for Investigation and Report.*

6. Scope of references to Commission.
7. Duties of Commission on references.
8. Procedure and powers of Commission on references.
9. Publication of reports of Commission.

*New Powers of Government Departments for dealing with Conditions  
to which Act applies.*

## Section.

10. Power of competent authority to make orders.
11. Enforcement of orders of competent authority.
12. Investigations as to carrying out of recommendations of Commission or competent authority.
13. Saving for other powers.

*Supplemental Provisions.*

14. Public interest.
15. Reports on general questions.
16. Annual report.
17. Restrictions on disclosure of information.
18. Penalties.
19. Supplemental provisions as to Board of Trade and other Government departments.
20. Interpretation.
21. Application to Northern Ireland, the Isle of Man and the Channel Islands.
22. Short title.

An Act to make provision for inquiry into the existence and effects of, and for dealing with mischiefs resulting from, or arising in connection with, any conditions of monopoly or restriction or other analogous conditions prevailing as respects the supply of, or the application of any process to, goods, buildings or structures, or as respects exports. [30th July 1948.]

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

*The Monopolies and Restrictive Practices Commission.*

1.—(1) For the purposes of this Act there shall be constituted a Commission, to be called the Monopolies and Restrictive Practices Commission (in this Act referred to as "the Commission"). Constitution  
of Commission.

(2) The Commission shall consist of not less than four nor more than ten members to be appointed by the Board of Trade.

(3) Every member of the Commission shall hold office for such time (not being less than three nor more than seven years) as may be specified by the Board of Trade in making his appointment, and shall not be eligible for re-appointment :

Provided that—

- (a) the Board may from time to time extend the term of office of a member by such period as the Board think fit, so; however, that his total term of office does not exceed twelve years ;

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... a reference shall not be made under this sub-  
... prevalence of the conditions in question is  
... ed by or under any enactment, other than the  
... ing to patents and trade marks.

... prejudice to the duties of the Commission where  
... n referred to them for investigation and report,  
... be the duty of the Commission, at the request  
... Trade, to give to the Board any such information  
... is in their possession or power in relation to any  
... cted with conditions to which this Act applies  
... are suspected of prevailing or are expected to  
... ects the supply of goods of any description, as  
... plication of any process to goods of any description  
... s exports of goods of any description from the  
... om, either generally or to any particular market.

*Conditions to which Act applies.*

... conditions to which this Act applies shall be deemed  
... poses of this Act to prevail as respects the supply  
... any description if either—

Meaning of  
"conditions  
to which this  
Act applies"  
in relation to  
supply.

... least one-third of all the goods of that description  
... hich are supplied in the United Kingdom or any  
... substantial part thereof are supplied by or to any one  
... rson, or by or to any two or more persons, being inter-  
... nected bodies corporate, or by or to any such two  
... r more persons as are described in subsection (2) of  
... this section ; or

... ny agreements or arrangements (whether legally en-  
... forceable or not) are in operation the result of which is  
... that, in the United Kingdom or any substantial part  
... thereof, goods of that description are not supplied at all.

... ne two or more persons referred to in subsection (1) of  
... tion are any two or more persons who, whether voluntarily  
... and whether by agreement or arrangement or not, so  
... t their respective affairs as in any way to prevent or  
... t competition in connection with the production or  
... of goods of the description in question (whether or not  
... themselves are affected by the competition and whether the  
... etition is between persons interested as suppliers or pro-  
... rs or between persons interested as customers of suppliers  
... roducers) :

... rovided that in considering whether or not any two or more  
... sons so conduct their affairs as aforesaid, practices as to the  
... kers to be employed or not to be employed by them or as to  
... remunerat conditions of employment, hours of work or  
... rking co workers, or any class of workers, so em-  
... oyed sh: of account.

(3) Where goods of any description are the subject of different forms of supply, the references in the preceding provisions of this section to the supply of the goods (other than the first of those references) shall be construed as references to any of those forms of supply taken separately, to all those forms of supply taken together, or to any of those forms of supply taken in groups, according as the Board of Trade or the Commission, as the case may be, think proper in all the circumstances; and the Board of Trade or the Commission, as the case may be, may treat goods as being the subject of different forms of supply whenever the transactions in question differ as to their nature, their parties, their terms or their surrounding circumstances, and the difference is one which, in the opinion of the Board or the Commission, as the case may be, ought for the purposes of this section to be treated as a material difference.

Meaning of "conditions to which this Act applies" in relation to processing.

4.—(1) Conditions to which this Act applies shall be deemed for the purposes of this Act to prevail as respects the application of any process to goods of any description if either—

- (a) at least one-third of all the goods of that description to which that process is applied in the United Kingdom or any substantial part thereof are subjected to that process by or for any one person, or by or for any two or more persons, being inter-connected bodies corporate, or by or for any such two or more persons as are described in subsection (2) of this section; or
- (b) any agreements or arrangements, whether legally enforceable or not, are in operation the result of which is that, in the United Kingdom or any substantial part thereof, that process is not applied at all to goods of that description.

(2) The two or more persons referred to in subsection (1) of this section are any two or more persons who, whether voluntarily or not, and whether by agreement or arrangement or not, so conduct their respective affairs as in any way to prevent or restrict competition in connection with the application of the process in question to goods of the description in question (whether or not they themselves are affected by the competition and whether the competition is between appliers of the process or between persons for whom the process is applied):

Provided that in considering whether or not any two or more persons so conduct their affairs as aforesaid, practices as to the workers to be employed or not to be employed by them, or as to the remuneration, conditions of employment, hours of work or working conditions of workers, or any class of workers, so employed shall be left out of account.

(3) References in the preceding provisions of this section to the application of any process to any goods do not include references to cases where the process is applied by the owner of the goods or his servants.

5.—(1) Conditions to which this Act applies shall be deemed for the purposes of this Act to prevail as respects exports of goods of any description from the United Kingdom, both generally and to each market taken separately, if any one person produces at least one-third of all the goods of that description which are produced in the United Kingdom.

Meaning of "conditions to which this Act applies" in relation to exports.

(2) Conditions to which this Act applies shall also be deemed for the purposes of this Act to prevail as respects exports of goods of any description from the United Kingdom generally if—

(a) any agreements or arrangements, whether legally enforceable or not, are in operation which in any way prevent or restrict, or prevent or restrict competition in relation to, the export of goods of that description from the United Kingdom ; and

(b) the agreements or arrangements are operative as respects at least one-third of all the goods of that description which are produced in the United Kingdom.

(3) Conditions to which this Act applies shall also be deemed for the purposes of this Act to prevail as respects exports of goods of any description from the United Kingdom to any particular market if—

(a) any agreements or arrangements, whether legally enforceable or not, are in operation which in any way prevent or restrict, or prevent or restrict competition in relation to, the supply of goods of that description (whether from the United Kingdom or not) to that market ; and

(b) the agreements or arrangements are operative as respects at least one-third of all the goods of that description which are produced in the United Kingdom.

(4) In considering for the purposes of this section whether any agreements or arrangements in any way prevent or restrict, or prevent or restrict competition in relation to, the export of goods from the United Kingdom or the supply of goods to any market, so much of any agreements or arrangements as relates to the workers who are to be employed or not to be employed by the parties thereto, or to the remuneration, conditions of employment, hours of work or working conditions of workers, or any class of workers, so employed shall be left out of account.

*References to Commission for Investigation and Report.*

Scope of  
references to  
Commission.

6.—(1) A reference of a matter to the Commission under the preceding provisions of this Act for investigation and report shall specify the description of goods to which the reference relates and may be so framed as either—

- (a) to limit the investigation and report to the facts, that is to say, to the question whether conditions to which this Act applies in fact prevail, and if so in what manner and to what extent, and to the things which are done by the parties concerned as a result of, or for the purpose of preserving, those conditions; or
- (b) to require the Commission to investigate and report on the facts as aforesaid and also to investigate and report whether the conditions in question or all or any of the things done as aforesaid operate or may be expected to operate against the public interest.

(2) Where the reference of a matter to the Commission under the preceding provisions of this Act for investigation and report is not so framed as to limit the investigation and report to the facts, it may, if the Board of Trade think fit, be so framed as to require the Commission, if they find that conditions to which this Act applies prevail, thereafter to confine their investigation to the question whether any such things as are specified in the reference are done by the parties concerned as a result of, or for the purpose of preserving, those conditions, and, if so, whether or not any of those things operate or may be expected to operate against the public interest.

(3) A reference of a matter to the Commission under the preceding provisions of this Act for investigation and report may, where the matter referred relates to the supply of goods of any description or the application of any process to goods of any description, be so framed as to require the Commission to confine their investigation to the supply of the goods, or the application of the process to the goods, in a specified part of the United Kingdom.

(4) The Board of Trade may at any time vary any reference made by them of a matter to the Commission under the preceding provisions of this Act for investigation and report:

Provided that a reference not so framed as to limit the investigation and report to the facts shall not be varied so as to limit the investigation and report to the facts.

(5) The power conferred by subsection (4) of this section extends to requiring the Commission, where they have already made an investigation and report which is limited to the facts, to proceed with their investigation as if the reference in question had not been so limited, and to make a further report accordingly.



(6) The Board of Trade shall publish every such reference as aforesaid, and every variation of any such reference, in such manner as they think most suitable for bringing it to the notice of persons affected.

7.—(1) Where a matter has been referred to the Commission under the preceding provisions of this Act for investigation and report, it shall be the duty of the Commission to include in their report definite conclusions as to the questions covered by the reference and also to include therein such account of the reasons for their conclusions, and such a survey of the general position in respect of the subject matter of the investigation, and of the developments which have led to that position, as are in their opinion expedient for facilitating a proper understanding of the matter.

Duties of  
Commission  
on references.

(2) Where the reference of a matter to the Commission under the preceding provisions of this Act for investigation and report is not so framed as to limit the investigation and report to the facts, the Commission, if they find that conditions to which this Act applies prevail and that those conditions or any things done by the parties concerned as a result of, or for the purpose of preserving, those conditions, operate or may be expected to operate against the public interest, shall, as part of their investigation, consider whether any and if so what action (whether under this Act or otherwise and whether by a Minister of the Crown, government department or other authority or by the parties concerned themselves) should be taken to remedy or prevent any mischiefs which result or may be expected to result from the said conditions or the said things done as aforesaid, and may, if they think fit, include recommendations as to such action in their report.

(3) Where the reference of a matter to the Commission under the preceding provisions of this Act for investigation and report is not so framed as to limit the investigation and report to the facts, and any member of the Commission dissents from any of the conclusions of the Commission as to the questions covered by the reference, the Commission shall, if that member so desires, include in their report a statement of his dissent and of his reasons for dissenting.

8.—(1) The procedure of the Commission in carrying out any investigation where a matter has been referred to them under the preceding provisions of this Act for investigation and report shall be such as the Commission may determine, and in particular the Commission shall have power to determine the extent, if any, to which persons interested or claiming to be interested in the subject matter of the reference are allowed to be present or to be heard, either by themselves or by their representatives, or

Procedure and  
powers of  
Commission  
on references.

to cross-examine witnesses or otherwise take part in the investigation of the Commission, and the extent, if any, to which the sittings of the Commission are held in public :

Provided that where any person appearing to the Commission to be substantially interested, or any body appearing to the Commission to represent substantial numbers of persons substantially interested, submits to the Commission any representations relating to the subject matter of the reference, the Commission shall consider those representations and shall, unless in all the circumstances they consider that it is not reasonably necessary or is not reasonably practicable so to do, permit that person or body to be heard orally by the Commission or by a member of the Commission nominated by the Commission for that purpose.

(2) For the purposes of any such investigation as aforesaid, the Commission or a member of the Commission nominated by them for that purpose may take evidence on oath, and for that purpose administer oaths.

(3) If it appears to the Commission expedient so to do for the purpose of any such investigation as aforesaid, the Commission may, by notice in writing signed on their behalf by any of their members or by their secretary,—

(a) require any person to attend at a time and place specified in the notice, and to give evidence to the Commission or a member of the Commission nominated by them for the purpose ; or

(b) require any person to produce, at a time and place specified in the notice, to the Commission or to any person nominated by the Commission for the purpose, any documents specified or described in the notice, being documents which are in his custody or under his control and relate to any matter relevant to the investigation ; or

(c) require any person carrying on any trade or business to furnish to the Commission such estimates, returns or other information as may be specified or described in the notice, and specify the time, the manner and the form in which any such estimates, returns or information are to be furnished,

and any person who refuses or, without reasonable excuse, fails to do anything duly required of him by such a notice or wilfully alters, suppresses or destroys any document which he has been required to produce by such a notice, or, in furnishing any estimate, return or other information required of him under such a notice, 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, shall be guilty of an offence under this Act.

(4) The Commission may pay to any person attending under this section to give evidence or producing documents thereunder, and to any person who, whether in pursuance of a requirement under this section or not, furnishes estimates, returns or information to the Commission for the purposes of any such investigation as is referred to in the preceding provisions of this section, such sums in respect of his expenses as they think fit :

Provided that the powers of the Commission under this subsection shall not be exercised in relation to the furnishing of estimates, returns or other information unless, according to their report, conditions to which this Act applies do not prevail in relation to the goods the subject matter of the reference.

(5) Nothing in this section shall be taken to require any person who has acted as counsel or solicitor for any person to disclose any privileged communication made to him in that capacity.

(6) The Commission, in determining their procedure and exercising the other powers conferred on them by this section, shall act in accordance with any general directions which may from time to time be given to them by the Board of Trade.

(7) The Board of Trade shall lay before each House of Parliament a copy of any direction given by them under the last preceding subsection.

9. When the Commission report to the Board of Trade on any matter referred to them under the preceding provisions of this Act for investigation and report, the Board may, and, unless the reference was so framed as to limit the investigation and report to the facts, shall, lay the report before each House of Parliament :

Publication of  
reports of  
Commission.

Provided that

- (a) if it appears to the Board of Trade to be contrary to the public interest that the report, or some part thereof, should be made public, the Board of Trade shall lay before Parliament only so much, if any, of the report as in their opinion can be made public without injury to the public interest ;
- (b) if it appears to the Board of Trade that the publication of any information contained in the report as to any secret process of manufacture or as to the presence, absence or situation of any mineral or other deposits or as to any other similar matter would substantially damage the legitimate business interests of any person, and they are satisfied that the portions of the report embodying that information could be omitted from the report without substantially affecting the sense, clarity or cogency of the report, or the value thereof as an aid

PART VI.  
—cont.

on him by this Act in relation to the making and cancellation of service declarations and of appointments of a proxy, and in relation to voting by post; and

- (b) receive such instructions as to the effect of this Act and any regulations made under it, and such other assistance, as may be reasonably sufficient in connection with the exercise by him and, in the case of a man, by his wife of any rights conferred on them as aforesaid:

Provided that the arrangements need not extend to members of the forces who are for the time being under the age of twenty-one and will in the ordinary course cease to be members of the forces before attaining that age.

(5) In the last foregoing subsection the expression "the appropriate government department" means, in relation to members of the forces, the Admiralty, Army Council or Air Council, as the case requires, and in relation to any other person means the government department under which he is employed in the employment giving the service qualification.

Superannuation rights of contributory employees in England and Wales.

72.—(1) Any contributory employee or local Act contributor who received remuneration in respect of work done by him in the year nineteen hundred and thirty-nine in connection with the preparation of a register of electors under the Representation of the People Act, 1918, for any area in England or Wales shall be entitled to contribute a sum in respect of that remuneration to the appropriate superannuation fund in respect of any year in which a register is prepared under this Act, if—

- (a) he was required to do the work in the year nineteen hundred and thirty-nine by virtue (directly or indirectly) of the post as officer or servant of a local authority which he holds in the later year; and
- (b) he does not receive remuneration in respect of work done by him in the later year in connection with the preparation of the register under this Act to an amount greater than that of the first-mentioned remuneration.

(2) Where a person makes a contribution under this section in respect of any year, he shall not be required or entitled to make, in respect of that year, any contribution under the Local Government Superannuation Act, 1937, or the local Act scheme, as the case may be, in respect of any remuneration received by him in respect of work done by him in that year in connection with the preparation of a register under this Act.

(3) Where a person makes a contribution under this section in respect of any year, then for the purpose of computing in

1 Edw. 8 &  
1 Geo. 6. c. 68.

accordance with the provisions of section eight of the said Act of 1937 his average remuneration (if he is a contributory employee), or of calculating his superannuation allowance under a local Act scheme (if he is a local Act contributor) he shall be deemed—

- (a) to have received in respect of service rendered in that year the remuneration by reference to which the contribution was calculated; and
  - (b) not to have received in respect of that year any such remuneration as is mentioned in the last foregoing subsection.
- (4) In this section—
- (a) the expressions “ contributory employee,” “ local Act contributor,” “ local Act scheme ” and “ appropriate superannuation fund ” have the same meanings respectively as in the said Act of 1937, except that in relation to a local Act contributor the last mentioned expression means the superannuation fund in the benefits of which he is entitled to participate;
  - (b) references to remuneration in respect of any work do not include an inclusive salary paid partly in respect of that work and partly in respect of the recipient’s ordinary work as an officer or servant of a local authority.

*Miscellaneous.*

73.—(1) Proceedings under the Ballot Act, 1872, or under the Corrupt and Illegal Practices Prevention Act, 1883, or under this Act so far as it relates to parliamentary elections, in respect of an offence alleged to have been committed outside the United Kingdom by a British subject may be taken before the appropriate court in the United Kingdom having jurisdiction in the place where the person charged is for the time being.

Punishment of offences committed outside the U.K.

(2) Any period fixed by law as the period within which proceedings may be commenced shall, in the case of any such proceedings as aforesaid, be reckoned as from the date on which the person charged first landed in the United Kingdom next after the commission of the offence, and for the purposes of this provision a person entering Northern Ireland by land shall be deemed thereby to land in the United Kingdom.

74.—(1) The Tenth Schedule to this Act shall have effect with respect to the interpretation and adaptation of Acts other than this Act and with respect to the other matters dealt with in that Schedule, so, however, that the inclusion in that Schedule of any express provision shall not be taken to prejudice the operation in relation to this Act of any provision of the Interpretation Act, 1889, as to repeals.

Adaptation, interpretation and minor amendments of law.

52 & 53 Vict. c. 63.

PART VI.  
—cont.

(2) The provisions of the said Tenth Schedule may be supplemented in relation to any Act passed before this Act by an order made by the Secretary of State in any particular case where that appears to him necessary for harmonising that Act with this Act.

(3) Any power conferred by this section or by the said Schedule to make an order shall be exercisable by statutory instrument, and any such instrument shall be subject to annulment by resolution of either House of Parliament.

(4) For the form of writ for a parliamentary election set out in the Second Schedule to the Ballot Act, 1872, there shall be substituted the form set out in Part I of the Ninth Schedule to this Act.

(5) The enactments mentioned in the Eleventh Schedule to this Act shall cease to have effect to the extent specified in the third column of that Schedule.

Construction of references to local elections Act, local elections rules, and corrupt practices Acts. 23 & 24 Geo. 5. c. 51. 2 & 3 Geo. 6. c. 40. 10 & 11 Geo. 6. c. 43.

75.—(1) In this Act, except in so far as the context otherwise requires—

- (a) the expression “ the local elections Act ” means—
- (i) in relation to England and Wales, except London, the Local Government Act, 1933;
  - (ii) in relation to London, the London Government Act, 1939; and
  - (iii) in relation to Scotland, the Local Government (Scotland) Act, 1947; and
- (b) the expression “ the local elections rules ” means the Second Schedule to the local elections Act.

(2) In this Act, except in so far as the context otherwise requires—

46 & 47 Vict. c. 51.

47 & 48 Vict. c. 70.

53 & 54 Vict. c. 55.

- (a) the expression “ the parliamentary corrupt practices Act ” means the Corrupt and Illegal Practices Prevention Act, 1883;
- (b) the expression “ the local corrupt practices Act ” means the Municipal Elections (Corrupt and Illegal Practices) Act, 1884, or, in relation to Scotland, the Elections (Scotland) (Corrupt and Illegal Practices) Act, 1890; and
- (c) the expression “ the corrupt practices Act ” means the parliamentary corrupt practices Act and the local corrupt practices Act.

(3) The tables of comparison set out in the Twelfth Schedule to this Act show (so far as is necessary for the construction of this Act) the provisions of the Acts there mentioned which

correspond to one another, and except in so far as the context otherwise requires—

PART VI.  
—cont.

(a) any reference in this Act to a specified provision of the local elections Act or rules, or of the corrupt practices Act, by that name shall be taken as a reference both to—

(i) the provision specified of the Act or rules referred to in the first column of the said Schedule; and

(ii) any corresponding provision of the Acts referred to in the second and third columns thereof; and

(b) any reference in this Act to a specified provision of the local corrupt practices Act by that name shall be taken as a reference to—

(i) the provision specified of the Act referred to in the second column of that Schedule; and

(ii) any corresponding provision of the Act referred to in the third column thereof.

76.—(1) In this Act, unless the context otherwise requires,— General provisions as to interpretation.

the expression “ dwelling house ” includes any part of a house where that part is occupied separately as a dwelling house;

the expression “ legal incapacity ” includes (in addition to any incapacity by virtue of any subsisting provision of the common law) any disqualification imposed by the corrupt practices Act or any other Act;

the expression “ prescribed ” means prescribed by regulations;

the expression “ registration duties ” includes the duties of a registration officer as such with respect to voting by post or by proxy, with respect to any corrupt and illegal practices list and with respect to the lists of rooms to the use of which candidates are entitled under this Act;

the expression “ service voter ” means a person whose service declaration is for the time being in force or who remains registered in pursuance of a service declaration no longer in force.

(2) Any provision of the local elections Act applying the local elections rules to elections under that Act shall have, in relation to the provisions of this Act dealing with the subject matter of those rules, the like operation as it has in relation to those rules:

Provided that voting by post or by proxy shall not be allowed at any election of auditors in a borough to which

PART VI.  
—cont.

the local elections rules are applied by section two hundred and thirty-eight of the Local Government Act, 1933.

(3) References in this Act to any enactment shall, except in so far as the context otherwise requires, be taken as referring to that enactment as amended by any other enactment, including this Act.

(4) Any power conferred by this Act to make regulations shall, except where this Act otherwise provides, be a power exercisable by the Secretary of State by statutory instrument, which shall not come into force unless or until it is approved by resolution of each House of Parliament.

Interpretation  
and  
application  
of local  
government  
provisions in  
England  
and Wales.

77.—(1) In this Act unless the context otherwise requires the following expressions have, in relation to England and Wales, the meanings assigned to them by this subsection, that is to say—

the expression “borough” includes a metropolitan borough;

the expression “county” means (subject to subsection (5) of this section) an administrative county;

the expression “county district” means a borough other than a metropolitan or county borough, an urban district or a rural district;

the expression “electoral area” means any electoral division, borough, ward, district, parish or other area for which an election of councillors is held under the Local Government Act, 1933, or the London Government Act, 1939;

the expression “local government area” means a county, borough, urban or rural district or parish;

the expression “local government election” means an election of councillors for any electoral area;

the expression “parish” means a rural parish within the meaning of the Local Government Act, 1933.

(2) In this Act the expression “clerk of the authority” in relation to a borough means the town clerk, and where the town clerk of a borough is registration officer, references to the authority whose clerk he is refer to the borough council; and references to the clerk of the authority of a county borough, metropolitan borough or county district acting on the requisition of a registration officer include an officer designated by the council thereof and so acting.

(3) Any provision of the Local Government Act, 1933, the Local Government Act, 1888, or the London Government Act, 1939, applying the Municipal Elections (Corrupt and Illegal Practices) Acts, 1884 and 1911, or either of them in relation to local authorities in England or Wales shall have,



in relation to the provisions of this Act dealing with the subject matter of the enactments applied, the like operation as it has in relation to those enactments.

PART VI.  
—cont.

(4) Subject to any express provision therein contained this Act, so far as it has effect for the purposes of parliamentary elections or of elections of London county councillors, shall apply in relation to the City of London as if it were a metropolitan borough and as if the common council were a metropolitan borough council, but with the substitution for references to the town clerk of references to the secondary; and for the purposes of this subsection the Inner Temple and Middle Temple shall be treated as forming part of the said City.

(5) This Act shall apply in relation to the Isles of Scilly as if those isles were an administrative county and as if the council of those isles were a county council, except that—

- (a) paragraph 1 of the Eighth Schedule and any reference to a person acting in pursuance of the requisition of a registration officer shall apply as if the isles were a county district and the council were a district council; and
- (b) the provisions of Part II relating to the conduct of local government elections shall have effect in relation to those isles subject to such adaptations as the Minister of Health may by statutory instrument prescribe.

78.—(1) 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.

General  
application  
to Scotland.

(2) For any reference to a county borough or a borough there shall be substituted a reference to a burgh, and for any reference to a borough constituency whether in this Act or in any amendment made by this Act in any other Act there shall be substituted a reference to a burgh constituency.

(3) The following expressions have the following meanings respectively:—

the expression “ assessor ” means the assessor appointed under the Lands Valuation (Scotland) Act, 1854;

the expression “ local authority ” means the council of a county or of a large burgh;

the expression “ county ” means a county inclusive of any small burgh situate therein, and in the case of counties combined for the purposes mentioned in subsection (1) of section one hundred and eighteen of the Local Government (Scotland) Act, 1947, means the combined county, and “ council ” means the joint county council;

PART VI.  
—cont.

the expressions "electoral area", "large burgh" and "small burgh" have the like meanings as in the last mentioned Act;

the expression "local government area" means a county, burgh or district; and

the expression "local government election" means an election of councillors for any electoral area.

(4) Any reference to the report of an election court shall in relation to an election court under the Elections (Scotland) (Corrupt and Illegal Practices) Act, 1890, be construed as a reference to a finding of the court and the expression "reported of a corrupt or illegal practice," shall be construed accordingly.

General application to Northern Ireland.

79.—(1) The following provisions shall, in addition to any express provision for the application to Northern Ireland of any provision of this Act, have effect for the general application of this Act to Northern Ireland, that is to say:—

(a) for references to the Clerk of the Crown in Chancery there shall be substituted references to the Clerk of the Crown for Northern Ireland;

(b) the expression "summary conviction" means conviction subject to, and in accordance with, the Petty Sessions (Ireland) Act, 1851, and any Act (including an Act of the Parliament of Northern Ireland) amending that Act;

(c) subject to the next following subsection, a reference to any enactment shall be construed as a reference to that enactment as it applies in Northern Ireland.

(2) Nothing in this Act shall affect the law relating to the Parliament of Northern Ireland or to local government in Northern Ireland except so far as is expressly provided by this Act.

(3) 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 for the purposes of section six of the Government of Ireland Act, 1920 (which relates to that power) to be a provision of an Act passed before the appointed day for the purposes of that section.

14 & 15 Vict.  
c. 93.

10 & 11 Geo. 5.  
c. 67.

Commencement, repeals, etc.

80.—(1) Except where otherwise expressly provided, the provisions of Parts I and II of this Act and, for the purposes of the said Parts I and II, Part VI thereof shall come into force so as to enable the first register of electors prepared under this Act to be the autumn register in the year nineteen hundred and forty-nine, and shall have effect with respect to that register and subsequent registers under this Act and the elections for which they are used.

(2) Notwithstanding anything in the foregoing subsection, the provisions of the said Parts I and VI relating to the constituencies which are to return members to serve in Parliament (including provisions relating to returning officers for those constituencies) except as aforesaid, shall come into force for the purposes of the first general election after the passing of this Act, and shall not affect—

(a) the constitution of the House of Commons in the Parliament passing this Act; or

(b) the right of any person to vote at an election of a member to serve for a university constituency in that Parliament or the conduct of any such election (including the manner of voting thereat):

Provided that, without prejudice to section thirty-seven of the Interpretation Act, 1889 (which authorises the taking before an Act comes into operation of the necessary steps to bring it into operation), it shall be the duty of the authority having power to divide a constituency established by this Act into polling districts, and designate polling places for the polling districts, to take the matter into consideration as soon as may be after the passing of this Act and make such division and designate such polling places as will be required for the purposes of the said general election.

(3) The provisions of the said Parts II and VI, so far as they relate to voting by post or by proxy at local government elections or amend the local elections rules, shall come into force on the appointed day.

(4) Except where otherwise expressly provided, the provisions of Part III of this Act and, so far as relates to the said Part III, Part VI thereof shall come into force on the appointed day.

(5) Except where otherwise expressly provided, the provisions of Part IV of this Act and, so far as relates to the said Part IV, Part VI thereof shall come into force for the purposes of the first ordinary election of councillors held after the passing of this Act.

(6) The provisions of Part V of this Act and, so far as relates to the said Part V, Part VI thereof shall come into force on the first day of October, nineteen hundred and forty-eight.

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

Provided that without prejudice to any provision of the Interpretation Act, 1889, as to repeals,—

(a) the repeal by this Act of any enactment abolishing any ground of incapacity to be registered as an

PART VI.  
—cont.

- elector or to vote shall not be taken as restoring that ground of incapacity;
- (b) the repeal by this Act of any provision relating to registration expenses, or the expenses of returning officers at parliamentary elections, shall not affect the operation of that provision with respect to expenses incurred in connection with any register prepared or election begun before the repeal has effect;
- (c) the repeal by this Act of section eighteen of the Representation of the People Act, 1918, shall not affect any compensation payable thereunder;
- (d) any document referring to any Act or enactment repealed by this Act shall be construed as referring to this Act or to the corresponding enactment, if any, in this Act.
- (8) No provision in this Act shall apply in relation to any parliamentary bye-election or local government election begun before it comes into force.
- (9) Regulations may be made for the purpose of facilitating the coming into operation, or into full operation, of the provisions of this Act and for adjusting those provisions during any period when it has a partial operation only, including in particular regulations providing—
- (a) for altering, in connection with the first register prepared under this Act, the qualifying date or the date of publication;
- (b) for continuing in force anything made or done for the purposes of any enactment repealed by this Act until superseded under this Act;
- (c) for making any savings or additional savings from the effect of any repeal.
- (10) For the purposes of this section—
- (a) the expression “ the appointed day ” means such day as the Secretary of State may by statutory instrument appoint, and different days may be appointed for different purposes;
- (b) an election shall be deemed to be begun on the day on which notice of the election is given.

Short title,  
and citation.

81. This Act may be cited as the Representation of the People Act, 1948, and this Act and the House of Commons (Redistribution of Seats) Act, 1947, shall be included among the Acts which may be cited as the Representation of the People Acts.

## SCHEDULES.

## FIRST SCHEDULE.

Section 1.

## PARLIAMENTARY CONSTITUENCIES.

[NOTE.—The constituencies are described by reference to circumstances as they existed immediately before the end of the year 1947, except as otherwise stated and except that any subsequent accretion from the sea, whether natural or artificial and whether occurring before or after the passing of this Act, shall be taken to be included in the constituency or constituencies which it adjoins, in proportion to the extent of the common boundary.]

## PART I.

## ENGLAND.

## BEDFORDSHIRE.

(a) *County Constituencies*

<i>Name.</i>	<i>Contents.</i>
1. Bedford ...	(i) The borough of Bedford ; (ii) the urban district of Kempston ; (iii) the rural district of Bedford, except the parishes included in the Mid-Bedfordshire constituency.
2. Mid-Bedfordshire...	(i) The urban districts of Ampthill, Biggleswade and Sandy ; (ii) the rural districts of Ampthill and Biggleswade and the following parishes in the rural district of Bedford, namely, Cardington, Colmworth, Cople, Eaton Socon, Eastcotts, Elstow, Great Barford, Kempston Rural, Little Barford, Renhold, Roxton, Stagsden, Stewartby, Wilden, Willington, Wilshamstead and Wootton.
3. South Bedfordshire	(i) The borough of Dunstable and the Leagrave and Limbury wards of the borough of Luton ; (ii) the urban district of Leighton Buzzard ; (iii) the rural district of Luton.

(b) *Borough Constituency.*

<i>Name.</i>	<i>Contents.</i>
1. Luton ...	... The borough of Luton, except the Leagrave and Limbury wards.

1ST SCH.  
—cont.

## BERKSHIRE.

(a) *County Constituencies.*

<i>Name.</i>	<i>Contents.</i>
1. Abingdon ...	(i) The boroughs of Abingdon and Wallingford ; (ii) the urban district of Wantage ; (iii) the rural districts of Abingdon, Faringdon, Wallingford and Wantage.
2. Newbury ...	(i) The borough of Newbury ; (ii) the rural districts of Bradfield, Hungerford and Newbury.
3. Windsor ...	(i) The boroughs of Maidenhead and New Windsor ; (ii) the rural districts of Cookham and Windsor.
4. Wokingham ...	(i) The borough of Wokingham ; (ii) the rural districts of Easthampstead and Wokingham.

(b) *Borough Constituencies.*

1. Reading North ...	The following wards of the county borough of Reading, namely, Abbey, Battle, Castle, Caversham East, Caversham West, Tilehurst and Victoria.
2. Reading South ...	The following wards of the county borough of Reading, namely, Church, East, Katesgrove, Minster, Redlands and West.

## BUCKINGHAMSHIRE.

(a) *County Constituencies.*

1. Aylesbury ...	(i) The borough of Aylesbury ; (ii) the urban district of Chesham ; (iii) the rural district of Aylesbury and the following parishes in the rural district of Amersham, namely, Ashley Green, Chartridge, Cholesbury cum St. Leonards, Great Missenden, Latimer, Lee and Little Missenden.
2. Buckingham ...	(i) The borough of Buckingham ; (ii) the urban districts of Bletchley, Linslade, Newport Pagnell and Wolverton ; (iii) the rural districts of Buckingham, Newport Pagnell, Wing and Winslow.
3. South Buckinghamshire	(i) The urban district of Beaconsfield ; (ii) the rural district of Eton and the following parishes in the rural district of Amersham, namely, Amersham, Chalfont St. Giles, Chalfont St. Peter, Chenies, Chesham Bois, Coleshill, Penn and Seer Green.
4. Wycombe ...	(i) The borough of High Wycombe ; (ii) the urban district of Marlow ; (iii) the rural district of Wycombe.

(b) *Borough Constituency.*1ST SCH  
—cont*Name.**Contents.*

1. Eton and Slough ... (i) The borough of Slough ;  
(ii) the urban district of Eton.

## CAMBRIDGESHIRE.

(a) *County Constituency.*

1. Cambridgeshire ... The county of Cambridge, except the borough of Cambridge.

(b) *Borough Constituency.*

1. Cambridge ... The borough of Cambridge.

## CHESHIRE.

(a) *County Constituencies.*

1. Cheadle ... The urban districts of Bredbury and Romiley, Cheadle and Gatley, Hazel Grove and Bramhall and Marple.
2. City of Chester ... (i) The county borough of Chester ;  
(ii) the urban district of Hoole ;  
(iii) the rural district of Chester.
3. Crewe ... (i) The borough of Crewe ;  
(ii) the urban district of Nantwich ;  
(iii) the rural district of Nantwich.
4. Knutsford ... (i) The urban districts of Alderley Edge, Alsager, Bowdon, Hale, Knutsford, Sandbach and Wilmslow.  
(ii) The rural districts of Bucklow and Congleton.
5. Macclesfield ... (i) The boroughs of Congleton and Macclesfield ;  
(ii) the urban district of Bollington ;  
(iii) the rural districts of Disley and Macclesfield.
6. Northwich ... (i) The urban districts of Middlewich, Northwich and Winsford ;  
(ii) the rural districts of Northwich and Tarvin.
7. Runcorn ... (i) The urban districts of Lymm and Runcorn ;  
(ii) the rural district of Runcorn.
8. Stalybridge and Hyde (i) The boroughs of Dukinfield, Hyde and Stalybridge ;  
(ii) the urban district of Longdendale ;  
(iii) the rural district of Tintwistle.
9. Wirral ... The urban districts of Ellesmere Port, Hoylake, Neston and Wirral.

(b) *Borough Constituencies.*

1. Altrincham and Sale The boroughs of Altrincham and Sale.

1ST SCH.  
—cont.

<i>Name.</i>	<i>Contents.</i>
2. Bebington...	... The borough of Bebington and the following wards of the county borough of Birkenhead, namely, Bebington, Devonshire, Egerton, Mersey and Prenton.
3. Birkenhead	... The county borough of Birkenhead, except the wards included in the Bebington constituency.
4. Stockport North ...	The following wards of the county borough of Stockport, namely, Edgeley, Heaton Lane, Heaton Norris North, Heaton Norris South, Hollywood, Lancashire Hill, Old Road, Reddish North and Reddish South.
5. Stockport South ...	The following wards of the county borough of Stockport, namely, Cale Green, Davenport, Heaviley, Hempshaw Lane, Portwood, St. Mary's, St. Thomas's, Shaw Heath and Vernon.
6. Wallasey ...	... The county borough of Wallasey.

## CORNWALL.

*County Constituencies.*

1. Bodmin ...	<ul style="list-style-type: none"> <li>(i) The boroughs of Bodmin, Fowey, Liskeard, Lostwithiel, and Saltash ;</li> <li>(ii) the urban districts of Looe and Torpoint ;</li> <li>(iii) the rural districts of St. Germans and Liskeard, the following parishes in the rural district of St. Austell, namely, Lanlivery, Luxulyan and St. Sampson, and the following parishes in the rural district of Wadebridge, namely, Blisland, Cardinham, Helland, Lanhydrock, Lanivet and Withiel.</li> </ul>
2. Falmouth and Camborne	<ul style="list-style-type: none"> <li>(i) The boroughs of Falmouth and Penryn ;</li> <li>(ii) the urban district of Camborne-Redruth ;</li> <li>(iii) the following parishes in the rural district of Kerrier, namely, Budock, Constantine, Crowan, Mabe, Mawnan, St. Gluvas, Stithians and Wendron, the following parishes in the rural district of West Penwith, namely, Gwinear-Gwithian and Hayle, and the parish of Gwennap in the rural district of Truro.</li> </ul>
3. North Cornwall ...	<ul style="list-style-type: none"> <li>(i) The borough of Dunheved, otherwise Launceston ;</li> <li>(ii) the urban districts of Bude-Stratton, Newquay and Padstow ;</li> <li>(iii) the rural districts of Camelford, Launceston and Stratton, the following parishes in the rural district of St. Austell, namely, Colan, Mawgan in Pyder, St. Columb Major, St. Enoder and St. Wenn and the rural district of Wadebridge except the parishes included in the Bodmin constituency.</li> </ul>



<i>Name.</i>	<i>Contents.</i>	1ST SCH. —cont.
4. St. Ives ...	(i) The boroughs of Helston, Penzance and St. Ives ; (ii) the urban district of St. Just ; (iii) the Isles of Scilly ; (iv) the rural districts of Kerrier and West Penwith except the parishes included in the Falmouth and Camborne constituency.	
5. Truro ...	(i) The borough of Truro ; (ii) the urban district of St. Austell ; (iii) the rural district of Truro except the parish included in the Falmouth and Camborne constituency, and the rural district of St. Austell except the parishes included in the Bodmin and North Cornwall constituencies.	

## CUMBERLAND.

(a) *County Constituencies.*

1. Penrith and the Border	(i) The urban district of Penrith ; (ii) the rural districts of Alston with Garrigill, Border, Penrith and Wigton.
2. Whitehaven	(i) The borough of Whitehaven ; (ii) the rural districts of Ennerdale and Millom.
3. Workington	(i) The borough of Workington ; (ii) the urban districts of Cockermouth, Keswick and Maryport ; (iii) the rural district of Cockermouth.

(b) *Borough Constituency.*

1. Carlisle ...	... The county borough of Carlisle.
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## DERBYSHIRE.

(a) *County Constituencies.*

1. Belper ...	(i) The urban districts of Belper and Swadlincote District ; (ii) the rural district of Repton and the rural district of Belper except the parish of Shipley.
2. Bolsover	(i) The urban district of Bolsover ; (ii) the rural districts of Blackwell and Clowne.
3. High Peak	(i) The boroughs of Buxton and Glossop ; (ii) the urban districts of New Mills and Whaley Bridge ; (iii) the rural district of Chapel en le Frith.

1ST SCH  
—cont'

<i>Name.</i>	<i>Contents.</i>
4. Ilkeston ...	(i) The borough of Ilkeston ; (ii) the urban districts of Alfreton, Heanor and Ripley ; (iii) the parish of Shipley in the rural district of Belper.
5. North East Derbyshire	(i) The urban districts of Clay Cross and Dronfield ; (ii) the rural district of Chesterfield except the parish of Brimington.
6. South East Derbyshire	(i) The urban district of Long Eaton ; (ii) the rural district of Shardlow.
7. West Derbyshire ...	(i) The urban districts of Ashbourne, Bakewell, Matlock and Wirksworth ; (ii) the rural districts of Ashbourne and Bakewell.

(b) *Borough Constituencies.*

1. Chesterfield ...	(i) The borough of Chesterfield ; (ii) the urban district of Staveley ; (iii) the parish of Brimington in the rural district of Chesterfield.
2. Derby North ...	The following wards of the county borough of Derby, namely, Abbey, Babington, Becket, Bridge, Derwent, Friar Gate, King's Mead and Rowditch.
3. Derby South ...	The following wards of the county borough of Derby, namely, Alvaston, Arboretum, Castle Dale, Litchurch, Normanton, Osmaston and Pear Tree.

## DEVON.

(a) *County Constituencies.*

1. Honiton ...	(i) The borough of Honiton ; (ii) the urban districts of Axminster, Budleigh Salterton, Exmouth, Ottery St. Mary, Seaton and Sidmouth ; (iii) the rural districts of Axminster and Honiton and the following parishes in the rural district of St. Thomas, namely, Aylesbeare, Bicton, Clyst Honiton, Clyst St. George, Clyst St. Mary, Colaton Raleigh, East Budleigh, Farringdon, Harpford, Lympstone, Otterton, Rockbeare, Sowton, Topsham and Woodbury.
2. North Devon ...	(i) The boroughs of Barnstaple and South Molton ; (ii) the urban districts of Ilfracombe and Lynton ; (iii) the rural districts of Barnstaple and South Molton.

<i>Name.</i>	<i>Contents.</i>	<i>1ST SCH.</i> — <i>cont.</i>
3. Tavistock ...	(i) The urban districts of Holsworthy and Tavistock ; (ii) the rural districts of Broadwoodwidge, Holsworthy and Tavistock and the rural district of Plympton St. Mary except the parishes of Bickleigh and Tamerton Foliot.	
4. Tiverton ...	(i) the borough of Tiverton ; (ii) the urban districts of Dawlish and Teignmouth ; (iii) the rural district of Tiverton and the rural district of St. Thomas except the parishes included in the Honiton constituency.	
5. Torrington ...	(i) The boroughs of Bideford, Great Torrington and Okehampton ; (ii) the urban districts of Crediton and Northam ; (iii) the rural districts of Bideford, Crediton, Okehampton and Torrington.	
6. Totnes ...	(i) The boroughs of Clifton Dartmouth Hardness and Totnes ; (ii) the urban districts of Ashburton, Buckfastleigh, Kingsbridge, Newton Abbot and Salcombe ; (iii) the rural districts of Kingsbridge and Newton Abbot and the rural district of Totnes except the parishes of Churston Ferrers and Kingswear.	

(b) *Borough Constituencies.*

1. Exeter ...	The county borough of Exeter.
2. Plymouth, Devonport	(i) The following wards of the county borough of Plymouth, namely, Ford, Keyham Molesworth, Mount Edgecumbe, Nelson, Pennycross, St. Aubyn, St. Budeaux, St. Peter's and Stoke ; (ii) the parish of Tamerton Foliot in the rural district of Plympton St. Mary.
3. Plymouth, Sutton	(i) The following wards of the county borough of Plymouth, namely, Charles, Compton, Crownhill, Drake's, Friary, Laira, Mutley, St. Andrew's Sutton, Valletort and Vintry ; (ii) the parish of Bickleigh in the rural district of Plympton St. Mary.
4. Torquay ...	(i) The borough of Torquay ; (ii) the urban districts of Brixham and Paignton ; (iii) the parishes of Churston Ferrers and Kingswear in the rural district of Totnes.

1ST SCH.  
—cont.

## DORSET

(a) *County Constituencies.*

<i>Name.</i>	<i>Contents.</i>
1. North Dorset ...	(i) The boroughs of Blandford Forum and Shaftesbury ; (ii) the urban district of Wimborne Minster ; (iii) the rural districts of Blandford, Shaftesbury, Sturminster and Wimborne and Cranborne.
2. South Dorset ...	(i) The boroughs of Wareham and Weymouth and Melcombe Regis ; (ii) the urban districts of Portland and Swanage ; (iii) the rural district of Wareham and Purbeck and the parishes of Bincombe, Chickerell, Fleet, Osmington, Owermoigne and Poxwell in the rural district of Dorchester.
3. West Dorset ...	(i) The boroughs of Bridport, Dorchester and Lyme Regis ; (ii) the urban district of Sherborne ; (iii) the rural districts of Beaminster, Bridport and Sherborne and the rural district of Dorchester, except the parishes included in the South Dorset constituency.

(b) *Borough Constituency.*

1. Poole ...	... The borough of Poole.
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## DURHAM.

(a) *County Constituencies.*

1. Bishop Auckland...	(i) The urban districts of Barnard Castle, Bishop Auckland and Shildon ; (ii) the rural district of Barnard Castle.
2. Blaydon ...	... The urban districts of Blaydon, Ryton and Wickham.
3. Chester-le-Street ...	(i) The urban districts of Chester-le-Street and Washington ; (ii) the rural district of Chester-le-Street.
4. Consett ...	... The urban districts of Consett and Stanley.
5. Durham ...	(i) The borough of Durham ; (ii) the urban districts of Hetton and Spenny-moor ; (iii) the rural district of Durham.
6. Easington ...	... The rural district of Easington.
7. Houghton-le-Spring	(i) The urban districts of Houghton-le-Spring and Seaham ; (ii) the rural district of Sunderland.

<i>Name.</i>	<i>Contents.</i>	1ST SCH. — <i>cont.</i>
8. Jarrow ... ..	(i) The borough of Jarrow ; (ii) the urban districts of Boldon, Felling and Hebburn.	
9. North West Durham	(i) The urban districts of Brandon and Byshottles, Crook and Willington and Tow Law ; (ii) the rural districts of Lanchester and Weardale.	
10. Sedgefield ... ..	(i) The urban district of Billingham ; (ii) the rural districts of Darlington, Sedgefield and Stockton.	

(b) *Borough Constituencies.*

1. Darlington ... The county borough of Darlington.
2. Gateshead East ... The following wards of the county borough of Gateshead, namely, East, East-Central, North-East, South and South-Central.
3. Gateshead West ... The following wards of the county borough of Gateshead, namely, Central, North, North-West, West and West-Central.
4. South Shields ... The county borough of South Shields.
5. Stockton-on-Tees... The borough of Stockton-on-Tees.
6. Sunderland North The following wards of the county borough of Sunderland, namely, Bridge, Central, Colliery, Deptford, Fulwell, Monkwearmouth, Monkwearmouth Shore, Roker and Southwick.
7. Sunderland South The following wards of the county borough of Sunderland, namely, Bishopwearmouth, Hendon, Humbledon, Pallion, Park, St. Michael's, Sunderland East, Thornhill and West.
8. The Hartlepoons ... The county borough of West Hartlepool and the borough of Hartlepool.

## THE ISLE OF ELY.

*County Constituency.*

1. The Isle of Ely ... The county of the Isle of Ely.

## ESSEX.

(a) *County Constituencies.*

1. Billericay ... The urban districts of Benfleet, Billericay, Canvey Island and Rayleigh.
2. Chelmsford ... (i) The borough of Chelmsford ;  
(ii) the rural districts of Chelmsford and Ongar.
3. Colchester ... (i) The borough of Colchester ;  
(ii) the urban district of West Mersea ;  
(iii) the rural district of Lexden and Wintree.

1ST SCH.  
—cont.

<i>Name.</i>	<i>Contents.</i>
4. Epping ...	(i) The borough of Chingford ; (ii) the urban districts of Epping and Waltham Holy Cross ; (iii) the rural district of Epping.
5. Harwich ...	(i) The borough of Harwich ; (ii) the urban districts of Brightlingsea, Clacton, Frinton and Walton and Wivenhoe ; (iii) the rural district of Tendring.
6. Maldon ...	(i) The borough of Maldon ; (ii) the urban districts of Braintree and Bocking, Burnham-on-Crouch and Witham ; (iii) the rural district of Maldon and the rural district of Braintree except the parishes of Bardfield Saling and Great Bardfield.
7. Saffron Walden ...	(i) The borough of Saffron Walden ; (ii) the urban district of Halstead ; (iii) the rural districts of Dunmow, Halstead and Saffron Walden and the following parishes in the rural district of Braintree, namely, Bardfield Saling and Great Bardfield.
8. Thurrock ...	The urban district of Thurrock.
	(b) <i>Borough Constituencies.</i>
1. Barking ...	The borough of Barking.
2. Dagenham ...	The borough of Dagenham.
3. East Ham North ...	The Kensington, Little Ilford, Manor Park, Plashet and Woodgrange wards of the county borough of East Ham.
4. East Ham South ...	The Castle, Central, Greatfield, South and Wall End wards of the county borough of East Ham.
5. Hornchurch ...	The urban district of Hornchurch.
6. Ilford North ...	The Barkingside, Clayhall, Fairlop, North Hainault, Seven Kings and South Hainault wards of the borough of Ilford.
7. Ilford South ...	The Clementswood, Cranbrook, Goodmayes, Loxford, Mayfield, and Park wards of the borough of Ilford.
8. Leyton ...	The borough of Leyton.
9. Romford ...	(i) The borough of Romford ; (ii) the urban district of Brentwood.
10. Southend East ...	(i) The following wards of the county borough of Southend-on-Sea, namely, All Saints, Pier, Shoebury, Southchurch and Thorpe ; (ii) the rural district of Rochford.
11. Southend West ...	The following wards of the county borough of Southend-on-Sea, namely, Chalkwell, Eastwood, Leigh, Milton, Prittlewell, St. Clements, Victoria and Westborough.

*Name.**Contents.*1ST SCH.  
—cont.

12. Walthamstow East The Hale End, Hoe Street and Wood Street wards of the borough of Walthamstow.
13. Walthamstow West The High Street, Higham Hill and St. James Street wards of the borough of Walthamstow.
14. West Ham North... The following wards of the county borough of West Ham, namely, Broadway, Forest Gate, High Street, Newtown, Park, Plashet Road, Upton and West Ham.
15. West Ham South... The following wards of the county borough of West Ham, namely, Beckton Road, Bemersyde, Canning Town and Grange, Custom House and Silvertown, Hudsons, Ordnance, Plaistow and Tidal Basin.
16. Woodford ... (i) The borough of Wanstead and Woodford;  
(ii) the urban district of Chigwell.

## GLOUCESTERSHIRE.

(a) *County Constituencies.*

1. Cirencester and Tewkesbury (i) The borough of Tewkesbury ;  
(ii) the urban district of Cirencester ;  
(iii) the rural districts of Cheltenham, Cirencester, North Cotswold, Northleach and Tetbury.
2. South Gloucestershire (i) The urban districts of Kingswood and Mangotsfield ;  
(ii) the rural districts of Sodbury and Warmley.
3. Stroud and Thornbury (i) The urban districts of Nailsworth and Stroud ;  
(ii) The rural districts of Dursley, Stroud and Thornbury and the following parishes in the rural district of Gloucester, namely, Arlingham, Brookthorpe, Eastington, Elmore, Frampton-on-Severn, Fretherne with Saul, Frocester, Hardwicke, Harescombe, Haresfield, Longney, Moreton Valence, Quedgeley, Standish, Upton St. Leonards and Whitminster.
4. West Gloucestershire The rural districts of East Dean, Lydney, Newent and West Dean and the following parishes in the rural district of Gloucester, namely, Ashleworth, Chaceley, Churchdown, Down Hatherley, Forthampton, Hasfield, Highnam, Longford, Longlevens, Maisemore, Minsterworth, Newnham, Norton, Sandhurst, Tirley, Twigworth and Westbury-on-Severn.

1ST SCH.  
—cont.(b) *Borough Constituencies.*

<i>Name.</i>	<i>Contents.</i>
1. Bristol Central ...	The following wards of the county borough of Bristol, namely, Easton, Knowle, Redcliffe, St. Paul, St. Philip and Jacob North and St. Philip and Jacob South.
2. Bristol North East	The following wards of the county borough of Bristol, namely, District, Eastville, Hillfields and Stapleton.
3. Bristol North West	The following wards of the county borough of Bristol, namely, Avon, Durdham, Horfield and Westbury-on-Trym.
4. Bristol South ...	The following wards of the county borough of Bristol, namely, Bedminster, Somerset, Southville and Windmill Hill.
5. Bristol South-East	The following wards of the county borough of Bristol, namely, Brislington, Hengrove, St. George East and St. George West.
6. Bristol West ...	The following wards of the county borough of Bristol, namely, Bishopston, Clifton, Redland, St. Augustine, St. James and St. Michael.
7. Cheltenham ...	(i) The borough of Cheltenham ; (ii) the urban district of Charlton Kings.
8. Gloucester...	(i) The county borough of Gloucester ; (ii) the following parishes in the rural district of Gloucester, namely, Barnwood, Brockworth, Hempsted, Hucclecote and Wotton Vill.

## HAMPSHIRE.

(a) *County Constituencies.*

1. Aldershot ...	(i) The borough of Aldershot ; (ii) the urban districts of Farnborough and Fleet ; (iii) the rural district of Hartley Wintney.
2. Basingstoke ...	(i) The boroughs of Andover and Basingstoke ; (ii) the rural districts of Andover, Basingstoke and Kingsclere and Whitchurch and the following parishes in the rural district of Romsey and Stockbridge, namely, Ashley, Bossington, Broughton, Buckholt, East Tytherley, Frenchmoor, Houghton, King's Somborne, Leckford, Little Somborne, Longstock, Nether Wallop, Over Wallop, Stockbridge and West Tytherley.
3. New Forest ...	(i) The borough of Lymington ; (ii) the rural districts of New Forest and Ringwood and Fordingbridge.



<i>Name.</i>	<i>Contents.</i>	1ST SCH. —cont.
4. Petersfield	... (i) The urban districts of Alton and Petersfield ; (ii) the rural districts of Alton, Droxford and Petersfield and the parishes of Botley, Bursledon, Hamble, Hedge End, Hound and West End in the rural district of Winchester.	
5. Winchester	... (i) The boroughs of Eastleigh, Romsey and Winchester ; (ii) the following parishes in the rural district of Romsey and Stockbridge, namely, Ampfield, Chilworth, East Dean, Lockerley, Melchet Park and Plaitford, Michelmersh, Mottisfont, North Baddesley, Nursling and Rownhams, Romsey Extra, Sherfield English and Wellow, and the rural district of Winchester except the parishes included in the Petersfield constituency.	

(b) *Borough Constituencies.*

1. Bournemouth East and Christchurch The borough of Christchurch and the following wards of the county borough of Bournemouth, namely, Boscombe East, Boscombe West, King's Park, Queen's Park, Southbourne and West Southbourne.
2. Bournemouth West The following wards of the county borough of Bournemouth, namely, Central, East Cliff, Kinson, Moordown North, Moordown South, Redhill Park, Westbourne, West Cliff and Winton.
3. Gosport and Fareham (i) The borough of Gosport ;  
(ii) the urban district of Fareham.
4. Portsmouth, Langstone (i) The Cosham and Meredith wards of the county borough of Portsmouth ;  
(ii) the urban district of Havant and Waterloo.
5. Portsmouth South The Havelock, Highland, Kingston, St. Paul, St. Simon and St. Thomas wards of the county borough of Portsmouth.
6. Portsmouth West The Buckland, Charles Dickens, Fratton, Guildhall, Nelson, North End, Portsea and St. Mary wards of the county borough of Portsmouth.
7. Southampton, Itchen The following wards of the county borough of Southampton, namely, Bevois, Bitterne and Peartree, Bitterne and Sholing, Newtown, Northam, Portswood, St. Denys, St. Mary's, Trinity and Woolston.

1ST SCH.  
—cont.

<i>Name.</i>	<i>Contents.</i>
8. Southampton, Test	(i) The following wards of the county borough of Southampton, namely, All Saints, Banister, Freemantle, Millbrook, St. Nicholas, Shirley and Town ; (ii) the parish of Millbrook in the rural district of Romsey and Stockbridge.

#### HEREFORDSHIRE.

##### *County Constituencies.*

1. Hereford ...	(i) The borough of Hereford ; (ii) the urban district of Ross on Wye , (iii) the rural districts of Dore and Bredwardine and Ross and Whitchurch and the following parishes in the rural district of Hereford, namely, Aconbury, Allensmore, Bolstone, Callow, Clehonger, Dewesall, Dinedor, Dormington, Eaton Bishop, Fownhope, Grafton, Hampton Bishop, Haywood, Holme Lacy, Little Birch, Little Dewchurch, Lower Bullingham, Mordiford, Much Birch, Much Dewchurch and Stoke Edith.
2. Leominster ...	(i) The borough of Leominster ; (ii) the urban districts of Bromyard, Kington and Ledbury ; (iii) the rural districts of Bromyard, Kington, Ledbury, Leominster and Wigmore and Weobley and the following parishes in the rural district of Hereford, namely, Bartestree, Breinton, Burghill, Credenhill, Dinmore, Holmer, Kenchester, Lugwardine, Marden, Moreton on Lugg, Pipe and Lyde, Preston Wynne, Stretton Sugwas, Sutton, Wellington, Westhide, Weston Beggard and Withington.

#### HERTFORDSHIRE.

##### (a) *County Constituencies.*

1. Barnet ...	(i) The urban districts of Barnet and East Barnet ; (ii) the rural districts of Elstree and Hatfield.
2. Hemel Hempstead	(i) The borough of Hemel Hempstead ; (ii) the urban districts of Berkhamsted, Harpenden, and Tring ; (iii) the rural districts of Berkhamsted and Hemel Hempstead and the parishes of Harpenden Rural and Redbourn in the rural district of St. Albans.

<i>Name.</i>	<i>Contents.</i>	1ST SCH. —cont.
3. Hertford ...	<ul style="list-style-type: none"> <li>(i) The borough of Hertford ;</li> <li>(ii) the urban districts of Bishop's Stortford, Cheshunt, Hoddesdon, Sawbridgeworth and Ware ;</li> <li>(iii) the rural district of Ware, the rural district of Braughing, except the parishes of Anstey, Ardeley, Aspenden, Broadfield, Buckland, Buntingford, Cottered, Hormead, Meesden, Throcking, Westmill and Wyddiall, and the rural district of Hertford, except the parishes of Aston, Bennington, Datchworth, Sacomb, Walkern and Watton-at-Stone.</li> </ul>	
4. Hitchin ...	<ul style="list-style-type: none"> <li>(i) The urban districts of Baldock, Hitchin, Letchworth, Royston and Stevenage ;</li> <li>(ii) the rural district of Hitchin, the rural district of Braughing, except the parishes included in the Hertford constituency and the rural district of Hertford, except the parishes included in the Hertford constituency.</li> </ul>	
5. St. Albans...	<ul style="list-style-type: none"> <li>(i) The borough of St. Alban ;</li> <li>(ii) the urban district of Welwyn Garden City ;</li> <li>(iii) the rural district of Welwyn and the rural district of St. Albans except the parishes of Harpenden Rural and Redbourn.</li> </ul>	
6. South West Hertfordshire	<ul style="list-style-type: none"> <li>(i) The urban districts of Bushey, Chorleywood and Rickmansworth ;</li> <li>(ii) the rural district of Watford.</li> </ul>	
	(b) <i>Borough Constituency.</i>	
1. Watford ...	The borough of Watford.	

## HUNTINGDONSHIRE.

*County Constituency.*

1. Huntingdonshire ...	The county of Huntingdon.
------------------------	---------------------------

## KENT.

(a) *County Constituencies.*

1. Ashford ...	<ul style="list-style-type: none"> <li>(i) The borough of Tenterden ;</li> <li>(ii) the urban district of Ashford ;</li> <li>(iii) the rural districts of Cranbrook, East Ashford, Tenterden and West Ashford.</li> </ul>
2. Canterbury ...	<ul style="list-style-type: none"> <li>(i) The county borough of Canterbury ;</li> <li>(ii) the urban districts of Herne Bay and Whitstable ;</li> <li>(iii) the rural district of Bridge Blean.</li> </ul>

1ST SCH  
—cont.

<i>Name.</i>	<i>Contents.</i>
3. Chislehurst	... (i) The urban district of Chislehurst and Sidcup ; (ii) the parishes of Darenth, Stone, Sutton at Hone, and Wilmington in the rural district of Dartford.
4. Dover	... (i) The boroughs of Deal, Dover and Sandwich ; (ii) the rural district of Dover, and the rural district of Eastry, except the parishes included in the Isle of Thanet constituency.
5. Faversham	... (i) The boroughs of Faversham and Queenborough ; (ii) the urban districts of Sheerness and Sittingbourne and Milton ; (iii) the rural districts of Sheppey and Swale.
6. Folkestone and Hythe	(i) The boroughs of Folkestone, Hythe, Lydd and New Romney ; (ii) the rural districts of Elham and Romney Marsh.
7. Gravesend	... (i) The borough of Gravesend ; (ii) the urban districts of Northfleet and Swanscombe ; (iii) the rural district of Strood.
8. Isle of Thanet	... (i) The boroughs of Margate and Ramsgate ; (ii) the urban district of Broadstairs and St. Peter's ; (iii) the parishes of Acol, Minster, Monkton, St. Nicholas at Wade, and Sarre in the rural district of Eastry.
9. Maidstone	... (i) The borough of Maidstone ; (ii) the rural districts of Hollingbourne and Maidstone.
10. Orpington	... (i) The urban district of Orpington ; (ii) the rural district of Dartford except the parishes included in the Chislehurst constituency.
11. Sevenoaks...	... (i) The urban district of Sevenoaks ; (ii) The rural districts of Malling and Sevenoaks.
12. Tonbridge	... (i) The borough of Royal Tunbridge Wells (ii) the urban districts of Southborough and Tonbridge ; (iii) the rural district of Tonbridge.
(b) <i>Borough Constituencies.</i>	
1. Beckenham	... (i) The borough of Beckenham ; (ii) the urban district of Penge.
2. Bexley	... The borough of Bexley.

<i>Name.</i>	<i>Contents.</i>
3. Bromley ...	... The borough of Bromley.
4. Dartford ...	... (i) The boroughs of Dartford and Erith (ii) the urban district of Crayford.
5. Gillingham ...	The borough of Gillingham.
6. Rochester and Chatham.	The boroughs of Rochester and Chatham.

1ST SCH.  
—*cont.*

## LANCASHIRE.

(a) *County Constituencies.*

1. Chorley ...	... (i) The borough of Chorley ; (ii) the urban districts of Adlington and Leyland ; (iii) the rural district of Chorley.
2. Clitheroe ...	... (i) The borough of Clitheroe ; (ii) the urban districts of Great Harwood, Longridge and Padiham ; (iii) the rural districts of Burnley and Clitheroe, and the parishes of Dutton, Hothersall and Ribchester in the rural district of Preston.
3. Darwen ...	... (i) The borough of Darwen ; (ii) the urban districts of Turton and Withnell ; (iii) the rural district of Blackburn.
4. Farnworth ...	... (i) The borough of Farnworth ; (ii) the urban districts of Kearsley, Little Lever and Worsley.
5. Heywood and Royton	(i) The borough of Heywood ; (ii) the urban districts of Crompton, Little- borough, Milnrow, Royton, Wardle and Whitworth.
6. Huyton ...	... (i) The urban districts of Huyton with Roby and Prescott ; (ii) the parishes of Eccleston, Kirkby, Knowsley and Windle in the rural district of Whiston.
7. Ince ...	... The urban districts of Abram, Ashton in Makerfield, Billinge and Winstanley, Ince in Makerfield, Orrell, Skelmersdale and Upholland.
8. Lancaster ...	... (i) The borough of Lancaster ; (ii) the urban district of Carnforth ; (iii) the rural district of Lunesdale, and the following parishes in the rural district of Lancaster, namely, Ashton with Stodday, Cockerham, Ellel, Heaton with Oxcliffe, Middleton, Overton, Over Wyresdale, Scotforth and Thurnham.

1ST SCH.  
—cont.

<i>Name.</i>	<i>Contents.</i>
9. Middleton and Prestwich	(i) The boroughs of Middleton and Prestwich ; (ii) the urban district of Whitefield.
10. Morecambe and Lonsdale	(i) The borough of Morecambe and Heysham ; (ii) the urban districts of Grange and Ulverston ; (iii) the rural district of Ulverston, and the following parishes in the rural district of Lancaster, namely, Bolton le Sands, Priest Hutton, Silverdale, Slyne with Hest, Warton, Yealand Conyers and Yealand Redmayne.
11. Newton ... ..	(i) The urban districts of Golborne, Haydock, Irlam and Newton-le-Willows ; (ii) the rural district of Warrington ;
12. North Fylde ... ..	(i) The borough of Fleetwood ; (ii) the urban districts of Poulton-le-Fylde, Preesall and Thornton Cleaveleys ; (iii) the rural district of Garstang.
13. Ormskirk ... ..	(i) The urban districts of Formby, Ormskirk and Rainford ; (ii) the rural district of West Lancashire except the parishes of Aintree and Ford.
14. South Fylde ... ..	(i) The borough of Lytham St. Anne's ; (ii) the urban district of Kirkham ; (iii) the rural district of Fylde, and the rural district of Preston except the parishes of Dutton, Hothersall and Ribchester.
15. Westhoughton ... ..	(i) The urban districts of Aspull, Blackrod, Hindley, Horwich, Standish with Langtree and Westhoughton ; (ii) the rural district of Wigan.
16. Widnes ... ..	(i) The borough of Widnes ; (ii) the rural districts of Whiston except the parishes of Eccleston, Kirkby, Knowsley and Windle.

(b) *Borough Constituencies.*

1. Accrington ... ..	(i) The borough of Accrington ; (ii) the urban districts of Church, Clayton le Moors, Oswaldtwistle and Rishton.
2. Ashton under Lyne	(i) The boroughs of Ashton under Lyne and Mossley ; (ii) the rural district of Limehurst.
3. Barrow in Furness	(i) The county borough of Barrow in Furness ; (ii) the urban district of Dalton in Furness.

<i>Name.</i>	<i>Contents.</i>	1ST SCH. —cont.
4. Blackburn East ...	The following wards of the county borough of Blackburn, namely, St. John's, St. Mary's, St. Matthew's, St. Michael's, St. Stephen's, St. Thomas's and Trinity.	
5. Blackburn West ...	The following wards of the county borough of Blackburn, namely, Park, St. Andrew's, St. Luke's, St. Mark's, St. Paul's, St. Peter's and St. Silas's.	
6. Blackpool North ...	The following wards of the county borough of Blackpool, namely, Bank Hey, Bispham, Brunswick, Claremont, Foxhall, Layton, Talbot and Warbreck.	
7. Blackpool South ...	The following wards of the county borough of Blackpool, namely, Alexandra, Marton, Stanley, Tyldesley, Victoria and Waterloo.	
8. Bolton East ...	The following wards of the county borough of Bolton, namely, Astley Bridge, Bradford, Church, Darcy Lever cum Brightmet, East, Great Lever, Hulton, North and Tonge.	
9. Bolton West ...	The following wards of the county boroughs of Bolton, namely, Deane cum Lostock, Derby, Halliwell, Heaton, Rumworth, Smithills and West.	
10. Bootle ...	(i) The county borough of Bootle ; (ii) the urban district of Litherland.	
11. Burnley ...	The county borough of Burnley.	
12. Bury and Radcliffe	(i) The county borough of Bury and the borough of Radcliffe ; (ii) the urban district of Tottington.	
13. Crosby ...	(i) The borough of Crosby ; (ii) the parish of Ford in the rural district of West Lancashire.	
14. Droylsden ...	The urban districts of Audenshaw, Denton, Droylsden and Failsworth.	
15. Eccles ...	The boroughs of Eccles and Swinton and Pendlebury.	
16. Leigh ...	(i) The borough of Leigh ; (ii) the urban districts of Atherton and Tyldesley.	
17. Liverpool, Edge Hill	The following wards of the county borough of Liverpool, namely, Edge Hill, Fairfield, Kensington and Low Hill.	
18. Liverpool, Exchange	The following wards of the county borough of Liverpool, namely, Abercromby, Brunswick, Castle Street, Exchange, Granby, Great George, St. Anne's, St. Peter's and Vauxhall.	

1ST SCH.  
—cont.

<i>Name.</i>	<i>Contents.</i>
19. Liverpool, Garston	The following wards of the county borough of Liverpool, namely, Aigburth, Allerton, Childwall, Garston, Little Woolton and Much Woolton.
20. Liverpool, Kirkdale	The following wards of the county borough of Liverpool, namely, Anfield, Breckfield and Kirkdale.
21. Liverpool, Scotland	The following wards of the county borough of Liverpool, namely, Everton, Netherfield, North Scotland, St. Domingo, Sandhills and South Scotland.
22. Liverpool, Toxteth	The following wards of the county borough of Liverpool, namely, Dingle, Princes Park, Sefton Park East and Sefton Park West.
23. Liverpool, Walton	(i) The Fazakerley, Walton and Warbreck wards of the county borough of Liverpool; (ii) the parish of Aintree in the rural district of West Lancashire.
24. Liverpool, Wavertree	The Old Swan, Wavertree and Wavertree West wards of the county borough of Liverpool.
25. Liverpool, West Derby	The Croxteth and West Derby wards of the county borough of Liverpool.
26. Manchester, Ardwick	The following wards of the county borough of Manchester, namely, Ardwick, Longsight, New Cross and St. Mark's.
27. Manchester, Blackley	The Blackley, Crumpsall and Moston wards of the county borough of Manchester.
28. Manchester, Cheetham	The following wards of the county borough of Manchester, namely, Cheetham, Collegiate Church, Collyhurst, Harpurhey and St. Michael's.
29. Manchester, Clayton	The following wards of the county borough of Manchester, namely, Beswick, Bradford, Miles Platting and Newton Heath.
30. Manchester, Exchange	The following wards of the county borough of Manchester, namely, All Saints, Exchange, Medlock Street, Oxford, St. Ann's, St. Clement's, St. George's, St. John's and St. Luke's.
31. Manchester, Gorton	The following wards of the county borough of Manchester, namely, Gorton North, Gorton South, Levenshulme and Openshaw.
32. Manchester, Moss Side	The Chorlton-cum-Hardy, Moss Side East and Moss Side West wards of the county borough of Manchester.
33. Manchester, Withington	The Rusholme and Withington wards of the county borough of Manchester.



<i>Name.</i>	<i>Contents.</i>	1ST SCH. — <i>cont.</i>
34. Manchester, Wythenshawe	The Didsbury and Wythenshawe wards of the county borough of Manchester.	
35. Nelson and Colne	(i) The boroughs of Nelson and Colne ; (ii) the urban districts of Barrowford, Brierfield and Trawden.	
36. Oldham East ...	(i) The following wards of the county borough of Oldham, namely, Clarksfield, Mumps, St. James, St. Mary's, St. Paul's, St. Peter's and Waterhead ; (ii) the urban district of Lees.	
37. Oldham West ...	(i) The following wards of the county borough of Oldham, namely, Coldhurst, Hartford, Hollinwood, Werneth and Westwood ; (ii) the urban district of Chadderton.	
38. Preston North ...	(i) The following wards of the county borough of Preston, namely, Deepdale, Fishwick, Moorbrook, Park and Ribbleton ; (ii) the urban district of Fulwood.	
39. Preston South ...	(i) The following wards of the county borough of Preston, namely, Ashton, Avenham, Christ Church, Maudland, St. John's, St. Peters and Trinity ; (ii) the urban district of Walton-le-Dale.	
40. Rochdale ...	The county borough of Rochdale.	
41. Rossendale ...	(i) The boroughs of Bacup, Haslingden and Rawtenstall ; (ii) the urban district of Ramsbottom.	
42. St. Helens ...	The county borough of St. Helens.	
43. Salford East ...	The following wards of the county borough of Salford, namely, Albert Park, Crescent, Kersal, Mandley Park, Ordsall Park, Regent, St. Matthias and Trinity.	
44. Salford West ...	The following wards of the county borough of Salford, namely, Claremont, Charlestown, Docks, Langworthy, St. Paul's, St. Thomas', Seedley and Weaste.	
45. Southport ...	The county borough of Southport.	
46. Stretford ...	(i) The borough of Stretford ; (ii) the urban district of Urmston.	
47. Warrington ...	The county borough of Warrington.	
48. Wigan ...	The county borough of Wigan.	
LEICESTERSHIRE.		
(a) <i>County Constituencies.</i>		
1. Bosworth ...	(i) The urban districts of Coalville and Hinckley ; (ii) the rural district of Market Bosworth.	
2. Harborough ...	(i) The urban districts of Market Harborough, Oadby and Wigston ; (ii) the rural districts of Blaby, Lutterworth and Market Harborough.	

1ST SCH.  
—cont.

<i>Name.</i>	<i>Contents.</i>
3. Loughborough ...	(i) The borough of Loughborough ; (ii) the urban districts of Ashby-de-la-Zouch, Ashby Woulds and Shepshed ; (iii) the rural districts of Ashby-de-la-Zouch and Castle Donington.
4. Melton ...	(i) The urban district of Melton Mowbray ; (ii) the rural districts of Barrow upon Soar, Billesdon and Melton and Belvoir.
(b) <i>Borough Constituencies.</i>	
1. Leicester North-East	The Belgrave, Charnwood, Humberstone and Latimer wards of the county borough of Leicester.
2. Leicester North-West	The Abbey, Newton, St. Margaret's and Westcotes wards of the county borough of Leicester.
3. Leicester South-East	The Evington, Knighton, Spinney Hill and Wycliffe wards of the county borough of Leicester.
4. Leicester South-West	The Aylestone, De Montfort, North Braun- stone and The Castle wards of the county borough of Leicester.

## LINCOLNSHIRE—PARTS OF HOLLAND.

*County Constituency.*

Holland with Boston ... The county of the Parts of Holland.

## LINCOLNSHIRE—PARTS OF KESTEVEN AND RUTLANDSHIRE.

*County Constituencies.*

1. Grantham ... (i) The borough of Grantham ;  
(ii) the urban district of Sleaford ;  
(iii) the rural district of North Kesteven, the  
rural district of East Kesteven, except  
the parishes included in the Rutland  
and Stamford constituency, and the  
following parishes in the rural district  
of West Kesteven, namely, Allington,  
Ancaster, Barkston, Barrowby, Belton  
and Manthorpe, Carlton Scroop, Cay-  
thorpe, Claypole, Fenton, Foston, Ful-  
beck, Great Gonerby, Heydour, Honing-  
ton, Hougham, Hough-on-the-Hill,  
Londonthorpe and Harrowby Without,  
Long Bennington, Marston, Normanton,  
Sedgebrook, Stubton, Syston Welby  
and Westborough and Dry Doddington.

*Name.**Contents.*1ST SCH.  
—cont.

2. Rutland and Stamford  
ford
- (i) The county of Rutland ;
  - (ii) the borough of Stamford ;
  - (iii) the urban district of Bourne ;
  - (iv) the rural district of South Kesteven, the following parishes in the rural district of East Kesteven, namely, Aswarby and Swarby, Aunsby and Dembleby, Helpingham, Newton and Haceby, Osbournby, Scredington, Swaton, Threekingham and Walcot, and the rural district of West Kesteven, except the parishes included in the Grantham constituency.

## LINCOLNSHIRE—PARTS OF LINDSEY

(a) *County Constituencies.*

1. Brigg ... .. (i) The borough of Scunthorpe ;  
(ii) the urban districts of Barton upon Humber and Brigg ;  
(iii) the rural district of Glanford Brigg.
2. Gainsborough ... .. (i) The urban districts of Gainsborough and Market Rasen ;  
(ii) the rural districts of Caistor, Gainsborough, Isle of Axholme and Welton.
3. Horncastle ... .. (i) The urban districts of Alford, Horncastle, Mablethorpe and Sutton, Skegness and Woodhall Spa ;  
(ii) the rural districts of Horncastle and Spilsby.
4. Louth ... .. (i) The boroughs of Cleethorpes and Louth ;  
(ii) the rural districts of Grimsby and Louth.

(b) *Borough Constituencies.*

1. Grimsby ... .. The county borough of Grimsby.
2. Lincoln ... .. The county borough of Lincoln.

## LONDON.

*Borough Constituencies.*

1. Battersea North ... The Church, Latchmere, Nine Elms, Park and Winstanley wards of the borough of Battersea.
2. Battersea South ... The Bolingbroke, Broomwood, St. John and Shaftesbury wards of the borough of Battersea.
3. Bermondsey ... The borough of Bermondsey.
4. Bethnal Green ... The borough of Bethnal Green.
5. Camberwell,  
Dulwich The following wards of the borough of Camberwell, namely, Alleyn, Lyndhurst, Nunhead, Ruskin, Rye Lane, St. John's, The College, The Hamlet and The Rye.

1ST SCH.  
—cont.

<i>Name.</i>	<i>Contents.</i>
6. Camberwell, Peckham	The following wards of the borough of Camberwell, namely, Addington, Clifton, Cobourg, Goldsmith, Marlborough, North Peckham, St. George's, St. Giles, St. Mary's, The West and Town Hall.
7. Chelsea ... ..	The borough of Chelsea and the Brompton ward of the royal borough of Kensington.
8. The Cities of London and Westminster.	The county of the City of London, the borough of the City of Westminster, and the Inner Temple and Middle Temple.
9. Deptford ... ..	The borough of Deptford.
10. Fulham East ... ..	The Barons Court, Lillie, Sands End and Walham wards of the borough of Fulham.
11. Fulham West ... ..	The Hurlingham, Margravine, Munster and Town wards of the Borough of Fulham.
12. Greenwich ... ..	The borough of Greenwich.
13. Hackney South ... ..	The borough of Hackney, except the wards included in the Stoke Newington and Hackney North constituency.
14. Hammersmith North	The following wards (as constituted by the Hammersmith (Councillors and Wards) Order, 1948, S.I., 1948, No. 729) of the borough of Hammersmith, namely, College, Park and Latimer, Coningham, Old Oak, Starch Green, White City and Wormholt.
15. Hammersmith South	The following wards (as so constituted) of the borough of Hammersmith, namely, Addison, Broadway, Brook Green, Grove, Olympia, Ravenscourt and St. Stephen's.
16. Hampstead ... ..	The borough of Hampstead
17. Holborn and St. Pancras South.	The borough of Holborn and wards Nos. 5 to 8 of the borough of St. Pancras.
18. Islington East ... ..	The Canonbury, Highbury and Mildmay wards of the borough of Islington.
19. Islington North ... ..	The Tollington, Tufnell and Upper Holloway wards of the borough of Islington.
20. Islington South West	The Barnsbury, Lower Holloway, St. Mary, St. Peter and Thornhill wards of the borough of Islington.
21. Kensington North	The Golborne, Norland, Pembridge and St. Charles wards of the royal borough of Kensington.
22. Kensington South	The Earls Court, Holland, Queens Gate and Redcliffe wards of the royal borough of Kensington.
23. Lambeth, Brixton	The Angell, Stockwell, Town Hall, and Vassal wards of the borough of Lambeth.
24. Lambeth, Norwood	The Herne Hill, Knight's Hill and Tulse Hill wards of the borough of Lambeth.

<i>Name.</i>	<i>Contents.</i>
25. Lambeth, Vauxhall	The Bishops, Marsh, Oval, Prince's and Vauxhall wards of the borough of Lambeth.
26. Lewisham North ...	The Blackheath and Church Lee, Ladywell, Lewisham Park, Lewisham Village, Manor Lee and South Lee wards of the borough of Lewisham.
27. Lewisham South ...	The Bellingham, Catford, Downham and Hither Green wards of the borough of Lewisham.
28. Lewisham West ...	The Brockley, Forest Hill, Honor Oak Park, Sydenham East and Sydenham West wards of the borough of Lewisham.
29. Paddington North	The Harrow Road, Maida Vale, Queen's Park and Town wards of the borough of Paddington.
30. Paddington South	The Church, Hyde Park, Lancaster Gate East, Lancaster Gate West and Westbourne wards of the borough of Paddington.
31. Poplar ... ..	The borough of Poplar.
32. St. Marylebone ...	The borough of St. Marylebone.
33. St. Pancras North	Wards Nos. 1 to 4 of the borough of St. Pancras.
34. Shoreditch and Finsbury	The boroughs of Finsbury and Shoreditch.
35. Southwark ...	The borough of Southwark.
36. Stepney ... ..	The borough of Stepney.
37. Stoke Newington and Hackney North	The borough of Stoke Newington, and the Leaside, Maury, Southwold, Springfield and Stamford wards of the borough of Hackney.
38. Wandsworth Central	The Springfield and Tooting wards of the borough of Wandsworth and the part of the Balham ward of that borough lying to the south of the Southern Railway.
39. Wandsworth, Clapham	The Clapham North and Clapham South wards of the borough of Wandsworth and the part of the Balham ward of that borough lying to the north of the Southern Railway.
40. Wandsworth, Putney	The Fairfield, Putney and Southfields wards of the borough of Wandsworth.
41. Wandsworth, Streatham	The Streatham ward of the borough of Wandsworth.
42. Woolwich East ...	The following wards of the borough of Woolwich, namely, Abbey Wood, Burrage, Central, Dockyard, Glyndon, River, St. Margaret's, St. Mary's and St. Nicholas.
43. Woolwich West ...	The following wards of the borough of Woolwich, namely, Avery Hill, Herbert, St. George's, Sherard and Well Hall.

1ST SCH.  
—cont.

1ST SCH.  
—cont.

## MIDDLESEX.

(a) *County Constituencies.*

- | <i>Name.</i>    | <i>Contents.</i>   |
|-----------------|--|
| 1. Spelthorne   | ... The urban districts of Feltham, Staines and Sunbury on Thames. |
| 2. Uxbridge ... | ... The urban districts of Uxbridge and Yiewsley and West Drayton. |

(b) *Borough Constituencies.*

- |                           |   |
|---------------------------|---|
| 1. Acton ...              | ... The borough of Acton.   |
| 2. Brentford and Chiswick | The borough of Brentford and Chiswick.  |
| 3. Ealing North           | ... The following wards of the borough of Ealing, namely, Greenford Central, Greenford North, Greenford South, Hanger Hill, Northolt and Perivale.  |
| 4. Ealing South           | ... The following wards of the borough of Ealing, namely, Castlebar, Drayton, Grange Grosvenor, Lammas, Manor and Mount Park.   |
| 5. Edmonton               | ... The borough of Edmonton.  |
| 6. Enfield East           | ... The Central, North East and South East wards of the urban district of Enfield.  |
| 7. Enfield West           | ... The urban district of Potters Bar and the South West and West wards of the urban district of Enfield.   |
| 8. Finchley ...           | ... (i) The borough of Finchley ;<br>(ii) the urban district of Friern Barnet.  |
| 9. Harrow Central         | ... The Harrow on the Hill and Greenhill, Headstone, Wealdstone North, Wealdstone South and West Harrow wards of the urban district of Harrow.  |
| 10. Harrow East           | ... The Kenton, Stanmore North and Stanmore South wards of the urban district of Harrow and the part of the Harrow Weald ward which lies to the east of a line drawn from the county boundary down the middle of Oxhey Lane to its junction with Uxbridge Road, along the middle of Uxbridge Road, from its junction with Oxhey Lane to its junction with Headstone Lane and along the middle of Headstone Lane from its junction with Uxbridge Road to the last mentioned ward boundary adjoining the London Midland and Scottish Railway. |

<i>Name.</i>	<i>Contents.</i>	1ST SCH. — <i>cont.</i>
11. Harrow West ...	The Pinner North, Pinner South and Roxeth wards of the urban district of Harrow and the part of the Harrow Weald ward of the urban district of Harrow not included in the Harrow East constituency.	
12. Hayes and Harlington	The urban district of Hayes and Harlington.	
13. Hendon North ...	The Burnt Oak, Edgware, Mill Hill and West Hendon wards of the borough of Hendon.	
14. Hendon South ...	The Central Hendon, Childs Hill, Garden Suburb, Golders Green and Park wards of the borough of Hendon.	
15. Heston and Isleworth	The borough of Heston and Isleworth.	
16. Hornsey ...	The borough of Hornsey.	
17. Ruislip-Northwood	The urban district of Ruislip-Northwood.	
18. Southall ...	The borough of Southall and the Hanwell North and Hanwell South wards of the borough of Ealing.	
19. Southgate	The borough of Southgate.	
20. Tottenham	The borough of Tottenham except the wards included in the Wood Green constituency.	
21. Twickenham	The borough of Twickenham.	
22. Wembley North ...	The following wards of the borough of Wembley, namely, Chalkhill, Fryent, Kenton, Preston, Roe Green and The Hyde.	
23. Wembley South ...	The following wards of the borough of Wembley, namely, Alperton, Central, Sudbury, Sudbury Court, Tokyngton and Wembley Park.	
24. Willesden East ...	The following wards of the borough of Willesden, namely, Brondesbury Park, Carlton, Cricklewood, Kilburn, Mapesbury and Neasden.	
25. Willesden West ...	The following wards of the borough of Willesden, namely, Church End, Harlesden, Kensal Rise, Manor, Roundwood, Stonebridge and Willesden Green.	
26. Wood Green	The borough of Wood Green and the Coleraine, Park and White Hart Lane wards of the borough of Tottenham.	

1ST SCH.  
—cont.

## NORFOLK.

(a) *County Constituencies.*

<i>Name.</i>	<i>Contents.</i>
1. Central Norfolk ...	The rural districts of Forehoe and Henstead and St. Faith's and Aylsham and the parishes of Plumstead Great and Little, Postwick and Thorpe next Norwich in the rural district of Blofield and Flegg.
2. King's Lynn ...	(i) The borough of King's Lynn ; (ii) the urban district of New Hunstanton ; (iii) the rural districts of Docking, Freebridge Lynn and Marshland.
3. North Norfolk ...	(i) The urban districts of Cromer, North Walsham, Sheringham and Wells next the Sea ; (ii) the rural districts of Erpingham, Smallburgh and Walsingham.
4. South Norfolk ...	(i) The borough of Thetford ; (ii) the urban districts of Diss and Wymondham ; (iii) the rural districts of Depwade, Loddon and Wayland.
5. South West Norfolk	(i) The urban districts of Downham Market, East Dereham and Swaffham ; (ii) the rural districts of Downham, Mitford and Launditch and Swaffham.
6. Yarmouth...	(i) The county borough of Great Yarmouth ; (ii) the rural district of Blofield and Flegg except the parishes of Plumstead Great and Little, Postwick and Thorpe next Norwich.

(b) *Borough Constituencies.*

1. Norwich North ...	The following wards of the county borough of Norwich, namely, Catton, Coslany, Fye Bridge, Heigham, Hellesdon, Mousehold, Thorpe and Westwick.
2. Norwich South ...	The following wards of the county borough of Norwich, namely, Ber Street, Conesford, Earlham, Eaton, Lakenham, Nelson, St. Stephen and Town Close.



## NORTHAMPTONSHIRE AND THE SOKE OF PETERBOROUGH.

1ST SCH.  
—cont.(a) *County Constituencies.*

<i>Name.</i>	<i>Contents.</i>
1. Kettering ...	(i) The borough of Kettering ; (ii) the urban districts of Burton Latimer, Corby, Desborough and Rothwell ; (iii) the rural districts of Brixworth and Kettering.
2. Peterborough ...	(i) The borough of Peterborough ; (ii) the urban district of Oundle ; (iii) the rural districts of Barnack and Peterborough and the rural district of Oundle and Thrapston except the parishes of Chelveston cum Caldecott and Hargrave.
3. South Northants ...	(i) The boroughs of Brackley and Daventry ; (ii) the rural districts of Brackley, Daventry, Northampton and Towcester.
4. Wellingborough ...	(i) The borough of Higham Ferrers ; (ii) the urban districts of Irthlingborough, Raunds, Rushden and Wellingborough ; (iii) the rural district of Wellingborough and the parishes of Chelveston cum Caldecott and Hargrave in the rural district of Oundle and Thrapston.

(b) *Borough Constituency.*

1. Northampton, ... The county borough of Northampton.

## NORTHUMBERLAND.

(a) *County Constituencies.*

1. Berwick upon Tweed	(i) The borough of Berwick upon Tweed ; (ii) the urban districts of Alnwick and Amble ; (iii) the rural districts of Alnwick, Belford, Glendale, Norham and Islandshires and Rothbury.
2. Hexham ...	(i) The urban districts of Hexham and Prudhoe ; (ii) the rural districts of Bellingham, Castle Ward, Haltwhistle and Hexham.
3. Morpeth ...	(i) The borough of Morpeth ; (ii) the urban districts of Ashington and Newbiggin by the Sea ; (iii) the rural district of Morpeth.

1ST SCH.  
—cont.(b) *Borough Constituencies.*

<i>Name.</i>	<i>Contents.</i>
1. Blyth ... ..	(i) The borough of Blyth ; (ii) the urban districts of Bedlingtonshire and Seaton Valley.
2. Newcastle upon Tyne Central	(i) The following wards of the county borough of Newcastle upon Tyne, namely, Armstrong, Byker, St. Anthony's, St. Nicholas and Stephenson ; (ii) the rural district of Newcastle upon Tyne.
3. Newcastle upon Tyne East	The following wards of the county borough of Newcastle upon Tyne, namely, Dene, Heaton, St. Lawrence, Walker and Walker Gate.
4. Newcastle upon Tyne North	The following wards of the county borough of Newcastle upon Tyne, namely, Arthur's Hill, Elswick, Jesmond, Sandyford and Westgate.
5. Newcastle upon Tyne West	(i) The following wards of the county borough of Newcastle upon Tyne, namely, Benwell, Fenham, Kenton and Scotswood ; (ii) the urban district of Newburn.
6. Tynemouth ... ..	(i) The county borough of Tynemouth ; (ii) the urban district of Whitley Bay.
7. Wallsend ... ..	(i) The borough of Wallsend ; (ii) the urban districts of Gosforth and Longbenton.

## NOTTINGHAM.

(a) *County Constituencies.*

1. Bassetlaw ... ..	(i) The boroughs of East Retford and Worksop ; (ii) the urban district of Warsop ; (iii) the rural districts of East Retford and Worksop.
2. Broxtowe ... ..	(i) The urban districts of Eastwood, Hucknall and Kirkby in Ashfield ; (ii) the following parishes in the rural district of Basford, namely, Annesley, Awsworth, Bestwood Park, Brinsley, Cossall, Felley, Greasley, Kimberley, Linby, Newstead, Nuthall, Papplewick, Selston, Strelley and Trowell.

<i>Name.</i>	<i>Contents.</i>	1ST SCH. —cont.
3. Carlton ...	(i) The urban districts of Arnold and Carlton ; (ii) the rural district of Bingham and the following parishes in the rural district of Basford, namely, Burton Joyce, Calverton, Lambley, Stoke Bardolph and Woodborough.	
4. Mansfield ...	(i) The borough of Mansfield ; (ii) the urban district of Sutton in Ashfield.	
5. Newark ...	(i) The borough of Newark upon Trent ; (ii) the urban district of Mansfield Woodhouse ; (iii) the rural districts of Newark and Southwell.	
6. Rushcliffe ...	(i) The urban districts of Beeston and Stapleford and West Bridgford ; (ii) the rural district of Basford except the parishes included in the Broxtowe and Carlton constituencies.	

(b) *Borough Constituencies.*

1. Nottingham Central	(i) The following wards of the county borough of Nottingham, namely, Forest, Market, Robin Hood, St. Mary's and Sherwood ; (ii) the rural district of Nottingham.	
2. Nottingham East	The following wards of the county borough of Nottingham, namely, Byron, Manvers, Mapperley and St. Anne's.	
3. Nottingham North West	The following wards of the county borough of Nottingham, namely, Broxtowe, St. Albans and Wollaton.	
4. Nottingham South	The following wards of the county borough of Nottingham, namely, Bridge, Castle, Meadows and Trent.	

## OXFORD.

(a) *County Constituencies.*

1. Banbury ...	(i) The boroughs of Banbury, Chipping Norton and Woodstock ; (ii) the urban district of Witney ; (iii) the rural districts of Banbury, Chipping Norton and Witney and the following parishes in the rural district of Ploughley, namely, Begbroke, Gosford and Water Eaton, Hampton Gay and Poyle, Kidlington, Shipton on Cherwell, Thrupp and Yarnton.	
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1ST SCH.  
—cont.

<i>Name.</i>	<i>Contents.</i>
2. Henley ...	... (i) The borough of Henley on Thames ; (ii) the urban districts of Bicester and Thame ; (iii) the rural districts of Bullingdon and Henley and the rural district of Ploughley except the parishes included in the Banbury constituency.
	(b) <i>Borough Constituency.</i>
1. Oxford ...	... The county borough of Oxford.

## SHROPSHIRE.

*County Constituencies.*

1. Ludlow ...	... (i) The boroughs of Bishop's Castle, Bridgnorth, Ludlow and Wenlock ; (ii) the urban district of Church Stretton ; (iii) the rural districts of Bridgnorth, Clun and Ludlow.
2. Oswestry ...	... (i) The borough of Oswestry ; (ii) the urban districts of Ellesmere, Market Drayton, Wem and Whitchurch ; (iii) the rural districts of Drayton, Ellesmere, Oswestry and Wem.
3. Shrewsbury ...	... (i) The borough of Shrewsbury ; (ii) the rural district of Atcham.
4. The Wrekin ...	... (i) The urban districts of Dawley, Newport, Oakengates and Wellington ; (ii) the rural districts of Shifnal and Wellington.

## SOMERSET.

(a) *County Constituencies.*

1. Bridgwater ...	... (i) The borough of Bridgwater ; (ii) the urban districts of Burnham on Sea, Minehead and Watchet ; (iii) the rural districts of Bridgwater and Williton.
2. North Somerset ...	... (i) The urban districts of Keynsham, Norton Radstock and Portishead ; (ii) the rural districts of Bathavon and Clutton ; (iii) the rural district of Long Ashton, except the parishes of Kenn, Kingston Seymour and Yatton.
3. Taunton ...	... (i) The borough of Taunton ; (ii) the urban district of Wellington ; (iii) the rural districts of Dulverton, Taunton and Wellington.

<i>Name.</i>	<i>Contents.</i>
4. Wells ... ..	(i) The boroughs of Glastonbury and Wells ; (ii) the urban districts of Frome, Shepton Mallet and Street ; (iii) the rural districts of Frome, Shepton Mallet, Wells and Wincanton.
5. Weston Super Mare	(i) The borough of Weston Super Mare ; (ii) the urban district of Clevedon ; (iii) the rural district of Axbridge and the parishes of Kenn, Kingston Seymour and Yatton in the rural district of Long Ashton.
6. Yeovil ... ..	(i) The boroughs of Chard and Yeovil ; (ii) the urban districts of Crewkerne and Ilminster ; (iii) the rural districts of Chard, Langport and Yeovil.

1ST SCH.  
—cont.

	(b) <i>Borough Constituency.</i>
1. Bath ... ..	The county borough of Bath.

## STAFFORDSHIRE.

(a) *County Constituencies.*

1. Brierley Hill ... ..	(i) The urban districts of Amblecote, Brierley Hill and Tettenhall ; (ii) the rural district of Seisdon.
2. Burton ... ..	(i) The county borough of Burton upon Trent ; (ii) the urban district of Uttoxeter ; (iii) the rural districts of Tutbury and Uttoxeter.
3. Cannock ... ..	(i) The urban districts of Brownhills and Cannock ; (ii) the rural district of Cannock.
4. Leek ... ..	(i) The urban districts of Biddulph, Kidsgrove and Leek ; (ii) the rural districts of Cheadle and Leek.
5. Lichfield and Tamworth	(i) The boroughs of Lichfield and Tamworth ; (ii) the urban districts of Aldridge and Rugeley ; (iii) the rural district of Lichfield.
6. Stafford and Stone	(i) The borough of Stafford ; (ii) the urban district of Stone ; (iii) the rural districts of Stafford and Stone.

(b) *Borough Constituencies.*

1. Bilston ... ..	(i) The borough of Bilston ; (ii) the urban districts of Coseley and Sedgley.
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1ST SCH.  
—cont.

	<i>Name.</i>	<i>Contents.</i>
2.	Newcastle under Lyme	(i) The borough of Newcastle under Lyme; (ii) the rural district of Newcastle under Lyme.
3.	Rowley Regis and Tipton	The boroughs of Rowley Regis and Tipton.
4.	Smethwick ...	The county borough of Smethwick.
5.	Stoke on Trent Central	Wards Nos. 10 to 18 and 28 of the county borough of Stoke on Trent.
6.	Stoke on Trent North	Wards Nos. 1 to 9 and 27 of the county borough of Stoke on Trent.
7.	Stoke on Trent South	Wards Nos. 19 to 26 of the county borough of Stoke on Trent.
8.	Walsall ...	The county borough of Walsall.
9.	Wednesbury ...	(i) The borough of Wednesbury; (ii) the urban districts of Darlaston, Wednesfield and Willenhall.
10.	West Bromwich ...	The county borough of West Bromwich.
11.	Wolverhampton North East	The following wards of the county borough of Wolverhampton, namely, Bushbury, Dunstall, Heath Town, Low Hill, Park, St. James', St. Mary's and St. Peter's.
12.	Wolverhampton South West.	The following wards of the county borough of Wolverhampton, namely, Blakenhall and St. John's, Graiseley, Penn, St. George's, St. Mark's and Merridale, St. Matthew's and St. Philip's.

#### SUFFOLK.

##### (a) *County Constituencies.*

1. Bury St. Edmunds
  - (i) The borough of Bury St. Edmunds;
  - (ii) the urban districts of Haverhill and Newmarket;
  - (iii) the rural districts of Clare, Mildenhall, Thedwastre and Thingoe.
2. Eye ...
  - (i) The boroughs of Aldeburgh and Eye;
  - (ii) the urban districts of Leiston cum Sizewell, Saxmundham and Stowmarket;
  - (iii) the rural districts of Blyth, Gipping and Hartismere and the following parishes in the rural district of Deben, namely, Blaxhall, Boulge, Bredfield, Burgh, Campsey Ash, Charsfield, Chillesford, Clopton, Creetingham, Dallinghoo, Dallinghoo Wield, Debach, Eyke, Gedgrave, Grundisburgh, Hoo, Iken, Letheringham, Monewden, Orford, Otley, Pettistree, Rendlesham, Sudbourne, Swilland, Tunstall, Ufford, Wantisden, Wickham Market and Witnesham.

<i>Name.</i>	<i>Contents.</i>	<i>1ST SCH.</i> — <i>cont.</i>
3. Lowestoft ...	(i) The boroughs of Beccles, Lowestoft and Southwold ; (ii) the urban districts of Bungay and Halesworth ; (iii) the rural districts of Lothingland and Wainford.	
4. Sudbury and Woodbridge	(i) The borough of Sudbury ; (ii) the urban districts of Felixstowe, Hadleigh and Woodbridge ; (iii) the rural districts of Cosford, Melford and Samford and the rural district of Deben, except the parishes included in the Eye constituency.	
	(b) <i>Borough Constituency.</i>	
1. Ipswich ...	... The county borough of Ipswich.	

## SURREY.

(a) *County Constituencies.*

1. Carshalton ...	... The urban districts of Banstead and Carshalton.	
2. Chertsey ...	(i) The urban districts of Chertsey and Egham ; (ii) the rural district of Bagshot.	
3. Dorking ...	(i) The urban district of Dorking ; (ii) the rural district of Dorking and Horley and the following parishes in the rural district of Guildford, namely, Albury, East Clandon, East Horsley, Effingham, Ockham, Ripley, St. Martha, Send, Shere, West Clandon, West Horsley and Wisley.	
4. East Surrey ...	... The urban districts of Caterham and Warlingham and Coulsdon and Purley.	
5. Epsom ...	(i) The borough of Epsom and Ewell ; (ii) the urban district of Leatherhead.	
6. Esher ...	... The urban districts of Esher and Walton and Weybridge.	
7. Farnham ...	(i) The borough of Godalming ; (ii) the urban districts of Farnham and Haslemere ; (iii) the parish of Seale in the rural district of Guildford and the following parishes in the rural district of Hambleton, namely, Chiddingfold, Dockenfield, Elstead, Frensham, Peper Harow, Thursley, Tilford and Witley.	

1ST SCH.  
—cont.

<i>Name.</i>	<i>Contents.</i>
8. Guildford ...	(i) The borough of Guildford ; (ii) the following parishes in the rural district of Guildford, namely, Artington, Compton, Puttenham, Shackleford, Shalford, Wanborough and Worplesdon and the following parishes in the rural district of Hambledon, namely, Alfold, Bramley, Busbridge, Cranleigh, Dunsfold, Ewhurst, Hambledon, Hascombe and Wonersh.
9. Reigate ...	(i) The borough of Reigate ; (ii) the rural district of Godstone.
10. Woking ...	(i) The urban districts of Frimley and Camberley and Woking ; (ii) the parishes of Ash and Normandy and Pirbright in the rural district of Guildford.

(b) *Borough Constituencies.*

1. Croydon East ...	The Addington, Addiscombe, East, South Norwood and Woodside wards of the county borough of Croydon.
2. Croydon North ...	The Bensham Manor, Norbury, Thornton Heath, Upper Norwood and West Thornton wards of the county borough of Croydon.
3. Croydon West ...	The Broad Green, Central, South, Waddon and Whitehorse Manor wards of the county borough of Croydon.
4. Kingston-upon-Thames	The boroughs of Kingston upon Thames and Surbiton.
5. Merton and Morden	The urban district of Merton and Morden.
6. Mitcham ...	The boroughs of Mitcham and Beddington and Wallington.
7. Richmond (Surrey)	The boroughs of Richmond and Barnes.
8. Sutton and Cheam	The borough of Sutton and Cheam.
9. Wimbledon ...	The boroughs of Wimbledon and Malden and Coombe.

## EAST SUSSEX.

(a) *County Constituencies.*

1. Eastbourne ...	(i) The county borough of Eastbourne and the borough of Bexhill ; (ii) the following parishes in the rural district of Hailsham, namely, Eastdean, Friston, Hooe, Jevington, Ninfield, Pevensey, Polegate, Wartling, Westham and Willingdon.
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*Name.**Contents.*1ST SCH.  
—*cont.*

2. East Grinstead ... (i) The urban districts of Cuckfield and East Grinstead ;  
(ii) the rural district of Uckfield, the following parishes in the rural district of Cuckfield, namely, Ardingly, Balcombe, Bolney, Cuckfield Rural, Horsted Keynes, Lindfield Rural, Slaugham, West Hoathly and Worth, and the parishes of Burwash, Etchingham and Ticehurst in the rural district of Battle.

3. Lewes ... (i) The borough of Lewes ;  
(ii) the urban districts of Burgess Hill, Newhaven and Seaford ;  
(iii) the rural district of Chailey, the following parishes in the rural district of Cuckfield, namely, Albourne, Clayton, Fulking, Hurstpierpoint, Keymer, Newtimber, Poynings, Pyecombe and Twineham, and the rural district of Hailsham except the parishes included in the Eastbourne constituency.

(b) *Borough Constituencies.*

1. Brighton,  
Kemptown The following wards of the county borough of Brighton, namely, Elm Grove, Hanover, King's Cliff, Lewes Road, Moulescoomb, Pier, Queens Park, Rottingdean and St. John's.
2. Brighton, Pavilion The following wards of the county borough of Brighton, namely, Hollingbury, Montpelier, Patcham, Pavilion, Preston, Preston Park, Regency, St. Nicholas, St. Peters and West.
3. Hastings ... (i) The county borough of Hastings, and the borough of Rye ;  
(ii) the rural district of Battle except the parishes of Burwash, Etchingham and Ticehurst.
4. Hove ... (i) The borough of Hove ;  
(ii) the urban district of Portslade by Sea.

## WEST SUSSEX.

(a) *County Constituencies.*

1. Arundel and  
Shoreham (i) The borough of Arundel ;  
(ii) the urban districts of Littlehampton, Shoreham by Sea and Southwick ;  
(iii) the rural districts of Chanctonbury and Worthing.

1ST SCH.  
—cont.

<i>Name.</i>	<i>Contents.</i>
2. Chichester...	... (i) The borough of Chichester ; (ii) the urban district of Bognor Regis ; (iii) the rural district of Chichester.
3. Horsham ...	... (i) The urban district of Horsham ; (ii) the rural districts of Horsham, Midhurst and Petworth.
(b) <i>Borough Constituency.</i>	
1. Worthing ...	... The borough of Worthing.

## WARWICKSHIRE.

(a) *County Constituencies.*

1. Nuneaton ...	... (i) The borough of Nuneaton ; (ii) the urban district of Bedworth ; (iii) the rural district of Atherstone.
2. Rugby ...	... (i) The borough of Rugby ; (ii) the rural district of Rugby.
3. Solihull ...	... The urban district of Solihull.
4. Stratford ...	... (i) The borough of Stratford on Avon ; (ii) the rural districts of Alcester, Shipston on Stour, Southam and Stratford on Avon.
5. Sutton Coldfield ...	(i) The borough of Sutton Coldfield ; (ii) the rural districts of Meriden and Tam- worth.
6. Warwick and Leamington	(i) The boroughs of Royal Leamington Spa and Warwick ; (ii) the urban district of Kenilworth ; (iii) the rural district of Warwick.

(b) *Borough Constituencies.*

1. Birmingham, Aston	The Aston, Lozells, St. Mary's and St. Paul's wards of the county borough of Birmingham.
2. Birmingham, Erdington	The Bromford, Erdington and Gravelly Hill wards of the county borough of Birmingham.
3. Birmingham, Edgbaston	The Edgbaston, Harborne and Market Hall wards of the county borough of Birmingham.
4. Birmingham, Hall Green	The Hall Green and Sparkhill wards of the county borough of Birmingham.
5. Birmingham, Handsworth	The Handsworth, Sandwell and Soho wards of the county borough of Birmingham.
6. Birmingham, Ladywood	The All Saints', Ladywood and Rotton Park wards of the county borough of Birmingham.
7. Birmingham, King's Norton	The King's Norton and Moseley and King's Heath wards of the county borough of Birmingham.

<i>Name.</i>	<i>Contents.</i>	<i>1ST SCH.</i>
8. Birmingham, Northfield	The Northfield and Selly Oak wards of the county borough of Birmingham.	—cont.
9. Birmingham, Perry Barr	The Perry Barr ward of the county borough of Birmingham.	
10. Birmingham, Small Heath	The Duddeston and Nechells, St. Bartholomew's, Saltley and Small Heath wards of the county borough of Birmingham.	
11. Birmingham, Sparkbrook	The Balsall Heath, St. Martin's and Deritend and Sparkbrook wards of the county borough of Birmingham.	
12. Birmingham, Stechford	The Stechford and Washwood Heath wards of the county borough of Birmingham.	
13. Birmingham, Yardley	The Acock's Green and Yardley wards of the county borough of Birmingham.	
14. Coventry East ...	The Charterhouse and Binley, Longford, Lower Stoke, Upper Stoke and Walsgrave wards of the county borough of Coventry.	
15. Coventry North ...	The Bablake, Foleshill, Holbrook, Radford and Sherbourne wards of the county borough of Coventry.	
16. Coventry South ...	The Cheylesmore, Earlsdon, Godiva, St. Michael's Westwood and Whoberley wards of the county borough of Coventry.	

WESTMORLAND.

*County Constituency.*

- 1. Westmorland ... The county of Westmorland.

ISLE OF WIGHT.

*County Constituency.*

- 1. Isle of Wight ... The county of the Isle of Wight.

WILTSHIRE.

*County Constituencies.*

- 1. Chippenham ... (i) The boroughs of Calne, Chippenham and Malmesbury ;  
(ii) the rural districts of Calne and Chippenham, Cricklade and Wootton Bassett and Malmesbury.
- 2. Devizes ... (i) The boroughs of Devizes and Marlborough ;  
(ii) the rural districts of Devizes, Highworth, Marlborough and Ramsbury and Pewsey.
- 3. Salisbury ... (i) The boroughs of Salisbury and Wilton ;  
(ii) the rural districts of Amesbury and Salisbury and Wilton.

1ST SCH.  
—cont.

<i>Name.</i>	<i>Contents.</i>
4. Westbury	... (i) The urban districts of Bradford on Avon, Melksham, Trowbridge, Warminster and Westbury ; (ii) the rural districts of Bradford and Melksham, Mere and Tisbury and Warminster and Westbury. (b) <i>Borough Constituency.</i>
1. Swindon	... The borough of Swindon.

## WORCESTERSHIRE.

(a) *County Constituencies.*

1. Bromsgrove	... (i) The urban districts of Bromsgrove and Redditch ; (ii) the rural district of Bromsgrove.
2. Kidderminster	... (i) The boroughs of Bewdley and Kidderminster ; (ii) the urban district of Stourport on Severn ; (iii) the rural districts of Kidderminster, Martley and Tenbury.
3. South Worcester-shire	(i) The borough of Evesham ; (ii) the urban district of Malvern ; (iii) the rural districts of Evesham, Pershore and Upton upon Severn.

(b) *Borough Constituencies.*

1. Dudley	... The county borough of Dudley and the borough of Stourbridge.
2. Oldbury and Halesowen	The boroughs of Halesowen and Oldbury.
3. Worcester	... (i) The county borough of Worcester and the borough of Droitwich ; (ii) the rural district of Droitwich.

## YORKSHIRE—EAST RIDING.

(a) *County Constituencies.*

1. Beverley	... (i) The borough of Beverley ; (ii) the urban district of Norton ; (iii) the rural districts of Beverley, Derwent, Howden, Norton and Pocklington.
2. Bridlington	... (i) The boroughs of Bridlington and Hedon ; (ii) the urban districts of Driffield, Filey, Hornsea and Withernsea ; (iii) the rural districts of Bridlington, Driffield and Holderness.

(b) *Borough Constituencies.*1ST SCH.  
—cont.

<i>Name.</i>	<i>Contents.</i>
1. Kingston upon Hull Central	The following wards of the county borough of Kingston upon Hull, namely, Albert, Botanic, Coltman, East Central, Myton, North Newington, Paragon, South Newington and West Central.
2. Kingston upon Hull East	The following wards of the county borough of Kingston upon Hull, namely, Alexandra, Drypool, Marfleet, Southcoates, Stoneferry and Sutton.
3. Kingston upon Hull, Haltemprice	(i) The Pickering and St. Andrews wards of the county borough of Kingston upon Hull ; (ii) the urban district of Haltemprice.
4. Kingston upon Hull North	The Beverley, Newland, Park and University wards of the county borough of Kingston upon Hull.

## YORKSHIRE—NORTH RIDING.

(a) *County Constituencies.*

1. Cleveland ...	... (i) The borough of Redcar ; (ii) the urban districts of Eston, Guisborough, Loftus, Saltburn and Marske by the Sea and Skelton and Brotton.
2. Richmond (Yorks)	(i) The borough of Richmond ; (ii) the urban district of Northallerton ; (iii) the rural districts of Aysgarth, Croft, Leyburn, Masham, Northallerton, Reeth, Richmond, Startforth and Stokesley.
3. Scarborough and Whitby	(i) The borough of Scarborough ; (ii) the urban districts of Pickering, Scalby and Whitby ; (iii) the rural districts of Scarborough and Whitby and the following parishes in the rural district of Pickering, namely, Allerston, Ebberston, Kingthorpe, Levisham, Lockton, Newton, Pickering Marishes, Thornton Dale and Wilton.
4. Thirsk and Malton	(i) The urban district of Malton ; (ii) the rural districts of Bedale, Easingwold, Flaxton, Helmsley, Kirkby Moorside, Malton, Thirsk and Wath and the rural district of Pickering except the parishes included in the Scarborough and Whitby constituency.

1ST SCH.  
—con!.(b) *Borough Constituencies.*

<i>Name.</i>	<i>Contents.</i>
1. Middlesbrough East	The county borough of Middlesbrough, except the Acklam, Ayresome and Linthorpe wards.
2. Middlesbrough West	The Acklam, Ayresome and Linthorpe wards of the county borough of Middlesbrough, and the borough of Thornaby on Tees.

## YORKSHIRE—WEST RIDING.

(a) *County Constituencies.*

1. Barkston Ash ...	(i) The urban districts of Garforth and Selby ; (ii) the rural districts of Selby and Wetherby and the rural district of Tadcaster except the parishes of Great and Little Preston and Swillington ; (iii) the parishes of Hessay, Knapton, Moor Monkton, Poppleton Nether, Poppleton Upper and Rufforth in the rural district of Nidderdale.
2. Colne Valley ...	The urban districts of Colne Valley, Holmfirth, Kirkburton, Meltham and Saddleworth.
3. Dearne Valley ...	The urban districts of Conisbrough, Darfield, Mexborough, Swinton, Wath upon Dearne and Wombwell.
4. Don Valley ...	(i) The urban districts of Adwick le Street, Bentley with Arksey and Tickhill ; (ii) the rural district of Doncaster.
5. Goole ...	(i) The borough of Goole ; (ii) the urban district of Knottingley ; (iii) the rural districts of Goole, Osgoldcross and Thorne.
6. Harrogate ...	(i) The borough of Harrogate ; (ii) the urban district of Knaresborough ; (iii) the rural district of Nidderdale except the parishes of Hessay, Knapton, Moor Monkton, Poppleton Nether, Poppleton Upper and Rufforth.
7. Hemsworth ...	(i) The urban districts of Cudworth, Dearne, Hemsworth and Royston ; (ii) the rural district of Hemsworth.
8. Normanton ...	(i) The urban districts of Normanton, Rothwell and Stanley ; (ii) the parishes of Great and Little Preston and Swillington in the rural district of Tadcaster and the parishes of Crofton, Sharlston and Warmfield cum Heath in the rural district of Wakefield.

<i>Name.</i>	<i>Contents.</i>	1ST SCH —con
9. Penistone ...	(i) The urban districts of Denby Dale, Dodworth, Hoyland Nether, Penistone and Stocksbridge; (ii) the rural districts of Penistone and Wortley.	
10. Ripon ...	(i) The borough of Ripon ; (ii) the urban districts of Ilkley and Otley ; (iii) the rural districts of Ripon and Pateley Bridge and Wharfedale.	
11. Rother Valley ...	(i) The urban districts of Maltby and Rawmarsh ; (ii) the rural districts of Kiveton Park and Rotherham.	
12. Shipley ...	The urban districts of Baildon, Bingley and Shipley.	
13. Skipton ...	(i) The urban districts of Barnoldswick, Earby and Skipton ; (ii) the rural districts of Bowland, Sedbergh and Settle and the rural district of Skipton except the parishes of Steeton with Eastburn and Sutton.	
14. Sowerby ...	(i) The borough of Todmorden ; (ii) the urban districts of Elland, Hebden Royd, Ripponden and Sowerby Bridge ; (iii) the rural district of Hepton.	

(b) *Borough Constituencies.*

1. Barnsley ... (i) The county borough of Barnsley ;  
(ii) the urban districts of Darton and Worsbrough.
2. Batley and Morley The boroughs of Batley and Morley.
3. Bradford Central... The Bradford Moor, Exchange, Manningham, North-East and South wards of the county borough of Bradford.
4. Bradford East ... The East Bowling, Little Horton, North Bierley East, Tong and West Bowling wards of the county borough of Bradford.
5. Bradford North ... The Allerton, Bolton, Eccleshill, Heaton and Idle wards of the county borough of Bradford.
6. Bradford South ... The Clayton, Great Horton, Listerhills, North Bierley West and Thornton wards of the county borough of Bradford.
7. Brighouse and Spenborough (i) The borough of Brighouse ;  
(ii) the urban districts of Queensbury and Shelf and Spenborough.

1ST SCH.  
—cont.

Name.	Contents.
8. Dewsbury ...	E. The county borough of Dewsbury and the borough of Ossett ; F. the urban districts of Heckmondwike and Mirfield.
9. Doncaster ...	The county borough of Doncaster.
10. Halifax ...	The county borough of Halifax.
11. Huddersfield East	The following wards of the county borough of Huddersfield, namely, Almondbury, Dalton, Deighton, Fartown, Newsome, North Central and South Central.
12. Huddersfield West	The following wards of the county borough of Huddersfield, namely, Birkby, Crosland Moor, Lindley, Lockwood, Longwood, Marsh, Milnsbridge and Paddock.
13. Keighley ...	(i) The borough of Keighley ; (ii) the urban districts of Denholme and Silsden ; (iii) the parishes of Steeton with Eastburn and Sutton in the rural district of Skipton.
14. Leeds Central ...	The Armley and New Wortley, Blenheim, Central, Holbeck North, Mill Hill and South and Westfield wards of the county borough of Leeds.
15. Leeds North-East	The Burmantofts, Harehills, Potternewton and Richmond Hill wards of the county borough of Leeds.
16. Leeds North ...	The North, Roundhay and Woodhouse wards of the county borough of Leeds.
17. Leeds North-West	The Far Headingley, Hyde Park and Kirkstall wards of the county borough of Leeds.
18. Leeds South ...	The Beeston, Holbeck South, Hunslet Carr and Middleton and West Hunslet wards of the county borough of Leeds.
19. Leeds South-East	The Cross Gates and Templenewsam, East Hunslet and Osmondthorpe wards of the county borough of Leeds.
20. Leeds West ...	The Bramley, Farnley and Wortley and Upper Armley wards of the county borough of Leeds.
21. Pontefract ...	(i) The borough of Pontefract ; (ii) the urban districts of Castleford and Featherstone.



<i>Name.</i>	<i>Contents.</i>	1ST SCH. —cont.
22. Pudsey ... ..	(i) The borough of Pudsey ; (ii) the urban districts of Aireborough and Horsforth.	
23. Rotherham ...	The county borough of Rotherham.	
24. Sheffield, Attercliffe	The Attercliffe, Darnall and Handsworth wards of the county borough of Sheffield.	
25. Sheffield, Brightside	The Brightside, Firth Park and Tinsley wards of the county borough of Sheffield.	
26. Sheffield, Hallam...	The Broomhill, Ecclesall and Hallam wards of the county borough of Sheffield.	
27. Sheffield, Heeley ...	The Heeley, Nether Edge, Norton and Wood- seats wards of the county borough of Sheffield.	
28. Sheffield, Hillsborough	The Crookesmoor, Hillsborough, Owlerton and Walkley wards of the county borough of Sheffield.	
29. Sheffield, Neepsend	The Burngreave, Neepsend, St. Peter's and St. Phillip's wards of the county borough of Sheffield.	
30. Sheffield, Park ...	The Manor, Moor, Park and Sharrow wards of the county borough of Sheffield.	
31. Wakefield ...	(i) The county borough of Wakefield ; (ii) the urban district of Horbury ; (iii) the rural district of Wakefield except the parishes of Crofton, Sharlston and Warmfield cum Heath.	

## YORK.

*Borough Constituency.*

1. York ... .. The county borough of York.

## PART II.

## WALES.

## ANGLESEY.

*County Constituency.*

1. Anglesey ... .. The county of Anglesey.

## BRECKNOCKSHIRE AND RADNORSHIRE.

*County Constituency.*

1. Brecon and Radnor The counties of Brecknock and Radnor.

1ST SCH.  
—cont.

## CAERNARVONSHIRE.

*County Constituencies.*

<i>Name.</i>	<i>Contents.</i>
1. Caernarvon	... (i) The boroughs of Caernarvon and Pwllheli; (ii) the urban districts of Criccieth and Portmadoc; (iii) the rural districts of Gwyrfaï and Lleyu.
2. Conway	... (i) The boroughs of Bangor and Conway; (ii) the urban districts of Bethesda, Bettws-y-Coed, Llandudno, Llanfairfechan and Penmaenmawr; (iii) the rural districts of Nant Conway and Ogwen.

## CARDIGANSHIRE.

*County Constituency.*

1. Cardigan	... The county of Cardigan.
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## CARMARTHENSHIRE.

*County Constituencies.*

1. Carmarthen	... (i) The boroughs of Carmarthen, Kidwelly and Llandovery; (ii) the urban districts of Llandilo and Newcastle Emlyn; (iii) the rural districts of Carmarthen and Newcastle Emlyn and the rural district of Llandilo except the parish of Bettws.
2. Llanelly	... (i) The borough of Llanelly; (ii) the urban districts of Ammanford, Barry Port and Cwmamman; (iii) the rural district of Llanelly and the parish of Bettws in the rural district of Llandilo.

## DENBIGHSHIRE.

*County Constituencies.*

1. Denbigh	... (i) The boroughs of Colwyn Bay, Denbigh and Ruthin; (ii) the urban districts of Abergele, Llangollen and Llanrwst; (iii) the rural districts of Aled, Hiraethog and Ruthin, the parishes of Llangollen Rural and Llantysilio in the rural district of Wrexham and the rural district of Ceiriog except the parish of Chirk.
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<i>Name.</i>	<i>Contents.</i>	<b>1ST SCH.</b> — <i>cont.</i>
2. Wrexham	... (i) The borough of Wrexham ; (ii) the parish of Chirk in the rural district of Ceiriog and the rural district of Wrexham except the parishes of Llangollen Rural and Llantysilio.	

## FLINTSHIRE.

*County Constituencies.*

1. East Flint...	... (i) The borough of Flint ; (ii) the urban districts of Buckley, Connah's Quay and Holywell ; (iii) the rural districts of Hawarden and Overton.
2. West Flint	... (i) The urban districts of Mold, Prestatyn and Rhyl ; (ii) the rural districts of Holywell and St. Asaph.

## GLAMORGANSHIRE.

(a) *County Constituencies.*

1. Aberavon ...	... (i) The borough of Port Talbot ; (ii) the urban districts of Glyncoed and Porthcawl ; (iii) the parishes of Kenfig, Pyle, Sker, Tythegston Lower and Tythegston Higher in the rural district of Penybont.
2. Barry ...	... (i) The borough of Barry ; (ii) the rural district of Cardiff.
3. Caerphilly	... The urban districts of Caerphilly and Gelligaer.
4. Gower ...	... (i) The urban district of Llchwyr ; (ii) the rural districts of Gower and Pontardawe.
5. Neath ...	... (i) The borough of Neath ; (ii) the rural district of Neath.
6. Ogmore ...	... (i) The urban districts of Bridgend, Maesteg and Ogmore and Garw ; (ii) the rural district of Penybont except the parishes included in the Aberavon constituency.
7. Pontypridd	... (i) The borough of Cowbridge ; (ii) the urban district of Pontypridd ; (iii) the rural districts of Cowbridge and Llantrisant and Llantwit-Fardre.

(b) *Borough Constituencies.*

1. Aberdare ...	... The urban districts of Aberdare and Mountain Ash.
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1ST SCH.  
—cont.

<i>Name.</i>	<i>Contents.</i>
2. Cardiff North	... The Cathays, Central, Gabalfa, Penylan and Plasnewydd wards of the county borough of Cardiff.
3. Cardiff South East	(i) The Adamsdown, Roath, Splott and South wards of the county borough of Cardiff ; (ii) the urban district of Penarth.
4. Cardiff West	... The Canton, Ely, Grangetown, Llandaff and Riverside wards of the county borough of Cardiff.
5. Merthyr Tydfil	... The county borough of Merthyr Tydfil.
6. Rhondda East	... Wards nos. 7 to 11 of the urban district of Rhondda and the part of ward no. 6 of that district lying to the east of the middle of the River Rhondda.
7. Rhondda West	... Wards nos. 1 to 5 of the urban district of Rhondda and the part of ward no. 6 of that district lying to the west of the middle of the River Rhondda.
8. Swansea East	... The following wards of the county borough of Swansea namely, Alexandra, Castle, Clâse, Kilvey, Landore, Llansamlet, Morriston, Penderry, St. John's and St. Thomas
9. Swansea West	... The following wards of the county borough of Swansea, namely, Brynmelyn, Cockett, Ffynone, Oystermouth and Brynau, St. Helens, Sketty, Victoria and Waunarlwydd.

## MERIONETHSHIRE.

*County Constituency.*

1. Merioneth ... The county of Merioneth.

## MONMOUTHSHIRE.

(a) *County Constituencies.*

1. Abertillery ... The urban districts of Abercarn, Abertillery and Nantyglo and Blaina.
2. Bedwelty ... The urban districts of Bedwas and Machen, Bedwelty, Mynyddislwyn and Risca
3. Ebbw Vale ... The urban districts of Ebbw Vale, Rhymney and Tredegar.

<i>Name:</i>	<i>Contents.</i>	1ST SCH.
4. Monmouth	... (i) The boroughs of Abergavenny and Monmouth ; (ii) the urban districts of Caerleon, Chepstow and Usk ; (iii) the rural districts of Abergavenny, Chepstow, Magor and St. Mellons, Monmouth and Pontypool.	• —cont.
5. Pontypool...	... The urban districts of Blaenavon, Cwmbran and Pontypool.	
	(b) <i>Borough Constituency.</i>	
1. Newport ...	... The county borough of Newport.	
	MONTGOMERYSHIRE.	
	<i>County Constituency.</i>	
1. Montgomery ...	... The county of Montgomery.	
	PEMBROKESHIRE.	
	<i>County Constituency.</i>	
1. Pembroke ...	... The county of Pembroke.	

PART III.  
SCOTLAND.

[Note.—The references to the following areas, namely the burghs of Coatbridge and Lochgelly, the counties of Dumfries and Kirkcudbright, the ninth district of Lanarkshire and the Lochgelly district of Fife, are references to those areas as constituted on the sixteenth day of May, 1948.]

ABERDEENSHIRE.

(a) *County Constituencies.*

1. East Aberdeenshire (i) The burghs of Ellon, Fraserburgh, Huntly, Peterhead, Rosehearty and Turriff ;  
(ii) the districts of Deer, Ellon, Huntly and Turriff.
2. West Aberdeenshire (i) The burghs of Ballater, Inverurie, Kintore and Old Meldrum ;  
(ii) the districts of Aberdeen, Alford, Deeside and Garioch.

(b) *Burgh Constituencies.*

1. Aberdeen North ... The following wards of the county of the city of Aberdeen, namely, Gilcomston, Greyfriars, St. Clement, St. Machar, St. Nicholas and Woodside.
2. Aberdeen South ... The following wards of the county of the city of Aberdeen, namely, Ferryhill, Holburn, Rosemount, Rubislaw, Ruthrieston and Torry.

1ST SCH.  
—cont.

## ANGUS AND KINCARDINE.

(a) *County Constituencies.*

<i>Name.</i>	<i>Contents.</i>
1. North Angus and Mearns	(i) The county of Kincardine inclusive of all the burghs situated therein ; (ii) the burghs of Brechin and Montrose ; (iii) the districts of Brechin and Montrose.
2. South Angus ...	(i) The burghs of Arbroath, Carnoustie, Forfar, Kirriemuir and Monifieth ; (ii) the districts of Carnoustie, Forfar, Kirriemuir and Monifieth.

(b) *Burgh Constituencies.*

1. Dundee East ...	The first, fourth, fifth, tenth, eleventh and twelfth wards of the county of the city of Dundee.
2. Dundee West ...	The second, third, sixth, seventh, eighth and ninth wards of the county of the city of Dundee.

## ARGYLL.

*County Constituency.*

1. Argyll ...	... The county of Argyll inclusive of all the burghs situated therein.
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## AYRSHIRE AND BUTE.

(a) *County Constituencies.*

1. Ayr ...	(i) The burghs of Ayr and Prestwick ; (ii) the district of Ayr except in so far as included in the Central Ayrshire constituency.
2. Bute and North Ayrshire	(i) The county of Bute inclusive of all the burghs situated therein ; (ii) the burghs of Ardrossan, Largs and Saltcoats ; (iii) the district of Saltcoats.
3. Central Ayrshire ...	(i) The burghs of Irvine, Kilwinning, Stewarton and Troon ; (ii) the districts of Irvine and Kilbirnie, the electoral division of Dundonald in the district of Ayr and the electoral division of Dunlop and Stewarton in the district of Kilmarnock.
4. Kilmarnock ...	(i) The burghs of Kilmarnock, Darvel, Galston and Newmilns and Greenholm ; (ii) the district of Newmilns and the district of Kilmarnock except in so far as included in the Central Ayrshire constituency.

<i>Name.</i>	<i>Contents.</i>	<b>1ST SCH.</b> —cont.
5. South Ayrshire ...	(i) The burghs of Cumnock and Holmhead, Girvan and Maybole ; (ii) the districts of Cumnock, Dalmellington, Girvan and Maybole.	

## BANFFSHIRE.

*County Constituency.*

1. Banff ...	... The county of Banff inclusive of all the burghs situated therein.
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## BERWICKSHIRE AND EAST LOTHIAN.

*County Constituency.*

1. Berwick and East Lothian	The counties of Berwick and East Lothian inclusive of all the burghs situated therein.
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## CAITHNESS AND SUTHERLAND.

*County Constituency.*

1. Caithness and Sutherland	The counties of Caithness and Sutherland inclusive of all the burghs situated therein.
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## DUMFRIESSHIRE.

*County Constituency.*

1. Dumfries ...	... The county of Dumfries inclusive of all the burghs situated therein.
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## DUNBARTONSHIRE.

*County Constituencies.*

1. East Dunbartonshire	(i) The burghs of Clydebank, Kirkintilloch and Milngavie ; (ii) the districts of Cumbernauld, Kirkintilloch and New Kilpatrick.
2. West Dunbartonshire	(i) The burghs of Dumbarton, Cove and Kilcreggan and Helensburgh ; (ii) the districts of Helensburgh, Old Kilpatrick and Vale of Leven.

## FIFE.

(a) *County Constituencies.*

1. East Fife ...	... The burghs of Auchtermuchty, Crail, Cupar, Elie and Earlsferry, Falkland, Kilrenny, Anstruther Easter and Anstruther Wester, Ladybank, Leven, Newburgh, Newport, Pittenweem, St. Andrews, St. Monance and Tayport. The districts of Anstruther, Cupar and St. Andrews and the electoral division of Kennoway and Scoonie in the district of Wemyss.
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1ST SCH.  
—cont.

<i>Name.</i>	<i>Contents.</i>
2. West Fife ...	... The burghs of Culross, Leslie and Markinch. The districts of Dunfermline, Kirkcaldy and Lochgelly, and the Wemyss district in so far as not included in the East Fife constituency.

(b) *Burgh Constituencies.*

1. Dunfermline burghs	The burghs of Dunfermline, Cowdenbeath, Inverkeithing and Lochgelly.
2. Kirkcaldy burghs	The burghs of Kirkcaldy, Buckhaven and Methil, Burntisland and Kinghorn.

## INVERNESSHIRE AND ROSS AND CROMARTY.

*County Constituencies.*

1. Inverness ...	... The county of Inverness inclusive of all the burghs situated therein except in so far as contained within the Western Isles constituency.
2. Ross and Cromarty	The county of Ross and Cromarty inclusive of all the burghs situated therein except in so far as contained within the Western Isles constituency.
3. Western Isles ...	(i) The burgh of Stornoway ; (ii) the districts of Barra, Harris, North Uist and South Uist in the county of Inverness and the district of Lewis in the county of Ross and Cromarty.

## KIRKCUDBRIGHTSHIRE AND WIGTOWNSHIRE.

*County Constituency.*

1. Galloway ...	... The counties of Kirkcudbright and Wigtown inclusive of all the burghs situated therein.
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## LANARKSHIRE.

(a) *County Constituencies.*

1. Bothwell ...	... The sixth district, the electoral divisions of Baillieston, Mount Vernon and Carmyle, Springboig and Garrowhill in the ninth district and that part of the electoral division of Old Monkland in the said ninth district which is bounded on the North by the city of Glasgow and the burgh of Coatbridge, on the West by the electoral division of Baillieston and on the South and East by the electoral divisions of Tannochside and Bellshill North.
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*Name.**Contents.*1ST SCH.  
—cont.

2. Hamilton ... (i) The burgh of Hamilton ;  
(ii) the electoral divisions of Hamilton, Larkhall North, Larkhall South and Dalserf in the fourth district and the electoral divisions of Stonefield, Blantyre and High Blantyre in the fifth district.
3. Lanark ... (i) The burghs of Biggar and Lanark ;  
(ii) the first, second and third districts and, so far as not included in the Hamilton constituency, the fourth and fifth districts.
4. Motherwell ... (i) The burgh of Motherwell and Wishaw ;  
(ii) the electoral division of Dalziel-Overtown in the seventh district.
5. North Lanarkshire The ninth district so far as not included in the Bothwell constituency and the seventh district so far as not included in the Motherwell constituency.
6. Rutherglen ... (i) The burgh of Rutherglen ;  
(ii) the eighth district.

(b) *Burgh Constituencies.*

1. Coatbridge and Airdrie The burghs of Coatbridge and Airdrie.
2. Glasgow, Bridgeton The following wards (as constituted by the Local Government (Scotland) (Glasgow Wards and Councillors) Order, 1948, S.I., 1948, No. 876) of the county of the city of Glasgow, namely, Calton and Dalmarnock.
3. Glasgow, Camlachie The following wards (as so constituted) of the county of the city of Glasgow, namely, Dennistoun, Provan and that part of Mile-End ward which lies to the west of a line commencing at a point on the northern boundary of the ward immediately opposite the centre line of Millerston Street thence southward to and along the centre line of Millerston Street to the centre line of Gallowgate ; thence eastward along the centre line of Gallowgate to a point opposite the centre line of Fielden Street ; thence southward along the centre line of Fielden

1ST SCH.  
—cont.

Name.

Contents.

- Street to the termination of the line on the southern boundary of the Mile-End ward immediately opposite the centre of Fielden Street.
4. Glasgow, Cathcart The following wards (as so constituted) of the county of the city of Glasgow, namely, Cathcart, Langside and that part of Govanhill ward which is south and east of a line commencing at a point on the western boundary of the ward where it is cut by the centre line of Calder Street ; thence eastward along the centre line of Calder Street to the centre of Polmadie Road ; thence north-eastward along the centre line of Polmadie Road to the termination of the line on the northern boundary of the ward at the centre of the British Railways main line from Glasgow to Rutherglen.
5. Glasgow Central ... The following wards (as so constituted) of the county of the city of Glasgow, namely, Exchange and Townhead.
6. Glasgow, Gorbals... The following wards (as so constituted) of the county of the city of Glasgow, namely, Gorbals, Hutchesontown and that part of the Govanhill ward which is not included in the Cathcart constituency.
7. Glasgow, Govan ... The following wards (as so constituted) of the county of the city of Glasgow, namely, Craigton, Fairfield and that part of Govan ward which lies to the west of a line commencing on the northwest boundary of the ward where it is cut by the centre line of Greenfield Street ; thence southward along the centre line of Greenfield Street to the centre line of Crossloan Road ; thence south-eastward along the centre line of Crossloan Road to the centre line of Craigton Road ; thence southward along the centre line of Craigton Road to the termination of the line at the ward boundary at the junction of Craigton Road and Shieldhall Road.
8. Glasgow, Hillhead The following wards (as so constituted) of the county of the city of Glasgow, namely, Kelvinside, Partick (West), and that part of Partick (East) ward which is south and west of a line commencing at a point on the ward boundary at the junction of the centre lines of Dowanside Road and Byres Road ;

*Name.**Contents.*1ST SCH.  
—*cont.*

thence southward along the centre line of Byres Road to the centre line of Ashton Road; thence south-eastward along the centre line of Ashton Road to the centre line of University Avenue; thence eastward along the centre line of University Avenue to a point opposite the centre of the southern end of Oakfield Avenue, thence in an easterly direction in a straight line to a point on the east side of Kelvin Way where the north boundary fence of Kelvingrove Park meets the said Kelvin Way, thence in a generally easterly direction along the north boundary fence of Kelvingrove Park to the southmost limit of Westbank Quadrant, thence in a straight line in a south-easterly direction to the east boundary of the ward at the centre of the River Kelvin.

9. Glasgow, Kelvingrove The following wards (as so constituted) of the county of the city of Glasgow, namely, Anderston and Park.
10. Glasgow, Maryhill The following wards (as so constituted) of the county of the city of Glasgow, namely, Maryhill and Ruchill.
11. Glasgow, Pollok ... The following wards (as so constituted) of the county of the city of Glasgow, namely, Camphill, Pollokshaws and Pollokshields.
12. Glasgow, Scotstoun The following wards (as so constituted) of the county of the city of Glasgow, namely, Knightswood, Whiteinch and Yoker.
13. Glasgow, Shettleston The following wards (as so constituted) of the county of the city of Glasgow, namely, Parkhead, Shettleston and Tollcross and that part of Mile-End ward which is not included in the Camlachie constituency.
14. Glasgow, Springburn The following wards (as so constituted) of the county of the city of Glasgow, namely, Cowcaddens, Cowlairs and Springburn.
15. Glasgow, Tradeston The following wards (as so constituted) of the county of the city of Glasgow, namely, Kinning Park, Kingston and that part of Govan ward which is not included in the Govan constituency.
16. Glasgow, Woodside The following wards (as so constituted) of the county of the city of Glasgow, namely, North Kelvin, Woodside and that part of Partick (East) ward which is not included in the Hillhead constituency.

1ST SCH.  
—cont

## MIDLOTHIAN AND PEEBLESSHIRE.

(a) *County Constituency.*

<i>Name.</i>	<i>Contents.</i>
1. Midlothian and Peebles.	The counties of Midlothian and Peebles inclusive of all the burghs situated therein except the county of the city of Edinburgh and the burgh of Musselburgh.

(b) *Burgh Constituencies.*

1. Edinburgh Central	The following wards (as constituted by the Local Government (Scotland) (Edinburgh Wards) Order, 1948, S.I., 1948, No. 1138) of the county of the city of Edinburgh, namely, George Square, Holyrood and St. Giles.
2. Edinburgh East ...	The burgh of Musselburgh and the following wards (as so constituted) of the county of the city of Edinburgh, namely, Craigen-tinny, Craigmillar and Portobello.
3. Edinburgh, Leith	The following wards (as so constituted) of the county of the city of Edinburgh, namely, Central Leith, South Leith and West Leith.
4. Edinburgh North	The following wards (as so constituted) of the county of the city of Edinburgh, namely, Broughton, Calton and St. Andrew's.
5. Edinburgh, Pentlands	The following wards (as so constituted) of the county of the city of Edinburgh, namely, Colinton, Gorgie-Dalry, Merchiston and Sighthill.
6. Edinburgh South	The following wards (as so constituted) of the county of the city of Edinburgh, namely, Liberton, Morningside and Newington.
7. Edinburgh West ...	The following wards (as so constituted) of the county of the city of Edinburgh, namely, Corstorphine, Murrayfield-Cramond, St. Bernard's and Pilton.

## MORAY AND NAIRNSHIRE.

*County Constituency.*

1. Moray and Nairn...	The counties of Moray and Nairn inclusive all the burghs situated therein.
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## ORKNEY AND ZETLAND.

1ST SCH.  
—cont.*County Constituency.*

1. Orkney and Zetland The counties of Orkney and Zetland inclusive of all the burghs situated therein.

## PERTHSHIRE AND KINROSSSHIRE.

*County Constituencies.*

1. Kinross and West Perthshire (i) The county of Kinross inclusive of the burgh of Kinross ;  
(ii) the burghs of Aberfeldy, Auchterarder, Callander, Crieff, Doune, Dunblane and Pitlochry ;  
(iii) the Central, Highland and Western districts of the county of Perth.
2. Perth and East Perthshire (i) The burghs of Perth, Abernethy, Alyth, Blairgowrie and Rattray, and Coupar Angus ;  
(ii) the Eastern and Perth districts of the county of Perth.

## RENFREWSHIRE.

(a) *County Constituencies.*

1. East Renfrewshire (i) The burghs of Barrhead and Renfrew ;  
(ii) the first and second districts of the county of Renfrew.
2. West Renfrewshire (i) The burghs of Port Glasgow, Gourrock and Johnstone ;  
(ii) the third, fourth and fifth districts of the county of Renfrew.

(b) *Burgh Constituencies.*

1. Greenock ... The burgh of Greenock.
2. Paisley ... The burgh of Paisley.

## ROXBURGHSHIRE AND SELKIRKSHIRE.

*County Constituency.**Name.**Contents.*

1. Roxburgh and Selkirk. The counties of Roxburgh and Selkirk inclusive of all the burghs situated therein.

1ST SCH.  
—cont.

## STIRLINGSHIRE AND CLACKMANNANSHIRE.

(a) *County Constituencies.*

1. Clackmannan and East Stirlingshire. (i) The county of Clackmannan inclusive of all the burghs situated therein ;  
(ii) the Eastern No. 1, Eastern No. 2 and Eastern No. 3 districts of the county of Stirling.
2. West Stirlingshire (i) The burghs of Bridge of Allan, Denny and Dunipace and Kilsyth ;  
(ii) the Central No. 1, Central No. 2, Western No. 1, Western No. 2 and Western No. 3 districts of the county of Stirling.

(b) *Burgh Constituency.*

1. Stirling and Falkirk The burghs of Stirling, Falkirk and Grange-mouth.

## WEST LoTHIAN.

*County Constituency.*

1. West Lothian ... The county of West Lothian inclusive of all the burghs situated therein.

## PART IV.

## NORTHERN IRELAND.

(a) *County Constituencies.*

1. North Antrim ... (i) The boroughs of Ballymena and Larne ;  
(ii) the urban districts of Ballycastle, Ballymoney and Portrush ;  
(iii) the rural districts of Ballycastle, Ballymena and Ballymoney, and the following district electoral divisions in the rural district of Larne, namely, Ardclinis, Ballycor, Carncastle, Glenarm North, Glenarm South, Glencloy and Kilwaughter.
2. South Antrim ... (i) The urban districts of Ballyclare, Carrickfergus, Lisburn and Whitehead ;  
(ii) the rural districts of Antrim, Belfast and Lisburn and the following district electoral divisions in the rural district of Larne, namely, Ballynure, Carrickfergus Rural, Eden, Glynn, Islandmagee North, Islandmagee South, Middle Division, Raloo and Templecorran.

<i>Name.</i>	<i>Contents.</i>
3. Armagh ...	... The county of Armagh.
4. North Down ...	... (i) The boroughs of Bangor and Newtownards ; (ii) the urban districts of Donaghadee and Holywood ; (iii) the rural districts of Castlereagh, Hillsborough and Newtownards.
5. South Down ...	... (i) The urban districts of Banbridge, Downpatrick, Dromore, Kilkeel, Newcastle, Newry and Warrenpoint ; (ii) the rural districts of Banbridge, Downpatrick, Kilkeel, Moira and Newry No. 1.
6. Fermanagh and South Tyrone	(i) The county of Fermanagh ; (ii) the urban district of Dungannon ; (iii) the rural districts of Clogher and Dungannon, and the following district electoral divisions in the rural district of Omagh, namely, Aghafad, Deraghroy, Dromore, Drumharvey, Ecclesville, Fallaghearn, Fintona, Greenan, Killskerry, Lifford, Moorfield, Rahoney, Seskinore, Tattymoyle, and Trillick.
7. Mid-Ulster ...	... (i) The urban districts of Cookstown, Omagh and Strabane ; (ii) the rural districts of Castleterg, Cookstown, Magherafelt and Strabane, and the rural district of Omagh, except the district electoral divisions included in the Fermanagh and South Tyrone constituency.
8. Londonderry ...	... (i) The county of Londonderry, except the rural district of Magherafelt ; (ii) the county borough of Londonderry.
	(b) <i>Borough Constituencies.</i>
1. Belfast East ...	... The Mountpottinger, Dock and Victoria wards of the county borough of Belfast.
2. Belfast North ...	... The Duncairn, Shankill and Clifton wards of the county borough of Belfast.
3. Belfast South ...	... The Cromac, Windsor and Ormeau wards of the county borough of Belfast.
4. Belfast West ...	... The Falls, Smithfield St. Anne's, St. George's, Court and Woodvale wards of the county borough of Belfast.

Section 3.

## SECOND SCHEDULE.

PROVISIONS OF THE HOUSE OF COMMONS (REDISTRIBUTION  
OF SEATS) ACT, 1944, AS AMENDED.

Periodical  
reports of  
Commissions  
as to redistri-  
bution.

4.—(1) Each Boundary Commission shall keep under review the representation in the House of Commons of the part of the United Kingdom with which they are concerned, and shall, in accordance with the next following subsection, submit to the Secretary of State reports with respect to the whole of that part of the United Kingdom, either—

- (a) showing the constituencies into which they recommend that it should be divided in order to give effect to the rules set out in the Third Schedule to this Act; or
- (b) stating that, in the opinion of the Commission, no alteration is required to be made in respect of that part of the United Kingdom in order to give effect to the said rules.

(2) Reports under the last foregoing subsection shall be submitted by a Commission—

- (a) in the case of the first report, not less than three or more than seven years from the date of the passing of the Representation of the People Act, 1948; and
- (b) in the case of the second or any subsequent report, not less than three or more than seven years from the date of the submission of their last report under subsection (1) of this section:

Provided that a report stating that no alteration is required to be made in respect of the part of the United Kingdom with which a Commission is concerned shall not be submitted less than six years from the date of the passing of the said Act, or the date of the submission of their last report under subsection (1) of this section, as the case may be.

(3) Any Boundary Commission may also from time to time submit to the Secretary of State reports with respect to the area comprised in any particular constituency or constituencies in the part of the United Kingdom with which they are concerned, showing the constituencies into which they recommend that that area should be divided in order to give effect to the rules set out in the said Third Schedule.

(4) Where a Commission intend to consider making a report under this section, they shall, by notice in writing, inform the Secretary of State accordingly, and a copy of the said notice shall be published—

- (a) in a case where it was given by the Boundary Commission for England or the Boundary Commission for Wales, in the London Gazette; and



- (b) in a case where it was given by the Boundary Commission for Scotland, in the Edinburgh Gazette; and
- (c) in a case where it was given by the Boundary Commission for Northern Ireland, in the Belfast Gazette;

2ND SCH.  
—cont.

and the date on which any such notice is so published with respect to any report shall, for the purposes of the Third Schedule to this Act, be taken to be the enumeration date in relation to that report.

(5) As soon as may be after a Boundary Commission have submitted a report to the Secretary of State under this section, he shall lay the report before Parliament together, except in a case where the report states that no alteration is required to be made in respect of the part of the United Kingdom with which the Commission are concerned, with the draft of an Order in Council for giving effect, whether with or without modifications, to the recommendations contained in the report.

5.—(1) A report of a Boundary Commission under this Act showing the constituencies into which they recommend that any area should be divided shall state, as respects each constituency, the name by which they recommend that it should be known, and whether they recommend that it should be a county constituency or a borough constituency.

General  
provisions as  
to reports and  
Orders in  
Council.

(2) The draft of any Order in Council laid before Parliament by the Secretary of State under this Act for giving effect, whether with or without modifications, to the recommendations contained in the report of a Boundary Commission may make provision for any matters which appear to him to be incidental thereto or consequential thereon.

(3) Where any such draft gives effect to any such recommendations with modifications, the Secretary of State shall lay before Parliament together with the draft a statement of the reasons for the modifications.

(4) If any such draft is approved by resolution of each House of Parliament, the Secretary of State shall submit it to His Majesty in Council.

(5) If a motion for the approval of any such draft is rejected by either House of Parliament or withdrawn by leave of the House, the Secretary of State may amend the draft and lay the amended draft before Parliament, and, if the draft as so amended is approved by resolution of each House of Parliament, the Secretary of State shall submit it to His Majesty in Council.

(6) Where the draft of an Order in Council is submitted to His Majesty in Council under this section, His Majesty in Council may make an Order in terms of the draft which shall come into force on such date as may be specified therein and shall have effect notwithstanding anything in any enactment:

Provided that the coming into force of any such Order shall not affect any parliamentary election until a proclamation is issued by His Majesty summoning a new Parliament, or affect the constitution of the House of Commons until the dissolution of the Parliament then in being.

2ND SCH.  
—cont.

(7) The validity of any Order in Council purporting to be made under this Act and reciting that a draft thereof has been approved by resolution of each House of Parliament shall not be called in question in any legal proceedings whatsoever.

Interpretation.

7. In this Act the expression "constituency" means an area having separate representation in the House of Commons.

(THIRD SCHEDULE.)

*Rules for Distribution of Seats.*

1. The number of constituencies in the several parts of the United Kingdom set out in the first column of the following table shall be as stated respectively in the second column of that table—

<i>Part of the United Kingdom</i>	<i>No. of Constituencies.</i>
Great Britain ... ..	Not substantially greater or less than 613.
Scotland ... ..	Not less than 71.
Wales ... ..	Not less than 35.
Northern Ireland ... ..	12.

2.—(2) Every constituency shall return a single member.

4A. There shall continue to be a constituency which shall include the whole of the City of London and the name of which shall refer to the City of London.

5.—(1) So far as is practicable having regard to the foregoing rules—

(a) in England and Wales,—

(i) no county or any part thereof shall be included in a constituency which includes the whole or part of any other county or the whole or part of a county borough or metropolitan borough;

(ii) no county borough or any part thereof shall be included in a constituency which includes the whole or part of any other county borough or the whole or part of a metropolitan borough;

(iii) no metropolitan borough or any part thereof shall be included in a constituency which includes the whole or part of any other metropolitan borough;

(iv) no county district shall be included partly in one constituency and partly in another;

(b) in Scotland, no burgh other than a county of a city shall be included partly in one constituency and partly in another;

(c) in Northern Ireland, no county district shall be included partly in one constituency and partly in another.

(2) In paragraph (1) of this rule the following expressions have the following meanings, that is to say:—

2ND SCH.  
—cont

“ county ” means an administrative county other than the county of London;

“ county borough ” has the same meaning as in the Local Government Act, 1933;

“ county district ” has, in sub-paragraph (a), the same meaning as in the Local Government Act, 1933, and, in sub-paragraph (c), the same meaning as in the Local Government (Ireland) Act, 1898.

5A.—(1) The electorate of any constituency shall be as near the electoral quota as is practicable having regard to the foregoing rules; and a Boundary Commission may depart from the strict application of the last foregoing rule if it appears to them that a departure is desirable to avoid an excessive disparity between the electorate of any constituency and the electoral quota, or between the electorate thereof and that of neighbouring constituencies in the part of the United Kingdom with which they are concerned.

6. A Boundary Commission may depart from the strict application of the last two foregoing rules if special geographical considerations, including in particular the size, shape and accessibility of a constituency, appear to them to render a departure desirable.

8.—(1) For the purpose of these rules—

(a) the expression “ electoral quota ” means—

(i) in the application of these rules to a constituency in Great Britain, a number obtained by dividing the electorate for Great Britain by the number of constituencies in Great Britain existing on the enumeration date;

(ii) in the application of these rules to a constituency in Northern Ireland, a number obtained by dividing the electorate for Northern Ireland by the number of constituencies in Northern Ireland existing on the enumeration date;

(b) the expression “ electorate ” means—

(i) in relation to a constituency, the number of persons whose names appear on the parliamentary register of electors in force on the enumeration date under the Representation of the People Acts for the constituency;

(ii) in relation to Great Britain or Northern Ireland, the aggregate electorate as hereinbefore defined of all the constituencies therein.

Sections 12, 15.

## THIRD SCHEDULE.

## PROCEEDINGS AT PARLIAMENTARY ELECTIONS.

## PART I.

## TIMETABLE.

<i>Proceeding.</i>	<i>Time in case of general election.</i>	<i>Time in case of bye-election.</i>
Issue of writ ...	As soon as practicable after the issue of the proclamation summoning the new Parliament.	As soon as practicable after the issue of the warrant for the writ.
Publication of notice of election	Not later than four in the afternoon on the second day after that on which the writ is received.	The same as in the case of a general election.
Delivery of nomination papers	Between the hours of ten in the morning and three in the afternoon (or on a Saturday between those of ten in the morning and noon) on any day after the date of publication of the notice of election, but not later than the eighth day after the date of the proclamation summoning the new Parliament.	The same as in the case of a general election, except that the last day shall be a day fixed by the returning officer and shall be— (a) in a county constituency, not earlier than the fourth day after the date of publication of the notice of election, nor later than the ninth day after that on which the writ is received; and (b) in a borough constituency, not earlier than the third day after the date of publication of the notice of election nor later than the seventh day after that on which the writ is received.
The making of objections to nomination papers	During the hours allowed for delivery of nomination papers on the last day for the delivery thereof and the hour following and, if the last day is a Saturday, between the hours of one and three in the afternoon on the day before: Provided that no objection may be	The same as in the case of a general election.

<i>Proceeding.</i>	<i>Time in case of general election.</i>	<i>Time in case of bye-election.</i>	<b>3RD SCH.</b> — <i>cont.</i>
The making of objections to nomination papers— <i>cont.</i>	made in the afternoon of the said last day (or if it is a Saturday at any time on that day) except to a nomination paper delivered within twenty-four hours of the last time for the delivery thereof, and in the case of a nomination paper so delivered no objection may be so made to the sufficiency or nature of the particulars of the candidate unless made at or immediately after the time of the delivery of the nomination paper.		
Publication of statement of persons nominated	At the close of the time for making objections to nomination papers or as soon thereafter as any objections are disposed of.	The same as in the case of a general election.	
Polling     ...     ...	Between the hours of seven in the morning and nine in the evening on the ninth day after the last day for delivery of nomination papers.	Between the hours of seven in the morning and nine in the evening on the day fixed by the returning officer, which shall not be earlier than the seventh nor later than the ninth day after the last day for delivery of nomination papers.	

## PART II.

## PROCEDURE UP TO THE POLL.

*Notice of Election.*

1. The returning officer shall publish notice of the election stating—

(a) the place and times at which nomination papers are to be delivered; and

(b) the date of the poll in the event of a contest;

and the notice shall state that forms of nomination paper may be obtained at the place and times aforesaid.

*Nomination of Candidates.*

2.—(1) Each candidate shall be nominated by a separate nomination paper delivered by the candidate himself, or his proposer or seconder, to the returning officer at the place fixed for the purpose.

3RD SCH.  
—cont.

(2) The nomination paper shall state the full names, place of residence and description of the candidate and the surname shall be placed first in the list of his names.

(3) The description shall not refer to the candidate's political activities, and need not refer to his rank, profession or calling so long as, with the other particulars of the candidate, it is sufficient to identify him.

(4) If the description is unduly long, the returning officer after consultation (if possible) with the candidate or his election agent, proposer or seconder, may shorten it or substitute another.

3.—(1) The nomination paper shall be subscribed by two electors as proposer and seconder, and by eight other electors as assenting to the nomination.

(2) Where a nomination paper bears the signatures of more than the required number of persons as proposing, seconding or assenting to the nomination of a candidate, the signature or signatures (up to the required number) appearing first on the paper in each category shall be taken into account to the exclusion of any others in that category.

(3) The nomination paper shall give the electoral number of each person subscribing it.

(4) The returning officer shall supply any elector with a form of nomination paper at the place and during the time for delivery of nomination papers and shall at the request of any elector prepare a nomination paper for signature; but it shall not be necessary for a nomination to be on a form supplied by the returning officer.

4. No person shall subscribe more than one nomination paper at the same election and, if he does, his signature shall be inoperative on any paper other than the one first delivered:

Provided that a person shall not be prevented from subscribing a nomination paper by reason only of his having subscribed that of a candidate who has died or withdrawn before delivery of the first mentioned paper.

*Consent to Nomination.*

5. A person shall not be validly nominated unless his consent to nomination, given in writing on or within one month before the day fixed as the last day for the delivery of nomination papers, and attested by one witness, is delivered at the place and within the time for the delivery of nomination papers:

Provided that if the returning officer is satisfied that owing to the absence of a person from the United Kingdom it has not been reasonably practicable for his consent in writing to be given as aforesaid, a telegram consenting to his nomination and purporting to have been sent by him shall be deemed, for the purpose of this paragraph, to be consent in writing given by him on the day on which it purports to have been sent, and attestation of his consent shall not be required.

*Deposit.*

6.—(1) A person shall not be validly nominated unless the sum of one hundred and fifty pounds is deposited by him or on his behalf with the returning officer at the place and during the time for delivery of nomination papers.

(2) The deposit may be made either by the deposit of any legal tender, or by means of a banker's draft, or with the consent of the returning officer in any other manner :

Provided that the returning officer may refuse to accept a deposit sought to be made by means of a banker's draft if he does not know that the drawer carries on business as a banker in the United Kingdom.

*Place for Delivery of Nomination Papers.*

7.—(1) The returning officer shall fix the place at which nomination papers are to be delivered to him, and shall attend there during the time for the delivery thereof and for the making of objections thereto.

(2) The place shall be in the constituency or in the registration area (if any) which includes the constituency or, unless the constituency is a borough constituency, in a borough adjoining the constituency or registration area.

*Right to Attend Nomination.*

8.—(1) Except for the purpose of delivering a nomination paper or of assisting the returning officer, no person shall be entitled to attend the proceedings during the time for delivery of nomination papers or making objections thereto unless he is a person standing nominated as a candidate or is the election agent, proposer or seconder of such a person :

Provided that where a candidate acts as his own election agent, he may name one other person who shall be entitled to attend in place of his election agent.

(2) Where a person stands nominated by more than one nomination paper, only the persons subscribing, as proposer and seconder, such one of them as he may select or, in default of any such selection, that one of them which is first delivered, shall be entitled to attend as his proposer and seconder.

(3) The right to attend conferred by this paragraph shall include the right to inspect, and to object to the validity of, any nomination paper.

*Decisions as to the Validity of Nomination Papers.*

9.—(1) Where a nomination paper and the candidate's consent thereto is delivered and a deposit is made in accordance with this Act, the candidate shall be deemed to stand nominated unless and until the returning officer decides that the nomination paper is invalid, or proof is given to the satisfaction of the returning officer of the candidate's death, or the candidate withdraws.

(2) The returning officer shall be entitled to hold a nomination paper invalid only on one of the following grounds, that is to say,—

- (a) that the particulars of the candidate or the persons subscribing the paper are not as required by law ; and
- (b) that the paper is not subscribed as so required.

(3) The returning officer shall give his decision on any objection to a nomination paper as soon as practicable after it is made.

(4) Where he decides that a nomination paper is invalid, he shall endorse and sign on the paper the fact and the reasons for his decision.

3RD SCH.  
—cont.

(5) The decision of the returning officer that a nomination paper is valid shall be final and shall not be questioned in any proceeding whatsoever.

(6) Subject to the last foregoing sub-paragraph, nothing in this paragraph shall prevent the validity of a nomination being questioned on a petition questioning the election or return.

*Withdrawal of Candidates.*

10.—(1) A candidate may withdraw his candidature by notice of withdrawal signed by him and attested by one witness and delivered to the returning officer at the place and during the time for delivery of nomination papers.

(2) In the case of a candidate who is outside the United Kingdom, a notice of withdrawal signed by his proposer and accompanied by a written declaration also so signed of the candidate's absence from the United Kingdom shall be of the same effect as a notice of withdrawal signed by the candidate :

Provided that where the candidate stands nominated by more than one nomination paper a notice of withdrawal under this sub-paragraph shall be effective if, but only if,—

- (a) it and the accompanying declaration are signed by all the proposers except any who is, and is stated in the said declaration to be, outside the United Kingdom ; or
- (b) it is accompanied, in addition to the said declaration, by a written statement signed by the candidate that the proposer giving the notice is authorised to do so on the candidate's behalf during his absence from the United Kingdom.

*Publication of Nominations.*

11.—(1) The returning officer shall prepare and publish a statement showing the persons who have been and stand nominated and any other persons who have been nominated, with the reason why they no longer stand nominated.

(2) The statement shall show the names, addresses and descriptions of the persons nominated as given in their nomination papers, together with the names of the persons subscribing those papers.

(3) The statement shall show the persons standing nominated arranged alphabetically in the order of their surnames, and, if there are two or more of them with the same surname, of their other names.

(4) In the case of a person nominated by more than one nomination paper, the returning officer shall take the particulars required by the foregoing sub-paragraphs from such one of the papers as the candidate or the returning officer in default of the candidate may select, but if the election is contested a candidate standing nominated may require the returning officer to include in the statement the names of the persons subscribing a second and third nomination paper.

*Declaration of Result of Uncontested Election.*

12. If the statement of persons nominated shows only one person standing nominated, the statement shall also declare that person elected, and the returning officer shall forthwith return his name to the Clerk of the Crown in Chancery.



*Proceedings preliminary to Poll if Election Contested.*3RD SCH.  
—cont.

13. If the statement of persons nominated shows more than one person standing nominated, then—

- (a) a poll shall be taken in accordance with the Ballot Act, 1872 ;
- (b) the statement shall include a notice of the poll, stating the day on which and hours during which the poll will be taken ;
- (c) the persons shown in the statement as standing nominated, and no others, shall be entitled to have their names inserted in the ballot papers ;
- (d) the order of the names in the statement and the particulars therein of the candidates shall be the order of the names and the particulars of the candidates inserted in the ballot papers ;
- (e) the statement may be combined with the notice as to polling stations and mode of voting which is required by rule 19 of the First Schedule to the Ballot Act, 1872.

14.—(1) If a poll is to be taken in a county constituency, the returning officer shall, on publication of the statement of persons nominated and notice of the poll, deliver to the postmaster of the principal post office where the place for the delivery of nomination papers is situated a paper signed by himself, giving the names of the candidates standing nominated, as the names will appear in the ballot paper, and the day and hours of the poll.

(2) The postmaster shall forward the information contained in the paper by telegraph, free of charge, to all postal telegraph offices situated in the constituency, and the information shall be published forthwith at each office in the manner in which post office notices are usually published.

*Absent voters list, list of proxies, etc.*

15.—(1) If a poll is to be taken, the registration officer shall as soon as practicable prepare the following special lists for the purposes of the election, namely,—

- (a) a list (in this Act referred to as “ the absent voters list ”) giving the name and number on the register of every person entitled to vote at the election as an absent voter ;
- (b) a list (in this Act referred to as “ the list of proxies ”) giving—
  - (i) the names and numbers on the register of the electors for whom proxies have been appointed, (omitting any of those electors who are registered as service voters and entitled to vote by post) ; and
  - (ii) the names and addresses of the persons appointed ;
- (c) a list of any persons entitled to vote by post as proxy at the election.

(2) The duty of the returning officer under Rule 20 of the First Schedule to the Ballot Act, 1872, to provide each polling station with copies of the register of electors or such part thereof as contains the names of the electors allotted to vote at the station shall include a duty to provide the corresponding parts of any special lists prepared for the election.

3RD SCH.  
—cont.

*Issue of Official Poll Cards.*

16.—(1) If a poll is to be taken, the returning officer shall as soon as practicable send to electors and their proxies an official poll card:

Provided that an official poll card need not be sent to any person as an elector if he is placed on the absent voters list for the election, or to any person as a proxy if his application to vote as such by post is allowed for the election.

(2) An elector's official poll card shall be sent or delivered to his qualifying address, a proxy's to his address as shown in the list of proxies.

(3) The official poll card shall be in the prescribed form and shall set out—

- (a) the name of the constituency ;
- (b) the elector's name, qualifying address and number on the register ;
- (c) the date and hours of the poll and the situation of the elector's polling station.

*Issue and receipt of postal ballot papers.*

17.—(1) If a poll is to be taken, the returning officer shall as soon as practicable send to those entitled to vote by post, at the addresses furnished by them for the purpose, a ballot paper and a declaration of identity in the prescribed form, together with an envelope for their return.

(2) Before the returning officer proceeds to count the votes he shall count such of the said ballot papers as have been duly returned and record the number counted, and the papers counted under this provision shall be included with the ballot papers of those voting in person when they are mixed before the count as required by Rule 34 of the First Schedule to the Ballot Act, 1872.

(3) A ballot paper sent to a person for the purpose of voting by post shall not be deemed to be duly returned, unless it is returned in the proper envelope so as to reach the returning officer before the close of the poll and is accompanied by the declaration of identity duly signed and authenticated.

*Supplemental.*

18. In the foregoing provisions of this Part of this Schedule—

the expression "elector" means a person who is registered as a parliamentary elector in the constituency in the register to be used at the election or who, pending the publication of that register, appears from the electors lists therefor as corrected by the registration officer to be entitled to be so registered ;

the expression "electoral number" means a person's number in the said register or, pending the publication of the register, his number (if any) in the electors lists therefor.

## PART III.

3RD SCH.

## THE POLL.

—cont

*Official mark.*

1.—(1) The official mark stamped on a ballot paper shall be either embossed or perforated.

(2) The form of directions for the guidance of voters which, under the Second Schedule to the Ballot Act, 1872, are to be placarded outside polling stations and in the compartments of polling stations shall include a direction in the following terms:—

“ The voter should see that the ballot paper, before it is handed to him is stamped with the official mark ”.

*Form of ballot paper.*

2.—(1) So far as practicable, the following arrangements shall be observed in the printing of the ballot papers:—

(a) no words shall be printed on the face except the particulars of the candidates;

(b) no rule shall be printed on the face except the horizontal rules separating the particulars of the candidates from one another and the vertical rules separating those particulars from the numbers on the left hand side and the spaces on the right where the vote is to be marked;

(c) the whole space between the top and bottom of the paper shall be equally divided between the candidates by the rules separating their particulars.

(2) The surname of each candidate shall in all cases be printed by itself in large capitals, and his full particulars shall be set out below it and shall be printed in ordinary type except that small capitals shall be used—

(a) if his surname is the same as another candidate's, for his other names; and

(b) if his other names are also the same as the other candidate's, either for his description or for his residence unless each of them is the same as that of another candidate with the same surname and other names.

*Right to attend at polling station.*

3. The persons entitled to be present in the polling station under Rule 21 of the First Schedule to the Ballot Act, 1872, shall include the election agents of the candidates, but a candidate attending at a polling station and an election agent attending by virtue of this paragraph shall make the same declaration of secrecy in the presence of a justice of the peace or the returning officer as a candidate's polling agent.

*Cases in which ballot paper may be refused.*

4.—(1) No person shall be admitted to vote in person elsewhere than at his own polling station under the provisions of this Act relating to constables and persons employed by the returning officer, except on production and surrender of a certificate as to his employment, which shall be in the prescribed form and signed by the prescribed officer of police or by the returning officer, as the case may be.

3RD SCH.  
—cont.

(2) Any certificate surrendered under this paragraph shall forthwith be cancelled and thereafter dealt with in the same way as the counter-foils to ballot papers are directed by law to be dealt with.

5.—(1) The presiding officer may, and if required by a candidate or his election or polling agent shall, put to any person applying for a ballot paper at the time of his application, but not afterwards, the following questions, or either of them, that is to say—

(a) in the case of a person applying as an elector—

(i) are you the person registered in the register of parliamentary electors for this election as follows [*read the whole entry from the register*] ?

(ii) have you already voted, here or elsewhere, at this bye-election [general election], otherwise than as proxy for some other person ?

(b) in the case of a person applying as proxy—

(i) are you the person whose name appears as A.B. in the list of proxies for this election as entitled to vote as proxy on behalf of C.D. ?

(ii) have you already voted here or elsewhere at this bye-election [general election] as proxy on behalf of C.D. ?

(2) In the case of a person applying as proxy, the presiding officer may, and if required as aforesaid shall, put the following additional question :—

“ Are you the husband [wife], parent, grandparent, brother [sister], child or grandchild of C.D. ? ”

and if that question is not answered in the affirmative the following question :—

“ Have you at this election already voted in this constituency on behalf of two persons of whom you are not the husband [wife], parent, grandparent, brother [sister], child or grandchild ? ”

(3) A ballot paper shall not be delivered to any person required to answer the above questions or any of them unless he has answered the questions or question satisfactorily.

(4) Save as by this paragraph authorised, no inquiry shall be permitted as to the right of any person to vote, and no person applying for a ballot paper shall be required to take or make any oath or affirmation.

*Challenge of elector or proxy at polling station.*

6.—(1) Sections eighty-six to ninety of the Parliamentary Voters Registration Act, 1843, and sections ninety-three to ninety-seven of the Representation of the People (Ireland) Act, 1850 (which make provision for the challenge of electors suspected of personation and matters connected therewith), shall cease to have effect.

(2) If at the time a person applies for a ballot paper for the purpose of voting in person (whether as elector or as proxy), or after he has applied for a ballot paper for that purpose and before he has left the polling station, a candidate or his election or polling agent declares to the presiding officer that he has reasonable cause to believe that the applicant has committed an offence of personation, and undertakes to substantiate the charge in a court of law, the presiding officer may order a police officer to arrest the applicant, and the order of the presiding officer shall be sufficient authority for the police officer so to do.

(3) A person against whom a declaration is made under this paragraph shall not, by reason thereof, be prevented from voting.

3RD SCH.  
—cont.

(4) A person arrested under the provisions of this paragraph shall be dealt with as a person taken into custody by a police officer for an offence without a warrant.

*Abolition of declaration of inability to read.*

7. So much of Rule 26 of the First Schedule to the Ballot Act, 1872, as requires a person who is unable to read to make a declaration of his inability before a ballot paper can be marked in the manner directed by him shall cease to have effect, and in that rule for the words "who makes such a declaration as hereinafter mentioned that he is unable to read" there shall be substituted the words "who declares orally that he is unable to read".

*Sealed packets of register and counterfoils.*

8. Notwithstanding anything in the Ballot Act, 1872, the marked copies of the register of electors and the counterfoils of the used ballot papers shall be sealed up in separate packets after the close of the poll, and not in the same packet.

*Adaptations, in relation to voting by proxy, of Ballot Act, 1872.*

9.—(1) Part I of the Ballot Act, 1872, and Part I of the First Schedule and the Second Schedule to that Act shall be modified in accordance with the following provisions of this paragraph.

(2) The word "voter", except in the phrase "register of voters", shall mean a person voting whether as an elector or as proxy for an elector, and the word "vote" (whether noun or verb) shall be construed accordingly :

Provided that, in rules 15, 16, 20, 41 and 43 of the First Schedule and in the phrase "entitled to vote" where used in rule 26A thereof to describe the qualification of the companion of a blind voter, the word "vote" shall refer only to voting as an elector, but shall include voting otherwise than in person, and accordingly in the form of declaration to be made by the companion of a blind voter after the words "entitled to vote" there shall be inserted the words "as an elector".

(3) In the said rule 20 for the word "voters" where it last occurs there shall be substituted the word "electors" and in section nine and in rules 19, 21 and 25 of the First Schedule and in the first place where the word occurs in rule 24 thereof for the word "elector" there shall be substituted the word "voter".

(4) In section four after the word "elector" there shall be inserted the words "or proxy for an elector", and when that section is read as required by the said Second Schedule to a person making a declaration of secrecy it shall be read with the words hereby inserted.

(5) Any reference to a voter's number on the register shall, in relation to a person voting as proxy for an elector, be taken as a reference to the elector's number on the register.

3RD SCH.  
—cont.

(6) Rule 24 of the First Schedule shall, in the case of a person applying for a ballot paper as proxy, be taken to require a mark to be placed against his name in the list of proxies as well as against the number of the elector in the register, and the marked copies of the list of proxies shall after the close of the poll be sealed up in the same packet as the marked copies of the register.

(7) In rule 27 of the First Schedule for the words " If a person, representing himself to be a particular elector named on the register, applies for a ballot paper after another person has voted as such elector " there shall be substituted the following words :—

" If a person, representing himself to be—

- (a) a particular elector named on the register and not named in the absent voters list ; or
- (b) a particular person named in the list of proxies as proxy for an elector and not named in the list of persons entitled to vote by post as proxy ;

applies for a ballot paper after another person has voted in person either as the elector or as his proxy ".

#### PART IV.

#### THE COUNT.

#### *Right to attend.*

1.—(1) A candidate's wife or husband and a candidate's election agent may be present at the counting of the votes, notwithstanding anything in rule 33 of the First Schedule to the Ballot Act, 1872.

(2) The following persons attending the counting of the votes, that is to say—

- (a) any candidate ;
- (b) any person attending by virtue of sub-paragraph (1) of this paragraph ;
- (c) any person permitted by the returning officer to attend though not entitled to do so ;

shall make the same declaration of secrecy in the presence of a justice of the peace or of the returning officer as a candidate's counting agent :

Provided that a declaration required by this sub-paragraph need not be made before the opening of the poll, but shall be made before the person in question is permitted to attend the counting.

#### *Appointment of and facilities for counting agents.*

2.—(1) The counting agents to attend on behalf of a candidate at the counting of the votes may be appointed, and notice of the appointment given to the returning officer, by the candidate's election agent, instead of by the candidate.

(2) Notwithstanding anything in the First Schedule to the Ballot Act, 1872, the returning officer may limit the number of counting agents who may attend on behalf of the candidates, so, however, that the number of those who may attend shall be the same in the case of each candidate and the number allowed to a candidate shall not (except in special circumstances) be less than the number obtained by dividing the number of clerks employed on the counting by the number of candidates.

3RD SCH.  
—cont.

(3) The counting agents attending on behalf of the candidates shall be given by the returning officer all such reasonable facilities for overseeing the proceedings, and all such information with respect thereto, as he can give them consistently with the orderly conduct of the proceedings and the discharge of his duties in connection therewith.

(4) In particular, where the votes are counted by sorting the ballot papers according to the candidate for whom the vote is given and then counting the number of ballot papers for each candidate, the counting agents shall be entitled to satisfy themselves that the ballot papers are sorted rightly.

#### *Adjournments.*

3.—(1) So far as practicable, the counting of the votes shall (unless otherwise agreed) proceed continuously by night as by day, allowing only time for refreshment, and accordingly in rule 35 of the First Schedule to the Ballot Act, 1872 (which excludes the hours between seven o'clock at night and nine o'clock on the succeeding morning, except so far as the returning officer and the candidates' agents otherwise agree), for the words "except so far as he and the agents otherwise agree" there shall be substituted the words "in so far as he and the agents agree."

(2) For the purposes of the said rule 35 the agreement of a candidate or his election agent shall be as effective as the agreement of his counting agents.

#### *Re-counts.*

4.—(1) A candidate or his election agent may, if present when the counting or any re-count of the votes is completed, require the returning officer to have the votes re-counted or again re-counted but the returning officer may refuse to do so if in his opinion the request is unreasonable.

(2) No step shall be taken on the completion of the counting or any re-count of the votes until the candidates and election agents present at the completion thereof have been given a reasonable opportunity to exercise the right conferred by this paragraph.

#### *Rejection of ballot papers.*

5. A ballot paper on which the vote is marked—

- (a) elsewhere than in the proper place ; or
- (b) otherwise than by means of a cross ; or
- (c) by more than one mark ;

shall not by reason thereof be rejected if an intention that the vote shall be for one or other of the candidates clearly appears, and the way the paper is marked does not of itself identify the voter and it is not shown that he can be identified thereby.

### PART V.

#### SPECIAL CASES, AND COMPUTATION OF TIME.

##### *Telegraphic information of writ.*

1.—(1) Official telegraphic information of the writ having been issued for a parliamentary election may be given in such cases and by such persons as may be directed by His Majesty in Council.

(2) Any steps for holding an election which may be taken on or after the receipt of the writ may be taken on or after the receipt of an official telegraphic intimation of the writ having been issued.

3RD SCH.  
—cont.

*Death of candidate.*

2.—(1) If a poll is to be taken in a constituency, and after publication of the statement of persons nominated and before the poll is commenced proof is given to the satisfaction of the returning officer of the death of one of the persons shown as standing nominated, the returning officer shall countermand notice of the poll, and all proceedings with reference to the election shall be commenced afresh in all respects as if the writ had been received on the day on which proof was given to the returning officer of the death :

Provided that no fresh nomination shall be necessary in the case of a person shown in the statement as standing nominated.

(2) Where by reason of the death of a candidate proceedings at an election are commenced afresh under this paragraph, then in the case of a general election, as in the case of a bye-election, the time for delivery of nomination papers and the time for polling shall be determined in accordance with the third column in Part I of this Schedule (with the modification required by the foregoing sub-paragraph of any reference to the date on which the writ is received).

*Adjournment in case of riot.*

3. Where the proceedings for or in connection with nomination are on any day interrupted or obstructed by riot or open violence, the proceedings shall be abandoned for that day, and if that day is the last day for the delivery of nomination papers, the proceedings shall be continued on the next day as if that were the last day for the delivery thereof, and that day shall be treated for the purposes of this Schedule as being the said last day (subject however to any further application of this paragraph in the event of interruption or obstruction on that day) :

Provided that where proceedings are abandoned by virtue of this paragraph—

- (a) nothing may be done after they are continued, if the time for doing it had passed at the time of the abandonment, nor shall anything done before the abandonment be invalidated by reason thereof ;
- (b) subject to the foregoing sub-paragraph, if the day on which the proceedings are continued is a Saturday and is (or is to be treated as) the said last day, the proviso to the entry in Part I of this Schedule relating to the making of objections shall not apply.

4.—(1) Where the proceedings at any polling station are interrupted or obstructed by riot or open violence, the presiding officer shall adjourn the proceedings till the following day and, if he is not the returning officer, shall forthwith give notice to the returning officer.

(2) Where the poll is adjourned at any polling station,—

- (a) the hours of polling on the day to which it is adjourned shall be those laid down by Part I of this Schedule for the original day ; and
- (b) references in any enactment to the close of the poll shall be construed accordingly.



*Computation of time.*3RD SCH.  
—cont.

5.—(1) In computing any period of time for the purposes of this Schedule or of the First Schedule to the Ballot Act, 1872, a Sunday, Christmas Day, Good Friday, bank holiday or day appointed for public thanksgiving or mourning shall be disregarded, and any such day shall not be treated as a day for the purpose of any proceedings mentioned in Part I or II of this Schedule nor shall the returning officer be obliged to proceed with the counting of the votes thereon.

(2) In this paragraph the expression "bank holiday" means—

- (a) in relation to a general election, a day which is a bank holiday under the Bank Holidays Act, 1871, in any part of the United Kingdom; and
- (b) in relation to a bye-election, a day which is a bank holiday under the said Act in that part of the United Kingdom in which the constituency in question is situated:

Provided that at a general election paragraph (b) and not paragraph (a) of this sub-paragraph shall apply—

- (i) in relation to any proceedings commenced afresh by reason of the death of a candidate; and
- (ii) in relation to any proceedings extending, by reason of riot or open violence, beyond the time laid down by Part I of this Schedule.

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#### FOURTH SCHEDULE.

Section 28.

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##### AMENDMENTS OF LOCAL ELECTIONS RULES.

###### PART I.

###### ADAPTATIONS TO VOTING BY POST AND BY PROXY.

###### *Absent voters list, list of proxies, etc.*

1.—(1) At every contested election, the registration officer shall as soon as practicable prepare the following special lists for the purposes of the election, namely,—

- (a) a list (in this Act referred to as "the absent voters list") giving the name and number on the register of every person entitled to vote at the election as an absent voter;
- (b) a list (in this Act referred to as "the list of proxies") giving—
  - (i) the names and numbers on the register of the electors for whom proxies have been appointed; and
  - (ii) the names and addresses of the persons appointed;
- (c) a list of any persons entitled to vote by post as proxy at the election.

(2) The duty of the returning officer or mayor under paragraph 7 of Part III of the local elections rules to provide each polling station with copies of the register of electors or such part thereof as contains the names of the electors allotted to vote at the station shall include a duty to provide the corresponding parts of any special lists prepared for the election.

4TH SCH.  
—cont.

*Issue and receipt of ballot papers for voting by post.*

2.—(1) At every contested election, the returning officer or mayor shall as soon as practicable send to those entitled to vote by post, at the addresses furnished by them for the purpose, a ballot paper and a declaration of identity in the prescribed form, together with an envelope for their return.

(2) Before the returning officer proceeds to count the votes he shall count such of the said ballot papers as have been duly returned and record the number counted, and the papers counted under this provision shall be included with the ballot papers of those voting in person when they are mixed before the count as required by paragraph 31 of Part III of the local elections rules.

(3) A ballot paper sent to a person for the purpose of voting by post shall not be deemed to be duly returned, unless it is returned in the proper envelope so as to reach the returning officer before the close of the poll and is accompanied by the declaration of identity duly signed and authenticated.

(4) Nothing in sub-paragraph (1) of the foregoing paragraph or in this paragraph shall require or authorise any steps to be taken on a Sunday, Christmas Day, Good Friday, Bank Holiday or day appointed for public thanksgiving or mourning, or in Scotland on a public holiday.

*Adaptations in relation to persons voting as proxy.*

3.—(1) Subject to the following provisions of this paragraph, in Parts III and IV of the local elections rules—

(a) the word "voter" shall be substituted for the word "elector", wherever it occurs except in the phrases "register of electors" and "register of local government electors"; and

(b) the word "voter" shall mean a person voting whether as an elector or as proxy for an elector, and the word "vote" (whether noun or verb) shall be construed accordingly.

(2) Notwithstanding anything in the foregoing sub-paragraph—

(a) in sub-paragraph (a) of paragraph 7 of the said Part III and in the last place in sub-paragraph (e) of that paragraph, the word "electors" shall remain and shall be taken as meaning electors entitled to vote in person or by proxy, and the word "vote" shall be construed accordingly in those sub-paragraphs;

(b) in sub-paragraphs (a) to (d) of paragraph 18 of the said Part III the word "elector" shall remain but a mark shall be placed against the name of the proxy in the list of proxies as well as against the number of the elector in the register, and the marked copies of the list of proxies shall after the close of the poll be sealed up in the same packet as the marked copies of the register;

(c) in any other provision a reference to a voter's number on the register of electors shall, in relation to a person voting as proxy for an elector, be taken as a reference to the elector's number on the register:

- (d) in sub-paragraph (3) of paragraph 21 of the said Part III, and in the said Part IV in the form of declaration to be made by the companion of a blind voter after the words " entitled to vote " there shall be inserted the words " as an elector " ;
- (e) in paragraph 23 of the said Part III, for the words " If a person, representing himself to be a particular elector named on the register, applies for a ballot paper after another person has voted as such elector," there shall be substituted the following words—

" If a person, representing himself to be—

- (a) a particular elector named on the register and not named in the absent voters list; or
- (b) a particular person named in the list of proxies as proxy for an elector and not named in the list of persons entitled to vote by post as proxy;

applies for a ballot paper after another person has voted in person either as the elector or as his proxy " ;

- (f) in sub-paragraph (4) of paragraph 41 of the said Part III, the word " elector " shall remain, and the word " vote " shall refer only to voting as an elector but shall include voting otherwise than in person;
- (g) in paragraph 54 of the said Part III, the word " elector " shall remain in the first place where it is there used and the words " or proxy for an elector " shall be inserted after it in that place.

(3) In the said Part IV in the form of declaration of secrecy for the words " read by me " there shall be substituted the words " read to me ", and when the provisions referred to in that form are read to a person making a declaration of secrecy they shall be read as amended by this paragraph.

4.—(1) In paragraph 16 of the said Part III, at the end of the second of the questions which may be asked of a person applying for a ballot paper, there shall in the case of a person applying as an elector be added the words " otherwise than as proxy for some other person " .

(2) In the case of a person applying for a ballot paper as proxy there shall be substituted for the questions set out in the said paragraph 16 the following questions, that is to say—

- (a) are you the person whose name appears as A.B. in the list of proxies for this election as entitled to vote as proxy on behalf of C.D.?
- (b) have you already voted here or elsewhere at the present election as proxy on behalf of C.D.?

and any reference to the questions set out in that paragraph shall be construed accordingly.

#### *Infringement of secrecy.*

5. Every person attending the proceedings in connection with the issue or the receipt of ballot papers for persons voting by post at local

4TH SCH.  
—cont.

4TH SCH.  
—cont.

government elections shall maintain and aid in maintaining the secrecy of the voting and shall not—

- (a) except for some purpose authorised by law communicate, before the poll is closed, to any person any information obtained at those proceedings as to the official mark; nor
- (b) except for some purpose authorised by law, communicate to any person at any time any information obtained at those proceedings as to the number on the back of the ballot paper sent to any person; nor
- (c) except for some purpose authorised by law, attempt to ascertain at the proceedings in connection with the receipt of the ballot papers the number on the back of any ballot paper; nor
- (d) attempt to ascertain at the proceedings in connection with the receipt of the ballot papers the candidate for whom any vote is given in any particular ballot paper or communicate any information with respect thereto obtained at those proceedings;

and any person who acts in contravention of this paragraph shall be liable on summary conviction to imprisonment for a term not exceeding six months.

#### *Supplementary*

6. Where the expression "returning officer or mayor," is used in this Schedule, the reference to the mayor shall apply, and shall only apply, in the case of an election of borough councillors under the Local Government Act, 1933, and in the case of any such election paragraph 10 of Part I of the Second Schedule to that Act (which provides for the case where there is no mayor or the mayor is unable to act) shall apply for the purpose of this Schedule as it applies for the purpose of that Schedule.

### PART II.

#### AMENDMENTS TO SECURE CONFORMITY WITH RULES AS TO PARLIAMENTARY ELECTIONS.

##### *Nomination and matters connected therewith.*

1.—(1) In the list of a candidate's names in a nomination paper, his surname shall be placed first.

(2) The description of a candidate in his nomination paper shall not refer to his political activities, and need not refer to his rank, profession or calling so long as, with the other particulars of the candidate, it is sufficient to identify him.

(3) If the description is unduly long, the returning officer or mayor after consultation (if possible) with the candidate or his election agent, proposer or seconder, may shorten it or substitute another.

(4) Where a nomination paper bears the signatures of more than the required number of persons as proposing, seconding or assenting to the nomination of a candidate, the signature or signatures (up to the required number) appearing first on the paper in each category shall be taken into account to the exclusion of any others in that category.

(5) In determining whether a person's signature on a nomination paper is inoperative on the ground that he has signed more papers than is allowed, a paper previously signed by him shall be disregarded if the candidate thereby nominated has died or withdrawn before delivery of the first mentioned paper.

(6) The returning officer or mayor shall not in England or Wales be entitled to hold a nomination paper invalid except on one of the following grounds, that is to say—

- (a) that the particulars of the candidate or the persons subscribing the paper are not as required by law; and
- (b) that the paper is not subscribed as so required;

or, where a nomination paper and the candidate's consent is delivered in accordance with paragraphs 3 and 4 of Part I of the local elections rules, be entitled to hold the nomination invalid except on the ground of the invalidity of the nomination paper.

(7) The statement of persons nominated shall show all persons who have been nominated, including those who have withdrawn or died, and in the case of those not remaining nominated shall give the reason why they do not remain nominated.

(8) The said statement shall show the persons standing nominated arranged alphabetically in the order of their surnames, and if there are two or more of them with the same surname, of their other names, and shall take the particulars of all persons nominated from their nomination papers or, in the case of a person nominated by more than one nomination paper, from such one of the papers as the candidate or the returning officer or mayor in default of the candidate may select.

(9) In the case of a candidate nominated by more than one nomination paper, the paper selected under the last foregoing sub-paragraph shall be deemed to be his nomination paper for the purpose of any reference in Part III of the local elections rules.

#### *Withdrawal of Candidates.*

2. In the case of a candidate who is outside the United Kingdom, a notice of withdrawal signed by his proposer and accompanied by a written declaration also so signed of the candidate's absence from the United Kingdom shall be of the same effect for the purpose of paragraph 7 of Part I of the local elections rules as a notice of withdrawal signed by the candidate:

Provided that where the candidate stands nominated by more than one nomination paper a notice of withdrawal under this paragraph shall be effective if, but only if,—

- (a) it and the accompanying declaration are signed by all the proposers except any who is, and is stated in the said declaration to be, outside the United Kingdom; or
- (b) it is accompanied, in addition to the said declaration, by a written statement signed by the candidate that the proposer giving the notice is authorised to do so on the candidate's behalf during his absence from the United Kingdom.

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### *Notice of poll.*

3.—(1) The order of the names of the candidates, and the particulars of the candidates, in the notice of poll shall be the same as in the statement as to the persons nominated.

(2) The notice of poll shall give the names of all persons signing a candidate's nomination paper, and not only those of the proposer and seconder, and in the case of a candidate nominated by more than one nomination paper, the candidate may require the returning officer or mayor to include in the notice the names of the persons signing a second and third nomination paper.

### *Death of candidate.*

4. If before the commencement of the poll proof is given to the satisfaction of the returning officer that a candidate shown in the statement as to the persons nominated as remaining nominated had in fact died before the latest time for delivery of nomination papers, the returning officer shall countermand the poll and the local elections Act shall apply as if the candidate had died after the latest time for delivery of nomination papers.

### *Form of directions for the guidance of voters.*

5. The directions for the guidance of voters which are to be exhibited outside every polling station and in the compartments of polling stations shall include a direction in the following terms—

“The voter should see that the ballot paper, before it is handed to him, is stamped with the official mark.”

### *Form of ballot paper.*

6. So far as practicable, the same arrangements shall be observed in the printing of the ballot papers as in the case of a parliamentary election.

### *Proceedings at polling station.*

7.—(1) In paragraph 16 of Part III of the local elections rules for England and Wales (which enables two electors to require the questions there set out to be put to an applicant for a ballot paper) the reference to two electors shall cease to have effect.

(2) So much of paragraph 17 of Part III of the local elections rules as requires the words “protested against for personation” to be placed in the register where an elector is challenged by a polling agent shall cease to have effect, and any reference in the said paragraph 17 to a polling agent shall include a reference to a candidate or his election agent.

(3) So much of paragraph 20 of Part III of the local elections rules as requires a person who is unable to read to make a declaration of his inability before a ballot paper can be marked in the manner directed by him shall cease to have effect, and in that paragraph for the words “makes a declaration” there shall be substituted the words “declares orally”.

(4) No person shall be admitted to vote in person elsewhere than at his own polling station under the provisions of this Act relating to constables and persons employed by the returning officer or mayor.

except on production and surrender of a certificate as to his employment, which shall be in the prescribed form and signed by the prescribed officer of police or by the returning officer or mayor, as the case may be; and any certificate surrendered under this paragraph shall forthwith be cancelled and thereafter dealt with in the same way as the counterfoils to ballot papers are directed by law to be dealt with.

4TH SCH.  
—cont.

(5) Notwithstanding anything in the local elections rules, the marked copies of the register of electors and the counterfoils of the used ballot papers shall be sealed up in separate packets after the close of the poll, and not in the same packet.

*The count.*

8.—(1) In paragraph 33 of Part III of the local elections rules for England and Wales (which excludes from the time during which the counting of the votes is to proceed the hours between eight o'clock in the evening and nine o'clock on the succeeding morning, except so far as the returning officer with the concurrence of the counting agents, if any, otherwise determines), the word "except" and the word "otherwise" where it first occurs shall be omitted; and accordingly, so far as practicable, the counting of the votes under those rules shall (unless otherwise determined) proceed continuously by night as by day, allowing only time for refreshment.

(2) For the purposes of the said paragraph 33, the concurrence of a candidate or his election agent shall be as effective as that of his counting agents:

Provided that where at an election in a metropolitan borough counting agents have been appointed to attend on behalf of more than one candidate jointly, the concurrence of those agents shall be required unless each of those candidates or his election agent concurs.

(3) A candidate or his election agent may, if present when the counting or any re-count of the votes is completed, require the returning officer to have the votes re-counted or again re-counted, but the returning officer may refuse to do so if in his opinion the request is unreasonable.

(4) No steps shall be taken on the completion of the counting or any re-count of the votes until the candidates and election agents present at the completion thereof have been given a reasonable opportunity to exercise the right conferred by the last foregoing subparagraph.

(5) The provisions of section two hundred and ninety-five of the local elections Act and, in England and Wales, paragraph 12 of Part I of the local elections rules (which provide for excluding Sundays and other days therein mentioned) shall not apply in relation to the counting of the votes and the other proceedings of the returning officer after the close of the poll or to things done by other persons in the course of those proceedings, but the returning officer shall not be obliged to proceed with the counting on any day to which those provisions apply.

4TH SCH.  
—cont.

*Rejection of ballot papers.*

9. A ballot paper on which a vote is marked—
- (a) elsewhere than in the proper place; or
  - (b) otherwise than by means of a cross; or
  - (c) by more than one mark;

shall not by reason thereof be rejected (either wholly or as respects that vote), if an intention that the vote shall be for one or other of the candidates clearly appears, and the way the paper is marked does not of itself identify the voter and it is not shown that he can be identified thereby.

*Right to attend at polling station and counting of votes.*

10.—(1) A candidate's election agent shall have the same right to attend at a polling station or at the counting of the votes as the candidate, and a candidate's wife or husband shall also have the right to attend at the counting of the votes.

(2) Any candidate attending at a polling station or the counting of the votes, and any person so attending by virtue of this paragraph, and any person permitted by the returning officer to attend at the counting of the votes though not entitled to do so, shall be subject to paragraph 54 of Part III of the local elections rules in the same way as a candidate's polling agent or counting agent, but a declaration of secrecy required to be made by a candidate attending the counting or, by virtue of this paragraph, by any other person so attending need not be made before the opening of the poll, but shall be made before the person in question is permitted to attend the counting.

(3) Where the relevant sub-paragraphs of the said paragraph 54 are read to a person making a declaration of secrecy by virtue of this paragraph they shall be read with such modifications as are necessary to show how they apply to that person.

(4) An election agent attending at a polling station shall have the same right as the candidate to require the presiding officer to put the questions permitted by law to a person applying for a ballot paper.

11.—(1) The counting agents to attend on behalf of a candidate at the counting of the votes may be appointed, and notice of the appointment given to the returning officer, by the candidate's election agent, instead of by the candidate.

(2) Notwithstanding anything in the local elections rules, the returning officer may (except at an election in a metropolitan borough) limit the number of counting agents who may attend on behalf of the candidates, so, however, that the number of those who may attend shall be the same in the case of each candidate and the number allowed to a candidate shall not (except in special circumstances) be less than the number obtained by dividing by the number of candidates the number of persons appointed to assist the returning officer.

(3) In the case of an election for a metropolitan borough, sub-paragraph (1) of this paragraph shall apply to joint, as well as to



separate, appointments and sub-paragraph (4) of paragraph 28 of Part II of the Second Schedule to the London Government Act, 1939, shall be construed accordingly.

4TH SCH.  
—cont.

(4) The counting agents attending on behalf of the candidates shall be given by the returning officer all such reasonable facilities for overseeing the proceedings, and all such information with respect thereto, as he can give them consistently with the orderly conduct of the proceedings and the discharge of his duties in connection therewith.

(5) In particular, where the votes are counted by sorting the ballot papers according to the candidate for whom the vote is given and then counting the number of ballot papers for each candidate, the counting agents shall be entitled to satisfy themselves that the ballot papers are sorted rightly.

#### *Application to Scotland.*

12. This Part of this Schedule shall, in its application to Scotland, have effect as if—

- (a) in sub-paragraph (3) of paragraph 1 and sub-paragraph (2) of paragraph 3, for the expression "mayor" there were substituted the expression "town clerk";
- (b) for references to the proposer and to the seconder of a candidate there were respectively substituted references to the proposer whose name appears first and to the proposer whose name appears second on a nomination paper in respect of the candidate; and
- (c) sub-paragraphs (7), (8) and (9) of paragraph 1, sub-paragraph (1) of paragraph 3 and paragraph 4 were omitted.

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## FIFTH SCHEDULE.

Section 35.

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### SUPPLEMENTAL PROVISIONS AS TO USE FOR ELECTION MEETINGS OF ROOMS IN SCHOOL PREMISES AND OF MEETING ROOMS.

1.—(1) Any arrangements for the use of a room in school premises shall be made with the local education authority maintaining the school.

(2) Any question as to the rooms in school premises which a candidate in any constituency is entitled to use, or as to the times at which he is entitled to use them, or as to the notice which is reasonable, shall be determined by the Minister of Education.

2.—(1) Every local education authority shall prepare for their area lists of the rooms in school premises which candidates in any constituency are entitled to use.

5TH SCH.  
—cont.

(2) The list shall include the rooms in premises outside, as well as those in premises in, the constituency.

(3) The list shall be revised from time to time as occasion may require.

3.—(1) With the exception of the London County Council, every county, county borough and metropolitan borough council shall prepare for their area lists of the meeting rooms which candidates in any constituency are entitled to use.

(2) The list shall indicate the person to whom applications for the use of the room are to be made in each case.

(3) The list shall be revised from time to time as occasion may require.

(4) The list shall not include any room if the person maintaining it disputes the right of candidates in the constituency to use it.

4. The lists of rooms in school premises and of meeting rooms prepared for each constituency shall be kept by the registration officer, and those lists and particulars of any change made on a revision thereof shall (where necessary) be forwarded to him accordingly.

5. In the event of a dissolution, or of a vacancy occurring in the seat for the constituency, any person stating himself to be, or to be authorised by, a candidate or his election agent shall be entitled at all reasonable hours to inspect the said lists or a copy thereof.

6. In the application of this Schedule to Scotland—

(a) for the reference in paragraph 1 to the Minister of Education there shall be substituted a reference to the Secretary of State, and for any reference to a local education authority there shall be substituted a reference to an education authority;

(b) sub-paragraph (1) of paragraph 2, sub-paragraph (1) of paragraph 3 and paragraph 4 shall not apply and it shall be the duty of the town clerk of each burgh being a county of a city and of the county clerk of each county (after consultation with the clerks of the town and district councils of the burghs and districts in the county) to prepare and keep for each constituency wholly situated in the burgh or county and for each part so situated of any other constituency—

(a) a list of rooms in school premises; and

(b) a list of meeting rooms;

which candidates in the constituency are entitled to use.

## SIXTH SCHEDULE.

Section 57.

EFFECT OF CHANGE OF DATE OF LOCAL GOVERNMENT ELECTIONS IN  
ENGLAND AND WALES.*County Councils.*

1.—(1) In the year nineteen hundred and forty-nine and every subsequent year of election—

(a) the ordinary day of retirement of county councillors shall be the fourth day after the day of election, and the newly elected councillors shall come into office on the said fourth day; and

(b) the date of the annual meeting shall be the eighth day after the day of retirement, or such other day within twenty-one days after the day of retirement as the county council may fix.

(2) So much of paragraph 1 of Part I of the Third Schedule to the Local Government Act, 1933, as directs the three meetings required to be held in addition to the annual meeting by a county council (other than the London County Council) to be held before the eighth day of March next following shall cease to have effect.

*Borough Councils.*

2.—(1) The ordinary elections of borough councillors, and retirement of borough councillors, due (apart from this Act) to take place in November in the year nineteen hundred and forty-eight and subsequent years shall in each case be postponed so as to take place on the day provided by this Act in the following year:

Provided that in the case of metropolitan boroughs the postponement shall, except in the first instance, be to the next following year which is not a year of election of county councillors, and the ordinary election and retirement of metropolitan borough councillors shall accordingly take place in the year nineteen hundred and forty-nine, the year nineteen hundred and fifty-three and every third year after the year nineteen hundred and fifty-three.

(2) In the year nineteen hundred and forty-nine and subsequent years—

(a) the ordinary retirement of borough councillors shall take place on the fourth day after the day of election, and the newly elected councillors shall come into office on the said fourth day; and

(b) the date of the annual meeting shall be the eleventh day after the day of election of borough councillors, or such other day within the following seven days as the borough council may fix.

For the purpose of determining the date for the annual meeting of a metropolitan borough council in a year which is not a year of election, the reference in this sub-paragraph to the day of election shall be taken as a reference to the day of election in that year in boroughs other than metropolitan boroughs.

6TH SCH.  
—*cont.*

(3) The ordinary election of a mayor due to take place at the annual meeting in the year nineteen hundred and forty-eight, and the ordinary election and retirement of aldermen of a borough due to take place at that meeting, shall be postponed till the annual meeting in the following year and the first mentioned meeting shall be treated as not being an annual meeting for the purpose of determining the date of retirement of any deputy mayor of a metropolitan borough.

(4) So much of paragraph 1 of Part II of the Third Schedule to the Local Government Act, 1933, as directs the three meetings required to be held in addition to the annual meeting by a borough council (other than a metropolitan borough council) to be held before the first day of November next following shall cease to have effect; and for the purposes of that requirement the period between the annual meetings mentioned in the last foregoing sub-paragraph shall be treated as a year but so that only one meeting shall be required during that period instead of three.

(5) In a borough having a sheriff, the appointment of a sheriff due to take place at the annual meeting in the year nineteen hundred and forty-eight shall be postponed till the annual meeting in the following year and subsequent appointments shall, notwithstanding anything in section one hundred and seventy of the Municipal Corporations Act, 1882, be made at the annual meeting; and in relation to sheriffs going out of office at the annual meeting in that or any subsequent year the interval between two consecutive annual meetings shall be deemed to be a year for the purposes of section five of the Sheriffs Act, 1887 (which provides that the same person shall not be appointed twice in three years if he has served a full year).

#### *District and Parish Councils.*

3. As respects the year nineteen hundred and forty-nine and subsequent years, the twentieth day of May shall be substituted for the fifteenth day of April in sections thirty-five and fifty of, and Parts III and IV of the Third Schedule to, the Local Government Act, 1933 (which relate among other things to the day of retirement of district and parish councillors and the date of the annual meeting of district and parish councils).

#### *Casual vacancies.*

4.—(1) In subsection (3) of section sixty-seven of the local elections Act (which provides that a casual vacancy in the office of councillor is not to be filled by an election under that section if it occurs within six months before the ordinary day of retirement) for the reference to the ordinary day of retirement there shall be substituted a reference to the ninth day of May or, in the case of a county councillor, April in the year in which the councillor whose office is vacant would regularly have retired.

(2) If at the passing of this Act there is a vacancy in the office of a borough councillor who would (apart from this Act) regularly have retired in November, nineteen hundred and forty-eight, it shall be filled under the said section of the local elections Act as if it had occurred on the date of the passing of this Act.

*General.*6TH SCH  
— cont.

5. The provisions of this Schedule shall have effect notwithstanding any provision of the local elections Act fixing or referring to the term of office of a member of a local authority as one year, three years or six years, or to the retirement of any such members in the third year or at the end of three years, and where inconsistencies arise in the local elections Act by virtue of this Schedule between any such reference and words referring to the day or year of election or retirement of councillors or the date of the annual meeting or any other matter affected by the operation of this Schedule, those words shall prevail.

6.—(1) Where it appears to the Secretary of State that by reason of special circumstances affecting any local authority the provisions of this Schedule are, in relation to that authority or some part of the members thereof, inapplicable or inadequate without some addition or modification, he may by order make such provision as appears to him to accord with the principles of this Schedule and to be necessary or expedient in consequence of the change effected by this Act in the date of the ordinary election of councillors.

(2) Any order under this paragraph shall have effect notwithstanding anything in any enactment (including this Act) or anything in any instrument made by virtue of any such enactment.

## SEVENTH SCHEDULE.

Section 65.

CONSEQUENTIAL AND MINOR AMENDMENTS AS TO LOCAL GOVERNMENT  
IN SCOTLAND.

The Licensing (Scotland) Act, 1903.

(3 Edw. 7. c. 25.)

*Section.**Amendment.*

Section 5 (as amended by the Local Government (Scotland) Act, 1947, s. 365).

In subsection (1) for the words "the Local Government (Scotland) Act, 1947," there shall be substituted the words "Part V of the Representation of the People Act, 1948,"; for the word "forty-eight" wherever occurring there shall be substituted the word "forty-nine" and after paragraph (e) there shall be inserted the following paragraph:—

"(f) The foregoing provisions of this section shall apply to the court of appeal for a burgh being a county of a city with the substitution respectively for references to meetings of the county council and to elections of county councillors of references to meetings of the town council and to elections of town councillors."

7TH SCH.  
—cont.

Section.

Amendment.

- Section 6 ... For the word "April" in both places where it occurs there shall be substituted the word "March".
- Section 17 ... For the word "April" there shall be substituted the word "March".
- Section 40 ... For the word "April" there shall be substituted the word "March".

The Temperance (Scotland) Act, 1913.

(3 &amp; 4 Geo. 5. c. 33.)

- Section 3 ... For the word "April" in both places where it occurs there shall be substituted the word "March".

The Licensing Act, 1921.

(11 &amp; 12 Geo. 5. c. 42.)

- Section 21 ... In subsection (1), in paragraph (a) for the word "April" there shall be substituted the word "March".

The Licensing (Permitted Hours) Act, 1934.

(24 &amp; 25 Geo. 5. c. 26.)

- Section 2 ... In subsection (1) for the word "April" there shall be substituted the word "March".

The Local Government (Scotland) Act, 1947.

(10 &amp; 11 Geo. 6. c. 43.)

- Section 4 ... In subsection (1) for the word "November" there shall be substituted the word "May"; in subsection (2) paragraph (a) shall be omitted.
- Section 5 ... For the word "November" in both places where it occurs there shall be substituted the word "May"; and for the word "forty-eight" there shall be substituted the word "forty-nine".
- Section 12 ... The words "Subject to the provisions of this Act relating to fishing burghs" shall be omitted; and for the word "November" there shall be substituted the word "May".
- Section 14 ... In subsection (2) for the word "November" there shall be substituted the word "May".
- Section 17 ... In subsection (2) for the word "November" there shall be substituted the word "May".
- Section 18 ... For the word "November" there shall be substituted the word "May".
- Section 28 ... In subsection (2) for the word "November" there shall be substituted the word "May".
- Section 30 ... In subsection (2) for the word "November" there shall be substituted the word "May".
- Section 31 ... In subsection (2) for the word "November" there shall be substituted the word "May".
- Section 40 ... In subsection (2) for the word "November" where first occurring there shall be substituted the word "May" and paragraph (i) of the proviso shall be omitted.

<i>Section.</i>	<i>Amendment.</i>
Section 41	... For the word " November " in both places where it occurs there shall be substituted the word " May "; and for the word " forty-eight " there shall be substituted the word " forty-nine ".
Section 47	... In subsection (2) for the word " November " there shall be substituted the word " May ".
Schedule 2	... For the words " October " and " November " wherever they occur there shall be respectively substituted the words " April " and " May ".
Schedule 3	... For the words " November " and " December " wherever they occur there shall be respectively substituted the words " May " and " June ".

7TH SCH.  
—cont.

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### EIGHTH SCHEDULE.

Section 67.

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#### PROVISIONS WHICH MAY BE CONTAINED IN REGULATIONS AS TO REGISTRATION, ETC.

1. Provisions authorising a registration officer (other than a registration officer in Scotland) to require the clerk of the authority of any county borough, metropolitan borough or county district wholly or partly within the area for which he acts (or an officer designated for the purpose by the council of any such borough or district) to perform on his behalf all or any of his registration duties, so far as they relate to the preparation and publication of the electors lists, and to give information required for the purpose of his registration duties.

2. Provisions authorising a registration officer to require any householder or person owning or occupying any land or premises within the area for which he acts, or the agent or factor of any such person, to give information required for the purpose of his registration duties.

3. Provisions laying down a timetable for the preparation of the register and other matters, and providing that notices and other documents received by the registration officer out of time may be or shall be disregarded either altogether or for the purposes of a particular register or election.

4. Provisions as to the manner in which service declarations, and applications and notices from service voters, are to be transmitted to the registration officer.

5.—(1) Provisions as to the evidence which shall or may be required, or be deemed sufficient or conclusive evidence, of a person's service declaration having ceased to be in force.

(2) Provisions as to the evidence of age or nationality which may be required in connection with a person's registration otherwise than as a service voter or with his appointment as a proxy, and provisions—

(a) enabling any person to obtain for the purpose of the regulations a birth certificate on payment of a fee not exceeding sixpence;

8TH SCH.  
—*cont.*

(b) exempting statutory declarations made for that purpose from stamp duty, and requiring any fee payable in connection with the making of any such declaration to be paid by the registration officer.

(3) Provisions as to the evidence which shall or may be required, or be deemed sufficient or conclusive evidence, in connection with a person's application to be treated as an absent voter, of his being subject to any physical incapacity and as to its probable duration or of the fact that he is acting as returning officer at any election or of his employment as a constable or by a returning officer, mayor or person acting as mayor and the circumstances of that employment.

6. Provisions as to the cases in which a claim or objection may be determined by the registration officer without a hearing, and as to a person's right in any such cases to make written representations to him.

7. Provisions authorising a registration officer to require any person's evidence at a hearing before him to be given on oath and to administer oaths for the purpose.

8. Provisions as to marking the register so as to distinguish those registered as service voters and others having special rights as to the place or manner of voting at any election.

9. Provisions requiring copies of the electors lists, register and other documents or prescribed parts thereof to be available for inspection by the public at such places as may be prescribed.

10. Provisions authorising or requiring the registration officer to supply to such persons as may be prescribed copies of the electors lists, register and other documents or prescribed parts thereof, whether free of charge or on payment of a prescribed fee.

11. Provisions as to the proceedings in connection with the issue and receipt of ballot papers for voting by post (including provisions as to the persons who are to be entitled or may be allowed to attend and the rights and obligations of persons attending), and provisions as to the steps to be taken to ensure the secrecy of the voting and the safe custody (before and after the count) of the ballot papers returned and other documents.

12.—(1) Provisions imposing pecuniary penalties (not exceeding one hundred pounds for any offence) on persons summarily convicted—

- (a) of having failed to comply with, or given false information in pursuance of, any such requisition of the registration officer as is mentioned in paragraph 2 of this Schedule;
- (b) of having, without lawful authority, destroyed, mutilated, defaced or removed any notice published by the registration officer in connection with his registration duties, or any copies of a document which have been made available for inspection in pursuance of those duties.

(2) Any other provisions incidental or supplementary to those mentioned in the foregoing paragraphs of this Schedule.

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NINTH SCHEDULE.

Section 74.

FORMS.

PART I.

Form of Writ for Parliamentary Elections.

\*George the Sixth, by the Grace of God, of Great Britain, Ireland and the British Dominions beyond the Seas King, Defender of the Faith, to the Returning Officer for the Constituency, Greeting:
\*The name of the sovereign may be altered when necessary.

†Whereas by the advice of Our Council We have ordered a Parliament to be holden at Westminster on the day of next, We command you that, due notice being first given, you do cause election to be made according to law of a Member to serve in Parliament for the said Constituency [†in the place of ] and that you do cause the name of such Member when so elected, whether he be present or absent, to be certified to Us, in Our Chancery, without delay.
†This preamble to be omitted except in case of a general election.
†Except in a general election insert here in the place of A.B., deceased or otherwise, stating the cause of vacancy.

Witness Ourselves at Westminster, the day of in the Year of Our Reign, and in the Year of Our Lord 19

Label or direction of writ.

To the Returning Officer for the Constituency. A Writ of a new Election of a Member for the said Constituency.

Endorsement.

Received the within Writ on the day of , 19 (Signed) Returning Officer [or as the case may be,]

Certificate endorsed on writ.

I hereby certify, that the Member elected for the Constituency in pursuance of the within written Writ is of in the County of

(Signed) Returning Officer [or as the case may be,]

PART II.

Form of declarations as to expenses.

Election in the.....constituency. Date of publication of notice of election..... Name of candidate.....

9TH SCH.  
—cont.

I solemnly and sincerely declare as follows:—

1. I am the person named above as a candidate at this election [and was my own election agent] or was at this election the election agent of the person named above as a candidate.

2. I have examined the return of election expenses [about to be] transmitted by my election agent [by me] to the returning officer, of which a copy is now shown to me and marked \_\_\_\_\_, and to the best of my knowledge and belief it is a complete and correct return as required by law.

3. To the best of my knowledge and belief, all expenses shown in the return as paid were paid by my election agent [by me], except as otherwise stated in relation to my [the candidate's] personal expenses.

4. I understand that the law does not allow any election expenses not mentioned in this return to be defrayed except in pursuance of a court order.

Signature of declarant.....

Signed and declared by the above named declarant on the \_\_\_\_\_ day of \_\_\_\_\_, before me,

(Signed) .....

Justice of the Peace for.....

(NOTE.—Where there has been a change of election agent, suitable variations may be introduced into the declaration as to expenses.)

Section 74.

TENTH SCHEDULE.

ADAPTATION AND INTERPRETATION OF ENACTMENTS, ETC.

PART I.

GENERAL PROVISIONS FOR ADAPTATION AND INTERPRETATION OF LAW.

*Matters arising out of redistribution.*

1.—(1) The constituencies for the time being established by this Act and any Order in Council under the House of Commons (Redistribution of Seats) Act, 1944, shall take the place of parliamentary counties and boroughs, and writs for parliamentary elections shall, notwithstanding anything in this Act, continue to be sealed and issued in accordance with the rules applying at the passing of this Act in the case of elections in parliamentary counties and boroughs.

(2) Subject to the following sub-paragraph—

(a) any reference in any Act passed before this Act to parliamentary counties and boroughs shall be construed as a reference to constituencies;

- (b) references in any Act passed before this Act to a parliamentary county shall be construed as references to a county constituency, and those to a parliamentary borough as references to a borough constituency, and references to a county election or a borough election shall be construed accordingly;
- (c) for the purposes of this paragraph and of any Act passed after this Act, the expression "constituency" shall mean an area having separate representation in the House of Commons;
- (d) references in any Act passed before this Act to a district of boroughs or to a district borough shall cease to have effect except in relation to Scotland and shall, in relation to Scotland, (subject to any such Order in Council as aforesaid) be taken as referring to the following constituencies, namely, Dunfermline burghs, Kirkcaldy burghs and Stirling and Falkirk burghs.

10TH SCH  
—cont

(3) Any reference in any Act passed before this Act to the authority having power to divide a county or a borough into polling districts or to appoint polling places for a county or a borough for the purposes of parliamentary elections shall, where the context is such as to show that the last foregoing sub-paragraph ought not to apply, be taken as a reference to the county council or the borough council, as the case may be.

*Register, electors, etc.*

2. Any reference in any Act (whenever passed) to the register of parliamentary and local government electors, or to the register of parliamentary electors, or to the register of local government electors, or to the electors lists for any such register, shall be taken as a reference to the register kept under this Act, or to that register so far as it relates to parliamentary electors, or to that register so far as it relates to local government electors, or to the electors lists therefor, as the case may be, and references in any Act to a parliamentary or local government elector shall be construed accordingly; and local government electors registered under this Act shall for all purposes, whether statutory or not, be in the same position as local government electors registered under the Representation of the People Act, 1918.

3. Except in any reference to the register, references in any Act passed before this Act, so far as it relates to elections at which voting by proxy is provided for by this Act, to an elector or voter, or to voting, shall be taken as including an elector's proxy under this Act and to voting by or as proxy, and references to the exercise of an elector's franchise shall be construed accordingly:

Provided that—

- (a) any provision of the local elections Act regulating the number of votes which a person may give at an election shall be taken as referring to the number he may give as an elector or as proxy for any one elector; and

10TH SCH.  
—cont.

- (b) this paragraph shall not have effect so as to qualify a proxy to hold any office, or to subscribe a nomination paper, or to present an election petition or a petition for the appointment of election commissioners.

*Registration and Returning Officers, and Registration Expenses.*

4.—(1) Any reference in any Act (whenever passed) to the registration officer for the registration of parliamentary or local government electors, or to the returning officer for a parliamentary election or constituency, shall be taken as a reference to the registration officer or returning officer appointed under this Act.

(2) Any reference in any Act passed before this Act to a person temporarily appointed under the Representation of the People Act, 1918, to act in place of a registration officer in case of incapacity or a vacancy shall be taken as a reference to the person authorised under this Act so to act.

5.—(1) Any reference in any Act (whenever passed) to registration expenses in connection with the registration of parliamentary or local government electors shall (subject to the following sub-paragraph) be taken as a reference to registration expenses under this Act, and where, by an Act passed before this Act, any expenses are directed to be paid in the same way as such registration expenses, the authority paying them shall be entitled to the like contribution (if any) from any other local authority, and any such contribution shall be paid in the like manner, as if they were registration expenses.

(2) Where by any Act passed before this Act any expenses are directed to be paid in the same way as registration expenses, there shall be substituted in relation to Northern Ireland a direction that they shall be paid by the council of any county or county borough in which the constituency in question is wholly or partly situated and, where more than one council is concerned, shall be paid by them in such proportion as the Secretary of State may direct; and any expenses payable by virtue of this sub-paragraph—

- (a) by a county council shall be paid out of the poor rate as a county at large charge;
- (b) by the council of a county borough shall be paid out of the rate or fund out of which the general expenses of the council are paid.

*Forms.*

6. Any form laid down by any Act passed before this Act for any document shall be adapted in such manner as is necessary to give effect to the provisions of this Act.

*Day and place of election.*

7. Any reference in any Act passed before this Act to the day of election or to the place of election at a parliamentary election shall be taken as referring to the last day, or to the place, for the delivery of nomination papers, as the case may be.

*Supplementary.*10TH SCH.  
—cont.

8.—(1) The foregoing provisions of this Schedule shall apply to a reference to any of the matters mentioned therein, whatever the terms used in that reference, and to a reference to any other matter which was to be construed as a reference to any of the said matters by virtue of an enactment repealed by this Act; but those provisions—

- (a) shall have effect subject to any specific provision contained in this Act and in particular to Part II of this Schedule; and
- (b) so far as they relate to Acts passed after this Act, shall not apply where the context otherwise requires; and
- (c) so far as they relate to Acts not so passed, may be excluded, in whole or in part, by an order of the Secretary of State in any particular case where they appear to him to be inappropriate.

(2) Nothing in the foregoing provisions of this Schedule or in any other provision of this Act shall affect the qualification of any person for any office held by that person immediately before the coming into force of the first register prepared under this Act, so as to vacate or to require that person to vacate the office.

## PART II.

## SPECIFIC ADAPTATIONS.

*Elections.*

1.—(1) In the following provisions of the Ballot Act, 1872, that is to say, sections eight, ten and eleven, and Rules 39, 42, 46, 47 and 50 of the First Schedule, any reference to that Act, and in Rule 59 of the said First Schedule any reference to that Schedule, shall be construed as including a reference to this Act so far as it relates to parliamentary elections.

(2) In subsection (2) of section twenty-five of the parliamentary corrupt practices Act, and in section twenty-three and subsection (2) of section thirty-four of the corrupt practices Act, any reference to that Act shall include a reference to Part III of this Act.

(3) In England and Wales, in section two hundred and ninety-five of the local elections Act (which relates to the computation of time for the purposes of that Act) any reference to that Act shall be construed as including a reference to Part IV of this Act.

2.—(1) In subsection (2) of section twenty-six of the corrupt practices Act, for the reference to any court having jurisdiction in the county or borough in which the election agent's office is situate, there shall be substituted a reference to any court having jurisdiction at the place where that office is situate.

(2) In section twenty-eight of the Parliamentary Elections Act, 1868 (which relates to the reception of the judge trying an election petition and is applied by subsection (4) of section thirty-eight of the parliamentary corrupt practices Act) for the words from "by the mayor" to the words "in which the borough is situate" there shall be substituted the words—

"(a) if the registration officer is town clerk of a borough, by the mayor of that borough; and

10TH SCH.  
—*con'*.

(b) if not, by the sheriff of the county which is or includes the area of the authority whose clerk is registration officer".

(3) In subsection (6) of section twenty-seven of the Parliament (Elections and Meeting) Act, 1943 (which relates to the conveyance of writs for parliamentary elections) for the words "City of London" where they first occur there shall be substituted the words "a constituency where the sheriffs of the City of London or either of them are or is returning officer".

(4) A notice given (whether before or after the passing of this Act) for the purposes of the proviso to subsection (1) of the said section twenty-seven (which enables a sheriff, mayor or other officer who is returning officer to require the writ to be conveyed to the acting returning officer) shall have effect in relation to all constituencies of which the person giving it is or was returning officer at the time of giving it or of which he or a successor in office becomes returning officer by virtue of that office.

3. So much of section five of the local Act of the twelfth and thirteenth years of Queen Victoria, chapter ninety-four, as requires registration as a parliamentary elector as part of the qualification under that section for election to the common council of the City of London shall cease to have effect.

50 & 51 Vict.  
c. 55.

4. In the Sheriffs Act, 1887, the expression "writ" shall be taken as not including a writ for a parliamentary election.

32 & 33 Vict.  
c. 21.

5. Any advance made by the Treasury under section two of the Corrupt Practices Commission Expenses Act, 1869, and any other advance which is recoverable in the same way as an advance under that section, may be recovered by deduction from any sums payable under this Act to the authority liable for the expenses in respect of which the advance was made, or in any other manner, and sections three to six of the said Act and the Election Commissioners Expenses Act, 1871, shall cease to have effect.

34 & 35 Vict.  
c. 61.

6. Where the registration officer is the clerk of a county council and his salary was determined before the passing of this Act, any sums payable to him for his personal remuneration as registration officer in connection with the registration of electors under this Act shall be dealt with under subsection (2) of section ninety-nine of the Local Government Act, 1933 (which provides among other things that the clerk of a county council shall account to the county fund for all fees and costs payable to him except fees and costs excluded when his salary is determined), in the same way as, in his case, any sums payable for his personal remuneration in connection with the registration of electors under the Act of 1918 would be dealt with under the said subsection (2).

#### *Juries.*

7.—(1) No jurors book shall be prepared under the Elections and Jurors Act, 1945, for the year following that in which the first register of electors is prepared under this Act, or for any subsequent year.

(2) In relation to jurors books for the year following that in which the first register is prepared under this Act, and any subsequent year, the Juries Act, 1922, shall have effect with the following modifications—

10TH SCH.  
—cont.

- (a) the amendments made by any Order in Council under the Representation of the People (Economy Provisions) Act, 1926 (which provided for the modification of the said Act of 1922 in connection with the abolition of the spring register) shall not apply;
- (b) any reference to a registration area shall be deemed to include a constituency not forming part of a registration area, and any reference to registration units shall be taken as a reference to constituencies or parts of constituencies;
- (c) for any reference to the notice to be published by the registration officer under paragraph 6 of the First Schedule to the Representation of the People Act, 1918, there shall be substituted a reference to any notice required by regulations under this Act of the time and manner for making claims and objections in relation to the electors lists under this Act.

### ELEVENTH SCHEDULE.

#### OBSELETE ENACTMENTS.

Section 74.

Session and Chapter.	Title or Short Title.	Provision ceasing to have effect.
7 & 8 Will. 3. c. 7.	An Act to prevent false and double returns of members to serve in Parliament.	The provisions as to procuring returns in sections three and four.
32 Geo. 3. c. 63.	The Scottish Episcopalians Relief Act, 1792.	The provisions as to incapacity to vote at elections in sections seven and thirteen.
60 Geo. 3 & 1 Geo. 4. c. 11.	The Parliamentary Elections (Ireland) Act, 1820.	The provisions as to the attendance of constables at the poll and the expenses of the election in sections twenty-two and twenty-six.
1 & 2 Geo. 4. c. 58.	The Parliamentary Elections (Ireland) Act, 1821.	Section three (which relates to payments to the returning officer and other officers).
4 Geo. 4. c. 55.	The Parliamentary Elections (Ireland) Act, 1823.	The provisions as to the attendance of constables at the poll in sections sixty-three and sixty-six and the provisions as to procuring returns in section seventy-three.
16 & 17 Vict. c. 28.	The County Elections (Scotland) Act, 1853.	Section four (which relates to the provision of polling stations).

11TH SCH.  
—cont.

Session and Chapter.	Title or Short Title.	Provision ceasing to have effect.
16 & 17 Vict. c. 68.	The Parliamentary Elections Act, 1853.	Section six (which relates to the provision of polling stations).
17 & 18 Vict. c. 102.	The Corrupt Practices Prevention Act, 1854.	Section eight (which relates to the employment of special constables on polling day).
30 & 31 Vict. c. 102.	The Representation of the People Act, 1867.	Section thirty-seven (which relates to the provision of polling stations) and section forty-nine (which relates to the corrupt payment of rates by way of bribery).
31 & 32 Vict. c. 46.	The Boundary Act, 1868.	Sections eleven and twelve (which deal with the limits of coastal constituencies and the marking of boundaries).
31 & 32 Vict. c. 49.	The Representation of the People (Ireland) Act, 1868.	Section eight (which disqualifies for voting electors employed by a candidate) and section ten (which relates to the provision of polling stations).
35 & 36 Vict. c. 33.	The Ballot Act, 1872	Section fourteen (which relates to the use of municipal ballot boxes, &c., for parliamentary elections).
41 & 42 Vict. c. 26.	The Parliamentary and Municipal Registration Act, 1878.	Sections eleven and thirteen (which contain provisions as to furnishing and obtaining information).
48 & 49 Vict. c. 15.	The Registration Act, 1885.	Section sixteen (which contains provisions as to furnishing and obtaining information).
48 & 49 Vict. c. 17.	The Parliamentary Registration (Ireland) Act, 1885.	Section sixteen (which provides for information of deaths to be furnished to the registration officer).
54 & 55 Vict. c. 49.	The Returning Officers (Scotland) Act, 1891.	The provisions in section five as to the use at parliamentary elections of ballot boxes, fittings and compartments provided for other elections.

*Act of the Irish Parliament.*

35 Geo. 3. c. 29.	An Act for regulating the election of members to serve in Parliament, and for repealing the several Acts therein mentioned.	The provisions as to procuring returns in section fourteen, and those of sections nineteen and twenty-three (which relate to treating and other matters dealt with by the parliamentary corrupt practices Act).
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## TWELFTH SCHEDULE.

Section 75.

## REFERENCES IN CORRUPT PRACTICES ACT AND LOCAL ELECTIONS ACT.

## PART I.

THE CORRUPT AND ILLEGAL PRACTICES ACTS, 1883 TO 1895, AND THE  
CORRESPONDING ACTS.

A : The parliamentary corrupt practices Act (the Corrupt and Illegal Practices Prevention Act, 1883).	A : The local corrupt practices Act.					
	( <i>In England and Wales</i> ). The Municipal Elections (Corrupt and Illegal Practices) Act, 1884.	( <i>In Scotland</i> ). The Elections (Scotland) (Corrupt and Illegal Practices) Act, 1890.				
Section 4 Section 6, and any subsection thereof.	Section 3 (1) The parliamentary provision as applied by section 2.	Section 4 (1) The parliamentary provision as applied by section 3.				
Section 7	Section 4	Section 8				
Section 9 (3)	Section 5, and subs. (4)	Section 9, and subs. (3)				
Section 10	Section 6 (3)	Section 10 (3)				
Section 16	Section 7	Section 11				
Section 17 and subs. (1)	Section 12	Section 16				
Section 18	Section 13 and subs. (1)	Section 17 and subs. (1)				
Section 21 (2)	Section 14	Section 18				
Section 22, and paras. (a) and (b)	Section 16	Section 20				
Section 23	Section 17 (2)	Section 21 (2)				
	Section 19, and paras. (a) and (b)	Section 23, and paras. (a) and (b)				
	Section 20	Section 24				
Section 24	<table border="0" style="width: 100%;"><tr><td style="text-align: center;"><i>Elections other than parish elections.</i></td><td style="text-align: center;"><i>Parish elections.</i></td></tr><tr><td>The parliamentary provision as applied by this Act.</td><td>—</td></tr></table>	<i>Elections other than parish elections.</i>	<i>Parish elections.</i>	The parliamentary provision as applied by this Act.	—	The parliamentary provision as applied by this Act.
<i>Elections other than parish elections.</i>	<i>Parish elections.</i>					
The parliamentary provision as applied by this Act.	—					
Section 26	ditto	ditto				
Section 29 (2) and (4)	ditto	ditto				
Section 29 (9)	Section 21 (1)	ditto				
Section 34	ditto	ditto				
subs. (2)	Section 21 (7)	ditto				
Section 35 (2)	ditto	ditto				
Section 38 (5)	ditto	ditto				
Section 39 and subs. (1)	The parliamentary provision as applied by section 23	Section 28 (2)				
Section 40	Section 24 and subs. (1)	Section 29 and subs. (1)				
Section 41 (1)	Section 25	Section 32				
Section 43 (6)	Subs. (1) and (2)	Subs. (1) (b) and (c)				
Section 45	Section 26 (1)	Section 38 (4)				
	Section 28 (6)	—				
	The parliamentary provision as applied by section 30.	The parliamentary provision as applied by section 49.				

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B: The Corrupt and Illegal Practices Prevention Act, 1895.	B: The Municipal Elections (Corrupt and Illegal Practices) Act, 1911.	—
Section 3	Section 1 (3)	—
Section 4	Section 1 (4)	—

## PART II.

## THE LOCAL GOVERNMENT ACT, 1933, AND THE CORRESPONDING ACTS.

The Local Govern- ment Act, 1933.	The London Govern- ment Act, 1939.	The Local Govern- ment (Scotland) Act, 1947.
Section 67 (3)	Section 42 (3)	—
Section 70 (2)	Section 45 (2)	Section 61 (2)
Section 79	Section 53	Section 67 (1)
Section 81	Section 55	Section 68
Section 82	Section 56	Section 69
Section 115	Section 82	—
Section 116	Section 83	—
Section 295	Section 197	Section 366
Schedule II	Schedule II ( <i>The local elections rules.</i> )	Schedule II
Part I	Part I	Part I
para. 3	para. 3	—
para. 4	para. 4	—
para. 7	para. 7	para. 3
para. 12	para. 12	—
Part III	Part II	Part III
The references to paragraphs in these Parts are identical except:—		
para. 54	para. 54	para. 53
Part IV	Part III	Part V (beginning with Form F)

## THIRTEENTH SCHEDULE.

Section 80.

## REPEALS.

Session and Chapter.	Title or Short Title.	Extent of Repeal.
5 Ric. 2. Stat. 2. c. 4.	Everyone shall obey his summons to Parliament. Penalty on sheriffs omitting returns of writs to Parliament.	The words from "and if any sheriff" to the end of the chapter.
34 & 35 Hen. 8. c. 13.	An Acte for Knightes and Burgesses to have places in the Parliament for the Countie Palantyne and Citie of Chestre.	The whole Act.
7 & 8 Will. 3. c. 7.	An Act to prevent false and double returns of members to serve in Parliament.	The whole Act except section five, and in section five the words "and for the more easy and better proof of any such false or double return" and the words from "and that the party" to the end of the section.
7 & 8 Will. 3. c. 25.	An Act for the further regulating elections of members to serve in parliament, and for the preventing irregular proceedings of sheriffs, and other officers, in the electing and returning such members.	The whole Act except section seven, and in section seven the words from the beginning of the section to "any future parliament" where those words first occur.
7 Geo. 2. c. 16.	An Act for the better regulating the election of members to serve in the House of Commons for that Part of Great Britain called Scotland; and for incapacitating the Judges of the Court of Session, Court of Justiciary and Barons of the Court of Exchequer in Scotland to be elected or to sit or vote as Members of the House of Commons.	Section eight.

13TH SCH.  
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Session and Chapter.	Title or Short Title.	Extent of Repeal.
32 Geo. 3. c. 63.	The Scottish Episcopalians Relief Act, 1792.	Section seven, and section thirteen so far as relating to incapacity to vote. The whole Act.
60 Geo. 3 and 1 Geo. 4. c. 11.	The Parliamentary Elections (Ireland) Act, 1820.	The whole Act.
1 & 2 Geo. 4. c. 58.	The Parliamentary Elections (Ireland) Act, 1821.	The whole Act, except section seventy-four.
4 Geo. 4. c. 55.	The Parliamentary Elections (Ireland) Act, 1823.	In section eighteen, the words from "and no justice" to the end of the section. The whole Act.
10 Geo. 4. c. 44.	The Metropolitan Police Act, 1829.	Section thirty-one; in section thirty-six the words "to vote or" where those words first occur, and section thirty-eight.
2 & 3 Will. 4. c. 45.	The Reform Act, 1832.	The whole Act.
2 & 3 Will. 4. c. 65.	The Representation of the People (Scotland) Act, 1832.	The whole Act.
5 & 6 Will. 4. c. 36.	The Parliamentary Elections Act, 1835.	The whole Act.
5 & 6 Will. 4. c. 78.	The Representation of the People (Scotland) Act, 1835.	In section eighteen, the words from "and no inspector-general" to the end of the section.
6 & 7 Will. 4. c. 13.	The Constabulary (Ireland) Act, 1836.	Section nine.
2 & 3 Vict. c. 93.	The County Police Act, 1839.	Section eight.
2 & 3 Vict. c. xciv.	An Act for regulating the Police in the City of London.	The whole Act except sections eighty-five and ninety-three, and in section ninety-three the words "or members".
6 & 7 Vict. c. 18.	The Parliamentary Voters' Registration Act, 1843.	In section five the words from "and who" to the words "in respect to such premises".
12 & 13 Vict. c. xciv.	An Act to amend an Act passed in the eleventh year of the reign of King George the First for regulating elections within the City of London and for preserving the peace, good order and government of the said City.	The whole Act.
13 & 14 Vict. c. 68.	The Parliamentary Electors (Ireland) Act, 1850.	The whole Act, except section ninety-two.
13 & 14 Vict. c. 69.	The Representation of the People (Ireland) Act, 1850.	

Session and Chapter.	Title or Short Title.	Extent of Repeal.
15 & 16 Vict. c. 57.	The Election Commissioners Act, 1852.	In section one, the words " or members " in the second place where they occur.
16 & 17 Vict. c. 15.	The Parliamentary Elections (Polling) Act, 1853.	The whole Act.
16 & 17 Vict. c. 28.	The County Elections (Scotland) Act, 1853.	The whole Act.
16 & 17 Vict. c. 68.	The Parliamentary Elections Act, 1853.	The whole Act.
17 & 18 Vict. c. 102.	The Corrupt Practices Prevention Act, 1854.	Sections seven, eight and thirty-five, and in section thirty-eight the definitions of " county ", " city or borough ", " returning officer " and " revising barrister " and in the definitions of " election " and " voter " the words " or members ".
19 & 20 Vict. c. 2.	The Metropolitan Police Act, 1856.	In section nine, the words " or indirectly interfering therein ".
19 & 20 Vict. c. 69.	The County and Borough Police Act, 1856.	Section nine.
20 & 21 Vict. c. 72.	The Police (Scotland) Act, 1857.	Section seventeen.
23 & 24 Vict. c. 135.	The Metropolitan Police Act, 1860.	Section five.
25 & 26 Vict. c. 62.	The County Elections (Ireland) Act, 1862.	The whole Act.
30 & 31 Vict. c. 102.	The Representation of the People Act, 1867.	In section two, the words from " nor in anywise " to the end of the section, section thirty-seven, section forty-nine, section fifty-seven, and in section sixty-one, the definitions of " member ", " county " and " borough " and in the definition of " election " the words " or members ".
31 & 32 Vict. c. 46.	The Boundary Act, 1868.	The whole Act.

13TH SCH.  
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Session and Chapter.	Title or Short Title.	Extent of Repeal.
31 & 32 Vict. c. 48.	The Representation of the People (Scotland) Act, 1868.	The whole Act, except sections one, two, twenty-three, twenty-eight, twenty-nine and thirty-one to thirty-five and Schedules E. and F.
31 & 32 Vict. c. 49.	The Representation of the People (Ireland) Act, 1868.	The whole Act except section thirteen.
31 & 32 Vict. c. 58.	The Parliamentary Electors Registration Act, 1868.	The whole Act.
31 & 32 Vict. c. 125.	The Parliamentary Elections Act, 1868.	In sections three and fifty-eight, the definitions of "county" and "borough", and in the definition in section three of "election" the words "or members": and sections forty-four, forty-eight and forty-nine.
32 & 33 Vict. c. 21.	The Corrupt Practices Commission Expenses Act, 1869.	In section two the words "in manner hereinafter mentioned" and sections three to six.
34 & 35 Vict. c. 61.	The Election Commissioners Expenses Act, 1871.	The whole Act.
35 & 36 Vict. c. 33.	The Ballot Act, 1872.	Section one; in section two the words "candidates or" and the words from "Where an equality of votes" to the end of the section; section seven; in section ten the words "and administering the oath" and the words "and administered to"; in section eleven the words from the beginning to "one hundred pounds"; section thirteen; section fourteen; section twenty-four; section twenty-six; in section twenty-seven the words from "and shall apply" to the end of the section; section twenty-nine; section thirty-one; in the First Schedule, rules 1 to 14; rule 18; in rule 22 the words from "contain" to "it shall"; in rule 24 the words "either stamped or perforated"; in rule 26 the words from "the said declaration" where those words first occur to the end of the rule, in rule 27 the words "and taking the oath" and the words "of and to be

Session and Chapter.	Title or Short Title.	Extent of Repeal.
35 & 36 Vict. c. 33— <i>cont.</i>	The Ballot Act, 1872 — <i>cont.</i>	administered to voters", in rule 29 the words "and the declarations of inability to read", in rule 38 the words "declarations of inability to read"; rule 56; in rule 57 the definitions of "district borough" and of "polling place"; rules 60 and 61; in the Second Schedule the forms of writ (including the note) and declaration of inability to read, and in the directions as to printing the ballot paper the words from "The surname" to the last "and"; and the Third Schedule.
38 & 39 Vict. c. 84.	The Parliamentary Elections (Returning Officers) Act, 1875.	The whole Act.
41 & 42 Vict. c. 26.	The Parliamentary and Municipal Registration Act, 1878.	Sections eleven to thirteen.
41 & 42 Vict. c. 41.	The Parliamentary Elections Returning Officers' Expenses (Scotland) Act, 1878.	Sections four and five.
43 Vict. c. 18.	The Parliamentary Elections and Corrupt Practices Act, 1880.	The whole Act.
45 & 46 Vict. c. 50.	The Municipal Corporations Act, 1882.	In section seven, the definition of "parliamentary borough", section eighty-one, section eighty-five, and in section one hundred and seventy the words "on the ninth of November" in subsection (1) and the words "at the quarterly meeting of the council" in subsection (2).
46 & 47 Vict. c. 51.	The Corrupt and Illegal Practices Prevention Act, 1883.	In subsection (1) of section seven, paragraph (c); subsection (1) of section nine; in section sixteen the words "cockades, ribbons, or other marks of distinction"; in subsection (2) of section seventeen the words from "if he knew" to the end of the subsection; in section thirty-three, in subsection (5) the words "to any person who sues for the same"; subsections (2) to (8) of section thirty-nine; subsection (5) of section forty;

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13TH SCH.  
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Session and Chapter.	Title or Short Title.	Extent of Repeal.
46 & 47 Vict. c. 51—cont.	The Corrupt and Illegal Practices Prevention Act, 1883.—cont.	in subsection (3) of section fifty-three the words "or action"; in subsection (1) of section fifty-eight the words from "and the Election Commissioners Expenses Acts" to the end of the subsection; section sixty-one; subsection (2) of section sixty-three except the words "Provided that where a person has been declared to be a candidate by others without his consent, nothing in this Act shall be construed to impose any liability on such person unless he has afterwards given his assent to such declaration or has been nominated"; in section sixty-four, in the definition of "election" the words "or members"; in section sixty-eight the definition of "revising barrister" and paragraph (16); paragraphs (3) and (4) of section sixty-nine; the First Schedule except paragraph (2) of Part I; the Second Schedule except the form of return in Part I; and in the Third Schedule Part III except so far as relates to sections two and three of the Corrupt Practices Prevention Act, 1854.
47 & 48 Vict. c. 70.	The Municipal Elections (Corrupt and Illegal Practices) Act, 1884.	Paragraph (c) of subsection (1) of section four; subsection (1) of section six, so far as relates to elections of councillors; in section twelve the words "cockades, ribbons, or other marks of distinction"; in subsection (2) of section thirteen, the words from "if he knew" to the end of the subsection; in subsection (1) of section sixteen the word "either" and the words "or for holding a meeting"; section eighteen; in subsection (4) of section twenty-one the words "to any person who sues for the same"; in section twenty-four, the words



Session and Chapter.	Title or Short Title.	Extent of Repeal.
47 & 48 Vict. c. 70— <i>cont.</i>	The Municipal Elections (Corrupt and Illegal Practices) Act, 1884— <i>cont.</i>	" in July " in subsection (1) and subsections (2) to (9) ; in paragraph (a) of section thirty the words " other than a corrupt practice " ; the second paragraph of section thirty-four, except as respects the City of London ; section thirty-seven ; Part I of the Third Schedule so far as it repeats the Representation of the People Act, 1867, s. 49 and the Ballot Act, 1872, s. 24 ; the Fourth Schedule.
48 & 49 Vict. c. 10.	The Election (Hours of Poll) Act, 1885.	The whole Act.
48 & 49 Vict. c. 15.	The Registration Act, 1885.	The whole Act.
48 & 49 Vict. c. 17.	The Parliamentary Registration (Ireland) Act, 1885.	The whole Act.
48 & 49 Vict. c. 23.	The Redistribution of Seats Act, 1885.	The whole Act.
50 & 51 Vict. c. 9.	The Police Disabilities Removal Act, 1887.	The whole Act.
50 & 51 Vict. c. 55.	The Sheriffs Act, 1887.	In section thirty-one the words " and of the law relating to the election of members to serve in Parliament."
52 & 53 Vict. c. 63.	The Interpretation Act, 1889.	Paragraph (3) of section fifteen, and in paragraph (4) thereof the words from " and " onwards ; and in paragraph (1) of section seventeen the words " or members " and paragraphs (2) and (3) of that section.
53 & 54 Vict. c. 55.	The Elections (Scotland) (Corrupt and Illegal Practices) Act, 1890.	Section five ; section six ; paragraph (c) of subsection (1) of section eight ; in section sixteen the words " cockades, ribbons, or other marks of distinction " ; in subsection (2) of section seventeen the words from " if he knew " to the end of the subsection ; in subsection (1) of section twenty the word " either " and the words " or for holding a meeting " ; section twenty-two ; section twenty-five ; subsections (2) to (6) of section twenty-nine ; section fifty-one ; the First Schedule except so far as relates to

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Session and Chapter.	Title or Short Title.	Extent of Repeal.
53 & 54 Vict. c. 55— <i>cont.</i>	The Elections (Scotland) (Corrupt and Illegal Practices) Act, 1890— <i>cont.</i>	sections two and three of the Corrupt Practices Prevention Act, 1854, and sections one and two of the Corrupt and Illegal Practices Prevention Act, 1883.
54 & 55 Vict. c. 49.	The Returning Officers (Scotland) Act, 1891.	Section two from the words "but shall not" to the end of the section, and in section five the words from "of ballot boxes," to "elections and".
56 & 57 Vict. c. 6.	The Police Disabilities Removal Act, 1893.	The whole Act.
62 & 63 Vict. c. 14.	The London Government Act, 1899.	In subsection (1) of section eleven the words "list of voters and of".
7 Edw. 7. c. 51.	The Sheriff Courts (Scotland) Act, 1907.	In section twenty-one the words from "nor shall he be entitled" to "within his sheriffdom".
3 & 4 Geo. 5. c. 6.	The Extension of Polling Hours Act, 1913.	The whole Act.
7 & 8 Geo. 5. c. 64.	The Representation of the People Act, 1918.	The whole Act, except sections nineteen and forty-three in so far as they re-enact regulation 16 of section two of the Universities Elections Amendment (Scotland) Act, 1881, and subsection (3) of section twenty-one, and section forty-two and the Sixth Schedule so far as they relate to the Registration Amendment (Scotland) Act, 1885, or to subsection (1) of section twenty-nine of the Elections (Scotland) (Corrupt and Illegal Practices) Act, 1890.
7 & 8 Geo. 5. c. 65.	The Redistribution of Seats (Ireland) Act, 1918.	The whole Act.
8 & 9 Geo. 5. c. 50.	The Representation of the People (Amendment) Act, 1918.	The whole Act.
9 & 10 Geo. 5. c. 8.	The Representation of the People (Returning Officers' Expenses) Act, 1919.	The whole Act.
10 & 11 Geo. 5. c. 26.	The Sheriffs (Ireland) Act, 1920.	In subsection (1) of section two the words "(including his powers and duties as returning officer)".
10 & 11 Geo. 5. c. 35.	The Representation of the People (No. 2) Act, 1920.	The whole Act.

13TH SCH.  
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Session and Chapter.	Title or Short Title.	Extent of Repeal.
10 & 11 Geo. 5. c. 67.	The Government of Ireland Act, 1920.	Paragraph (a) of section nineteen ; section seventy-one ; Part II of the Fifth Schedule.
11 & 12 Geo. 5. c. 34.	The Representation of the People Act, 1921.	The whole Act.
12 & 13 Geo. 5. c. 12.	The Representation of the People Act, 1922.	The whole Act.
12 & 13 Geo. 5. c. 31.	The Universities (Scotland) Act, 1922.	In section two, the proviso.
12 & 13 Geo. 5. c. 41.	The Representation of the People (No. 2) Act, 1922.	The whole Act.
16 & 17 Geo. 5. c. 9.	The Economy (Miscellaneous Provisions) Act, 1926.	Part III and the Third Schedule.
18 & 19 Geo. 5. c. 12.	The Representation of the People (Equal Franchise) Act, 1928.	The whole Act.
18 & 19 Geo. 5. c. 25.	The Representation of the People (Reading University) Act, 1928.	The whole Act.
23 & 24 Geo. 5. c. 51.	The Local Government Act, 1933.	Section nine ; subsection (3) of section twenty-three ; in section forty in paragraph (b) of subsection (1) the words " the day of the poll and " and the words from " so " onwards ; and in subsection (2) of that section the words " (other than the provisions referred to in section thirty-seven of that Act) " ; section fifty-one ; in section fifty-four in paragraph (b) of subsection (1) the words " the day of election and the day of the poll and " and the words from " so " onwards, and in subsection (2) of that section the words " (other than the provisions referred to in section thirty-seven of that Act) " ; subsection (1) of section seventy ; section seventy-nine ; sections eighty-two and one hundred and fifty-four ; in the Second Schedule, in Part II, columns one and two except the words " Proceeding " and " Time " in the headings and the first and last entries, and the whole of column three ; in Part III, sub-paragraph (2)

13TH SCH.  
—cont.

Session and Chapter.	Title or Short Title.	Extent of Repeal.
23 & 24 Geo. 5. c. 51.—cont.	The Local Government Act, 1933—cont.	<p>of paragraph 2; sub-paragraphs (1) and (3) of paragraph 14; in sub-paragraph (1) of paragraph 16 the words "by two local government electors or"; in sub-paragraph (2) of paragraph 17 the words from "but the presiding officer" to the end of the sub-paragraph; in paragraph (c) of sub-paragraph (1) of paragraph 20 the words from "in this" onwards; in sub-paragraph (1) of paragraph 22 the words "The declaration of inability to read and" and the words "applies for a ballot paper or" and "as the case may be"; in sub-paragraph (e) of paragraph 26 the words "and the declarations of inability to read"; in paragraph 33, the word "except" and the word "otherwise" where it first occurs; paragraph 37; in paragraph 40 the words "declarations of inability to read"; and in Part IV of the Second Schedule, Form D and in the directions as to printing the ballot paper the words from "The surname" to the last "and"; in the Third Schedule, in Part I, paragraph (a) of sub-paragraph (2) of paragraph 1 and in sub-paragraph (3) of that paragraph the words "before the eighth day of March next following"; in Part II, the words "on each ninth day of November" and the words "before the first day of November next following" in sub-paragraph (2) of paragraph 1; in Part VI, in paragraph 3 the words "and is not a candidate for election thereat" in sub-paragraph (1), and the words "or unable to take the chair at" in sub-paragraph (3), and sub-paragraph (2) of paragraph 4.</p>

Session and Chapter.	Title or Short Title.	Extent of Repeal.
2 & 3 Geo. 6. c. 40.	The London Govern- ment Act, 1939.	Section ten; subsections (2) and (3) of section eleven; section twenty-four; subsection (1) of section forty-five; proviso (a) to subsection (1) of section forty-six; subsection (2) of section fifty; section fifty-three; section fifty-six; in the Second Schedule, in Part I, in paragraph 4 the words from "not later" in sub-paragraph (1) to the end of the paragraph; in sub-paragraph (5) of paragraph 5 the words from "Not" to "election"; in paragraph 7 the words from "not later" onwards; in Part II, sub-paragraph (2) of paragraph 3; sub-paragraphs (1) and (3) of paragraph 14; in sub-paragraph (1) of paragraph 16 the words "by two electors or"; in sub-paragraph (2) of paragraph 17 the words from "but the presiding officer" to the end of the sub-paragraph, in paragraph (c) of sub-paragraph (1) of paragraph 20, the words from "in this" onwards; in sub-paragraph (1) of paragraph 22 the words "The declaration of inability to read and", the word "respectively", the words "Form D and", and the words "applies for a ballot paper or" and "as the case may be"; in sub-paragraph (e) of paragraph 26 the words "and the declarations of inability to read"; in paragraph 33 the word "except", and the word "otherwise" where it first occurs; paragraph 37; in paragraph 40 the words "declarations of inability to read"; and in Part III of the Second Schedule, Form D and in the directions as to printing the ballot paper the words from "The surname" to the last

13TH SCH.  
—cont.

13TH SCH  
—cont.

Session and Chapter.	Title or Short Title.*	Extent of Repeal.
2 & 3 Geo. 6. c. 40.—cont.	The London Govern- ment Act, 1939— cont.	" and " ; in the Third Sched- ule, in Part I, paragraph (a) of sub-paragraph (2) of para- graph 1 ; in Part II, the words " on the ninth of Nov- ember " in sub-paragraph (2) of paragraph 1.
6 & 7 Geo. 6. c. 48.	Parliament (Elections and Meeting) Act, 1943.	Part I ; in section twenty- seven, subsection (7) and in subsection (8) the words from " and the expressions " to the end of the subsection ; section twenty-eight ; in section thirty, in subsection (2) the words " except in relation to university elections " ; in subsection (5) of section thirty-one the words from " in section thirteen," to " 1922," the words " or an assistant returning officer," and the words from " and nothing," onwards ; sub- section (1) of section thirty- three ; the First, Second, Fourth and Sixth Schedules. The whole Act.
7 & 8 Geo. 6. c. 24.	Parliamentary Electors (War-time Registra- tion) Act, 1944.	
7 & 8 Geo. 6. c. 41.	The House of Commons (Redistribution of Seats) Act, 1944.	In section four, in subsection (1), the words " after the submission of their report under the last foregoing sec- tion " and in subsections (1) and (3) the words " and the number of members which they recommend should be returned by each of them ", section six, and in the Third Schedule, in rule 2 paragraph (1) and in paragraph (2) the word " other ", rule 3, in rule 5, sub-paragraph (b) (i) of paragraph (1), and in para- graph (2), in the definition of the expression " county " the words " in sub-paragraph (a) " and the words from " and in sub-paragraph (b) " onwards, rule 7 and in rule 8 in sub-paragraph (a) of para- graph (1) the words from " or in applying these rules ", to the end of paragraph (i) of the sub-paragraph, and para- graph (2).

Session and Chapter.	Title or Short Title.	Extent of Repeal.
8 & 9 Geo. 6. c. 5.	The Representation of the People Act, 1945.	Parts I, III, and IV; in section thirty-three in subsection (3) the words "or any part thereof" and the words from "or that part thereof" to "and"; sections thirty-five to thirty-seven, in section thirty-eight the words from "constituency" to "the same meaning as in that Act", section thirty-nine; the First, Second and Fourth Schedules.
9 & 10 Geo. 6. c. 21.	The Elections and Jurors Act, 1945.	The whole Act.
10 & 11 Geo. 6. c. 10.	The House of Commons (Redistribution of Seats) Act, 1947.	Section one from the words "(2) For the purposes" in subsection (2) onwards, and the Schedule.
10 & 11 Geo. 6. c. 43.	The Local Government (Scotland) Act, 1947.	In paragraph (b) of the proviso to subsection (2) of section twenty-two, the words from "no person" to "ward, and"; in subsection (2) of section forty-four the words from "and (b) a person" to the end of the subsection; in section fifty-nine, subsection (7); in section sixty-one, in sub-section (1) paragraph (a); subsection (1) of section sixty-seven; section sixty-nine; section seventy; in section one hundred and forty-five, paragraph (a); in Part II of the Second Schedule, column 3; in Part III of the Second Schedule, paragraph 3 and sub-paragraphs (1) and (3) of paragraph 14; in sub-paragraph (2) of paragraph 17 the words from "but the presiding officer" to the end of the sub-paragraph, in paragraph (c) of sub-paragraph (1) of paragraph 20, the words from "in this Schedule" onwards; in sub-paragraph (1) of paragraph 22 the words "the declarations of inability to read and"; in sub-paragraph (e) of paragraph 26 the words "and the declarations of inability to read"; paragraph 37; in paragraph 40 the words "declarations

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—cont.

Session and Chapter.	Title or Short Title.	Extent of Repeal.
10 & 11 Geo. 6. c. 43.—cont.	The Local Government (Scotland) Act, 1947— <i>cont.</i>	of inability to read " and in Part V of the Second Schedule Form I, and in the directions as to printing the ballot paper the words from " The surname " to the last " and ".
<i>Act of the Irish Parliament.</i>		
35 Geo. 3. c. 29.	An Act for regulating the election of members to serve in Parliament, and for repealing the several Acts therein mentioned.	The whole Act.
<i>Order in Council.</i>		
S.R. & O., 1922, No. 1352.	The Government of Ireland (Election Laws Adaptation) (Northern Ireland) Order, 1922.	In Article 3, sub-paragraphs (a), (b) and (c) of paragraph (1) and paragraph (2).

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## CHAPTER 66.

### *Monopolies and Restrictive Practices (Inquiry and Control) Act, 1948.*

#### ARRANGEMENT OF SECTIONS.

##### Section. *The Monopolies and Restrictive Practices Commission.*

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2. General duties of Commission.

##### *Conditions to which Act applies.*

3. Meaning of " conditions to which this Act applies " in relation to supply.
4. Meaning of " conditions to which this Act applies " in relation to processing.
5. Meaning of " conditions to which this Act applies " in relation to exports.

##### *References to Commission for Investigation and Report.*

6. Scope of references to Commission.
7. Duties of Commission on references.
8. Procedure and powers of Commission on references.
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*New Powers of Government Departments for dealing with Conditions  
to which Act applies.*

## Section.

10. Power of competent authority to make orders.
11. Enforcement of orders of competent authority.
12. Investigations as to carrying out of recommendations of Commission or competent authority.
13. Saving for other powers.

*Supplemental Provisions.*

14. Public interest.
15. Reports on general questions.
16. Annual report.
17. Restrictions on disclosure of information.
18. Penalties.
19. Supplemental provisions as to Board of Trade and other Government departments.
20. Interpretation.
21. Application to Northern Ireland, the Isle of Man and the Channel Islands.
22. Short title.

An Act to make provision for inquiry into the existence and effects of, and for dealing with mischiefs resulting from, or arising in connection with, any conditions of monopoly or restriction or other analogous conditions prevailing as respects the supply of, or the application of any process to, goods, buildings or structures, or as respects exports. [30th July 1948.]

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

*The Monopolies and Restrictive Practices Commission.*

1.—(1) For the purposes of this Act there shall be constituted a Commission, to be called the Monopolies and Restrictive Practices Commission (in this Act referred to as "the Commission"). Constitution of Commission.

(2) The Commission shall consist of not less than four nor more than ten members to be appointed by the Board of Trade.

(3) Every member of the Commission shall hold office for such time (not being less than three nor more than seven years) as may be specified by the Board of Trade in making his appointment, and shall not be eligible for re-appointment:

Provided that—

- (a) the Board may from time to time extend the term of office of a member by such period as the Board think fit, so, however, that his total term of office does not exceed twelve years;

- (b) if a member becomes, in the opinion of the Board, unfit to continue in office or incapable of performing his duties under this Act, the Board shall forthwith declare his office to be vacant and shall notify the fact in such manner as they think fit, and thereupon the office shall become vacant ;
- (c) any member may at any time by notice in writing to the Board resign his office.

(4) Such one of the members of the Commission as the Board of Trade may from time to time direct shall be the chairman of the Commission.

(5) The Commission shall appoint a secretary to the Commission and may appoint such other officers and such servants of the Commission as the Commission may, with the consent of the Board of Trade and the Treasury, determine :

Provided that the appointment of any person to be the secretary to the Commission shall be subject to the approval of the Board.

(6) The expenses of the Commission, to such amount as may be determined by the Board of Trade with the approval of the Treasury (including such salaries and other remuneration paid to, and such contributions under pensions schemes paid in respect of, any of their members, officers or servants as may be so determined), shall be paid out of moneys provided by Parliament.

(7) In the case of an equality of votes on any question at a meeting of the Commission, the chairman shall have a second or casting vote.

(8) The quorum necessary for any meeting of the Commission shall be such as the Commission may from time to time determine :

Provided that the quorum necessary at any meeting held for the final settling of a report of the Commission shall not be less than two-thirds of the members of the Commission.

General  
duties of  
Commission.

2.—(1) Where it appears to the Board of Trade that it is or may be the fact that conditions to which this Act applies prevail as respects either—

- (a) the supply of goods of any description ; or
- (b) the application of any process to goods of any description ;  
or
- (c) exports of goods of any description from the United Kingdom, either generally or to any particular market, the Board may, if they think fit, refer the matter to the Commission for investigation and report :

Provided that a reference shall not be made under this subsection where the prevalence of the conditions in question is expressly authorised by or under any enactment, other than the enactments relating to patents and trade marks.

(2) Without prejudice to the duties of the Commission where a matter has been referred to them for investigation and report, it shall at all times be the duty of the Commission, at the request of the Board of Trade, to give to the Board any such information and assistance as is in their possession or power in relation to any question connected with conditions to which this Act applies which prevail, are suspected of prevailing or are expected to prevail as respects the supply of goods of any description, as respects the application of any process to goods of any description or as respects exports of goods of any description from the United Kingdom, either generally or to any particular market.

*Conditions to which Act applies.*

3.—(1) Conditions to which this Act applies shall be deemed for the purposes of this Act to prevail as respects the supply of goods of any description if either—

- (a) at least one-third of all the goods of that description which are supplied in the United Kingdom or any substantial part thereof are supplied by or to any one person, or by or to any two or more persons, being interconnected bodies corporate, or by or to any such two or more persons as are described in subsection (2) of this section; or
- (b) any agreements or arrangements (whether legally enforceable or not) are in operation the result of which is that, in the United Kingdom or any substantial part thereof, goods of that description are not supplied at all.

Meaning of "conditions to which this Act applies" in relation to supply.

(2) The two or more persons referred to in subsection (1) of this section are any two or more persons who, whether voluntarily or not, and whether by agreement or arrangement or not, so conduct their respective affairs as in any way to prevent or restrict competition in connection with the production or supply of goods of the description in question (whether or not they themselves are affected by the competition and whether the competition is between persons interested as suppliers or producers or between persons interested as customers of suppliers or producers):

Provided that in considering whether or not any two or more persons so conduct their affairs as aforesaid, practices as to the workers to be employed or not to be employed by them or as to the remuneration, conditions of employment, hours of work or working conditions of workers, or any class of workers, so employed shall be left out of account.

(3) Where goods of any description are the subject of different forms of supply, the references in the preceding provisions of this section to the supply of the goods (other than the first of those references) shall be construed as references to any of those forms of supply taken separately, to all those forms of supply taken together, or to any of those forms of supply taken in groups, according as the Board of Trade or the Commission, as the case may be, think proper in all the circumstances; and the Board of Trade or the Commission, as the case may be, may treat goods as being the subject of different forms of supply whenever the transactions in question differ as to their nature, their parties, their terms or their surrounding circumstances, and the difference is one which, in the opinion of the Board or the Commission, as the case may be, ought for the purposes of this section to be treated as a material difference.

Meaning of "conditions to which this Act applies" in relation to processing.

4.—(1) Conditions to which this Act applies shall be deemed for the purposes of this Act to prevail as respects the application of any process to goods of any description if either—

- (a) at least one-third of all the goods of that description to which that process is applied in the United Kingdom or any substantial part thereof are subjected to that process by or for any one person, or by or for any two or more persons, being inter-connected bodies corporate, or by or for any such two or more persons as are described in subsection (2) of this section; or
- (b) any agreements or arrangements, whether legally enforceable or not, are in operation the result of which is that, in the United Kingdom or any substantial part thereof, that process is not applied at all to goods of that description.

(2) The two or more persons referred to in subsection (1) of this section are any two or more persons who, whether voluntarily or not, and whether by agreement or arrangement or not, so conduct their respective affairs as in any way to prevent or restrict competition in connection with the application of the process in question to goods of the description in question (whether or not they themselves are affected by the competition and whether the competition is between appliers of the process or between persons for whom the process is applied):

Provided that in considering whether or not any two or more persons so conduct their affairs as aforesaid, practices as to the workers to be employed or not to be employed by them, or as to the remuneration, conditions of employment, hours of work or working conditions of workers, or any class of workers, so employed shall be left out of account.

(3) References in the preceding provisions of this section to the application of any process to any goods do not include references to cases where the process is applied by the owner of the goods or his servants.

5.—(1) Conditions to which this Act applies shall be deemed for the purposes of this Act to prevail as respects exports of goods of any description from the United Kingdom, both generally and to each market taken separately, if any one person produces at least one-third of all the goods of that description which are produced in the United Kingdom.

Meaning of "conditions to which this Act applies" in relation to exports.

(2) Conditions to which this Act applies shall also be deemed for the purposes of this Act to prevail as respects exports of goods of any description from the United Kingdom generally if—

(a) any agreements or arrangements, whether legally enforceable or not, are in operation which in any way prevent or restrict, or prevent or restrict competition in relation to, the export of goods of that description from the United Kingdom ; and

(b) the agreements or arrangements are operative as respects at least one-third of all the goods of that description which are produced in the United Kingdom.

(3) Conditions to which this Act applies shall also be deemed for the purposes of this Act to prevail as respects exports of goods of any description from the United Kingdom to any particular market if—

(a) any agreements or arrangements, whether legally enforceable or not, are in operation which in any way prevent or restrict, or prevent or restrict competition in relation to, the supply of goods of that description (whether from the United Kingdom or not) to that market ; and

(b) the agreements or arrangements are operative as respects at least one-third of all the goods of that description which are produced in the United Kingdom.

(4) In considering for the purposes of this section whether any agreements or arrangements in any way prevent or restrict, or prevent or restrict competition in relation to, the export of goods from the United Kingdom or the supply of goods to any market, so much of any agreements or arrangements as relates to the workers who are to be employed or not to be employed by the parties thereto, or to the remuneration, conditions of employment, hours of work or working conditions of workers, or any class of workers, so employed shall be left out of account.

*References to Commission for Investigation and Report.*

Scope of  
references to  
Commission.

6.—(1, A reference of a matter to the Commission under the preceding provisions of this Act for investigation and report shall specify the description of goods to which the reference relates and may be so framed as either—

- (a) to limit the investigation and report to the facts, that is to say, to the question whether conditions to which this Act applies in fact prevail, and if so in what manner and to what extent, and to the things which are done by the parties concerned as a result of, or for the purpose of preserving, those conditions; or
- (b) to require the Commission to investigate and report on the facts as aforesaid and also to investigate and report whether the conditions in question or all or any of the things done as aforesaid operate or may be expected to operate against the public interest.

(2) Where the reference of a matter to the Commission under the preceding provisions of this Act for investigation and report is not so framed as to limit the investigation and report to the facts, it may, if the Board of Trade think fit, be so framed as to require the Commission, if they find that conditions to which this Act applies prevail, thereafter to confine their investigation to the question whether any such things as are specified in the reference are done by the parties concerned as a result of, or for the purpose of preserving, those conditions, and, if so, whether or not any of those things operate or may be expected to operate against the public interest.

(3) A reference of a matter to the Commission under the preceding provisions of this Act for investigation and report may, where the matter referred relates to the supply of goods of any description or the application of any process to goods of any description, be so framed as to require the Commission to confine their investigation to the supply of the goods, or the application of the process to the goods, in a specified part of the United Kingdom.

(4) The Board of Trade may at any time vary any reference made by them of a matter to the Commission under the preceding provisions of this Act for investigation and report:

Provided that a reference not so framed as to limit the investigation and report to the facts shall not be varied so as to limit the investigation and report to the facts.

(5) The power conferred by subsection (4) of this section extends to requiring the Commission, where they have already made an investigation and report which is limited to the facts, to proceed with their investigation as if the reference in question had not been so limited, and to make a further report accordingly.

(6) The Board of Trade shall publish every such reference as aforesaid, and every variation of any such reference, in such manner as they think most suitable for bringing it to the notice of persons affected.

7.—(1) Where a matter has been referred to the Commission under the preceding provisions of this Act for investigation and report, it shall be the duty of the Commission to include in their report definite conclusions as to the questions covered by the reference and also to include therein such account of the reasons for their conclusions, and such a survey of the general position in respect of the subject matter of the investigation, and of the developments which have led to that position, as are in their opinion expedient for facilitating a proper understanding of the matter.

Duties of  
Commission  
on references.

(2) Where the reference of a matter to the Commission under the preceding provisions of this Act for investigation and report is not so framed as to limit the investigation and report to the facts, the Commission, if they find that conditions to which this Act applies prevail and that those conditions or any things done by the parties concerned as a result of, or for the purpose of preserving, those conditions, operate or may be expected to operate against the public interest, shall, as part of their investigation, consider whether any and if so what action (whether under this Act or otherwise and whether by a Minister of the Crown, government department or other authority or by the parties concerned themselves) should be taken to remedy or prevent any mischiefs which result or may be expected to result from the said conditions or the said things done as aforesaid, and may, if they think fit, include recommendations as to such action in their report.

(3) Where the reference of a matter to the Commission under the preceding provisions of this Act for investigation and report is not so framed as to limit the investigation and report to the facts, and any member of the Commission dissents from any of the conclusions of the Commission as to the questions covered by the reference, the Commission shall, if that member so desires, include in their report a statement of his dissent and of his reasons for dissenting.

8.—(1) The procedure of the Commission in carrying out any investigation where a matter has been referred to them under the preceding provisions of this Act for investigation and report shall be such as the Commission may determine, and in particular the Commission shall have power to determine the extent, if any, to which persons interested or claiming to be interested in the subject matter of the reference are allowed to be present or to be heard, either by themselves or by their representatives, or

Procedure and  
powers of  
Commission  
on references.

to cross-examine witnesses or otherwise take part in the investigation of the Commission, and the extent, if any, to which the sittings of the Commission are held in public :

Provided that where any person appearing to the Commission to be substantially interested, or any body appearing to the Commission to represent substantial numbers of persons substantially interested, submits to the Commission any representations relating to the subject matter of the reference, the Commission shall consider those representations and shall, unless in all the circumstances they consider that it is not reasonably necessary or is not reasonably practicable so to do, permit that person or body to be heard orally by the Commission or by a member of the Commission nominated by the Commission for that purpose.

(2) For the purposes of any such investigation as aforesaid, the Commission or a member of the Commission nominated by them for that purpose may take evidence on oath, and for that purpose administer oaths.

(3) If it appears to the Commission expedient so to do for the purpose of any such investigation as aforesaid, the Commission may, by notice in writing signed on their behalf by any of their members or by their secretary,—

- (a) require any person to attend at a time and place specified in the notice, and to give evidence to the Commission or a member of the Commission nominated by them for the purpose ; or
- (b) require any person to produce, at a time and place specified in the notice, to the Commission or to any person nominated by the Commission for the purpose, any documents specified or described in the notice, being documents which are in his custody or under his control and relate to any matter relevant to the investigation ; or
- (c) require any person carrying on any trade or business to furnish to the Commission such estimates, returns or other information as may be specified or described in the notice, and specify the time, the manner and the form in which any such estimates, returns or information are to be furnished,

and any person who refuses or, without reasonable excuse, fails to do anything duly required of him by such a notice or wilfully alters, suppresses or destroys any document which he has been required to produce by such a notice, or, in furnishing any estimate, return or other information required of him under such a notice, 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, shall be guilty of an offence under this Act.



(4) The Commission may pay to any person attending under this section to give evidence or producing documents thereunder, and to any person who, whether in pursuance of a requirement under this section or not, furnishes estimates, returns or information to the Commission for the purposes of any such investigation as is referred to in the preceding provisions of this section, such sums in respect of his expenses as they think fit :

Provided that the powers of the Commission under this subsection shall not be exercised in relation to the furnishing of estimates, returns or other information unless, according to their report, conditions to which this Act applies do not prevail in relation to the goods the subject matter of the reference.

(5) Nothing in this section shall be taken to require any person who has acted as counsel or solicitor for any person to disclose any privileged communication made to him in that capacity.

(6) The Commission, in determining their procedure and exercising the other powers conferred on them by this section, shall act in accordance with any general directions which may from time to time be given to them by the Board of Trade.

(7) The Board of Trade shall lay before each House of Parliament a copy of any direction given by them under the last preceding subsection.

9. When the Commission report to the Board of Trade on any matter referred to them under the preceding provisions of this Act for investigation and report, the Board may, and, unless the reference was so framed as to limit the investigation and report to the facts, shall, lay the report before each House of Parliament :

*Publication of  
reports of  
Commission.*

Provided that

- (a) if it appears to the Board of Trade to be contrary to the public interest that the report, or some part thereof, should be made public, the Board of Trade shall lay before Parliament only so much, if any, of the report as in their opinion can be made public without injury to the public interest ;
- (b) if it appears to the Board of Trade that the publication of any information contained in the report as to any secret process of manufacture or as to the presence, absence or situation of any mineral or other deposits or as to any other similar matter would substantially damage the legitimate business interests of any person, and they are satisfied that the portions of the report embodying that information could be omitted from the report without substantially affecting the sense, clarity or cogency of the report, or the value thereof as an aid

to the proper understanding of the subject matter of the reference, the Board of Trade shall lay the report before Parliament with the omission of those portions thereof.

*New Powers of Government Departments for dealing with Conditions to which Act applies.*

Power of competent authority to make orders.

- 10.**—(1) The provisions of this section shall have effect where—
- (a) the Board of Trade have referred a matter to the Commission under the preceding provisions of this Act for investigation and report ; and
  - (b) the reference is not so framed as to limit the investigation and report to the facts; and
  - (c) the report of the Commission has been laid before Parliament, with or without omissions ; and
  - (d) according to the report of the Commission, as laid before Parliament, conditions to which this Act applies prevail ; and
  - (e) either—
    - (i) according to the report, as laid before Parliament, those conditions, or any things done by the parties concerned as a result of, or for the purpose of preserving, those conditions, operate or may be expected to operate against the public interest ; or
    - (ii) not earlier than three months from the date on which the report was laid before the Commons House of Parliament, a resolution has been passed by that House declaring that those conditions, or any things which, according to the report, as laid before Parliament, are done by the parties concerned as a result of, or for the purpose of preserving, those conditions, operate or may be expected to operate as aforesaid.
- (2) A competent authority, for the purpose of remedying or preventing any mischiefs which in their opinion result or may be expected to result from the conditions or things which, according to the report of the Commission, as laid before Parliament, or according to the resolution of the Commons House of Parliament, as the case may be, operate or may be expected to operate as aforesaid, may (whatever the recommendation, if any, made by the Commission) by order do all or any of the following things, that is to say—
- (a) declare it to be unlawful, except to such extent and in such circumstances as may be provided by or under the order, to make or to carry out any such agreements or arrangements as may be specified or described in the order ;
  - (b) require any party to any such agreement or arrangements as may be so specified or described to determine the agreement or arrangements within such time as may

be so specified, either wholly or to such extent as may be so specified ;

- (c) declare it to be unlawful, except to such extent and in such circumstances as may be provided by or under the order, to withhold or agree to withhold or threaten to withhold, or to procure others to withhold or agree to withhold or threaten to withhold, from any such persons as may be so specified or described, any supplies or services so specified or described or any orders for any such supplies or services (whether the withholding is absolute or is to be effectual only in particular circumstances) ;
- (d) declare it to be unlawful, except to such extent and in such circumstances as may be provided by or under the order, to give or agree to give, or procure others to give or agree to give, any such preference as respects the provision of, or the giving of orders for, supplies or services as may be so specified or described ;
- (e) declare it to be unlawful, except to such extent and in such circumstances as may be provided by or under the order, to require, as a condition of the supplying of goods or services to any person, the buying of any other goods, or the making of any payment in respect of any service, or the doing of any other such matter as may be specified or described in the order.

(3) An order of a competent authority under this section declaring a thing to be unlawful may declare it to be unlawful either for all persons or for such persons as may be specified or described in the order.

(4) Nothing in any order of a competent authority under this section shall have effect so as to apply to any person in relation to his conduct outside the United Kingdom unless he is a British subject, a body corporate incorporated under the law of the United Kingdom or some part thereof, or a person carrying on business in the United Kingdom either alone or in partnership with any other person, but, save as aforesaid, any such order may be so made as to extend to acts or omissions outside the United Kingdom ; and any such order may also extend so as to prohibit the carrying out of agreements already in existence at the date of the making of the order.

(5) Nothing in any order of a competent authority under this section shall have effect so as to restrict the restraining of any infringement of a United Kingdom patent or so as to restrict any person as to the conditions which he attaches to a licence to do anything the doing of which, but for the licence, would be an infringement of a United Kingdom patent.

(6) An order of a competent authority under this section may be revoked or varied by a subsequent order of a competent authority.

(7) The power to make orders under this section shall be exercisable by statutory instrument, and no order shall be made under this section unless a draft thereof has been laid before each House of Parliament and approved by resolution of each House.

Enforcement of orders of competent authority.

11.—(1) No criminal proceedings shall lie against any person by virtue of the making of any order under the last preceding section 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 order.

(2) Nothing in subsection (1) of this section shall limit any right of any person to bring civil proceedings in respect of any contravention or apprehended contravention of any such order, and, without prejudice to the generality of the preceding words, compliance with any such order shall be enforceable by civil proceedings by the Crown for an injunction or for any other appropriate relief.

(3) In the application of subsection (2) of this section to Scotland, for the words "civil proceedings by the Crown for an injunction" there shall be substituted the words "civil proceedings by the Lord Advocate for an interdict".

6 Edw. 7.  
c. 47.

(4) Section four of the Trade Disputes Act, 1906 (which prohibits actions of tort against trade unions) shall not apply to any civil proceedings in respect of a contravention or apprehended contravention of any order under the last preceding section.

Investigations as to carrying out of recommendations of Commission or competent authority.

12.—(1) Where, on the reference of a matter to the Commission under the preceding provisions of this Act for investigation and report, the Commission include in their report any recommendation as to action to be taken by the parties concerned themselves, or, after considering the report of the Commission on any such reference, a competent authority convey to the parties concerned any recommendation of the authority as to action to be taken by those parties, the Board of Trade may at any time refer to the Commission for investigation and report the question whether and to what extent the parties have complied with that recommendation:

Provided that nothing in this section shall authorise the reference to the Commission of the question whether any order made by a competent authority under the preceding provisions of this Act has been complied with.

(2) The preceding provisions of this Act relating to the procedure and powers of the Commission on references, to the publication of references and variations of references, and to the publication of the reports of the Commission shall apply in relation to references under this section as they apply in relation to references under the preceding provisions of this Act

which are so framed as to limit the investigation and report to the facts.

13. The powers conferred by the three last preceding sections shall be without prejudice to the powers under other Acts of any competent authority, or of any other Minister of the Crown, Government department or other authority, and in particular, to the powers exercisable under the enactments and Defence Regulations relating to the control of prices.

*Supplemental provisions.*

14. In determining whether any conditions to which this Act applies or any things which are done by the parties concerned as a result of, or for the purpose of preserving, any conditions to which this Act applies, operate or may be expected to operate against the public interest, all matters which appear in the particular circumstances to be relevant shall be taken into account and, amongst other things, regard shall be had to the need, consistently with the general economic position of the United Kingdom, to achieve—

- (a) the production, treatment and distribution by the most efficient and economical means of goods of such types and qualities, in such volume and at such prices as will best meet the requirements of home and overseas markets ;
- (b) the organisation of industry and trade in such a way that their efficiency is progressively increased and new enterprise is encouraged ;
- (c) the fullest use and best distribution of men, materials and industrial capacity in the United Kingdom ; and
- (d) the development of technical improvements and the expansion of existing markets and the opening up of new markets.

15.—(1) The Board of Trade may at any time require the Commission to submit to them a report on the general effect on the public interest of practices of a specified class, being practices which in the opinion of the Board are commonly adopted as a result of, or for the purpose of preserving, conditions to which this Act applies :

Reports on general questions.

Provided that the Board shall not require a report under this subsection on the general effect of practices of any class unless they are satisfied that practices of that class have been dealt with, in relation to goods of particular descriptions, by previous reports of the Commission and that it is expedient that the views of the Commission in relation to practices of that class should be formulated in a general report.

(2) The provisions of this section shall be without prejudice to the generality of the powers and duties conferred and imposed on the Board of Trade and the Commission by subsection (2) of section two of this Act.

Annual report. 16.—(1) The Board of Trade shall—

- (a) in the first two months of the year nineteen hundred and fifty, lay before both Houses of Parliament a report as to the operation of this Act up to the end of the year nineteen hundred and forty-nine; and
- (b) in the first two months of each subsequent year, lay before both Houses of Parliament a report as to the operation of this Act in the year preceding that in which the report is so laid.

(2) Every such report shall, amongst other things, include a review in such detail as the Board think fit of the suggestions and requests (not being suggestions and requests which appear to the Board to be frivolous) which have been made to the Board for the reference of any particular matter to the Commission under the provisions of this Act.

(3) Subject to the provisions of this subsection, where a request has been made to the Board by a body which in the opinion of the Board could properly claim to represent, for the purposes in question, the interests of any of the following, that is to say—

- (a) consumers in Great Britain or a substantial proportion of those consumers;
- (b) the organised workers of Great Britain;
- (c) trade in Great Britain;
- (d) industry in Great Britain;
- (e) agriculture in England and Wales or in Scotland;
- (f) any class of local authorities in England and Wales or in Scotland;
- (g) the professional workers of Great Britain, of England and Wales or of Scotland, who are particularly concerned,

the review referred to in subsection (2) of this section shall, if the body so require, contain a specific statement that the request has been made by that body, and of the description of goods to which the request relates:

Provided that this subsection shall not apply in the case of a request if the Board of Trade are satisfied that there is no sufficient ground for supposing that it is or may be the fact that conditions to which this Act applies prevail as respects the description of goods in question, or if the request was made within the last three months of the year to which the report relates.

Restrictions on disclosure of information.

17.—(1) No information with respect to any particular trade or business which has been obtained under or by virtue of this Act shall, so long as that trade or business continues to be carried on, be disclosed without the consent of the person for the time being carrying on that trade or business, unless the disclosure is for the purpose of facilitating the proper performance by the Commission, or by a competent authority, of their

functions under this Act, or of enabling a Minister of the Crown properly to deal with any questions arising out of or in connection with any conditions to which this Act applies, or for the purposes of, or of any report of, any legal proceedings, whether civil or criminal, under this Act or arising out of the carrying of this Act into effect.

(2) Any person who discloses any information in contravention of this section shall be guilty of an offence under this Act.

(3) Nothing in this section shall be construed as limiting the matters which may be included in, or made public as part of, a report of the Commission, or as applying to any information which has been made public in such a report.

18.—(1) Every person who is guilty of an offence under this Act shall be 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 such imprisonment and such a fine. Penalties.

(2) If a refusal or neglect in respect of which a person is convicted of an offence under this Act is continued after the conviction, he shall be guilty of a further offence and may on summary conviction thereof be punished accordingly.

(3) Where an offence under this Act has been committed by a body corporate, every person who at the time of the commission of the offence was a director, general manager, secretary or other similar officer of the body corporate, or was purporting to act in any such capacity, shall be deemed to be guilty of that offence unless he proves that the offence was committed without his consent or connivance and that he exercised all such diligence to prevent the commission of the offence as he ought to have exercised having regard to the nature of his functions in that capacity and to all the circumstances.

19.—(1) Any expenses incurred by the Board of Trade or any other Government department in carrying this Act into effect shall be paid out of moneys provided by Parliament. Supplemental provisions as to Board of Trade and other Government departments.

(2) 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 secretary or under-secretary or assistant secretary of the Board, or any person authorised in that behalf by the President.

20.—(1) In this Act, except so far as the context otherwise requires— Interpretation.

“ a competent authority ” means the Board of Trade, the Minister of Supply, the Minister of Works, the Minister of Fuel and Power, the Minister of Health, the Minister of Agriculture and Fisheries, the Admiralty, the Minister of Food or the Secretary of State ;

“ goods ” includes buildings and structures, and also includes ships and aircraft ;

“ produce ”, in relation to minerals or other substances, includes the getting thereof, and, in relation to animals and fish, includes the taking thereof ;

“ supply ” includes supply by way of lease or hire, and in relation to buildings or structures, includes the construction thereof for another.

(2) In this Act, the expression “ inter-connected bodies corporate,” means bodies corporate which are members of the same group.

In this subsection the expression “ group,” means a body corporate and all other bodies corporate which are subsidiaries thereof within the meaning of section one hundred and fifty-four

11 & 12 Geo. 6.  
c. 38.

(3) For the purpose of determining under this Act whether any goods of any description supplied, subjected to a process or produced in the United Kingdom or in any part thereof do or do not amount to at least one-third of all the goods of that description supplied, subjected to the process or produced in the United Kingdom or that part thereof, as the case may be, the Board of Trade and the Commission shall each apply such criterion (whether it be value or cost or price or quantity or capacity or number of workers employed or some other criterion, of whatever nature) or such combination of criteria as may appear to the Board or to the Commission, as the case may be, to be most suitable in all the circumstances.

(4) The criteria to be adopted for determining when goods can be treated, for the purpose of a reference to the Commission under this Act, as goods of a separate description shall be such as the Board of Trade may think most suitable in all the circumstances of the particular reference, and references in this Act to descriptions of goods shall be construed accordingly.

Application to Northern Ireland, the Isle of Man and the Channel Islands.

**21.—(1)** 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 that 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 of any order or other instrument under this Act, the Act of the Parliament of Northern Ireland shall, in Northern Ireland, prevail.

(2) His Majesty may by Order in Council extend this Act to the Isle of Man or any of the Channel Islands, subject, however, to such exceptions, adaptations and modifications as may be specified in the Order.

Short title.

**22.** This Act may be cited as the Monopolies and Restrictive Practices (Inquiry and Control) Act, 1948.



**CHAPTER 67.***Gas Act, 1948.*

## ARRANGEMENT OF SECTIONS.

## PART I.

## AREA GAS BOARDS AND GAS COUNCIL.

## Section.

1. Establishment and general functions of Area Boards.
2. Establishment and general functions of Gas Council.
3. Research.
4. Training and education.
5. Constitution of Area Boards and Gas Council.
6. Definition of and variation of areas.
7. Powers of Minister in relation to Area Boards and Gas Council.
8. Duty of National Coal Board to consult Area Boards with respect to carbonization development.
9. Consultative Councils.
10. Annual reports of Area Boards and Gas Council.
11. Compulsory purchase of land.
12. Power of Boards and Council to promote and oppose Bills.
13. Boards and Council not to be exempt from taxation, etc.
14. Liability of Boards and Council in actions, etc.

## PART II.

## ACQUISITION OF GAS UNDERTAKINGS.

*Vesting of assets.*

15. Undertakers to whom Part II of Act applies.
16. Determination of questions as to application of Part II of Act.
17. Vesting of assets.
18. Provisions as to undertakers whose gas undertakings only are taken over.
19. Adjustment of matters outstanding as between accounts of gas undertaking and other accounts of local authority.
20. Payments in respect of reserves of composite companies.
21. Right of pre-emption for local authorities and composite companies in respect of land vested in an Area Board.
22. Disclaimer of agreements and leases.
23. Provisions as to undertakings carried on in areas of different Area Boards.
24. Subsequent transfer of property from the Gas Council to an Area Board or from one Area Board to another.

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25. Compensation to holders of securities.
26. Increase of value of securities of companies suffering loss of revenue from war causes.
27. Appointment of stockholders' representative.

*Compensation to local authorities.*

28. Compensation to local authorities.
29. Further compensation to local authorities in respect of severance.

*Compensation to composite companies, ancillary gas undertakers, non-corporate undertakers and Electricity Boards.*

30. Compensation to composite companies.
31. Compensation to ancillary gas undertakers and non-corporate undertakers.
32. Compensation to Electricity Boards.

*Control of dividends and interest and safeguarding of assets  
pending transfer.*

## Section.

33. Control of dividends, interest and other payments.
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35. Income tax provisions.
36. Re-opening of transactions resulting in dissipation of assets.
37. Recovery of sums transferred from accounts of gas undertaking of local authority to other accounts.
38. Provisions as to foreign investments.

*Supplemental.*

39. Power to obtain information.
40. Modification of enactments in relation to undertakers pending transfer.

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National Coal Board and Area Boards.*

51. Schemes relating to carbonization activities of National Coal Board and Area Boards.

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52. Provisions as to supply of gas by persons other than Area Boards.

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56. Application of gas supply code and enactments to Area Boards.

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57. Machinery for settling terms and conditions of employment of staff, etc.
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59. Co-partnership schemes.
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63. Establishment of Gas Arbitration Tribunal.
64. Procedure and enforcement of orders of arbitration tribunal.
65. Transfer of proceedings from England to Scotland and Scotland to England.
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- 67. Power to make safety regulations.
- 68. Penalties.
- 69. Provisions as to prosecutions and as to offences by corporations.
- 70. Service of notices, etc.
- 71. Provisions as to regulations and orders.
- 72. Expenses of the Minister.
- 73. Inquiries.
- 74. Interpretation.
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- 76. Repeal of enactments.
- 77. Short title and extent.

## SCHEDULES :

First Schedule.—Area Gas Boards.

Second Schedule.—Issue of British Gas Stock in satisfaction of compensation.

Third Schedule.—Code of provisions relating to gas supply.

Fourth Schedule.—Enactments repealed.

An Act to provide for the establishment of Area Gas Boards and a Gas Council and for the exercise and performance by those Boards and that Council of functions relating to the supply of gas and coke and certain other matters ; for the transfer to such Boards as aforesaid and to the said Council of property, rights, obligations and liabilities of gas undertakers and other persons ; for co-ordinating the activities of Area Gas Boards and the National Coal Board relating to carbonization ; to amend the law relating to the supply of gas ; to make certain consequential provision as to income tax ; and for purposes connected with the matters aforesaid. [30th July 1948.]

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

## PART I.

## AREA GAS BOARDS AND GAS COUNCIL.

1.—(1) There shall be established Boards, to be known by the names mentioned in the first column of the First Schedule to this Act and in this Act referred to as " Area Boards ", for the areas which are described in general terms in the second column of that Schedule and are to be defined by orders made under this Part of this Act, and it shall be the duty of every Area Board as from the vesting date

Establishment and general functions of Area Boards.

- (a) to develop and maintain an efficient, co-ordinated and economical system of gas supply for their area and to satisfy, so far as it is economical to do so, all reasonable demands for gas within their area ;

PART I.  
—cont.

- (b) to develop and maintain the efficient, co-ordinated and economical production of coke, other than metallurgical coke, by them ;
- (c) to develop and maintain efficient methods of recovering by-products obtained in the process of manufacturing gas.

(2) Every Area Board shall have power to carry on all such activities as it may appear to the Board to be requisite, advantageous or convenient for them to carry on for or in connection with the discharge of their duties under the preceding subsection or with a view to making the best use of any assets vested in them by or under this Act, and in particular, but without prejudice to the generality of the preceding provision,—

- (a) to manufacture gas, to acquire gas in bulk from any person including another Area Board, and to supply gas in bulk to another Area Board ;
- (b) to distribute gas in their area ;
- (c) to manufacture, treat, render saleable, supply or sell—
  - (i) coke and other solid fuels obtained by carbonization ;
  - (ii) any by-products obtained in the process of manufacturing gas, coke or any such other solid fuels as aforesaid ; and
  - (iii) any products made or derived from gas, coke or any such other solid fuel as aforesaid or from any by-product obtained as aforesaid ;
- (d) to sell, hire or otherwise supply gas fittings and coke fittings and to instal, repair, maintain or remove gas fittings and coke fittings and plant required by the Board or any other Area Board ;
- (e) after consultation with the Gas Council established under the next following section, to manufacture plant required by the Board or any other Area Board and to manufacture gas fittings and coke fittings, except for export :

Provided that an Area Board shall not exercise their powers under paragraph (e) hereof unless they are satisfied that the available facilities for obtaining at reasonable prices plant required by them or any other Area Board or gas fittings or coke fittings are or may become inadequate.

(3) Any Area Board may, by agreement with any other Area Board, give a supply of gas to persons in the area of that other Area Board, and the powers conferred by the last preceding subsection shall apply in relation to the giving of such a supply, and if any Area Board are unable to obtain the agreement of another Area Board under this subsection, they may apply to the Gas Council for an authorisation to supply gas to consumers in

the area of that other Area Board and the Gas Council may give an authorisation to supply gas to consumers in such part of the area of that other Area Board and upon such terms and conditions as may be specified in the authorisation.

(4) Every Area Board shall have power to do any thing and to enter into any transaction (whether or not involving the expenditure, the borrowing in accordance with the provisions of this Act or the lending of money, the acquisition of any property or rights or the disposal of any property or rights) which in their opinion is calculated to facilitate the exercise or performance of any functions conferred or imposed on them by any enactment other than this subsection, or is incidental or conducive thereto.

(5) In carrying out any such measures of reorganization and works of development as involve substantial outlay on capital account, every Area Board shall act in accordance with a general programme settled by them from time to time with the approval of the Minister, and the Minister shall consult with the Gas Council before approving any such programme.

(6) In planning and carrying out any such programme as aforesaid an Area Board shall consult with the National Coal Board, if that Board is engaged in the area of the Area Board in activities relating to carbonization, and with other persons operating coke-oven plants in the area of the Area Board.

(7) In exercising and performing their functions every Area Board shall promote the welfare, health and safety of persons in the employment of the Board.

(8) Subject to and in accordance with any directions given by the Minister under section seven of this Act, every Area Board shall reduce, so far as practicable, the price of gas and coke and avoid undue preference in the supply of gas and coke.

(9) For the avoidance of doubt it is hereby declared that the preceding provisions of this section, so far as they confer powers on Area Boards, relate only to the capacity of Area Boards as statutory corporations, and nothing in those provisions shall be construed as authorising the disregard by any such Board of any enactment or rule of law.

2.—(1) There shall be established a Council, to be known as the Gas Council, and it shall be the duty of that Council—

- Establishment and general functions of Gas Council.*
- (a) to advise the Minister on questions affecting the gas industry and matters relating thereto ; and
  - (b) to promote and assist the efficient exercise and performance by Area Boards of their functions.

(2) The Gas Council shall have power, if so authorised by all the Area Boards or a group of Area Boards, to perform services for, or act on behalf of, the Boards concerned in relation to matters of common interest to those Boards.

PART I.  
—cont.

(3) The Gas Council shall have power—

- (a) to manufacture plant required by Area Boards, to sell or supply such plant to Area Boards, and to instal, repair, maintain or remove such plant ;
- (b) to manufacture gas fittings and coke fittings except for export, and to sell or supply such fittings.

(4) Every Area Board shall afford to the Gas Council facilities for obtaining information with respect to the property and activities of the Area Board, and furnish the Gas Council with returns, accounts and other information with respect thereto, and afford to the Gas Council facilities for the verification of information furnished, in such manner and at such times as the Gas Council may require.

(5) The Gas Council shall have power to do any thing and to enter into any transaction (whether or not involving the expenditure, the borrowing in accordance with the provisions of this Act or the lending of money, the acquisition of any property or rights or the disposal of any property or rights) which in their opinion is calculated to facilitate the exercise or performance of any functions conferred or imposed on them by any enactment other than this subsection or is incidental or conducive thereto.

(6) For the avoidance of doubt it is hereby declared that the preceding provisions of this section, so far as they confer powers on the Gas Council, relate only to the capacity of the Gas Council as a statutory corporation, and nothing in those provisions shall be construed as authorising the disregard by that Council of any enactment or rule of law.

Research.

3.—(1) It shall be the duty of the Gas Council to settle from time to time in consultation with the Minister a general programme of research into matters affecting gas supply and carbonization and other matters affecting the functions of Area Boards or the Gas Council.

(2) It shall be the duty of the Gas Council to secure the carrying out of any general programme settled as aforesaid, and for that purpose they may themselves conduct research into any of the matters aforesaid and make arrangements with any other person, including an Area Board, for the conduct of such research by them.

(3) Any Area Board may conduct research in accordance with arrangements made with the Gas Council as aforesaid, and may also, after consultation with the Gas Council, conduct research into such matters affecting the functions of the Board as are not included in the general programme settled as aforesaid.

Training and  
education.

4.—(1) It shall be the duty of every Area Board, in consultation with any organization appearing to them to be appropriate, to make provision for advancing the skill of persons employed

by them, including the provision by them and the assistance of the provision by others of facilities for training and education.

(2) Every Area Board shall, from time to time, on being so required by the Gas Council, submit to them programmes showing the provision to be made by them under the preceding subsection, and the Council shall co-ordinate those programmes and settle from time to time in consultation with the Minister a general programme with respect to the provision to be made by the Area Boards as aforesaid, and the Area Boards shall give effect to the programme so settled.

5.—(1) Every Area Board and the Gas Council shall be a body corporate with perpetual succession and a common seal and power to hold land without licence in mortmain.

Constitution  
of Area  
Boards and  
Gas Council.

(2) Every Area Board shall be constituted as follows :—

(a) not less than six nor more than eight members shall be appointed by the Minister from amongst persons appearing to him to be qualified as having had experience of, and shown capacity in, gas supply, local government, industrial, commercial or financial matters, applied science, administration, or the organization of workers ; and

(b) there shall be one other member who shall be the person for the time being holding the office of chairman of the Gas Consultative Council established under the following provisions of this Part of this Act for the area of the Area Board :

Provided that until the Gas Consultative Council has been established, an Area Board shall be deemed to be properly constituted notwithstanding that the Board does not include the member referred to in paragraph (b) of this subsection and, during any period before the vesting date, an Area Board shall be deemed to be properly constituted if the chairman and three other members have been appointed.

(3) The Minister shall appoint two of the members of each of the Area Boards to be chairman and deputy chairman respectively of that Board, and either the chairman or the deputy chairman of each Board shall be a person appearing to the Minister to have had experience of, and shown capacity in, gas supply.

(4) The Gas Council shall be constituted as follows :—

(a) the chairman and a deputy chairman shall be appointed by the Minister from amongst persons appearing to him to be qualified as having had experience of, and shown capacity in, gas supply, industrial, commercial or financial matters, applied science, administration, or the organization of workers ; and

PART I.  
—*cont.*

(b) the remaining members shall be the persons for the time being holding the office of chairman of an Area Board :

Provided that the deputy chairman of an Area Board shall be entitled to attend and vote at meetings of the Gas Council in place of the chairman of that Board during any vacancy in the office of chairman or in the event of the chairman being unable to attend owing to illness or absence from Great Britain.

(5) A person shall be disqualified for being appointed or being a member of any Area Board or the Gas Council so long as he is a member of the Commons House of Parliament.

(6) There shall be paid to the members of each of the Area Boards and to the members of the Gas Council such remuneration (whether by way of salaries or fees) and such allowances as may be determined by the Minister with the approval of the Treasury, and, on the retirement or death of any member in whose case it may be so determined to make such provision, such a pension to or in respect of that member as may be so determined.

Any such remuneration, allowances and pensions as aforesaid shall be paid by the Area Board concerned or, as the case may be, the Gas Council.

(7) The Minister shall, as soon as possible after the passing of this Act, lay before each House of Parliament a statement of the remuneration and allowances that are or will be payable under the last preceding subsection to the members of each of the Area Boards and to the members of the Gas Council, and, if any subsequent determination by him under the last preceding subsection involves any departure from the terms of the said statement, the Minister shall as soon as possible after the determination lay a statement thereof before each House of Parliament.

(8) The Minister may make regulations with respect to—

- (a) the appointment of, and the tenure and vacation of office by, the members of any Area Board and the Chairman and Deputy Chairman of the Gas Council ;
- (b) the quorum, proceedings, meetings and determinations of any Area Board and the Gas Council ;
- (c) the execution of instruments and the mode of entering into contracts by and on behalf of any Area Board or the Gas Council, and the proof of documents purporting to be executed, issued or signed by any Area Board or the Gas Council or a member or officer thereof ; and
- (d) any other matters supplementary or incidental to the matters aforesaid for which provision appears to the Minister to be necessary or expedient.

(9) Subject to the provisions of any regulations made under the last preceding subsection, every Area Board and the Gas Council shall have power to regulate their own procedure.



6.—(1) The Minister shall before the vesting date by order define the areas for which Area Boards are established under this Act, and each area shall be so defined by reference to a map, and copies of the map of each area shall be available for inspection at such places and at such times as may be specified in a notice published by the Minister in the London Gazette and, in the case of the area of the Scottish Gas Board, the Edinburgh Gazette, and (in all cases) in such newspapers circulating in the area as the Minister thinks fit.

PART I.  
—cont.  
Definition of  
and variation  
of areas.

(2) The Minister may by order vary the areas for which Area Boards are established under this Act, and such variation may involve not only the variation of the boundaries of existing areas but also the formation of a new area from any part of an existing area or parts of existing areas or the amalgamation of an existing area with any other such area or part thereof.

Any such order shall define by reference to a map the new areas or new boundaries constituted by the order, and copies of any such map shall be available for inspection in like manner as copies of the maps defining the original areas.

(3) If any question arises as to the exact boundary of any area, as defined by any order made under this section, it shall be determined by the Minister, after giving to the Area Boards concerned an opportunity to make representations on that question.

(4) An order made under subsection (2) of this section the effect of which is to increase or reduce the total number of such areas as aforesaid, or to constitute a new area for which a new Area Board is required to be established under the next following subsection, shall not be made unless a draft thereof has been laid before Parliament and has been approved by resolution of each House of Parliament.

(5) An order made under subsection (2) of this section shall state whether the areas affected by the order are to be regarded as the areas of existing Area Boards, or whether any such area is to be regarded as a new area for which a new Area Board is required to be established, and in the latter case a new Board shall be established in accordance with the preceding provisions of this Act and those provisions shall apply to that Board accordingly, and it shall be known by such name as may be specified in the order.

(6) An order made under subsection (2) of this section shall, if and so far as it appears to the Minister to be necessary or expedient in consequence of the variation of areas or the establishment of a new Area Board, provide—

(a) for the transfer of property, rights, liabilities and obligations from one Area Board to another ;

PART I.  
—cont.

- (b) for the modification of agreements for the purpose of giving effect to the transfer of rights, liabilities and obligations thereunder from one Area Board to another and, in a case where part only of the rights, liabilities and obligations under any agreement are transferred, for substituting for that agreement separate agreements in the requisite terms, and for any apportionments and indemnities consequent thereon ;
- (c) for the purpose of transferring part of the land comprised in any lease vested in any such Board to another such Board, for the severance of that lease, and for apportionments and indemnities consequent thereon ;
- (d) for dissolving any Area Board the whole of whose functions are to be exercised by another Area Board or Boards, and for winding up the affairs of the Board to be dissolved ; and
- (e) for such other financial adjustments between the Boards concerned as may be required in consequence of any such transfer, and for any other matter supplementary to or consequential on the matters aforesaid, including the continuation of proceedings.

(7) An order under subsection (2) of this section shall not be made save after consultation with the Gas Council and after giving to each Area Board concerned an opportunity to make representations thereon to the Minister.

Powers of  
Minister in  
relation to  
Area Boards  
and Gas  
Council.

7.—(1) The Minister may give to Area Boards generally or to a particular Area Board or to the Gas Council such directions of a general character as to the exercise and performance by those Boards or that Board or the Gas Council of their functions as appear to the Minister to be requisite in the national interest, and they shall give effect to any such directions :

Provided that—

- (a) before giving any such direction, the Minister shall consult with the Gas Council ; and
- (b) before giving any such direction to a particular Area Board, the Minister shall consult with that Board.

(2) The Minister may, after consultation with the Gas Council and the Area Board concerned, give to any Area Board directions as to the use or disposal of any assets vested in the Board by or under this Act which are not connected with the exercise of their powers set out in paragraphs (a) to (e) of subsection (2) of section one of this Act.

(3) Every Area Board and the Gas Council shall afford to the Minister facilities for obtaining information with respect to the property and activities of the Board or Council, and furnish him with returns, accounts and other information with respect

thereto, and afford to him facilities for the verification of information furnished, in such manner and at such times as he may reasonably require.

8. In planning and carrying out any programme of capital development and reorganization of their activities relating to carbonization, the National Coal Board shall consult with the Gas Council and with any Area Board in whose area the activities are carried on.—

Duty of National Coal Board to consult Area Boards with respect to carbonization development.

9.—(1) A Council, to be known as a Gas Consultative Council, shall, not later than six months after the vesting date, be established for the purposes mentioned in this section for the area of every Area Board.

Consultative Councils.

(2) A Gas Consultative Council shall consist of a chairman appointed by the Minister and not less than twenty nor more than thirty other members appointed by the Minister of whom—

(a) not less than half nor more than three-quarters shall be appointed from a panel of persons nominated from amongst members of local authorities in the area by such associations as appear to the Minister to represent those authorities; and

(b) the remainder shall be appointed, after consultation with such bodies as the Minister thinks fit, to represent commerce, industry, labour and the general interests of consumers of gas and other persons or organizations interested in the development of gas in the area.

In making the appointments mentioned in paragraph (b) of this subsection, the Minister shall have particular regard to any nominations made to him by the bodies aforesaid of persons who are recommended by them as having both adequate knowledge of the requirements of the interests to be represented and also the ability to exercise a wide and impartial judgment on the matters to be dealt with by the Council generally.

(3) A person shall be disqualified for being appointed or being the chairman of a Gas Consultative Council so long as he is a member of the Commons House of Parliament, but a member of a Gas Consultative Council other than the chairman shall not by reason of his appointment as such a member be disqualified for being elected to, or for sitting or voting as a member of, the Commons House of Parliament.

(4) The Gas Consultative Council for each area shall be charged with the duties—

(a) of considering any matter affecting the supply of gas in the area, including the variation of tariffs and the provision of new or improved services and facilities within the area, being a matter which is the subject of a representation made to them by consumers or other persons requiring supplies of gas in that area, or which appears to them to be a matter to which consideration

PART I.  
—cont.

ought to be given apart from any such representation, and where action appears to them to be requisite as to any such matter, of notifying their conclusions to the Area Board; and

(b) of considering and reporting to the Area Board on any such matter which may be referred to them by that Board.

(5) Each of the Gas Consultative Councils shall be informed by the Area Board of that Board's general plans and arrangements for exercising and performing their functions under this Act in relation to the supply of gas in their area and may make representations thereon to that Board.

(6) The Area Board shall consider any conclusions, reports and representations notified or made to them by the Gas Consultative Council for their area under the two last preceding subsections and the Council may, after consultation with the Area Board, make representations to the Minister on matters arising thereout.

(7) Where representations have been so made to the Minister and it appears to him after consultation with the Gas Council that there may be a defect in that Area Board's general plans and arrangements for exercising and performing their functions under this Act in relation to the supply of gas in their area, the Minister shall refer the representations for inquiry and report by a person appointed by him after consultation with the Lord Chancellor or, in the case of the Scottish Gas Board, after consultation with the Secretary of State, and if the Minister, after considering the report of the said person, is satisfied that there is a defect in the Area Board's general plans and arrangements aforesaid, he shall give to the Area Board such directions as he thinks fit for remedying the defect and the Area Board shall give effect to any such directions, and the Minister shall send a copy of any such directions to the Gas Consultative Council.

(8) Every Gas Consultative Council shall prepare and submit to the Minister a scheme for the appointment by them of committees or individuals to be local representatives of the Council in such localities as may be specified in the scheme, and it shall be the duty of such committees and individuals to consider the particular circumstances and requirements of those localities with respect to the supply of gas and to make representations to the Council thereon, and to be available for receiving on behalf of the Council representations from consumers in those localities; and, if the scheme is approved by the Minister, the Gas Consultative Council shall put it into effect.

A member of a Gas Consultative Council shall be eligible for appointment under such a scheme, either as a member of a committee or as an individual, but membership of the Council shall not be a necessary qualification for such an appointment.

(9) A Gas Consultative Council may, subject to the approval of the Minister as to numbers, appoint such officers as appear to the Council to be requisite for the proper exercise and performance of their functions (including functions of any committee or individual appointed under the last preceding subsection), and the Area Board shall pay—

(a) to the members of the Council or of any such committee or to any such individual such allowances in respect of any loss of remunerative time and such travelling allowances and allowances in respect of their out-of-pocket expenses; and

(b) to the officers of the Council such remuneration (whether by way of salary or fees) and such allowances,

as the Minister may with the approval of the Treasury determine, and shall pay such expenses incurred by the Council or any such committee or individual as the Minister may with such approval determine.

(10) A Gas Consultative Council shall be furnished by the Area Board concerned with such office accommodation as appears to the Board to be requisite for the proper exercise and performance of their functions (including the functions of any such committee or individual as aforesaid) or as may be directed by the Minister.

(11) Where, in consequence of the variation of the areas of Area Boards under the preceding provisions of this Part of this Act, it is necessary to establish new Gas Consultative Councils under this section, the Minister may by order provide for dissolving and winding up the affairs of any Gas Consultative Council who cease to exercise or perform functions by reason of the variation.

(12) Provision may be made by regulations in relation to Gas Consultative Councils for any matters for which provision may be made by regulations under section five of this Act in relation to Area Boards and the Gas Council, and for the appointment of a deputy chairman of any Consultative Council, and, subject to the provisions of any such regulations, a Consultative Council shall have power to regulate their own procedure.

10.—(1) Every Area Board and the Gas Council shall, as soon as possible after the end of each financial year, make to the Minister report on the exercise and performance by them of their functions during that year and on their policy and programmes, and every Area Board shall, as soon as their report has been made to the Minister, send a copy thereof to the Gas Council.

Annual reports  
of Area Boards  
and Gas  
Council.

(2) Every such report of any Area Board or of the Gas Council for any year required by this section shall set out any directions given by the Minister to the Board or Council during that year unless the Minister has notified the Board or Council of his opinion that it is against the interests of national security to do so.

PART I.  
—cont.

(3) The Minister may give directions as to the form of the reports to be made under the preceding provisions of this section, and the Area Boards and the Gas Council shall comply with any such directions.

(4) A Gas Consultative Council shall, as respects each financial year of the Area Board for their area, make to the Board a report on the exercise and performance by the Consultative Council of their functions during that year, and the said report shall be made to the Board as soon as possible, and in any case not later than three months after the end of the said financial year, and the Board shall include that report in the report made by them under this section.

(5) The Minister shall lay before each House of Parliament a copy of the report made for each financial year by each Area Board and the Gas Council, and shall at the same time lay before each House of Parliament a report with respect to the exercise of his functions during that year under this Act except as regards matters which in his opinion it is against the interests of national security to disclose.

Compulsory  
purchase of  
land.  
9 & 10 Geo. 6.  
c. 49.

11.—(1) The Minister may authorise any Area Board to purchase compulsorily any land which they require for the exercise and performance of their functions, and the Acquisition of Land (Authorisation Procedure) Act, 1946 (except section two thereof), shall apply, in relation to any such compulsory purchase, as if the Board were a local authority within the meaning of that Act and as if this Act had been in force immediately before the commencement of that Act.

(2) In this section the expression "land" includes easements and other rights over land, and an Area Board may be authorised under this section to purchase compulsorily a right to place a gas pipe across land, whether above or below ground, and to repair, maintain and remove the pipe, without purchasing any other interest in the land :

Provided that an Area Board shall not be authorised under this section to purchase compulsorily a right to place a gas pipe above ground unless the Minister is satisfied that it is not reasonably practicable to place it below ground.

In relation to the compulsory purchase of any such right to place a gas pipe across land, the said Acquisition of Land (Authorisation Procedure) Act, 1946 (except section two thereof), and the enactments incorporated therewith shall have effect as if references (whatever the terms used) to the land comprised in the compulsory purchase order were construed, where the context so requires, as references to the land across which the pipe is to be placed, and references to the obtaining or taking possession of the land so comprised were construed as references to the exercise of the said right.

12. Any Area Board and the Gas Council may, with the consent of the Minister, promote Bills in Parliament and may, without any such consent, oppose any Bill in Parliament, and this power shall be in lieu of any power to promote or oppose Bills which an Area Board might otherwise possess under any of the provisions of this Act as successors to any statutory undertakers.

PART I.

—cont.

Power of  
Boards and  
Council to  
promote and  
oppose Bills.

13.—(1) Subject to the provisions of subsection (2) of this section, nothing in this Act shall be deemed to exempt any Area Board or the Gas Council from any liability for any tax, duty, rate, levy or other charge whatsoever whether general or local.

Boards and  
Council not to  
be exempt  
from taxation,  
etc.

(2) For the purposes of section fifty-two of the Finance Act, 1946 (which exempts from stamp duty certain documents connected with nationalisation schemes) any transfer of property from one Area Board to another such Board or from the Gas Council to an Area Board, being a transfer effected by an order made under this Act, shall be deemed to be part of the initial putting into force of such a scheme.

9 & 10 Geo. 6.  
c. 64.

14.—(1) The Public Authorities Protection Act, 1893, and section twenty-one of the Limitation Act, 1939, shall not apply to any action, prosecution or proceeding against any Area Board or the Gas Council or in respect of any act, neglect or default done or committed by a servant or agent of any such Board or the Gas Council in his capacity as a servant or agent of theirs.

Liability of  
Boards and  
Council in  
actions, etc.56 & 57  
Vict. c. 61.  
2 & 3 Geo. 6.  
c. 21.

(2) In their application to any such action as aforesaid sections two and three of the Limitation Act, 1939 (which relate to limitation of actions of contract and tort and certain other actions), shall have effect with the substitution therein for references to six years of references to three years.

## PART II.

## ACQUISITION OF GAS UNDERTAKINGS.

*Vesting of assets.*

15.—(1) Subject to the provisions of this and the next following section, this Part of this Act applies to—

Undertakers  
to whom  
Part II of  
Act applies.

- (a) every person who carries on a gas undertaking authorised by any enactment ;
- (b) every person who carries on a gas undertaking not authorised by any enactment but providing supplies of gas the whole or main part of which was, during the year nineteen hundred and forty-seven, consumed by persons other than the undertaker, any subsidiary or holding company of the undertaker, and any subsidiary of a holding company of the undertaker ; and

PART II.  
—cont.

- (c) every company, not being a private company, which—
- (i) had, at the date of the last audited balance sheet of the company before the first day of January, nineteen hundred and forty-eight, one or more subsidiaries, being statutory undertakers or non-statutory undertakers (as hereinafter defined); and
  - (ii) at the said date held securities of, or rights in respect of loans made to, the said subsidiaries, the value of which as shown in that balance sheet, amounted to not less than seventy-five per cent. of the total amount of all the assets of the holding company as so shown;

and references to an undertaker to whom this Part of this Act applies shall be construed as referring to such a person or company as aforesaid:

Provided that this Part of this Act shall not apply to the National Coal Board or the British Transport Commission.

(2) In this Act—

- (a) any such person as is mentioned in paragraph (a) of the preceding subsection is referred to as a “statutory undertaker”;
- (b) any such person as is mentioned in paragraph (b) of that subsection, being a person whose gas undertaking is the whole or main part of his business, is referred to as a “non-statutory undertaker”;
- (c) any such company as is mentioned in paragraph (c) of that subsection, not being a statutory or a non-statutory undertaker, is referred to as a “gas holding company”; and
- (d) any such person as is mentioned in paragraph (b) of that subsection, not being a non-statutory undertaker or a gas holding company, is referred to as an “ancillary gas undertaker”.

(3) Any company, not being a statutory or non-statutory undertaker or a gas holding company, but holding securities of, or rights in respect of loans made to, any statutory undertaker or non-statutory undertaker which amount to a substantial proportion of the assets of the company, may serve on the Minister not later than four months after the passing of this Act a notice stating that the company wishes to be treated as a gas holding company, and the Minister may, on the service of such a notice, if he thinks fit, by order direct that this Act shall have effect, and be deemed to have always had effect, as if the company were a gas holding company, and this Act shall have effect accordingly.

(4) Any ancillary gas undertaker may serve on the Minister not later than four months after the passing of this Act a notice stating that, owing to the special character of the business of the undertaker, this Part of this Act ought not to apply to him or



the application thereof ought to be postponed and the Minister may, on the service of such a notice, if he thinks fit, by order direct that this Part of this Act shall not apply, and shall be deemed never to have applied, to that undertaker or that the vesting date shall, in relation to that undertaker, be postponed for such period as the Minister may direct, and this Act shall have effect accordingly.

(5) For the purposes of paragraph (c) of subsection (1) of this section, where the value of any such securities or rights as are therein mentioned is not separately shown in the balance sheet therein mentioned, by reason that they are grouped with other assets of the company and the balance sheet shows the value of the group as a whole, the value placed on the said securities or rights in the books of the company and used in arriving at the value of the group of assets as so shown shall have effect as if it had been shown separately in the balance sheet.

16.—(1) The Minister shall, within the prescribed period, serve on every person who in his opinion is an undertaker to whom this Part of this Act applies other than a statutory undertaker a notice stating that that person is in his opinion such an undertaker and also stating in which of the categories mentioned in subsection (2) of the last preceding section that person in the Minister's opinion is included, and—

Determination  
of questions  
as to  
application  
of Part II  
of Act.

(a) unless that person contends by a counter notice served on the Minister, within two months after the service of the Minister's notice, that in his opinion this Part of this Act does not apply to him and the counter notice is not withdrawn, this Part of this Act shall be deemed to apply to him ; and

(b) unless that person contends by a counter notice served as aforesaid (and not withdrawn) that in his opinion he is included in a different category of undertaker, he shall (subject to any contention that this Part of this Act does not apply to him) be deemed to be included in the category stated in the notice of the Minister.

(2) Where any person (other than a statutory undertaker) on whom the Minister has not served a notice under the last preceding subsection within the period prescribed therefor is of the opinion that he is an undertaker to whom this Part of this Act applies, he may within two months after the expiration of the period aforesaid, serve a notice on the Minister in the prescribed form stating that in his opinion this Part of this Act applies to him and also stating in which of the said categories in his opinion he is included, and—

(a) unless the Minister contends by a counter notice served on the said person within such period as may be prescribed that in the Minister's opinion this Part of this Act does not apply to the said person and the counter

PART II.  
—cont.

notice is not withdrawn, this Part of this Act shall be deemed to apply to him ; and

(b) unless the Minister contends by a counter notice served as aforesaid (and not withdrawn) that the said person is included in a different category of undertaker, he shall (subject to any contention that this Part of this Act does not apply to him) be deemed to be included in the category stated in the notice served by the said person.

(3) The serving of a notice under subsection (4) of the last preceding section shall not be taken as prejudicing the right of the person serving the notice to contend, by means of a counter notice served under this section, that this Part of this Act does not apply to him.

(4) Where, in the case of any person other than a statutory undertaker, no notice has been served by the Minister or by that person in accordance with the preceding provisions of this section, this Part of this Act shall be deemed not to apply to that person.

(5) Where a counter notice is served in accordance with the preceding provisions of this section and is not withdrawn, any question raised by the counter notice whether this Part of this Act applies to the person by or on whom the counter notice was served or as to the category of undertaker in which the said person is included shall, in default of agreement between him and the Minister, be determined by arbitration under this Act.

(6) Where a question has been referred to arbitration in accordance with the last preceding subsection, then, unless the arbitration tribunal determine that this Part of this Act does not apply to that person, the tribunal may, and if the vesting date has already occurred shall, fix a later date which, in relation to that person, shall be deemed to be, and always to have been, the vesting date for the purposes of this Act.

Vesting of  
assets.

17.—(1) Subject to the provisions of this Part of this Act, all property, rights, liabilities and obligations which, immediately before such date as may be appointed by order of the Minister (in this Act referred to as "the vesting date"), were property, rights, liabilities and obligations of an undertaker to whom this Part of this Act applies, shall on the vesting date vest by virtue of this Act and without further assurance in such Area Board as may be determined by order of the Minister :

Provided that in the case of a gas holding company the Minister may by order provide that the said property, rights, liabilities and obligations of the company, or such part thereof as may be specified in the order, shall, pending the transfer thereof under the following provisions of this Part of this Act to one or more Area Boards, vest in the Gas Council and not in an Area Board.

(2) The vesting date shall not be less than three months after the establishment of the Gas Council and all the Area Boards and the definition by order made under Part I of this Act of all the areas for which those Boards are established, and shall not be earlier than the first day of April, nineteen hundred and forty-nine.

(3) Subject to the provisions of this Part of this Act, every agreement to which any undertaker to whom this Part of this Act applies was a party immediately before the vesting date, whether in writing or not, and whether or not of such a nature that rights, liabilities and obligations thereunder could be assigned by the undertaker, shall, unless its terms or subject matter make it impossible that it should have effect as modified in manner provided by this subsection, have effect as from the vesting date as if—

- (a) the appropriate Board had been a party to the agreement ;
- (b) for any reference (however worded and whether express or implied) to the undertaker there were substituted, as respects anything falling to be done on or after the vesting date, a reference to the appropriate Board ;
- (c) in the case of an undertaker being a company, for any reference (however worded and whether express or implied) to the directors or any director of the company there were substituted, as respects anything falling to be done on or after the vesting date, a reference to such person as the appropriate Board may direct ;
- (d) for any reference (however worded and whether express or implied) to any officer of the undertaker not being a party to the agreement and beneficially interested therein there were substituted, as respects anything falling to be done on or after the vesting date, a reference to such person as the appropriate Board may appoint or, in default of appointment, to the officer of the Board who corresponds as nearly as may be to the first mentioned officer ;
- (e) in the case of an agreement for the rendering of personal services to the undertaker, the services to which the agreement relates were, on and after the vesting date, any services under the appropriate Board, to be selected by that Board, which are reasonably equivalent services ; and
- (f) save as provided by the three last preceding paragraphs, for any reference (however worded and whether express or implied) to the undertaking of the undertaker or any part of that undertaking or to the limits of supply of the undertaker or any part thereof there were substituted, as respects anything falling to be done on or after the vesting date, a reference to so much of the

PART II.  
—cont.

business carried on by the appropriate Board as corresponds to the undertaking or part of the undertaking of the undertaker or, as the case may be, a reference to the area comprised in the said limits immediately before the vesting date or part thereof.

(4) Every agreement, whether in writing or not, and every document (not being an agreement or a document to which the last preceding subsection applies or an enactment) which refers whether specifically or generally to any such undertaker shall be construed in accordance with the provisions of the last preceding subsection, so far as applicable.

(5) Without prejudice to the generality of the preceding provisions of this section, where any right, liability or obligation vests by virtue of this Act, the appropriate Board and all other persons shall, as from the vesting date, have the same rights, powers and remedies (and in particular the same rights as to the taking or resisting of legal proceedings or the making or resisting of applications to any authority) for ascertaining, perfecting or enforcing that right, liability or obligation as they would have had if it had at all times been a right, liability or obligation of the Board, and any legal proceedings or applications to any authority pending on the vesting date by or against the undertaker, in so far as they relate to any property, right, liability or obligation vested by virtue of this Act or to any agreement or document which has effect in accordance with subsection (3) or subsection (4) of this section or to any enactment applied by or under this Act, shall be continued by or against the appropriate Board to the exclusion of the undertaker.

(6) Notwithstanding anything in this section—

- (a) there shall not, by reason of the vesting of property, rights, liabilities or obligations of any undertaker to whom this Part of this Act applies in any Area Board or in the Gas Council, be transferred to the Board or the Council any right, liability or obligation of the undertaker in respect of any securities issued by the undertaker ;
- (b) where any agreement provides for the borrowing of money by any such undertaker or the raising of money by the issue of securities of any such undertaker and the money has not been borrowed or raised before the vesting date, no right, liability or obligation under the agreement shall be transferred to any Area Board or to the Gas Council ; and
- (c) no right, liability or obligation under any agreement for the rendering by any person of services to any such undertaker as a director (other than a managing director or a director whose functions are substantially those of an employee) shall be transferred to any such

Board or to the Gas Council, except any liability in respect of fees earned or expenses incurred before the vesting date.

PART II.  
—cont.

(7) Regulations may provide for the registration of the title of any Area Board or of the Gas Council to assets vesting in them by virtue of this Act, being assets of a kind subject to provision for the registration of title thereto, and for any matters for which provision appears to the Minister to be necessary or expedient for the purpose of securing the effective transfer of any assets vesting in any such Board or in the Gas Council by virtue of this Act.

(8) In this section the expression "the appropriate Board" means—

- (a) in relation to any property, rights, liabilities and obligations which vest by virtue of this Act in an Area Board or any agreement or other document which relates to any such property, rights, liabilities or obligations, that Board; and
- (b) in relation to any property, rights, liabilities and obligations which vest by virtue of this Act in the Gas Council or any agreement or other document which relates to any such property, rights, liabilities or obligations, that Council.

(9) Subject to the next following section, every undertaker to whom this Part of this Act applies, being a body corporate, shall be dissolved on the vesting date.

18.—(1) In a case where an undertaker to whom this Part of this Act applies—

- (a) is a local authority; or
- (b) is a company (in this Act referred to as a "composite company") which supplies water as well as gas under the authority of an enactment; or
- (c) is an ancillary gas undertaker; or
- (d) is not a body corporate; or
- (e) is an Electricity Board;

Provisions  
as to  
undertakers  
whose gas  
undertakings  
only are  
taken over.

the provisions of the last preceding section shall only apply to property held or used by the undertaker wholly or mainly for the purposes of his gas undertaking or wholly or mainly in his capacity as a gas undertaker, and to rights, liabilities and obligations acquired or incurred, and agreements made, by the undertaker wholly or mainly for those purposes or in that capacity, and to documents, legal proceedings and applications relating to the purposes of the gas undertaking or to the undertaker in his capacity as a gas undertaker, and references in that section to the property, rights, liabilities and obligations of an undertaker to whom this Part of this Act applies, or to any agreement to which any such undertaker was a party, or to

PART II.  
—cont.

documents referring to any such undertaker or to legal proceedings or applications by or against any such undertaker, shall be construed accordingly, and subsection (9) of the last preceding section shall not apply to any such undertaker :

Provided that this section shall not apply to any undertaker being a composite company, if that undertaker serves on the Minister, not later than four months after the passing of this Act, a notice stating that the undertaker does not wish this section to apply to him, and references in this Act to a composite company shall not be construed as referring to any undertaker who has served such a notice.

(2) Regulations shall provide—

- (a) for the determination of the question whether any property is or was held or used by the undertaker wholly or mainly for the purposes of his gas undertaking, or wholly or mainly in his capacity as a gas undertaker, or whether any rights, liabilities, or obligations were acquired or incurred, or any agreement was made, by the undertaker wholly or mainly for the said purposes or in that capacity, or whether any documents relate to the purposes of the gas undertaking or to the undertaker in his capacity as a gas undertaker ;
- (b) for excluding from or including in the property, rights, liabilities and obligations which vest in an Area Board by virtue of this Act and the agreements which have effect in accordance with subsection (3) of the last preceding section such property, rights, liabilities and obligations held, used, acquired or incurred, and such agreements made, by any undertaker to whom this section applies partly for the purposes of his gas undertaking and partly for other purposes, or partly in his capacity as a gas undertaker and partly in any other capacity, on such terms (which may include the payment of money), as may be determined in accordance with the regulations ;
- (c) for requiring any Area Board, as respects property which vests in them by virtue of this Act, being property held or used by any undertaker to whom this section applies partly for the purposes of his gas undertaking and partly for other purposes, or partly in his capacity as a gas undertaker and partly in any other capacity, to grant to the undertaker such interests in the property or rights over or attaching to the property or in respect of the user thereof, on such terms (which may include the payment of money) as may be determined in accordance with the regulations, or for requiring the similar grant of interests or rights by the

- undertaker to the Area Board in a case where such property does not vest in the Board ;
- (d) for conferring on any Area Board in whom land of any undertaker to whom this section applies is vested easements and other rights over or attaching to other land of the undertaker, being easements and rights which are required to enable land which is so vested to be used for the purposes of the Board, on such terms (which may include the payment of money) as may be determined in accordance with the regulations ;
- (e) for the severance of leases comprising land of which part only vests in an Area Board by virtue of this Act, and for apportionments and indemnities consequent on such severance ;
- (f) for substituting for any agreement entered into by any undertaker to whom this section applies partly for the purposes of his gas undertaking and partly for other purposes or partly in his capacity as a gas undertaker and partly in any other capacity separate agreements in the requisite terms, and for any apportionments and indemnities consequent thereon ;
- (g) for the apportionment of, and the making of financial adjustments with respect to, any liabilities incurred by any undertaker to whom this section applies partly for the purposes of his gas undertaking and partly for other purposes, or partly in his capacity as a gas undertaker and partly in any other capacity, and for any necessary variation of mortgages and encumbrances relating to such liabilities ; and
- (h) for any other matters supplementary to or consequential on the matters aforesaid for which provision appears to the Minister to be necessary or expedient.

For the purposes of this subsection, any property which is held or used by any undertaker to whom this section applies temporarily for the purposes of his gas undertaking and normally for other purposes, or normally for the purposes of his gas undertaking and temporarily for other purposes, shall be deemed to be property held or used by the undertaker partly for the purposes of his gas undertaking and partly for other purposes.

(3) Where at any time before the expiration of three months beginning with the vesting date any undertaker to whom this section applies has served on the Area Board concerned, or the Area Board has served on the undertaker, a notice in the prescribed form stating that a question has arisen under this section or under any regulations made thereunder as to—

- (a) whether any property is or was held or used by the undertaker wholly or mainly for the purposes of his gas

PART II.  
—cont.

undertaking or in his capacity as a gas undertaker and accordingly vests in the Area Board by virtue of this Act ;

- (b) whether any property of the undertaker ought to be excluded from or included in the property which so vests ; or
- (c) whether interests in any property of the undertaker, or rights over or attaching to such property or in respect of the user thereof, ought to be granted by the undertaker to the Area Board or by the Board to the undertaker ;

and the question has not been determined before the vesting date, the property concerned shall not, pending such determination, vest in the Area Board by virtue of this Act and, if the notice is given after the vesting date, shall be deemed not to have so vested, but the property shall, so far as it is so to vest having regard to the determination, vest on such date as may be determined, and pending the determination of the said question and, if any property is to vest or any interests or rights are to be granted in accordance therewith, pending the vesting or granting thereof, the Area Board shall be entitled and shall be deemed to have been entitled as from the vesting date to use the property for the like purposes and to the like extent as it was used, immediately before that date, by the undertaker for the purposes of his gas undertaking, on such terms (which may include the payment of money) as may be determined in accordance with the regulations.

(4) Nothing in the preceding provisions of this Part of this Act shall have effect so as to vest in any Area Board or provide for the apportionment to any Area Board of any liabilities or obligations of any local authority in respect of any loan raised by the authority, or any property forming part of a sinking fund established for the redemption of any such loan.

(5) No part of the cash and investments of a composite company shall vest in an Area Board under the preceding provisions of this Part of this Act, but regulations shall, subject to the provisions of this Part of this Act with respect to the final payment of dividends and interest, provide for the apportionment, as between the Board and the company, of the whole of the cash and investments of the company, together with any income accruing thereon pending such apportionment, in such shares as may be determined in accordance with the regulations.

Any references in the following provisions of this Act to property which vests by virtue of this Act shall include a reference to property apportioned to an Area Board under this section.

(6) No cash or investments of an ancillary gas undertaker or an undertaker who is not a body corporate shall vest in an Area Board under the preceding provisions of this Part of this Act.



(7) Any property of any undertaker to whom this section applies which vests in an Area Board, being property subject to a mortgage or encumbrance created for securing the payment of any debt which does not vest in the Board by virtue of this Act and is not apportioned as between the Board and the undertaker, shall vest free of the mortgage or encumbrance.

(8) Regulations made under this section shall provide that any questions to be determined in accordance with the regulations shall be determined by agreement between the Area Board and the undertaker concerned, or in default of agreement shall—

- (a) in a case where the undertaker concerned is a local authority, be determined by the Minister of Health; and
- (b) in any other case, be determined by arbitration under this Act.

(9) In relation to undertakers to whom this section applies or any class of such undertakers, references in the following provisions of this Part of this Act to an undertaker to whom this Part of this Act applies (not being references which expressly exclude undertakers to whom this section applies or that class of those undertakers) shall be construed as referring to those undertakers in their capacity as gas undertakers and in that capacity only.

19.—(1) Where a local authority have before the vesting date made arrangements for the making of financial adjustments, as between the accounts of the gas undertaking of the local authority and any other account of the local authority, in respect of any transaction or matter affecting both their functions as a gas undertaker and other functions of the authority, and in pursuance of those arrangements any amounts would, but for this Act, have fallen on or after the vesting date properly to be debited or credited in the accounts of the gas undertaking of the local authority and credited, or, as the case may be, debited, in some other account of the local authority, the Area Board in whom property, rights, liabilities and obligations of the local authority vest by virtue of this Act shall, subject as hereinafter provided, pay those amounts to the local authority or be entitled to receive those amounts from the authority, as the case may be, at the times at which, but for this Act, those amounts would have fallen to be debited or credited in the accounts of the gas undertaking of the local authority:

Adjustment of matters outstanding as between accounts of gas undertaking and other accounts of local authority.

Provided that this subsection shall not apply in relation to any apportionment of establishment charges between the accounts of the gas undertaking and other accounts of the local authority.

(2) The said Area Board and the local authority may agree or the Minister of Health may, on the application of either party in default of such agreement, determine that, having regard to the circumstances in which any such arrangements were made and

**PART II.**  
—*cont.*

the circumstances arising under this Act, the last preceding subsection shall not apply to those arrangements or shall apply thereto with such modifications as to the payments to be made by the Board or the local authority as may be so agreed or determined, and the said subsection shall have effect subject to any such agreement or determination.

Any other question arising under the last preceding subsection as to the payments to be made thereunder shall, in default of agreement, be determined by the Minister of Health.

(3) Any payment made by the said Area Board or the local authority under the preceding provisions of this section which would, but for this Act, have been debited or credited as a capital payment shall be deemed to be a capital payment, and any other such payment shall be deemed to be an annual payment.

(4) Nothing in this section shall apply to any arrangements made with respect to any loan raised or advance made for the purposes of the gas undertaking of the local authority.

Payments in respect of reserves of composite companies.

**20.—(1)** Where, in the case of a composite company, a reserve is shown in the last audited balance sheet of the company before the vesting date, and either—

(a) the reserve or a part thereof is derived from profits made by such part of the company's undertaking as is not included in the gas undertaking or from other assets held for the purposes of that part of the company's undertaking but is represented immediately before the vesting date by assets (other than cash or investments) which will vest by virtue of this Act in an Area Board; or

(b) the reserve or a part thereof is derived from profits made by the gas undertaking of the company or from other assets held for the purposes of the gas undertaking but is represented immediately before the said date by assets (other than cash or investments) which will not vest as aforesaid,

the Area Board shall, in the first mentioned case, pay to the company, and, in the second mentioned case, be entitled to receive from the company, a sum equal to the amount of the reserve or part thereof.

(2) Any question arising under the preceding subsection shall, in default of agreement, be determined by arbitration under this Act.

(3) This section shall apply in relation to any provision (within the meaning of paragraph 1 of Part IV of the Eighth Schedule to the Companies Act, 1948) shown in the said balance sheet and in relation to any undistributed profits so shown as it applies in relation to a reserve so shown.

(4) Any payment made by an Area Board or composite company under this section shall be deemed to be a capital payment.

21.—(1) Where any land of a local authority or composite company vests by virtue of this Act in an Area Board, the authority or company shall, for a period of ten years from the date of the vesting of the land, have the right of pre-emption conferred by the subsequent provisions of this section.

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—*cont.*  
Right of pre-emption for local authorities and composite companies in respect of land vested in an Area Board.

(2) If the Area Board in whom the land vests by virtue of this Act, or any other Area Board to whom it is subsequently transferred, desire within the said period of ten years, to dispose to any person other than an Area Board, whether absolutely or for a term of years, of any of that land as being land not required by the Board for the discharge of their functions under this Act, they shall before disposing of it give to the local authority or composite company at least three months' notice, stating whether they desire to dispose of it absolutely and, if not, stating the term of years for which they desire to dispose of it.

(3) Where the local authority or composite company receive notice under subsection (2) of this section and notify the Board, before the expiration of the period of three months from the date of the Board's notice, that they desire to acquire the land either absolutely or for the term of years specified in the Board's notice, as the case may be, they shall have the right and be under an obligation to acquire that land on such terms as may be agreed between the Board and the authority or company or, in default of agreement, as may be determined by arbitration to be fair and reasonable having regard to all the circumstances of the case.

(4) The right of pre-emption conferred upon the local authority or composite company by this section shall be deemed to be an estate contract within the meaning of section ten of the Land Charges Act, 1925, and that Act and the Land Registration Act, 1925, shall have effect accordingly.

15 & 16 Geo. 5.  
c. 22.  
15 & 16  
Geo. 5. c. 21.

22.—(1) Where there are vested in any Area Board or in the Gas Council the rights, liabilities and obligations of any undertaker to whom this Part of this Act applies, being rights, liabilities and obligations under an agreement made or varied on or after the nineteenth day of November, nineteen hundred and forty-five, and the Board or Council are of opinion that the making or the variation of that agreement was not reasonably necessary for the purposes of the activities of the said undertaker or that the agreement was made or varied with an unreasonable lack of prudence on the part of the said undertaker, the Board or Council may, by notice in writing given to the other parties to the agreement before the expiration of three months from the vesting date, disclaim the agreement :

Disclaimer of agreements and leases.

Provided that any of the said parties may, within the prescribed period from the date on which the notice is served,

PART II.  
—cont.

refer to arbitration under this Act the question whether or not the agreement ought to be disclaimed.

(2) On such arbitration, the arbitration tribunal, if satisfied that the agreement or variation was not reasonably necessary as aforesaid or was made with unreasonable lack of prudence, shall confirm the notice and if not so satisfied shall revoke it :

Provided that, if the arbitration tribunal are satisfied that the agreement or variation thereof was made in the ordinary course of business and was in no way connected with any provision made by this Act, or with any anticipation of the making of any such provision, the tribunal shall revoke the notice.

(3) Where a notice is so given by an Area Board or by the Gas Council with respect to any agreement and is not revoked by the arbitration tribunal—

- (a) subsection (3) of section seventeen of this Act shall be deemed never to have applied to the agreement ;
- (b) the agreement shall be deemed to have been frustrated on the vesting date and the parties thereto for that reason to have been discharged from the further performance thereof ; and
- (c) the like consequences shall follow as between the Board or Council and any party to the agreement who, before the date on which the notice of disclaimer becomes final, has in pursuance of the agreement, supplied goods or rendered services to the Board or Council which they have accepted, or to whom, before the said date, the Board or Council have, in pursuance of the agreement, supplied goods or rendered services which he has accepted, as would have followed if those goods or services had been supplied or rendered at the request of the Board or Council or of that party, as the case may be, apart from the agreement, and any payments by or to the Board or Council before the said date shall be adjusted accordingly.

For the purposes of this subsection a person who permits another to use or enjoy any property or rights shall be deemed to render a service to him.

(4) Subsections (1) and (2) of this section, but not subsection (3), shall apply to leases, and where a notice of disclaimer is given by an Area Board or by the Gas Council under subsection (1) with respect to any lease and is not revoked by the arbitration tribunal, the lease shall be deemed to be surrendered on the date on which the notice of disclaimer becomes final.

(5) Where any lease is disclaimed under this section the arbitration tribunal may, on the application of the Board or Council who gave the notice or the other party to the lease,

make such modifications (if any) of the provisions of the lease relating to repairing obligations or any other provisions taking effect on or within a limited time before the determination of the lease as they think just.

(6) Where any agreement (other than a lease) is disclaimed under this section, then, for the purposes of the Law Reform <sup>6 & 7 Geo. 6.</sup> (Frustrated Contracts) Act, 1943, the Area Board or the Gas <sup>c. 40.</sup> Council, as the case may be, shall be deemed to have been a party to the agreement in lieu of the undertaker from whom rights, liabilities or obligations thereunder were or would, but for the frustration, have been transferred.

(7) For the purposes of this section a notice of disclaimer which is not revoked shall be deemed to become final on the following date, that is to say,—

- (a) if no reference to arbitration is made under subsection (1) of this section, the date on which the period for making such a reference expires ;
- (b) in any other case, the date on which the notice is confirmed by the arbitration tribunal.

(8) This section shall not apply to any agreement or lease made or varied with the previous consent of the Minister of Health given for the purpose of any enactment other than this section nor shall it apply to any agreement or lease the making or variation of which has been approved in writing by the Minister, either generally or specially and whether before or after the date of the making or variation of the agreement or lease.

23.—(1) Where any undertaker to whom this Part of this Act applies was, immediately before the vesting date, giving a supply of gas outside the area of the Area Board in whom the property, rights, liabilities and obligations of the undertaker vest by virtue of this Act, the Area Board shall, if necessary, make arrangements with the Area Board in whose area the said supply was being given for the continuance by the first-mentioned Board of the said supply and, if the Boards concerned fail to make such arrangements, the Minister shall give directions requiring the first-mentioned Board to continue the said supply of gas. Provisions as to undertakings carried on in areas of different Area Boards.

(2) The first-mentioned Area Board shall have power in accordance with any arrangements made or directions given under this section to continue the said supply of gas, but such arrangements and directions shall only have effect pending the transfer under the next following section to the Area Board in whose area the gas is so supplied, of the property, rights, liabilities and obligations used for the purposes of or arising in connection with such supply.

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—cont.

Subsequent transfer of property from the Gas Council to an Area Board or from one Area Board to another.

24.—(1) The Minister shall as soon as practicable provide by order—

- (a) for the transfer of property, rights, liabilities and obligations vested under this Part of this Act in the Gas Council, including any sums paid or liabilities passing to the Council under any of the following provisions of this Part of this Act, to such Area Board or Boards as he thinks fit ; and
- (b) for the transfer to the Area Board in whose area gas is supplied under the last preceding section of the property, rights, liabilities and obligations referred to in subsection (2) of that section.

(2) The Minister may provide by order for the transfer to any Area Board of any property, rights, liabilities or obligations vested by virtue of this Act in another such Board.

(3) Any order made under this section may make provision—

- (a) for the modification of agreements so far as necessary for giving effect to any transfer of rights, liabilities and obligations made by the order and, in a case where part only of the rights, liabilities and obligations under any agreement are transferred, for substituting for the agreement separate agreements in the requisite terms, and for any apportionments and indemnities consequent thereon ;
- (b) for the purpose of transferring part of the land comprised in any lease vested in any Area Board, for the severance of that lease, and for apportionments and indemnities consequent thereon ;
- (c) for such other financial adjustments between the parties to any such transfer as may be required in consequence of the transfer, and for any other matters supplementary to or consequential on the matters aforesaid for which provision appears to the Minister to be necessary or expedient, including the continuation of proceedings.

(4) An order under this section shall not be made except after consultation with the Gas Council and any Area Board concerned.

*Compensation to holders of securities.*

Compensation to holders of securities.

25.—(1) Every holder of securities of any undertaker to whom this Part of this Act applies, not being an undertaker to whom section eighteen of this Act applies, shall be entitled to be compensated by the issue to him by the Gas Council, in accordance with the provisions of the Second Schedule to this Act, of British Gas Stock of such amount as in the opinion of the Treasury is at the vesting date of a value equal to the

value of the said securities held by him, regard being had (in estimating the value of the stock so issued) to the market value of government securities at or about the vesting date:

Provided that—

- (a) if the whole of the beneficial interest in any such securities was, immediately before the vesting date, vested in any undertaker to whom this Part of this Act applies, other than a composite company, an ancillary gas undertaker or an undertaker who is not a body corporate, no compensation shall be payable in respect of those securities and the securities shall be extinguished on the vesting date; and
- (b) if the holder of any such securities was such an undertaker as aforesaid, but the whole of the beneficial interest was not so vested, the stock issued as aforesaid in respect of those securities shall be held by the appropriate Board, and the said Schedule shall have effect as if the said Board were the holders of those securities.

(2) Where securities of any class were quoted in the Stock Exchange Official Daily List on all six of the following dates, that is to say, the thirteenth, fourteenth, fifteenth, sixteenth, seventeenth and twentieth days of October, nineteen hundred and forty-seven, and were also quoted in the said list or in the Stock Exchange Daily Supplementary List on any of the following dates, that is to say, the fifteenth day of February, the fifteenth day of March, the sixteenth day of April, the fifteenth day of May, the fifteenth day of June and the sixteenth day of July, nineteen hundred and forty-five, the value of securities of that class for the purposes of this section shall, subject to the provisions of this section and the next following section, be deemed to be either—

- (a) the average of the mean of the quotations for securities of that class appearing in the said Stock Exchange Official Daily List on the said dates in the year nineteen hundred and forty-seven, or
- (b) the average of the mean of the quotations for securities of that class appearing in the said Stock Exchange Official Daily List or the said Stock Exchange Daily Supplementary List on the said dates in the year nineteen hundred and forty-five on which a quotation therefor so appeared,

whichever is the higher, such addition, if any, being made to the higher average as is necessary to make it a complete multiple of one penny:

Provided that a quotation appearing in any of the said lists shall be disregarded for the purposes of this section unless

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—cont.

business is recorded in that list as having been done at any time during the six months immediately before the date of that list.

(3) Where, in the case of any class of securities to which the last preceding subsection applies, there has been at any time after the last relevant quotation date a fresh issue of securities of that class, the value of every security of that class for the purposes of this section shall, instead of being determined under the last preceding subsection, be deemed to be the average of the values of all the securities of that class calculated on the basis that—

- (a) the value of each of the securities comprised in that issue is the price at which it was issued, and
- (b) the value of the remaining securities is the value which those securities had or would have had for the purposes of this section immediately before the issue took place.

(4) Where, at any time after the last relevant quotation date any securities to which subsection (2) or subsection (3) of this section applies have been converted into securities of a different nominal value—

- (a) the value of those securities as so converted shall, for the purposes of this section, be deemed to be a value bearing to the value which the securities had or would have had for the purposes of this section immediately before the conversion took place the same proportion as the nominal value of the securities as converted bears to the nominal value of the securities immediately before the conversion took place; and
- (b) the last preceding subsection shall apply to any fresh issue of securities which have been converted as aforesaid, but if a part only of a class of securities has been converted as aforesaid, the converted securities shall, for the purposes of the last preceding subsection, be treated as securities of a different class from that of the unconverted securities.

(5) Subject to the next following subsection, where a new class of securities has been issued at any time after the twentieth day of October, nineteen hundred and forty-seven, the value of securities of that class for the purposes of this section shall be deemed to be the price at which they were issued, and the last two preceding subsections shall apply to any fresh issue or conversion of securities of that class.

(6) Subsections (2), (3) and (5) of this section shall not apply to any securities issued at any time after the thirty-first day of December, nineteen hundred and forty-five, on



terms and conditions approved by the Minister and for the purpose of raising money for purposes so approved, and the value of any such securities for the purposes of this section shall be deemed to be the price at which they were issued, and subsection (4) of this section shall apply to any conversion of those securities.

(7) If securities to which either of the two last preceding subsections applies have been disposed of by public auction or tender, the price of issue of those securities shall for the purposes of this section be deemed—

- (a) if the holder of the securities is the person who originally acquired them or his successor in title other than a purchaser for value, to be the price which he originally paid for them;
- (b) in any other case, to be the average gross price obtained by the undertaker for securities of that class so disposed of.

(8) If all the securities of any issue were originally disposed of to a person who did not become the registered holder of those securities, the price of issue of each of those securities shall for the purposes of this section be deemed to be either—

- (a) the price paid for that security by the first registered holder thereof; or
- (b) the price received by the company for the security plus an amount equal to two and a half per cent. of that price;

whichever is the lower.

(9) If any question arises under any of the last seven preceding subsections as to the value of any securities, it shall be settled by agreement between the Minister and the stockholders' representative appointed under the following provisions of this Part of this Act, or, in default of such agreement, determined by arbitration under this Act.

(10) For the purposes of this section, the value of any securities, not being securities to which subsection (2), (3), (4), (5) or (6) of this section applies, shall be such value as may be agreed between the Minister and the said stockholders' representative or, in default of such agreement, as may be determined by arbitration under this Act, and the arbitration tribunal, in determining the value of those securities, shall have regard to all relevant factors including, as far as may be, the value of securities to which subsection (2) of this section applies (as determined under that subsection), being securities which, as respects all matters affecting their value, are most nearly comparable to the first mentioned securities, and if, in relation to any class of securities to which this

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—cont.

subsection applies, such a fresh issue or conversion of securities as is mentioned in subsection (3) or subsection (4) of this section has occurred, the arbitration tribunal shall also have regard, as far as may be, to the manner in which the value of securities is to be determined in cases to which the said subsection (3) or subsection (4) applies.

(11) In this section—

the expression “ the Stock Exchange Official Daily List ” means the publication known as the Stock Exchange Daily List of Officially Quoted Securities which is published by and under the authority of the Council of the Stock Exchange, London;

the expression “ the Stock Exchange Daily Supplementary List ” means the publication known as the Stock Exchange Daily Supplementary List of Securities not Officially Quoted which was published by and under the authority of the Council of the Stock Exchange, London;

the expression “ quotation ” has the same meaning as in the Stock Exchange Official Daily List or the Stock Exchange Daily Supplementary List, as the case may be, and, accordingly, does not include the statements of the business that was done;

the expression “ the mean of quotations ” means the average of the two figures shown in the Stock Exchange Official Daily List or the Stock Exchange Daily Supplementary List, as the case may be, on the date in question in respect of the security in question under the heading “ Quotations ” or “ Nominal Quotations ”;

the expression “ the last relevant quotation date ”, in relation to any securities to which subsection (2), (3) or (4) applies, means the last of the dates mentioned in the said subsection (2) on which a quotation for securities of that class appeared in either of the said lists, being a quotation by reference to which the value of securities of that class is determined for the purposes of this section.

(12) For the purposes of this section and the following provisions of this Part of this Act, securities to which the same rights attach shall be deemed to constitute a class of securities.

Increase of value of securities of companies suffering loss of revenue from war causes.

26.—(1) If it appears to the Minister, on representations made by the stockholders' representative for any company, within the prescribed period, that—

(a) the total sales of gas by the company in the year nineteen hundred and forty-three or in either of the two succeeding years, as shown in the annual returns

furnished to the Board of Trade or, as the case may be, the Minister under section fifteen of the Gas Regulation Act, 1920 or section eleven of the Gas Undertakings Act, 1934, excluding sales to any other person carrying on a gas undertaking, were, by reason of any war damage (within the meaning of section two of the War Damage Act, 1943) suffered by the company or by reason of any transfer of population from any part of the area supplied by the company caused by circumstances arising out of the war, substantially lower than in the year nineteen hundred and thirty-eight; and

- (b) as a result, the quotations in the Stock Exchange Official Daily List or in the Stock Exchange Daily Supplementary List (as defined in the last preceding section) on the dates referred to in subsection (2) of the last preceding section for any class of securities of the company other than debentures, debenture stock and mortgages, were lower than they would otherwise have been,

the Minister shall direct that the values of those securities for the purposes of the last preceding section shall be increased by such amount as may be agreed between him and the stockholders' representative to be necessary to offset the said depreciation in the said quotations.

(2) If the Minister refuses, after representations have been made to him by a stockholders' representative, to give a direction under the preceding subsection, or if the Minister and a stockholders' representative are unable to agree on the amount of the increase to be made in the value of any securities, the stockholders' representative may refer the matter to the arbitration tribunal and the tribunal shall—

- (a) if, in a case where the Minister has refused to give a direction, they are satisfied with respect to the matters referred to in the preceding subsection, direct such increase as they think necessary to offset the depreciation aforesaid; or
- (b) in a case where the only question is as to the amount of the increase, fix that amount.

(3) On a reference under this section, the arbitration tribunal may, if they think it just to do so, having regard to the principles on which costs are awarded in the High Court, direct that, in the case of any securities to which the reference relates, the total compensation payable in respect thereof shall be reduced by an amount determined by the tribunal, not exceeding the costs incurred by all parties to the arbitration proceedings, and the amount of the reduction

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10 & 11 Geo. 5.  
c. 28.24 & 25 Geo. 5.  
c. 28.6 & 7 Geo. 6.  
c. 21.

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—cont.

of the total compensation aforesaid shall be apportioned among such of the said securities in respect of which compensation is payable, and in such manner, as the tribunal may determine.

(4) Where the value of any securities falls to be determined under subsection (10) of the last preceding section and, if those securities had been quoted in the said Stock Exchange Official Daily List or in the said Stock Exchange Daily Supplementary List on the dates referred to in subsection (2) of that section, the value thereof would have been increased under this section, then, in determining their value under the said subsection (10), a corresponding increase shall be made in the value thereof.

(5) This section shall apply to a holding company, being an undertaker to whom this Part of this Act applies, with the modification that for the references in paragraph (a) of subsection (1) to the company there shall be substituted references to a subsidiary of the company, and where a reference is made under subsection (2) of this section in the case of a holding company and a subsidiary thereof, the proceedings shall be heard together.

Appointment  
of stock-  
holders'  
representative.

27.—(1) In the case of any undertaker in respect of whose securities compensation is payable under the preceding provisions of this Part of this Act, there shall be appointed, before such date not later than the vesting date as may be prescribed, an individual, in this Act referred to as the "stockholders' representative", to represent the interests of all holders of securities of that undertaker in connection with the determination of the amount of compensation payable in respect of those securities or of any payment made after the vesting date of interest or dividend in respect of those securities, and any other matters arising under this Part of this Act affecting the interests of the holders of those securities, and it shall be the duty of the stockholders' representative, in carrying out his functions under this Part of this Act, to represent the interest of the holders of those securities.

(2) The stockholders' representative shall be appointed, in the prescribed manner, by the holders of the securities of the undertaker in question:

Provided that—

- (a) if those holders of securities fail to appoint a stockholders' representative before the prescribed date, the Minister shall appoint such a representative;
- (b) in the case of securities issued by any undertaker other than a company, the stockholders' representative shall be appointed by the Minister.

(3) The Minister shall pay out of moneys provided by Parliament to a stockholders' representative such remuneration (whether by way of salary or fees) and such allowances, and such expenses incurred by him in the exercise of his functions, as may be determined by the Minister with the approval of the Treasury, and any sums paid by the Minister under this subsection shall be repaid to him by the appropriate Board on demand.

(4) Regulations shall make provision—

- (a) as to the mode of appointment of a stockholders' representative and the notices to be given thereof;
- (b) as to tenure and vacation of office by a stockholders' representative and the appointment, where the office falls vacant, of a new stockholders' representative;
- (c) for any other matters relating to the office of stockholders' representative for which provision appears to the Minister to be necessary or expedient, including the exercise of functions through agents.

The regulations made with respect to the matters mentioned in paragraphs (a) and (b) hereof shall be made not less than three months before the date prescribed for the purposes of subsection (1) of this section, but without prejudice to the varying of any such regulations to such extent as may subsequently appear to the Minister to be necessary.

(5) Where any property, rights, liabilities or obligations of any undertaker vest by virtue of this Act in an Area Board or the Gas Council, the Board or Council and any person to whom any such property, rights, liabilities or obligations which have so vested have been subsequently disposed of, shall make available to the stockholders' representative such facilities for the examination of and the making of extracts from or copies of books, accounts and documents of the undertaker as he may reasonably require for the purposes of his duties, and such services of persons who were officers of the undertaker and are in the employment of the Board or Council or the said person as the stockholders' representative may reasonably require for those purposes.

#### *Compensation to local authorities.*

28.—(1) An Area Board in whom property and rights of a local authority are vested by virtue of this Act shall, by way of compensation for the vesting in them of the said property and rights, and in lieu of any other compensation therefor, make payments to the authority in accordance with this and the next following section.

Compensation  
to local  
authorities.

PART II.  
—cont.

(2) Where the local authority have raised a loan wholly or partly for the purposes of their gas undertaking or have advanced money for those purposes out of any consolidated loans fund or mortgage loans pool established by them or out of any other moneys held by them, and, in pursuance of the arrangements in force immediately before the vesting date for the redemption of the loan and the payment of interest thereon or, as the case may be, for the repayment of the advance and the payment of interest thereon, any amounts would, but for this Act, have fallen, on or after the vesting date, to be debited in the accounts of the gas undertaking of the local authority, the Area Board shall, subject to the provisions of this section, pay those amounts to the local authority at the times at which, but for this Act, those amounts would have fallen to be debited in the said accounts of the gas undertaking of the local authority, and, in calculating the amounts that would have fallen to be debited as aforesaid in respect of any loan, regard shall be had to the income earned by any sinking fund established for the redemption of the loan.

Any question arising under this subsection as to the payments to be made thereunder shall, in default of agreement, be determined by the Minister of Health.

(3) The arrangements referred to in the last preceding subsection shall be deemed to include arrangements in force immediately before the vesting date for defraying any management expenses incurred by the local authority in respect of any such loan or advance as aforesaid.

(4) Where a local authority have issued annuities by way of compensation for the acquisition of any gas undertaking, this section shall have effect as if those annuities had been issued for the purpose of raising a loan for the purposes of the gas undertaking of the authority, and any reference in this Act to any such loan or the redemption thereof or the payment of interest thereon shall be construed as including a reference to such annuities or the redemption or payment thereof:

Provided that nothing in subsection (2) of this section shall be taken as preventing the local authority from entering into an agreement with the holder of any such annuities for the redemption of those annuities, but any such agreement shall be subject to the consent of the Area Board concerned, and, if such an agreement is made with such consent, the said subsection (2) shall have effect subject to such modifications (if any) as may be agreed between the local authority and the Area Board or, in default of such agreement, determined by the Minister of Health to be necessary in consequence of the said agreement for the redemption of those annuities.

(5) Any payment made by an Area Board under the preceding provisions of this section in respect of the liability for the redemption of a loan or the repayment of an advance shall be deemed to be a capital payment, and any other such payment shall be deemed to be an annual payment.

PART II.  
—cont.

29. There shall be paid to local authorities, by way of compensation in respect of the severance of their gas undertakings from their other activities, the sum of two million five hundred thousand pounds, and the said sum shall be divided among such of the said local authorities as satisfy the prescribed conditions, and the amounts to be paid to the individual authorities shall be determined in such manner and in accordance with such principles as may be prescribed, and the obligations to make such payments shall be allocated to the Area Boards accordingly.

Further compensation to local authorities in respect of severance.

*Compensation to composite companies, ancillary gas undertakers, non-corporate undertakers and Electricity Boards.*

30.—(1) Every composite company shall be entitled to be paid, by way of compensation for the vesting in an Area Board by virtue of this Act of property and rights of the company, and in lieu of any other compensation therefor, an amount calculated as follows:—

Compensation to composite companies.

- (a) the aggregate value of all the securities of the company shall be ascertained in accordance with sections twenty-five and twenty-six of this Act, subject to the modification that for any references in those sections to the stockholders' representative there shall be substituted references to the company;
- (b) there shall be ascertained the proportion which the average net revenue earned by the gas undertaking of the company in respect of the last three complete financial years before the first day of January, nineteen hundred and forty-eight, bears to the average net revenue earned in respect of those years by the company's undertaking as a whole;
- (c) the amount of the compensation shall be the aggregate of the following amounts—
  - (i) an amount bearing to the aggregate value of the said securities the same proportion as the said average net revenue of the gas undertaking bears to the said average net revenue of the company's undertaking as a whole, and

PART II.  
— cont.10 & 11 Geo. 5  
c. 28.

(ii) an amount, by way of compensation in respect of the severance of the gas undertaking from the remainder of the company's undertaking, consisting of a sum of three pounds and ten shillings for each complete one thousand of the therms which, in accordance with the annual return made by the company under section fifteen of the Gas Regulation Act, 1920, were sold by the company during the year nineteen hundred and forty-seven.

(2) Any question arising under paragraph (b) of the last preceding subsection shall, in default of agreement between the company and the Minister, be determined by arbitration under this Act.

(3) The right of a composite company to compensation under this section shall be satisfied by the issue to the company by the Gas Council of British Gas Stock of such amount as in the opinion of the Treasury is at the vesting date of a value equal to the amount calculated under subsection (1) of this section, regard being had (in estimating the value of the stock so issued) to the market value of government securities at or about the vesting date.

(4) If, in the case of any composite company, the amount of compensation payable to the company under this section has been determined before the vesting date, the British Gas Stock to be issued in respect thereof shall be issued on that date, and in any other case the British Gas Stock shall be issued as soon as the amount of that compensation has been determined.

(5) Interest on any stock so issued after the vesting date shall begin to accrue as from the vesting date, and the Gas Council shall, on such dates as the Minister may direct, make to the company payments of interest not exceeding the amount which, in the opinion of the Gas Council, will be found to have accrued on the British Gas Stock ultimately issued in satisfaction of the compensation.

If the amounts paid to any company by the Gas Council under this subsection are equal to or greater than the amount of interest which is found to have accrued on the said stock for the period beginning with the vesting date and ending immediately before the date of the issue of the stock, the interest so found to have accrued shall be treated as discharged, and if the amount paid as aforesaid is less than the amount found to have accrued as aforesaid, the amount so found to have accrued shall be treated as discharged to the extent of the amount so paid, and the balance shall be added to and treated as part of the interest (being interest accruing



on and after the issue of the stock) which first falls to be paid after the issue of that stock.

PART 11.  
—cont

(6) Regulations may provide—

- (a) for conferring a right on the holder of any debentures or debenture stock of a composite company, or on the company, by notice given within the prescribed period to the other party, to require the transfer to the holder of such amount of the British Gas Stock issued to the company under this section as is attributable to the value of the said securities held by him, and for the cancellation of those securities to a proportionate extent;
- (b) for enabling a composite company, notwithstanding anything in any enactment, by agreement with the holder of any debentures or debenture stock of the company, to redeem them by means of the transfer to the holder of such amount of British Gas Stock issued to the company under this section as may be agreed with the holder; and
- (c) for the protection of mortgagees and encumbrancers in cases where the debt secured by the mortgage or encumbrance does not vest in an Area Board or is apportioned as between an Area Board and the company, and the debt or, as the case may be, the part thereof not apportioned to the Area Board was, immediately before the vesting date, secured on property which vests in the Board.

(7) A composite company, notwithstanding any limitation imposed by any enactment on their powers of investment, may hold any British Gas Stock issued to them under this section, and, for the purposes of any enactment limiting the amount of investments that may be held by the company, any such stock shall be disregarded, and the company may sell any such stock and apply the proceeds of sale for any purpose for which they are authorised to apply capital moneys.

31.—(1) There shall be paid by the Area Board in whom are vested by virtue of this Act property and rights of any ancillary gas undertaker or any undertaker to whom this Part of this Act applies who is not a body corporate, by way of compensation for the vesting of that property and those rights of the undertaker and in lieu of any other compensation therefor, such amount as the gas undertaking of the undertaker might have been expected to realise if—

Compensation to ancillary gas undertakers and non-corporate undertakers.

- (a) it had been sold as a going concern on the vesting date in the open market by a willing seller to a willing buyer;

PART II.  
—cont.

- (b) the effect of the sale had been to transfer to the buyer the property, rights, liabilities and obligations which vest by virtue of this Act in the Area Board, except any property, rights, liabilities or obligations which so vest on terms agreed or determined in accordance with regulations; and
- (c) this Act had not been passed.

(2) Any question as to the amount of compensation to be paid by an Area Board under this section shall, in default of agreement between the Board and the undertaker, be determined by arbitration under this Act.

(3) Regulations may provide for the protection of mortgagees and encumbrancers in cases where the debt secured by the mortgage or encumbrance does not vest in an Area Board or is apportioned as between an Area Board and the undertaker, and the debt or, as the case may be, the part thereof not apportioned to the Area Board was, immediately before the vesting date, secured on property which vests in the Board.

Compensation  
to Electricity  
Boards.10 & 11 Geo. 6.  
c. 54.

32. There shall be paid to the British Electricity Authority by the Area Board in whom any property and rights of an Electricity Board vest by virtue of this Act such compensation as may be agreed between the said Authority and the said Area Board or, in default of such agreement, be determined by the Minister, having regard to the amount of compensation paid by the said Authority under the Electricity Act, 1947, in respect of the vesting in an Electricity Board of any such property and rights.

*Control of dividends and interest and safeguarding of assets pending transfer.*Control of  
dividends,  
interest  
and other  
payments.

33.—(1) Where any company, being an undertaker to whom this Part of this Act applies but not an ancillary gas undertaker, have paid pursuant to a resolution passed after the twenty-third day of January, nineteen hundred and forty-eight, interest or a dividend on any of their securities in respect of the last complete financial year before the said day or any subsequent period, being payments which, regard being had to any interest or interim dividend paid before the said day in respect of that year or period, are in excess of the payments of interest or dividend permitted under this section, all persons who were directors of the company at the time when the resolution of the directors was passed authorising or recommending the payments shall, subject to the provisions of this section, be liable to pay to the appropriate Board an amount equal to the total amount of the excess:

Provided that this subsection shall not apply to any payment approved by the Minister, whether before or after the

making of the payment, being a payment made in pursuance of a recommendation of the directors of the company made on or before the said twenty-third day of January, nineteen hundred and forty-eight.

PART II.  
—cont.

(2) The payments of interest or dividend permitted under this section are as follows:—

- (a) in the case of securities in respect of which rates of interest are fixed, payments at those rates;
- (b) in the case of preference stock, payments at the preferential rates; or
- (c) in the case of any other class of securities, payments of dividend at a rate not exceeding four per cent. per annum or the rate, calculated as a rate per annum, paid on that class of securities in respect of the last complete financial year in respect of which a final dividend was paid before the said twenty-third day of January, nineteen hundred and forty-eight, whichever is the higher:

Provided that—

- (i) where any local enactment applicable to any such company provides for regulating dividends payable by the company by reference to a basic price or standard price and the relationship thereto of the prices charged, or the highest price charged, by the company for gas supplied by the company, paragraph (c) hereof shall not apply to that company and, in the case of any securities of a class mentioned in that paragraph, the payments of dividend that the company is entitled to make apart from this Act shall be deemed to be the payments of dividend permitted under this section, and if the company has made, at any time after the said day and before the nineteenth day of July, nineteen hundred and forty-eight, any payments of dividend which were less than the payments aforesaid, the amount of the deficiency may, notwithstanding any local enactment, be declared and paid by way of dividend at any time before the vesting date;
- (ii) where any local enactment applicable to any such company, other than such an enactment as aforesaid, restricts the dividends payable by the company in respect of the last complete financial year before the said day or any subsequent period to amounts less than the payments permitted under paragraph (c) hereof, those amounts shall be deemed to be the payments of dividend permitted under this section in respect of that year or period in the case

PART II.  
—cont.

of any securities of the company of a class mentioned in that paragraph;

- (iii) the payments permitted under this section shall only be made out of the net revenue of the company for the period in respect of which the payment is made, or out of any funds applicable in accordance with the normal practice for the purpose of maintaining interest payments and equalising rates of dividend, and any payment shall, so far as it is made otherwise than out of that revenue, or out of those funds, not be permitted under this section;
- (iv) where a fresh issue has been made after the said day of securities of a class mentioned in paragraph (c) hereof, being a class on which the annual rate of dividend paid in respect of the said last complete financial year exceeded four per cent. per annum, the payments of dividend permitted under this section on the securities so issued shall not, except with the approval of the Minister, exceed a rate of four per cent. per annum; and
- (v) in the case of any securities of a class mentioned in paragraph (c) hereof, being a class on which a final dividend was never paid before the said day, the Minister may approve a rate exceeding four per cent. as the rate at which payments of dividend are permitted under this section.

(3) Where any such company as aforesaid have, without the approval of the Minister, paid after the twenty-third day of January, nineteen hundred and forty-eight, a dividend in respect of any period prior to the last complete financial year before the said day, all persons who were directors of the company at the time when the resolution of the directors was passed authorising or recommending the payments shall, subject to the provisions of this section, be liable to pay to the appropriate Board an amount equal to the total amounts of the payments:

Provided that this subsection shall not apply to payments of dividend on cumulative preference stock, being payments which are required to be made in priority to the payment of any dividend on ordinary capital and are made out of the net revenue of the company for the said last complete financial year or any subsequent period.

(4) Where, at any time after the twenty-third day of January, nineteen hundred and forty-eight, any such company as aforesaid have, without the approval of the Minister,—

- (a) made any payments to their members for the purpose of reducing the share capital of the company

otherwise than by redemption of any redeemable preference stock;

(b) made any other payments to their members out of capital moneys; or

(c) distributed assets other than money to their members,

all persons who were directors of the company at the time when the resolution of the directors was passed authorising or recommending the payments or distribution shall, subject to the provisions of this section, be liable to pay to the appropriate Board an amount equal to the total amount of the payments or, as the case may be, the total value of the assets distributed:

Provided that this subsection shall not apply to any such payment or distribution to any such member otherwise than in his capacity as a member.

(5) Where, at any time after the said day, any such company as aforesaid have redeemed any securities which the company were not under an obligation to redeem before the vesting date, or made payments in respect of the redemption of any securities which exceed the minimum payments required to satisfy the rights existing on the said day of the holders of the securities, all persons who were directors of the company at the time when the resolution of the directors authorising or recommending the redemption or the payments in respect thereof was passed shall, subject to the provisions of this section, be liable to pay to the appropriate Board—

(a) in the case of securities which the company were not obliged to redeem, the amount (if any) by which the sums paid in respect of the redemption of those securities exceed the compensation which would have been payable under this Part of this Act (but for the redemption) to the holders of those securities; or

(b) in the case of securities which the company were obliged to redeem but for which the payments made exceeded the said minimum payments, an amount equal to the total amount of the excess.

(6) For the purposes of this section—

(a) any payment by a company to its members in their capacity as members out of the net revenue of the company shall be deemed to be a payment of dividend; and

(b) any transaction the effect of which is that assets of a company are transferred to any person otherwise than in the capacity of a member of the company,

PART II  
—cont.

and the consideration for such transfer is given to the members of the company or any class thereof, shall be deemed to be a distribution of those assets to the members of the company or that class thereof.

(7) Any claim under this section by the appropriate Board against the directors of any such company as aforesaid shall be made before the expiration of a period of twelve months beginning with the vesting date, and if so made and not settled by agreement, shall be determined by arbitration under this Act, and, if the arbitration tribunal decide the claim in favour of the appropriate Board, the tribunal shall make such orders against all or any of the said directors in respect of their liability on the claim as the tribunal think just, having regard to all the circumstances.

(8) References in this section to any payments of interest or dividend made or permitted to be made by any company shall be construed as references to the gross amounts of those payments, that is to say, to the amounts thereof before any deduction is made therefrom in respect of income tax, and, if any such payment has been made by a company without deduction of income tax, the amount paid shall be deemed for the purposes of this section to be a net amount paid after deduction of income tax, and the gross amount of that payment for the purposes of this section shall be calculated accordingly:

Provided that, in determining the amount recoverable under this section from the directors of any company in respect of payments of interest or dividend made by that company, there shall be deducted from the amount which would, but for this proviso, be so recoverable a sum equal to the income tax chargeable on that amount at the standard rate for the year in which the payments became due.

(9) This section shall, in relation to any composite company, have effect subject to the following modifications:—

- (a) subsections (1), (3), (4) and (5) shall only apply to payments and distributions made, and redemptions carried out, before the vesting date;
- (b) any liabilities arising under this section shall be liabilities of the company and not of the directors; and
- (c) any such liability shall be reduced by applying thereto the proportion ascertained under paragraph (b) of subsection (1) of section thirty of this Act.

Final payment  
of dividends  
and interest.

34.—(1) As soon as possible after the vesting date, there shall, in the case of any undertaker to whom this Part of this Act applies other than an undertaker to whom section eighteen

of this Act applies, be ascertained and certified by an auditor appointed by the President of the Institute of Chartered Accountants in England and Wales after consultation with the appropriate Board and the stockholders' representative—

PART II.  
—cont.

- (a) the net revenue of the undertaker for the final financial period;
- (b) the total gross amounts paid by the undertaker by way of interest or interim dividend on any securities in respect of the final financial period; and
- (c) the amount (if any) by which the said net revenue exceeds the said total amounts;

and the appropriate Board shall pay to the stockholders' representative the amount referred to in paragraph (c) hereof.

There shall be paid to the auditor out of moneys provided by Parliament such remuneration (whether by way of salary or fees) and such allowances as the Minister may, with the approval of the Treasury, determine, and the amount of the remuneration and allowances shall be repaid to the Minister by the appropriate Board on demand.

(2) The appropriate Board, if they think fit, may, before the auditor's certificate is given, make payments to the stockholders' representative on account.

(3) The stockholders' representative shall apply the sums paid to him under the preceding provisions of this section (so far as they will go) for the following purposes and in the following order of priority:—

- (a) in making interest payments on any debentures or debenture stock of the undertaker, which have accrued up to the vesting date and have not been paid, at the rates permitted under the last preceding section;
- (b) in making such a distribution as is mentioned in the next following subsection to the holders of other securities, if any, of the undertaker; and
- (c) in repaying the balance, if any, to the appropriate Board.

(4) The distribution falling to be made under paragraph (b) of the last preceding subsection shall be a distribution under which the holders of the securities there referred to become entitled to the same gross amounts as they would have become entitled to if—

- (a) the statutory or other provisions relating to the undertaker had permitted payments of interest or dividend in respect of the final financial period;

PART II.  
—cont.

- (b) the undertaker had had available for distribution the sums paid to the stockholders' representative under this section less the amount applied in making the payments mentioned in paragraph (a) of the last preceding subsection; and
- (c) the undertaker had applied the amount so available for distribution, or so much thereof as was required for the purpose, in making payments of interest or dividend for the final financial period, at the rates permitted under the last preceding section, to the holders of the securities in question, in the proper order of priority, and according to their respective rights, due regard being had to any interest or interim dividend already paid in respect of the final financial period and all necessary adjustments being made where the said period is not a period for which interest or dividend would be payable under the statutory or other provisions relating to those securities :

Provided that the amounts to which the holders would have become entitled by way of interest or dividend for the final financial period in the event contemplated by paragraph (c) of this subsection shall be computed as if the amounts deducted in respect of income tax from the payments mentioned in paragraph (a) of the last preceding subsection and from any payments made under paragraph (b) of that subsection in respect of any securities were not available for paying any other interest or dividend.

(5) Where the sums paid to the stockholders' representative under the preceding provisions of this section are insufficient to enable him—

- (a) to make the interest payments referred to in paragraph (a) of subsection (3) of this section at the maximum rates permitted under the last preceding section; and
- (b) to distribute to the holders of the securities referred to in paragraph (b) of that subsection gross amounts equal to payments of interest or dividend on those securities at the maximum rates so permitted,

and the undertaker possessed immediately before the vesting date funds applicable in accordance with the normal practice for the purpose of maintaining payments of interest and equalising rates of dividend, the appropriate Board shall pay to the stockholders' representative an additional amount equal to the total amount of the said funds so possessed or to the total amount of the said deficiency, whichever is the less, and the stockholders' representative shall apply that amount in like manner as the other sums paid to him under this section.



(6) The persons who receive any payment made by a stockholders' representative under the preceding provisions of this section, shall, subject to the provisions of the next following subsection, hold the payment in the same right and on the same trusts and subject to the same powers, privileges, charges and liabilities as those in, on, or subject to which any payment of interest or dividend in respect of the securities in question would have been held by them.

(7) Where any undertaker to whom this Part of this Act applies, other than an ancillary gas undertaker or an undertaker who is not a body corporate, was the holder of, or had any interest in, any securities of an undertaker in respect of whose securities payments are made under this section, the appropriate Board (in relation to the first-mentioned undertaker) shall have the like right to receive and hold, or benefit from, a payment under paragraph (a) or paragraph (b) of subsection (3) of this section as they would have had if they had been the holder of, or had had that interest in, those securities :

Provided that, except where the undertaker by whom the securities or interest therein were or was held is an undertaker to whom section eighteen of this Act applies, the gross amounts of any such payments or of the benefit therefrom shall be included in the net revenue of the undertaker for the final financial period for the purposes of this section.

(8) Where, before the vesting date, there became due from any undertaker to whom this Part of this Act applies, other than an undertaker to whom section eighteen of this Act applies, any payment by way of interest or dividend or any payment by way of a redemption of any security, and, by reason only that it was not possible to discover the person entitled thereto, or that the title to the payment had not been established, or that a cheque or warrant issued for the purpose of effecting the payment had not been encashed, that payment was not made before the vesting date, the liability in respect of that payment shall pass to the appropriate Board.

(9) Where the stockholders' representative is for any reason unable to effect payment of any sum falling to be paid by him under this section, or where a receipt cannot effectively be given for any such sum, the stockholders' representative may pay that sum to the appropriate Board and, on the said sum being so paid, the liability of the stockholders' representative for the payment of that sum shall pass to the appropriate Board.

(10) The following provisions shall have effect in the case of a composite company, that is to say:—

(a) there shall be ascertained and certified as soon as possible after the vesting date by an auditor appointed by the Minister, after consultation with the

PART II.  
—cont.

appropriate Board, the net revenue of the company for the final financial period;

- (b) there shall be ascertained and certified by the said auditor as soon as possible after the vesting date the amount required to enable the company to make payments of interest or dividend in respect of the final financial period on all their securities at the full rates permitted under the last preceding section, assuming that the statutory or other provisions relating to the company permitted payments of interest or dividend in respect of that period and due regard being had to any interest or interim dividend already paid in respect of that period; and
- (c) the said net revenue shall not, except to the extent (if any) to which it exceeds the amount ascertained and certified under paragraph (b) hereof, be subject to apportionment as between the company and the appropriate Board concerned under the provisions of section eighteen of this Act relating to the apportionment of the cash and investments of composite companies.

There shall be paid to the auditor out of moneys provided by Parliament such remuneration (whether by way of salary or fees) and such allowances as the Minister may with the approval of the Treasury determine, and the amount of the remuneration and allowances shall be repaid to the Minister by the appropriate Board on demand.

(11) In this section the expression " final financial period " means such part of the financial year of the undertaker during which the vesting date occurs as precedes that date :

Provided that, where any undertaker has not made the payments of interest or dividends permitted under section thirty-three of this Act in respect of the last complete financial year before the vesting date, or has not made those payments in respect of either that year or the immediately preceding financial year, being a year ending after the first day of January, nineteen hundred and forty-eight, the said expression means that year or, as the case may be, those years together with such part of the financial year during which the vesting date occurs as precedes the vesting date.

Income tax  
provisions.

35.—(1) This section shall be construed as one with the Income Tax Acts.

(2) The gross amounts of any payments made by a stockholders' representative under the last preceding section shall be deemed to be income for all the purposes of the Income Tax

Acts, and the stockholders' representative making the payments shall deduct income tax therefrom at the standard rate for the year in which the payments become due and any amounts so deducted shall, notwithstanding anything in the Income Tax Acts, be paid over to the appropriate Board for their own use and benefit.

(3) If—

- (a) the payments of any interest of money, annuity or other annual payment charged with tax under Schedule D made by an undertaker to whom this Part of this Act applies, other than an undertaker to whom section eighteen of this Act applies, in the year or years of assessment falling wholly or partly within the final financial period as defined by the last preceding section; plus
- (b) any payments made by the stockholders' representative to the holders of securities of the undertaker under the last preceding section being securities bearing interest,

together exceed—

- (i) the total income of the undertaker for the said year or years; plus
- (ii) the total of the assessments made for the said year or years under Rule 21 of the General Rules in respect of payments by the undertaker,

the said Rule 21 shall have effect as if a payment of a gross amount equal to the excess had been made by the appropriate Board, as if that payment were a payment of interest of money charged with tax under Schedule D not payable out of profits or gains brought into charge to tax and as if the appropriate Board had deducted tax at the appropriate rates in making that payment:

Provided that, in calculating whether there is such an excess as aforesaid or the extent thereof, any payment which has been reimbursed to the undertaker by any person or is charged to capital shall be disregarded, but the said Rule 21 shall have the like effect in relation to the whole of any such payment as it has effect, or would have effect, under this subsection in relation to such an excess as aforesaid.

In this subsection, the expression " the appropriate rates " means the rates which were applied in making deductions of income tax from the payments referred to in paragraph (b) of this subsection, the lowest rate being taken first and applied to an amount of the excess equal to the amount to which it was applied as aforesaid, and then so with the next lowest rate, and so on.

PART II.  
—cont.

(4) Any reference in this section or in the last preceding section to the gross amount of any payment shall be construed as a reference to the amount of that payment before any deduction is made therefrom in respect of income tax.

## Re-opening of transactions resulting in dissipation of assets.

36.—(1) This section shall apply in any case where on or after the twenty-third day of January, nineteen hundred and forty-eight, any company, being an undertaker to whom this Part of this Act applies and not being an ancillary gas undertaker, have—

- (a) made any payment to any person without consideration or for an inadequate consideration;
- (b) sold or disposed of any of its property or rights without consideration or for an inadequate consideration;
- (c) acquired any property or rights for an excessive consideration;
- (d) entered into or varied any agreement so as to require an excessive consideration to be paid or given by the company; or
- (e) entered into any other transaction of such an onerous nature as to cause a loss to or impose a liability on the company substantially exceeding any benefit accruing to the company,

and the payment, sale, disposal, acquisition, agreement or variation thereof, or other transaction was not reasonably necessary for the purposes of the company or was made with an unreasonable lack of prudence on the part of the company:

Provided that this section shall not apply—

- (i) to any payment or other transaction to which section thirty-three of this Act applies;
- (ii) to any payment or other transaction made or entered into for any charitable purpose;
- (iii) to any payment or other transaction made or entered into in connection with the determination of any question, dispute or matter falling to be determined under any provision of this Part of this Act or any regulations made thereunder; or
- (iv) to any payment or other transaction which has been approved in writing by the Minister, either generally or specially, and whether before or after the date of the payment or other transaction.

(2) The appropriate Board may, at any time before the expiration of a period of twelve months beginning with the vesting date, make an application to the arbitration tribunal

in respect of any transaction to which in the opinion of the Board this section applies, and all parties to the transaction, and all persons who were directors of the company at the date when the transaction was entered into shall, unless the tribunal otherwise direct, be made parties to the application.

(3) Where the arbitration tribunal are satisfied that the transaction in respect of which an application is made is a transaction to which this section applies, then, unless they are also satisfied that the transaction was in the ordinary course of business and was in no way connected with any provision made by this Act or with any anticipation of the making of any such provision, the tribunal shall determine the extent of the net loss or liability caused to or imposed on the company by the transaction, and shall make such orders against all or any of the parties to the application (other than the appropriate Board) as the tribunal think just, having regard to the extent to which the parties were respectively responsible for the transaction or benefited from it, for the payment by them to the appropriate Board of sums sufficient to enable the net loss or liability, or such part thereof as the tribunal think just, to be made good or met.

(4) Where the appropriate Board have disclaimed an agreement or lease by a notice under this Part of this Act, being an agreement or lease entered into or varied on or after the twenty-third day of January, nineteen hundred and forty-eight, the Board may make an application to the arbitration tribunal under this section in respect of any loss or liability caused to or imposed on the company before the vesting date and, in the case of a lease, any loss or liability caused to or imposed on the Board between the vesting date and the disclaimer of the lease, in consequence of the onerous nature of the agreement or lease.

(5) Where any application is made to the arbitration tribunal under this section in respect of any transaction, or a reference is made to that tribunal with respect to any notice given under this Part of this Act disclaiming an agreement or lease, the tribunal shall have exclusive jurisdiction—

- (a) to determine claims arising in respect of the transaction or under the lease or agreement; and
- (b) if the notice disclaiming any such agreement is confirmed by the tribunal, to determine any claims arising with respect to the agreement under the Law Reform (Frustrated Contracts) Act, 1943.

(6) In the case of a composite company, the company, and not the directors, shall be made parties to applications under this section.

## PART II.

—cont.  
 Recovery of  
 sums trans-  
 ferred from  
 accounts of  
 gas under-  
 taking of a  
 local authority  
 to other  
 accounts.

37.—(1) Where at any time after the tenth day of February, nineteen hundred and forty-eight, a local authority have, without the approval of the Minister of Health, debited any amount in the accounts of the gas undertaking of the authority and credited that amount in any other account of the authority, the local authority shall be liable to pay that amount to the appropriate Board, except in so far as it is properly so debited and credited by way of an adjustment of the accounts of the authority in respect of any transaction carried out or service provided partly for the purposes of the gas undertaking and partly for other purposes.

(2) Any claim under this section by the appropriate Board against the local authority shall be made before the expiration of a period of twelve months beginning with the vesting date, and if so made and not settled by agreement, shall be determined by the Minister of Health.

Provisions as  
 to foreign  
 investments.

38.—(1) It shall not be lawful for any company, being an undertaker to whom this Part of this Act applies and not being an ancillary gas undertaker, to acquire any foreign investments except with the approval of the Minister.

(2) Every such company shall, within such period as may be prescribed, supply to the Minister and the appropriate Board particulars in the prescribed form of all foreign investments of the company, and shall dispose of those investments in such manner and within such period as may be prescribed.

(3) If any such company contravene or fail to comply with the provisions of this section or any regulation made thereunder, all persons who were directors of the company at the time when the contravention or failure occurred shall, subject to the next following subsection, be liable to make good any loss suffered by the appropriate Board in consequence of the contravention or failure.

(4) Any claim under this section by the appropriate Board against the directors of any such company shall be made before the expiration of a period of twelve months beginning with the vesting date and shall be determined by arbitration under this Act, and all persons who were directors of the company at the time when the alleged contravention or failure occurred shall, unless the arbitration tribunal otherwise direct, be made parties to the proceedings, and, if the arbitration tribunal decide the claim in favour of the appropriate Board, the tribunal shall make such orders against all or any of the said directors in respect of their liability under this section as the tribunal think just, having regard to all the circumstances.

(5) In this section the expression "foreign investments" means any assets the transfer of which is governed otherwise than by the law of any part of Great Britain.

PART II.  
—cont.

(6) If it appears to the Minister to be necessary or expedient, for the purpose of securing the disposal of foreign investments of any company under this section, to postpone the vesting date in relation to that company, he may direct that the vesting date for the purposes of this Act shall, in relation to that company, be such date, later than the date which would otherwise be appointed or fixed, as may be specified in the direction.

*Supplemental.*

39.—(1) Regulations may require any person who is or may be an undertaker to whom this Part of this Act applies to produce such books of account, records and documents, to supply copies of and extracts from such books, records and documents, and to furnish such other information as may reasonably be required—

Power to  
obtain  
information.

(a) by the Minister for the purpose of ascertaining whether or not the person is an undertaker to whom this Part of this Act applies or in what category of undertaker he is included;

(b) by any Area Board or by the Gas Council for the purpose of facilitating the taking over of the business of the person by them on the vesting date; or

(c) by the Minister or by any Area Board or by the Gas Council for other purposes arising out of the provisions of this Part of this Act,

and to provide facilities for the examination of any such books, records and documents, and the taking of copies thereof and extracts therefrom, and facilities for the verification of other information furnished under the regulations; and such regulations may make provision as to the manner, time and place in or at which any requirement under the regulations is to be complied with.

(2) Regulations made under this section shall make provision for the payment to any such person of expenses reasonably incurred by him in complying with any requirements made by or under the regulations.

(3) Regulations shall require the Area Board concerned or, as the case may be, the Gas Council to produce such books of account, records and documents as may reasonably be required—

(a) by any person who is a party to any agreement or lease disclaimed by the Board or Council, for the purpose of deciding whether to refer to arbitration under this Act any question arising with respect to that agreement or

PART II.  
—cont.

lease under section twenty-two of this Act, or for the purpose of preparing his case on any such reference ; or

- (b) by any person who is a party to any claim or application by the Board or Council under section thirty-three, section thirty-six or thirty-eight of this Act, for the purpose of preparing his case in connection with that claim or application ;

and to provide facilities for the examination of any such books, records and documents, and the taking of copies thereof and extracts therefrom ; and the regulations may provide, in cases where any material documents remain after the vesting date in the possession of an undertaker to whom section eighteen of this Act applies or come into the possession of any person to whom property which vests by virtue of this Act has subsequently been transferred, for extending the requirements aforesaid to that undertaker or person.

(4) The Area Board in whom property, rights, liabilities and obligations of any undertaker to whom section eighteen of this Act applies vest by virtue of this Act shall make available to the undertaker such facilities for the examination of, and making of extracts from or copies of, books, records and documents relating to the gas undertaking of the undertaker as he may reasonably require for the purposes of any arbitration proceedings under that section or for purposes arising out of the carrying on of the business of the undertaker, and such services of officers of the Board as the undertaker may reasonably require to enable him to make use of those facilities.

Modification  
of enactments  
in relation to  
undertakers  
pending  
transfer.

40.—(1) Notwithstanding anything in section one hundred and forty-nine of the Companies Act, 1948, and the Eighth Schedule to that Act, the accounts to be laid before a company in general meeting may, in the case of an undertaker to whom this Part of this Act but not section eighteen thereof applies, be in the same form as the last accounts of the company so laid before the first day of July, nineteen hundred and forty-eight.

(2) Section one hundred and fifty of the Companies Act, 1948 (which requires that, in the case of a company having subsidiaries at the end of its financial year, group accounts within the meaning of that section shall be laid before the company) shall not apply in the case of an undertaker to whom this Part of this Act but not section eighteen thereof applies; and the group accounts of a holding company, not being an undertaker to whom this Part of this Act applies, need not deal with a subsidiary which is an undertaker to whom this Part of this Act but not section eighteen thereof applies.



(3) The Minister may by order provide for the modification of any local enactment which—

- (a) requires the number of directors of any company, being an undertaker to whom this Part of this Act applies, to be not less than a specified number;
- (b) specifies the number of directors of any such company required to constitute a quorum; or
- (c) requires a director of any such company to hold securities of the company.

PART II.  
—cont.

### PART III.

#### FINANCIAL PROVISIONS.

41.—(1) It shall be the duty of each Area Board so to exercise and perform their functions under this Act as to secure that the revenues of the Board are not less than sufficient to meet their outgoings properly chargeable to revenue account, taking one year with another; and, if and so long as they exercise their powers to manufacture plant, gas fittings or coke fittings, they shall so exercise those powers as to secure that the revenues arising from such exercise are not less than sufficient to meet their outgoings in respect thereof properly chargeable to revenue account, taking one year with another.

Revenues of Area Boards and Gas Council to be sufficient to meet outgoings.

(2) Each Area Board shall, at such times as the Gas Council may direct, furnish to the Gas Council for their information periodical estimates of the Board's revenue and expenditure.

(3) The Gas Council, if and so long as they exercise their powers to manufacture plant, gas fittings or coke fittings, shall so exercise those powers as to secure that the revenues arising from such exercise are not less than sufficient to meet their outgoings in respect thereof properly chargeable to revenue account, taking one year with another.

42.—(1) Each Area Board and the Gas Council may, with the consent of the Minister and with the approval of the Treasury or in accordance with the terms of any general authority issued by the Minister with the approval of the Treasury, borrow temporarily, by way of overdraft or otherwise, such sums as the Board or Council, as the case may be, may require for meeting their obligations or discharging their functions under this Act.

Borrowing powers of Area Boards and Gas Council.

(2) The Gas Council may, with the consent of the Minister and the approval of the Treasury, borrow money by the issue

PART III.  
—cont.

of British Gas Stock, for all or any of the following purposes, that is to say—

- (a) the redemption of any British Gas Stock;
- (b) the provision of money for meeting any expenditure incurred by any Area Board or by the Gas Council in connection with any works the cost of which is properly chargeable to capital account;
- (c) the provision of any working capital required by any Area Board or by the Gas Council;
- (d) the provision of money required for the payment of compensation by Area Boards under this Act, except payments to local authorities in respect of loans and advances;
- (e) any other purpose for which capital moneys are properly applicable by any Area Board or the Gas Council, including the repayment of any money temporarily borrowed under the last preceding subsection for any of the purposes mentioned in this subsection; and
- (f) any other payment which any Area Board or the Gas Council are authorised to make and which ought in the opinion of the Gas Council to be spread over a term of years.

(3) The aggregate of the amounts outstanding in respect of the principal of any stock issued by the Gas Council, otherwise than for the purpose of paying compensation under Part II of this Act whether in stock or in cash, and in respect of any temporary loans raised by the Gas Council or any Area Board, shall not at any time exceed the sum of two hundred and fifty million pounds:

Provided that nothing in this subsection shall prevent the Gas Council from borrowing in excess of the said sum for the purpose of redeeming any British Gas Stock which they are required or entitled to redeem, or of repaying any money temporarily borrowed under subsection (1) of this section.

(4) Save as aforesaid, neither an Area Board nor the Gas Council shall borrow any money.

British Gas  
Stock.

43.—(1) The Gas Council—

- (a) may create and issue any stock required for the purpose of exercising their powers under the last preceding section;

(b) shall create and issue such stock as is required for the purpose of satisfying any right to compensation which, under any provision of this Act, is expressly required to be satisfied by the issue of stock;

PART III.  
—cont.

and the stock so created and issued is in this Act referred to as " British Gas Stock ".

(2) Subject to the provisions of this section and of the Second Schedule to this Act, British Gas Stock shall 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 Minister with the approval of the Treasury, and any such regulations may, in relation to any such stock, apply with or without modifications any provisions of the Local Loans Act, 1875, or of any enactments relating to stock issued by a local authority.

38 & 39 Vict.  
c. 83.

(3) Any British Gas Stock in which no person other than an Area Board or the Gas Council has any beneficial interest shall be cancelled.

(4) If any British Gas Stock has through inadvertence been issued in respect of securities the whole of the beneficial interest in which was vested immediately before the vesting date in an undertaker to whom Part II of this Act applies, not being an undertaker to whom section eighteen of this Act applies, the stock shall be deemed to be held on behalf of the Gas Council.

44.—(1) Each Area Board shall submit to the Gas Council, at such times as the Gas Council may direct, periodical estimates of the sums that they will require to be provided by means of borrowing by the issue of British Gas Stock, and shall furnish therewith such information as the Gas Council may require as to the purposes for which those sums will be required, and the Gas Council shall not proceed to exercise their powers of borrowing for the purpose of defraying expenditure incurred by an Area Board in carrying out reorganization or development unless the Council are satisfied that the reorganization or development will be in accordance with the general programme settled by the Board with the approval of the Minister under Part I of this Act.

Estimates of  
Area Boards'  
requirements  
and allocation  
to them of  
liabilities in  
respect of  
stock.

(2) Where the Gas Council issue British Gas Stock for the purpose of satisfying rights to compensation or borrow money by the issue of British Gas Stock, they shall determine, in accordance with a scheme from time to time settled by the Council with the Minister after giving to each Area Board an opportunity to make representations thereon to him, the

PART III.  
—cont.

shares in which the ultimate responsibility for meeting obligations in respect of that issue of stock is to be borne, and the scheme shall provide—

- (a) for allocating to the Area Boards responsibility in respect of any stock issued for the purpose of satisfying rights to compensation, having regard to the extent to which the assets in respect of which the compensation is payable vest by virtue of this Act in, or are subsequently transferred to, the respective Boards;
  - (b) for allocating to the Gas Council responsibility in respect of stock issued for the provision of money required by the Council for the exercise and performance of their functions, and for allocating to the Area Boards responsibility in respect of all other stock issued for the purposes of borrowing money, having regard to the extent to which the money is borrowed for the purposes of the respective Boards;
  - (c) for allocating to the Area Boards and the Gas Council responsibility in respect of any stock issued for the purpose of redeeming or converting British Gas Stock, in the same proportions as responsibility was allocated in respect of the stock to be redeemed or converted.
- (3) Each Area Board shall, at such times as may be directed by the Gas Council, pay to the Council—

- (a) such sums as may be necessary to enable the Council to make any payments, or to refund to themselves any payments made, in respect of interest on or the redemption of British Gas Stock, including payments into a sinking fund, so far as the payments are attributable to stock for which the Area Board are ultimately responsible under this section; and
- (b) such contributions towards the expenses incurred by the Gas Council in issuing any British Gas Stock and in managing that stock as bear to the total expenses so incurred the same proportion as the amount of the stock in respect of which the Area Board are ultimately responsible under this section bears to the total amount of the stock.

Any sums paid by an Area Board under this subsection to enable the Gas Council to make payments in respect of interest on British Gas Stock shall be deemed to be annual payments, and any sums so paid to enable the Council to make payments in respect of the redemption of such stock shall be deemed to be capital payments.

45.—(1) The principal of and the interest on any British Gas Stock created and issued for the purpose of satisfying any right to compensation which, under any provision of this Act, is expressly required to be satisfied by the issue of stock, shall be guaranteed by the Treasury, and the Treasury may guarantee, in such manner and on such conditions as they think fit, the redemption or repayment of, and the payment of any interest on, any other British Gas Stock or any temporary loan raised by the Gas Council or any Area Board.

PART III.  
—cont.  
Treasury  
guarantees.

(2) Any sums required by the Treasury for fulfilling any such guarantee as is provided for by the last preceding subsection shall be charged on and issued out of the Consolidated Fund of the United Kingdom or the growing produce thereof (hereinafter referred to as "the Consolidated Fund"), and any such sums shall be repaid together with interest thereon at such rate as the Treasury may determine by the Gas Council to the Treasury in such manner and over such period as the Treasury may, after consultation with the Minister, determine.

(3) Immediately after a guarantee is given under this section, the Treasury shall lay a statement of the guarantee before each House of Parliament.

(4) Where any sum is issued out of the Consolidated Fund under this section, the Treasury shall forthwith lay before each House of Parliament a statement that that sum has been issued.

46.—(1) The Gas Council shall establish and maintain a fund, which shall be known as the central guarantee fund, for the following purposes—

Central  
guarantee  
fund.

(a) in the event of any Area Board or the Gas Council being unable temporarily to discharge their obligations in respect of the payment of interest on, or the redemption or repayment of, any British Gas Stock or any temporary loan, or in respect of any payment by way of compensation to a local authority, for enabling those payments to be made out of the fund;

(b) for repaying to the Treasury any payments made by them for the purposes of fulfilling any guarantee given by them under the last preceding section;

and the moneys in the central guarantee fund shall be applied by the Gas Council for those purposes only.

(2) The Area Boards shall in each financial year, and the Gas Council shall in any financial year in which they are

PART III.  
—*cont.*

required to make any payments in respect of British Gas Stock issued for the provision of money for the manufacture of plant, gas fittings or coke fittings by the Council or in respect of any temporary loan raised by the Council for the purpose of such manufacture, contribute to the central guarantee fund such sums as the Gas Council, with the approval of the Minister and the Treasury, from time to time determine, including any sums required to make good payments made out of the fund for the purposes mentioned in the preceding subsection.

Provided that—

- (a) the aggregate of the sums standing to the credit of the central guarantee fund shall not at any time exceed the sum of five million pounds;
  - (b) the aggregate of the sums contributed as aforesaid to the central guarantee fund, excluding any sums required to make good payments made out of the fund for the purposes mentioned in the preceding subsection, shall not in any financial year exceed the sum of one million pounds;
  - (c) if the Minister and the Treasury do not approve any such determination, the Minister may himself with the approval of the Treasury determine the sums to be contributed as aforesaid.
- (3) The Gas Council, for the purpose of correcting from time to time, having regard to changed circumstances, the extent of the contributions made by the various Area Boards and the Gas Council to the central guarantee fund under the last preceding subsection, may, with the approval of the Minister and the Treasury, repay out of the fund to any Area Board or to themselves any part of those contributions previously made by the Board or Council.
- (4) All moneys in the central guarantee fund which are not for the time being required to be applied for the purposes of the fund shall be invested in such securities of the Government of the United Kingdom or such securities guaranteed by the Treasury as may be determined by the Gas Council with the approval of the Minister and the Treasury.
- (5) Any interest arising from the investment of moneys in the fund shall be paid into the fund, except when the sums standing to the credit of the fund have reached the sum of five million pounds, and shall in that case be distributed to the Area Boards and the Gas Council in such shares as may be determined by the Gas Council, having regard to the extent of their respective contributions to the fund.
- (6) Where any Area Board fail to discharge their obligations in respect of any such payments as are referred to in

paragraph (a) of subsection (1) of this section or in respect of contributions which they are required to make to the central guarantee fund, the Gas Council may, with the approval of the Minister, give directions to the Area Board with respect to the management or policy of the Board, including tariffs and other financial matters, during such period as the Minister after consultation with the Gas Council and the Area Board may determine, being a period which extends at least until the said obligations (including any contributions required to be made to the central guarantee fund in respect of the default) have been met, and the Area Board shall give effect to any such directions.

PART III.  
—cont.

47.—(1) Each Area Board and, if and so long as they exercise their powers to manufacture plant, gas fittings or coke fittings, the Gas Council shall establish and maintain a general reserve fund for the purposes of the Area Board or the Gas Council as the case may be.

Reserve funds  
of Area Boards  
and Gas  
Council.

(2) The Area Board or the Gas Council, as the case may be, shall contribute to the said fund to such extent as they may determine, and the management of the said fund and the application of the moneys comprised therein shall be such as they may determine:

Provided that—

- (a) no part of the reserve fund so established by an Area Board shall be applied otherwise than for the purposes of the Board and no part of the reserve fund so established by the Gas Council shall, so long as it is required to be maintained, be applied otherwise than for purposes connected with the manufacture of plant or fittings by them; and
- (b) the power of the Minister to give directions to any Area Board and to the Gas Council shall extend to the giving to them with the approval of the Treasury of directions as to any matter relating to the establishment of a reserve fund by the Board or Council under this section, the management thereof, the carrying of sums to the credit thereof or the application thereof, notwithstanding that the directions may be of a specific character.

(3) The preceding provisions of this section shall be without prejudice to the power of Area Boards and of the Gas Council to make appropriate provision for replacements or other purposes.

48.—(1) The Gas Council may require any Area Board from time to time to contribute such sums as the Council, with the approval of the Minister, may determine, towards meeting the expenses of the Council, other than expenses in

Contributions  
by Area  
Boards to  
Council's  
expenses.

PART III.  
—cont.

respect of the manufacture of plant, gas fittings or coke fittings, and the Area Board shall comply with that requirement.

(2) Any sums contributed by an Area Board under this section towards meeting the expenses of the Gas Council in respect of interest on any British Gas Stock or any temporary loan shall be deemed to be annual payments, and any sums so contributed towards meeting the expenses of the Council in respect of the redemption of any such stock or loan shall be deemed to be capital payments.

Sums which are to be chargeable to revenue account.

49. Each Area Board and the Gas Council shall charge to revenue account in every year all charges which are proper to be made to revenue account, including, in particular, proper allocations to the central guarantee fund and to any reserve fund kept by the Board or Council under section forty-seven of this Act, proper provision for the redemption of capital and proper provision for depreciation of assets or for renewal of assets, and all payments (including the payments which are by the relevant provisions of this Act, or by any other relevant enactment, to be deemed to be capital payments) which fall to be made in that year to any local authority under Part II of this Act in respect of any loan or advance of that local authority, and references in this Act to outgoings properly chargeable to revenue account shall be construed accordingly.

Accounts and audit of Area Boards and Gas Council.

50.—(1) Each Area Board and the Gas Council shall keep proper accounts and other records in relation to the business of that Board or the Council, as the case may be, and shall prepare in respect of each financial year a statement of accounts in such form as the Minister, with the approval of the Treasury, may direct, being a form which shall conform with the best commercial standards.

(2) The form of the said statement shall be such as to secure the provision of separate information as respects each of the main activities of the Board concerned or of the Council, and to show as far as may be the financial and operating results of each such activity.

(3) The accounts of every Area Board and of the Gas Council shall be audited by auditors to be appointed in respect of each financial year by the Minister:

Provided that no person shall be qualified to be so appointed unless he is a member of one or more of the following bodies:—

The Institute of Chartered Accountants in England and Wales;

The Society of Incorporated Accountants and Auditors;



The Society of Accountants in Edinburgh;  
 The Institute of Accountants and Actuaries in Glasgow;  
 The Society of Accountants in Aberdeen;  
 The Association of Certified and Corporate Accountants;  
 The Institute of Chartered Accountants in Ireland.

PART III  
 —cont.

(4) Every Area Board and the Gas Council shall as soon as their accounts have been audited, send a copy of the statement thereof referred to in subsection (1) of this section to the Minister together with a copy of any report made by the auditors on that statement or on those accounts, and copies of those statements and of every such report shall be made available to the public at a reasonable price.

(5) The Minister shall lay a copy of every such statement and report before each House of Parliament.

#### PART IV.

##### MISCELLANEOUS AND GENERAL.

##### *Schemes relating to carbonization activities of National Coal Board and Area Boards.*

51.—(1) The National Coal Board and any Area Board in whose area the National Coal Board are engaged in activities relating to carbonization shall consult together with a view to the submission to the Minister of an agreed scheme or schemes for securing the co-ordination in the national interest of the activities of the two Boards relating to carbonization and any such scheme may provide for co-ordinating arrangements for the marketing of products of those activities, and for any incidental and supplementary matters, including financial arrangements, for which provision appears to the Boards to be necessary or expedient.

**Schemes**  
 relating to  
 carbonization  
 activities of  
 National Coal  
 Board and  
 Area Boards.

(2) If the National Coal Board and any such Area Board fail to reach agreement on a scheme to be submitted to the Minister under the preceding subsection, the Minister may direct the two Boards to submit separate schemes, and he may approve one or other of those separate schemes, with or without modification, or may, after considering the said schemes, himself make a scheme providing for the matters aforesaid.

(3) The Minister may, if and in so far as it appears to him to be necessary or expedient for the purpose of giving effect to any agreed scheme submitted to him under subsection (1) of this section or any scheme approved or made by him under the last preceding subsection, make provision by order for imposing duties or conferring powers on the two Boards or on either of them or for any other matters

**PART IV.**  
—*cont.*

for which provision appears to the Minister to be necessary or expedient for the purpose aforesaid:

Provided that an order made under this subsection shall not provide for the transfer of any property or rights, unless the transfer is agreed to by both Boards.

(4) The two Boards concerned may at any time submit to the Minister an agreed scheme for amending any scheme having effect under this section and, if it appears to the Minister that any scheme having such effect requires amendment and that the two Boards are unable to reach agreement with respect to the amendment thereof, he may direct them to submit separate amending schemes, and he may approve one or other of those separate schemes, with or without modification, or may, after considering the said schemes, himself make an amending scheme; and the last preceding subsection shall apply for the purpose of giving effect to any amending scheme agreed, approved or made under this subsection.

(5) Before giving their agreement to any scheme to be submitted to the Minister under subsection (1) or subsection (4) of this section the Area Board concerned shall consult with the Gas Council.

(6) Where it appears to the Minister with respect to any property used for the purposes of any activity to which a scheme under this section applies, that it is expedient in the national interest that the property should be transferred from one of the Boards concerned to the other and that the agreement of both Boards to that transfer cannot be obtained, he may cause an inquiry to be held into the matter by a competent and impartial person or committee of persons, and after considering the report of that person or committee, which shall be published by the Minister, he may by order provide—

- (a) for the transfer from one Board to the other of the property in question and of such rights, liabilities and obligations acquired or incurred in connection with the use of that property as may be specified in the order or determined thereunder;
- (b) for the payment of compensation by the Board to whom the property is transferred to the other Board;
- (c) for any supplementary or consequential matters for which provision appears to the Minister to be necessary or expedient, including any of the matters for which provision may be made on the transfer by order of property, rights, liabilities and obligations from one Area Board to another.

(7) An order made under this section shall not be made unless a draft thereof has been laid before Parliament and has been approved by resolution of each House of Parliament.

*Provisions as to supply of gas by persons other than  
Area Boards.*

PART IV.  
—cont.

52.—(1) No person shall, after the vesting date, commence to supply gas to any premises which he was not supplying at that date, except with the consent of the Area Board in whose area the premises are situated and in accordance with such conditions as may be attached to that consent.

Provisions as  
to supply of  
gas by persons  
other than  
Area Boards.

(2) Any person, other than an Area Board, who is engaged after the vesting date in the manufacture of gas may by notice require the Area Board in whose area the gas is manufactured to buy all or part of the gas manufactured by him which he does not require for his own use, and the Area Board shall, if and so far as it is reasonably practicable and economical for them to do so, comply with that requirement.

(3) The Area Board in whose area gas is manufactured by any such person as aforesaid may, if it appears to them to be necessary for the proper performance of their duties under paragraph (a) of subsection (1) of section one of this Act, require that person to sell to the Board all or part of the gas manufactured by him which he does not require for his own use, and the said person shall comply with that requirement.

(4) Where the Area Board makes such a requirement as aforesaid, the rights and obligations, if any, of the person upon whom it is made which relate to the supply of gas after the date on which the requirement takes effect shall be transferred to the Area Board, and any agreement relating to such supply shall have effect accordingly :

Provided that the Area Board shall not be under any liability by reason of any failure to provide a supply in pursuance of any such obligation, if the failure is due to any deficiency in the quantity or quality of the gas supplied in pursuance of the said requirement.

(5) Where any requirement is made under subsection (2) or subsection (3) of this section, any pipes or other plant or gas fittings which the person who is to sell gas to the Area Board uses or holds for the purpose of or in connection with the supply of gas manufactured by him and which will, in consequence of the said requirement, no longer be required by him, but not including any pipes, plant or fittings which it is not reasonably practicable and economical for the Area Board to take over, shall, if either the Area Board or the said person so requires, be transferred to the Area Board.

(6) Any question arising under this section as to whether, or as to the extent to which, it is reasonably practicable and economical for an Area Board to buy a supply of gas, or as to the terms and conditions on which the supply is to be given, or as to whether, or as to the extent to which, pipes, plant or gas fittings, are to be transferred to an Area Board, or as to the

PART IV.  
—cont.

terms and conditions on which they are to be transferred, shall be referred for inquiry and report to a person appointed by the Minister after consultation with the Lord Chancellor or, in the case of the Scottish Gas Board, after consultation with the Secretary of State, and shall be determined by the Minister after considering the report of the said person.

(7) For the purposes of this section,—

- (a) a person providing gas for his own use shall not in so doing be deemed to be supplying gas, and gas provided by a company for the use of any subsidiary or holding company of that company, or of any subsidiary of a holding company of that company, shall be deemed to be provided for the use of that company ;
- (b) a person providing, for use in a flat or part of a building let by him, gas supplied to him shall not in so doing be deemed to be supplying gas.

(8) This section shall not affect the supply of gas by any person otherwise than through pipes.

*Gas charges, meters, and other provisions relating to  
gas supply.*

Methods of  
charge and  
tariffs.

53.—(1) Subject to the following provisions of this section, every Area Board shall charge for the gas supplied by them according to the number of therms supplied, such number to be calculated in the prescribed manner on the basis of the declared calorific value of the gas.

(2) Where, immediately before the vesting date, charges for gas supplied from any gasworks belonging to any undertaker to whom Part II of this Act applies were being made by some method other than according to the number of therms supplied, the Area Board may, for a period not exceeding five years from the vesting date, continue to charge for gas supplied from those gasworks by that other method, and the Minister may, if it appears to him that it would be impracticable or uneconomical to require the Area Board to adopt the method of charge specified in the preceding subsection in relation to gas supplied from any such gasworks, authorise the Board to continue to use the said other method of charge after the expiration of the said five years.

(3) Regulations shall—

- (a) make provision as to the time when and the manner in which the calorific value of gas supplied by Area Boards is to be declared and is to be brought to the notice of consumers and as to the time when any such declaration is to take effect ; and

- (b) provide for the adjustment of charges for gas in cases where an alteration in the declared calorific value occurs in the course of a period for which such charges are made :

Provided that any declaration of the calorific value of gas supplied from any gasworks of an undertaker to whom Part II of this Act applies, being a declaration in force immediately before the vesting date, shall continue in force in relation to gas supplied from those gasworks until it is replaced by a declaration made under the said regulations.

- (4) Subject to the following provisions of this subsection, the prices to be charged by an Area Board for the supply of gas by them shall be in accordance with such tariffs as may be fixed from time to time by them, and those tariffs shall be so framed as to show the methods by which and the principles on which the charges are to be made as well as the prices which are to be charged, and shall be published in such manner as in the opinion of the Area Board will secure adequate publicity for them :

Provided that—

- (a) the tariffs in force immediately before the vesting date in respect of gas supplied from any gasworks of an undertaker to whom Part II of this Act applies shall remain in force in respect of gas supplied by an Area Board from those gasworks, until varied or replaced by tariffs fixed in accordance with this section ; and
- (b) nothing in this subsection shall affect any special agreement for the supply of gas in force immediately before the vesting date.
- (5) A tariff fixed by an Area Board under the last preceding subsection may include a standing charge in addition to the charge for the actual gas supplied and may also include a rent or other charge in respect of any gas meter or gas fittings provided by the Board on the premises of the consumer.
- (6) Notwithstanding anything in the preceding provisions of this section, an Area Board may enter into a special agreement with any consumer for the supply of gas to him on such terms as may be specified in the agreement :

Provided that an Area Board shall not enter into such agreements except in cases where the tariffs in force are not appropriate owing to special circumstances.

- (7) An Area Board, in fixing tariffs and making agreements under this section, shall not show undue preference to any person or class of persons and shall not exercise any undue discrimination against any person or class of persons.

PART IV.  
—cont.  
Meter testing  
and stamping.

54.—(1) As from the vesting date, no meter shall be used for the purpose of ascertaining the quantity of gas supplied to any person unless it is stamped by a meter examiner appointed under this section, and no such meter examiner shall stamp a meter unless he is satisfied that it is of such pattern and construction and is marked in such manner as is approved by the Minister and that the meter conforms to such standards as may be prescribed.

(2) The Minister shall appoint competent and impartial persons as meter examiners for the purposes of this section, and it shall be the duty of such an examiner, on being required to do so by any person and on payment of the prescribed fee, to examine any meter used or intended to be used for ascertaining the quantity of gas supplied to any person, and to stamp that meter if the examiner is satisfied of the matters aforesaid, and the meter examiners shall comply with any directions given by the Minister as to the exercise and performance of their functions.

(3) There shall be paid out of moneys provided by Parliament to meter examiners such remuneration (whether by way of salaries or fees) and such allowances as may be determined by the Minister with the approval of the Treasury, and such pensions may be paid out of moneys provided by Parliament to or in respect of any such meter examiner as may be so determined.

(4) All fees payable in respect of the examination of meters by meter examiners shall be paid to the Minister.

(5) Regulations may make provision—

- (a) for re-examining meters already stamped, and for cancelling the stamp on any meters which no longer conform with the prescribed standards;
- (b) for requiring meters to be periodically overhauled;
- (c) for the revocation of any approval given by the Minister to any particular pattern or construction of meter and for requiring existing meters of that pattern or construction to be replaced within such period as may be prescribed;
- (d) for determining the fees to be paid for examining, stamping and re-examining meters, and the persons by whom they are to be paid; and
- (e) for any matters supplementary or incidental to the matters aforesaid and to the provisions of this section for which provision appears to the Minister to be necessary or expedient.

(6) If any person supplies gas through a meter which has not been stamped under this section, he shall be liable on summary conviction to a fine not exceeding one hundred pounds and, if the default in respect of which any person is convicted under this subsection is continued after the conviction, he shall be guilty of a further offence and liable in respect thereof on summary conviction to a fine not exceeding five pounds for each day during which the default is so continued.

(7) Any meter which has before the vesting date been duly stamped under the enactments then in force shall be deemed to have been stamped under this section.

(8) All apparatus and equipment used immediately before the vesting date by the council of any county, borough or burgh or by any justices for the purpose of examining and stamping meters used for ascertaining the quantity of gas supplied, including any apparatus or equipment affixed to a building, shall on the vesting date vest by virtue of this Act in the Minister, and there shall be paid out of moneys provided by Parliament such compensation in respect of that vesting as may be agreed or, in default of agreement, settled by arbitration under this Act.

(9) The Minister shall be entitled to occupy and use, as from the vesting date, any premises used immediately before the vesting date, by any such council or justices wholly or mainly for the purpose aforesaid, for such period, on the payment of such rent and on such other terms and conditions as may be agreed between the Minister and the council or justices, as the case may be, or, in default of agreement, as may be determined by arbitration under this Act to be fair and reasonable in all the circumstances, and, on ceasing to occupy and use any such premises, the Minister shall be entitled to remove any apparatus or equipment vesting in him by virtue of this Act which is affixed to the premises, making good any damage caused by such removal or paying such compensation therefor as may be agreed or determined as aforesaid.

55.—(1) The Minister shall, after consultation with the Gas Council, prescribe standards of pressure, purity and uniformity of calorific value to be complied with by Area Boards in supplying gas, and may, after consultation with the Gas Council, prescribe other standards with respect to the properties, condition and composition of gas supplied by Area Boards, and the regulations may, in the case of such supplies provided for industrial purposes only as may be specified in the regulations and subject to such conditions as may be so

Standards of  
gas quality  
to be  
complied  
with by  
Area Boards.

PART IV.  
—cont.

specified, provide for granting exemption from the obligation to comply with any such standards.

(2) The Minister shall appoint competent and impartial persons to carry out tests of the gas supplied by Area Boards for the purpose of ascertaining whether it is of the declared calorific value and conforms with the standards prescribed under this section, and the persons so appointed shall comply with any directions given by the Minister as to the exercise and performance of their functions.

(3) There shall be paid out of moneys provided by Parliament to the persons so appointed such remuneration (whether by way of salaries or fees) and such allowances as may be determined by the Minister with the approval of the Treasury, and such pensions may be paid out of moneys provided by Parliament to or in respect of any of those persons as may be so determined, and any sums paid by the Minister under this subsection shall be repaid to him by the Gas Council.

(4) Regulations may provide—

- (a) for determining the places at which such tests as aforesaid are to be carried out;
- (b) for requiring premises, apparatus and equipment to be provided and maintained by Area Boards for the purpose of carrying out such tests;
- (c) for persons representing Area Boards to be present during the carrying out of such tests;
- (d) for the manner in which the results of such tests are to be made available to the public;
- (e) for conferring powers of entry on property of Area Boards for the purpose of deciding where tests are to be carried out and otherwise for the purposes of this section;
- (f) for refunding to consumers or otherwise disposing of any excess revenue obtained by an Area Board by reason of their failure to maintain the calorific value declared in respect of any gas supplied by them; and
- (g) for any other matters supplementary or consequential on the matters aforesaid for which provision appears to the Minister to be necessary or expedient.

(5) All moneys standing on the vesting date to the credit of the gas fund established under section seven of the Gas Regulation Act, 1920, shall be paid into the Exchequer.



**56.—(1)** As from the vesting date, the Third Schedule to this Act (which contains a code of provisions relating to gas supply) shall apply to Area Boards:

PART IV.  
—cont  
Application  
of gas supply  
code and  
enactments to  
Area Boards.

Provided that, if it appears to the Minister, as respects any obligation imposed by the said Schedule, that it is not reasonably practicable to require an Area Board to fulfil that obligation in relation to any part of the area of the Board as respects which the obligation was not imposed on the undertaker supplying gas in that part before the vesting date, he may by order provide for relieving the Area Board from that obligation, in relation to that part of their area, for such period not extending beyond five years from the vesting date as may be specified in the order, on such conditions as may be so specified.

(2) All local enactments in force at the vesting date and applicable to any statutory undertakers, except enactments applicable to any Electricity Boards, local authorities or composite companies otherwise than in relation to their gas undertakings, shall as from the vesting date have effect—

(a) as if for references to the undertaker there were substituted references to the Area Board in whom property, rights, liabilities and obligations of the undertaker vest by virtue of this Act;

(b) as if for any references (however worded and whether expressed or implied) to the gas undertaking or any part thereof or to the limits of supply of the undertaker or any part thereof there were substituted a reference to so much of the business carried on by the Area Board as corresponds to that undertaking or part thereof or, as the case may be, a reference to the area comprised in the said limits of supply immediately before the vesting date or part thereof;

and shall also have effect; as from such date as may be prescribed, which may be prior to the making of the regulations but not to the vesting date, with such other adaptations and modifications (if any) as may be prescribed, being adaptations and modifications required in consequence of the provisions of this Act:

Provided that any such local enactment which provides for the regulation of charges made by the undertaker and any other such local enactment which is inconsistent with or rendered redundant by the provisions of this Act shall cease to have effect, as from the vesting date, so, however, that this proviso shall not be taken as affecting any local enactment which contains special provisions for the protection of any person or class of persons and is not rendered redundant by the provisions of this Act.

PART IV.  
—cont.

(3) References in any enactment other than a local enactment to persons carrying on gas undertakings (whatever expression may be used to describe such persons) and to the gas undertakings of such persons shall, as from the vesting date, be construed as references to Area Boards and to the business carried on by those Boards.

(4) For the purpose of securing, so far as is reasonably practicable, a uniform statutory code applicable throughout the area of each Area Board, the Minister may by order provide for the repeal or amendment of any such local enactment as has effect under subsection (2) of this section or for its extension to the whole or a greater part of the area concerned, and for such matters consequential on or incidental to any such repeal, amendment or extension for which the Minister considers it necessary or expedient to provide.

An order under this subsection shall be subject to special parliamentary procedure.

(5) If property and rights used by the British Transport Commission for the purposes of any gas undertaking carried on by them are transferred to an Area Board, the Minister may by order provide for the application to the Board of any local enactment applicable to the Commission, so far as appears to the Minister to be necessary or expedient in consequence of the said transfer.

(6) Where an order made under this Act provides for the transfer of property, rights, liabilities and obligations from one Area Board to another, that order or a subsequent order may provide for the application to the last named Board of any local enactment applicable to the first named Board, so far as appears to the Minister necessary or expedient in consequence of the said transfer.

*Conditions of employment, pension rights and compensation.*

Machinery for settling terms and conditions of employment of staff, etc.

57.—(1) Except so far as they are satisfied that adequate machinery exists for achieving the purposes of this section,—

- (a) it shall be the duty of the Gas Council to seek consultation with any organization appearing to them to be appropriate with a view to the conclusion between the Gas Council and that organization of such agreements as appear to the parties to be desirable with respect to the establishment and maintenance of machinery for the settlement by negotiation of terms and conditions of employment of persons employed by Area Boards and the Gas Council, with

provision for reference to arbitration in default of such settlement in such cases as may be determined by or under the agreements; and

PART IV.  
—*cont.*

- (b) it shall be the duty of each Area Board and of the Gas Council to seek consultation with any organization appearing to them to be appropriate with a view to the conclusion between that Area Board or the Gas Council, as the case may be, and that organization of such agreements as appear to the parties to be desirable with respect to the establishment and maintenance of machinery for the promotion and encouragement of measures affecting the safety, health and welfare of persons employed by the Board or Council and the discussion of other matters of mutual interest to the Board or Council and such persons, including efficiency in the operation of the services of the Board or Council.

(2) It shall be the duty of every Area Board to comply with any agreement made by the Gas Council under paragraph (a) of the preceding subsection.

(3) The Gas Council and every Area Board shall send to the Minister and the Minister of Labour and National Service copies of any agreement made by them under this section and of any instrument varying the terms of any such agreement.

58.—(1) The Minister may make regulations for all or any of the following purposes, that is to say—

Provisions as to pension rights.

- (a) for providing pensions to or in respect of persons who are or have been in the employment of an Area Board, the Gas Council or a Gas Consultative Council, or persons who have been employed by any undertaker to whom Part II of this Act applies or have been employed whole-time for the purpose of administering undertakings or parts of undertakings of such undertakers, but who have not been taken into the employment of an Area Board or the Gas Council as aforesaid;
- (b) for the establishment and administration of pension schemes and pension funds for the purposes of the preceding paragraph, for the continuance, amendment, repeal or revocation of existing pension schemes relating in whole or in part to the like purposes and of enactments relating thereto and of trust deeds, rules or other instruments made for the purposes thereof, for the transfer in whole or in part,

PART IV.  
—cont.

or for the extinguishment, of liabilities under any such existing pension schemes, and for the transfer in whole or in part, or winding up, of pension funds held for the purposes of any such existing pension schemes, so, however, that nothing in this paragraph shall be construed as authorising the diversion of any such funds to purposes other than those of the preceding paragraph;

- (c) for making any provision consequential on any such provision as aforesaid including provision for the dissolution or winding up of bodies, whether incorporated or not, the continued existence whereof is unnecessary having regard to the regulations.

(2) Where provision is made by any such regulations for the amendment, repeal or revocation of any existing pension scheme or of any enactment relating thereto or any trust deed, rules or other instrument made for the purposes thereof, or for the transfer or extinguishment of any liability under any pension scheme or for the transfer or winding up of any pension fund held for the purposes of any such scheme, the regulations shall be so framed as to secure that persons having pension rights under the scheme, whether such persons are mentioned in paragraph (a) of the preceding subsection or not, are not placed in any worse position by reason of the amendment, repeal, revocation, transfer, extinguishment or winding up:

Provided that this subsection shall have effect subject to such limitations as may be prescribed for meeting cases in which, in connection with any provision made by this Act or in anticipation of the making of any such provision, pension rights have been created otherwise than in the ordinary course.

(3) Regulations made under this section shall not be invalid by reason that in fact they do not secure that persons having pension rights are not placed in any worse position by reason of any such amendment, repeal, revocation, transfer, extinguishment or winding up as is mentioned in the last preceding subsection, but if the Minister is satisfied or it is determined as hereinafter mentioned that any such regulations have failed to secure that result, the Minister shall as soon as possible make the necessary amending regulations.

Any dispute arising as to whether or not the said result has been secured by any regulations made under this section shall be referred to a referee or board of referees appointed by the Minister of Labour and National Service, after consultation with the Lord Chancellor or, where the proceedings are to be held in Scotland, after consultation with the Secretary of

State, for his or their determination thereon, and the decision of that referee or board shall be final.

PART IV.  
—cont.

(4) Without prejudice to the generality of the preceding provisions of this section, regulations made under this section may contain provisions authorising any person who, being a participant in any pension scheme to which the regulations relate, becomes a member of an Area Board or the Gas Council, being treated as if his service as a member of the Board or Council were service in the employment of the Board or Council, and the pension rights of any such person resulting from the operation of any such provision shall not be affected by any provision of this Act which requires that the pensions, if any, which are to be paid in the case of members of the Board or Council are to be determined by the Minister with the approval of the Treasury.

(5) Subject to any regulations made under this section, the provisions of this Act under which liabilities and obligations of an undertaker to whom Part II of this Act applies are vested in an Area Board or the Gas Council shall apply in relation to customary obligations of the undertaker in respect of pensions, notwithstanding that the undertaker was under no legal obligation in respect of those pensions, and if any question arises as to the existence or extent of any such customary obligation the question shall, in default of agreement, be referred to a referee or board of referees appointed by the Minister of Labour and National Service, after consultation with the Lord Chancellor, or where the proceedings are to be held in Scotland, after consultation with the Secretary of State, and the decision of that referee or board shall be final and the Area Board or the Gas Council shall give effect to that decision.

(6) Nothing in this section, and in particular nothing in subsection (2) thereof, shall be taken to derogate from the power conferred by subsection (4) of section sixty-nine of the National Insurance Act, 1946, to make regulations providing <sup>9 & 10 Geo. 6.</sup> for the modifying or winding up of pension schemes in connection with the passing of that Act. <sub>c. 67.</sub>

(7) Regulations made under this section may contain such supplementary and consequential provisions as the Minister thinks necessary, including provisions as to the manner in which questions arising under the regulations are to be determined and provisions adapting, modifying or repealing enactments, whether of general or special application.

(8) The original regulations made under this section shall be made within twelve months after the vesting date, and any

**PART IV.**  
—*cont.*

regulations made under this section may be made so as to have effect from a date prior to the making thereof, so, however, that so much of any regulations as provides that any provision thereof is to have effect from a date prior to the making thereof shall not place any person other than an Area Board or the Gas Council in a worse position than he would have been if the regulations had been made to have effect only as from the date of the making thereof.

**Co-partnership  
Schemes.**

**59.**—(1) Where any scheme in force immediately before the vesting date provides for enabling persons employed by any undertaker to whom Part II of this Act applies, other than an undertaker to whom section eighteen of this Act applies, or any class of persons so employed, to participate in the profits of the undertaking, provision shall be made by regulations for continuing the scheme (including any provisions of the scheme relating to welfare or amenities or the management of the scheme) for such period after the vesting date as may be specified in the regulations, with such adaptations and modifications as appear to the Minister to be necessary or expedient.

The regulations made under this subsection shall be made not less than one month before the vesting date but without prejudice to such variation of any of those regulations as may subsequently appear to the Minister to be necessary.

(2) If an Area Board or the Gas Council enter into an agreement with any organization with whom they seek consultation under section fifty-seven of this Act for the making of arrangements by the Board or Council in place of any such scheme as aforesaid, or arrangements for continuing any such scheme with modifications and adaptations, regulations shall make such provision (if any) as may be necessary to give effect to those arrangements and, in particular in the case of arrangements made in place of any such scheme, to enable assets held under the said scheme for the benefit of persons to whom the arrangements are to apply to be transferred and held for the benefit of those persons under the arrangements.

(3) Where any such scheme as aforesaid ceases to have effect, regulations shall make provision for the distribution of any assets held for the purposes of the scheme to the persons beneficially entitled thereto, not being assets transferred and held for the benefit of persons to whom arrangements made under the last preceding subsection apply, and otherwise for winding up the said scheme and for repealing any local enactment relating thereto.

**Compensation  
to officers.**

**60.**—(1) The Minister shall by regulations require every Area Board and the Gas Council to pay, in such cases and

to such extent as may be specified in the regulations, compensation to officers of any undertaker some or all of whose property, rights, liabilities and obligations vest by virtue of this Act in the Board or Council and officers employed whole-time for the purpose of administering undertakings or parts of undertakings of undertakers to whom Part II of this Act applies, being officers who suffer loss of employment or loss or diminution of emoluments or pension rights in consequence of the vesting, or in consequence of the subsequent transfer from one Area Board to another or from the Gas Council to an Area Board or the subsequent disposal in any other manner, of any such property, rights, liabilities or obligations, or in consequence of anything done under the last preceding section.

(2) Regulations shall provide for the payment by the Minister out of moneys provided by Parliament of compensation, in such cases and to such extent as may be specified in the regulations, to any or all of the following persons, that is to say—

- (a) persons employed whole-time as inspectors of meters under section four of the Sale of Gas Act, 1859; 22 & 23 Vict.  
c. 66.
- (b) persons whose whole-time employment is made up of employment as inspectors of meters under the said section four and of other employment by a local authority;
- (c) persons who assist such inspectors as aforesaid and are employed whole-time by a local authority;
- (d) persons employed whole-time as gas examiners under section thirteen of the Gas Undertakings Act, 1934; and
- (e) persons whose whole-time employment is made up of employment as gas examiners as aforesaid and of other employment by a local authority,

being persons who suffer loss of employment or loss or diminution of emoluments or pension rights in consequence of the passing of this Act.

(3) Regulations made under this section shall, in such cases and to such extent as may be specified in the regulations, extend to persons who would have been within this section but for any war service in which they have been engaged.

In this subsection the expression “ war service ” means service in any of His Majesty’s forces and such other employment as may be specified in the regulations.

PART IV.  
—cont.

(4) Different regulations may be made under this section in relation to different classes of persons, and any such regulations may be so framed as to have effect as from a date prior to the making thereof, so, however, that so much of any regulations as provides that any provision thereof is to have effect as from a date earlier than the making thereof shall not place any person other than an Area Board or the Gas Council in a worse position than he would have been in if the regulations had been made to have effect only as from the date of the making thereof.

(5) Regulations made under this section—

- (a) shall prescribe the procedure to be followed in making claims for compensation, and the manner in which and the person by whom the question whether any or what compensation is payable is to be determined; and
- (b) may in particular contain provisions enabling appeals from any determination as to whether any or what compensation is payable to be brought, in such cases and subject to such conditions as may be prescribed by the regulations, before a referee or board of referees appointed by the Minister of Labour and National Service, after consultation with the Lord Chancellor or, where the proceedings are to be held in Scotland, after consultation with the Secretary of State;

and where any such provision is made as is specified in paragraph (b) of this subsection, the decision of the referee or board of referees shall be final.

(6) No regulations shall be made under this section unless a draft thereof has been laid before Parliament and has been approved by resolution of each House of Parliament, and a draft of the first regulations proposed to be made under this section shall be laid before Parliament not later than six months after the vesting date.

Additional provisions as to referees appointed by Minister of Labour.

61.—(1) The Minister of Labour and National Service may, with the approval of the Treasury, pay out of moneys provided by Parliament—

- (a) to any referee or to the members of any board of referees appointed by him under sections fifty-eight and sixty of this Act such fees and allowances as he may with the consent of the Treasury determine; and
- (b) to persons giving evidence before any such referee or board such allowances as he may with the consent of the Treasury determine.



(2) Nothing in the Arbitration Acts, 1889 to 1934, shall be construed as applying to any proceedings before a referee or board of referees appointed under either of the said sections fifty-eight and sixty by the Minister of Labour and National Service.

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—cont.

62.—(1) All property, rights, liabilities and obligations which immediately before the vesting date were property, rights, liabilities and obligations of any of the following bodies, that is to say—

Gas and coke  
associations.

- (a) the British Gas Council;
- (b) the Federation of Gas Employers;
- (c) the National Federation of Gas Coke Associations, and every constituent Association of that Federation; and
- (d) the Association of Gas Corporations,

shall on the vesting date vest by virtue of this Act and without further assurance in the Gas Council.

(2) Subsections (3) to (8) of section seventeen, section twenty-two, section fifty-eight and section sixty of this Act shall, so far as applicable, apply in relation to every such body as aforesaid as if that body were an undertaker to whom Part II of this Act applies, and the said section sixty shall, in its application to any such body, have effect as if for the words "in consequence of the vesting" there were substituted the words "in consequence of the passing of this Act".

### *Gas Arbitration Tribunal.*

63.—(1) For the purpose of determining any question or dispute which by any provision of this Act or any regulations made thereunder is expressly required to be determined by "arbitration under this Act", or any matter in respect of which jurisdiction is given to the arbitration tribunal by any provision of this Act, there shall be established a tribunal called the Gas Arbitration Tribunal (in this Act referred to as "the arbitration tribunal") and the arbitration tribunal shall, subject to the provisions of this section, hear and determine every such question, dispute or matter as aforesaid.

Establishment  
of Gas  
Arbitration  
Tribunal.

(2) The arbitration tribunal shall, as the Lord Chancellor may direct, either sit as a single tribunal or sit in two or more divisions, and shall, for the hearing of any proceedings, be constituted as follows:—

- (a) one member shall be a barrister or solicitor and he shall be the president of the tribunal;

PART IV.  
—*cont.*

- (b) there shall be two other members of whom one shall be a person of experience in business and the other shall be a person of experience in finance:

Provided that, in relation to any proceedings which, under the provisions of this Part of this Act, are to be treated as Scottish proceedings, this subsection shall have effect as if for the words " barrister or solicitor," there were substituted the words " advocate or solicitor who has practised in Scotland ".

(3) The members of the tribunal shall be appointed by the Lord Chancellor, except that any member or members appointed by virtue of the proviso to the last preceding subsection shall be appointed by the Lord President of the Court of Session, and any member appointed by the Lord President shall only act in relation to proceedings which are to be treated as Scottish proceedings.

(4) The members of the arbitration tribunal shall hold office for such period as may be determined at the time of their respective appointments and shall be eligible for reappointment:

Provided that—

- (a) a member may at any time by not less than one month's notice in writing to the Lord Chancellor or the Lord President of the Court of Session, as the case may be, resign his office;
- (b) the Lord Chancellor or the Lord President of the Court of Session, as the case may be, may declare the office of any member vacant on the ground that he is unfit to continue in his office;
- (c) if any member becomes bankrupt or makes a composition with his creditors his office shall thereupon become vacant.

(5) Where any such question, dispute or matter as aforesaid arises out of or in connection with the vesting by virtue of this Act of the property, rights, liabilities and obligations of any body, or in connection with any transaction of any body, and the principal place of business of the body is in Scotland, the proceedings before the tribunal in respect of the question, dispute or matter shall, subject to the provisions of this Part of this Act, be treated as Scottish proceedings.

(6) If any member of the arbitration tribunal becomes, by reason of illness or other infirmity, temporarily incapable of performing the duties of his office, the Lord Chancellor or the Lord President of the Court of Session, as the case may be,

shall appoint some other fit person to discharge his duties for any period not exceeding six months at one time, and the person so appointed shall, during that period, have the same powers as the person in whose place he was appointed.

(7) The arbitration tribunal may, at any stage in any proceedings before them, refer to a person or persons appointed by them for the purpose any question arising in the proceedings for inquiry and report, and the report of any such person or persons may be adopted wholly or partly by the tribunal and, if so adopted, may be incorporated in an order of the tribunal.

64.—(1) The arbitration tribunal shall be a court of record and have an official seal, which shall be judicially noticed, and any order of the tribunal shall be enforceable in England and Wales as if it were an order of the High Court.

Procedure and enforcement of orders of arbitration tribunal.

(2) The provisions of the Arbitration Acts, 1889 to 1934, with respect to—

- (a) the administration of oaths and the taking of affirmations; and
- (b) the correction in awards of mistakes and errors; and
- (c) the summoning, attendance and examination of witnesses and the production of documents; and
- (d) the costs of the reference and award,

shall, with any necessary modifications, apply in respect of any proceedings before the arbitration tribunal, but, save as aforesaid, the said Acts shall not apply to any such proceedings.

(3) The arbitration tribunal may, and if so ordered by the Court of Appeal shall, state in the form of a special case for determination by the Court of Appeal any question of law which may arise before them, and an appeal shall lie to the Court of Appeal on any question of law or fact from any determination or order of the arbitration tribunal on a claim under section thirty-three of this Act against the directors of a company being an undertaker to whom Part II of this Act applies or against a composite company or on an application under section thirty-six of this Act in respect of any transaction.

(4) The Minister shall have a right to be heard in all proceedings before the arbitration tribunal and proceedings on a case stated by or an appeal from that tribunal.

(5) Subject to the provisions of this section, the procedure in or in connection with any proceedings before the arbitration tribunal shall be such as may be determined by rules to

PART IV.  
—cont.

be made by the tribunal with the approval of the Lord Chancellor.

(6) In relation to proceedings which, under the provisions of this Part of this Act, are to be treated as Scottish proceedings, this section shall have effect subject to the following modifications—

(a) for subsections (2) and (3) there shall be substituted the following subsections—

“ (2) The arbitration tribunal shall have the like powers for securing the attendance of witnesses and the production of documents, and with regard to the examination of witnesses on oath and the awarding of expenses as if the arbitration tribunal were an arbiter under a submission.

(3) The arbitration tribunal may, and if so directed by the Court of Session shall, state a case for the opinion of that Court on any question of law arising in the proceedings, and an appeal shall lie to the Court of Session on any question of law or fact from any determination or order of the arbitration tribunal on a claim under section thirty-three of this Act against the directors of a company being an undertaker to whom Part II of this Act applies or against a composite company or on an application under section thirty-six of this Act in respect of any transaction.

An appeal shall lie, with the leave of the Court of Session or of the House of Lords, from any decision of the Court of Session under this subsection, and such leave may be given on such terms as to costs or otherwise as the Court of Session or the House of Lords may determine.”;

(b) in subsection (5) for the reference to the Lord Chancellor there shall be substituted a reference to the Secretary of State,

and, in the case of any such proceedings, the tribunal shall, except in so far as for any special reasons they think fit not to do so, sit in Scotland.

Transfer of proceedings from England to Scotland and Scotland to England.

65.—(1) If, at any stage in any proceedings before the arbitration tribunal which would not otherwise fall to be treated as Scottish proceedings, the tribunal are satisfied that, by reason of the fact that questions of Scottish law arise, or for any other reason, the proceedings ought thereafter to be treated as Scottish proceedings, the tribunal may

order that they shall thereafter be so treated, and the provisions of this Part of this Act shall have effect accordingly.

PART IV.  
—*cont.*

(2) If at any stage in any proceedings before the arbitration tribunal which would otherwise be treated as Scottish proceedings, the tribunal are satisfied that, by reason of the fact that questions of English law arise or for any other reason, the proceedings ought no longer to be treated as Scottish proceedings, they may make an order that the proceedings shall thereafter not be treated as Scottish proceedings, and the provisions of this Part of this Act shall have effect accordingly.

66.—(1) The arbitration tribunal may, subject to the consent of the Treasury as to numbers, appoint such officers as they consider necessary for assisting them in the proper execution of their duties.

Staff and expenses of arbitration tribunal

(2) There shall be paid to the members of the arbitration tribunal and to any such officer as aforesaid such remuneration (whether by way of salaries or fees) and such allowances as the Minister may, with the approval of the Treasury, determine.

(3) There shall be paid to any person to whom proceedings are referred by the arbitration tribunal under the last but two preceding section for inquiry and report such remuneration (whether by way of salaries or fees) and such allowances as the tribunal may, with the approval of the Treasury, determine.

(4) Any such remuneration and allowances as aforesaid and any other expenses of the arbitration tribunal shall be defrayed in the first instance by the Minister out of moneys provided by Parliament, but the amounts from time to time so paid by the Minister shall be repaid on demand to the Minister by the Gas Council.

### *General.*

67.—(1) The Minister may make such regulations as he thinks fit for the purpose of securing that the public is so far as practicable protected from any personal injury, fire, explosion or other dangers arising from the distribution of gas by an Area Board or the use of gas supplied by an Area Board.

Power to make safety regulations.

(2) Any local enactment which is inconsistent with or rendered redundant by any regulations made under this section shall cease to have effect as from the date on which those regulations come into operation.

## PART IV.

—cont.

## Penalties.

68.—(1) If any person, in giving any information, making any claim or giving any notice for the purposes of any provision of this Act or of any regulation thereunder, 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 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 such imprisonment and such fine, or on conviction on indictment to imprisonment for a term not exceeding two years or to a fine not exceeding five hundred pounds, or to both such imprisonment and such fine.

(2) Regulations made under any provision of this Act may provide that persons offending against the regulations shall be liable on summary conviction to a fine not exceeding one hundred pounds and, if the default in respect of which he is so convicted is continued after the conviction, he shall be guilty of a further offence and liable in respect thereof on summary conviction to a fine not exceeding five pounds for each day on which the default is so continued.

## Provisions as to prosecutions and as to offences by corporations.

69.—(1) Proceedings for an offence under the last preceding section or any regulation made under this Act shall not, in England and Wales, be instituted except by or with the consent of the Minister or by the Director of Public Prosecutions.

(2) Where an offence under the last preceding section or any regulation made under this Act has been committed by a body corporate, every person who at the time of the commission of the offence was a director, general manager, secretary or other similar officer of the body corporate, or was purporting to act in any such capacity, shall be deemed to be guilty of that offence unless he proves that the offence was committed without his consent or connivance and that he exercised all such diligence to prevent the commission of the offence as he ought to have exercised having regard to the nature of his functions in that capacity and to all the circumstances.

In this subsection, the expression “director”, in relation to any Area Board or the Gas Council or any other 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 the members thereof, means a member of that Board, Council or body corporate.

## Service of notices, etc.

70. Any notice or other document required or authorised to be given, delivered or served under this Act or regulations

or orders made thereunder or under any enactment applied by or incorporated with this Act may be given, delivered or served either—

- (a) by delivering it to the person to whom it is to be given or delivered or on whom it is to be served; or
- (b) by leaving it at the usual or last known place of abode of that person; or
- (c) by sending it in a prepaid letter addressed to that person at his usual or last known place of abode; or
- (d) in the case of an incorporated company or body, or the arbitration tribunal, by delivering it to the secretary or clerk of the company, body or tribunal at their registered or principal office or sending it in a prepaid letter addressed to the secretary or clerk of the company, body or tribunal at that office; or
- (e) if it is not practicable after reasonable enquiry to ascertain the name or address of a person to whom it should be given or delivered, or on whom it should be served, as being a person having any interest in premises, by addressing it to him by the description of the person having that interest in the premises (naming them) to which it relates, and delivering it to some responsible person on the premises, or affixing it, or a copy of it, to some conspicuous part of the premises.

PART IV.  
—cont.

71.—(1) Any power conferred by this Act to make regulations or orders shall include power to provide by those regulations or orders for the determination of questions of fact or of law which may arise in giving effect to the regulations or orders and for regulating (otherwise than in relation to any court proceedings) any matters relating to the practice and procedure to be followed in connection with the determination of such questions, including provision as to the mode of proof of any matters and provision as to parties and their representation and provision for the right to appear and be heard (as well in court proceedings as otherwise) of the Minister or other authorities, and as to awarding costs of proceedings (other than court proceedings) for the determination of such questions, determining the amount thereof and the enforcement of awards thereof.

Provisions as  
to regulations  
and orders.

(2) Any power conferred by this Act to prescribe by regulations or orders a period within which things are to be done shall include power to provide by those regulations or orders for extending the period so prescribed.

PART IV.  
—cont.

(3) Any power conferred by this Act to make orders or regulations shall be exercisable by statutory instrument which, except in the case of an instrument which is required to be laid before Parliament in draft or is subject to special parliamentary procedure, shall be subject to annulment in pursuance of a resolution of either House of Parliament.

(4) In the case of orders defining or varying the areas for which Area Boards are established under this Act, copies of the maps by reference to which those areas are defined by the orders shall be made available, during the period for which the orders or drafts thereof are laid before Parliament, for inspection by members of each House of Parliament.

(5) Any order made under any such power may be revoked or varied by a subsequent order made in the like manner and subject to the like conditions.

Expenses of  
the Minister.

72. Any administrative expenses incurred by the Minister or any other Minister of the Crown or Government department under this Act shall be paid out of moneys provided by Parliament, and any sums received by the Minister or by any other Minister of the Crown or Government department under or by virtue of this Act shall be paid into the Exchequer.

## Inquiries.

23 & 24 Geo. 5.  
c. 51.

73.—(1) The Minister may cause an inquiry to be held in any case when he deems it advisable to do so in connection with any matter arising under this Act, and subsections (2) to (5) of section two hundred and ninety of the Local Government Act, 1933, shall apply to any inquiry held by the Minister in pursuance of this section, and shall have effect as if the expression "department" included the Minister:

Provided that no local authority shall be ordered to pay costs under subsection (4) of the said section two hundred and ninety in the case of any inquiry unless they are a party thereto.

10 & 11 Geo. 6.  
c. 43.

(2) Subsections (2) to (9) of section three hundred and fifty-five of the Local Government (Scotland) Act, 1947, shall apply to any inquiry held under the preceding subsection in Scotland in lieu of the enactments therein mentioned:

Provided that no local authority shall be directed under subsection (8) of the said section to pay any part of the expenses incurred in relation to any inquiry unless the authority are a party thereto.

## Interpretation.

74.—(1) In this Act, except where the context otherwise requires, the following expressions have the meanings hereby respectively assigned to them, that is to say—

"ancillary gas undertaker" has the meaning assigned to it by section fifteen of this Act;



“ appropriate Board ”, except as is otherwise expressly provided, means—

(a) in relation to any gas holding company, the Gas Council; and

(b) in relation to any other undertaker to whom Part II of this Act applies, the Area Board in whom property, rights, liabilities and obligations of the undertaker vest by virtue of this Act;

“ arbitration tribunal ” means the tribunal established under section sixty-three of this Act;

“ Area Board ” has the meaning assigned to it by section one of this Act;

“ calorific value ” means the number of British thermal units (gross) produced by the combustion of one cubic foot of gas measured at sixty degrees Fahrenheit under a pressure of thirty inches of mercury and, except as may be otherwise directed by the Minister in relation to gas supplied from any gasworks or group of gasworks specified in the direction, saturated with water vapour;

“ coke fittings ” means apparatus and appliances designed for use by consumers of coke for heating, motive power, gas production or other purposes for which coke can be used;

“ company ” means a company incorporated by any enactment and a company within the meaning of the Companies Act, 1948;

“ composite company ” has the meaning assigned to it by section eighteen of this Act as modified by the proviso to subsection (1) of that section;

“ Electricity Board ” has the same meaning as in the Electricity Act, 1947;

“ emoluments ” includes any allowances, privileges or benefits, whether obtaining legally or by customary practice;

“ employed ” means employed as an officer and “ employment ” shall be construed accordingly;

“ enactment ” means any provision of a public general Act, of a local, private or personal Act, of a provisional order confirmed by an Act or of any regulation or order made under an Act;

“ final dividend ” includes any dividend paid by an undertaker to whom Part II of this Act applies in respect of any such part of a financial year as ends with the financial year;

## PART IV.

—cont.

“ financial year ”—

(a) in relation to any Area Board and the Gas Council, means a period of twelve months ending with a day to be prescribed, so however that the first financial year shall be the period beginning with the passing of this Act and ending with the first occurrence after the vesting date of the prescribed day, and, in the case of any alteration of the prescribed day, the duration of the financial year as to which the alteration is first to have effect shall be shortened or extended as may be prescribed, by not more than six months, so as to end on the new prescribed day; and

(b) in relation to any undertaker to whom Part II of this Act applies, means the period for which the accounts of the undertaker are made up for the purpose (in the case of a company) of being laid before the company in general meeting:

Provided that, in relation to any such undertaker whose accounts are normally made up twice a year, the said expression means any period consisting of two consecutive periods for which the accounts of the undertaker are made up and ending with a date falling within the period of six months immediately preceding the twenty-third day of January, and, in relation to any such financial year, the annual rate of dividend shall be deemed to be the sum of the rates paid on the two periods making up that year;

“ functions ” means duties and powers;

“ gas fittings ” means gas pipes, fittings, meters, apparatus and appliances designed for use by consumers of gas for lighting, heating, motive power and other purposes for which gas can be used;

“ gas holding company ” has the meaning assigned to it by section fifteen of this Act;

“ gas undertaking ” means an undertaking for the supply of gas in Great Britain, but the business of operating a coke-oven plant shall not be deemed to be a gas undertaking;

“ gasworks ” means works for the manufacture of gas and gas holders and any works used in connection with such works or holders;

- “ holding company ” shall be construed in accordance with the definition contained in the Companies Act, 1948;
- “ interim dividend ” includes any dividend paid by an undertaker to whom Part II of this Act applies in respect of any such part of a financial year as ends before the end of the financial year;
- “ lease ” includes an agreement for a lease and any tenancy agreement;
- “ loan ” in relation to a local authority means a loan raised by the issue of securities or by a mortgage created under Part IX of the Local Government Act, 1933, or any similar enactment, and a loan advanced by the Public Works Loan Commissioners on the security of a mortgage;
- “ local authority ” means the council of a county borough, county district or metropolitan borough, and the common council of the City of London, and includes, in section nine and section seventy-three of this Act, the council of a county, and also includes in any other provision of this Act except the said section nine any joint board of local authorities having functions as statutory undertakers and also other functions;
- “ local enactment ” means any enactment except a provision of a public general Act and also includes any provision of the Metropolis Gas Act, 1860, and the Metropolis Gas Act, 1861; 23 & 24 Vict.  
c. 125.
- “ metallurgical coke ” means coke produced in coke ovens and of a quality primarily and customarily used for the smelting, melting, or refining of ores or metals; 24 & 25 Vict.  
c. 79.
- “ Minister ” means the Minister of Fuel and Power;
- “ net revenue,” in relation to any undertaker, means the revenue of that undertaker, after deducting therefrom all charges which are proper to be made to revenue account, including, in particular, proper provision for the redemption of capital and proper provision for depreciation of assets or for renewal of assets, but not including provision for interest on debentures and debenture stock;
- “ non-statutory undertaker ” has the meaning assigned to it by section fifteen of this Act;
- “ officer ” includes a managing director and a director whose functions are substantially those of an employee but not any other director, and also includes a servant;

PART IV.  
—cont.

- “ pension,” in relation to any person, means a pension whether contributory or not, of any kind whatsoever payable to or in respect of him, and includes a gratuity so payable and a return of contributions to a pension fund with or without interest thereon or any other addition thereto;
- “ pension fund ” means a fund established for the purposes of paying pensions;
- “ pension rights ” includes, in relation to any person, all forms of right to or eligibility for the present or future payment of a pension to or in respect of that person, and any expectation of the accruer of a pension to or in respect of that person under any customary practice and includes a right of allocation in respect of the present or future payment of a pension;
- “ pension scheme ” includes any form of arrangements for the payment of pensions, whether subsisting by virtue of an Act, trust, contract or otherwise;
- “ plant ” includes any equipment, apparatus and appliances, except gas fittings and coke fittings;
- “ preference stock ” means any stock or shares in respect of which rates of preferential dividend are fixed but which give no other rights to participate in the profits;
- “ prescribed ” means prescribed by regulations;
- “ private company ” has the same meaning as in the Companies Act, 1948;
- “ regulations ” means regulations made by the Minister;
- “ securities ”, in relation to a body corporate, means any shares, stock, debentures and debenture stock of the body corporate, and also includes any mortgages of the body which were quoted in the Stock Exchange Official Daily List (within the meaning of section twenty-five of this Act) on all six of the dates in the year nineteen hundred and forty-seven mentioned in subsection (2) of that section; and “ holder of securities ”, in relation to any undertaker to whom Part II of this Act applies, means, except in the provisions relating to the appointment of the stockholders’ representative, a person who immediately before the vesting date was the holder of securities of that undertaker, or his successor in title;
- “ statutory undertaker ” shall be construed in accordance with section fifteen of this Act;

“ subsidiary ” shall be construed in accordance with the definition contained in the Companies Act, 1948;

PART IV.  
—cont.

“ therm ” means one hundred thousand British thermal units;

“ vesting date ”, subject to any special provision made by or under this Act in relation to a particular undertaker, shall be construed in accordance with subsection (1) of section seventeen of this Act.

(2) References in this Act to any other enactment shall be construed as references to that enactment as amended by any other enactment including this Act.

75.—(1) The provisions of this section shall have effect for the purpose of the application of this Act to Scotland. Application to Scotland.

(2) For any reference to the Minister of Health there shall be substituted a reference to the Secretary of State, for any reference to the Acquisition of Land (Authorisation Procedure) Act, 1946, there shall be substituted a reference to the Acquisition of Land (Authorisation Procedure) (Scotland) Act, 1947, and for any reference to Part IX of the Local Government Act, 1933, there shall be substituted a reference to Part XII of the Local Government (Scotland) Act, 1947. 10 & 11 Geo. 6. c. 42.

(3) The expression “ easement ” means servitude; the expression “ mortgage ” includes a heritable security; the expression “ local authority ” means a county or town council; the expression “ disclaim ” includes abandon, and the expression “ disclaimer ” shall be construed accordingly.

(4) Any reference to a Bill in Parliament shall include a reference to an order under the Private Legislation Procedure (Scotland) Act, 1936. 26 Geo. 5. & 1 Edw. 8. c. 52.

(5) Regulations under subsection (7) of section seventeen of this Act may include provision for the completion of the title of any Area Board and of the Gas Council to heritable property in Scotland vesting in them by virtue of this Act by the execution and recording in the General Register of Sasines of conveyances or instruments relating to such property.

(6) Sections twenty-two and thirty-six of this Act shall have effect as if for any reference to the Law Reform (Frustrated Contracts) Act, 1943, there were substituted a reference to the common law of Scotland with regard to the frustration of contracts.

PART IV.  
—cont.

(7) Any order of the arbitration tribunal may be recorded for execution in the books of Council and Session and shall be enforceable accordingly.

17 & 18 Vict.  
c. 91.

(8) It shall be the duty of the Assessor of Public Undertakings (Scotland) to ascertain and fix the value of all lands and heritages in Scotland belonging to or leased by any Area Board or the Gas Council (other than dwelling-houses or lands and heritages which are let by any such Board or the Gas Council, or are not used or adapted for use for the purposes of their functions), and for that purpose the provisions of the Lands Valuation (Scotland) Act, 1854, and the Acts amending it shall apply in like manner as that Act as so amended applies in relation to the valuation of the lands and heritages belonging to any company or body which it is the duty of the Assessor to value.

Repeal of  
enactments.

10 & 11 Vict.  
c. 15.  
34 & 35 Vict.  
c. 41.

76. As from the vesting date, the enactments mentioned in the Fourth Schedule to this Act are hereby repealed to the extent specified in the third column of that Schedule, and, where any local enactment incorporates (with or without adaptations or modifications) any provisions of the Gasworks Clauses Act, 1847, or the Gasworks Clauses Act, 1871, or contains any provisions substantially corresponding therewith, those provisions shall cease to have effect:

Provided that the repeal of any provision under which any special order or other order was made, being an order which would be applicable to an Area Board by virtue of subsection (2) of section fifty-six of this Act shall not affect that order.

Short title  
and extent.

77.—(1) This Act may be cited as the Gas Act, 1948.  
(2) This Act shall not extend to Northern Ireland.

## SCHEDULES.

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### FIRST SCHEDULE.

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#### AREA GAS BOARDS.

Section 1.

<i>Name of Area Board.</i>	<i>Description of area.</i>
Scottish Gas Board...	Scotland.
Northern Gas Board...	Durham, Northumberland and parts of Cumberland, Westmorland and the North Riding of Yorkshire.
North-Western Gas Board.	Lancashire and parts of Cheshire, Cumberland, Derbyshire, Shropshire, Westmorland and the West Riding of Yorkshire.
North-Eastern Gas Board.	The East Riding of Yorkshire and parts of the North and West Ridings of Yorkshire (including York).
East Midlands Gas Board.	Lincolnshire, Nottinghamshire, Rutland and parts of Bedfordshire, Buckinghamshire, Derbyshire, Leicestershire, Northamptonshire, Staffordshire and the West Riding of Yorkshire.
West Midlands Gas Board.	Parts of Cheshire, Herefordshire, Leicestershire, Shropshire, Staffordshire, Warwickshire (including Birmingham) and Worcestershire.
Wales Gas Board ...	Wales and Monmouthshire.
Eastern Gas Board ...	Cambridgeshire, Huntingdonshire, the Isle of Ely, Norfolk, the Soke of Peterborough, Suffolk and parts of Bedfordshire, Buckinghamshire, Essex, Hertfordshire and Middlesex.
North Thames Gas Board.	Parts of the administrative County of London and of Berkshire, Buckinghamshire, Essex, Hertfordshire, Middlesex and Surrey.
South Eastern Gas Board.	Kent, and parts of the administrative County of London and of Middlesex, Surrey and Sussex.
Southern Gas Board...	Dorsetshire, Hampshire, the Isle of Wight and parts of Bedfordshire, Berkshire, Buckinghamshire, Devonshire, Hertfordshire, Northamptonshire, Oxfordshire, Somersetshire, Surrey, Sussex and Wiltshire.
South Western Gas Board.	Cornwall (including the Isles of Scilly), Gloucestershire and parts of Berkshire, Devonshire, Herefordshire, Oxfordshire, Somersetshire, Warwickshire, Wiltshire and Worcestershire.

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## SECOND SCHEDULE.

Sections 25 &amp; 43.

ISSUE OF BRITISH GAS STOCK IN SATISFACTION OF  
COMPENSATION.

## PART I.

*Provisions applicable to securities with values determined  
before the vesting date.*

1. This part of this Schedule shall apply to securities in respect of which compensation is payable under Part II of this Act and the values of which are declared by order of the Minister to have been determined under the said Part II before the vesting date.
2. The holders of any securities to which this Part of this Schedule applies shall, by virtue of this Act, become instead on the vesting date the holders of the respective amounts of British Gas Stock to which they are entitled, and all securities to which this Part of this Schedule applies shall, by virtue of this Act, be extinguished on the vesting date.
3. The interest on the said stock shall begin to accrue as from the vesting date.
4. The regulations to be made under Part III of this Act by the Minister with the approval of the Treasury for prescribing the terms on which and the provisions in accordance with which British Gas Stock is to be issued, transferred, dealt with and redeemed, shall include provisions whereby any stock or share certificate or other document of title in force immediately before the vesting date in relation to any securities to which this Part of this Schedule applies shall be treated as applicable to any British Gas Stock created and issued by way of compensation in respect of those securities until the corresponding document is issued with respect to that stock.
5. Where the holder of any securities becomes, under this Part of this Schedule, instead the holder of British Gas Stock, he shall hold that stock in the same right and on the same trusts and subject to the same powers, privileges, charges, restraints and liabilities as those in, on or subject to which he held those securities, and any provision of any deed, will, disposition or other instrument, and any statutory provision as to what is to be done by the holder of the securities or the redemption moneys thereof, shall, with any necessary modifications, have effect in relation to the said stock or the redemption moneys thereof as it would have had effect in relation to the securities or the redemption moneys thereof if they had not been extinguished:

Provided that—

- (a) any beneficial interest of any undertaker to whom Part II of this Act applies, other than a composite company or an ancillary gas undertaker or an undertaker who is not a body corporate, in any of the said securities shall be treated as having passed to the appropriate Board and the preceding provisions of this paragraph shall have effect accordingly;



(b) nothing in this paragraph shall limit the powers of the Minister under Part III of this Act as respects the making, with the approval of the Treasury, of regulations in relation to British Gas Stock.

2ND SCH.  
—cont.

6. Nothing in this Part of this Schedule affects the making of any payment or distribution by a stockholders' representative, in accordance with the provisions of Part II of this Act relating to the final payment of dividends and interest, to the holders of securities of any undertaker to whom the said Part II applies.

## PART II.

### *Provisions applicable to other securities.*

1.—(1) The provisions of this Part of this Schedule shall apply to such of the securities in respect of which compensation is payable under Part II of this Act as are not securities to which Part I of this Schedule applies.

(2) In this Part of this Schedule, the expression " the conversion date " means, in relation to any securities, such date as may be specified in relation thereto by order of the Minister, being a date as soon as conveniently may be after the compensation payable in respect of those securities has been determined.

2. During the period beginning with the vesting date and ending immediately before the conversion date, the securities to which this Part of this Schedule applies shall, notwithstanding the dissolution of the bodies by whom the securities were issued, continue to exist and may be transferred, and the Gas Council shall keep the registers or other records of the holders of those securities, but the only rights which shall attach to those securities shall be—

(a) the right to have instead British Gas Stock which attaches to the securities by virtue of the next following paragraph; and

(b) the right to the payment of interest which attaches to the securities under paragraph 5 of this Part of this Schedule;

and all other rights attaching to the securities shall, by virtue of this Act, be extinguished on the vesting date.

3. The holders of any securities to which this Part of this Schedule applies shall, by virtue of this Act, become instead on the conversion date the holders of the respective amounts of British Gas Stock to which they are entitled, and all securities to which this Part of this Schedule applies shall, by virtue of this Act, be extinguished on the conversion date.

4. Interest on the said stock shall begin to accrue as from the vesting date.

5.—(1) The Gas Council shall, on such dates as the Minister may direct, make to the persons who are, at such times as may be specified in the direction, holders of any securities to which this Part of this Schedule applies, payments of interest not exceeding the amount which, in the opinion of the Gas Council, will be found to have accrued on the British Gas Stock ultimately issued under paragraph 3 of this Part of this Schedule in satisfaction of compensation payable in respect of those securities.

2ND SCH.  
—cont.

(2) If the amounts paid by the Gas Council under this paragraph in respect of any securities are equal to or greater than the amount of interest which is found to have accrued, for the period beginning with the vesting date and ending immediately before the conversion date, on the British Gas Stock created and issued as aforesaid in satisfaction of compensation payable in respect of those securities, the interest so found to have accrued shall be treated as discharged.

(3) If the amount paid as aforesaid in respect of any securities is less than the amount found to have accrued as aforesaid on the British Gas Stock created and issued as aforesaid in satisfaction of compensation payable in respect of those securities, the amount so found to have accrued shall be treated as discharged to the extent of the amount so paid and the balance shall be added to and treated as part of the interest (being interest accruing on and after the conversion date), which first falls to be paid after the conversion date on that stock.

(4) Any amount payable under sub-paragraph (1) of this paragraph which has not been paid by reason that it has not been possible to discover the person entitled thereto or that the title thereto has not been established or that a cheque or warrant issued for the purpose of making payment thereof has not been encashed shall, for the purposes of sub-paragraphs (2) and (3) of this paragraph (but not for any other purposes) be treated as paid.

6. Paragraphs 4, 5 and 6 of Part I of this Schedule shall apply for the purpose of this Part of this Schedule as if—

- (a) any reference therein to that Part of this Schedule were a reference to this Part of this Schedule; and
- (b) the reference in the said paragraph 4 to the vesting date were a reference to the conversion date.

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### THIRD SCHEDULE.

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Section 56.

#### CODE OF PROVISIONS RELATING TO GAS SUPPLY.

##### *Laying of pipes.*

Power to break  
up streets.

1.—(1) An Area Board, under such superintendence as is herein after specified, may, within their area or for the purpose of supplying gas outside their area to any person whom they are entitled to supply, or of receiving outside their area a supply of gas in bulk from any person, open and break up any street or bridge, and open and break up any sewers, drains or tunnels within or under any such street or bridge, and place pipes, conduits, service pipes, pressure governors and other works, and from time to time repair, alter or remove them and also make any sewers that may be necessary for carrying off the washings and waste liquids which may arise in the manufacture of gas, and for the purposes aforesaid may remove or use all earth and materials in or under any such street or bridge, and may in any such street erect any pillars, lamps and other works, and do all other acts which the Area Board from time to time think necessary for supplying

gas in their area or for supplying or receiving gas outside their area as aforesaid, doing as little damage as may be in the exercise of the powers hereby conferred and making compensation for any damage done in the exercise of those powers.

(2) For the purposes of this paragraph, where any street forms or abuts on the boundary of the area of an Area Board, the whole of the street shall be deemed to be within that area.

(3) Nothing in this paragraph shall empower an Area Board to lay down or place any pipe or other works into, through or against any building or in any land not dedicated to the public use, without the consent of the owners and occupiers thereof:

Provided that—

(a) an Area Board may, for the purpose of giving a supply of gas to any premises in their area which abut on a street laid out but not dedicated to the public use, exercise in relation to that street the powers conferred by the preceding subparagraphs, and for the purposes of the following provisions of this Schedule, the authority who would, if the street had been so dedicated, have been the highway authority in relation thereto shall be deemed to be (in addition to any other person) the person having the control or management of the street;

(b) an Area Board may, after giving notice in writing to the owners and occupiers of the land or building not less than seven clear days before the entry, enter upon any land (not being a street to which proviso (a) to this subparagraph applies) or building for the purpose of placing a new pipe in the place of an existing pipe which has already been lawfully placed or of repairing or altering any pipe lawfully placed, so, however, that entry may be made without such notice in cases of emergency arising from defects in any pipes, but notice shall then be given as soon as possible after the occurrence of the emergency.

2. Before an Area Board proceed to open or break up any street, bridge, sewer, drain or tunnel, they shall give to the person under whose control or management it may be, or to his clerk, surveyor or other officer, notice in writing of the Board's intention, not less than seven clear days before beginning the work, except in cases of emergency arising from defects in any pipes or other works, and then as soon as possible after the occurrence of the emergency.

Notice to person having control of street.

3. No street, bridge, sewer, drain or tunnel shall, except in the cases of emergency aforesaid, be opened or broken up except under the superintendence of the person having the control or management thereof or of his officer, and according to such plan as may be approved of by that person or his officer, or in the case of any difference arising with respect to the plan, then according to such plan as may be determined by arbitration; and the arbitrator may, on the application of the person having the control or management of any such sewer or drain or his officer, require an Area Board to

Superintendence of work.

3RD SCH.  
—cont.

execute such temporary or other works as the arbitrator considers necessary for preventing any interruption of the drainage during the execution of any works which interfere with any such sewer or drain:

Provided that, if the person having such control or management as aforesaid, or his officer, fails to attend at the time fixed for the opening or breaking up of any such street, bridge, sewer, drain or tunnel after having had notice of the Area Board's intention as aforesaid, or fails to approve or propose any plan for the opening or breaking up thereof, or refuses or neglects to superintend the carrying out of the work, the Area Board may carry out the work specified in the notice without the superintendence of the said person or his officer.

Protection for  
British  
Transport  
Commission  
and other  
railway and  
navigation  
authorities.

4.—(1) Except in cases of emergency arising from defects in any pipes or other works, a street or bridge which is under the control or management of, or maintainable by, the British Transport Commission or any other railway or navigation authority shall not be opened or broken up without the consent of the Commission or authority, but that consent shall not be unreasonably withheld, and any question whether or not consent is unreasonably withheld shall be determined by arbitration.

(2) Where an Area Board propose to open or break up any street which forms a level crossing, or crosses over or under any works of the British Transport Commission or other railway or navigation authority, and which is not under the control or management of the Commission or authority, the Board shall give to the Commission or authority the like notice as they are required by the last but one preceding paragraph to give to the person having the control or management of the street and, if and in so far as the proposed work is likely to affect the structure of any bridge or other works belonging to the Commission or authority, shall carry out the work to the reasonable satisfaction of the engineer or other authorised officer of the Commission or authority in accordance with plans approved by him; and any question arising under this subparagraph between the Area Board and the British Transport Commission or other railway or navigation authority shall be determined by arbitration.

Reinstatement.

5. When an Area Board open or break up any street, bridge, sewer, drain or tunnel, they shall with all convenient speed complete the work, fill in the ground, and reinstate or make good the street, bridge, sewer, drain or tunnel, and carry away the rubbish occasioned thereby, and shall at all times, while any street or bridge is so opened or broken up, cause it to be fenced or guarded, and cause a light sufficient for the warning of passengers to be set up and maintained at night against or near the street or bridge, and keep the street or bridge in good repair for three months after making it good, and for such further time, if any, not being more than twelve months altogether, as the soil broken up continues to subside.

Penalty for  
default.

6.—(1) If an Area Board open or break up any street, bridge, sewer, drain or tunnel without giving such notice as aforesaid, or otherwise than under such superintendence as aforesaid and in accordance with a plan approved or determined as aforesaid, except

3RD SCH.  
—cont.

in cases in which an Area Board are authorised to perform any such work without any superintendence or notice, or if an Area Board fail to comply with any other requirement imposed by or under paragraph 3, paragraph 4 or paragraph 5 of this Schedule in connection with the opening or breaking up of any street, bridge, sewer, drain or tunnel, they shall be liable, on summary conviction, to a fine not exceeding five pounds for every such default, together with an additional sum of five pounds for each day during which the default continues after the Board have received notice thereof.

(2) If any such default of an Area Board consists in delaying or omitting to carry out any work, the person having the control or management of the street, bridge, sewer, drain or tunnel in respect of which the delay or omission occurs, may cause the work to be carried out, and any expenses incurred in so doing may be recovered from the Area Board.

7. An Area Board may within their area place, repair, alter or remove pipes, conduits and other works for the purpose of procuring, conducting or disposing of any oil or other materials used by them in, or resulting from, the manufacture of gas or any products of or derived from such manufacture, and for any other purpose connected with the exercise and performance of the functions of the Board, and the preceding provisions of this Schedule shall apply, with the necessary modifications, to the placing, repairing, alteration and removal of pipes, conduits and works for those purposes:

Power to lay  
pipes for  
ancillary  
purposes.

Provided that no pipe, conduit or work shall be placed in any street under this paragraph without the consent of the persons having the control or management of the street or being responsible for the repair thereof, but such consent shall not be unreasonably withheld and any question as to whether such consent is unreasonably withheld shall be determined by arbitration.

#### *Obligation to supply gas.*

8.—(1) An Area Board shall, upon being required to do so by the owner or occupier of any premises situated within the Board's area of supply and within twenty-five yards from any main of the Board through which the Board are for the time being distributing gas, give and continue to give a supply of gas to those premises, and shall furnish and lay any pipe that may be necessary for that purpose, subject to the conditions specified in the following provisions of this paragraph:

Right to  
demand supply.

Provided that this provision shall not apply in relation to any main used only for the purpose of giving a separate supply of gas for industrial purposes or of conveying gas in bulk.

(2) The cost of providing and laying so much of any pipe for the supply of gas to any owner or occupier as may be laid upon the property of the owner or in possession of the occupier, not being property dedicated to public use, and of so much of any such pipe as may be laid for a greater distance than thirty feet from any pipe of the Area Board, although not on such property, shall be defrayed by the owner or occupier.

3RD SCH.  
—cont.

(3) The Area Board shall carry out any necessary work of maintenance, repair or renewal of any such pipe which is provided and laid at the cost of the owner or occupier of any premises, and may recover the expenses reasonably incurred by them in so doing from the owner or occupier of the premises.

(4) Nothing in the two last preceding subparagraphs shall be taken as affecting any rights or obligations as between the owner and occupier of the premises in relation to any such pipe as aforesaid.

(5) Every owner or occupier of premises requiring under this paragraph a supply of gas shall—

- (a) serve a notice on the Area Board specifying the premises in respect of which the supply is required, and the day (not being earlier than a reasonable time after the service of the notice) upon which the supply is required to commence, and undertaking to pay the charges in respect of gas and meter rent as they become due; and
- (b) give to the Area Board (if required by them to do so) security for the payment to them of all money which may become due to them from such owner or occupier in respect of any pipe to be provided by the Board and in respect of gas to be supplied by the Board.

(6) Where an Area Board have given a supply of gas for any premises and the owner or occupier has not given such security as aforesaid, or the security given has become invalid or insufficient, the Area Board may, by notice in writing, require the owner or occupier within seven days after the service of the notice, to give them security for the payment of all money which may from time to time become due to them in respect of the supply, and if the owner or occupier fails to comply with the notice, the Board may, if they think fit, discontinue the supply for those premises so long as the failure continues.

Relief from  
obligation to  
supply.

9.—(1) Where a new or increased supply of gas is required under the last preceding paragraph, for purposes other than lighting or domestic use, and the supply cannot be given without the laying of a new main or the enlarging of an existing main or the constructing or enlarging of any other works required for the supply of gas by the Board, the Board shall, notwithstanding the provisions of the last preceding paragraph, not be obliged to give the supply unless the person requiring it enters into a written contract with the Board—

- (a) to continue to receive and pay for a supply of gas of such minimum quantity and for such minimum period as the Board may reasonably require, having regard to the expense to be incurred by the Board in laying or enlarging the main or constructing or enlarging the other works, or
- (b) to make such payment to the Board (in addition to any payments to be made from time to time for gas supplied) as the Board may reasonably require having regard to the matters aforesaid,

and gives to the Board (if required by them to do so) security for the payment of all money which may become due under the contract.

3RD SCH.  
—cont.

(2) Any question arising under the preceding subparagraph whether a supply can be given without the laying or enlarging of a main or the constructing or enlarging of other works or as to the reasonableness of the minimum quantity or period therein referred to or of the payment required by the Board or as to the nature and amount of the security to be given shall, in default of agreement, be determined by arbitration.

(3) In determining any such question, the arbitrator shall have regard to the following among other considerations, that is to say—

- (a) the total annual quantity of gas required by the applicant, the maximum quantity required per hour and the hours of the day during which the Board may be called upon to supply gas to the applicant;
- (b) the capital expenditure which the Board would have to incur in the laying of a new main or the enlarging of an existing main or the construction or enlarging of other works for the purpose of giving the supply; and
- (c) how far the capital expenditure may become unproductive to the Board in the event of the supply ceasing to be given.

10.—(1) Notwithstanding anything in any enactment a person shall not be entitled to demand or continue to receive a supply of gas from an Area Board for the purposes only of a stand-by supply for any premises having a separate supply of gas, or having a supply (in use or ready for use for the purpose for which the stand-by supply of gas is required) of electricity, steam, or other form of energy, unless he has agreed with the Board to pay them such annual sum in addition to any charge for gas supplied as will give them a reasonable return on the capital expenditure incurred by them in providing the stand-by supply, and will cover other standing charges incurred by them in order to meet the possible maximum demand for those premises.

(2) Any question arising under this paragraph—

- (a) as to whether a supply of gas is demanded or received for the purpose only of a stand-by supply; or
- (b) as to whether any premises have a separate supply of gas or have a supply (in use or ready for use for the purpose for which a stand-by supply of gas is required) of electricity, steam, or other form of energy; or
- (c) as to the amount of the said annual sum to be specified in the agreement;

shall in default of agreement be determined by arbitration.

11. An Area Board shall within their area supply gas to any public lamps within fifty yards from any of the mains of the Board, except any main used for the purpose of giving a separate supply of gas for industrial purposes only or of conveying gas in bulk, in such quantities as the lighting authority may from time to time require to be supplied.

12. If an Area Board fail to give a supply of gas to any owner or occupier of premises entitled to such a supply, or to supply gas to any public lamps to which they are required to supply gas, the

3RD SCH.  
—cont.

Board shall, unless the failure was due to circumstances not within their control, be liable, on summary conviction, to a fine not exceeding forty shillings for each day during which the default continues.

*Meters and fittings.*

Consumption  
of gas to be  
ascertained  
by meter.

13. Every consumer of gas supplied by an Area Board (other than gas supplied to public lamps) shall, if required to do so by the Board, take his supply through a meter duly stamped in accordance with this Act, and the Board shall supply, either by way of sale or hire, to any owner or occupier of premises who requires it a meter for ascertaining the quantity of gas supplied by them and any meter so supplied by the Board shall be either a prepayment meter or an ordinary meter, as the consumer may require:

Provided that the owner or occupier shall, if so required by the Board, before receiving the meter, give to the Board security for payment to them of the price of the meter, if he desires to purchase it, or of the rent of the meter, if he desires to hire it.

Meters to be  
kept in  
proper order.

14.—(1) Every consumer shall at all times, at his own expense, keep all meters belonging to him, whereby the quantity of gas supplied by an Area Board is registered, in proper order for correctly registering the quantity of gas, and in default of his so doing the Board may cease to supply gas through that meter.

(2) The Board shall at all times at their own expense, keep all meters let for hire by them to any consumer in proper order for correctly registering the quantity of gas supplied, and in default of their so doing the consumer shall not be liable to pay rent for the meter in respect of the period of the default.

(3) The Board shall have access to and be at liberty to remove, inspect and replace any meter at all reasonable times, and shall, while any such meter is removed, fix a substituted meter on the premises, and, subject to the next following subparagraph, the cost of removing, inspecting and replacing a meter and of fixing a substituted meter shall be defrayed by the Board.

(4) Where a meter is removed for the purpose of being examined by a meter examiner in accordance with this Act, the person at whose request the examination is to be carried out shall, unless the meter is found to register erroneously to a degree exceeding the degree permissible under the regulations for the time being in force, defray the expenses incurred in removing, examining and replacing the meter and fixing a substituted meter, and the said expenses shall, if the meter is found to register erroneously as aforesaid, be defrayed by the owner of the meter.

Placing of  
meters in new  
premises.

15.—(1) Every meter to be used in a building not previously supplied with gas or in connection with a new or substituted pipe laid between the main and the meter shall be placed as near as practicable to the main, but within the outside wall of the building:

Provided that, in the case of any building in connection with which there is provided for the meter outside the building a separate meter house or other accommodation reasonably approved by the Area Board, the meter may be placed in such meter house or other accommodation.



(2) If the requirements of this paragraph are not complied with, the Board may refuse to supply gas to the premises until those requirements have been complied with.

3RD SCH.  
—cont.

16. Where gas is supplied through a meter, the register of the meter shall be prima facie evidence of the quantity of gas supplied: **Meter to be evidence of quantity of gas supplied.**

Provided that where a meter is found, when examined by a meter examiner appointed under this Act, to register erroneously to a degree exceeding the degree permissible under the regulations for the time being in force—

- (a) the meter shall be deemed to have registered erroneously to the degree so found since the penultimate date on which the register of the meter was ascertained before the date of the test, except in a case where it is proved to have begun to register erroneously as aforesaid on some later date; and
- (b) the amount of the allowance to be made to, or the surcharge to be made upon, the consumer by the Area Board in consequence of the erroneous registration shall be paid to or by the consumer, as the case may be, and shall, in the case of a surcharge, be recoverable in like manner as charges for gas are recoverable by the Area Board.

17.—(1) Every Area Board shall, as soon as practicable after the passing of this Act, fix maximum prices at which gas supplied by them may be resold, and may from time to time vary any prices so fixed, and shall publish the prices so fixed and any variation thereof in such manner as in their opinion will secure adequate publicity therefor. **Maximum charges for reselling gas supplied by Area Boards.**

(2) Different prices may be fixed under this paragraph in different classes of cases which may be defined by reference to areas, tariffs applicable to gas supplied by the Area Board in question, or any other relevant circumstances.

(3) If any person resells any gas supplied by an Area Board at a price exceeding the maximum price fixed under this paragraph and applicable thereto, the amount of the excess shall, if it does not exceed twenty pounds, be recoverable summarily as a civil debt by the person to whom the gas was resold and, in any case, shall be recoverable by him in any court of competent jurisdiction.

18. An Area Board shall, in the case of any alteration in the calorific value declared in respect of any gas supplied by them, take at their own expense such steps as may be necessary to alter, adjust or replace the burners in the appliances of consumers of that gas in such manner as to secure that the gas can be burned with safety and efficiency: **Alteration and replacement of burners on change of calorific value.**

Provided that in the case of any consumer who objects thereto the Board shall not carry out any such alteration, adjustment or replacement except where in the opinion of the Board such alteration, adjustment or replacement is necessary in the interests of safety.

3RD SCH.  
—cont.  
Ascertainment  
and regulation  
of gas  
consumed by  
public lamps.

19.—(1) The gas supplied by an Area Board to public lamps shall at the option either of the lighting authority or the Area Board, be supplied through a meter duly stamped in accordance with this Act, and, if the gas is so supplied, the Board shall provide and fix the meter, and the cost of the meter and the expense of fixing it shall be defrayed by the party requiring the meter and the meter shall be the property of the party paying the cost thereof.

(2) If the gas is supplied to the public lamps of any lighting authority by average meter indication, the Area Board shall, for securing uniformity of consumption between metered and unmetered lamps, from time to time provide the public lamps of that authority with proper self-acting pressure regulators and burners to the satisfaction of the authority, and the average amount of the indications of all the meters attached to the lamps of that authority shall, except as hereinafter mentioned, be deemed to be the amount consumed by each such lamp.

Street lamp  
governors.

20. Where gas is supplied to public lamps, the lighting authority or the Area Board may, at their own expense, cause to be affixed to each lamp the instrument known as a street lamp governor, and the Board or the authority (as the case requires) shall be entitled to have access thereto for the purpose of examining the same.

Settlement of  
differences.

21. Any difference which may arise between an Area Board and any lighting authority in relation to the consumption of gas by public lamps maintained by the authority shall be settled by arbitration.

#### *Recovery of gas charges, etc.*

Recovery of  
charges.

22. Any charges in respect of gas and any meter rent due to an Area Board and any charges due to an Area Board in respect of the supplying and fixing of any meter or fittings shall, if the amount due does not exceed twenty pounds, be recoverable by the Board summarily as a civil debt and, in any case, shall be recoverable in any court of competent jurisdiction.

New occupier  
not to be  
liable for  
arrears.

23. If the occupier of any premises, being premises supplied with gas by an Area Board, quits the premises without paying any amount due from him in respect of charges for gas or meter rent, the Area Board shall not be entitled to require from the next occupier of the premises the payment of the amount due, unless that occupier has undertaken with the former occupier to pay or exonerate him for the payment of that amount.

Liability of  
occupier on  
quitting  
premises.

24.—(1) If the occupier of any premises, being premises supplied with gas by meter by an Area Board, quits the premises without giving notice thereof in writing to the Board so that it is received by the Board at least twenty-four hours before he quits the premises, he shall be liable to pay to the Board all charges accruing due for gas supplied by them to the premises and meter rent up to the next date on which the register of the meter on the premises is usually ascertained, or the date from which any subsequent occupier of the premises requires the Board to supply gas to the premises, which ever first occurs.

(2) The preceding subparagraph or a statement of the effect thereof shall be endorsed upon every demand note for gas charges payable to the Board.

3RD SCH.  
—cont.

25. If a person requiring a supply of gas from an Area Board has previously quitted premises at which gas was supplied to him by that Board without paying all money due from him in respect of charges for gas and meter rent, the Board may refuse to furnish him with a supply of gas until he pays the money so due.

Refusal of supply to person in default.

26.—(1) If any person has not, after the expiration of twenty-eight days from the making of a demand in writing by the Area Board for payment thereof, paid the charges due from him in respect of gas supplied by an Area Board to any premises, the Board, after the expiration of not less than seven days' notice in writing of their intention, may cut off the supply from the premises by disconnecting the service pipe at the meter (whether the pipe belongs to the Board or not) or by such other means as they think fit, and any expense incurred in cutting off the supply shall be recoverable in like manner as charges for gas.

Power to cut off supply in case of default.

(2) Where an Area Board have cut off the supply of gas from any premises in consequence of any default on the part of the occupier thereof, the Board shall not be under any obligation to resume the supply of gas to the occupier so in default until he has made good the default and paid the reasonable expenses of reconnecting the supply, but subject as aforesaid, nothing in this paragraph shall prejudice or interfere with any rights conferred upon any person by paragraph 8 of this Schedule.

#### *Use of antifucltuators and valves.*

27.—(1) Where a consumer of gas supplied by an Area Board uses the gas for working or supplying an engine, gas compressor or other similar apparatus or any apparatus liable to produce in any main of the Board a pressure less than atmospheric pressure (any such engine, compressor or apparatus being hereafter in this paragraph referred to as a "compressor"), he shall, if so required by the Board by notice in writing, fix in a suitable position and keep in use an appliance provided by him which will effectually prevent pressure fluctuation in the supply mains and any other inconvenience or danger being caused to other consumers of gas by reason that they and the first mentioned consumer are supplied with gas from the same source.

Antifucltuators and valves

(2) Where a consumer of gas supplied by an Area Board uses for or in connection with the consumption of the gas so supplied any air at high pressure (in this paragraph referred to as "compressed air") or any gas not supplied by the Board (in this paragraph referred to as "extraneous gas"), he shall, if so required by the Board by notice in writing, fix in a suitable position and keep in use an appliance provided by him which will effectually prevent the admission of the compressed air or extraneous gas into the service pipe or into any main through which gas is supplied by the Board.

3RD SCH.  
—cont.

(3) Where a consumer is required by this paragraph to keep in use any appliance, he shall at his own expense keep it in proper order and repair, and repair, renew or replace it if it is not in proper order or repair.

(4) It shall not be lawful for a consumer of gas supplied by an Area Board to use a compressor, or any apparatus for using compressed air or extraneous gas, being a compressor or apparatus installed by him after the first day of October, nineteen hundred and thirty four, unless he has given to the Board not less than fourteen days' notice in writing of his intention to do so.

(5) If a consumer makes default in complying with any provision of this paragraph, the Board may cut off the supply of gas to him and shall not be required to resume the supply until the default has been remedied to their reasonable satisfaction.

(6) An Area Board shall give notice of the effect of the preceding provisions of this paragraph to persons becoming consumers of gas supplied by them, on the first such demand note delivered to that person after he has become a consumer.

(7) An Area Board shall have access at all reasonable times to any premises supplied by them with gas upon which the Board have reason to believe that a compressor or compressed air or extraneous gas is being used, in order to ascertain whether the provisions of this paragraph are being complied with.

(8) An Area Board shall have power to disconnect, remove, test and replace any appliance which a consumer of gas supplied by them is required by this paragraph to keep in use, and any expenses incurred by the Board under this subparagraph shall, if the appliance is found in proper order and repair, be paid by the Board but otherwise shall be paid by the consumer.

#### *Penalties.*

**Improper use of gas.** 28. If any person supplied with gas by an Area Board improperly uses or deals with the gas so as to interfere with the efficient supply of gas by the Board to any consumer, the Board may, if they think fit, cease to supply gas to that person.

**Injury to pipes and fittings and interference with meters.** 29.—(1) If any person wilfully, fraudulently, or by culpable negligence, injures or suffers to be injured any pipes, meter or fittings belonging to an Area Board, or alters the index to any meter, or prevents any meter from duly registering the quantity of gas supplied or fraudulently abstracts, consumes or uses gas of the Board, he shall (without prejudice to any other right or remedy for the protection of the Board or the punishment of the offender) be liable for each offence on summary conviction to a fine not exceeding five pounds.

(2) The prosecution of any such offence shall not prevent the Board from recovering the amount of any damage caused to them by the offence, and, if the offence involves any injury to or interference with any pipes, meter or fittings belonging to the Board, the Board may also, until the matter has been remedied, but no longer, discontinue the supply of gas to the person so offending (notwithstanding any contract previously existing).

(3) The existence of artificial means for causing an alteration of the index to any meter or the prevention of any meter from duly registering, or for abstracting, consuming or using gas of the Board, when the meter is under the custody or control of the consumer, shall be prima facie evidence that the alteration, prevention, abstraction or consumption, as the case may be, has been fraudulently and wilfully caused by the consumer using the meter.

3RD SCH.  
—cont.

30. If any person, without the consent of the Area Board, reconnects with a meter a service pipe which has been disconnected by the Board, he shall for each offence be liable on summary conviction to a fine not exceeding five pounds, and to a further fine not exceeding two pounds for each day during which the pipe remains connected with the meter after conviction and the Board may again disconnect the pipe at the meter.

Reconnecting  
of service pipe.

31. No person shall connect any meter with a service pipe through which gas is supplied by an Area Board or disconnect any meter from any such pipe, unless he has given to the Board not less than twenty-four hours' notice in writing of his intention to do so, specifying the time and place of the proposed connection or disconnection, and if any person acts in contravention of this provision, he shall be liable for each offence on summary conviction to a fine not exceeding two pounds.

Notice of  
connection or  
disconnection  
of service pipe.

32.—(1) If an Area Board cause or permit to be brought or to flow into any river, stream, aqueduct or inland water or drain communicating therewith any waste product or other substance produced in making or supplying gas, or wilfully do any other act connected with the manufacture or supply of gas whereby the water in any river, stream, aqueduct or inland water is fouled, the Board shall be liable—

Pollution of  
inland waters.

- (a) on summary conviction, to a fine not exceeding fifty pounds and to a further fine not exceeding ten pounds for each day during which the act constituting the offence continues after the expiration of twenty-four hours from the service of notice on the Board that it is being committed; or
- (b) on conviction on indictment, to a fine not exceeding two hundred pounds and to a further fine not exceeding twenty pounds for each such day as aforesaid.

(2) If any water is fouled by the gas of an Area Board, they shall be liable, on summary conviction, to a fine not exceeding twenty pounds, and an additional sum not exceeding ten pounds for each day during which the act constituting the offence continues after the expiration of twenty-four hours from the service of notice on the Board that it is being committed.

(3) Nothing in this paragraph shall apply to any water undertakers to whom Part XIV of the Third Schedule to the Water Act, 1945, applies.

8 & 9 Geo. 6.  
c. 42.

33. Where any gas escapes from any pipe of an Area Board, they shall, immediately after receiving notice thereof in writing, prevent the gas from escaping, and if they fail within twenty-four hours from the service of the notice effectually to prevent the gas from escaping, they shall be liable, on summary conviction, to a fine not exceeding five pounds for each day during which the gas continues to escape after the expiration of the said twenty-four hours.

Escape of gas.

## 3RD SCH.

—cont.

Entry for  
purposes of  
inspection.

## General.

34.—(1) Any officer authorised by an Area Board may at all reasonable times on the production of some duly authenticated document showing his authority, enter any premises in which there is a service pipe connected with the gas mains of the Board, in order to inspect the meters, fittings and works for the supply of gas, or for the purpose of ascertaining the quantity of gas consumed or supplied, except in a case where the occupier of the premises has applied in writing to the Board for the disconnection of the service pipe from the mains and the Board have failed to disconnect it within a reasonable time.

(2) The powers of inspection aforesaid shall, in relation to any premises or part of any premises which are or is wholly occupied as a factory within the meaning of the Factories Act, 1937, extend only to the inspection of—

- (a) such of the meters on the premises, or on that part of the premises, as the case may be, as are used by the Board for measuring gas supplied by them; and
- (b) the pipes and other fittings and works by which those meters are connected with the gas mains of the Board.

35.—(1) Where—

- (a) a person occupying premises supplied with gas by an Area Board ceases to require such a supply; or
- (b) a person entering into the occupation of any premises previously supplied with gas by an Area Board does not take a supply of gas from the Board or hire such of the pipes, meters, fittings or apparatus on the premises as belong to the Board; or
- (c) an Area Board are authorised to cut off the supply of gas from any premises,

it shall be lawful for an officer authorised by the Board after twenty-four hours' notice to the occupier under the hand of an officer so authorised, or if the premises are unoccupied to the owner or lessee of the premises, to enter the premises at all reasonable times for the purpose of removing and to remove any pipes, meters, fittings or apparatus, through which the supply was given to the first-mentioned premises.

(2) The notice required to be given by the last preceding subparagraph may, in the case of unoccupied premises, the owner or lessee of which is unknown to the Area Board and cannot be ascertained after diligent inquiry, be given by affixing it upon a conspicuous part of the premises not less than forty-eight hours before the premises are entered.

(3) Where an Area Board have reasonable cause to suspect that gas is escaping in any premises it shall be lawful for an officer authorised by the Board to enter the premises for the purpose of inspecting the gas fittings and preventing the escape and to inspect such fittings and carry out any work necessary to prevent such escape.

1 Edw. 8 &  
1 Geo. 6. c. 67.

Entry for  
purposes of  
removing  
pipes, etc. on  
discontinuance  
of supply.

36. Where, in pursuance of any powers conferred by this Schedule; entry is made on any premises by an officer of an Area Board, the officer shall ensure that the premises are not left less secure by reason of the entry, and the Board shall make good or pay compensation for any damage caused by the officer in entering the premises, in carrying out any inspection or work therein or in making the premises secure.

3RD SCH.  
—cont.

Premises to be left secure and damage to be made good.

37. If any person obstructs any officer exercising powers under either of the three last preceding paragraphs or any other power of entry conferred by this Schedule, he shall be liable on summary conviction to a fine not exceeding five pounds.

Penalty for obstruction.

38. Any gas fittings let for hire by an Area Board and marked or impressed with a sufficient mark or brand indicating the Board as the owners thereof—

Gas fittings not to be subject to distress.

(a) shall not be subject to distress or to the landlord's remedy for rent or be liable to be taken in execution under process of any court or any proceedings in bankruptcy against the person in whose possession they may be; and

(b) shall not be deemed to be landlord's fixtures, notwithstanding that they may be fixed or fastened to any part of the premises in which they may be situated.

39.—(1) Where any security is required by the provisions of this Schedule to be given to an Area Board, the security may be by way of deposit or otherwise, and of such amount as the person required to give the security and the Board may agree on or as, in default of such agreement, may be determined by arbitration.

Provisions as to security.

(2) Where any money is deposited with an Area Board by way of such security as aforesaid, the Board shall pay interest at such rate as may from time to time be fixed by order of the Minister made with the approval of the Treasury, on every sum of ten shillings so deposited for every six months during which it remains in the hands of the Board.

40. Where under any provision in this Schedule the determination of any question is referred to arbitration, the reference shall be to a single arbitrator to be appointed by agreement between the parties or, in default of agreement, by the Minister.

Arbitration.

41. Every Area Board shall keep in their principal office copies of all local enactments which apply to the Board, and they shall be available for public inspection at all reasonable hours and any person shall be entitled during those hours to take copies thereof and extracts therefrom.

Copies of enactments to be available for inspection.

42. Nothing in this Act shall exonerate an Area Board from any indictment, action, or other proceeding for any nuisance caused by them.

Nuisance.

43. Nothing in this Schedule shall be deemed to exempt an Area Board from the provisions of an Act passed in the fifty-seventh year of the reign of His late Majesty King George the Third intituled an

Saving for 57 Geo. 3. c. xxix.

3RD SCH.  
—cont.

Act for better paving, improving and regulating the streets of the metropolis and removing and preventing of nuisance and obstructions therein.

Restriction on works in, under or over the sea and other waters and foreshore.

44. An Area Board shall not construct any works in, under or over the sea or any tidal waters or navigable river, or the seashore below the high water mark of ordinary spring tides, except with the previously obtained consent in writing of the Minister of Transport, which may be given subject to such conditions as the Minister of Transport may think fit; and if any Area Board contravene the provisions of this paragraph the Minister of Transport may remove any works so constructed and the expenses incurred in so doing shall be recoverable by him from the Board.

Justices and judges not to be disqualified.

45. No justice of the peace or judge of any court shall be disqualified from acting in cases arising under this Schedule by reason only of his being liable to the payment of any charges for gas or other charges under this Act.

Interpretation.

46. In this Schedule

the expression " street " includes any square, court, alley, highway, road, lane, thoroughfare, or public passage or place;

the expression " lighting authority ", in relation to any public lamps, means the public or local authority by or for whom the lamps are maintained;

the expression " navigation authority " means any person or body of persons, whether incorporated or not, authorised by or under an enactment to work, maintain, conserve, improve or control any canal or other inland navigation, navigable river, estuary, harbour or dock; and

the expression " railway authority " means any person or body of persons, whether incorporated or not, authorised by an enactment to construct, work or carry on a railway.

Application to Scotland.

47. In the application of this Schedule to Scotland—

(a) for any reference to Part XIV of the Third Schedule to the Water Act, 1945, there shall be substituted a reference to Part VIII of the Fourth Schedule to the Water (Scotland) Act, 1946, and for any reference to distress there shall be substituted a reference to poinding;

(b) any provision with regard to recovery summarily as a civil debt of any sum shall have effect as if the word " summarily " were omitted.

9 & 10 Geo. 6.  
c. 42.



## FOURTH SCHEDULE.

## ENACTMENTS REPEALED

## Section 76

Session and Chapter.	Short Title.	Extent.
10 & 11 Vict. c. 15.	Gasworks Clauses Act, 1847.	The whole Act.
22 & 23 Vict. c. 66.	Sale of Gas Act, 1859 ...	The whole Act.
23 & 24 Vict. c. 146.	Sale of Gas Act, 1860 ...	The whole Act.
27 & 28 Vict. c. 96.	Sale of Gas (Scotland) Act, 1864.	The whole Act.
33 & 34 Vict. c. 70.	Gas and Water Works Facilities Act, 1870.	The whole Act.
34 & 35 Vict. c. 41.	Gasworks Clauses Act, 1871.	The whole Act.
36 & 37 Vict. c. 89.	Gas and Water Works Facilities Act, 1870, Amendment Act, 1873.	The whole Act.
38 & 39 Vict. c. 55.	Public Health Act, 1875.	In section 161, the words from "where there is not any company or person" to the end of the section. Section 162.
39 & 40 Vict. c. 49.	Burghs Gas Supply (Scotland) Act, 1876.	The whole Act.
41 & 42 Vict. c. 49.	Weights and Measures Act, 1878.	Section 66.
51 & 52 Vict. c. 41.	Local Government Act, 1888.	In paragraph (xiii) of section 3, the words "and to gas meters". Paragraph (e) of subsection (3) of section 34. Paragraph (d) of subsection (1) of section 39.
52 & 53 Vict. c. 21.	Weights and Measures Act, 1889.	Section 15.
52 & 53 Vict. c. 50.	Local Government (Scot- land) Act, 1889.	In section 11 the words "to gas meters".
55 & 56 Vict. c. 55.	Burgh Police (Scotland) Act, 1892.	In section 99 the words from "The Gasworks Clauses Act, 1847" to the end of the section; sections 102 and 103.
56 & 57 Vict. c. 52.	Burghs Gas Supply (Scotland) Act, 1893.	The whole Act.
63 & 64 Vict. c. 49.	Town Councils (Scot- land) Act, 1900.	In section 8, the word "gas" in both places where it occurs.

4TH SCH.  
—cont.

Session and Chapter.	Short Title.	Extent.
63 & 64 Vict. c. cclxxii.	Metropolis Gas (Prepayment Meter) Act, 1900.	The whole Act.
6 & 7 Geo. 5. c. 25.	Gas (Standard of Calorific Power) Act, 1916.	The whole Act.
8 & 9 Geo. 5. c. 45.	Burghs Gas Supply (Scotland) Amendment Act, 1918.	The whole Act.
10 & 11 Geo. 5. c. 28.	Gas Regulation Act, 1920.	The whole Act.
19 & 20 Geo. 5. c. 24.	Gas Undertakings Act, 1929.	The whole Act.
22 & 23 Geo. 5. c. 40.	Gas Undertakings Act, 1932.	The whole Act.
22 & 23 Geo. 5. c. lxiii.	Kettering Gas Act, 1932.	Section 6.
23 & 24 Geo. 5. c. xliii.	Commercial Gas Act, 1933.	The whole Act.
23 & 24 Geo. 5. c. lxxi.	Gas Light and Coke Company's Act, 1933.	Section 4.
24 & 25 Geo. 5. c. xvi.	South Metropolitan Gas (No. 1) Act, 1934.	The whole Act.
24 & 25 Geo. 5. c. xvii.	Brighton, Hove and Worthing Gas Act, 1934.	The whole Act.
24 & 25 Geo. 5. c. 28.	Gas Undertakings Act, 1934.	The whole Act.

12 &amp; 13 GEO. 6.

## CHAPTER 1.

An Act to enable stock to which the Colonial Stock Act, 1877, applies to be made transferable by instrument in writing, and to provide for the extension of the Colonial Stock Acts, 1877 to 1934, to stock of Governments or authorities established for controlling or administering services or matters of common interest to the inhabitants of more than one of the colonies or territories to whose stock any of the said Acts apply or could be made applicable. [16th December 1948.]

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

1.—(1) Regulations made under section sixteen of the Colonial Stock Act, 1877, may, notwithstanding anything in that Act or in the Colonial Stock Act, 1892, provide that the stock to which the regulations relate shall be transferable by instrument in writing in accordance with the regulations and in no other manner:

Stock may be made transferable by instrument in writing.  
40 & 41 Vict. c. 59.  
55 & 56 Vict. c. 35.

Provided that regulations shall not be made for the purpose specified in this subsection with respect to any stock unless authority for the making of regulations for that purpose has been given by a law of the legislature or other authority having power to make laws for the Dominion, colony or territory of whose public debt the stock forms part.

(2) This section applies as well to stock issued before, as to stock issued after, the passing of this Act, and, accordingly, in relation to stock issued before the passing of this Act, so much of the said section sixteen as requires regulations thereunder to be made before the issue of the stock shall not apply to regulations made for the purpose specified in subsection (1) of this section and the regulations, when made, shall have effect notwithstanding anything in any previous regulations applicable to the stock and notwithstanding anything in the terms on which the stock was issued.

2.—(1) His Majesty may by Order in Council direct that the Colonial Stock Acts, 1877 to 1934, and the provisions of section one of this Act, shall be extended, subject to such modifications and to such conditions as may appear expedient to His Majesty, so as to apply to stock issued after the passing of this Act by any Government or authority specified in the Order, being a Government or authority established for controlling or administering services or matters of common interest to the inhabitants of

Power to extend Colonial Stock Acts to stock of Governments and authorities operating in relation to two or more countries.

more than one of the colonies or territories to whose stock any of the said Acts apply or could be made applicable.

(2) Any Order in Council under this section shall be subject to annulment in pursuance of a resolution of either House of Parliament.

11 & 12 Geo. 5.  
c. 58.  
63 & 64 Vict.  
c. 62.

(3) The expression "colonial stock" in section eleven of the Trusts (Scotland) Act, 1921, shall include any stock to which section two of the Colonial Stock Act, 1900, applies by virtue of an Order in Council made under this section.

Short title  
and citation.

3. This Act may be cited as the Colonial Stock Act, 1948, and this Act and the Colonial Stock Acts, 1877 to 1934, may be cited together as the Colonial Stock Acts, 1877 to 1948.

## CHAPTER 2.

An Act to make provision as to the effect of the expiry of the Debts Clearing Offices and Import Restrictions Act, 1934. [16th December 1948.]

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

Effect of  
expiry of Act.  
24 & 25 Geo. 5.  
c. 31.

1.—(1) Notwithstanding anything in subsection (2) of section seven of the Debts Clearing Offices and Import Restrictions Act, 1934, on the expiry of that Act—

- (a) the Clearing Offices established thereunder shall cease to exist;
- (b) so much of any debt to which any of the orders made under that Act applied as has not then already been discharged shall, instead of being owed to the Clearing Office, be owed to the person to whom it would have been owed if the said Act had not been passed; and
- (c) subject to the provisions of paragraph (b) of this subsection, any rights or liabilities of any of the said Clearing Offices (including, in particular, rights in respect of sums advanced by them to exporters and others and not repaid) shall become rights and liabilities of the Crown,

and the Treasury shall do all such things as may be necessary or expedient for winding up the affairs of the said Clearing Offices.

(2) Where a judgment or order has been obtained by or on behalf of the Clearing Office before the expiry of the said Act for the payment of a debt to which any of the orders made under the said Act applied, the judgment or order shall become void on the expiry of the said Act but—

- (a) the debt shall not be deemed to have been discharged by reason only of the obtaining of the judgment or order, and any sum paid before the expiry of the said Act under the judgment or order shall be treated as having been paid in or towards the discharge of the debt ; and
- (b) as between the person against whom the judgment or order was obtained and any claimant to the debt, the judgment or order shall be conclusive as to all matters as to which it would have been conclusive as between the person against whom the judgment or order was obtained and the Clearing Office, without prejudice however, to the right of that person to avail himself against any such claimant of any defence which was not available to him in the proceedings in which the judgment or order was obtained.

(3) Where any part payment or acknowledgment of any debt to which any of the orders made under the said Act applied has been made to the Clearing Office before the expiry of the said Act, the part payment or acknowledgment shall, after the expiry of the said Act, be treated for the purposes of any Act limiting the time for the bringing of legal proceedings as if it had been made to the person to whom the debt would have been owed if the said Act had not been passed.

(4) Any expenses incurred by the Treasury in carrying this Act into execution shall be defrayed out of moneys provided by Parliament, and any sums recovered by the Crown under this Act in respect of the rights of the Clearing Offices shall be paid into the Exchequer.

2. This Act may be cited as the Debts Clearing Offices Act, Short title.  
1948.

## CHAPTER 3.

An Act to continue certain expiring laws.

[16th December 1948.]

**W**HEREAS the Acts mentioned in the Schedule to this Act are, in so far as they are in force and are temporary in their duration, limited to expire on the thirty-first day of December, nineteen hundred and forty-eight.

And whereas it is expedient to provide for the continuance, as in this Act mentioned, of those Acts and of the enactments amending or affecting the same :

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

Continuance  
of Acts in  
Schedule.

1.—(1) The Acts mentioned in Part I of the Schedule to this Act shall, to the extent specified in column three of that Part, be continued until the thirty-first day of December, nineteen hundred and forty-nine.

(2) The Acts mentioned in Part II of the Schedule to this Act shall, to the extent specified in column three of that Part, be continued until the thirty-first day of March, nineteen hundred and fifty.

(3) Any unrepealed enactments which are temporary in their duration shall, in so far as they amend or affect any enactment continued by the foregoing provisions of this Act, be continued in like manner as that enactment whether they are mentioned in the Schedule to this Act or not.

Short title and  
application  
to Northern  
Ireland.

2.—(1) This Act may be cited as the Expiring Laws Continuance Act, 1948.

(2) This Act shall apply to Northern Ireland in so far as it deals with any enactment relating to a subject with respect to which the Parliament of Northern Ireland has not power to make laws, but, save, as hereinbefore provided, shall not apply to Northern Ireland.

## SCHEDULE

Section 1.

## PART I

1	2	3	4
Session and Chapter	Short Title	How far Continued	Amending Acts
(1) 4 Edw. 7. c. 24.	The Wireless Telegraphy Act, 1904.	The whole Act -	6 Edw. 7. c. 13. 15 & 16 Geo. 5. c. 67. 16 & 17 Geo. 5. c. 54.
(2) 9 & 10 Geo. 5. c. 92.	The Aliens Restriction (Amendment) Act, 1919.	Section one -	—
(3) 24 & 25 Geo. 5. c. 30.	The Cotton Manufacturing Industry (Temporary Provisions) Act, 1934.	Sections one and two.	—
(4) 24 & 25 Geo. 5. c. 50.	The Road Traffic Act, 1934.	Section one -	1 Edw. 8. & 1 Geo. 6. c. 5.
(5) 1 & 2 Geo. 6. c. 12.	The Population (Statistics) Act, 1938.	The whole Act -	1 & 2 Geo. 6. c. 55.
(6) 2 & 3 Geo. 6. c. 50.	The Prevention of Violence (Temporary Provisions) Act, 1939.	The whole Act -	—
(7) 10 & 11 Geo. 6. c. 36.	The Education (Exemptions) (Scotland) Act, 1947.	The whole Act -	—

## PART II

(8) 6 & 7 Geo. 6. c. 44.	The Rent of Furnished Houses Control (Scotland) Act, 1943.	The whole Act -	9 & 10 Geo. 6. c. 26. 10 & 11 Geo. 6. c. 43.
(9) 9 & 10 Geo. 6. c. 34.	The Furnished Houses (Rent Control) Act, 1946.	The whole Act -	—

## CHAPTER 4.

An Act to provide for the payment out of moneys provided by Parliament of pensions to certain persons who were serving as judges in India before the fifteenth day of August, nineteen hundred and forty-seven, or as judges in Burma before the fourth day of January, nineteen hundred and forty-eight, and for purposes connected with the matters aforesaid.

[16th December 1948.]

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

Pensions to  
barrister  
judges of  
British India  
High Courts  
not otherwise  
pensionable.

1.—(1) The Secretary of State may grant a pension payable out of moneys provided by Parliament to any European who—

- (a) was not a member of the Indian Civil Service and has not been and is not to be granted a pension payable by any Government in India or Pakistan; and
- (b) was, immediately before the fifteenth day of August, nineteen hundred and forty-seven, a judge of a High Court in British India and had not before that date gone on leave pending retirement; and
- (c) retires, either before or after the passing of this Act.

(2) The annual amount of a pension granted under this section to a person shall not be less than five hundred pounds nor more than the annual amount of the greatest pension which might have been granted to him under the Government of India (High Court Judges) Order, 1937, if the Indian Independence Act, 1947, had not passed and he had continued to serve in the office which he held immediately before the said fifteenth day of August until he attained the age of sixty years.

10 & 11 Geo. 5.  
c. 30.

(3) Subject to the provisions of subsection (2) of this section, the annual amount of a pension granted under this section to a person shall be ascertained as follows:—

- (a) his service shall be computed and increased by two years;
- (b) the annual amount of the maximum pension which, if the Indian Independence Act, 1947, had not passed, would have been appropriate in view of the nature of his service shall be ascertained in accordance with the Schedule to this Act; and
- (c) the annual amount of the pension granted under this section shall be one one-hundred-and-forty-fourth of the



amount ascertained under paragraph (b) of this subsection for each completed month of his service as computed and increased under paragraph (a) of this subsection.

2.—(1) The Secretary of State may grant a pension payable out of moneys provided by Parliament to any European who,—

- (a) was a member of the Indian Civil Service ; and
- (b) was, immediately before the fifteenth day of August, nineteen hundred and forty-seven, a judge of a Chartered High Court in British India other than that at Nagpur, and had not before that date gone on leave pending retirement ; and
- (c) retires, either before or after the passing of this Act.

Supplementary pensions to European I.C.S. judges of British India High Courts.

(2) A pension under this section shall be at the annual rate of one pound seven shillings and nine and one-third pence for each completed month of service in a Chartered High Court, other than that at Nagpur :

Provided that the annual amount of a pension under this section shall not exceed two hundred pounds.

3.—(1) The Secretary of State may grant a pension payable out of moneys provided by Parliament to the last person who held the office of Chief Justice of India before the fifteenth day of August, nineteen hundred and forty-seven.

(2) The Secretary of State may grant a pension payable out of moneys provided by Parliament to any European who—

- (a) was not a member of the Indian Civil Service but has been or is to be granted a pension payable by a Government in India or Pakistan ; and
- (b) was, immediately before the fifteenth day of August, nineteen hundred and forty-seven, a judge of any High Court in British India and had not before that date retired or gone on leave pending retirement ; and
- (c) retires, either before or after the passing of this Act.

(3) A pension under this section shall be at such rate as the Secretary of State may, with the approval of the Treasury, determine in the particular case.

4.—(1) The Secretary of State may grant a pension payable out of moneys provided by Parliament to any European who—

- (a) was not a member of the Indian Civil Service or the Burma Civil Service (Class I) ; and
- (b) was, immediately before the fourth day of January, nineteen hundred and forty-eight, a judge of the High Court at Rangoon ; and
- (c) retires, either before or after the passing of this Act.

Supplementary pensions to European barrister judges of Federal Court and British India High Courts.

Supplementary pensions to European barrister judges of High Court at Rangoon.

(2) The annual amount of a pension under this section shall be such amount as will, when added to the annual amount of the pension granted or to be granted by the Government of Burma to the person in question, amount to the sum specified in subsection (3) of this section or to the annual amount of the maximum pension which might have been granted to him under the Government of Burma (High Court Judges) Order, 1937, if the Burma Independence Act, 1947, had not been passed and he had continued to serve in the office which he held immediately before the said fourth day of January until he attained the age of sixty years, whichever is the less.

11 & 12 Geo. 6.  
c. 3.

(3) The said sum is the sum which bears to one thousand two hundred pounds the same proportion as the number of completed months in the service of the person in question, increased by two years, bears to the number of completed months in eleven and a half years.

Computation  
of service.

5.—(1) Subject to the provisions of subsection (2) of this section, the service of a person shall be computed—

- (a) for the purposes of sections one and two of this Act, in the same manner as his service for pension would fall to be computed under the Government of India (High Court Judges) Order, 1937, for the purposes of the Third Schedule to that Order ;
- (b) for the purposes of the last preceding section, in the same manner as his service for pension would fall to be computed under the Government of Burma (High Court Judges) Order, 1937, for the purposes of the First Schedule to that Order :

Provided that service as an acting judge or an additional judge shall be taken into account notwithstanding that there is no subsequent service in a substantive appointment.

(2) If, in the opinion of the Secretary of State, service in a court in India or Pakistan created after the fifteenth day of August, nineteen hundred and forty-seven, ought to be treated for the purposes of section one or section two of this Act as if it were service in a court which was a High Court in British India, it shall be so treated, and references in the said sections one and two, in the Schedule to this Act, and in the Government of India (High Court Judges) Order, 1937, as applied by that Schedule, to service, or to service in a particular court or particular courts, shall be construed accordingly.

Other  
provisions as  
to pensions  
under this Act.

6.—(1) Pensions granted under this Act shall be in addition to any lump sum grants made to the persons to whom the pensions are granted out of moneys provided by Parliament by way of compensation for loss of office.

(2) Any pension granted under this Act shall be for the life of the person to whom it is granted.

(3) Any pension granted under this Act to the last person who held the office of Chief Justice of India before the fifteenth day of August, nineteen hundred and forty-seven, shall begin to accrue as from the date on which he ceased to be entitled to salary as chairman of the Arbitral Tribunal set up by the Arbitral Tribunal Order, 1947, made by the Governor General of India under section nine of the Indian Independence Act, 1947.

(4) Any pension granted under this Act to any other person shall begin to accrue as from the date on which he ceased to be entitled to salary as a judge of a court in British India, India, Pakistan or Burma, as the case may be.

(5) The Secretary of State may permit pensions granted under this Act to be commuted to the extent, in the circumstances and on the terms for the time being provided for by the appropriate India, Pakistan or Burma rules as respects the commutation of pensions payable out of any revenues of, or any part of, those countries respectively to persons who have been judges of High Courts or other similar courts, and any sum required to be paid by way of commutation of the whole or any part of any pension granted under this Act shall be paid out of moneys provided by Parliament.

In this subsection, the expression "the appropriate India, Pakistan or Burma rules" means the rules prevailing under the law of India, of Pakistan or of Burma according as the last court (being the Federal Court or a court in British India, India, Pakistan or Burma) in which the person in question served as a judge is situate in the territories of India, Pakistan or Burma.

7.—(1) In this Act, except so far as the context otherwise Interpretation. requires—

"European" means a person who, in the opinion of the Secretary of State, would, under the practice of the Secretary of State prevailing before the fifteenth day of August, nineteen hundred and forty seven, for the purpose of deciding whether a person was entitled to sterling overseas pay, have fallen to have been treated as being of non-Asiatic domicile ;

"High Court in British India" means any of the courts which, at any time before the fifteenth day of August, nineteen hundred and forty-seven, were High Courts in British India for the purposes of chapter II of Part IX of the Government of India Act, 1935 ;

"Chartered High Court" means a High Court in British India, other than a Chief Court or the Court of a Judicial Commissioner ;

"Judge" includes a chief justice, an acting chief justice, an acting judge and an additional judge.

26 Geo. 5 &  
1 Edw. 8. c. 2.

(2) References in this Act to the retiring of a person include references to the coming to an end of his appointment as an acting judge or an additional judge without his receiving any further appointment as a judge.

(3) References in this Act to the Government of India (High Court Judges) Order, 1937, are references to that Order as in force immediately before the fifteenth day of August, nineteen hundred and forty-seven.

(4) References in this Act to the Government of Burma (High Court Judges) Order, 1937, are references to that Order as in force immediately before the fourth day of January, nineteen hundred and forty-eight.

Short Title.      8. This Act may be cited as the Judges Pensions (India and Burma) Act, 1948.

## SCHEDULE

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Section 1.      ASCERTAINMENT OF MAXIMUM PENSION WHICH WOULD HAVE BEEN APPROPRIATE

1. This Schedule shall have effect for ascertaining, for the purposes of subsection (3) of section one of this Act, the annual amount of the maximum pension which, if the Indian Independence Act, 1947, had not passed, would, in the case of a person who is to be granted a pension under that section, have been appropriate in view of the nature of the service.

The said annual amount is hereinafter referred to as "the maximum" and the person who is to be granted the pension is hereinafter referred to as "the judge".

2. If the judge has not rendered at least one completed year of service in any of the grades mentioned in paragraph 5 of Part I of the Third Schedule to the Government of India (High Court Judges) Order, 1937, the maximum shall be taken to be seven hundred and fifty pounds.

3. If the judge has rendered service for not less than one completed year in any of the said grades, the maximum shall be taken to be the amount stated in the last column of the Table in paragraph 6 of the said Part I in relation to the highest of those grades in which the judge has rendered service for not less than one completed year.

4. Paragraphs 7 to 9 of the said Part I (which relate to judges with service in two or more grades or with acting service in certain capacities) shall apply in relation to the preceding paragraphs of this Part of this Schedule as they apply in relation to paragraphs 5 and 6 of the said Part I.

## CHAPTER 5.

*Civil Defence Act, 1948.*

## ARRANGEMENT OF SECTIONS.

- ection.
1. Civil defence functions of Ministers.
  2. Civil defence functions of local and police authorities.
  3. Grant towards expenses of local and police authorities.
  4. Powers as to land.
  5. Civil defence obligations of constables, firemen, etc., and of members of civil defence forces and services.
  6. Saving for, and power to revive and amend, existing Acts relating to civil defence.
  7. Expenses.
  8. Regulations.
  9. Interpretation, etc.
  10. Northern Ireland.
  11. Short title, citation and repeal.
- Schedule.—Enactments repealed.

An Act to make further provision for civil defence.

[16th December 1948.]

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

1.—(1) It shall be part of the functions of the designated Minister to take such steps as appear to him from time to time to be necessary or expedient for civil defence purposes, and, in particular, and without prejudice to the generality of the preceding words, such steps as appear to him from time to time to be necessary or expedient in connection with any of the following matters, that is to say—

Civil defence functions of Ministers.

- (a) the organisation, formation, maintenance, equipment and training of civil defence forces and services ;
- (b) the organisation, equipment and training for civil defence purposes of police forces, fire brigades and employees of local or police authorities employed primarily for purposes other than civil defence purposes ;
- (c) the instruction of members of the public in civil defence and their equipment for the purposes of civil defence ;
- (d) the provision, storage and maintenance of commodities and things required for civil defence ; and
- (e) the provision, construction, maintenance or alteration of premises, structures or excavations required for civil defence and the doing of any other work required for civil defence.

(2) The designated Minister may make arrangements whereby any of his functions under this section are, to such extent as may be provided by the arrangements, exercised on his behalf by another Minister.

Civil defence functions of local and police authorities.

2.—(1) Every local authority and police authority shall, for civil defence purposes, and, in particular, and without prejudice to the generality of the preceding words, in connection with the matters specified in paragraphs (a) to (e) of subsection (1) of the preceding section, have and perform such functions as may be prescribed in relation to them by regulations to be made by the designated Minister.

(2) Regulations made under this section—

- (a) may require that, as respects the exercise of any functions conferred on them under this section, any local or police authority shall be bound to comply with any directions given to them by the designated Minister ;
- (b) may empower authorities on whom functions are conferred under this section to appoint committees (including joint committees) constituted in accordance with the regulations, whether from among their own members or not, may empower those authorities to authorise those or other committees, or other authorities, to exercise all or any of those functions on their behalf as their agents, and may exclude any of those functions from the operation of so much of any statutory provision as would otherwise require that function, or any question connected therewith, to be delegated to, or to stand referred to, or to be considered or otherwise dealt with by, any particular committee or any other authority ;
- (c) may empower the designated Minister, where he is satisfied that a local or police authority have failed or refused properly to discharge any functions conferred on them under this section, either himself to discharge those functions in the name and at the expense of that local or police authority or to authorise or require some other authority or person to exercise those functions in the name and at the expense of that local or police authority ;
- (d) may, on such conditions, if any, as may be prescribed by the regulations, authorise or require things to be done in contravention of, or without compliance with, any statutory provision regulating or restricting the carrying out of building, engineering, mining or other operations in, on, over or under land, or the making of any material change in the use of any buildings or other land ; and
- (e) may authorise the employment of personnel, and the provision, construction or maintenance of premises and equipment, in excess of any limits imposed by any statutory provision.

(3) The reference in paragraph (c) of subsection (2) of this section to the exercise of any functions of a local or police authority in the name and at the expense of that authority, shall, in relation to a police authority which is the watch committee of a borough, be construed as a reference to the exercise of those functions in the name of the watch committee and at the expense of the council of the borough.

3.—(1) Regulations to be made by the designated Minister with the consent of the Treasury may authorise or require the payment by the designated Minister of such grants towards expenses incurred by local authorities or police authorities in or in connection with the discharge of functions conferred on them under the last preceding section, and towards expenses incurred by statutory water undertakers as defined in section one of the Water Act, 1948, not being local authorities, in or in connection with civil defence, as may be prescribed by the regulations.

Grant towards expenses of local and police authorities.

(2) The said grants shall—

(a) in the case of such expenses as may be prescribed in that behalf by the regulations, be grants which may amount to complete reimbursement of the whole amount of the expenses ;

(b) in other cases, be grants of not more than three quarters of the expenses.

(3) Any grants under this section towards expenses incurred by a police authority in England or Wales shall be paid into the police fund, that is to say, in the case of a combined police authority as defined in section nineteen of the Police Act, 1946, into the combined police fund as defined in that section, and, in any other case, into the police fund as defined in the Third Schedule to the Police Pensions Act, 1921.

(4) No grants shall be made under section eight of the Air Raid Precautions Act, 1937, towards any expenditure incurred after such date as may be specified in that behalf by the regulations first made under this section.

4.—(1) The designated Minister and any such local authority as is mentioned in subsection (1) of section eight of the Acquisition of Land (Authorisation Procedure) Act, 1946, may be authorised to purchase compulsorily in accordance with the provisions of that Act—

Powers as to land.

(a) any land required by them for discharging any of the functions exercisable by them respectively under the preceding provisions of this Act ; and

(b) in the case of the designated Minister, any land required by any other Minister or any local or police authority

for discharging any functions exercisable under the preceding provisions of this Act by that other Minister or that authority,

and that Act shall apply accordingly—

- (i) as if paragraph (b) of subsection (1) of section one thereof (which refers to the compulsory purchase of land by the Minister of Transport under certain enactments) included a reference to any compulsory purchase of land by the designated Minister under this subsection; and
- (ii) as if this Act had been in force immediately before the commencement of that Act; and
- (iii) as if references in that Act to the confirming authority were references to the designated Minister.

(2) Where, in the discharge of any functions exercisable by them under this Act, the designated Minister or any local or police authority do any work for the purpose of providing or maintaining a civil defence shelter, he or they may, if it appears expedient so to do, do that work and provide or maintain the shelter wholly or partly in, under or over any highway:

Provided that—

- (a) the powers conferred by this subsection shall be exercisable subject to such restrictions as may be prescribed by regulations to be made by the designated Minister, and to such provisions as to compensation as may be so prescribed; and
- (b) in no event shall the said powers be exercised unless the designated Minister or local authority, as the case may be, is or are satisfied that the shelter will not so obstruct the highway as substantially to diminish the utility of the highway to the public.

(3) Any person duly authorised in that behalf by the designated Minister or any local or police authority by whom functions are exercisable under the preceding provisions of this Act shall have a right to enter any land at all reasonable hours for the purpose of inspecting that or any other land with a view to ascertaining whether or not anything ought to be constructed or done thereon or any use made thereof for civil defence purposes:

Provided that a person proposing to exercise a power of entry conferred under this section—

- (a) shall, if so required, produce some duly authenticated document showing his authority;
- (b) shall not demand admission as of right to any land which is occupied unless twenty-four hours' notice of the intended entry has been given to the occupier.



(4) If—

- (a) any person who, in compliance with the provisions of this section, is admitted into a factory or workplace, discloses, otherwise than in the performance of his duty, to any person any information obtained by him in the factory or workplace with regard to any manufacturing process or trade secret ; or
- (b) any person to whom, by reason of his official position, any information obtained as aforesaid is disclosed, discloses, otherwise than in the performance of his duty, that information to any person,

he shall be liable on summary conviction to a fine not exceeding one hundred pounds or to imprisonment for a term not exceeding three months or to both such a fine and such imprisonment.

(5) The powers conferred by this section shall be in addition to and not in derogation of any powers which would apart from this section be available in relation to any of the functions exercisable under the preceding provisions of this Act, and, in particular, the powers of compulsory purchase conferred by subsection (1) of this section shall be in addition to and not in derogation of the powers conferred by section fifteen of the Police Act, 1946, on councils of counties or county boroughs to purchase compulsorily land required for the purpose of any of the functions of the police authority for the county or borough.

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

- (a) for the references to the Acquisition of Land (Authorisation Procedure) Act, 1946, and to subsection (1) of section eight thereof, there shall respectively be substituted references to the Acquisition of Land (Authorisation Procedure) (Scotland) Act, 1947, and to subsection (1) of section seven thereof ; and
- (b) in subsection (5), for the words from “ section fifteen ” to the end of the subsection there shall be substituted the words “ section eleven of the Police (Scotland) Act, 1946, on police authorities and joint police committees to acquire compulsorily land required for the purpose of the powers conferred by subsection (1) of that section.”

5. It is hereby declared that members of police forces and fire brigades, and, if and so far as provision in that behalf is made by regulations of the designated Minister, employees of local authorities or police authorities employed primarily for purposes other than civil defence purposes, are, as such, under a duty to comply with requirements as to training for and taking part in any form of civil defence for the time being recognised

Civil defence obligations of constables, firemen, etc., and of members of civil defence forces and services.

by the designated Minister as appropriate to be undertaken by those forces and brigades and their members respectively or, as the case may be, as appropriate to be undertaken by employees of the class in question having regard to the nature of the work for which those employees are primarily employed.

Saving for, and power to revive and amend, existing Acts relating to civil defence.

6.—(1) Subject to the provisions of section three of this Act relating to grants under section eight of the Air Raid Precautions Act, 1937, the preceding provisions of this Act shall be in addition to and not in derogation of the provisions of the Civil Defence Acts, 1937 and 1939.

(2) The designated Minister may by regulations—

- (a) bring again into force any provision of the Civil Defence Acts, 1937 and 1939, the operation of which is suspended under the Civil Defence (Suspension of Powers) Act, 1945, and, in particular, and without prejudice to the generality of the preceding words, any provision of those Acts relating to factories, mines, commercial buildings or public utility undertakings, the operation of which was suspended as aforesaid ;
- (b) direct that any provision of those Acts which was spent before the passing of the Civil Defence (Suspension of Powers) Act, 1945, and, in particular, and without prejudice to the generality of the preceding words, any provision of those Acts relating to notices to be given and grants to be made in the case of factories, mines, commercial buildings or public utility undertakings which was spent as aforesaid, shall again come into force ;
- (c) make, in any of the provisions of the said Acts, whether in force by virtue of regulations made under paragraph (a) or paragraph (b) of this subsection or in force otherwise, any such amendments as appear to him to be required owing to the passage of time or to be necessary or expedient to adapt them to any changes which have occurred since the passing of the said Acts either in the law or in the relevant circumstances, including, in particular, any actual or apprehended developments in the forms of warfare ;
- (d) repeal any of the provisions of the said Acts and, if it appears to him necessary or expedient so to do having regard to any such changes as aforesaid, substitute any comparable provision for any provision so repealed ; and
- (e) amend or extend any of the provisions of the Rating and Valuation (Air Raid Works) Act, 1938, or the

Rating and Valuation (Air Raid Works) (Scotland) Act,  
1938,

and nothing in the preceding provisions of this Act shall be construed as limiting the generality of the powers conferred by this subsection :

Provided that regulations under this subsection relating to grants out of moneys provided by Parliament shall not be made except with the consent of the Treasury.

(3) The power to make regulations under this section shall be in substitution for the power of His Majesty to make Orders in Council under the Civil Defence (Suspension of Powers) Act, 1945, terminating the suspension of any of the provisions of the Civil Defence Acts, 1937 and 1939.

7.—(1) Any expenses incurred by any Minister in discharging **Expenses.** functions exercisable by him under or by virtue of this Act, including any sums required for paying grants or compensation, shall be defrayed out of moneys provided by Parliament, and any sums received under or by virtue of this Act by any Minister shall be paid into the Exchequer.

(2) There shall also be paid out of moneys provided by Parliament any increase resulting from any of the provisions of this Act in the sums which, under Part I or Part II of the Local Government Act, 1948, fall to be paid out of moneys so provided.

8.—(1) Any regulations made under this Act,—

**Regulations.**

(a) may make different provision for different cases or classes of case ; and

(b) may contain such consequential and incidental provisions as may appear to the designated Minister to be necessary or expedient,

and, in particular, and without prejudice to the generality of the foregoing provisions, regulations made under any of the provisions of this Act may make different provision in relation to different authorities or undertakers or classes of authorities or undertakers.

(2) Any power conferred by this Act to make regulations shall be exercisable by statutory instrument.

(3) No regulations shall be made under this Act unless a draft thereof has been laid before Parliament and has been approved by resolution of each House of Parliament.

9.—(1) In this Act, except where the context otherwise **Interpretation,** requires,— **etc.**

“civil defence” does not include the provision or maintenance of a shelter which is used or intended to be

used wholly or mainly by naval, military or air forces but, save as aforesaid, includes any measures not amounting to actual combat for affording defence against any form of hostile attack by a foreign power or for depriving any form of hostile attack by a foreign power of the whole or part of its effect, whether the measures are taken before, at or after the time of the attack ;

“ civil defence forces ” and “ civil defence services ” mean respectively forces and services formed wholly or mainly to meet the needs of civil defence ;

“ a civil defence shelter ” means any shelter other than a shelter which is used or intended to be used wholly or mainly by naval, military or air forces ;

“ fire brigade ” means a fire brigade maintained in pursuance of the Fire Services Act, 1947 ;

“ local authority,” as respects England and Wales, means any authority being, within the meaning of the Local Loans Act, 1875, an authority having power to levy a rate, and, as respects Scotland, has the same meaning as in the Local Government (Scotland) Act, 1947, and includes a joint board and joint committee within the meaning of that Act ;

“ police force ” means any police force maintained for any police area mentioned in the Third Schedule to the Police Pensions Act, 1921, or maintained by virtue of any scheme under the Police Act, 1946, or under the Police (Scotland) Act, 1946 ;

“ a shelter ” means any premises, structure or excavation used or intended to be used to provide shelter from any form of hostile attack by a foreign power ;

“ statutory provision ” means a provision, whether of a general or a special nature, contained in, or in any document made or issued under, any Act, whether of a general or a special nature.

(2) In this Act, the expression “ the designated Minister ” means such Minister as may be designated by Order in Council, and different Ministers may be designated for different purposes or different provisions of this Act :

Provided that if and in so far as other provision is not made by Order in Council under this subsection, the said expression means the Secretary of State.

Any Order in Council under this subsection may be revoked or varied by a subsequent Order in Council.

(3) Any reference in this Act to the organisation, equipment or training for civil defence purposes of police forces includes a reference to the organisation, equipment and training of persons who are special constables for the police area in question.

10.—(1) The provisions of this Act, other than this section, shall not extend to Northern Ireland. Northern  
Ireland.

(2) It is hereby declared that the Parliament of Northern Ireland has power to make laws for purposes similar to those of the provisions of this Act.

11.—(1) This Act may be cited as the Civil Defence Act, 1948, and this Act and the Civil Defence Acts, 1937 to 1945, may be cited together as the Civil Defence Acts, 1937 to 1948. Short title,  
citation and  
repeal.

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

## SCHEDULE

### ENACTMENTS REPEALED

Section 11.

Session and Chapter	Enactment Repealed	Extent of Repeal
1 & 2 Geo. 6. c. 6.	The Air Raid Precautions Act, 1937.	Section eight (except as respects expenditure incurred before such date as may be specified in that behalf under section three of this Act).
9 & 10 Geo. 6. c. 12.	Civil Defence (Suspension of Powers) Act, 1945.	In section one, in subsection (1), the words "until His Majesty by Order in Council directs that this subsection shall cease to have effect", and subsection (2); in section two, in subsection (1) the words "and ending with such date as His Majesty may by Order in Council appoint", and subsection (2); and section three.

## TABLE OF STATUTES REFERRED TO IN THIS ACT

Short Title	Session and Chapter
Local Loans Act, 1875 ... ..	38 & 39 Vict. c. 83.
Police Pensions Act, 1921 ... ..	11 & 12 Geo. 5. c. 31.
Air Raid Precautions Act, 1937 ... ..	1 & 2 Geo. 6. c. 6.
Rating and Valuation (Air Raid Works) Act, 1938 ... ..	1 & 2 Geo. 6. c. 65.
Rating and Valuation (Air Raid Works) (Scotland) Act, 1938 ... ..	1 & 2 Geo. 6. c. 66.
Civil Defence (Suspension of Powers) Act, 1945 ... ..	9 & 10 Geo. 6. c. 12.
Police Act, 1946 ... ..	9 & 10 Geo. 6. c. 46.
Acquisition of Land (Authorisation Pro- cedure) Act, 1946 ... ..	9 & 10 Geo. 6. c. 49.
Police (Scotland) Act, 1946 ... ..	9 & 10 Geo. 6. c. 71.
Fire Services Act, 1947 ... ..	10 & 11 Geo. 6. c. 41.
Acquisition of Land (Authorisation Pro- cedure) (Scotland) Act, 1947 ... ..	10 & 11 Geo. 6. c. 42.
Local Government (Scotland) Act, 1947	10 & 11 Geo. 6. c. 43.
Water Act, 1948 ... ..	11 & 12 Geo. 6. c. 22.
Local Government Act, 1948 ... ..	11 & 12 Geo. 6. c. 26.

## CHAPTER 6.

*National Service (Amendment) Act, 1948.*

## ARRANGEMENT OF SECTIONS.

## Section.

1. Substitution of eighteen months as term of whole-time service.
2. Substitution of five and a half years as aggregate of terms of whole-time and part-time service.
3. Limit of age for calling-up in case of medical and dental practitioners.
4. Draft of any Order under s. 61 of principal Act to be laid before Parliament.
5. Expenses.
6. Short title, construction and citation.

An Act to substitute eighteen months for twelve months as the term of whole-time service under the National Service Act, 1948, and five and a half years for seven years as the aggregate of the terms of whole-time and part-time service thereunder, and to make certain other amendments in that Act. [16th December 1948.]

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

1.—(1) The National Service Act, 1948 (in this Act referred to as "the principal Act") shall have effect with the substitution of a period of eighteen months for the period of twelve months specified in subsection (2) of section one of that Act as the term of whole-time service for which a person is to be liable to be called up under Part I of that Act.

Substitution  
of eighteen  
months as  
term of  
whole-time  
service.

11 & 12 Geo. 6.  
c. 64.

(2) In accordance with the preceding subsection, the words "eighteen months" shall be substituted for the words "twelve months" in the said subsection (2), in the proviso to that subsection (which empowers His Majesty in Council to appoint a shorter period as the term of whole-time service) and in all other relevant provisions of the principal Act, that is to say—

paragraph (b) of subsection (6) of section seventeen ;  
subsection (1) of section twenty-four, in both places where the words occur ;

paragraph (b) of subsection (1) of section forty ; and  
paragraph 1 of the Second Schedule, in both places where the words occur.

(3) So long as a period shorter than eighteen months is appointed by Order in Council under the proviso to subsection (2) of section one of the principal Act as the term of whole-time service, references to eighteen months in the provisions of the principal Act mentioned in the last preceding subsection as thereby amended shall be construed as references to that shorter period.

This subsection shall be in substitution for subsection (2) of section thirty-four of the principal Act (which makes corresponding provision as regards the period of twelve months therein mentioned) and that subsection is accordingly hereby repealed.

2. In subsection (3) of section one of the principal Act (which provides that on the day next after that on which the term of a person's whole-time service is completed he shall be deemed to be entered or enlisted for a term of part-time service ending with the expiration of the seventh year after the beginning of

Substitution  
of five and  
a half years  
as aggregate  
of terms of whole-  
time and part-  
time service.

his term of whole-time service), the words " the expiration of the first six months of the sixth year " shall be substituted for the words " the expiration of the seventh year ".

Limit of age for calling-up in case of medical and dental practitioners.

3.—(1) Section eleven of the principal Act (which relates to registered medical practitioners and persons registered in the dentists' register under the Dentists Acts, 1878 to 1923, and provides that in the circumstances therein mentioned the Minister may, at the request of such a practitioner or of a person so registered, direct that he may be called up at any time before he attains the age of thirty years) is hereby repealed.

(2) In relation to a registered medical practitioner, and to a person registered in the dentists' register as aforesaid, the principal Act shall have effect with the substitution of thirty years for twenty-six years as the age on the attaining of which a person ceases to be liable under Part I of the principal Act to be called up for service, and references in the said Part I to twenty-six years shall accordingly be construed in relation to a registered medical practitioner, and to a person registered in the dentists' register as aforesaid, as references to thirty years.

Draft of any Order under S. 61 of principal Act to be laid before Parliament.

4. In the case of any Order in Council under the proviso to section sixty-one of the principal Act (which section enacts that that Act shall continue in operation only with respect to persons who have attained the age of eighteen years, or who have been called up for service, before the first day of January, nineteen hundred and fifty-four, and by the said proviso empowers His Majesty in Council to substitute a later day for that day) a draft of the Order shall be laid before Parliament, and the draft shall not be submitted to His Majesty except in pursuance of an address presented by each House of Parliament praying that the Order be made.

Expenses.

5. Any increase attributable to the passing of this Act in the expenses directed to be defrayed out of moneys provided by Parliament by section fifty-five of the principal Act shall be defrayed out of moneys so provided.

Short title, construction and citation.

6.—(1) This Act may be cited as the National Service (Amendment) Act, 1948.

(2) This Act and the principal Act shall be construed as one, and may be cited together as the National Service Acts, 1948.



## CHAPTER 7.

An Act to repeal Part I of the Road Haulage Wages Act, 1938, and, so far as it relates to the Central Board established under the said Part I, the Holidays with Pay Act, 1938, to convert the said Central Board and any order in force under the said enactments (so far as repealed) into a wages council and a wages regulation order under the Wages Councils Act, 1945, to amend the last-mentioned Act in certain respects, and for purposes connected with the matters aforesaid.

[16th December 1948.]

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

1.—(1) Subject to the provisions of this section—

- (a) the Road Haulage Central Wages Board established under Part I of the Road Haulage Wages Act, 1938, shall, by virtue of this Act and without more, be deemed to be a wages council established, under the name of "the Road Haulage Wages Council", under Part I of the Wages Councils Act, 1945, by a wages council order and operating, until other provision is made under the last-mentioned Act, in relation to all workers of the descriptions specified in subsection (2) of this section and their employers ;
- (b) any order made under section three of the Road Haulage Wages Act, 1938, the Holidays with Pay Act, 1938, and the Trade Boards and Road Haulage Wages (Emergency Provisions) Act, 1940, being an order which gives effect to proposals or directions of the said Board and is in force immediately before the passing of this Act, shall, as from the passing of this Act, have effect as if it were a wages regulation order giving effect to wages regulation proposals submitted by the Road Haulage Wages Council under the Wages Councils Act, 1945 ;
- (c) Part I of the Road Haulage Wages Act, 1938, and so much of the Holidays with Pay Act, 1938, as relates to the Road Haulage Central Wages Board shall cease to have effect, and Parts II and III of the Road Haulage Wages Act, 1938, shall have effect subject to the consequential modifications specified in the First Schedule to this Act.

Certain road haulage workers to be brought under Wages Councils Act, 1945.  
1 & 2 Geo. 6.  
c. 44.  
8 & 9 Geo. 6.  
c. 17.

1 & 2 Geo. 6.  
c. 70.  
3 & 4 Geo. 6.  
c. 7.

(2) The descriptions of workers referred to in paragraph (a) of subsection (1) of this section are the descriptions of workers whose remuneration was the subject of an order under section three of the Road Haulage Wages Act, 1938, immediately before the passing of this Act, and any other descriptions of workers whose remuneration could, under the law then in force, have then been the subject of such an order.

(3) The provisions of the Second Schedule to this Act shall have effect in relation to the transition from Part I of the Road Haulage Wages Act, 1938, and the Holidays with Pay Act, 1938, to the Wages Councils Act, 1945, effected by the preceding provisions of this section.

Amendments  
to Wages  
Councils Act,  
1945,  
consequential  
on preceding  
section.  
23 & 24 Geo. 5.  
c. 53.

2.—(1) The powers conferred by subsection (3) of section seventeen of the Wages Councils Act, 1945, on any officer acting for the purposes of Part II of that Act shall include power, for the performance of his duties, to require the production of any licence or certificate granted under the Road and Rail Traffic Act, 1933, or any defence permit, and of any records kept in pursuance of section sixteen of the Road and Rail Traffic Act, 1933, or in pursuance of the Road Haulage Wages Act, 1938, and to examine any such licence, certificate, permit or records and copy it or them or any material part thereof, and all the provisions of the Wages Councils Act, 1945, shall have effect accordingly.

(2) If any person is convicted under Part I of the Road and Rail Traffic Act, 1933, of using a goods vehicle for a purpose for which an A licence or a B licence is required, otherwise than under such a licence, any work performed by a worker in connection with the vehicle while it was so used shall, for the purposes of any wages regulation order the operation whereof depends on whether or not a vehicle is specified in or authorised to be used by an A licence or a B licence, be deemed to have been work performed in connection with a vehicle specified in an A licence or a B licence granted under that Act, as the case may be.

(3) In this section, the expression "defence permit" means a defence permit issued under the Emergency Powers (Defence: Road Vehicles and Drivers Order, 1943, as amended by subsequent orders.

Extension of  
powers as to  
establishment  
of wages  
councils and  
central  
co-ordinating  
committees.

3.—(1) An order under section six of the Wages Councils Act, 1945, abolishing or varying the field of operation of one or more wages councils may include provision for the establishment of one or more wages councils operating in relation to all or any of the workers in relation to whom the first-mentioned council or councils would have operated but for the order, and such other workers, if any, as may be specified in the order.

(2) The provisions of section five of the said Act (which relates to the making of wages council orders) shall apply in relation to every order under the said section six which includes any such

provision as is mentioned in subsection (1) of this section as they apply in relation to wages council orders, and accordingly, in paragraph (b) of the proviso to subsection (1) of the said section six, after the words "another wages council" there shall be inserted the words "already in existence".

(3) Where a commission of inquiry embodies two or more wages council recommendations in the same report, it may include in that report a recommendation for the establishment of a central co-ordinating committee in relation to all or any of the councils to which those recommendations relate, and accordingly, in paragraph (a) of subsection (2) of section eight of the said Act, after the words "and any other wages council" there shall be inserted the words "(including a council proposed to be established by another wages council recommendation embodied in the same report)".

4. An application for the abolition of a wages council may be made under subsection (2) of section six of the Wages Councils Act, 1945, by a joint industrial council, conciliation board or other similar body constituted by organisations of workers and organisations of employers which represent respectively substantial proportions of the workers and employers with respect to whom that wages council operates, and accordingly, in the said subsection (2), for the words "may be made to the Minister jointly by organisations of workers and organisations of employers which represent respectively substantial proportions of the workers and employers with respect to whom that council operates, on the ground that those organisations jointly provide machinery" there shall be substituted the words "may be made to the Minister either—

Power of joint industrial councils, etc., to apply for abolition of wages council.

(a) by a joint industrial council, conciliation board or other similar body constituted by organisations of workers and organisations of employers which represent respectively substantial proportions of the workers and employers with respect to whom that wages council operates; or

(b) jointly by organisations of workers and organisations of employers which represent respectively substantial proportions of the workers and employers aforesaid,

on the ground that the council, board or body provides, or, as the case may be, that those organisations jointly provide, machinery".

5.—(1) The Minister shall publish every report made to him under Part I of the Wages Councils Act, 1945, by a commission of inquiry :

Amendments as to procedure under Part I of Wages Councils Act, 1945.

Provided that where the Minister refers a report back to the commission, he shall not be bound to publish it until he publishes the further report of the commission.

## (2) Where—

- (a) any objection is made to the Minister under section five of the said Act with respect to a draft wages council order or a draft order under section six of the said Act (which section provides for the abolition of wages councils and the variation of their fields of operation); and
- (b) the Minister, under paragraph (b) of subsection (4) of the said section five, refers the draft order to a commission of inquiry for inquiry and report,

he shall notify to the commission the objections which he wishes the commission to take into account, and the questions which it is the duty of the commission to consider and report on by virtue of the reference shall be all questions affecting the draft order which arise on or in connection with the objections so notified :

Provided that the Minister shall include in the objections which he notifies to the commission all the objections which, under subsection (2) of the said section five, he is himself required to consider, other than any objections which he thinks fit to exclude, in the case of an order in pursuance of a wages council recommendation, on the ground that, in his opinion, they were made to the commission of inquiry which made the recommendation and were expressly dealt with in the report embodying that recommendation, or, in any case, on the ground that they are in his opinion frivolous.

(3) Subsection (5) of section five, and sub-paragraph (iii) of paragraph (b) of the proviso to subsection (1) of section six, of the said Act (which require the Minister to publish wages council orders and orders under the said section six) shall cease to have effect, and any such order as aforesaid shall come into operation on the date on which it is first issued by His Majesty's Stationery Office or on such later date as is specified in the order.

Amendments  
as to  
procedure for  
making, and  
notices in  
connection  
with, wages  
regulation  
orders.

6.—(1) In subsection (3) of section ten of the Wages Councils Act, 1945 (which, amongst other things, requires wages councils to publish notice of wages regulation proposals which they propose to submit to the Minister) after the words " shall publish, in the prescribed manner, notice of the proposals " there shall be inserted the words " and shall give such notice thereof as may be prescribed for the purpose of informing, so far as practicable, all persons affected thereby ".

(2) The period which must be allowed for the sending of written representations with respect to wages regulation proposals to the wages council concerned shall, as well before as after the expiration of the Trade Boards and Road Haulage Wages (Emergency Provisions) Act, 1940, be not less than fourteen

ays from the date of the publication of the notice of the proposals, and accordingly, in the said subsection (3), for the words " (which, until the date declared by His Majesty in Council under section four of the Trade Boards and Road Haulage Wages (Emergency Provisions) Act, 1940, to be the date on which the emergency that was the occasion of the passing of that Act came to an end, shall not be less than fourteen days, and thereafter shall not be less than twenty-one days, from the date of the publication of the notice) " there shall be substituted the words " (which shall not be less than fourteen days from the date of publication of the notice) ".

(3) In subsection (5) of the said section ten (which, amongst other things, requires wages councils to give the prescribed notice of wages regulation orders) after the words " shall give such notice of the order and the contents thereof " there shall be inserted the words " and shall then and subsequently give such notice of any other prescribed matters affecting the operation hereof ".

7. Where the term for which the members of a wages council or central co-ordinating committee were appointed comes to an end before the Minister has appointed the persons who are to serve as members of the council or committee after the expiration of that term, they shall, except so far as the Minister otherwise directs, continue in office until the new appointments take effect.

Term of office  
of members  
of wages  
councils and  
central  
co-ordinating  
committees.

8.—(1) This Act may be cited as the Wages Councils Act, 1948, and shall be construed as one with the Wages Councils Act, 1945, and this Act and that Act may be cited together as the Wages Councils Acts, 1945 to 1948.

Short title,  
citation,  
construction,  
interpretation,  
extent and  
repeal.

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

(3) References in this Act to any other enactment shall, except so far as the context otherwise requires, be construed as references to that enactment as amended by or under any subsequent enactment, including this Act.

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

SCHEDULES.

## Section 1.

FIRST SCHEDULE.CONSEQUENTIAL MODIFICATIONS OF PARTS II AND III OF THE ROAD  
HAULAGE WAGES ACT, 1938.*Section 4.*

In paragraph (a) of subsection (3), for the words "payable under any road haulage wages order in respect of that work if the work had been work to which Part I of this Act applies" there shall be substituted the words "payable under any wages regulation order made under the Wages Councils Act, 1945, to workers employed on similar work".

*Section 6.*

In subsection (3), after the word "deemed" there shall be inserted the words "for the purposes of this Act".

*Section 15.*

At the end of subsection (2), for the words "neither Part I nor Part II of this Act applies" there shall be substituted the words "Part II of this Act does not apply".

## Section 1.

SECOND SCHEDULE.TRANSITIONAL PROVISIONS.

1. The persons who, immediately before the passing of this Act, were members of the Road Haulage Central Wages Board (other than substitute members) shall be deemed to have been appointed members of the Road Haulage Wages Council, as being independent persons or as representing employers or as representing workers, as the case may be, and to have been so appointed for periods expiring when their appointments under the Road Haulage Wages Act, 1938, would have expired.

2. Where, before the passing of this Act, the said Board have, under the Second Schedule to the Road Haulage Wages Act, 1938, given the prescribed notice of any proposals or directions under the said Act or the Holidays with Pay Act, 1938, but have not submitted the proposals or directions to the Minister, the notice so given shall be deemed to be a notice of wages regulation proposals published under subsection (3) of section ten of the Wages Councils Act, 1945, and any objection made before the passing of this Act under the said Second Schedule and any report by an area board made before the passing of this Act under the said Schedule with respect to the proposals shall be deemed to be a representation under the said subsection (3), and the said subsection (3) shall have effect accordingly.

3. Any proposals or directions of the said Board submitted to the Minister under the Road Haulage Wages Act, 1938, or the Holidays with Pay Act, 1938, before the passing of this Act, including any

proposals or directions which have been re-submitted to the Minister but not including any proposals or directions to which effect has been given by the Minister under the said Acts, shall be deemed to be wages regulation proposals submitted by the Road Haulage Wages Council, and any such proposals or directions as aforesaid which, before the passing of this Act, were referred back to the Board by the Minister, shall be deemed to have been referred back to the Council under the Wages Councils Act, 1945.

2ND SCH.  
—cont.

4. Where proceedings are brought under subsection (2) of section eleven of the Wages Councils Act, 1945, in respect of an offence consisting of a failure after the passing of this Act to pay remuneration not less than the statutory remuneration required to be paid by an order giving effect to proposals submitted by the said Board or Council, a contravention of any such order may be treated for the purposes of subsection (3) of that section as a like contravention notwithstanding that it took place before the passing of this Act, and the reference in paragraph (b) of the said subsection (3) to the provisions of Part II of that Act shall be deemed to include a reference to the corresponding provisions of the Road Haulage Wages Act, 1938, and the Holidays with Pay Act, 1938.

5. For the avoidance of doubt, it is hereby declared that the power conferred on officers by subsection (6) of section seven of the Road Haulage Wages Act, 1938, to institute proceedings on behalf or in the name of a worker for the recovery of certain sums may be exercised after the passing of this Act in relation to sums due in respect of periods before the passing of this Act notwithstanding the repeal by this Act of certain provisions of that Act, and the said subsection (6) shall continue to have effect accordingly.

6. The references in section seventeen of the Wages Councils Act, 1945 (which relates to officers and the powers and duties thereof) to Part II of that Act shall be deemed to include references to the provisions of the Road Haulage Wages Act, 1938, and the Holidays with Pay Act, 1938, repealed by this Act; and officers appointed under that section—

- (a) may proceed thereunder in relation to things done or omitted to be done before the passing of this Act accordingly; and
- (b) may also exercise the powers conferred on officers appointed under the Road Haulage Wages Act, 1938, so far as those powers continue to be exercisable, as if they had been appointed under the last mentioned Act.

7. The records and notices which employers were required by and under section ten of the Road Haulage Wages Act, 1938, to keep, retain and post shall be deemed as from the passing of this Act to be records and notices required to be kept, retained and posted by and under section fifteen of the Wages Councils Act, 1945, and the said section fifteen shall have effect accordingly, but nothing in this paragraph shall be construed as exempting employers from complying with any obligations imposed by or under the said section fifteen in relation to orders or directions in force at the passing of this Act over and above the obligations imposed by and under the said section ten.

## Section 8.

## THIRD SCHEDULE.

## ENACTMENTS REPEALED.

Session and Chapter.	Short Title.	Extent of Repeal.
1 & 2 Geo. 6. c. 44.	The Road Haulage Wages Act, 1938.	Sections one to three; in section ten, in subsection (2), from the words "and requiring" to the end of the subsection, and in subsection (4), from the words "in the case of" (where those words first occur) to the word "applies" (in the second place where that word occurs); in subsection (2) of section thirteen, the words "and any expenses authorised by the Minister with the consent of the Treasury to be incurred by the Central Board or any area board"; in section fifteen, the definition of "Railway Trade Unions"; subsections (1) and (2) of section sixteen; the First and Second Schedules; and in paragraph 3 of the Third Schedule, the words "with the Central Board and".
1 & 2 Geo. 6. c. 70.	The Holidays with Pay Act, 1938.	Subsection (6) of section one; in subsection (2) of section two, the words "(whether fixed as aforesaid or fixed by the Road Haulage Central Wages Board)"; paragraph (c) of subsection (1) of section three; and in section five, the words "in relation to the Road Haulage Wages Act, 1938, the Minister of Labour," the words "or holiday remuneration fixed under the Road Haulage Wages Act, 1938, as the case may be" and the words "or the Road Haulage Central Wages Board, as the case may be".
3 & 4 Geo. 6. c. 7.	The Trade Boards and Road Haulage Wages (Emergency Provisions) Act, 1940.	In section two, in subsection (1) the words "with the Central Board and", the words "the proviso to subsection (2) of section one of the said Act (which excludes certain work from the operation of Part I thereof) or" and the words "except upon a proposal of the Central Board", and the whole of subsection (3).
8 & 9 Geo. 6. c. 17.	The Wages Councils Act, 1945.	Subsection (5) of section five, and sub-paragraph (iii) of paragraph (b) of the proviso to subsection (1) of section six.



## CHAPTER 8.

*Recall of Army and Air Force Pensioners Act, 1948.*

## ARRANGEMENT OF SECTIONS.

## Section.

1. Liability of army and air force pensioners to recall for service.
2. Occasion for and period of recall.
3. Procedure for the recall of pensioners.
4. Pension not to reduce pay during recall.
5. Interpretation.
6. Short title.

Schedule.—Army and air force pensioners not liable to be recalled for service.

An Act to make provision for enabling discharged soldiers or airmen in receipt of service pensions to be recalled for service in an emergency; and for purposes connected therewith. [16th December 1948.]

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

1.—(1) Subject to the provisions of this section, an army or air force pensioner to whom this Act applies shall be liable under this Act to be recalled for service in such circumstances and for such period as are specified in the following provisions of this Act.

Liability of  
army and  
air force  
pensioners  
to recall  
for service.

(2) This Act applies to army and air force pensioners whose service pensions have been assessed or re-assessed in accordance with pension provisions made after the passing of this Act, other than—

- (a) pensioners whose service pensions were originally granted before the third day of September, nineteen hundred and thirty-nine,
- (b) pensioners being persons of any description mentioned in the Schedule to this Act.

(3) In the last foregoing subsection the expression " pension provisions made after the passing of this Act " means—

- (a) in the case of army pensioners, the provisions of a Royal Warrant issued after the passing of this Act ;
- (b) in the case of air force pensioners, the provisions of an Order by His Majesty so issued,

not being provisions as to which the Warrant or Order directs that they shall be disregarded for the purposes of this Act.

(4) A person shall cease to be liable under this Act to be recalled for service when he attains the age of sixty years.

Occasion for  
and period  
of recall.

2.—(1) A person liable under this Act to be recalled for service may be recalled at any time when men of the army reserve or air force reserve, as the case may be, are or are deemed to be called out on permanent service under the Reserve Forces Act, 1882.

(2) A person recalled for service under this Act shall be deemed to be enlisted in the regular forces or the regular air force, according as he was an army pensioner or an air force pensioner, for the period beginning with the time as from which he is so recalled and ending with such date as His Majesty may by Order in Council declare to be the end of the emergency which was the occasion of the calling-out under the said Act of 1882 of men of the reserve in question :

Provided that, notwithstanding anything in section seventy-six of the Army Act or section seventy-six of the Air Force Act, any such person shall, if on his recall he so requires, be so enlisted for the said period in accordance with the provisions of section eighty of the Army Act or section eighty of the Air Force Act (which provide for the procedure on enlistment) as the case may require, and thereupon he shall not be deemed to have been enlisted by virtue of the foregoing provisions of this subsection.

Procedure  
for the recall  
of pensioners.

3.—(1) The appropriate Service Authority may cause to be served on any person liable to be recalled for service under this Act a notice stating that he is recalled for service and requiring him to present himself at such place and at such time (not earlier than the third day after the service of the notice), and to such authority, as may be specified in the notice ; and subject to the provisions of this section he shall be deemed to be recalled for service under this Act as from the said time (hereinafter referred to as " the time of recall ").

(2) A notice served under this section may, before the time of recall, be cancelled by a subsequent notice thereunder or be varied by altering the place at which or authority to whom he is thereby required to present himself at the time of recall.

(3) A notice under this section shall cease to have effect if before the time of recall the person on whom it is served ceases to be liable under this Act to be recalled for service.

(4) Any notice under this section shall be deemed to be duly served on a person if it is sent to him by post addressed to his last known address :

Provided that no steps shall be taken against a person in respect of failure to comply with such a notice unless either it is proved that the notice was received by him or the notice was sent addressed as aforesaid by registered post ; and where, in the case of a notice not sent by registered post, it appears to the appropriate Service Authority that the person to whom the notice relates may not have received the notice, the Authority may serve on him by registered post a subsequent notice superseding the original notice.

4. A person recalled for service under this Act shall not suffer any reduction in pay or other emoluments in respect of his service while recalled by reason of being in receipt of a service pension and his service pension shall not be withheld or reduced by reason of his being in receipt of any such pay or emoluments. Pension not to reduce pay during recall.

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

“ army pensioner ” and “ air force pensioner ” mean persons who have been discharged from service as soldiers and as airmen respectively and are in receipt of service pensions;

“ service pension ” means a pension granted in respect of service as a soldier of the regular forces or an airman of the regular air force or in respect of that service and other service, but does not include a pension awarded in respect of disablement ;

“ appropriate Service Authority ” means in relation to an army pensioner the Army Council and in relation to an air force pensioner the Air Council ;

and other expressions used in this Act have in relation to army pensioners the same meanings as in the Army Act, and in relation to air force pensioners the same meanings as in the Air Force Act.

(2) References in this Act to any enactment shall be construed as references to that enactment as amended by or under any subsequent enactment.

(3) For the purposes of this Act, a person shall be deemed to be in receipt of a pension if the pension has been granted to him and has not been wholly forfeited, notwithstanding that any part of the pension has been commuted for a sum of money in lieu thereof or that the pension or any part thereof is for the time being administered or otherwise applied for any purpose or paid to some other person, or that the pension or any part thereof has not been paid for any period.

(4) For the purposes of the last foregoing subsection, the forfeiture of a pension shall be disregarded if the whole or any part of the pension has been restored since the forfeiture was incurred.

6. This Act may be cited as the Recall of Army and Air Force Pensioners Act, 1948. Short title.

## SCHEDULE.

Section 1.

### ARMY AND AIR FORCE PENSIONERS NOT LIABLE TO BE RECALLED FOR SERVICE.

1. A man in holy orders or a regular minister of any religious denomination.

2. A person who is the subject of an order or inquisition under the Lunacy and Mental Treatment Acts, 1890 to 1930, or is being detained

as a criminal lunatic or in pursuance of an order made under the Criminal Lunatics Act, 1884, or is undergoing treatment as a temporary patient under section five of the Mental Treatment Act, 1930, or has been placed in an institution or a certified house, or under guardianship, under section three of the Mental Deficiency Act, 1913, or is the subject of an order under section six, eight or nine of that Act, or is under supervision provided under paragraph (b) of section thirty of that Act, or is an inmate of a home approved under section fifty of that Act, or is the subject of a notification under subsection (2) of section fifty-one of that Act.

3. A person certified by a local authority, as defined for the purposes of Part III of the National Assistance Act, 1948, to be registered as a blind person under arrangements made by the authority under section twenty-nine of that Act.

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**TABLE OF STATUTES REFERRED TO  
IN THIS ACT.**

Short Title.	Session and Chapter.
Reserve Forces Act, 1882     ...     ...	45 & 46 Vict. c. 48.
Criminal Lunatics Act, 1884     ...     ...	47 & 48 Vict. c. 64.
Mental Deficiency Act, 1913     ...     ...	3 & 4 Geo. 5. c. 28.
Mental Treatment Act, 1930     ...     ...	20 & 21 Geo. 5. c. 23.
National Assistance Act, 1948     ...     ...	11 & 12 Geo. 6. c. 29.

**CHAPTER 9.**

*Prize Act, 1948.*

**ARRANGEMENT OF SECTIONS.**

**Section.**

1. Aggregate amounts of Naval and Marine, and R.A.F., prize payments
2. Distribution of Naval and Marine prize payments.
3. Application of R.A.F. prize payments.
4. His Majesty's forces to which this Act applies.
5. Control, audit, etc., of Funds.
6. Payments to Dominions, and from Dominions and colonies, etc., in respect of prize.
7. Disposal of certain sums standing to the credit of Prize Deposit Account or prize causes.
8. Regulation of payments out of and into Prize Deposit Account.
9. Abolition of future prize money, and of prize bounty.
10. Short title and definition.

n Act to make provision as to the payment, and the distribution or application, of any prize money granted by His Majesty out of the proceeds of prize captured in the late war, as to payments and receipts in respect of proceeds of prize to or from the Government or a court of a part of His Majesty's dominions outside the United Kingdom, to extinguish for the future the prerogative rights to make grants of prize money to captors and to grant prize bounty, to authorise the payment into the Exchequer of certain unclaimed sums in prize courts, and for purposes connected with the matters aforesaid.

[16th December 1948.]

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

1. If His Majesty is pleased by Proclamation or Order in Council to signify his intention to make a grant of prize money out of the proceeds of prize captured in the late war, there shall be paid out of the Supreme Court Prize Deposit Account—

(a) into a separate fund to be called the Royal Naval Prize

Fund, as and when the Treasury and the Admiralty jointly direct (but subject to the provisions of section eight of this Act), the sum of, or sums amounting in the aggregate to, four million pounds; and

(b) into a separate fund to be called the Royal Air Force Prize Fund, as and when the Treasury and the Air Council jointly direct (but subject to the provisions of section eight of this Act), the sum of, or sums amounting in the aggregate to, one million, two hundred and fifty thousand pounds.

2.—(1) Sums of such respective amounts as His Majesty may by the said Proclamation or Order in Council determine shall be distributed out of the Royal Naval Prize Fund, in such manner as His Majesty may so determine, to such persons who are or have been members of any of His Majesty's naval and marine forces to which this section applies or of the crews to which this section applies of any of His Majesty's ships of war, or in the case of their death to their representatives, as His Majesty may so determine.

(2) Subject to the provisions of this subsection and to the provisions of this Act with respect to the investment of sums standing to the credit of the Royal Naval Prize Fund, the Naval Agency and Distribution Act, 1864, shall, so far as applicable, apply to sums distributable in accordance with the preceding subsection and to the distribution of those sums:

Aggregate amounts of Naval and Marine, and R.A.F., prize payments.

Distribution of Naval and Marine prize payments.

Provided that—

- (a) section seventeen of that Act (which requires forfeited and unclaimed shares and balances of prize money, and a percentage of the proceeds of prize and prize money, to be carried to the naval prize cash balance) shall not apply to sums paid into the Royal Naval Prize Fund or to sums distributable in accordance with the preceding subsection, but any forfeited and unclaimed shares and balances of such sums may be distributed in accordance with the preceding subsection or may be applied for such charitable purposes for the benefit of persons who are or have been members of any of such naval and marine forces or crews as aforesaid or their dependants, or for such other purposes for their welfare, as the Admiralty may determine; and
- (b) notwithstanding anything in section nineteen of that Act, no ship's agent shall be entitled to any share in sums distributable in accordance with the preceding subsection.
- (3) Any residue of sums paid into or accruing to the Royal Naval Prize Fund not dealt with in accordance with the preceding provisions of this section shall be applied for such charitable or welfare purposes as are mentioned in the last preceding subsection.

Application  
of R.A.F.  
prize  
payments.

3. Sums paid into or accruing to the Royal Air Force Prize Fund shall, with a view to the application thereof for the benefit of persons who are or have been members of any of His Majesty's air forces to which this section applies or their dependants, be distributed by way of grants to such organisations as the Air Council may determine, being organisations whose functions consist in or comprise the application of funds for charitable purposes for the benefit of such persons as aforesaid or for other purposes for their welfare, of such amounts, and made at such times and in such manner, as the Air Council may determine.

His Majesty's  
forces to  
which this  
Act applies.

4.—(1) The naval and marine forces and crews to which section two of this Act applies, and the air forces to which section three of this Act applies, are respectively naval and marine forces of His Majesty and crews of any of His Majesty's ships of war, and air forces of His Majesty,—

- (a) raised by the Government of the United Kingdom;
- (b) raised by the Government of a country or territory which is at the commencement of this Act a colony (other than a colony administered by the Government of a Dominion within the meaning of the Statute of Westminster, 1931), a territory under His Majesty's protection, or a territory administered by His Majesty's Government in the United Kingdom under the trusteeship system of the United Nations, or
- (c) raised by the Government of Burma and serving during any period before the third day of September, nineteen hundred and forty-five.

(2) The Admiralty may declare a ship or vessel, whether belonging to His Majesty or not, to have been a ship of war during a specified period or whilst engaged on specified service, and persons who were officers or members of the crew of a ship or vessel to which such a declaration relates during the specified period or whilst it was engaged on the specified service shall be deemed for the purposes of section two of this Act to have been members of His Majesty's naval forces to which that section applies.

(3) Persons who during the late war were members of the Royal Artillery and served as such in any ship or vessel for the purpose of defending it against enemy attack shall be deemed for the purposes of section two of this Act to have been members of His Majesty's naval forces to which that section applies.

5.—(1) The Royal Naval Prize Fund and the Royal Air Force Prize Fund shall be under the control of the Admiralty and of the Air Council respectively, and payments into and out of those Funds and all matters relating thereto shall be made and regulated in such manner as the Admiralty or the Air Council, as the case may be, may direct. Control, audit, etc., of Funds.

(2) Any sum standing to the credit of either of the said Funds may be temporarily invested in such manner as the Treasury may authorise, and interest on an investment made under this subsection of any sum shall accrue to the Fund to the credit of which that sum was standing.

(3) The Admiralty and the Air Council shall as respects each financial year prepare accounts of receipts into and payments out of the Royal Naval Prize Fund and the Royal Air Force Prize Fund respectively in such form and manner as the Treasury may direct.

Accounts prepared under this subsection shall, on or before the thirtieth day of November next following the expiration of the financial year in question, be transmitted to the Comptroller and Auditor General who shall examine and certify the accounts and lay copies thereof together with his reports thereon before Parliament.

6.—(1) There shall be paid out of the Supreme Court Prize Deposit Account, as and when the Treasury direct (but subject to the provisions of section eight of this Act), any sum which is certified by the Treasury to be payable by the Government of the United Kingdom to the Government of a Dominion within the meaning of the Statute of Westminster, 1931, of India, of Pakistan or of Ceylon, under any agreement made between that Government and the Government of the United Kingdom as to the allocation of proceeds of prize captured during the late war. Payments to Dominions, and from Dominions and colonies, etc., in respect of prize.

(2) Any sum received on behalf of the Government of the United Kingdom under any such agreement as aforesaid, or under any agreement as to the allocation of such proceeds as aforesaid made between the Government of the United Kingdom

and the Government of Newfoundland, and any sum which the Treasury direct under section eight of the Colonial Courts of Admiralty Act, 1890, to be so dealt with, shall be paid, as and when the Treasury direct (but subject to the provisions of section eight of this Act), into the Supreme Court Prize Deposit Account.

Disposal of certain sums standing to the credit of Prize Deposit Account or prize causes.

7.—(1) Sums which at the passing of this Act are standing to the credit of the Supreme Court Prize Deposit Account in respect of ships or goods (within the meaning of the Naval Prize Act, 1864) not then condemned, or are so standing to the credit of a cause instituted in a prize court in any such country or territory as is mentioned in paragraph (b) of subsection (1) of section four of this Act, and which are unclaimed at the latest time for making claims fixed by any advertisement published in relation to the said Account, or in relation to that court, as the case may be, under the next succeeding subsection, shall be paid into the Exchequer at such time thereafter, and in such manner, as the Treasury may direct.

(2) Advertisements for claims shall be published in relation to the said Account and in relation to each such prize court as aforesaid, in such form and manner as may be determined by or under the authority of the President of the Probate Division of the High Court in the case of the said Account, or of the principal judge thereof in the case of each such court, consistently with the following requirements, that is to say—

- (a) that each such advertisement shall fix as the latest time for making claims a time not earlier than the expiration of three months from the publication thereof in the case of the said Account, or six months from the publication thereof in the case of any such court, and
- (b) that the manner of publication of such advertisements shall consist of or include publication in one or more newspapers circulating in the United Kingdom in the case of the said Account or in the country or territory in which the court has jurisdiction in the case of any such court, and also in one or more newspapers circulating in such other countries or territories as the said President or the said principal judge, as the case may be, may direct.

(3) A sum shall be treated for the purposes of this section as unclaimed at a given time if at that time no claim in respect thereof by a party other than the Crown has been filed with the Admiralty Registry in the case of the said Account or with the registry of the court in the case of any such prize court as aforesaid, or if at that time all claims in respect thereof filed as aforesaid before that time have been dismissed or withdrawn.

Regulation of payments out of and into Prize Deposit Account.

8. The time and manner of any payment under this Act out of or into the Supreme Court Prize Deposit Account shall be determined subject to directions given by the President of the Probate Division of the High Court, or, in his absence, by the senior puisne judge attached to that Division.



9.—(1) The prerogative right to grant Droits of Admiralty or Droits of the Crown or any part or proportion of any such Droits respectively to officers or other persons seizing or taking the same, shall cease to be exercisable in respect of any war in which His Majesty may become engaged after the commencement of this Act.

Abolition of future prize money, and of prize bounty.

(2) The prerogative right to grant prize bounty shall cease to be exercisable, and accordingly sections forty-two to forty-four of the Naval Prize Act, 1864 (which relate to such bounty) are hereby repealed.

10.—(1) This Act may be cited as the Prize Act, 1948.

Short title and definition.

(2) In this Act the expression "the late war" means any war in which His Majesty has been engaged at any time between the third day of September, nineteen hundred and thirty-nine, and the second day of September, nineteen hundred and forty-five.

#### TABLE OF STATUTES REFERRED TO IN THIS ACT.

Short Title.	Session and Chapter.
Naval Agency and Distribution Act, 1864	27 & 28 Vict. c. 24.
Naval Prize Act, 1864 ... ..	27 & 28 Vict. c. 25.
Colonial Courts of Admiralty Act, 1890 ...	53 & 54 Vict. c. 27.
Statute of Westminster, 1931 ... ..	22 & 23 Geo. 5. c. 4.

### CHAPTER 10

An Act to authorise the increase of the number of judges of the Court of Session to fifteen, and to amend the law relating to the sessions of that Court, to the appointment of the Lord Ordinary in Exchequer causes and to the office of sheriff substitute.

[16th December 1948.]

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

1.—(1) Subject as hereinafter provided, the number of judges of the Court of Session shall be increased from thirteen to fifteen:

Number of judges of Court of Session.

Provided that when the number of those judges for the time being in office is not less than thirteen, no vacancy among them shall be filled unless the Secretary of State, with the concurrence of the Treasury, is satisfied that the state of business in the Court requires that the vacancy should be filled.

17 & 18 Vict.  
c. 94.  
23 & 24 Geo. 5.  
c. 41.

(2) The amounts by which the sums charged on the Consolidated Fund of the United Kingdom under the Public Revenue and Consolidated Fund Charges Act, 1854, and the sums payable under the Administration of Justice (Scotland) Act, 1933, out of moneys provided by Parliament, are increased by reason of the provisions of the last foregoing subsection shall be respectively defrayed out of that Fund and out of such moneys.

Sessions of  
the Court.

2. The ordinary sessions of the Court of Session shall be such as may be fixed by Act of Sederunt.

Right of  
appointing  
Lord Ordinary  
in Exchequer  
Causes.  
19 & 20 Vict.  
c. 56.

3. The right of appointing to the office of Lord Ordinary in Exchequer causes under section two of the Exchequer Court (Scotland) Act, 1856, shall be transferred to and vested in the Court of Session and shall be exercisable by Act of Sederunt.

Qualification  
for office of  
sheriff substi-  
tute, etc.

4.—(1) No person shall be appointed to the office of salaried sheriff substitute in Scotland unless he is, and has been for at least five years, legally qualified. For the purposes of this subsection, a person shall be legally qualified if he is an advocate or a solicitor.

(2) In the event of a vacancy occurring in the office of any salaried sheriff substitute in Scotland it shall be lawful for the Secretary of State to appoint a person qualified to fill the office to act ad interim as such sheriff substitute until the vacancy shall be filled, and any person so appointed shall receive, out of moneys provided by Parliament, such remuneration as the Treasury, on the recommendation of the Secretary of State, may determine.

Citation and  
repeal.

5.—(1) This Act may be cited as the Administration of Justice (Scotland) Act, 1948.

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

Section 5.

## SCHEDULE.

### ENACTMENTS REPEALED.

Session and chapter.	Short title.	Extent of repeal.
11 Geo. 4. & 1 Will. 4. c. 69.	The Court of Session Act, 1830.	Section twenty.
7 Edw. 7. c. 51 ...	The Sheriff Courts (Scotland) Act, 1907.	Section twelve so far as relating to the office of salaried sheriff substitute.
23 & 24 Geo. 5. c. 41	The Administration of Justice (Scotland) Act, 1933.	In section four, subsection (1).

## TABLE III.

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A

### CHRONOLOGICAL LIST

OF

### THE SHORT TITLES OF THE MEASURES

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

1948.

11 & 12 Geo. 6.

No. 1. The Clergy Pensions Measure, 1948, p. ii.

## II &amp; 12 GEO. 6.

## No. 1.

A MEASURE passed by the National Assembly of the Church of England.

To consolidate, with amendments, the Clergy Pensions Measures, 1926 to 1946, to limit the application of those Measures to clergy already ordained, to establish a new scheme of pensions for clergy hereafter ordained and their widows and children and to amend the Clergy Pensions (Older Incumbents) Measure, 1930 and for purposes connected therewith. [24th March 1948.]

## INTRODUCTORY.

Scope of  
Measure.

1.—(1) This Measure shall apply to all clerks in Holy Orders engaged in rendering ecclesiastical service or holding an educational charitable or public post who—

- (a) on the appointed day (which expression in this Measure means the first day of January, one thousand nine hundred and twenty-seven) held office or discharged their functions in the area to which this Measure applies or at any time thereafter hold office or discharge their functions in that area,
- (b) had not attained the age of fifty-five years before the appointed day,
- (c) hold a benefice, deanery, prebend or canonry, or receive a stipend, salary or emolument, the net annual value or the annual amount of which as estimated in manner provided by this Measure for the purpose of assessing contributions hereunder exceeds one hundred and fifty pounds, and
- (d) have not been excluded from the provisions of this Measure.

(2) In any case where an income is simultaneously derived from more than one source mentioned in subsection (1) of this section, but the income derived from each of such sources or from any one or more of them does not exceed one hundred and fifty pounds, the whole of such income shall be aggregated for the purpose of the said subsection.

2.—(1) The pensions authority shall establish and administer in manner laid down by this Measure the following classes of pensions, namely:—

- Establishment of pensions for compulsory contributors and two classes of widows' and dependants' pensions.
- (a) pensions payable under Part I of this Measure to clerks in Holy Orders (herein referred to as Class A contributors) to whom this Measure applies by virtue of Section one of this Measure and who were ordained before the commencement of this Measure;
  - (b) pensions payable under Part II of this Measure to widows and dependants of clerks in Holy Orders to whom that part of this Measure applies; and
  - (c) pensions payable under Part III of this Measure to clerks in Holy Orders (herein referred to as Class B contributors) to whom this Measure applies by virtue of Section one of this Measure and who are ordained after the commencement of this Measure and to the widows and children of such persons;
  - (d) pensions payable to widows and dependants of bishops, priests and deacons pursuant to agreements made with the pensions authority under Part IV of this Measure.

(2) Class A contributors and Class B contributors are in this Measure referred to together as compulsory contributors.

3.—(1) The pensions authority shall have power to apply this Measure to the following classes of persons, namely:—

- Power to apply Measure to non-contributing pensioners and voluntary contributors.
- (a) persons (herein referred to as non-contributing pensioners) who—
    - (i) are unbeneficed clerks in Holy Orders,
    - (ii) had attained the age of fifty-five years before the appointed day,
    - (iii) have held preferment or hold or have held office in the area to which this Measure applies, and
    - (iv) are disabled by age or infirmity for the due performance of their office;
  - (b) persons (herein referred to as voluntary contributors) who have been but who have ceased to be compulsory contributors and who are either bishops, priests or deacons and are engaged in ecclesiastical, educational, charitable or other public work (either in the area to which this Measure applies or outside) by agreement with such persons.

(2) The provisions of Part V of this Measure shall regulate the application of this Measure to non-contributing pensioners and voluntary contributors.

Excluded  
persons.

4. The pensions authority shall in accordance with the provisions of Part VI of this Measure exclude or have power to exclude from the operation of this Measure the persons (herein referred to as excluded persons) more particularly referred to in Part VI of this Measure.

## PART I.

### CLASS A CONTRIBUTORS.

Pensions for  
Class A  
contributors.

5. Every Class A contributor who retires at any time after the appointed day after a qualifying period of pensionable service as defined by this Measure shall be entitled, subject to the fulfilment by him of the conditions laid down by this Measure, to receive a pension under this Part of this Measure during the remainder of his life.

Rates of  
pension for  
Class A  
contributors.

6. Subject to the provisions of this Measure every pension payable to a pensioner who has been a Class A contributor shall be paid at the rate applicable to him under the pension table and pension rules contained in the First Schedule to this Measure:

Provided that the pensions authority shall have power to grant to a pensioner who has been a Class A contributor and who has retired before attaining the age of seventy years by reason of permanent disability for the performance of his work or duties such increase of pension as—

- (a) the amount of any funds applicable for the purpose by reason of the conditions subject to which the same were given or granted will in the opinion of the pensions authority permit, regard being had to existing and future claims upon the said funds, and
- (b) is in the opinion of the pensions authority urgently required in view of the financial circumstances of the pensioner or of his impaired health:

Provided also that in the event of the death of a pensioner who has been a Class A contributor within twelve months of his entering upon his pension, the pensions authority shall pay to his representative the full pension for one year less any instalment thereof actually received by him but in calculating such full pension the pensions authority shall disregard any augmentation of the pension under section eight of this Measure.

Contributions  
payable by  
Class A  
contributors.

7.—(1) Every Class A contributor shall be liable to make contributions for the purposes of this Measure (herein referred to as contributions) in accordance with the Table contained in the Second Schedule to this Measure and the rules set out in the Third Schedule to this Measure (herein referred to as the contribution rules).

(2) The collection of contributions due from Class A contributors shall be effected in accordance with the provisions in that behalf of the contribution rules.

8.—(1) For the purpose of providing for the transition from the Incumbents Resignation Acts, 1871 and 1887 (herein referred to as the Resignation Acts) to the system of pensions hereby established, the following provisions shall have effect:—

Transition  
from the  
Incumbents  
Resignation  
Acts, 1871  
and 1887.

(a) In any case where a Class A contributor who was admitted to deacon's orders before the appointed day and is about to retire and is the holder of a benefice held by him continuously since the appointed day and claims in writing addressed to the pensions authority that his pension under this Measure should be augmented, the pensions authority shall if notified by the bishop that the bishop proposes to accept the resignation of such Class A contributor and if of opinion—

(i) that such Class A contributor will upon his retirement be entitled to enter upon the receipt of a pension under this Measure,

(ii) that the annual value of the benefice which he is resigning exceeds five hundred and twenty-five pounds, and

(iii) that one-third of such annual value exceeds the pension under this Measure upon which the retiring incumbent is about to enter,

request the bishop to cause a commission to issue under his hand and seal and the bishop shall cause such commission to issue accordingly;

(b) Such commission shall be constituted as if it were a commission under the Resignation Acts and may exercise the powers of such a commission and, so far as circumstances shall permit, shall proceed in manner laid down by the Resignation Acts, but solely for the purpose of determining the questions which, under the provisions of this section, are to be determined by such commission;

(c) Every commission under this section shall determine and in their return certify the annual value of the benefice to which the commission relates and also, in any case where—

(i) such annual value exceeds five hundred and twenty-five pounds;

(ii) one-third part of such annual value exceeds the pension under this Measure upon the receipt of which the retiring incumbent concerned is about to enter; and

(iii) such retiring incumbent claims before the commission that his pension under this Measure should be augmented,

whether it is in all the circumstances of the case expedient that any and what augmentation not exceeding such an annual sum as together with such pension will be equal to one-third part of such annual value be granted;

(d) In any case where in the return to a commission under this section it is certified that the annual value of the benefice to which the commission relates exceeds five hundred and twenty-five pounds and that in all the circumstances of the case it is expedient that such augmentation as aforesaid be granted the bishop issuing the commission shall by a declaration made, with the necessary modifications, in the same manner and with the like effects as a declaration by a bishop under the Resignation Acts, charge the revenues of the benefice concerned with the payment to the pensions authority for the purposes of this Measure of an annual sum equal to the amount of the augmentation recommended;

(e) A charge in favour of the pensions authority created under the provisions of this section shall, subject to the provisions of this section—

(i) have the same incidents as a pension under the Resignation Acts, and accordingly, but without prejudice to any other remedy be recoverable as a debt by the pensions authority, and

(ii) continue for the same period as the pension under this Measure of the retiring incumbent concerned;

Provided that in any case where a pension is suspended under the provisions of Part VII of this Measure, the charge shall cease to have effect as from the suspension of the pension.

(2) In making a declaration under this section, the bishop may insert therein any day not more than three months after the date of such declaration as the day on which the benefice to which such declaration relates shall become void.

(3) For the purposes of this section the annual value of benefices shall be estimated in manner laid down by the Resignation Acts.

(4) The pensions authority shall give notice to the Ecclesiastical Commissioners and to Queen Anne's Bounty of any charge on the revenues of a benefice created under this section, and the Ecclesiastical Commissioners and Queen



Anne's Bounty respectively shall, in any case where the incumbent of the benefice charged is in receipt of any augmentation grant or other moneys from the said Commissioners or from Queen Anne's Bounty, apply the same so far as the same will extend or are required in satisfying such charge:

Provided that no portion of any augmentation grant or other moneys required to meet contributions under this Measure in accordance with the provisions of the contribution rules shall be applied in satisfying any charge created under this section.

(5) In any case where, under the provisions of this section, a commission has certified that it is expedient that such augmentation as aforesaid be granted, and a charge has been created hereunder accordingly the pensions authority shall out of the fund established by this Measure known as the Clergy Pensions Fund augment the pension under this Measure of the pensioner who has retired from the incumbency of the benefice subject to the charge by an annual sum equal to the amount of the charge but only for so long as the charge is subsisting:

Provided that references in the foregoing sub-sections of this section to the pension of a pensioner who is granted augmentation hereunder shall be construed as referring to his pension under this Measure apart from any augmentation of the same under this subsection.

(6) In any case where the revenues of a benefice already charged with a pension under the Resignation Acts become subject to a further charge under this section, such further charge shall be suspended until such pension has determined.

(7) The provisions of the Resignation Acts—

- (a) relating to the resignation or avoidance of benefices;
- (b) requiring any consent of a patron;
- (c) as to the commencement, cesser, diminution, or variation of pensions;
- (d) as to expenses and costs;

and any other provisions of the said Acts in conflict with the provisions of this Measure shall not apply to commissions issued and charges upon the revenues of benefices created under this section or to pensioners who have held benefices affected by such charges.

(8) The expenses of commissions under this Measure shall be paid by the pensions authority out of the Clergy Pensions Fund according to a scale to be prescribed by the said authority.

(9) Subject to the provisions of this section no pension shall at any time hereafter be granted under the Resignation Acts to an incumbent who has not attained the age of fifty-five years before the appointed day.

(10) A pension under the Resignation Acts shall be deemed to be granted on the day on which the incumbency affected becomes void and such pension commences.

Return of  
contributions.

9.—(1) Where a Class A contributor dies before entering upon the receipt of a pension under this Measure the pensions authority shall pay to his representatives out of the Clergy Pensions Fund such sum as is laid down by this section.

(2) Where a Class A contributor ceases to be a Class A contributor in such circumstances that he is not entitled to enter immediately upon the receipt of a pension under this Measure, the pensions authority may forthwith at its discretion, and shall upon his attaining the age of seventy years or retiring before attaining that age by reason of permanent disability for the performance of his work or duties in such circumstances as aforesaid pay to him out of the Clergy Pensions Fund, upon an application made by him in such form as the pensions authority shall require, such sum as is laid down by this section:

Provided that in the case of a Class A contributor who becomes a diocesan bishop or a suffragan bishop—

(i) the provisions of this subsection shall not apply;

(ii) the amount of contributions paid by any such person shall be transferred to the Ecclesiastical Commissioners in accordance with the provisions of the Episcopal Pensions Measure, 1945, together with compound interest as therein provided.

8 & 9 Geo. 6.  
No. 2.

(3) The right to payment created by subsection (1) of this section shall (subject to the provisions of section thirteen of this Measure) be enjoyed by the representatives of every clerk in Holy Orders who dies before entering upon receipt of a pension under this part of this Measure, having been a Class A contributor and without having received any payment from the pensions authority under subsection (2) of this section whether or not he is a Class A contributor at the date of his death and notwithstanding the fact that he may then be an excluded person.

(4) A Class A contributor receiving payment under this section shall cease to have any further rights under this Measure either to receive a pension on retirement, or, if he again becomes a Class A contributor, to have any period before the payment taken into account in calculating his qualifying period of pensionable service or in any other respect.

(5) Provided that any clerk in Holy Orders who has received payment under this section and again becomes a Class A contributor—

(a) shall have the right upon repaying to the pensions authority the amount paid to him together with an amount equal to any deduction made from the amount paid to him pursuant to the first proviso to subsection (6) of this section and together with (i) compound interest thereon at the rate of two and a half per cent. per annum (or at such other rate as the pensions authority with the advice of the actuary and the approval of the Church Assembly given by resolution may from time to time determine) with annual rests calculated from the date of payment to him, and (ii) an amount equal to any deduction made from the amount paid to him pursuant to subsection (8) of this section, to be reinstated in the possession of all rights to which he would have been entitled if the return of contributions had never been made; or

(b) if he does not avail himself of the said right, may, at the discretion of the pensions authority, be wholly or partially reinstated in the possession of such rights upon such terms and conditions as the pensions authority may think fit.

(6) The sum to be paid under this section shall be—

(a) such a sum as shall be equal to the aggregate of all contributions paid by the Class A contributor under this Measure, together with compound interest at the rate of two and a half per cent. per annum (or at such other rate as aforesaid) with annual rests upon each contribution repaid calculated from the date of the payment thereof; or

(b) in the case of a Class A contributor admitted to deacon's orders after the thirty-first day of December one thousand nine hundred and twenty-six who has at no time been an excluded person and who dies before he has entered upon the receipt of a pension under this Measure either such a sum as aforesaid or the sum of two hundred pounds, whichever shall be the greater:

Provided that—

(i) in making any such payment the pensions authority shall be entitled to make a deduction from the sum payable of an amount equal to the amount of any income tax payable by the pensions authority in respect of such payment; and

(ii) in the case of a Class A contributor who, having entered upon receipt of a pension under this Measure incurs a suspension thereof, and again becomes a contributor and dies before retiring a second time, the sum payable shall not exceed the aggregate of all contributions paid by such Class A contributor under this Measure since he incurred a suspension of his pension together with compound interest at the rate of two and a half per cent. per annum (or at such other rate as aforesaid) with annual rests upon each contribution paid calculated from the date of the payment thereof.

(7) The benefits conferred by this section shall be incapable of being assigned by any instrument or act *inter vivos* or of being charged or anticipated, and the same shall not pass to any trustee in bankruptcy.

(8) Any arrears of contributions due from a Class A contributor entitled to any payment under this section shall be deducted by the pensions authority from the monies paid together with interest at the rate of five per cent. per annum (or at such other rate as aforesaid) calculated from the respective dates upon which the contributions in arrear were due.

(9) For the purposes of this section contributions paid under an agreement made under the provisions of subsection (2) of section twenty-six of this Measure (or under a reciprocal arrangement made under this Measure) shall be deemed to be contributions paid by a Class A contributor, and all rights conferred by any such agreement or arrangement shall be deemed to be rights arising under this Measure.

## PART II.

### WIDOWS AND DEPENDANTS OF CERTAIN CLASS A CONTRIBUTORS AND OTHERS.

Application of  
Part II.

10.—(1) This Part of this Measure shall apply to every clerk in Holy Orders ordained during the period beginning on the first day of July one thousand nine hundred and thirty-six and ending on the thirty-first day of December one thousand nine hundred and forty-seven who either—

- (a) has become or becomes a Class A contributor while a married man, or
- (b) has married or marries while a Class A contributor, or
- (c) being a Class A contributor and unmarried has applied or applies to become a compulsory contributor under this Part of this Measure.

(2) Immediately upon any unmarried clerk in Holy Orders becoming a Class A contributor, the pensions authority shall invite him to apply to become a compulsory contributor under this Part of this Measure.

(3) This Part of this Measure may be applied by agreement to any voluntary contributor ordained during the period mentioned in subsection (1) of this section.

(4) In this Part of this Measure the expression " a compulsory contributor under this Part of this Measure " means any clerk in Holy Orders to whom this Part of the Measure applies, and references to the death of a compulsory contributor under this Part of this Measure shall apply to the death of a clerk who was at any time during his life a compulsory contributor under this Part of this Measure.

11.—(1) The contributions payable under other Parts of this Measure by a compulsory contributor under this Part of this Measure shall as from the date upon which this Part of this Measure becomes applicable to him until he reaches the age of seventy years be increased by an amount determined by his age at the date upon which this Part of this Measure becomes applicable to him in accordance with the table contained in Part I of the Fourth Schedule to this Measure and the notes thereto:

Contributions  
payable under  
Part II.

Provided that upon any such quinquennial valuation of the Clergy Pensions Fund as is provided for by subsection (4) of section forty-one of this Measure the actuary may recommend a revised table to be substituted for the aforesaid table, and thereupon the pensions authority may in the prescribed manner substitute such revised table for the aforesaid table, and the table so substituted shall become applicable to all contributions payable under this Part of this Measure as from the date of such substitution.

(2) A clerk in Holy Orders upon or at any time after becoming a compulsory contributor under this Part of this Measure may by agreement with the pensions authority compound for the payment of any increases of contribution payable by him under this Measure by the payment either as a lump sum or in such instalments as may from time to time be determined by agreement with the pensions authority of a sum to be determined by the pensions authority on the advice of its actuary.

(3) In any case where a compulsory contributor under this Part of this Measure either is the holder of a fully paid up policy of assurance issued to him before the date upon which this Measure becomes applicable to him and securing the payment to him upon the attainment of a specified age or to his representatives upon his death of a sum of not less than £200 or is the holder of a policy of assurance issued to him as aforesaid the surrender value of which is not less than £200, the following provisions shall apply if the contributor at any time so requests and if the pensions authority is satisfied

that their application will not render any less secure the provision made under this Part of this Measure for his widow and dependants—

- (a) the contributor shall not thenceforth be liable to pay any increase of contribution hereunder;
- (b) he shall forthwith assign and deliver the policy to the pensions authority;
- (c) the pensions authority shall hold any moneys received in respect of the policy in trust as to such sum (hereinafter in this sub-section called "the specified sum") as will in the opinion of the pensions authority provide the sum of £200 at his death to provide the pension for his widow or dependants provided for by sub-section (1) of section twelve of this Measure or to pay the same to his representatives as provided by sub-section (7) of the said section, and as to the remainder thereof in trust for him or his representatives absolutely:

Provided that if any such fully paid policy secures the payment of a sum in excess of the specified sum or if any such policy has a surrender value in excess of the specified sum then the pensions authority shall have power in their discretion either—

- (i) to re-assign forthwith to the contributor the benefit of the excess and for this purpose may enter into any arrangement with the insurance office issuing the policy to give effect to such re-arrangement; or
- (ii) to dispense the contributor from his obligation to assign the policy and to accept in place of such assignment a charge on the policy securing the payment to the pensions authority of the specified sum on such terms as to the upkeep of such policy as the pensions authority shall think fit.

(4) In any case where a compulsory contributor under this Part of this Measure is at the date on which this Part of this Measure becomes applicable to him a contributor under some pension or superannuation scheme other than that established by this Measure or the National Insurance Act, 1946, or any Act amending or replacing that Act which in the opinion of the pensions authority sufficiently secures as from his death the payment to his widow so long as she remains his widow of an annual sum not less than the annual sum which would be payable to her under this Part of this Measure, the contributor shall not be liable to pay any increase of contribution hereunder until such time as in the opinion of the pensions authority the payment to his widow of such annual sum ceases to be sufficiently secured.

(5) Section sixteen of this Measure (save in so far as it excludes the application of section thirteen of this Measure) shall not apply to the case of a clerk who has compounded under subsection (2) of this section or to whom the provisions of subsection (3) thereof have been applied.

(6) The provisions of section nine of this Measure as to the return of contributions during the lifetime of a clerk shall not apply to increases of contribution payable under this part of this Measure.

12.—(1) Subject to the provisions of this Measure, upon the death of a compulsory contributor under this Part of this Measure—

Pensions payable to widows and dependants.

(a) if he shall leave a widow, such widow shall receive a pension for life of a capitalised value of £200 at the death of such contributor, in accordance with the scale set out in the table contained in Part II of the Fourth Schedule to this Measure (hereinafter referred to as "the scheduled scale");

(b) if he shall not leave a widow, such dependant as he shall nominate in manner laid down by this section shall receive a pension for life of a capitalised value of £200 at the death of such contributor, according to the scheduled scale.

(2) Every nomination of a dependant for the receipt of a pension under this section shall be made by an instrument in writing under the hand of the clerk upon whose death the pension is to be paid delivered to the pensions authority during the lifetime of such clerk.

(3) A clerk may revoke a nomination by an instrument in writing under his hand delivered to the pensions authority during his lifetime, and shall in such case make and deliver to the pensions authority a nomination replacing that which he has revoked.

(4) In so far as the provisions of an instrument of nomination executed hereunder by a clerk are inconsistent with the provisions of a previous instrument executed by the same clerk the provisions of the later instrument shall prevail.

(5) A clerk may by an instrument or instruments of nomination nominate more than one dependant for the receipt of a pension under this section, and generally make such provisions in favour of dependants in respect of such pension as might lawfully be made by will.

(6) In any case where more than one pension is payable under this section the aggregate capitalised value at the death of the clerk concerned of the pensions so payable shall not, according to the scheduled scale, exceed £200.

(7) Subject to the provisions of this Measure, in any case where a compulsory contributor under this Part of this Measure dies leaving no widow or dependant, the sum of £200 or, where a pension is payable or pensions are payable hereunder, a sum equal to the difference between £200 and the capitalised value at the death of such contributor of such pension or pensions shall be payable to his representatives.

Additional pension payable to widows and dependants of contributors who have not entered upon receipt of a pension under Part I.

13. Subject to the provisions of this Measure, in any case where a compulsory contributor under this Part of this Measure dies leaving a widow or a dependant or dependants and a sum in respect of contributions paid by him to the pensions authority would but for this section be payable to his representatives under section nine of this Measure, such sum shall not be paid to his representatives, but shall be applied by the pensions authority in providing an additional pension for his widow, or if he shall leave no widow, an additional pension or pensions for his dependant or dependants nominated as aforesaid of such an amount that the capitalised value of such pension or pensions at the date of the death of such contributor according to the scheduled scale is equal to the sum payable under the said section nine.

Provided that in any case where a clerk dies leaving no widow and without having exercised his right of nomination in respect of the sum or any part of the sum applicable under this section, such sum or such part thereof shall be payable by the pensions authority to the representatives of such clerk.

Additional pension payable to widows of contributors in receipt of disability pensions.

14. Subject to the provisions of this Measure, in any case where a compulsory contributor under this Part of this Measure, having retired by reason of permanent disability and entered upon receipt of a pension (herein referred to as "a disability pension") before attaining the age of seventy years, dies leaving a widow, such widow shall receive an additional pension for life of a capitalised value of £200 at the death of such contributor, in accordance with the scheduled scale.

Power of pensions authority to commute pension for capital sum.

15. In any exceptional case where the pensions authority is of opinion that a capital sum will be of special benefit to a widow or dependant, the pensions authority may at any time at its sole discretion commute the whole or any part of the pension payable to such widow or dependant under this Part of this Measure for such capital sum as is estimated to be the actuarial equivalent thereof, and shall, if the pensioner is of full age and capable of giving an effective discharge (in which case the commutation shall not be made without the consent of the pensioner) pay to the pensioner the capital sum thereupon payable, and in the case of other pensioners (in whose case the commutation shall not require their consent) shall pay or apply such capital sum for maintenance.



education and benefit of the pensioner in such manner as the pensions authority shall think fit.

16.—(1) Subject to the provisions of this section, if at any time before a compulsory contributor under this Part of this Measure dies or reaches the age of seventy years he ceases (otherwise than by reason of having entered upon receipt of a disability pension) to be liable to pay contributions then upon the death of such contributor—

- (a) no pension and no such sum in lieu of pension as is specified in subsection (7) of Section twelve of this Measure shall be payable under this Part of this Measure;
- (b) the provisions of Section thirteen of this Measure shall not apply.

(2) The foregoing provisions of this section shall not have effect in respect of a clerk who has paid contributions under this part of this Measure for a period or aggregate of periods of not less than two years and who has ceased to be liable to contribute as aforesaid for a period not exceeding one year or such longer period as in any special case the pensions authority shall think fit or in respect of a clerk who has ceased to be liable to contribute as aforesaid—

- (a) if and so long as such clerk upon ceasing to be so liable agrees to pay annually to the pensions authority by agreement with the authority a sum (hereinafter called " a special voluntary contribution ") equal in amount to that which he was liable to pay by way of increase of contribution under Section eleven of this Measure; or
- (b) if such clerk after a non-contributing period as hereinafter defined pays to the pensions authority a sum equal to the aggregate of the sums which would have been payable by him by way of increase of contribution under Section eleven of this Measure during such non-contributing period if he had remained liable to contribute as aforesaid, together with interest at the rate of two and one-half per cent. per annum (or at such other rate as aforesaid) with annual rests on each such increase from the date at which the same would have become payable, and so long thereafter as he continues to pay by agreement with the authority a special voluntary contribution annually to the pensions authority:

Provided that—

- (i) no clerk shall forfeit his rights under this subsection by reason of ceasing to pay special voluntary contributions either upon reaching the age of seventy years

- or upon again becoming liable to pay contributions under other parts of this Measure; and
- (ii) for the purposes of this subsection the expression "clerk" shall include a diocesan bishop or suffragan bishop who has at any time during his life been a compulsory contributor under this part of this Measure;
  - (iii) a diocesan bishop or suffragan bishop who avails himself of the provisions of this subsection shall be deemed to be a clerk for the purposes of Section twelve of this Measure.

(3) If a clerk to whom subsection (1) of this section has become applicable again becomes liable to pay contributions under other parts of this Measure after a non-contributing period in respect of which he has not paid to the pensions authority any such sum as is laid down in paragraph (b) of the immediately preceding subsection, any pension or sum payable to his widow or dependants under the preceding sections of this Part of this Measure shall be reduced by such amount as the actuary to the pensions authority shall determine, having regard to the length of such non-contributing period.

(4) For the purposes of this section a non-contributing period shall mean in the case of any clerk to whom subsection (1) of this section has become applicable a period exceeding in length one complete calendar year during which such clerk has not paid a special voluntary contribution and which commences upon the said subsection becoming applicable to him or upon his ceasing to pay special voluntary contributions and terminates either upon his again becoming liable to pay contributions under other parts of this Measure or upon his reaching the age of seventy years, whichever event shall first occur.

### PART III.

#### CLASS B CONTRIBUTORS.

Pensions for  
Class B  
contributors.

17. Every Class B contributor who retires at any time hereafter after a qualifying period of pensionable service as defined by this Measure shall be entitled, subject to the fulfilment by him of the conditions laid down by this Measure, to receive a pension under this Part of this Measure during the remainder of his life.

Rates of  
pension for  
Class B  
contributors.

18. Subject to the provisions of this Measure every pension payable to a pensioner who has been a Class B contributor shall be paid at the rate applicable to him under the pension

able and pension rules contained in the First Schedule to his Measure :

Provided that in the event of the death of a pensioner who has been a Class B contributor within twelve months of his ceasing to be entitled to his pension, the pensions authority shall pay to his representatives the full pension for one year less any instalment actually received by him.

19. Subject to the provisions of this Measure upon the death of a Class B contributor or a pensioner who has been a Class B contributor—

Rates of pension for widows and children.

- (a) if he shall leave a widow, such widow shall receive as from his death during the remainder of her life so long as she remains his widow a pension at the rate of fifty pounds per annum;
- (b) if he shall leave a child or children under the age of eighteen years, a pension at the rate of twenty-five pounds per annum shall be payable for the benefit of such child or (if more than one) of each of such children, such pension to commence at the death of the child's father and to continue until the child in question attains the age of eighteen years :

Provided that if for any cause other than retirement with the right to receive an immediate pension under this Measure a Class B contributor ceases to be liable to pay contributions when no widow or child of that contributor shall be entitled to receive any pension under this section, but this provision shall not apply in the case of a widow or child of a contributor who has paid contributions for a period or aggregate of periods of not less than two years and who has ceased to pay contributions for a period not exceeding one year or such longer period as in any special case the pensions authority shall think fit.

20.—(1) Every Class B contributor shall pay yearly contributions at the rate of one shilling for every complete pound of his assessable income :

Contributions payable by Class B contributors.

Provided that a Class B contributor shall be exempt from the payment of contributions so soon as—

- (a) he has attained the age of seventy years; and
- (b) his qualifying period of pensionable service amounts to forty years.

(2) The contribution rules set out in the Third Schedule to this Measure shall apply to contributions payable by a Class B contributor and the collection of those contributions.

21. Contributions paid by a Class B contributor shall in no circumstances (save for the correction of errors in calculation) be repaid to the contributor, but on a Class B contributor

Contributions not returnable.

becoming a diocesan bishop or suffragan bishop the pensions authority shall pay to the Ecclesiastical Commissioners a sum equal to three-fifths of the aggregate of the contributions paid by him together with compound interest thereon at the rate of two pounds per cent. per annum (or at such other rate as aforesaid) calculated from the dates of payment thereof.

## PART IV.

## PENSIONS PAYABLE TO WIDOWS AND DEPENDANTS BY AGREEMENT.

Pensions payable to widows and dependants by agreement.

22.—(1) The pensions authority shall have power to enter into an agreement with any bishop, priest or deacon to whom any other Part of this Measure or the 1930 Measure applies or has applied for the payment of a pension under this Part of this Measure:

Provided that a diocesan bishop or suffragan bishop who avails himself of the provisions of this Part of this Measure shall be deemed to be a clerk for the purposes of this Part of this Measure.

(2) Any pension or right arising under an agreement made under this Part of this Measure in favour of a clerk or a widow or dependant of such clerk shall be enjoyed by such clerk or other person in addition to and not in lieu of any pension or right arising in his or her favour under any other Part of this Measure.

Provisions applicable to such pensions.

23.—(1) The following provisions shall be applicable to any such pension—

- (a) the pension shall commence at the death of the clerk concerned;
- (b) the pensioner must be either the widow or a dependant of such clerk (but so that a clerk may enter into agreements providing for pensions both for a widow and for one or more dependants);
- (c) the consideration shall in every case be actuarially adequate, and may consist either of periodical or other contributions in money or (notwithstanding any of the provisions of any statute or measure relating to pensions for the clergy making pensions inalienable) of a surrender by the clerk concerned to the pensions authority of any part of his rights to a return of contributions or a pension under any other

Part of this Measure, or to an older incumbent's pension as defined by the 1930 Measure:

Provided that—

(i) no clerk shall surrender such a proportion or his prospective right to such a proportion of a pension as would in the opinion of the pensions authority, if surrendered leave him without adequate provision for his needs, and in no case shall he surrender more than one-half of a pension or his prospective right to more than one-half thereof;

(ii) no such prospective right to a pension shall be surrendered except in contemplation of the retirement of the clerk concerned and if his retirement shall not take place within three months from the surrender such surrender shall be void;  
and

(iii) no charge on the revenues of any benefice arising or to arise under section eight of this Measure, or under the Resignation Acts as modified by the 1930 Measure, shall be affected in respect of its amount or duration by any surrender under this section, and the annual sums derived from any such charge shall be payable in full to the pensions authority as before the passing of this Measure;

(iv) in the case of a Class B contributor who becomes a diocesan bishop or a suffragan bishop the bishop shall be deemed to have already paid as part of the consideration for a pension under this Part of this Measure a sum equal to one-tenth of the aggregate of contributions paid by him (calculated without interest) under Part III of this Measure.

(d) the pension agreement may apply with or without modification any of the provisions of Part II of this Measure as to the nomination of dependants or as to the commutation of pensions or any other of the provisions of Part II of this Measure that may be applicable.

(2) Any agreement made under this Part of this Measure may be modified by the substitution of one beneficiary for another or otherwise by agreement between the pensions authority and the clerk concerned.

## PART V.

NON-CONTRIBUTING PENSIONERS AND VOLUNTARY  
CONTRIBUTORS.

Pensions  
for non-  
contributing  
pensioners.

24. Every non-contributing pensioner shall receive such pension under this Part of this Measure as subject to the provisions of this Measure may be granted to him by the pensions authority.

Pensions to  
be according  
to system of  
Ecclesiastical  
Commis-  
sioners.

25. In the granting and payment of pensions to non-contributing pensioners the pensions authority shall subject to the provisions of this Measure so far as practicable maintain and continue the system of pensions for clergymen established by the Ecclesiastical Commissioners before the appointed day and shall in administering the said system of pensions conform, so far as is possible, to the settled practice of the said Commissioners and to clauses thirteen and fourteen of the Regulations made by them dated the twenty-fifth day of February one thousand nine hundred and fifteen.

Agreements  
with voluntary  
contributors.

26.—(1) In applying this Measure to a voluntary contributor by agreement the pensions authority may by such agreement provide that this Measure shall apply without modification or with such modifications as it may in its discretion think fit.

(2) Without prejudice to the generality of the provisions of subsection (1) of this section the pensions authority shall have power in its discretion to provide in an agreement entered into with a voluntary contributor—

- (a) for the payment to him of a pension at the rate which would have been payable had he continued to be a compulsory contributor and for this purpose to treat the time during which he is a voluntary contributor as part of his qualifying period of pensionable service as defined by this Measure;
- (b) in the event of his again becoming a compulsory contributor that—
  - (i) the time during which he was a voluntary contributor shall be deemed to be and be calculated as part of his qualifying period of pensionable service as defined by this Measure;
  - (ii) all contributions theretofore paid by him as a voluntary contributor shall be treated as contributions made by a compulsory contributor under this Measure, and shall be dealt with accordingly.

(3) Every voluntary contributor shall pay to the pensions authority such contributions as shall be provided for by his agreement with the said authority.

## PART VI.

## EXCLUDED PERSONS.

27.—(1) The pensions authority shall have power to exclude from the provisions of this Measure any clerk in Holy Orders who shall— Persons who may be excluded.

(a) have attained the age of forty-two years before the appointed day;

(b) make an application for such exclusion; and

(c) prove to the satisfaction of the pensions authority that there is secured to him a provision for his maintenance which will be available in the event of his retirement, and which will be at least equal in value to the pension which would become payable to him under this Measure if he were not excluded from the provisions thereof immediately on becoming entitled to enter on receipt of a pension hereunder.

(2) The pensions authority shall also have power to exclude from the provisions of this Measure any clerk in Holy Orders who by reason of his age either is at the date when this Measure first becomes applicable to him or becomes at any subsequent date unable to complete a qualifying period of pensionable service until after attaining the age of seventy years:

Provided that the pensions authority shall not exclude any clerk in exercise of this power unless the pensions authority is satisfied that there is secured to him a provision for his maintenance which will be available in the event of his retirement, and which will be at least equal in value to the pension which, if he were not excluded from the provisions of this Measure, would become payable to him under this Measure in the event of his retiring upon having performed a qualifying period of pensionable service consisting of fifteen years.

28.—(1) This Measure shall not apply to such clerks in Holy Orders as are upon their own application excluded from the provisions thereof on the ground that they are entitled to not less than equivalent benefits under some pension or superannuation scheme approved by the pensions authority other than that established by this Measure, or on the ground that they are members of a religious community the rules of which secure that its members shall be adequately provided for until death out of the funds of such community. Persons with right to be excluded.

(2) The pensions authority shall accede to any application for exclusion made under subsection (1) of this section on being satisfied that either of the grounds for exclusion therein mentioned exist in the case of the clerk in Holy Orders

making such application, and such clerk shall thereupon be excluded from the provisions of this Measure (other than the provisions of subsection (3) of section nine of this Measure) until such time as either—

- (a) in the opinion of the pensions authority the grounds for excluding him shall have ceased to exist, or
- (b) the pensions authority shall have entered into an agreement with him that such exclusion shall be terminated, whichever of such events shall first occur.

(3) On an excluded person becoming a compulsory contributor or being readmitted he may pay to the pensions authority such sum (if any) or any part thereof as he may receive by way of return of contributions under any pension or superannuation scheme membership of which was the ground for his exclusion from the provisions of this Measure and in consideration for such payment the pensions authority shall credit him with a qualifying period of pensionable service of such length as having regard to the amount of such payment the pensions authority shall consider fair.

## PART VII.

### CONDITIONS REGULATING PAYMENT OF PENSIONS.

29.—(1) For the purposes of this Measure the expression “ a qualifying period of pensionable service ” means, a period of, or a succession of periods (either with or without intervals) amounting in the whole to not less than, fifteen years, and consisting of the aggregate of—

- (a) any period before the appointed day during which a compulsory contributor has within the area to which this Measure applies served as a clerk in Holy Orders in such a capacity as to bring him within the scope of subsection (1) of section one of this Measure;
- (b) any period before the appointed day during which a compulsory contributor has outside the area to which this Measure applies served as a clerk in Holy Orders in such a capacity as would, had his service been within that area, have brought him within the scope of subsection (1) of section one of this Measure;
- (c) the period or periods after the thirty-first day of December one thousand nine hundred and twenty-six in respect of which such compulsory contributor has paid or become liable to pay contributions or instalments of contributions under this Measure;
- (d) any period after the thirty-first day of December one thousand nine hundred and twenty-six during which a compulsory contributor who had served within the

Qualifying  
period of  
pensionable  
service.



area to which this Measure applies but was outside that area on the appointed day has served as a clerk in Holy Orders in such a capacity as is mentioned in paragraph (b) of this subsection without returning within that area;

- (e) any other period during which such compulsory contributor has, either in the area to which this Measure applies or outside, served as a clerk in Holy Orders, and in respect of which he has under an agreement made with the pensions authority paid to the pensions authority such a sum as the pensions authority may require not exceeding the actuarial equivalent of the cost of the addition of such period to his qualifying period of pensionable service;
- (f) any period before the appointed day, not being a period described in paragraphs (a) or (e) of this subsection, during which a compulsory contributor has within the area to which this Measure applies rendered such service as the pensions authority shall think fit to take into account in calculating the qualifying period of pensionable service of such compulsory contributor;
- (g) any period between the fourth day of August, one thousand nine hundred and fourteen, and the thirty-first day of August one thousand nine hundred and twenty-one, and after the admission to deacon's orders of the compulsory contributor concerned (not being a period described in the preceding paragraphs of this subsection), during which a compulsory contributor either within the area to which this Measure applies or outside served as a member of His Majesty's Forces or was engaged in such war service as the pensions authority shall think fit to take into account in calculating the qualifying period of pensionable service of such compulsory contributor;

Provided that no such period as is mentioned in any of the preceding paragraphs shall be taken into account in calculating the qualifying period of pensionable service of a compulsory contributor if it is a period or part of a period of service under any civil or other authority which entitles the compulsory contributor concerned to a pension under any pension or superannuation scheme other than that established by this Measure, unless during the period in question the compulsory contributor has paid in full contributions under this Measure.

(2) For the purposes of this Measure the expression "a period of pensionable service" shall mean any such period as is described in paragraphs (a) to (g) of subsection (1) of this section, or, where more than one such period has been completed by a compulsory contributor, the aggregate of the periods so completed, and in relation to a compulsory contributor who has at any time been the subject of a reciprocal arrangement (within the meaning of this Measure) shall include such period as the pensions authority shall think fit.

Application  
for pension.

30. Subject in the case of a non-contributing pensioner or of a voluntary contributor to the terms and conditions upon which his pension is granted or agreed to be paid by the pensions authority, no clerk in Holy Orders shall be entitled to enter upon receipt of a pension under this Measure who has not before retirement made application to the pensions authority in the form contained in the Fifth Schedule to this Measure or in such other form as the pensions authority may determine with the approval of the Church Assembly given by resolution:

Provided—

- (a) that in any case where a clerk in Holy Orders is incapacitated from making such application in person the pensions authority may authorise any other person to make such application on his behalf;
- (b) that in any case where no application is made under this section until a date subsequent to the date of retirement, then—
  - (i) if the applicant proves to the satisfaction of the pensions authority that such delay in making application was not due to any fault on the part of the clerk in Holy Orders on whose behalf the application is made, such clerk shall be entitled to receive the pension to which he would have been entitled, as from the date from which he would have been entitled to receive it, had the application been made before retirement;
  - (ii) if the applicant does not prove to the satisfaction of the pensions authority that such delay in making application was not due to any fault of the clerk in Holy Orders on whose behalf the application is made, such clerk shall be entitled to receive the pension to which he would have been entitled had the application been made before retirement, as from the date of such application or the date of his attaining the age of seventy, whichever shall be the later, or from such earlier

date (not being a date earlier than the date of retirement) as the pensions authority shall think fit.

31. Subject in the case of a non-contributing pensioner or of a voluntary contributor to the terms and conditions upon which his pension is granted or agreed to be paid by the pensions authority, and subject to the provisions of subsection (1) of section thirty-two of this Measure every recipient of a pension under this Measure (herein referred to as a pensioner) must continue in retirement:

Conditions for the receipt of pensions.

Provided that no clerk in Holy Orders shall be deemed to have retired or to be in retirement—

- (a) if and so long as he is engaged in rendering ecclesiastical service or holds an educational, charitable, or public post in circumstances which bring him within the provisions of subsection (1) of section one of this Measure; and
- (b) unless he has attained the age of sixty-five years or such lesser age as the pensions authority may with the approval of the Church Assembly given by resolution hereafter appoint, or alternatively have retired by reason of permanent disability for the performance of his work or duties.

32.—(1) Every recipient of a pension under this Measure shall upon his ceasing to continue in retirement incur a suspension of such pension, and such pension shall cease to be payable as from the date of his so ceasing; save in exceptional cases where the bishop of the diocese in which the pensioner is rendering ecclesiastical service, with the concurrence of the pensions authority, certifies in writing to the pensions authority that no suspension shall be incurred:

Suspension and recovery of right to pension.

Provided that no pensioner shall, without incurring a suspension of his pension, be instituted and inducted to a benefice.

(2) Any recipient of a pension under this Measure who shall have incurred suspension of his pension under this section by reason of his not having continued in retirement shall upon his retiring subsequently to such suspension, if upon such subsequent retirement he satisfies the conditions contained in section thirty-one of this Measure, be reinstated as recipient of the pension so suspended, and the pensions authority shall add to the qualifying period of pensionable service in respect of which such pension is payable any period of pensionable service as defined in this Measure completed by such recipient after such suspension as aforesaid and shall recalculate the

rate at which such pension is payable accordingly and shall pay to him a pension at the rate so determined during such time as he shall continue in retirement:

Provided that in any case where the result of the recalculation provided for in this subsection is to reduce the rate at which a pension was payable to the recipient concerned at the date of such suspension as aforesaid (herein referred to as "the original rate") the pensions authority shall pay to such recipient on reinstatement a pension at the original rate.

Payment and  
application  
of pensions.

33.—(1) Subject to any agreement with a voluntary contributor made hereunder, every pension under this Measure shall be by way of annuity accruing from day to day and payable (subject to any necessary apportionment) by equal quarterly instalments on the thirty-first day of March, the thirtieth day of June, the thirtieth day of September, and the thirty-first day of December in each year.

(2) Subject to the provisions of this Measure, a pension under this Measure shall be incapable of being assigned, charged, or anticipated, and every purported assignment of or charge upon the same shall be void, and the same shall not pass to any trustee in bankruptcy of the pensioner:

Provided that a pensioner may by an instrument in writing signed by him and delivered to the pensions authority resign his pension or any part thereof and upon such resignation his pension shall determine accordingly in whole or in part.

(3) Subject to the provisions of this Measure, where a pensioner is lawfully detained as a person of unsound mind in accordance with the Lunacy and Mental Treatment Acts 1890 to 1930, as amended by any enactment, or is an inmate of a mental hospital as a temporary patient or voluntary patient, the pensions authority may pay the whole of the pension, or so much thereof as it thinks fit, to the institution or person having the care of the pensioner, and may pay or apply the whole, or so much as it thinks fit, of the surplus (if any) thereof to or for the maintenance or benefit of the spouse or children or remoter issue of the pensioner or any other persons who, in the opinion of the pensions authority, are normally dependent on the pensioner.

(4) Subject to the provisions of this Measure, where a pensioner is, in the opinion of the pensions authority, through mental infirmity incapable of managing his affairs, the pensions authority may pay or apply the whole, or so much as it thinks fit, of the pension to or for the maintenance or benefit of the pensioner or of his spouse or children or remoter issue or of any other persons who, in the opinion of the pensions authority, are normally dependent on the pensioner.

(5) Not less than fourteen days before exercising for the first time in relation to any pensioner its power under this section the pensions authority shall give to the Master in Lunacy notice in writing of its intention, specifying the name and address of the pensioner and the amount of the sum in respect of which the pensions authority intends to exercise the said power, and in relation to any pensioner to whom subsection (4) of this section applies the pensions authority shall at the same time give notice in writing to the pensioner in a form approved by the Master in Lunacy:

Provided that the pensions authority may, with the approval of the Master in Lunacy, exercise the powers of this section in respect of any pensioner notwithstanding that the said period of fourteen days has not expired.

(6) If at any time the Master in Lunacy gives to the pensions authority notice in writing that he objects to the exercise by the pensions authority of the said power in relation to any pensioner, the said power shall as from the date of receipt of the notice by the pensions authority cease to be exercisable by the pensions authority in relation to that pensioner unless and until the Master withdraws the notice.

(7) Provided that no instalment of a pension shall be paid to a pensioner or applied under the provisions hereof if and so long as there are any arrears of contributions due under this Measure, or under any agreement made hereunder from such pensioner to the pensions authority, and the pension of such pensioner shall for such period as may be necessary be retained by the pensions authority and applied in discharging the said arrears, together with interest at the rate of five per cent. per annum (or at such other rate as aforesaid), calculated from the respective dates upon which the contributions in arrears were due.

34.—(1) The provisions of section thirty-three of this Measure shall apply to every pension payable to the widow or for the benefit of a child of a class B contributor and to every pension payable under Part II of this Measure or under an agreement made under Part IV of this Measure with the following modifications:—

Payment and application of pensions to widows, children and dependants.

(a) A pensioner in receipt of a pension under Part II of this Measure, or under an agreement made under Part IV of this Measure, may, if of full age and of sound mind, by an instrument in writing signed by the pensioner and delivered to the pensions authority, resign such pension or any part thereof and upon such resignation such pension shall determine accordingly in whole or in part.

- (b) Every pension payable to or for the benefit of a person who is under the age of twenty-one years shall be paid by the pensions authority to the parents or guardians of the person in question or to such other person or persons in whose company or under whose care or with whom the person in question may from time to time be residing as the pensions authority shall think fit and the recipient or recipients of the pension may at their discretion pay all or any part thereof to the person in question (notwithstanding infancy) for his or her own absolute use and benefit and shall pay or apply the remainder thereof for or towards the maintenance education or benefit of the person in question in such manner as the recipient or recipients think fit.
- (c) The provisions of subsection (4) of section thirty-three of this Measure shall extend so as to authorise the retention of instalments of the pension of a widow child or dependant in any case where arrears of contributions are due from the estate of the deceased clerk concerned:

Provided that—

(i) the pensions authority shall have power to waive wholly or partly the right to recover such arrears or to provide for meeting the same and the interest thereon by a reduction of the pension payable for such period as the pensions authority may deem necessary;

(ii) in any case where the pensions authority is by this section authorised to retain or reduce instalments of pensions payable to more than one person the burden of such retention or reduction shall be distributed rateably by the pensions authority among such persons in proportion to the amounts of such pensions.

(2) Subject to the provisions of this section this Part of this Measure shall not apply to pensions payable to widows, children or dependants.

## PART VIII.

### PENSIONS AUTHORITY AND PENSIONS FUNDS.

#### *Pensions Authority.*

Pensions  
authority.

35. There shall be a pensions authority consisting of a chairman nominated by the Church Assembly and from twenty-one to twenty-four members nominated or elected as follows:—

- (a) Sixteen members shall be elected by the Church Assembly of whom eight shall be persons ordinarily

resident in the Province of Canterbury and eight shall be persons ordinarily resident in the Province of York:

Provided that where the whole number of the members elected by the Church Assembly is for the time being not an even number, such of the said members as are ordinarily resident in either province may exceed such of the said members as are ordinarily resident in the other province by one.

(b) Five members shall be nominated by the Ecclesiastical Commissioners.

(c) Such other members (if any) not exceeding three as shall for the time being have been elected by the Church Assembly from among the beneficiaries of the Clergy Pensions Institution:

Provided that the number of members to be elected under this paragraph shall be reduced as follows:—

(i) at the first election to be held after the total number of the beneficiaries of the Institution in existence on the appointed day is reduced by reason of death or otherwise by four thousand, the number of members elected under this paragraph shall be reduced to two.

(ii) at the first election to be held after the total number of the said beneficiaries is reduced in manner aforesaid by six thousand inclusive of the previous reduction, the number of members elected under this paragraph shall be reduced to one, and

(iii) when and so soon as the total number of the said beneficiaries does not exceed five hundred no further member from among the said beneficiaries shall be elected.

36.—(1) The pensions authority shall be a body corporate by the name of "The Church of England Pensions Board," and shall have perpetual succession and a common seal and may acquire and hold land for the purposes of its powers and duties without any licence in mortmain. Incorporation of authority.

(2) Impressions of the common seal of the pensions authority shall be judicially noticed and admitted in evidence.

37.—(1) The term of the office of the chairman of the pensions authority shall be determined by the Church Assembly. Tenure of offices of members.

(2) Members of the pensions authority shall subject to the provisions of this section hold office for six years:

Provided that in the event of delay elected members of the pensions authority shall notwithstanding the expiration of the period for which they were elected continue to hold office until the election of their successors.

(3) Any person who was elected or nominated as chairman or as a member of the pensions authority under any Measure repealed by this Measure and who is chairman or a member immediately before the commencement of this Measure shall continue in office as if he had been elected or nominated under this Measure on the day on which he was elected or nominated under any such repealed Measure.

(4) A casual vacancy occurring among the members of the pensions authority nominated by the Ecclesiastical Commissioners shall be filled as soon as possible by the Ecclesiastical Commissioners and any other casual vacancy shall be filled as soon as possible by the Standing Committee of the Church Assembly from among those who have the same qualifications as the member replaced.

(5) A person elected or nominated to fill a casual vacancy shall hold office only for the remainder of the term for which the member replaced would have held office.

(6) Members of the pensions authority vacating office shall be eligible for re-election or re-nomination.

(7) The chairman or any member of the pensions authority may for good cause be removed from office by the body by whom he was elected or nominated.

**Quorum.**

38. Seven members of the pensions authority shall constitute a quorum.

**Powers and duties.**

39.—(1) The powers and duties of the pensions authority (which may be exercised and discharged notwithstanding any vacancy in the membership of the authority) shall be—

- (a) to control and administer the system of pensions hereby established;
- (b) to enter into agreements for the receipt and payment of actuarial equivalents of any contributions or pensions under this Measure;
- (c) to make provision for the working expenses of the authority with power (subject as by this Measure otherwise expressly provided) to determine out of what moneys any particular expenses ought to be paid;
- (d) to borrow money for the purposes of this Measure and to secure the same upon the Clergy Pensions Fund hereby established or any of its assets;



- (e) subject to the provisions of this Measure, to make standing orders governing and otherwise to regulate the conduct of the business of the authority;
- (f) to decide questions and appeals under this Measure;
- (g) to appoint such officers and servants as may be necessary for the purpose of carrying this Measure into effect, and to determine their duties and remuneration;
- (h) to appoint such committees consisting of members of the authority as the authority may consider desirable, and, subject to the provisions of this Measure, to delegate to such committees any powers and duties of the authority;
- (i) to appoint any persons or any body of persons, whether members of the pensions authority or not, to act upon such terms and conditions as may be laid down by the pensions authority as local committees for any areas, whether dioceses or not, and subject to the provisions of this Measure to delegate to such committees any powers and duties of the pensions authority;
- (j) to acquire by way of gift, devise or purchase and to hold any building or land fit to be used as or be converted into a home for the residence of pensioners and their wives, widows and dependants and to manage any such home:
 

Provided that no moneys shall be applied in connection with the acquisition of any such buildings or land or the conversion or repair of any such buildings or land except moneys forming part of the funds specified in sections forty-two and forty-three hereof or of one of those funds and which under the provisions of those sections may be so applied;
- (k) in relation to any land held by the pensions authority for the purposes of their powers and duties to exercise all the powers which are by the Settled Land Act, 1925 conferred on a tenant for life or the trustees of a settlement; <sup>15 Geo. 5. c. 18.</sup>
- (l) to acquire by way of gift or bequest from any person or corporation or by way of transfer from the Ecclesiastical Commissioners or the Clergy Pensions Institution investments of any kind and to allow the same or any of them or any part or parts thereof respectively to remain in the actual state of investment thereof so long as the pensions authority may think fit;

- (m) to sell, call in or convert into money investments acquired under the foregoing sub-paragraph or any of them or any part thereof respectively;
- (n) to invest the moneys produced by such sale, calling in or conversion and any other moneys which may be received by the pensions authority in the name of the pensions authority in any manner authorised by section forty of this Measure and to vary or transpose any investments into or for any other or others of any nature therein authorised and to vary the terms of a property comprised in any security;
- (o) to make regulations for prescribing anything which is to be prescribed under this Measure, and generally for the purpose of carrying this Measure into effect.

Provided that no regulation made by the pensions authority under this Measure shall come into force until it has been submitted for approval to and approved by the Church Assembly.

(2) A copy of every regulation purporting to be made in pursuance of this section which affects the existing legal rights of any person shall be laid before each House of Parliament as soon as may be after the making thereof and if either House within the period of forty days beginning with the day on which the copy is laid before it resolves that the regulation be annulled it shall thenceforth become void, but without prejudice to the validity of anything previously done thereunder, or to the making of a new regulation. In reckoning for the purposes of this subsection any period of forty days no account shall be taken of any time during which Parliament is dissolved or prorogued, or during which both Houses are adjourned for more than four days.

Investment  
powers.

40.—(1) Moneys in the hands of the pensions authority (including moneys held by them pursuant to the provisions of the 1930 Measure) requiring investment may be invested in any manner hereinafter mentioned, namely:—

- (a) In any of the public stocks or funds or Government securities of the United Kingdom or India or any British Colony or any foreign Government or State or any securities the capital of or interest on which are or shall be guaranteed by Parliament.
- (b) Upon the security of freehold leasehold or chattel real properties in Great Britain but not in Ireland including first charges registered under the Land Registration Act 1925 on freehold or leasehold properties in England such leaseholds or chattels real having not less than sixty years to run at the time of such investment being made or on mortgage of or on such first

15 Geo. 5.  
c. 21.

registered charge as aforesaid on leaseholds having any term of years to run together with a sinking fund policy at an annual premium securing the payment on or before the expiration of the term of a sum not less than twenty per centum larger than the sum lent.

- (c) In the purchase of freehold ground rents or freehold fee farm rentcharges in England Wales or Scotland.
- (d) In or upon Metropolitan Stock or London County Stock or Stock of the Corporation of the City of London.
- (e) In or upon the debentures debenture stock or rent charge or guaranteed or preference stock or shares of any company incorporated by Special Act or by or under any public general act or acts of the Imperial Parliament or the legislature of any British Colony or Royal Charter.
- (f) In or upon any stock or shares of any such Company a fixed or minimum rate of interest or dividend on which is or shall be guaranteed by the Government of the United Kingdom or India or any British Colony or any foreign Government or State.
- (g) In or upon the debentures debenture stock obligations or securities of any foreign railway company or
- (h) In or upon the stocks funds debentures or securities of any public municipal or local body, board or authority in the United Kingdom or India or any British Colony or any foreign country.
- (i) In deferred annuities purchased by annual premiums in any life assurance office.
- (j) In or upon any other stocks funds or securities for the time being authorised by law for the investment of trust funds.

Provided always as follows :—

- (a) that no money shall be invested in any stocks funds bonds shares or securities to bearer or transferable by mere delivery or delivery and endorsement though coming within the general description of investments hereinbefore authorised.
- (b) that moneys may be invested in any of the investments or securities hereinbefore mentioned notwithstanding the fact that the same may be redeemable and that the price exceeds the redemption value and in relation to such investments or securities the restrictions imposed by the Proviso to subsection (1) of section two of the Trustee Act 1925 may be disregarded.

15 Geo. 5.  
c. 19.

(c) that in this section the expression "British Colony" shall not include Eire but with this exception shall include every Commonwealth Dominion Colony or Dependency which forms part of the British Empire and also every province or state which forms part of any such Commonwealth Dominion Colony or Dependency and has a separate local legislature.

(2) The pensions authority, lending money on the security of any property on which it can lawfully lend, may contract that such money shall not be called in during any specified period from the time when the loan was made, provided interest be paid within a specified time not exceeding thirty days after every half-yearly or other day on which it becomes due, and provided there be no breach of any covenant by the mortgagor contained in the instrument of mortgage or charge for the maintenance and protection of the property.

#### *Pensions Funds.*

Clergy  
Pensions  
Fund.

41.—(1) For the purposes of this Measure the pensions authority shall establish, control and manage a fund called "The Clergy Pensions Fund," to the credit of which all moneys, investments and property derived from the several sources mentioned in Section forty-four hereof and all sums received by the pensions authority pursuant to the provisions of the 1930 Measure shall be paid and transferred and out of which all disbursements for the purposes of this Measure (other than those made under the provisions of Sections forty-two and forty-three hereof) or the 1930 Measure shall be made.

(2) All moneys paid into the Clergy Pensions Fund which are derived from contributions by compulsory contributors and voluntary contributors or (subject to the provisions of Sections forty-two and forty-three hereof) any other moneys which under the provisions of this Measure or the 1930 Measure or the conditions of any gift or grant to the pensions authority are applicable exclusively or primarily for a particular purpose or are subject to any charge shall respectively be carried to separate accounts, to which distinct assets and investments shall be allocated: save that moneys derived from contributions by compulsory contributors and voluntary contributors respectively shall be carried to the same account:

Provided that in the case of moneys paid into the Clergy Pensions Fund for the general purposes thereof or in respect of which no special allocation shall be directed the pensions authority shall have power to allocate such moneys to such account as it shall in its discretion determine.

(3) The Board of Trade shall from time to time appoint an auditor of the Clergy Pensions Fund and of the other funds hereby established and fix his remuneration, and such auditor shall hold office so long as the Board of Trade think fit, and shall audit the accounts of the Clergy Pensions Fund and of the other funds at such times, and make reports to the Church Assembly upon the accounts examined by him in such form, as the Board of Trade may direct.

(4) The pensions authority shall present annually to the Church Assembly a report showing the working of the Clergy Pensions Fund, and of the funds specified in Sections forty-two and forty-three hereof, and there shall be a special audit and valuation of the Clergy Pensions Fund by an actuary once at least in every five years from the appointed day, whereupon a report shall be presented to the Church Assembly.

42. The pensions authority shall also establish a separate fund called "the Clergy Pensions Augmentation Fund" consisting of any testamentary or other gifts made to the pensions authority, and subject to any conditions imposed by the testators or other donors may, at the discretion of the pensions authority, apply such fund or any part thereof—

Clergy  
Pensions  
Augmentation  
Fund.

(a) for the relief of poverty in the case of any bishop, priest or deacon or the widow, child or dependant of any bishop, priest or deacon; or

(b) for the acquisition and maintenance of any land or building and for the conversion and repair of any building used or to be used for the purposes mentioned in paragraph (j) of Section thirty-nine of this Measure.

43. The pensions authority shall also establish a separate fund called "the Clergy (Widows and Dependants) Pensions Augmentation Fund" for the benefit of widows and dependants of bishops, priests and deacons consisting of testamentary or other gifts made to the pensions authority for their benefit and shall administer the same in accordance with the provisions of a scheme for the application of such fund already approved by the Church Assembly:

Clergy  
(Widows and  
Dependants)  
Pensions  
Augmentation  
Fund.

Provided that with the previous approval of the Church Assembly given by resolution the pensions authority shall have power from time to time to modify such scheme.

44. Subject to the provisions of this Measure the moneys required for pensions payable hereunder for the working expenses of the pensions authority and otherwise for carrying this Measure into effect (herein referred to collectively as

Sources of  
Pensions  
Fund.

the purposes of this Measure) shall be derived from contributions made under the provisions hereof and of any agreement made hereunder by persons to whom this Measure applies, and from the following moneys, investments and property—

- (a) moneys received by the pensions authority from the Central Board of Finance of the Church of England (herein referred to as the Central Board):
- (b) capital and other moneys payable to the pensions authority under the provisions of this Measure or the 1930 Measure by the Ecclesiastical Commissioners;
- (c) any moneys payable, transferable or assignable to the pensions authority by the Clergy Pensions Institution under the provisions of this Measure or otherwise;
- (d) any grants made to the pensions authority for the purposes of this Measure by the Ecclesiastical Insurance Office, Limited;
- (e) charges upon the revenues of benefices created under the provisions of section eight of this Measure or under the provisions of the Resignation Acts or the 1930 Measure or any of them.

Grant by  
the Church  
Assembly.

45. The Church Assembly shall make provision for the payment by the Central Board to the pensions authority for the purposes of this Measure out of moneys subject to the disposition of the Church Assembly of an annual sum of not less than fifty thousand pounds.

Grants by the  
Ecclesiastical  
Commis-  
sioners.

46.—(1) The Ecclesiastical Commissioners shall, out of their Common Fund, pay or transfer to the pensions authority for the purposes of this Measure the sum of one hundred thousand pounds in each year.

(2) The Ecclesiastical Commissioners shall have power to make from time to time to the pensions authority for the purposes of this Measure grants out of their Common Fund of such amounts as they may deem expedient.

Clergy  
Pensions  
Institution.

47.—(1) The Clergy Pensions Institution (in this section referred to as "the Institution") shall continue to be an incorporated company, but as from the appointed day—

- (a) all past members of the Institution shall be exonerated and discharged from all liability to contribute to the assets of the Institution in the event of the same being wound up;

- (b) the members from time to time of the pensions authority shall be the members of the Institution and in lieu of any guarantee by the members there shall be contributed to the assets of the Institution out of the Clergy Pensions Fund hereby established, in the event of the Institution being wound up for payment of its debts and liabilities, and of the costs, charges and expenses of the winding up, such amount as may be required not exceeding five thousand pounds;
  - (c) the undertaking of the Institution shall be continued but solely for the purpose of fulfilling the engagements and liabilities of the Institution existing on the thirty-first day of December one thousand nine hundred and twenty-six in accordance with the rules of the several funds of the Institution (in this section referred to as the Rules) as modified by this Measure;
  - (d) all powers vested in the directors under the Memorandum and Articles of Association of the Institution, and the Rules shall be vested in and exercisable by the pensions authority; and
  - (e) no person shall be admitted as a beneficiary of the Institution.
- (2) The engagements and liabilities of the Institution shall be fulfilled in accordance with the following provisions (that is to say):—
- (a) any augmentation granted under the Rules to beneficiaries who were beneficiaries but not pensioners on the thirtieth day of June, one thousand nine hundred and twenty-six, shall be granted upon the footing of the rates of augmentation adopted by the Institution and the conditions governing the grant of augmentation in the year one thousand nine hundred and twenty-four being applicable to them.
  - (b) compound interest at the rate of three and one-quarter per cent. per annum shall, as from the commencement of the appointed day, be paid or credited to any beneficiary who is a class A contributor upon any contributions to the annuity fund of the Institution in any case where under the Rules compound interest at the rate of two and one-half per cent. would have been paid or credited;
  - (c) a beneficiary who is a class A contributor shall not be required to pay any further contributions to the

annuity fund of the Institution, and any such beneficiary receiving a repayment of contributions or reducing or discontinuing the same shall, notwithstanding such repayment, reduction or discontinuance, be entitled to receive the same augmentation as he would have received if such repayment, reduction, or discontinuance had not been effected;

- (d) the Clergy Pensions Fund established by this Measure shall stand charged in priority to all other liabilities and obligations of the fund by way of guarantee with the payment of all annuities, augmentation and other sums from time to time payable under the Rules as modified by this Measure;
- (e) as from the commencement of the appointed day interest shall be credited at the rate of three and one-quarter per cent. per annum upon the amount held by the Institution at the disposal of each diocesan committee.

(3) On the first day of January one thousand nine hundred and fifty-two and at the expiration of every period of five years calculated therefrom, a special consolidated audit and valuation of the assets and liabilities of the Institution and of the Clergy Pensions Fund hereby established respectively shall be held and made by an actuary and the auditor for the time being of the Clergy Pensions Fund, and if, upon such audit and valuation, it shall appear, and if the actuary shall certify, that the assets of the Institution, after providing such reserves as the actuary may think proper, are more than sufficient to discharge the liabilities imposed thereon, so as to render available a surplus of an amount to be specified in the actuary's certificate, such surplus shall be paid and transferred by the Institution to the pensions authority for the purposes of this Measure; but if upon such audit and valuation it shall appear and if the actuary shall certify that the assets of the Clergy Pensions Fund are insufficient to discharge the liabilities imposed thereon under this Measure, including the guarantee created by this section, the actuary shall certify what provisions are necessary to make good the deficiency so as to make effective the guarantee created by this section, and such provisions shall be made and given effect to in accordance with such certificate.

(4) If upon the winding up or dissolution of the Institution there remains after satisfaction of all its debts and liabilities any property whatsoever, the same shall be transferred to the pensions authority for the purposes of this Measure.



(5) A copy of this section shall be embodied in every copy of the memorandum of association of the Institution issued immediately after the commencement of this Measure.

(6) Such alterations shall be introduced into the articles of association of the Institution and the rules as will bring the same respectively into conformity with the provisions of this section.

(7) Any monies forming part of the funds of the Clergy Pensions Institution may at the discretion of the Institution

(a) be invested in any manner specified in section forty of this Measure; and

(b) be advanced by way of loan to any beneficiary of the Institution upon the security of any sum which under the Rules of the several funds of the Institution is standing to his credit.

These powers shall be in addition to the powers referred to in paragraph (d) of subsection (1) of this section.

48. If at any time it shall appear to the pensions authority after the audit and valuation hereinbefore provided for that the Clergy Pensions Fund is more than sufficient to discharge the liabilities imposed thereon under this Measure and the 1930 Measure, the pensions authority may direct subject to the approval of the Church Assembly given by resolution the application of the surplus or of any part thereof for any purpose which in the opinion of the pensions authority is beneficial to the persons to whom this Measure or the 1930 Measure applies or any of them or to the widows, children or dependants of such persons or any of them:

Application of surplus and in case of 1930 Measure provision for deficit.

Provided that—

(a) so far as any such surplus represents moneys received under the provisions of the 1930 Measure such surplus may be transferred to the Ecclesiastical Commissioners; and

(b) if upon such audit and valuation it shall appear and if the actuary shall certify that the assets of the Clergy Pensions Fund applicable for the purposes of the 1930 Measure are insufficient to provide for those purposes then the Ecclesiastical Commissioners shall pay to the pensions authority such sum as the actuary shall certify to be necessary to make good such insufficiency.

## PART IX.

## MISCELLANEOUS.

Supplement-  
ary pensions.

49. For the purpose of providing for the payment of supplementary pensions to certain persons in receipt of pensions under this Measure or under the 1930 Measure the provisions set out in the Sixth Schedule to this Measure shall have effect.

Reciprocal  
arrangements  
with other  
Churches.

50.—(1) The pensions authority may enter into reciprocal arrangements with the authority controlling and administering any pension scheme for providing pensions for the clergy or their widows, children or dependants of any church to which this section applies under which—

(a) any bishop, priest or deacon to whom this Measure applies who is ministering or is about to minister in any church to which this section applies, may, if the pensions authority so determine, be transferred to the pension scheme of that church;

(b) any bishop, priest or deacon to whom this Measure has become applicable who has ministered in any church to which this section applies may in substance retain for himself or his widow, children or dependants in such manner and to such extent as the reciprocal arrangements shall provide any right to or expectations of a pension which he may already have acquired for himself or his widow, children or dependants.

(2) A bishop, priest or deacon transferred hereunder to the pension scheme of a church to which this section applies shall, as from the date of his transfer, cease to have any right or claim to receive at any time a pension or a return of contributions under this Measure and his widow, children and dependants shall also cease to have any right or claim to receive at any time a pension hereunder, but so that the pensions authority shall have power to reinstate him in the position of a person to whom this Measure applies upon such terms and conditions as such authority may deem expedient.

(3) The pensions authority may prescribe regulations for the purpose of carrying into effect the provisions of this section, and such regulations may provide for the payment out of or into the Clergy Pensions Fund of any moneys payable or receivable under any reciprocal arrangements authorised by this section.

(4) No voluntary contributor shall be transferred under this section to the pension scheme of any church unless he shall consent to such transfer and no claim in respect of a pension payable under an agreement made under Part IV of this Measure shall be transferred without the consent of the clerk who has entered into such agreement.

(5) This section shall apply to all episcopal churches in communion with the Church of England in which clerks in Holy Orders of the Church of England are admitted to minister.

(6) Any organised body of clergy ministering outside England under the jurisdiction of any bishop consecrated as a bishop of the Church of England or of any bishop in communion with the Church of England in connection with which body a pension scheme has been established shall, for the purposes of this section, be deemed to be a church to which this section applies.

51.—(1) The pensions authority may enter into reciprocal arrangements with the authority controlling and administering any pension scheme for providing pensions for persons, or the widows children or dependants of persons, in the service of the Crown, or of any government department or any public municipal or local body, board or authority in England or elsewhere under which—

Reciprocal  
arrangements  
with other  
pensions  
authorities.

(a) any bishop, priest or deacon to whom this Measure applies who is in such service or is about to enter such service may, if the pensions authority so determine, be transferred to the pension scheme of that other authority;

(b) any bishop, priest or deacon to whom this Measure has become applicable who has been in such service may in substance retain for himself or his widow children or dependants in such manner and to such extent as the reciprocal arrangements shall provide any right to or expectations of a pension which he may already have acquired for himself or his widow children or dependants.

(2) A bishop, priest or deacon transferred hereunder to the pensions scheme of another authority shall as from the date of his transfer cease to have any right or claim to receive at any time a pension or a return of contributions under this Measure and his widow children and dependants shall also cease to have any right or claim to receive at any time a pension hereunder, but so that the pensions authority shall have power to reinstate him in the position of a person to

whom this Measure applies upon such terms and conditions as the pensions authority may deem expedient.

(3) The pensions authority may prescribe regulations for the purpose of carrying into effect the provisions of this section and such regulations may provide for the payment out of or into the Clergy Pensions Fund of any moneys payable or receivable under any reciprocal arrangements authorised by this section.

(4) No voluntary contributor shall be transferred under this section to the pensions scheme of any other authority unless he shall consent to such transfer, and no claim in respect of a pension payable under an agreement made under Part IV of this Measure shall be transferred without the consent of the clerk who has entered into such agreement.

Determination  
of questions.

52.—(1) If any question shall arise—

- (a) as to whether this Measure applies to any bishop, priest or deacon, or
- (b) in the case of any bishop, priest or deacon to whom this Measure applies—

- (i) as to the length of his qualifying period of pensionable service (if any) or the date upon which such qualifying period terminated;

- (ii) as to whether he has retired and on what date;

- (iii) as to whether he satisfies the conditions laid down for the receipt of a pension under this Measure, or the terms and conditions upon which his pension is granted or agreed to be paid;

- (iv) as to the rate at which his pension is to be paid, and whether any deductions are to be made therefrom in respect of arrears of contributions;

- (v) as to the correctness of his assessment to contributions or of any estimate of the value of his benefice or of any other estimate or valuation affecting him, made under the contribution rules; or

- (vi) as to his right to a repayment of any contributions made by him;

- (vii) as to the rights of a widow, child or dependant of a clerk in Holy Orders or of the clerk himself under Part II, III or IV of this Measure (including the question whether any person is a dependant of a clerk);

such question shall be decided in manner provided by this section.

(2) Every question to which this section refers shall (except where the question is whether the bishop, priest or deacon concerned is permanently disabled for the performance of his work or duties) be decided by the pensions authority at a meeting specially convened for the purpose of deciding such question.

(3) Any question as to whether a bishop, priest or deacon is permanently disabled for the performance of his work or duties shall be decided by a board of two or more medical referees to be appointed by the pensions authority.

(4) Every decision of a board of medical referees under this section shall be final and conclusive and not subject to appeal to any court, except where the person affected by such decision contends that the same is erroneous in point of law, in which case such person may appeal to the pensions authority, who shall decide any question or questions of law involved at a meeting specially convened for that purpose.

(5) Every decision of the pensions authority under this section shall be given after hearing the bishop, priest or deacon concerned, or his agent.

(6) The Arbitration Acts, 1889 to 1934 shall not apply to any proceedings under this section.

(7) Any person aggrieved by a decision of the pensions authority under this section may, within such limits of time and in such manner as may be laid down by Rules of Court, appeal from that decision to the High Court, and the decision of that Court on any such appeal shall be final.

53. *Prima facie* evidence of any regulation made by the pensions authority and approved by the Church Assembly under this Measure or any decision given by such authority upon the determination of any question or appeal under this Measure may be given by producing a copy of the regulation or decision sealed with the common seal of the pensions authority. Proof of regulation.

54. The pensions authority may send to parochial church councils a notification of the charges imposed by this Measure upon their parochial clergy, and shall invite the diocesan board of finance in every diocese to frame a scheme under which with the co-operation of the parochial church councils of the diocese such provisions as circumstances permit may be made either by means of a capital fund or otherwise for exonerating the parochial clergy from the said charges. Invitation to parishes to provide contributions.

Diocesan  
widows and  
dependants  
committees.

55.—(1) In every diocese the diocesan board of finance shall appoint a diocesan widows and dependants committee, which shall include representatives of charities of which widows and dependants of the deceased clergy of the diocese are beneficiaries.

(2) Such diocesan widows and dependants committee shall watch over the interests of such widows and dependants and co-ordinate so far as possible the work of such charities and that of the pensions authority.

(3) In every diocese the diocesan board of finance shall appoint an officer or officers whose duty it shall be to bring before the widows and dependants committee information as to the circumstances of widows and dependants of deceased clergy of the diocese and make all proper representations on their behalf to such committee and to inform such widows and dependants of their rights under this Measure and of the action taken or proposed to be taken by such committee on their behalf.

Curate's  
declaration  
and licence.  
28 & 29 Vict.  
c. 122.

56.—(1) There shall be added to the stipendiary curate's declaration set out in section three of the Clerical Subscription Act, 1865, at the end of such declaration the words "except in respect of contributions under the Clergy Pensions Measure, 1948."

(2) A bishop shall, upon his specifying in a licence granted by him to a stipendiary curate the amount of the stipend to be paid to the curate, add, in such form as he shall think fit, words to the same effect as the words which are to be added to the stipendiary curate's declaration under this section.

Pensions under  
Deans and  
Canons Resig-  
nation Act,  
1872.  
35 & 36 Vict.  
c. 8.

57.—(1) No pension shall at any time after the commencement of this Measure be granted under the Deans and Canons Resignation Act, 1872, to any dean, canon or minor canon, who had not attained the age of fifty-five years before the appointed day.

(2) A pension under the said Act shall be deemed to be granted on the day of the date of the bishop's certificate certifying the incapacity of the dean, canon or minor canon concerned.

Burnley  
Rectory Act,  
1890.  
53 & 54 Vict.  
c. cxxiii.

58. Notwithstanding any of the provisions of the Burnley Rectory Act, 1890, the incumbent of the rectory of Burnley shall be under a like liability to pay contributions under this Measure and have the like right to a pension hereunder on retirement as the incumbents of other benefices.

**59.—(1)** In the case of any person who has been or is about to be appointed to a canonry to which a professorship in a university is annexed, such person may before or after his appointment enter into an agreement with the university providing for the payment to him of a pension on retirement from his canonry and professorship on such terms as to the payment of contributions, the amount of pension, the date of retirement and generally as such person and the university shall jointly agree.

Pensions payable to canons holding professorships exempt from Acts against simony.

(2) No such pension shall be deemed to be a pension, sum of money, reward, gift, profit, benefit or commodity within the meaning of the Statute 31 Elizabeth chapter 6 or the Simony Act, 1713, and no such agreement shall be deemed to be a promise, grant, bond, covenant or other assurance within the meaning of either of those Acts or the declaration contained in the Schedule to the Benefices Act, 1898.

13 Anne. c. 11.

61 & 62 Vict.  
c. 48.

**60.** The Charitable Trusts Acts, 1853 to 1939, shall not apply to the pensions authority or to any property vested in or administered by it except to the funds established under sections forty-two and forty-three of this Measure and to such property and funds as may be applicable for special charitable purposes.

Provisions as to Charitable Trusts Acts.

**61.—(1)** In the Measure the following expressions have the meanings following, that is to say:—

Interpretation.

- (a) "actuary" means a Fellow of the Institute of Actuaries, or of the Faculty of Actuaries in Scotland;
- (b) "appointed day" means the first day of January one thousand nine hundred and twenty-seven;
- (c) "bishop" includes an archbishop;
- (d) "bishopric" includes an archbishopric;
- (e) "diocesan bishop" means the bishop of any diocesan bishopric in England, whether created before or after the passing of this Measure, including the bishopric of Sodor and Man;
- (f) "suffragan bishop" means the bishop of any suffragan bishopric in England, whether created before or after the passing of this Measure;
- (g) "clerk in Holy Orders" does not include a diocesan bishop or suffragan bishop but with this exception includes any bishop, priest or deacon who has been consecrated or ordained by any bishop of the Church of England or by any bishop of a Church in communion with the Church of England;

- (h) the expression " dependant " means any person who at the time when he is nominated for the receipt of a pension or when the agreement for providing a pension for him is entered into is either wholly or to a substantial extent dependent on the person making such nomination or entering into such agreement;
- (i) " ecclesiastical service " includes service rendered under the direction of a diocesan bishop or carried on in furtherance of the work administrative or spiritual of the Church of England and recognised as such by a diocesan bishop.
- (j) " financial year " means a year beginning on the first day of April in any calendar year and ending on the thirty-first day of March in the following calendar year;
- (k) " prescribed " means prescribed by regulations under this Measure or in the case of regulations which could have been made under this Measure by byelaws made under any of the Measures hereby repealed;
- (l) " the 1930 Measure " means the Clergy Pensions (Older Incumbents) Measure, 1930.
- (m) " older incumbent " has the meaning assigned to that expression in section one of the 1930 Measure.

20 & 21 Geo. 5.  
No. 6.

(2) For the purposes of this Measure a person shall be deemed not to have attained the age of fifty-five years until the commencement of the fifty-fifth anniversary of the day of his birth, and similarly with regard to other ages.

Amendment of  
1930 Measure.

**62.** Section ten of, and the Second Schedule to, the 1930 Measure (which relate to the conditions for receipt of and payment and application of pensions to older incumbents) are hereby repealed and in substitution therefor the provisions set out in the Seventh Schedule to this Measure shall as from the commencement of this Measure have effect in relation to pensions payable to older incumbents whether already payable or hereafter to become payable.

Repeals and  
savings.

**63.** The Measures set out in the Eighth Schedule to this Measure are hereby repealed :

52 & 53 Vict.  
c. 63.

Provided that without prejudice to the provisions of section thirty-eight of the Interpretation Act, 1889—

- (a) nothing in this repeal shall affect the right to any pension which has before the commencement of this Measure already become payable to any person under the Measures so repealed or the 1930 Measure or any of them and every such pension shall continue to be payable in accordance with the provisions of



those Measures save that as from the commencement of this Measure every pension payable under the Measures so repealed shall be payable pursuant to the provisions of sections thirty-one to thirty-four of this Measure in place of the corresponding provisions of the Measures so repealed.

- (b) references in this Measure to contributors of any class shall, so far as necessary for the purpose of preserving any accruing right, be construed as including references to contributors of the corresponding class under the Measures so repealed, and any contributions paid in respect of any contributors under those Measures shall, for the purposes of this Measure, be treated as if they had been paid under the corresponding provisions of this Measure;
- (c) the pensions authority established under this Measure shall be deemed to be in continuation of the pensions authority established under the Clergy Pensions Measure, 1926;
- (d) any person (other than a person to whom subsection (3) of section thirty-seven of this Measure applies) appointed to any office, commission, committee or sub-committee or serving in any capacity under or by virtue of any Measure repealed by this Measure and who held such office or was a member of such commission, committee or sub-committee or served immediately before the commencement of this Measure shall continue in such office, membership or service as if he had been appointed under this Measure and nothing in this repeal shall affect the terms and conditions on and subject to which he held such office or membership or served immediately before the commencement of this Measure or prejudice or affect any right to pension which a person would otherwise have had on retirement from his office or service or otherwise or the amount thereof;
- (e) all funds and accounts established under this Measure shall be deemed to be in continuation of the corresponding funds and accounts established under the Measures hereby repealed;
- (f) nothing in this repeal shall affect any rule of court byelaw, agreement, arrangement, scheme or request made or any notice, decision, direction or approval given under any Measure repealed by this Measure, and every such rule of court byelaw, agreement, arrangement, scheme, request, notice, decision, direction or approval shall continue in force, and shall, so far as it could have been made

or given under this Measure, have effect as if made or given under the corresponding provision of this Measure;

- (g) any Act, Measure or other document referring to any Measure repealed by this Measure shall be construed as referring to the corresponding provision of this Measure;
- (h) nothing in this repeal shall affect the operation of the 1930 Measure as amended by this Measure and references in the 1930 Measure to the pensions authority shall be construed as references to the pensions authority established by this Measure.

Extent.

64. This Measure shall extend to the whole of the Province of Canterbury with the exception of the Channel Islands, and to the whole of the Province of York including the Isle of Man:

Provided that—

- (a) section eight of this Measure shall not apply to the Isle of Man;
- (b) this Measure may be applied to the Channel Islands as defined in the Channel Islands (Church Legislation) Measure, 1931, or either of them in accordance with the provisions of that Measure.

21 & 22 Geo. 5.  
No. 4.

Short title and  
commence-  
ment.

65.—(1) This Measure may be cited as the Clergy Pensions Measure, 1948.

(2) This Measure shall have effect as from the first day of January One thousand nine hundred and forty-eight.

## SCHEDULES.

## THE FIRST SCHEDULE.

Sections  
6 and 18.

## PART I.

PENSION TABLE FOR PENSIONERS WHO HAVE BEEN  
COMPULSORY CONTRIBUTORS.

Qualifying period of pensionable service.						Rate of Pension in cases where the pension is entered upon at or above the age of 70.
						£
15 years	...	...	...	...	...	34
16 "	...	...	...	...	...	38
17 "	...	...	...	...	...	42
18 "	...	...	...	...	...	46
19 "	...	...	...	...	...	50
20 "	...	...	...	...	...	55
21 "	...	...	...	...	...	60
22 "	...	...	...	...	...	65
23 "	...	...	...	...	...	70
24 "	...	...	...	...	...	75
25 "	...	...	...	...	...	80
26 "	...	...	...	...	...	86
27 "	...	...	...	...	...	92
28 "	...	...	...	...	...	98
29 "	...	...	...	...	...	105
30 "	...	...	...	...	...	112
31 "	...	...	...	...	...	120
32 "	...	...	...	...	...	128
33 "	...	...	...	...	...	137
34 "	...	...	...	...	...	146
35 "	...	...	...	...	...	155
36 "	...	...	...	...	...	164
37 "	...	...	...	...	...	173
38 "	...	...	...	...	...	182
39 "	...	...	...	...	...	191
40 years (or over)	...	...	...	...	...	200

## PART II.

PENSION RULES FOR PENSIONERS WHO HAVE BEEN  
COMPULSORY CONTRIBUTORS.

1. *Class A Contributors.*—The rate of pension of a pensioner who has been a Class A contributor and who has retired by reason of permanent disability under the age of 70 shall be ascertained by dividing by two the pension which he would have entered upon had

he continued to render qualifying pensionable service until attaining the age of 70 and had then retired, and by adding until a maximum rate of £150 is reached £2 for each complete year of the excess of his qualifying period of pensionable service over 15 years.

2. *Class B Contributors.*—The rate of pension of a pensioner who has been a Class B contributor and who has retired by reason of permanent disability under the age of 70 shall be ascertained by taking the pension which he would have entered upon had he continued to render qualifying pensionable service until attaining the age of 70 and had then retired and by subtracting therefrom the sum of £2 for each complete year by which his age at the date at which he makes application to the pensions authority for a pension or at which he retires (whichever date is the later) is less than 70.

3. *Compulsory Contributors.*—The rate of pension applicable under this Schedule to a pensioner who has been a compulsory contributor and who has performed a qualifying period of pensionable service which falls short of forty years and does not consist of a complete number of years shall be increased by adding thereto, for each month of service performed by him in excess of the completed number of years of service so performed, a sum equal to one-twelfth of the difference between the amount of such pension and the amount of the pension to which he would have been entitled under the Pension Table contained in Part 1 of this Schedule and Rule 1, 2 or 3 (as the case may be) of these Rules had the qualifying period of pensionable service performed by him consisted of one more complete year.

4. The rate of pension of a compulsory contributor who has retired but not by reason of permanent disability after attaining the age of 65 but before attaining the age of 70 shall be a percentage of the pension which he would have entered upon had he continued to render qualifying pensionable service until attaining the age of 70 and had then retired which percentage shall be ascertained in accordance with the following table:—

Age at birthday next before retirement.	Percentage of pension which would have been entered upon at age of 70.
65	55
66	64
67	73
68	82
69	91

5. *Deans and Canons.*—The pensions of deans and canons (not being minor canons) of cathedral and collegiate churches, appointed before the appointed day, to whom the Deans and Canons Resignation Act, 1872, would, if the Clergy Pensions Measure, 1926, had not been passed, have applied, shall be paid at the fixed rates of four hundred and fifty pounds per annum in the case of a dean, and three hundred pounds per annum in the case of a canon, and the Pension Table contained in Part I of this Schedule, and Rules 1 and 3 of these Rules shall not apply to them.

## THE SECOND SCHEDULE.

Section 7.

## CONTRIBUTION TABLE APPLICABLE TO CLASS A CONTRIBUTORS.

Subject to the provisions of the Third Schedule to this Measure every Class A contributor (in this Schedule referred to as a contributor) shall pay yearly contributions at the rate applicable to him under the following table and the notes thereto:—

## CONTRIBUTION TABLE.

Amount of Assessable Income.		Amount of yearly Contribution.		
		£	s.	d.
Exceeding £150 but not exceeding £175	... ..	5	5	0
„ £175 „ „ £200	... ..	5	0	0
„ £200 „ „ £225	... ..	6	15	0
„ £225 „ „ £250	... ..	7	10	0
„ £250 „ „ £275	... ..	8	5	0
„ £275 „ „ £300	... ..	9	0	0
„ £300 „ „ £325	... ..	9	15	0
„ £325 „ „ £350	... ..	10	10	0
„ £350 „ „ £375	... ..	11	5	0
„ £375 „ „ £400	... ..	12	0	0
„ £400 „ „ £425	... ..	12	15	0
„ £425 „ „ £450	... ..	13	10	0
„ £450 „ „ £475	... ..	14	5	0
„ £475 „ „ £500	... ..	15	0	0
„ £500 „ „ £525	... ..	15	15	0
„ £525 „ „ £550	... ..	16	10	0
„ £550 „ „ £575	... ..	17	5	0
„ £575 „ „ £600	... ..	18	0	0
„ £600 „ „ £625	... ..	18	15	0
„ £625 „ „ £650	... ..	19	10	0
„ £650 „ „ £675	... ..	20	5	0
„ £675 „ „ £700	... ..	21	0	0

NOTES.—(1) Where the assessable income exceeds seven hundred pounds the amount of the yearly contribution payable shall be ascertained by adding to twenty-one pounds the sum of fifteen shillings in respect of each complete twenty-five pounds or part of twenty-five pounds whereby such income exceeds seven hundred pounds.

(2) A contributor shall be exempt from the payment of contributions so soon as (i) he has attained the age of 70 years, and (ii) his qualifying period of pensionable service amounts to 40 years.

## THE THIRD SCHEDULE.

CONTRIBUTION RULES APPLICABLE TO COMPULSORY  
CONTRIBUTORS.

1. For the purposes of the Contribution Table contained in the Second Schedule to this Measure and for the purposes of the provisions of section twenty of this Measure assessable income means the net income as ascertained under the provisions of these Rules which is earned during the financial year ending in the calendar year preceding the year of assessment by a compulsory contributor as the holder of any preferment or in respect of the stipend, salary or emolument of an office or function by virtue whereof this Measure applies to him or as the holder of any educational, charitable or public post, and includes the annual value of his parsonage house or house of residence (if any):

Provided that

- (a) where an assessable income is derived from more than one of the above-mentioned sources, either simultaneously or consecutively, the whole of that income shall (subject as hereinafter mentioned) be aggregated;
- (b) the value of a parsonage house or house of residence shall be estimated according to the annual value thereof for the purposes of the enactments relating to income tax, but subject to the deduction of the sum (if any) by which such annual value exceeds one-eighth of the net income earned during the financial year ending in the calendar year preceding the year of assessment by the compulsory contributor concerned as the holder of the benefice, deanery, prebend or canonry to which such parsonage house or house of residence belongs;
- (c) in computing the assessable income of a compulsory contributor in any financial year the pensions authority shall only include his income for that financial year as the holder of an educational, charitable or public post if his income for that financial year as the holder of any preferment or derived from the stipend, salary or emolument payable to him in respect of the ecclesiastical service rendered by him is less than six hundred pounds and shall only include sufficient of his income for that financial year as the holder of an educational, charitable or public post to bring his assessable income for that financial year up to six hundred pounds;
- (d) in computing the assessable income of a compulsory contributor in any financial year the pensions authority shall not include as part of his income for that financial year any sum paid in or towards payment of his contribution.

2. A pension under the Incumbents Resignation Acts, 1871 and 1887, or the Deans and Canons Resignation Act, 1872, and any charge created under Section 8 of this Measure or the corresponding provisions of any Measure repealed by this Measure shall be allowed as a deduction in estimating the assessable income.

3. A compulsory contributor who has held no preferment or office by virtue whereof this Measure applies to him during the financial year ending in the calendar year preceding the year of assessment shall, and a compulsory contributor who has held such preferment or office for part of that financial year only may, if the pensions authority think fit, be assessed on his estimated net income calculated for the whole of the financial year current at the time of assessment.

4. The pensions authority may send to every clerk in Holy Orders in the area to which this Measure applies a requirement to furnish particulars of his clerical income and of any stipend salary or emolument earned by him as the holder of any educational, charitable or public post in one of the forms set out in the Appendix to this Schedule, or in such other form as the pensions authority may determine with the approval of the Church Assembly given by resolution, and it shall be the duty of every clerk in Holy Orders to whom such a requirement or other request for information is sent to complete the form and return it, or furnish the information required to the pensions authority within such period not being less than twenty-one days, as the pensions authority may determine.

5. If any clerk in Holy Orders to whom such a requirement or request for information is sent fails to comply therewith, the pensions authority may assess him to contributions of such amounts fixed on the basis of such information as the pensions authority shall in its absolute discretion think proper, and the making of such an assessment shall be *prima facie* evidence that such clerk in Holy Orders is a compulsory contributor, and as such, liable to pay the contribution assessed.

6. The pensions authority shall be entitled to disclose information obtained under the provisions of these rules to any person, authority or body charged with administrative duties connected with the Church of England.

7. Assessments under these rules shall be communicated to the Ecclesiastical Commissioners, and it shall be the duty of the Ecclesiastical Commissioners in any case where either—

- (a) an assessed contributor is in receipt of any augmentation grant or other moneys from the Ecclesiastical Commissioners; or
- (b) an assessed contributor is paid the stipend, salary or emolument upon which he is assessed by a person in receipt of any augmentation grant or other moneys from the Ecclesiastical Commissioners:

to deduct a proportionate part of the contribution from the next payment made by them in respect of such augmentation grant or other moneys and to pay the same to the pensions authority:

Provided that the pensions authority may, in any case provided for by this rule, collect the contribution due from the contributor concerned directly from such contributor, and the Ecclesiastical Commissioners shall not deduct such contribution or any part thereof as provided in this rule in any case in which the pensions authority has not directed the Ecclesiastical Commissioners so to deduct it.

8. Alternatively, collection of contributions assessed under these rules may, where circumstances admit and the pensions authority deem it expedient, be effected through Queen Anne's Bounty and in any such case the last preceding rule shall *mutatis mutandis* apply to such collection.

9. In any case where any contribution is deducted and paid to the pensions authority by the Ecclesiastical Commissioners or by Queen Anne's Bounty under these rules, such deduction and payment shall discharge—

- (a) the contributor assessed to such contribution from his liability in respect thereof;
- (b) the Ecclesiastical Commissioners or Queen Anne's Bounty, as the case may be, from all liabilities and duties arising otherwise than under these rules in respect of so much of the augmentation grant or other moneys as is deducted;
- (c) any person liable to pay a stipend, salary or emolument in respect of which the contribution is assessed from such part of the instalment or payment in respect thereof payable next after the deduction has been made as is equal to the deducted contribution.

10. In any case where an assessed contribution is not collected by deduction under these rules, it shall be paid to the pensions authority at its principal office by the assessed contributor except where he is assessed in respect of a stipend, salary or emolument paid to him by the incumbent of a benefice, in which case the payment shall be made by such incumbent, who shall by virtue of such payment be discharged from so much of the instalment of, or payment in respect of, such stipend, salary or emolument payable next after the payment by him of the contribution as is equal to the amount of the contribution:

Provided that a contributor assessed in respect of a stipend, salary, or emolument paid to him by the incumbent of a benefice shall, where the pensions authority so directs, pay his contributions, or any of them, directly to the said authority at its principal office.

11. The sending by post by the pensions authority to an assessed contributor or such an incumbent as is mentioned in the last preceding rule of a written demand for the payment of an assessed contribution stating the amount thereof and addressed to the contributor or incumbent at his last known place of residence shall be *prima facie* evidence that a contribution of the amount mentioned in the demand is due and owing from or payable by the contributor or the incumbent as the case may be.

12. All moneys due from a contributor or from an incumbent of a benefice liable for the payment of contributions under these rules shall be a debt due to, and recoverable by, the pensions authority from such contributor or incumbent.

13. Subject to the provisions of these Rules, every compulsory contributor shall be liable to pay a contribution in respect of each calendar year during any part of which he is a compulsory contributor.



14. An annual contribution shall be paid in four instalments on the thirty-first day of March, the thirtieth day of June, the thirtieth day of September and the thirty-first day of December in each calendar year in respect of the quarter-years ending on those days respectively; but if a compulsory contributor becomes or ceases to be a compulsory contributor during any calendar year he shall not be liable to pay a contribution in respect of that part thereof during which he is not a compulsory contributor:

Provided that if a compulsory contributor who becomes or ceases to be a compulsory contributor during any quarter-year shall have before the end of such quarter-year or the quarter-year next following signified in writing to the pensions authority his desire to be deemed liable to pay a contribution in respect of the whole or any part thereof not being less than one third of such quarter-year, he shall be deemed to be so liable.

15. Where at the end of any quarter-year a compulsory contributor is liable to pay a contribution in respect of part only of such quarter-year, the amount of contribution which he is liable to pay shall be an amount which bears the same proportion to the amount which he would have been liable to pay in respect of such quarter-year under the Contribution Table in the Second Schedule to this Measure or under the provisions of section twenty of this Measure if he had been a compulsory contributor during the whole of such quarter-year as the number of calendar months in such quarter-year during the whole of which he was a compulsory contributor bears to the number three.

16. Arrears of contribution owing under these rules or any portion of such arrears may be collected by the pensions authority in any manner in which the contribution in respect of which such arrears are owing may under these rules be collected:

Provided that where an assessed contributor is assessed in respect of a stipend, salary or emolument paid to him by the incumbent of a benefice such incumbent shall not be liable to make any payment to the pensions authority in respect of arrears of contribution due from such contributor unless such contributor is at the date on which demand for such payment is made in receipt of a stipend, salary or emolument from such incumbent.

17. The pensions authority shall have power to prescribe—

- (a) regulations providing for a valuation (either general or partial) of benefices for the purposes of these rules being made at such time or times and according to such principles as such authority may think fit; and
- (b) regulations regulating the collection of contributions, which regulations may be either additional or supplementary to the contribution rules, but no regulations made under this power shall increase any rate of contribution.

18. The pensions authority shall assess compulsory contributors to contributions in accordance with these Contribution Rules, and for the purposes of any assessment may determine whether and in what manner any sums payable under the Ecclesiastical Dilapidations

Measures, 1923 to 1929, are to be apportioned between a parsonage house and other buildings of a benefice, and any other matter requiring to be determined and not expressly provided for by these Rules.

19. Every assessment to contributions shall as soon as is reasonably practicable be communicated by the pensions authority to the compulsory contributor concerned, who shall be accorded a period of twenty-one days within which to give notice to the pensions authority of any objection to the assessment and of the grounds thereof.

20. The pensions authority shall have power from time to time to revise or adjust any assessment to contributions in any case where the circumstances so require, and any revised or adjusted assessment shall supersede the original assessment or any previously revised or adjusted assessment.

21. Notwithstanding any other provision of these Rules the pensions authority shall have power in any exceptional case where, in the opinion of the pensions authority, circumstances so require, to determine the amount of the assessable income of a compulsory contributor, or of any item thereof, upon such basis as the pensions authority may think proper.

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APPENDIX.

Contribution  
Rules.  
Rule 4.

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FORM I.

RETURN OF INCOME OF UNBENEFICED CLERGYMAN.  
for the year ended 31st March, 19.....

Name ..... Ecclesiastical Office[s] .....  
Postal Address ..... or Appointment[s] .....  
..... Parish .....  
..... Diocese .....  
Particulars with dates of any .....  
office or appointment accepted .....  
or resigned since 31st March, .....  
19..... .....

EMOLUMENTS EARNED DURING THE YEAR.

	£	s.	d.
1. Stipend, Salary or Emolument of Ecclesiastical Office[s] or Appointment[s] ... ..			
2. Offerings and Fees allocated to me in virtue of my Ecclesiastical Offices ... ..			
3. Grants and Augmentations ( <i>see</i> Note I below) :			
(a) Parochial Church Council ... ..	£		
(b) Diocesan Authorities ... ..	£		
(c) Ecclesiastical Commissioners ... ..	£		
(d) Other sources ... ..	£		
4. Annual Value of Emoluments receivable in kind, <i>i.e.</i> , free board, etc. ... ..			
5. Net Schedule A Income Tax value of house or accommodation provided rent free ... ..			
6. <i>Less</i> Special Expenses of Office (if any) allowed by the Income Tax Authorities ... ..			
7. State full Stipend, Salary or Emolument earned as the holder of any—			
(a) Educational Post ... ..	£		
(b) Charitable Post ... ..	£		
(c) Public Post ... ..	£		
include sufficient only in main cash column to make up the assessable income to £600 ... ..			
Assessable income ... ..	£		

Date..... Signature.....

NOTE I.—Voluntary payments towards or in payment of pension contributions to be excluded.

II.—Where the Net Schedule A value of house of residence exceeds one-eighth of the assessable income, one-eighth only will be included.

III.—The following questions should be answered by any clergyman who was admitted to Deacon's Orders after 1st July, 1936 and before 1st January, 1948, unless already recorded :—

- (a) Are you married ?
- (b) If so, what was the date of your marriage ?
- (c) If you are not married do you wish to enter the Widows' Contributory Pensions Scheme now, either in anticipation of marriage or for the benefit of your present dependents ?

FORM 2  
RETURN OF INCOME OF BENEFICED CLERGYMAN for the year ended 31st March, 19 .

BENEFICE INCOME ( <i>see</i> Notes below)	£	s.	d.	£	s.	d.
1. Fees ... ..	...	...	...			
2. Easter Offerings ... ..	...	...	...			
3. Pew Rents ... ..	...	...	...			
4. Ecclesiastical Commissioners— (a) Augmentation Grants ... ..	...	...	...			
(b) Dividends and Interest ... ..	...	...	...			
(c) Other annual payments ... ..	...	...	...			
5. Queen Anne's Bounty— (a) Interest and Dividends ... ..	...	...	...			
(b) Income under Tithe Act, 1936 ... ..	...	...	...			
(c) Corn Rents ... ..	...	...	...			
(d) Tithe Redemption Annuities Interest ... ..	...	...	...			
(e) Grant towards Dilapidations payment ... ..	...	...	...			
6. Trustees and Others— (a) Dividends and Interest ... ..	...	...	...			
(b) Augmentation Grants ... ..	...	...	...			
7. Glebe—Letting of lands and houses (other than Parsonage House), Ground Rents, Sporting and other rights ... ..	...	...	...			
Less Rates (if paid by Incum- bent) ... ..	...	...	...			
Collection charges ... ..	...	...	...			
Land Tax ... ..	...	...	...			
<b>OUTGOINGS</b>						
1. Ecclesiastical Dues ... ..	...	...	...			
2. Annual Payment under the Ecclesiastical Dilapidations Measures 1923/9	...	...	...			
3. Tithe Redemption Annuities (Tithe Act 1936)	...	...	...			
4. Rents or Rentcharges ... ..	...	...	...			
5. Mortgage Charges : (a) Capital Repayment ... ..	...	...	...			
(b) Interest Payment (gross) ... ..	...	...	...			
6. Retired Incumbent's Pension charged on benefice ... ..	...	...	...			
7. Curate's Stipend— (a) Compulsory ... ..	...	...	...			
(b) Voluntary ... ..	...	...	...			
8. Payments to Lay Workers licensed by Bishop	...	...	...			
9. Charges of Management by Queen Anne's Bounty ... ..	...	...	...			
10. Special Expenses of Office (as allowed by Income Tax Authorities) ... ..	...	...	...			
11. Other Charges (state nature)	...	...	...			
Outgoings ... ..	...	...	...			

8. Voluntary payments made in virtue of my office:

(a) From Parish	...	...	...
(b) From Patron	...	...	...
(c) From Diocesan Funds	...	...	...
(d) From other sources	...	...	...
(e) From Queen Victoria Clergy Fund	...	...	...
9. Income from other Ecclesiastical Sources (state nature)	...	...	...
Benefice Income	...	...	...
Less Outgoings	...	...	...
Net Benefice Income	...	...	...
10. Gross Schedule A Income Tax value of Parsonage House or House of Residence	...	...	...
11. Other Assessable Income: State full Stipend, Salary or Emolument earned as the holder of any—	...	...	...
(a) Educational Post	...	...	...
(b) Charitable Post	...	...	...
(c) Public Post	...	...	...
(d) Other Ecclesiastical Post	...	...	...
Assessable income	...	...	...

NOTE.— (I) All income should be gross, *i.e.*, before deduction of income tax or other deductions made at the source.  
 (II) If the Schedule "A" value exceeds one-eighth of the net benefice income as shown above, then one-eighth only of the net benefice income should be added instead of the Schedule "A" value of the Parsonage House.  
 (III) Include in main cash column sufficient only of income under item 11 (a), (b) and (c) to make up the assessable income to six hundred pounds.  
 (IV) Voluntary payments should exclude grants towards or in payment of Pensions Contribution.  
 (V) If instituted to present benefice during 19 , please give below date and particulars of previous office.  
 (VI) The following questions should be answered by any clergyman who was admitted to Deacons' Orders after 1st July, 1936, and before 1st January, 1948, unless already recorded :—  
 (a) Are you married?  
 (b) If so, what was the date of your marriage?  
 (c) If you are not married do you wish to enter the Widows' Contributory Pension Scheme now, either in anticipation of marriage or for the benefit of your present dependants?  
 (VII) Assistant Clergy :—  
 Name(s) in full.....  
 Postal Address(es) .....  
 Signature of Incumbent.....  
 Date.....

Sections  
11 and 12.

## THE FOURTH SCHEDULE.

## PART I.

## CONTRIBUTION TABLE.

Age next Birthday of Contributor on Measure becoming applicable to him.					Amount of Annual Contribution.
					£ s. d.
24	...	...	...	...	2 12 8
25	...	...	...	...	2 14 0
26	...	...	...	...	2 16 0
27	...	...	...	...	2 18 0
28	...	...	...	...	3 0 0
29	...	...	...	...	3 2 0
30	...	...	...	...	3 4 0
31	...	...	...	...	3 6 0
32	...	...	...	...	3 8 8
33	...	...	...	...	3 11 0
34	...	...	...	...	3 13 8
35	...	...	...	...	3 16 0
36	...	...	...	...	3 19 8
37	...	...	...	...	4 3 0
38	...	...	...	...	4 6 8
39	...	...	...	...	4 10 8
40	...	...	...	...	4 14 8
41	...	...	...	...	4 19 0
42	...	...	...	...	5 4 0
43	...	...	...	...	5 9 8
44	...	...	...	...	5 15 0
45	...	...	...	...	6 1 0
46	...	...	...	...	6 8 0
47	...	...	...	...	6 15 0
48	...	...	...	...	7 3 0
49	...	...	...	...	7 11 8
50	...	...	...	...	8 0 0
51	...	...	...	...	8 10 8
52	...	...	...	...	9 2 0
53	...	...	...	...	9 14 8
54	...	...	...	...	10 8 0
55	...	...	...	...	11 2 8
Over 55	...	...	...	...	Such sum as shall be recommended by the actuary to the pensions authority.

NOTES.—(1) The increase of contribution shall be paid in four instalments on the thirty-first day of March, the thirtieth day of June, the thirtieth day of September and the thirty-first day of December in each calendar year in respect of the quarter-years ending on those days respectively; but if a compulsory contributor under Part II of this Measure becomes or ceases to be such a compulsory

contributor during any calendar year he shall not be liable to pay an increase of contribution in respect of that part thereof during which he is not such a compulsory contributor except as hereinafter mentioned.

(2) Where at the end of any quarter-year a compulsory contributor under Part II of this Measure is liable to pay an increase of contribution in respect of part only of such quarter-year, the amount of such increase which he is liable to pay shall be the amount which he would have been liable to pay in respect of such quarter-year under the table in this Part of this Schedule if he had been a compulsory contributor under Part II of this Measure during the whole of such quarter-year.

PART II.  
RATE OF PENSION.\*

Age last Birthday	Annual sum payable to Widow or Female Dependant where Pension is of a Capitalised Value of £400	Annual sum payable to Male Dependant where Pension is of a Capitalised Value of £400
	£ s. d.	£ s. d.
20	15 18 0	16 8 0
21	16 0 4	16 11 0
22	16 2 8	16 14 0
23	16 5 4	16 17 0
24	16 8 0	17 0 4
25	16 10 8	17 3 8
26	16 13 8	17 7 0
27	16 16 8	17 10 8
28	16 19 8	17 14 4
29	17 2 8	17 18 0
30	17 6 0	18 2 0
31	17 9 4	18 6 0
32	17 13 0	18 10 4
33	17 16 8	18 14 8
34	18 0 4	18 19 4
35	18 4 0	19 4 4
36	18 8 0	19 9 4
37	18 12 4	19 14 8
38	18 16 8	20 0 4
39	19 1 4	20 6 0
40	19 6 0	20 12 0
41	19 11 0	20 18 4
42	19 16 0	21 5 4
43	20 1 4	21 12 8
44	20 7 0	22 0 4
45	20 13 4	22 8 4
46	20 19 8	22 17 0
47	21 6 0	23 6 4
48	21 13 0	23 16 0
49	22 0 4	24 6 0

\* See note at foot of table.

## RATE OF PENSION—(continued).

Age last Birthday	Annual sum payable to Widow or Female Dependant where Pension is of a Capitalised Value of £400	Annual sum payable to Male Dependant where Pension is of a Capitalised Value of £400
	£ s. d.	£ s. d.
50	22 8 0	24 16 8
51	22 16 4	25 8 0
52	23 5 0	26 0 8
53	23 14 4	26 14 0
54	24 4 4	27 7 8
55	24 15 4	28 2 0
56	25 6 8	28 17 8
57	25 18 8	29 14 4
58	26 11 8	30 11 8
59	27 5 4	31 10 4
60	28 0 8	32 10 0
61	28 16 8	33 10 8
62	29 14 0	34 12 8
63	30 12 8	35 16 8
64	31 13 4	37 2 0
65	32 15 4	38 9 4
66	33 18 0	39 18 4
67	35 2 8	41 9 4
68	36 10 8	43 2 8
69	38 0 0	44 19 0
70	39 12 8	46 18 0
71	41 8 0	49 0 4
72	43 5 4	51 6 8
73	45 6 8	53 17 0
74	47 12 0	56 11 4
75	50 1 4	59 10 4
76	52 16 8	62 13 0
77	55 15 4	66 0 0
78	59 0 0	69 10 0
79	62 8 0	73 3 8
80	66 6 8	77 1 4

\* The annual sum set out in the Table is that which will normally be payable to a widow or a single nominated dependant in respect of the pensions (each of a capitalised value of £200) payable under sections 12 and 13 (or, in cases where a disability pension has been taken, payable to a widow under sections 12 and 14) of this Measure. Where the repayable contributions exceed £200, the capitalised value of the pension payable under section 13, and, consequently, the figures in the Table, must be increased. Similarly, where the only pension payable is the pension of capitalised value £200 payable under section 12, the figures in the Table, which are calculated on £400, will suffer a proportionate decrease.



THE FIFTH SCHEDULE.

Section 30.

CLERGY PENSIONS MEASURE, 1948.

FORM OF APPLICATION FOR A PENSION BY A CONTRIBUTOR.

Part 1

APPLICATION FOR A PENSION AT AGE OF 65 OR MORE.

I, the undersigned .....  
having shall on the.....day of.....attain(ed)  
the age of.....years, (and) desire to retire on the.....day of  
..... I hereby request that a pension be granted  
to me in accordance with the provisions of the Clergy Pensions  
Measure 1948.

Signature .....

Witness {

Name .....

Address .....

Description .....

Date .....

Part 2.

APPLICATION FOR A DISABILITY PENSION.

I, the undersigned .....  
hereby request that a disability pension be granted to me in accordance  
with the provisions of the Clergy Pensions Measure 1948.

Signature .....

Witness {

Name .....

Address .....

Description .....

Date .....

## THE SIXTH SCHEDULE.

## SUPPLEMENTARY PENSIONS.

Applications  
for supple-  
mentary  
pensions.

1. Subject to the provisions of this Schedule any clerk in Holy Orders on becoming a pensioner or at any time thereafter while he is a pensioner may, if he considers that his total income for the current specified period is or is likely to be at a rate less than a yearly rate of two hundred and fifty pounds, apply to the pensions authority in such manner as the pensions authority may think sufficient to be granted a supplementary pension under this Schedule of an appropriate amount for that specified period.

Payment of  
supple-  
mentary  
pensions.

2.—(1) The pensions authority shall on receipt of every such application make an estimate of the total income of the applicant for the specified period to which his application relates in such manner as it may think sufficient, and in every case in which it estimates the applicant's total income for that specified period to be at a rate less than a yearly rate of two hundred and fifty pounds the pensions authority shall, subject to the provisions of this Schedule grant to the applicant a supplementary pension of the appropriate amount for that specified period.

(2) The provisions of section thirty-three of this Measure (which relate to the mode of payment of pensions), shall apply to a supplementary pension under this Schedule.

Supple-  
mentary  
pensions up  
to a total  
maximum of  
£250,000  
payable out  
of Clergy  
Pensions  
Fund.

3. The pensions authority shall pay all supplementary pensions granted under this Measure out of such part of the Clergy Pensions Fund or the income thereof as it thinks fit:

Provided that:—

- (a) the payment out of the Clergy Pensions Fund of pensions under Parts I to V (inclusive) of this Measure shall rank in priority to and shall not be prejudiced by the payment of supplementary pensions thereout under this Schedule, which supplementary pensions shall for this purpose abate if and in so far as the pensions authority considers such abatement necessary; and
- (b) as soon as the aggregate of the supplementary pensions paid out of the Clergy Pensions Fund or the income thereof under this Schedule or any enactment replaced by this Schedule reaches the sum of two hundred and fifty thousand pounds, no further supplementary pensions shall be granted under this Schedule and the supplementary pensions already granted in respect of specified periods consisting of or occurring in the calendar year in which that sum is reached shall abate accordingly.

Determination  
of questions.

4. If any question shall arise:—

- (a) as to the correctness of any estimate of an applicant's total income, or
- (b) as to the manner in which a supplementary pension must abate in order to comply with any of the terms of the proviso to paragraph three of this Schedule.

such question shall be decided in the manner provided by section fifty-two of this Measure.

5. In this Schedule the following expressions have the meanings hereby assigned to them, that is to say:— Interpretation.

- (a) " Pensioner " means the recipient of a pension under Part I or V of this Measure who was ordained before the commencement of this Measure, or of an older incumbent's pension under the 1930 Measure other than the recipient of such a pension who has retired before attaining the age of 70 otherwise than by reason of permanent disability or who is also the recipient of a retirement pension or sickness benefit under the contributory provisions of the National Insurance Act, 1946, or any Act amending or replacing that Act.
- (b) " Total Income " means in relation to any pensioner the total income of that pensioner from all sources as estimated by the pensions authority for the purposes of this Schedule, provided that in the case of a pensioner living with his wife the expression means the aggregate of his total income and that of his wife as so estimated:  
Provided also that in estimating the total income of any pensioner or his wife the pensions authority shall be entitled to disregard such part of the income of the person in question as in the special circumstances of the case it shall think proper.
- (c) " Specified Period " in relation to any calendar year during the whole of which a person is a pensioner means the whole of that calendar year and in relation to any calendar year during a part only of which a person is a pensioner means that part of that calendar year during which he is a pensioner.
- (d) " Appropriate Amount " in relation to a supplementary pension payable to a pensioner under this Schedule in respect of any specified period means one half of the amount by which the sum of two hundred and fifty pounds exceeds that pensioner's total income for the specified period if it consists of a whole calendar year and one half of the amount by which a proportionate part of the sum of two hundred and fifty pounds exceeds that pensioner's total income for that specified period if it consists of a part of a calendar year.

## THE SEVENTH SCHEDULE.

PROVISIONS SUBSTITUTED FOR SECTION 10 OF, AND THE SECOND  
SCHEDULE TO, THE 1930 MEASURE.

1. Every recipient of an older incumbent's pension (herein referred to as a pensioner) must continue in retirement:

Provided that no clerk shall be deemed to have retired or to be in retirement if and so long as he is engaged in rendering ecclesiastical service or holds an educational, charitable or public post in respect of which he receives a stipend or salary or an aggregate of stipends or salaries exceeding one hundred and fifty pounds a year.

2. Every pensioner shall upon his ceasing to continue in retirement incur a suspension of his pension and such pension shall cease to be payable as from the date of his so ceasing and any charge upon the revenues of a benefice by means whereof such pension is wholly or partly provided shall as from such date be suspended.

3. A pensioner who shall have incurred suspension of his pension by reason of his not having continued in retirement shall upon his retiring subsequently to such suspension (if upon such subsequent retirement he satisfies the condition contained in paragraph 1 of this Schedule) be reinstated as recipient of the pension so suspended and any such charge as aforesaid on the revenues of a benefice shall cease to be suspended and be reimposed.

4.—(1) Every old incumbent's pension shall be by way of annuity accruing from day to day and payable (subject to any necessary apportionment) by equal quarterly instalments on the thirty-first day of March, the thirtieth day of June, the thirtieth of September, and the thirty-first day of December in each year.

(2) An older incumbent's pension shall be incapable of being assigned, charged, or anticipated, and every purported assignment of or charge upon the same shall be void, and the same shall not pass to any trustee in bankruptcy of the pensioner.

(3) An older incumbent's pension may in any case where a pensioner becomes of unsound mind, whether so found by inquisition or not, or is disabled by mental or physical incapacity from managing his own affairs, at the discretion of the pensions authority, be paid or applied by or under the direction of such authority to or for the maintenance, benefit or support of any one or more of the following persons (that is to say):—the pensioner, his wife, his children or remoter issue, their husbands and wives, and any other persons who, in the opinion of the pensions authority, are normally dependent on the pensioner.

## THE EIGHTH SCHEDULE.

Section 63.

## MEASURES REPEALED.

Session and Chapter.	Short Title.
16 & 17 Geo. 5, No. 6	Clergy Pensions Measure, 1926.
17 & 18 Geo. 5, No. 2	Clergy Pensions (Amendment) Measure, 1927.
18 & 19 Geo. 5, No. 3	Clergy Pensions (Amendment) Measure, 1928.
26 Geo. 5 & 1 Edw. 8, No. 1	Clergy Pensions (Amendment) Measure, 1936.
26 Geo. 5 & 1 Edw. 8, No. 3	Clergy Pensions (Widows and Dependants) Measure, 1936.
9 & 10 Geo. 6, No. 2	Clergy Pensions (Supplementary Pensions) Measure, 1946.



# TABLE IV.

## SHOWING THE EFFECT OF THE LEGISLATION OF 1948.

### ACTS AND MEASURES (IN CHRONOLOGICAL ORDER) REPEALED, AMENDED OR OTHERWISE AFFECTED BY ACTS AND MEASURES WHICH RECEIVED THE ROYAL ASSENT DURING 11 & 12 AND 12 & 13 GEO. 6.

[NOTE.—References in the fourth column are to chapters of 11 & 12 Geo. 6. unless otherwise stated. A table of the effect of Defence Regulations upon statutes is printed in the volumes of Defence Regulations prepared in the Office of the Parliamentary Counsel and periodically published by H.M. Stationery Office.]

Session and Chap. or No. of Measure	Short title or Subject	How affected	Chapter of 1948 Act or number of Measure
20 Hen. 3 : Stat. Merton, c. 2 ...	Widows may bequeath the corn on their lands.	Repealed... ..	62, S.L.R.
c. 9 ...	Special bastardy ...	Repealed... ..	
52 Hen. 3 : Stat. Marl., c. 2 ...	Distresses for suit of court	Repealed... ..	
c. 17 ...	The duty of guardians in socage.	Repealed... ..	
3 Ed. 1 : Stat. West. prim. c. 28 ...	Maintenance by officers of courts.	Repealed in part ...	
c. 29 ...	Deceits by pleaders ...	Repealed... ..	
13 Edw. 1 : Stat. West. Sec., c. 5.	Three original writs of advowson.	Repealed in part ...	
c. 18 ...	Execution either by levying of the land and goods, or by delivery of goods and half the land, at the choice of the creditor.	Repealed... ..	
c. 34 ...	Dower forfeited by elopement with adulterer. Taking away of a nun.	Repealed in part ...	
c. 35 ...	Punishment of him that taketh away a ward.	Repealed... ..	
c. 45 ...	On matters of record execution within the year, etc.	Repealed... ..	

Session and Chap. or No. of Measure	Short title or Subject	How affected	Chapter of 1948 Act or number of Measure
13 Edw. 1 : c. 49 ...	Purchasing title of lands in suit.	Repealed... ..	} 62, S.L.R.
Stat. Circum-specte Agatis.	.	Repealed in part with saving.	
23 Edw. 1 :	Statute of Breaking Prisons.	Repealed... ..	
25 Edw. 1 : Magna Carta, c. 10 ...	Distress for services ...	Repealed... ..	
c. 22 ...	Lands of Felons... ..	Repealed... ..	
c. 25 ...	Measures and Weights ...	Repealed... ..	
Confirmatio Chartarum c. 1 ...	Confirmation of the Charters.	Repealed in part ...	
c. 7 ...	A release of toll for wood	Repealed in part ...	
33 Edw. 1 :	An Ordinance concerning Conspirators.	Repealed in part ...	
34 Edw. 1 :	Statute of Joint Tenants.	Repealed so far as un-repealed	
9 Edw. 2 : Articuli Cleri, c. 1 ...	No prohibition in Suits for Tythes, &c.	Repealed in part ...	
c. 2 ...	Penance pecuniary and corporal.	Repealed in part ...	
c. 5 ...	Prohibition shall not lie upon Demand of Tythe for a new Mill.	Repealed... ..	
c. 6 ...	Jurisdiction of the King's Court jointly with the Spiritual.	Repealed in part ...	
17 Edw. 2 : Stat. de Pistoribus. Prerogative Regis :	Toll at a Mill ... ..	Repealed so far as un-repealed	
c. 12 ...	Of lands of lunaticks ...	Repealed in part ...	
c. 16 ...	Escheats of felons during the vacancy of bishop-pricks.	Repealed... ..	
c. 18 ...	The lands and goods of felons attained. De Catallis Felonum ...	Repealed... ..	
1 Edw. 3 : Stat. 2, c. 16 ...	Keepers of the peace in each county.	Repealed ... ..	
5 Edw. 3 : c. 11 ...	Process against felons appealed &c., in one county and dwelling in another.	Repealed... ..	
18 Edw. 3 : Stat. 2, c. 2 ...	Keepers of the peace ...	Repealed... ..	



Session and Chap. or No. of Measure	Short title or Subject	How affected	Chapter of 1948 Act or number of Measure
5 Edw. 3 : Stat. 1 ...	A Statute for those who are born in Parts beyond Sea.	Repealed in part ...	
Stat. 4 ...	Statute of Provisors of Benefices.	Repealed... ..	
Stat. 5			
c. 2 ...	The Treason Act, 1351	Repealed in part ...	
c. 3 ...	Challenge of an indictor upon an inquest.	Repealed... ..	
7 Edw. 3 :			
Stat. 1,			
c. 2 ...	In a pardon of felony the suggestions and suggestor's name shall be comprised.	Repealed... ..	
31 Edw. 3 :			
Stat. 1,			
c. 3 ...	Discharge of estreats of felon's goods in the Exchequer.	Repealed... ..	
c. 14 ...	Escapes of thieves, chattels of felons, &c., shall be levied as they fall.	Repealed... ..	
34 Edw. 3 :			
c. 1 ...	Justices of the Peace Act, 1361.	Repealed in part ...	
c. 12 ...	Seizure of lands on surmise of treason in dead persons.	Repealed... ..	
c. 15 ...	Alienations made by the tenants of K. Henry 3 confirmed.	Repealed... ..	} 62, S.L.R.
38 Edw. 3 :			
Stat. 2 ...	The several enormities of citations and of impletions of benefices obtained from Rome &c.	Repealed... ..	
42 Edw. 3 :			
c. 4 ...	Commissions of inquiry shall in all cases be granted to the judges or justices of the peace.	Repealed... ..	
c. 11 ...	Names of Jurors shall be returned previously to sessions at nisi prius.	Repealed... ..	
45 Edw. 3 :			
c. 3 ...	Prohibition to spiritual courts in plea for tithe of wood of twenty years growth.	Repealed... ..	
1 Ric. 2 :			
c. 4 ...	Penalties for maintenance	Repealed in part ...	
3 Ric. 2 :			
c. 3 ...	Causes why advowsons of benefices were given to spiritual persons. Inconveniences of giving benefices to aliens, &c.	Repealed... ..	

Session and Chap. or No. of Measure	Short title or Subject	How affected	Chapter of 194 <sup>th</sup> Act or number of Measure
5 Ric. 2 : Stat. 1 c. 7 Stat. 2 : c. 4	Forcible Entry Act, 1381 Everyone shall obey his summons to Parliament.	Repealed in part Repealed in part	62, S.L.R. 62, S.L.R. ; 65, s. 80, sch. 11
7 Ric. 2 : c. 12	Statute. 3 Ric. 2. c. 3 recited ; confirmed and extended to aliens holding benefices in England &c.	Repealed... ..	} 62, S.L.R.
Words following c. 17	Duty to proclaim certain statutes.	Repealed in part	
12 Ric. 2 : c. 10	Six justices of Peace in each County, &c.	Repealed in part	
c. 15	Provisors of benefices beyond sea declared out of the King's protections, &c.	Repealed... ..	
13 Ric. 2 : c. 1	The Statute 25 Edw. 3 stat. 6. c. 3 confirmed, &c.	Repealed in part	
Stat. 2, c. 1	No pardon for murder, treason, rape, &c. shall be allowed unless the offence be specified.	Repealed... ..	
c. 2	Effect of the Statute 25 Edw. 3, Statute 4, concerning provisors recited, &c.	Repealed... ..	
c. 3	Penalty for bringing or sending of summons or excommunication against any for enforcing the recited Statute of Provisors.	Repealed... ..	
14 Ric. 2 : c. 11	Eight justices of peace in each county, &c.	Repealed so far as unrepealed.	
16 Ric. 2 : c. 6	The Statute 13 Ric. 2, Stat. 2, c. 1 recited ; so much thereof as relates to the terms of charters of pardon confirmed, &c.	Repealed... ..	
17 Ric. 2 : c. 8	The Statute 5 Ric. 2, Stat. I, c. 7, against riots, &c., recited, &c.	Repealed in part	
2 Hen. 4 : c. 3	The Statute of Provisors, 13 Ric. 2, Stat. 2, cc. 2, 3, extended.	Repealed... ..	

Session and Chap. or No. of Measure	Short title or Subject	How affected	Chapter of 1948 Act or number of Measure	
Hen. 4 : c. 12 ...	Stat. 15, Ric. 2, c. 6 touching the appropriation of churches, confirmed, &c.	Repealed in part ...	} 62, S.L.R.	
c. 22 ...	Recital of 25 Edw. 3, Stat. 6, c. 3, &c.	Repealed... ..		
Hen. 4 : c. 10 ...	Justices of peace shall imprison in the common gaol only.	Repealed... ..		
c. 11 ...	Farmers of the lands of aliens shall pay their tithes to the parsons.	Repealed... ..		
13 Hen. 4 :	Riot Act, 1411 ... ..	Repealed in part ...		
1 Hen. 5 : c. 7 ...	Ordinance 13 Ric. 2, restraining Aliens from the holding of Benefices in England, confirmed.	Repealed... ..		
2 Hen. 5 : Stat. 1, c. 1	Purposes of Hospitals, &c.	Repealed ... ..		
c. 4 ...	Times when justices of the quorum resident in the shire ; except lords, &c.	Repealed so far as unrepealed.		
c. 8 ...	Riot Act, 1414 ... ..	Repealed in part ...		
8 Hen. 6 : c. 9 ...	Forcible Entry Act, 1429	Repealed in part ...		
20 Hen. 6 : c. 9 ...	Recital of Magna Charta relating to Trial by Peers, &c., 1441.	Repealed... ..		} 58, ss. 81, 83, sch. 10 Part III.
27 Hen. 6 : c. 5 ...	Sunday Fairs Act, 1448	Repealed in part ...		
3 Hen. 7 : c. 2 (or part of c. 1).	An Acte agaynst Murderers.	Repealed... ..		} 62, S.L.R.
c. 3 ...	An Act that justices of Peace may take Bayle.	Repealed... ..		
4 Hen. 7 : c. 20 ...	Collusive Actions Act, 1488.	Repealed in part ...		
3 Hen. 8 : c. 11 ...	An Act concerning Phesicians & Surgeons.	Repealed... ..		
6 Hen. 8 : c. 16 ...	Acte concernying Burgeses of the Parliament.	Repealed in part ...		

Session and Chap. or No. of Measure	Short title or Subject	How affected	Chapter of 1947 Act or number of Measure	
21 Hen. 8 : c. 6 ...	Mortuaries Act, 1529 ...	S. 1 repealed in part ...	} 62, S.L.R.	
c. 20 ...	An Acte that the Presidente of the Kynges Counsaile shall be associate with the Chauncelor and Treasurer of Englande and the Keper of the Kinges Privie Seale.	Repealed so far as unrepealed.		
22 Hen. 8 : c. 5 ...	Bridges Act, 1530 ...	Ss. 1, 3 repealed in part ; ss. 4-5 repealed ; s. 7 repealed in part.		
23 Hen. 8 : c. 9 ...	Ecclesiastical Jurisdiction Act, 1531.	S. 1 repealed in part ; s. 4 repealed.		
c. 13 ...	An Acte that Men in Cities, Borowes, and Townes which be clerly worth xl li in goodes shall passe in trial of murders.	Repealed... ..		
25 Hen. 8 : c. 19 ...	Submission of the Clergy Act, 1533.	Ss. 4, 5 repealed in part...		
c. 21 ...	Ecclesiastical Licences Act, 1533.	Ss. 19-20, 22 repealed ...		
27 Hen. 8 : c. 24 ...	Jurisdiction in Liberties Act, 1535.	Ss. 1, 10 repealed in part; ss. 16, 18 repealed ; s. 19 repealed with saving ; s. 20 repealed.		
c. 26 ...	Laws in Wales Act, 1535	Ss. 1, 2, 4-7, 9-16 repealed in part ; s. 22 repealed.		
28 Hen. 8 : c. 5 ...	Apprentices Act, 1536 ...	Repealed in part ...		
c. 11 ...	Tithe Act, 1536 ...	S. 1-2 repealed in part...		
c. 15 ...	Offences at Sea Act, 1536	S. 2 repealed in part ... S. 3 repealed ... ..		
31 Hen. 8 : c. 10 ...	House of Lords Precedence Act, 1539.	S. 2 repealed in part ... S. 9 repealed ... .. S. 10 repealed in part ...		62, S.L.R. 58, ss. 81, 82, sch. 10 Part III. 62, S.L.R.
32 Hen. 8 : c. 5 ...	Contentacion of Dettes upon executions.	Repealed... ..		} 62, S.L.R.
c. 9 ...	Maintenance and Embracery Act, 1540.	Ss. 3, 6 repealed in part		
c. 37 ...	Cestui que vie Act, 1540	S. 4 repealed in part ...		
33 Hen. 8 : c. 9 ...	Unlawful Games Act, 1541.	Preamble and s. 8 repealed in part ; ss. 11-13 repealed.		

Session and Chap. or No. of Measure	Short title or Subject	How affected	Chapter of 1948 Act or number of Measure
33 Hen. 8 : c. 12 ...	Offences within the Court Act, 1541.	Repealed in part ... S. 7 repealed ...	62, S.L.R. 58, s. 83, sch. 10 Part III.
c. 20 ...	An Acte for due Procees to be had in Highe Treason in Cases of Lunacye or Madnes.	Repealed so far as unrepealed.	
c. 21 ...	Royal Assent by Commission Act, 1541.	Ss. 1-2, 4, 7 repealed ...	62, S.L.R.
c. 27 ...	Leases by Corporations Act, 1541.	Repealed in part ...	
c. 39 ...	Crown Debts Act, 1541	S. 36 repealed ; s. 37 repealed in part ; ss. 43-50, 58 repealed.	
34 & 35 Hen. 8 : c. 9 ...	An Acte for the Preservation of the Ryver of Severne.	S. 4 repealed in part ...	
c. 13 ...	An Acte for Knightes and Burgesses to have places in the Parliament for the Countie Palantyne and Citie of Chestre.	Repealed so far as unrepealed.	62, S.L.R. 65, s. 80, sch. 13.
c. 26 ...	Laws in Wales Act, 1542	S. 9 repealed ; ss. 21, 33, 36-38 repealed in part ; s. 50 repealed ; ss. 56, 57, repealed in part ; s. 58 repealed.	62, S.L.R.
35 Hen. 8 : c. 2	An Act concerning the Trial of Treasons committed out of the King's Majesty's Dominions, 1543.	S. 2 repealed ...	58, ss. 81, 83, sch. 10 Part III.
37 Hen. 8 : c. 1 ...	Custos Rotulorum Act, 1545.	S. 4 repealed ...	62, S.L.R.
1 Edw. 6 : c. 1 ...	Sacrament Act, 1547 ...	Ss. 1, 2, repealed in part	
c. 7 ...	Justices of the Peace Act, 1547.	Preamble repealed ; ss. 4, 5, repealed in part.	
c. 12 ...	An Acte for the Repeale of certaine statutes concerninge Treasons, Felonies, &c.	Repealed so far as unrepealed.	
2 & 3 Edw. 6 : c. 1 ...	Act of Uniformity, 1548	Ss. 1-3, 8, repealed in part. S. 10 repealed ...	58, ss. 81, 83, sch. 10 Part III.
3 & 4 Edw. 6 : c. 4 ...	An Acte concerning grauntes and gyftes made by Patenties out of Letters Patentes.	Repealed... ...	62, S.L.R.
5 & 6 Edw. 6 : c. 11 ...	Treason Act, 1551 ...	Preamble, ss. 6, 10 repealed.	
c. 16 ...	Sale of Offices Act, 1551	S. 3 repealed ...	

Session and Chap. or No. of Measure	Short title or Subject	How affected	Chapter of 1948 Act or number of Measure	
1 Mar. : Sess. 2 c. 3 ...	Brawling Act, 1553 ...	S. 3 repealed ....	} 62, S.L.R.	
c. 9 ...	An Acte touching thin corporations of the Phi-sitions in London.	Repealed so far as un-repealed.		
1 & 2 Phil. & Mar. : c. 10 ...	Treason Act, 1554 ...	Title repealed in part ...		
c. 12 ...	Distress Act, 1554 ...	Ss. 1,2 repealed in part...		
2 & 3 Phil. & Mar. : c. 7 ...	Sale of Horses, Act 1555.	S. 2 repealed in part ; s. 4 repealed.		
1 Eliz. : c. 1 ...	Act of Supremacy, 1558	Ss. 1-3, 5-7, 14, 15 re-pealed in part ; s. 16 repealed. S. 18 repealed ...		58, ss. 81, 83, sch. 10 Part III.
c. 2 ...	Act of Uniformity, 1558	S. 9 repealed ...		58, ss. 81, 83, sch. 10 Part III.
c. 4 ...	An Acte for the Restitu-tion of the First Fruites and Tenths and Rentes reserved Nomine Decime and of Parson-ages impropriate to Thimperiall Crowne of this Realme.	Repealed... ..		} 62, S.L.R.
c. 19 ...	An Acte giving Aucthori-tie to the Quenes Majestie uppon thad-voidance of any Arche-bishoppricke or Bishop-pricke to take into her Handes certeine of the Temporall Possessions thereof, recompensing the same with Parson-ages Impropriate and Tenthes.	Repealed so far as un-repealed.		
5 Eliz. : c. 23 ...	Writ De Excommunicato Capiendo Act, 1562.	Ss. 1 and 2 repealed in part ; s. 3 repealed ; s. 5 repealed in part ; s. 6 repealed ; s. 7 repealed in part.		
13 Eliz. : c. 2 ...	An Acte agaynste the bringing in and putting in Execution of Bulls and others Instruments from the See of Rome, 1571.	S. 1 repealed in part ; ss. 2, 3, 7, 9 repealed.		

Session and Chap. or No. of Measure	Short title or Subject	How affected	Chapter of 1948 Act or number of Measure
13 Eliz. : c. 6 ... c. 12 ...	Letters Patent Act, 1571 Ordination of Ministers Act, 1571.	Repealed in part ... Ss. 2, 4 repealed in part ; s. 5 repealed.	}
c. 20 ...	An Acte touchinge Lessees of Benefices and other Ecclesiasticall Lyvvynges with Cure, 1571.	Repealed... ..	
18 Eliz. : c. 5 ...	Common Informers Act, 1575.	Ss. 1, 2 repealed in part ; s. 3 repealed ; ss. 5, 7 repealed in part.	} 62, S.L.R.
c. 11 ...	Ecclesiastical Leases Act, 1575.	Preamble repealed in part ; s. 3 repealed.	
31 Eliz. : c. 5 ... c. 6 ...	Common Informers Act, 1588. Simony Act, 1588	S. 1 repealed in part ; ss. 2, 3 repealed. Excluded... ..	} C.A.M. No. 1, s. 59.
c. 12 ...	Sale of Horses Act, 1588	S. 1 repealed in part ; ss. 3, 4 repealed in part ; ss. 5, 7, 9 repealed in part. Ss. 1, 3 repealed in part.	
39 Eliz. : c. 5 ...	Hospitals for the Poor Act, 1597.	S. 1 repealed in part ...	
43 Eliz. : c. 2 ... c. 5 ...	Poor Relief Act, 1601 ... An Acte to prevent Perjurie and subornacion of Perjurie and unnecessary Expenses in Suites of Lawe, 1601.	Ss. 1, 2 repealed in part ; ss. 5, 8, 10 repealed. Repealed... ..	
1 Jac. I : c. 3 ...	An Acte againste the Diminution of the Possessions of Archbishoprickes and Bishoprickes and for avoydinge of Dilapidations of the same.	Repealed... ..	} 62, S.L.R.
3 Jac. I : c. 5 ...	Presentation of Benefices Act, 1605.	S. 13 repealed in part ...	
7 Jac. I : c. 12 ... c. 15 ...	Shop-books Evidence Act, 1609. Crown Debts Act, 1609	S. 1 repealed in part ... Repealed in part. ...	
21 Jac. I : c. 1 ...	An Acte for the erecting of Hospitalles and Working Houses for the Poore.	Repealed... ..	

Session and Chap. or No. of Measure	Short title or Subject	How affected	Chapter of 1948 Act or number of Measure
21 Jac. 1 :			} 62, S.L.R.
c. 3 ...	The Statute of Monopolies	S. 4 repealed in part ...	
c. 4 ...	Common Informers Act, 1623.	Ss. 1, 5 repealed in part	
c. 15 ...	Forcible Entry Act, 1623	Repealed in part ...	
c. 23 ...	An Acte for avoyding of vexacions and delayes caused by removing Accions and Suites out of inferiour Courtes.	Repealed... ..	
c. 24 ...	An Acte for the reliefe of Creditors agaynst such persons as dye in Execucion.	Repealed... ..	
c. 25 ...	Crown Lands Act, 1623	Repealed in part ...	
1 Car. 1 :			
c. 1 ...	The Sunday Observance Act, 1625.	Repealed in part ...	
3 Car. 1 :			
c. 2 ...	An Act for the further reformation of sondry abuses committed on the Lordes Day commonlie called Sunday.	Repealed in part ...	
16 Car. 1 :			
c. 10	Habeas Corpus Act, 1640	Preamble, s. 1 repealed in part.	
c. 11 ...	An Act for repeal of a branch of a Statute primo Elizabethhe concerning Commissioners for causes Ecclesiasticall.	S. 4 repealed in part ...	
12 Car. 2 :			
c. 24 ...	Tenures Abolition Act, 1660.	S. 3 repealed ; s. 13 repealed in part ; ss. 14, 16-18, 24, repealed.	
c. 30 ...	An Act for the Attainder of severall Persons guilty of the Horrid Murther of His late Sacred Majestie King Charles the Frst.	Repealed in part ...	
13 Car. 2 :			
Stat. 1			
c. 1 ...	Sedition Act, 1661 ...	Preamble, ss. 3-5, repealed in part.	} 58, ss. 81, 83, sch. 10 Part III.
c. 5 ...	Tumultuous Petitioning Act, 1661.	S. 7 repealed in part ...	
c. 1 ...	Tumultuous Petitioning Act, 1661.	S. 1 repealed in part ...	
14 Car. 2 :			} 62, S.L.R.
c. 4 ...	Act of Uniformity, 1662	S. 25 repealed ...	
c. 12 ...	The Poor Relief Act, 1662	Repealed so far as unrepealed.	
18 & 19 Car. 2 :			} 62, S.L.R.
c. 11 ...	Cestui que Vie Act, 1666	Preamble repealed in part ; s. 2 repealed.	
22 Car. 2 :			
c. 12 ...	Bridges Act, 1670 ...	Title repealed in part ...	



Session and Chap. or No. of Measure	Short title or Subject	How affected	Chapter of 1948 Act or number of Measure
22 & 23 Car. 2 : c. 22 ...	An Act for the better and more certaine Recovery of Fines and Forfeitures due to his Majestie.	S. 5 repealed so far as unrepealed.	
29 Car. 2 : c. 3 ...	Statute of Frauds ...	S. 4 repealed in part ...	
c. 7 ...	Sunday Observance Act, 1677.	S. 2 repealed in part ; s. 5 repealed.	
31 Car. 2 : c. 2 ...	Habeas Corpus Act, 1679	S. 11 repealed in part ; ss. 12-13 repealed ; s. 20 repealed in part.	
1 Will. & Mary: c. 1 ...	An Act for removeing and Preventing all Questions and Disputes concerning the Assembling and sitting of this present Parliament.	Repealed in part ...	
c. 18 ...	Toleration Act, 1688 ...	Ss. 5, 15 repealed in part	
c. 21 ...	Great Seal Act, 1688 ...	Ss. 7-8 repealed... ..	
c. 30 ...	Royal Mines Act, 1688...	S. 3 repealed in part ...	
Sess. 2, c. 2	Bill of Rights ... ..	S. 2 repealed in part ...	
2 Will. & Mary: c. 5 ...	Distress for Rent Act, 1689.	S. 1 repealed in part ...	62, S.I.R.
4 Will. & Mary: c. 24 ...	An Act for reviving continuing and explaining several Laws therein mentioned that are expired and neare expiring.	S. 4 repealed ... ..	
5 & 6 Will. & Mary : c. 4 ...	An Act to repeal a clause in the Statute ... by which justices of Peace in Wales are limited to Eight in each County.	Repealed... ..	
c. 7 ...	House of Commons (Disqualification) Act, 1693.	S. 59 repealed in part ...	
c. 20 ...	Bank of England Act, 1694.	Ss. 18, 19 repealed in part ; ss. 29-31 repealed.	
6 & 7 Will. & Mary : c. 4 ...	An Act for exempting Apothecaries from serving the offices of Constable Scavenger and other Parish and Ward offices and from serving upon Juries.	Repealed so far as unrepealed.	

Session and Chap. or No. of Measure	Short title or Subject	How affected	Chapter of 1941 Act or number of Measure
7 & 8 Will. 3 :			
c. 3 ...	Treason Act, 1695 ...	S. 5 repealed in part ...	62, S.L.R.
c. 7 ...	Parliamentary Elections (Returns) Act, 1695.	Repealed except s. 5 in part. Ss. 1-2 repealed in part	65, s. 80, sch. 13. 62, S.L.R.
c. 25 ...	Parliamentary Elections Act, 1695.	Repealed except s. 7 in part. S. 1 repealed in part ...	65, s. 80, sch. 13. 62, S.L.R.
8 & 9 Will. 3 :			
c. 11 ...	Administration of Justice Act, 1696.	S. 8 repealed in part ...	62, S.L.R.
c. 20 ...	Bank of England Act, 1696.	Ss. 26, 31, 34 repealed ...	
c. 27 ...	An Acte for the more Effectual Relief of Creditors in Cases of Escapes & for preventing abuses in Prisons and pretended privileged places.	Repealed so far as unrepealed.	
10 Will. 3 :			
c. 12 ...	An Act for the better apprehending prosecuting and punishing of Felons that commit Burglary . . . or that steal Horses.	Repealed so far as unrepealed.	62, S.L.R.
11 Will. 3 :			
c. 7 ...	Piracy Act, 1698 ...	S. 7 repealed in part ...	56, s. 31, sch. 4 Part I; 62, S.L.R.
c. 12 ...	An Act to punish Governors of Plantations in this Kingdom for Crimes by them committed in the Plantations.	Ss. 8-10 repealed in part Ss. 14, 16, 17 repealed ... Repealed in part (E.) ...	62, S.L.R. 58, s. 83, sch. 4 Part I.
12 & 13 Will. 3 :			
c. 2 ...	Act of Settlement ...	S. 3 repealed in part ...	56, s. 31, sch. 4 Part I.
1 Anne :			
c. 1 ...	Crown Lands Act, 1702	Ss. 6, 8 repealed ...	62, S.L.R.
c. 12 ...	Bridges Act, 1702 ...	Preamble and s. 2 repealed in part; ss. 3, 6 repealed.	
Stat. 2, c. 6 ...	An Act for the better preventing Escapes out of the Queen's Bench and Fleet Prisons.	Repealed so far as unrepealed.	
1 Anne :			
Stat. 2, c. 9 ...	An Act for punishing of Accessories to Feloneys and Receivers of stolen Goods . . . .	Repealed so far as unrepealed.	

Session and Chap. or No. of Measure	Short title or Subject	How affected	Chapter of 1948 Act or number of Measure
1 Anne : Stat. 2, c. 21 ...	An Act . . . for the further Security of Her Majesties Person and the Succesion of the Crown in the Protestant line . . . .	S. 3 repealed in part ...	} 62, S.L.R.
2 & 3 Anne : c. 20 ...	Queen Anne's Bounty Act, 1703.	S. 4 repealed in part ...	
4 & 5 Anne : c. 3 ...	Administration of Justice Act, 1705.	Ss. 12-13 repealed ; s. 24 repealed in part.	
c. 16 ...	An Act for the Naturalization of the Most Excellent Princess Sophia Electress and Duchess Dowager of Hanover and the Issue of her body.	Repealed... ..	} 56, s. 34, sch. 4, Part II.
6 Anne : c. 11 ...	Union with Scotland Act, 1706.	Articles VI, VII, XIX, repealed in part.	} 62, S.L.R.
c. 12 ...	Prison (Escape) Act, 1706	Article XXIII repealed in part.	} 58, ss. 81, 83, sch. 10, Part III.
c. 41 ...	Succession to the Crown Act, 1707.	S. 2 repealed in part ( <i>prosp.</i> ).	
c. 53 ...	Exchequer Court (Scotland) Act, 1707.	S. 6 repealed in part ...	
c. 78 ...	Scottish Representative Peers Act, 1707.	Repealed so far as unrepealed.	} 62, S.L.R.
c. 53 ...	Exchequer Court (Scotland) Act, 1707.	S. 1 repealed in part ...	
c. 78 ...	Scottish Representative Peers Act, 1707.	Ss. 2-6, 8-10, 14-32 repealed ... ..	
7 Anne : c. 12 ...	Diplomatic Privileges Act, 1708.	Title repealed in part ...	} 58, ss. 81, 83, sch. 10, Part III.
c. 20 ...	Middlesex Registry Act, 1708.	S. 12 repealed ... ..	
c. 21 ...	Treason Act, 1708 ...	S. 4 amended (E.) ...	
c. 30 ...	Bank of England Act, 1708.	Repealed so far as unrepealed with saving	} 58, s. 79, sch. 9.
8 Anne : c. 16 ...	Circuit Courts (Scotland) Act, 1709.	Ss. 5, 7, 8 repealed in part; s. 10 repealed ; ss. 11, 12 repealed in part.	
c. 18 ...	Landlord and Tenant Act, 1709.	Ss. 66, 67 repealed ...	
c. 16 ...	Circuit Courts (Scotland) Act, 1709.	S. 1 repealed in part ; ss. 2, 4 repealed ; s. 6 repealed.	} 62, S.L.R.
c. 18 ...	Landlord and Tenant Act, 1709.	Ss. 1, 4, 6 repealed in part	

Session and Chap. or No. of Measure	Short title or Subject	How affected	Chapter of 194 <sup>5</sup> Act or number of Measure	
13 Anne : c. 11 ...	Simony Act, 1713 ...	Excluded... Title, s. 2 repealed in part	C.A.M. No. 1, s. 5.	
1 Geo. I : Stat. 2 : c. 5 ...	Riot Act ...	• S. 1 repealed in part ; s. 4 repealed (S.) ; s. 6 repealed in part ; s. 6 repealed (S.) ; s. 7 repealed ; s. 9 repealed in part ; s. 10 repealed.		
c. 10 ...	Queen Anne's Bounty Act, 1714.	S. 2 repealed ; s. 4 repealed in part ; ss. 14-15 repealed ; s. 16 repealed in part.		62, S.L.R.
c. 54 ...	Highlands Services Act, 1715.	Ss. 10, 12 repealed in part.		
3 Geo. I : c. 8 ...	Bank of England Act, 1718.	S. 39 repealed in part ... s. 53 repealed.		62, S.L.R.
c. 15 ...	Estreats Act, 1716 ...	Repealed so far as un- repealed		
4 Geo. I : c. 11 ...	Piracy Act, 1717 ...	S. 7 repealed in part ...		
5 Geo. I : c. 8 ...	Poor Relief (Deserted Wives and Children) Act, 1718.	Repealed... ..		29, s. 62 (3), s. 7, Part I.
c. 20 ...	Revenue of Scotland Act, 1718.	Preamble, s. 1 repealed in part ; ss. 2-14, 15, 16 repealed.		62, S.L.R.
c. 30 ...	Highway (Scotland) Act, 1718.	Repealed so far as un- repealed.		
7 Geo. I : c. 27 ...	Pension Duties Act, 1720	Repealed so far as un- repealed.		
8 Geo. I : c. 24 ...	Piracy Act, 1721 • ...	Ss. 1, 3 repealed in part ; s. 7 repealed.	62, S.L.R.	
9 Geo. I : c. 7 ...	Poor Relief Act, 1722 ...	Repealed so far as un- repealed.		
c. 19 ...	Lotteries Act, 1722 ...	Ss. 15, 18, 19 repealed ...		
10 Geo. I : c. 19 ...	Court of Session Act, 1723	Title repealed in part ...	62, S.L.R.	
11 Geo. I : c. 9 ...	National Debt Reduction Act, 1724.	S. 4 repealed ...		
c. 30 ...	Adulteration of Tea and Coffee Act, 1724.	S. 5 repealed in part ...		
12 Geo. I : c. 2 ...	Pension Duties Act, 1725	Repealed so far as un- repealed.	62, S.L.R.	
c. 29 ...	Frivolous Arrests Act, 1725.	Repealed so far as un- repealed.		

Session and Chap. or No. of Measure	Short title or Subject	How affected	Chapter of 1948 Act or number of Measure	
1 Geo. 2 : Stat. 1, c. 5. Stat. 2, c. 8.	Demise of the Crown Act, 1727. Bank of England Act, 1727.	Title repealed in part ; s. 7 repealed in part. Ss. 8, 15 repealed ...	62, S.L.R.	
2 Geo. 2 : c. 3	Bank of England Act, 1728.	Ss. 7, 14 repealed ...		
3 Geo. 2 : c. 32	Execution of Sentences (Scotland) Act, 1729.	Repealed so far as un- repealed		
4 Geo. 2 : c. 14	Adulteration of Tea Act, 1730.	Ss. 10, 11 repealed in part		
c. 28	Landlord and Tenant Act, 1730.	S. 1 repealed in part ...		
5 Geo. 2 : c. 19	Quarter Sessions Appeal Act, 1731.	Repealed so far as un- repealed		
7 Geo. 2 : c. 16	Parliamentary Elections (Scotland) Act, 1733.	Title repealed in part ; s. 4 repealed in part ; ss. 6-8 repealed.		
c. 20	Mortgage Act, 1733 ...	S. 8 repealed ... Repealed... ..		65, s. 80, sch. 13.
9 Geo. 2 : c. 5	Witchcraft Act, 1735 ...	Ss. 3, 4 repealed in part		
c. 33	Lobsters (Scotland) Act, 1735.	Repealed so far as un- repealed		
11 Geo. 2 : c. 19	Distress for Rent Act, 1737.	Ss. 3, 4 repealed in part	62, S.L.R.	
c. 22	Corn Exportation Act, 1737.	Repealed so far as un- repealed		
12 Geo. 2 : c. 26	Plate (Offences) Act, 1738	Ss. 11, 13, 15, 20, 21 repealed in part.		
c. 28	Gaming Act, 1738 ...	Preamble repealed in part (E.S.)		
c. 29	County Rates Act, 1738	S. 6 so far as unrepealed. Ss. 20, 21 repealed		
13 Geo. 2 : c. 17	Exemption from Impress- ment Act, 1739.	Repealed... ..		
c. 19	Gaming Act, 1739 ...	S. 9 repealed in part ...		
15 Geo. 2 : c. 20	Gold and Silver Thread Act, 1741.	Ss. 2-4, 6, 8 repealed in part.	62, S.L.R.	
c. 22	House of Commons Dis- qualification Act, 1741.	S. 1 repealed in part ...		
c. 33	Starr and Bent Act, 1741	Ss. 6, 7, 9 repealed in part		
16 Geo. 2 : c. 8	Spirits Act, 1742 ...	Repealed so far as un- repealed	62, S.L.R.	
c. 31	Prison (Escape) Act, 1742	Ss. 1, 2 repealed ; s. 3 repealed in part.		

Session and Chap. or No. of Measure	Short title or Subject	How affected	Chapter of 1948 Act or number of Measure
17 Geo. 2 : c. 3 ...	Poor Rate Act, 1743	Repealed (prosp.) (London)	26, s. 147, sch. 1 Part II
c. 5 ...	Justices Commitment Act, 1743.	Repealed so far as unrepealed.	
c. 30 ...	Linen (Trade Marks) Act, 1743.	S. 1 repealed in part ...	
c. 37 ...	Land Drainage (Rating) Act, 1743.	S. 1 repealed in part ; s. 3 repealed.	
c. 38 ...	Poor Relief Act, 1743 ...	S. 4 repealed in part ; ss. 5, 6 repealed ; ss. 7, 8 repealed in part ; s. 11 repealed ; ss. 13-14 repealed in part ; s. 15 repealed.	
c. 40 ...	Universities (Wine Licences) Act, 1743.	S. 11 repealed in part ...	
18 Geo. 2 : c. 24 ...	Linen (Trade Marks) Act, 1744.	Ss. 1, 3, 4 repealed in part	56, s. 31, sch. 4 Part I.
c. 30 ...	Piracy Act, 1744 ...	Preamble repealed in part. S. 1 repealed in part ...	
c. 34 ...	Gaming Act, 1744 ...	S. 2 repealed ... Title repealed in part ; s. 1 repealed in part ; ss. 2, 4, 5, 11 repealed.	
19 Geo. 2 : c. 6 ...	Bank of England Act, 1745.	Title repealed in part ; s. 11 repealed in part.	
c. 21 ...	Profane Oaths Act, 1745	Ss. 1, 3, 7, 12 repealed in part.	
c. 22 ...	Harbours Act, 1745 ...	Repealed... ..	
20 Geo. 2 : c. 30 ...	Treason Act, 1746 ...	Repealed in part ...	62, S.L.R.
c. 42 ...	Wales and Berwick Act, 1746.	S. 3 repealed in part ...	
c. 43 ...	Heritable Jurisdictions (Scotland) Act, 1746.	Ss. 15, 17, 19, 38, 41, 42 repealed.	
22 Geo. 2 : c. 27 ...	Frauds by Workmen Act, 1748.	Preamble repealed in part ; ss. 1, 2, 4, 5, 6 repealed in part ; s. 12 repealed.	
24 Geo. 2 : c. 23 ...	Calendar (New Style) Act, 1750.	S. 6, tables repealed in part.	29, s. 62 (3), sch. 7 Part II.
c. 31 ...	Linen and Hemp Manufacturers Act, 1750.	Repealed... ..	
c. 40 ...	Sale of Spirits Act, 1750	Ss. 13-16 repealed in part S. 12 repealed ... Ss. 13-16, 31 repealed ...	
c. 44 ...	Constables Protection Act, 1750.	S. 6 repealed in part ; s. 8 repealed.	62, S.L.R.

Session and Chap. or No. of Measure	Short title or Subject	How affected	Chapter of 1948 Act or number of Measure	
5 Geo. 2 : c. 36 ...	Disorderly Houses Act	Ss. 2, 10 repealed in part		
c. 37 ...	Murder Act, 1751 ...	Ss. 3, 4, 6-8 repealed (S.)		
6 Geo. 2 : c. 27 ...	Justices Act, 1753 ...	Repealed... ..		
7 Geo. 2 : c. 16 ...	Justices Clerks Fees (Middlesex) Act, 1754.	Title repealed in part ; s. 2 repealed.		
9 Geo. 2 : c. 23 ...	Fisheries (Scotland) Act, 1756.	S. 1 repealed in part ...		
1 Geo. 2 : c. 22 ...	Pension Duties Act, 1757	Repealed... ..		
2 Geo. 2 : c. 15 ...	Turnpike Roads (Scotland) Act, 1758.	Repealed... ..		
c. 28 ...	Debtors Imprisonment Act, 1758.	Repealed... ..		
c. 33 ...	Pension Duties Act, 1758	Repealed... ..		
Geo. 3 : c. 13 ...	Justices Qualification Act, 1760.	Repealed... ..		62, S.L.R.
Geo. 3 : c. 15 ...	Fish Carriage Act, 1762	Repealed so far as unrepealed		
Geo. 3 : c. 10 ...	Recognizances (Discharge) Act, 1764.	Repealed... ..		
Geo. 3 : c. 21 ...	Justices Quorum Act, 1766.	Repealed... ..		
c. 48 ...	Public Companies Act, 1767.	Ss. 1-3 repealed in part		
0 Geo. 3 : c. 50 ...	Parliamentary Privilege Act, 1770.	Ss. 1, 6 repealed in part		
2 Geo. 3 : c. 20 ...	Felony and Piracy Act, 1772.	Repealed... ..		
c. 45 ...	Traffic Regulation (Scotland) Act, 1772.	Ss. 1, 5, 6, 7 repealed in part.		
c. 54 ...	Game (Scotland) Act, 1772.	S. 1 excluded (prosp.) ...		45, s. 39 (2).
c. 72 ...	Bills of Exchange (Scotland) Act, 1772.	Ss. 36, 37 repealed in part ; s. 41 repealed ; ss. 42, 43 repealed in part.		
3 Geo. 3 : c. 32 ...	Stealing of Vegetables Act, 1772.	Title, s. 1 repealed in part		
c. 81 ...	Inclosure Act, 1773 ...	Ss. 22, 24 repealed in part		
c. 82 ...	Lying-in Hospitals Act, 1773.	Repealed so far as unrepealed		

Session and Chap. or No. of Measure	Short title or Subject	How affected	Chapter of 194 <sup>th</sup> Act or number of Measure
14 Geo. 3 : c. 48 ... c. 78 ...	Life Assurance Act, 1774 Fire Prevention (Metropolis) Act, 1774.	Excluded... S. 86 repealed in part ...	} 26, s. 130 (3) 62, S.L.R.
17 Geo. 3 : c. 56 ...	Frauds by Workmen Act, 1777.	Preamble, ss. 3-7, 9, 15-17 repealed in part.	
19 Geo. 3 : c. 70 ...	Inferior Courts Act, 1779	S. 5 repealed in part ; s. 6 repealed.	
22 Geo. 3 : c. 45 ... c. 82 ...	House of Commons (Disqualification) Act, 1782. Civil List and Secret Service Money Act, 1782.	Ss. 1, 6, 9 repealed in part. S. 27 repealed in part ; s. 37 repealed.	
23 Geo. 3 : c. 15 ...	Dyeing Trade (Frauds) Act, 1783.	Repealed so far as unrepealed	
25 Geo. 3 : c. 18 ... c. 77 ...	Newgate Gaol Delivery Act, 1785. Fires Prevention Act, 1785.	Repealed... S. 1 repealed in part ...	
27 Geo. 3 : c. 31 ... c. 44 ...	Exports Act, 1787 ... Ecclesiastical Suits Act, 1787.	Repealed so far as unrepealed Repealed so far as unrepealed	
29 Geo. 3 : c. 46 ...	Destruction of Property (Scotland) Act, 1789.	Repealed... ..	
30 Geo. 3 : c. 31 ... c. 48 ...	Silver Plate Act, 1790 ... Treason Act, 1790 ...	S. 1 repealed in part ... S. 1 repealed in part (S.)	
32 Geo. 3 : c. 56 ... c. 63 ...	Servants' Characters Act, 1792. Scottish Episcopalians Relief Act, 1792.	Ss. 1-6 repealed in part... S. 2 repealed in part ; s. 3 repealed ; s. 4 repealed in part ; ss. 5, 6, ... S. 7 repealed in part ... S. 10 repealed in part...	
33 Geo. 3 : c. 55 ... c. 67 ...	Parish Officers Act, 1793 Shipping Offences Act, 1793.	Ss. 12-13 repealed. ... Title, preamble, s. 1 repealed in part. Title, s. 1 repealed in part	
35 Geo. 3 : c. 122 ... c. 125 ...	Burghs of Barony (Scotland) Act, 1795. Heir Apparent's Establishment Act, 1795.	Title, s. 1 repealed in part ; ss. 2-3 repealed. Repealed... ..	
36 Geo. 3 : c. 7 ...	Treason Act, 1795 ...	S. 1 repealed in part ...	



Session and Chap. or No. of Measure	Short title or Subject	How affected	Chapter of 1948 Act or number of Measure	
39 Geo. 3 : c. 9 ...	Passage of Grain Act, 1795.	Repealed so far as un-repealed.	} 62, S.L.R.	
36 Geo. 3 : c. 60 ...	Metal Buttons Act, 1796	Ss. 1, 2, 3, 5 repealed in part.		
c. 85 ...	Mills Act, 1796 ...	Ss. 1, 5, 6 repealed in part		
38 Geo. 3 : c. 5 ...	Land Tax Act, 1797 ...	Title, ss. 19, 95 repealed in part.		
c. 48 ...	Land Tax Commissions Act, 1798.	S. 1 repealed in part ...		
c. 52 ...	Counties of Cities Act, 1798.	S. 5 repealed in part; s. 9 repealed.		
c. 60 ...	Land Tax Perpetuation Act, 1798.	Title, s. 1 repealed in part		
c. 69 ...	Gold Plate (Standard) Act, 1798.	Ss. 2, 6, 7 repealed in part		
39 Geo. 3 : c. 37 ...	Offences at Sea Act, 1799	S. 2 repealed in part ...		
c. 56 ...	Colliers (Scotland) Act, 1799.	Repealed so far as un-repealed.		
c. 79 ...	Unlawful Societies Act, 1799.	Ss. 1, 2, 6, 8 repealed in part; ss. 10, 11, 14 repealed; s. 35 repealed in part; s. 38, sch. repealed.	} 62, S.L.R.	
39 & 40 Geo. 3 : c. 28 ...	Bank of England Act, 1800.	S. 13 repealed in part; s. 14 repealed; s. 15 repealed in part.		
c. 36 ...	Transfer of Stock Act, 1800.	Title repealed in part; s. 4 repealed.		
c. 41 ...	Ecclesiastical Leases Act, 1800.	s. 7 repealed ...		
c. 54 ...	Public Accountants Act, 1800.	Repealed so far as un-repealed.		
c. 67 ...	Union with Ireland Act, 1800.	Art. IV repealed in part Art. VI repealed in part		58, ss. 81, 83, sch. 10 Part III. 62, S.L.R.
c. 77 ...	Collieries and Mines Act, 1800.	Repealed so far as un-repealed.		
c. 94 ...	Criminal Lunatics Act, 1800.	S. 1 repealed in part; s. 3 repealed (S.)		
c. 109 ...	Exchequer Bills Act, 1800	Repealed so far as un-repealed.		
42 Geo. 3 : c. 85 ...	Criminal Jurisdiction Act, 1802.	S. 1 repealed in part (E.) with saving.		58, s. 83, sch. 10 Part I.
48 Geo. 3 : c. 75 ...	Burial of Drowned Persons Act, 1808.	Repealed ...	29, ss. 50 (7), 62 (3), sch. 7 Part III.	
60 Geo. 3 & 1 Geo. 4 : c. 11 ...	Parliamentary Elections (Ireland) Act, 1820.	Repealed ...	65, s. 80, sch. 13.	
1 Geo. 4 : c. 57 ...	Whipping Act, 1820 ...	Repealed (E. S.) ...	58, ss. 81, 83, sch. 10 Part II.	
1 & 2 Geo. 4 : c. 58 ...	Parliamentary Elections (Ireland) Act, 1821.	Repealed ...	65, s. 80, sch. 13	

Session and Chap. or No. of Measure	Short title or Subject	How affected	Chapter of 1948 Act or number of Measure
3 Geo. 4 : c. 46 ... c. 114 ...	Levy of Fines Act, 1822 Hard Labour Act, 1822	S. 2 applied ... Repealed (E.) ( <i>prosp.</i> ) ...	58, s. 15 (1). 58, s. 83, sch. 10 Part I.
4 Geo. 4 : c. 55 ...	Parliamentary Elections (Ireland) Act, 1823.	Repealed except s. 74 ...	65, s. 80, sch. 13
5 Geo. 4 : c. 83 ...	Vagrancy Act, 1824 ...	Ss. 3-4 repealed in part S. 5 repealed in part ( <i>prosp.</i> ) S. 6 excluded ... S. 10 repealed in part ...	29, s. 62 (3), sch. 7 Part I. 58, s. 83, sch. 10 Part I. 58, s. 68. 58, s. 83, sch. 10 Part I.
c. 84 ...	Transportation Act, 1824	Repealed (E.) ( <i>prosp.</i> ) ...	58, s. 83, sch. 10 Part I.
6 Geo. 4 : c. 50 ... c. 66 ...	Juries Act, 1825 ... Trial of Peers (Scotland) Act, 1825.	S. 29 repealed in part ... Repealed ...	58, s. 83, sch. 10 Part I. 58, s. 83, sch. 10 Part III.
7 Geo. 4 : c. 46 ... c. 67 ...	Country Bankers Act, 1826 Bankers (Scotland) Act, 1826.	S. 4 excluded ... S. 2 excluded ...	38, s. 432 (1) (4). 38, s. 432 (1) (4).
7 & 8 Geo. 4 : c. 28 ...	Criminal Law Act, 1827	S. 10 repealed in part ( <i>prosp.</i> )	58, s. 83, sch. 10 Part I.
9 Geo. 4 : c. 92 ...	Savings Bank Act, 1828	S. 27 explained ...	39, s. 19(5).
10 Geo. 4 : c. 44 ...	Metropolitan Police Act, 1829.	S. 12 repealed in part with saving. S. 18 repealed in part ... Ss. 23-33 repealed with saving.	24, s. 3, sch. 1 Part I. 65, s. 80, sch. 13 26, s. 147, sch. 2, Part IV.
11 Geo. 4 & 1 Will. 4 : c. 39 ... c. 69 ... c. 70 ...	Transportation Act, 1830 Court of Session Act, 1830 Law Terms Act, 1830 ...	Repealed (E.) ( <i>prosp.</i> ) ... S. 20 repealed ... S. 33 repealed ...	58, s. 83, sch. 10 Part I. 10 (12 & 13 Geo. 6) s. 5, sch. 6 58, s. 33, sch. 10 Part I.
1 & 2 Will. 4 : c. 37 ... c. 41 ...	Truck Act, 1831 ... Special Constables Act, 1831.	S. 7 repealed (E. S.) ... S. 12 repealed ...	29, ss. 62 (3), 67, sch. 7, Part III. 29, s. 62(3), sch. 7 Part II.
2 & 3 Will. 4 : c. 45 ... c. 65 ...	Representation of the People Act, 1832. Representation of the People (Scotland) Act, 1832.	Repealed ... S. 31 repealed ... S. 36 repealed in part ... S. 38 repealed ...	65, s. 80, sch. 13 65, s. 80, sch. 13 65, ss. 17 (9), 80, sch. 13. 65, s. 80, sch. 13
3 & 4 Will. 4 : c. 99 ...	Fines Act, 1833 ...	S. 29 repealed ...	58, s. 83, sch. 10 Part I.

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4 & 5 Will 4 : c. 67 ...	Transportation Act, 1834	Repealed (E.) ( <i>prosp.</i> ) ...	58, s. 83, sch. 10 Part I.
5 & 6 Will. 4 : c. 36 ...	Parliamentary Elections Act, 1835.	Repealed ... ..	65, s. 80, sch. 13
c. 78 ...	Representation of the People (Scotland) Act, 1835.	Repealed ... ..	65, s. 80, sch. 13
6 & 7 Will. 4 : c. 13 ...	Constabulary (Ireland) Act, 1836.	S. 18 repealed in part ...	65, ss. 47 (3) (4), 80, sch. 13.
c. 96 ...	Parochial Assessments Act, 1836.	Repealed ( <i>prosp.</i> ) ...	26, s. 147, sch. 2 Part II.
1 & 2 Vict. : c. 82 ...	Parkhurst Prison Act, 1838.	Repealed ( <i>prosp.</i> ) ...	58, s. 83, sch. 10 Part I.
c. 94 ...	Public Record Office Act, 1838.	Applied ... ..	38, s. 427 (1)
2 & 3 Vict. : c. 51 ...	Pensions Act, 1839 ...	Ss. 2-4 repealed (E.S.); ss. 7, 8 repealed in part (E.S.); s. 10, schs. (A)-(H) repealed (E.S.)	29, ss. 62 (3), 67, sch. 7 Part III.
c. 56 ...	Prisons Act, 1839 ...	Repealed (E.) ( <i>prosp.</i> ) ...	58, s. 83, sch. 10 Part I.
c. 93 ...	County Police Act, 1839	S. 9 repealed ... ..	65, s. 80, sch. 13
3 & 4 Vict. : c. 61 ...	Beerhouse Act, 1840 ...	S. 7 repealed in part ...	58, ss. 81, 83, sch. 10 Part I.
4 & 5 Vict. : c. 22 ...	Felony Act, 1841 ...	Repealed ... ..	58, s. 83, sch. 10 Part III.
c. 51 ...	Treason Act, 1842 ...	S. 2 repealed in part (E.S.) ... ..	58, s. 83, sch. 10 Part II.
c. 61 ...	South Australia Act, 1842	Repealed (E.) ( <i>prosp.</i> ) ...	58, s. 83, sch. 10 Part I.
c. 98 ...	Prisons Act, 1842 ...	S. 12 repealed ( <i>prosp.</i> ) ...	58, s. 83, sch. 10 Part I.
5 & 6 Vict. : c. 29 ...	Pentonville Prison Act, 1842.	Repealed ( <i>prosp.</i> ) ...	58, s. 83, sch. 10 Part I.
c. 51 ...	Treason Act, 1842 ...	S. 2 repealed in part (E.S.) ... ..	58, s. 83, sch. 10 Part II.
c. 57 ...	Poor Law Amendment Act, 1842.	Repealed (E.S.) ... ..	29, ss. 62 (3); 67, sch. 7 Part I.
c. 61 ...	South Australia Act, 1842	Repealed (E) ( <i>prosp.</i> ) ...	58, s. 83, sch. 10 Part I.
c. 98 ...	Prisons Act, 1842 ...	Repealed ( <i>prosp.</i> ) ...	58, s. 83, sch. 10 Part I.
c. 106 ...	Fisheries (Ireland) Act, 1842.	S. 91 restricted ... ..	51, s. 1 (1).
6 & 7 Vict. : c. 7 ...	Transportation Act, 1843	Repealed (E.) ( <i>prosp.</i> ) ...	58, s. 83, sch. 10 Part I.
c. 18 ...	Parliamentary Voters' Registration Act, 1843.	Repealed except s. 85, and s. 93 in part.	65, s. 80, sch. 13.

Session and Chap. or No. of Measure	Short title or Subject	How affected	Chapter of 1948 Act or number of Measure
7 & 8 Vict. : c. 32 ... c. 101 ...	Bank Charter Act, 1844 Poor Law Amendment Act, 1844.	S. 21 excluded ... Ss. 6, 7 repealed; s. 8 repealed in part; s. 63 repealed.	38, s. 432 (1) (a) 29, s. 62 (3), sch. 7 Part I
8 & 9 Vict. : c. 16 ... c. 17 ... c. 18 ... c. 19 ... c. 20 ... c. 33 ... c. 38 ... c. 83 ... c. 117 ...	Companies Clauses Consolidation Act, 1845. Companies Clauses Consolidation (Scotland) Act, 1845. Lands Clauses Consolidation Act, 1845. Lands Clauses Consolidation (Scotland) Act, 1845. Railways Clauses Consolidation Act, 1845. Railways Clauses Consolidation (Scotland) Act, 1845. Bank Notes (Scotland) Act, 1845. Poor Law (Scotland) Act, 1845. Poor Removal Act, 1845	Incorporated (mods.) ... Incorporated (mods.) ... Incorporated (mods.) ... S. 127 repealed in part ... Ss. 78-85, as originally enacted, applied as modified. Ss. 71-78, as originally enacted, applied as modified. S. 13 excluded ... Repealed ... Repealed ...	38, s. 287 (6). 38, s. 287 (6). 58, s. 50 (3). 29, s. 62 (3), sch. 7 Part III. 17, s. 15 (3). 17, s. 18 (3) (b) 38, s. 432 (1) (a) 29, s. 62 (3), sch. 7 Part II 29, s. 62 (3), sch. 7 Part I
9 & 10 Vict. : c. 93 ...	Fatal Accidents Act, 1846	S. 2 restricted ...	41, s. 2 (5).
10 & 11 Vict. : c. 15 ... c. 33 ... c. 63 ... c. 67 ...	Gasworks Clauses Act, 1847. Poor Removal Act, 1847 Royal Marines Act, 1847 Transportation Act, 1847	Repealed with saving ( <i>prosp.</i> ) Repealed ... S. 6 amended ... Repealed (E.) ( <i>prosp.</i> ) ...	67, s. 76, sch. 4 29, s. 62 (3), sch. 7 Part I 25, s. 2 (2). 58, s. 83, sch. 10 Part I.
11 & 12 Vict. : c. 43 ... c. 110 ...	Summary Jurisdiction Act, 1848. Poor Law Amendment Act, 1848.	S. 11 applied ... S. 14 excluded ... S. 16 extended ... S. 21 repealed in part ( <i>prosp.</i> ). S. 35 repealed in part ... Repealed ( <i>prosp.</i> ) ...	58, s. 28 (5). 58, s. 42 (2). 58, s. 25 (1). 58, s. 83, sch. 10 Part I. 29, s. 62 (3), sch. 7 Part III. 26, s. 147, sch. 2 Part II.
12 & 13 Vict. : c. 103 ...	Poor Law Amendment Act, 1849.	Repealed ...	29, s. 62 (3), sch. 7 Part I.
13 & 14 Vict. : c. 39 ... c. 68 ... c. 69 ... c. 101 ...	Convict Prisons Act, 1850 Parliamentary Electors (Ireland) Act, 1850. Representation of the People (Ireland) Act, 1850. Poor Law Amendment Act, 1850	Repealed ( <i>prosp.</i> ) ... Repealed ... Repealed except s. 92 ... Repealed ( <i>prosp.</i> ) ...	58, s. 83, sch. 10 Part I. 65, s. 80, sch. 13 65, s. 80, sch. 13 26, s. 147, sch. 2 Part II.

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4 & 15 Vict. : c. 100 ...	Criminal Procedure Act, 1851.	S. 29 repealed (E.) ( <i>prosp.</i> )	58, s. 83, sch. 10 Part I.
5 & 16 Vict. : c. 57 ...	Election Commissioners Act, 1852.	S. 1 repealed in part ...	65, s. 80, sch. 13.
c. 81 ...	County Rates Act, 1852	S. 6 extended ...	65, ss. 53 (3), 80.
c. 85 ...	Burial Act, 1852 ...	Repealed with saving ...	26, ss. 120 (3), 147, sch. 2 Part V.
6 & 17 Vict. : c. 15 ...	Parliamentary Elections (Polling) Act, 1853.	S. 49 repealed ...	29, s. 62 (3), sch. 7 Part III.
c. 28 ...	County Elections (Scotland) Act, 1853.	Repealed...	65, s. 80, sch. 13.
c. 68 ...	Parliamentary Elections Act, 1853.	Repealed ...	65, s. 80, sch. 13.
c. 99 ...	Penal Servitude Act, 1853	Repealed (E.) ( <i>prosp.</i> ) ...	58, s. 83, sch. 10 Part I
c. 121 ...	Convict Prisons Act, 1853	Repealed ( <i>prosp.</i> ) ...	58, s. 83, sch. 10 Part I.
c. 134 ...	Burial Act, 1853 ...	S. 7 repealed in part ...	29, s. 62 (3), sch. 7 Part III.
c. 137 ...	Charitable Trusts Act, 1853.	Excluded in part ...	C.A.M. No. 1, s. 60.
17 & 18 Vict. : c. 91 ...	Lands Valuation (Scotland) Act, 1854.	Applied in part ...	26, s. 124 (3). 67, s. 75 (8).
c. 102 ...	Corrupt Practices Prevention Act, 1854.	S. 20 repealed in part ; ss. 21 and 22 repealed. S. 23 amended ...	26, s. 147, sch. 2 Part III. 26, s. 124 (2).
19 & 20 Vict. : c. 2 ...	Metropolitan Police Act, 1856.	Ss. 7, 8, 35 repealed ; s. 38 repealed in part.	65, s. 80, sch. 13.
c. 54 ...	Grand Juries Act, 1856	S. 9 repealed in part ...	65, s. 80, sch. 13.
c. 56 ...	Exchequer Court (Scotland) Act, 1856.	Repealed ...	58, s. 83, sch. 10 Part I.
c. 69 ...	County and Borough Police Act, 1856.	S. 2 amended ...	10 (12 & 13 Geo. 6.) s. 3.
c. 117 ...	Poor Law (Scotland) Act, 1856.	S. 9 repealed ...	65, s. 80, sch. 13.
20 Vict. : c. 1 ...	Royal Marines Act, 1857.	Repealed ...	29, s. 62 (3), sch. 7 Part II.
c. 3 ...	Penal Servitude Act, 1857	S. 1 extended ...	25, s. 2 (1).
c. 13 ...	Workhouse Sites Act, 1857.	Repealed except ss. 2, 6, (E.) ( <i>prosp.</i> )	58, s. 83, sch. 10 Part I.
20 & 21 Vict. : c. 64 ...	Metropolitan Police Act, 1857.	Repealed ...	29, s. 62 (3), sch. 7 Part I.
c. 72 ...	Police (Scotland) Act, 1857.	Ss. 11-14 repealed ...	26, s. 147, sch. 2 Part IV.
c. 81 ...	Burial Act, 1857 ...	S. 17 repealed ...	65, s. 80, sch. 13.
21 & 22 Vict. : c. 73 ...	Stipendiary Magistrates Act, 1858.	S. 6 repealed in part ...	29, s. 62 (3), sch. 7 Part I.
c. 93 ...	Legitimacy Declaration Act, 1858.	Ss. 9-11 amended ...	58, s. 79, sch. 9.
		S. 9 repealed in part	56, s. 31, sch. 4 Part I.

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22 Vict. : c. 20 ...	Evidence by Commission Act, 1859.	S. 1 saved ( <i>temp.</i> ) ...	27, s. 3 (2).
22 & 23 Vict. : c. 21 ...	Queen's Remembrancer Act, 1859.	S. 32 applied ... Ss. 32, 33, 38 amended...	58, s. 15 (1). 58, s. 79, sch. 4
c. 32 ...	County and Borough Police Act, 1859.	S. 22 repealed with saving	24, s. 3, sch. Part I.
c. 40 ...	Royal Naval Reserve (Volunteer) Act, 1859.	Applied ...	64, s. 26 (2) (b)
c. 53 ...	Savings Bank (Charitable Societies) Act, 1859	S. 1 explained ...	39, s. 19 (5).
c. 66 ...	Sale of Gas Act, 1859 ...	Repealed with saving ( <i>prosp.</i> )	67, s. 76, sch. 4
23 & 24 Vict. : c. 27 ...	Refreshment Houses Act, 1860.	S. 22 repealed in part ...	58, ss. 79, 83, schs. 9, 10 Part I.
c. 75 ...	Criminal Lunatic Asylums Act, 1860.	S. 1 amended (E.) ( <i>prosp.</i> ) S. 4 amended (E.) ( <i>prosp.</i> )  Ss. 5, 6 repealed (E.) ( <i>prosp.</i> ) S. 11 amended (E.) ( <i>prosp.</i> ) Ss. 14, 15 repealed (E.) ( <i>prosp.</i> )	58, s. 62 (1) (2), 9, 10 Part I. 58, ss. 79, 83, sch. 9, 10 Part I. 58, ss. 79, 83, sch. 10 Part I. 58, s. 79, sch. 4 58, s. 83, sch. 10 Part I.
c. 105 ...	Prisons (Scotland) Act, 1860.	S. 74 repealed ...	58, s. 83, sch. 10 Part II.
c. 106 ...	Lands Clauses Consolidation Acts Amendment Act, 1860.	Incorporated in part (mod.)	58, s. 50 (3).
c. 135 ...	Metropolitan Police Act, 1860.	S. 5 repealed ...	65, s. 80, sch. 13
c. 137 ...	National Debt Commissioners (Investments) Act, 1860.	Repealed in part ( <i>prosp.</i> )	39, s. 19 (4) (b), sch. 6 Part I.
c. 146 ...	Sale of Gas Act, 1860 ...	Repealed with saving ( <i>prosp.</i> ).	67, s. 76, sch. 4
24 & 25 Vict. : c. 76 ...	Poor Removal (No. 2) Act, 1861.	Repealed ...	29, s. 62 (3), sch. 7 Part I.
c. 96 ...	Larceny Act, 1861 ...	Ss. 12-13, 16 repealed in part (E.) ( <i>prosp.</i> ); ss. 108, 119 repealed (E.).	58, s. 83, sch. 10 Part I.
c. 97 ...	Malicious Damage Act, 1861.	Ss. 1-10, 14-21 repealed in part (E.); s. 22 repealed in part (E.) ( <i>prosp.</i> ); ss. 23, 26-33, 35 repealed in part (E.); s. 39, repealed in part (E.) ( <i>prosp.</i> ); ss. 42-48, 50, repealed in part (E.); s. 54 repealed in part (E.) ( <i>prosp.</i> ); s. 66 repealed (E.) ( <i>prosp.</i> ); s. 75 repealed (E.).	58, s. 83, sch. 10 Part I.

Session and Chap. or No. of Measure	Short title or Subject	How affected	Chapter of 1948 Act or number of Measure
4 & 25 Vict.: c. 100 ...	Offences against the Person Act, 1861.	Ss. 5, 16, 28-30, 32, 56 repealed in part (E.); s. 64, repealed in part (E.) ( <i>prosp.</i> ); s. 70 repealed (E.). S. 73 repealed (E.) ...	58, s. 83, sch. 10 Part I. 29 (3), sch. 7 Part III.
c. 124 ...	Metropolitan Police (Receiver) Act, 1861.	S. 7 repealed with saving	26, s. 147, sch. 2 Part IV.
5 & 26 Vict.: c. 18 ...	Whipping Act, 1862 ...	Repealed (E. S.) ...	58, s. 83, sch. 10 Part II.
c. 62 ...	County Elections (Ireland) Act, 1862.	Repealed ...	65, s. 80, sch. 13.
c. 65 ...	Jurisdiction in Homicides Act, 1862.	S. 19 repealed ...	58, s. 83, sch. 10 Part III.
c. 103 ...	Union Assessment Committee Act, 1862.	Repealed ( <i>prosp.</i> ) ...	26, s. 147, sch. 2 Part II.
c. 113 ...	Poor Removal Act, 1862	Repealed (E. S.) ...	29, s. 62 (3), sch. 7 Part I.
16 & 27 Vict.: c. 44 ...	Garrotters Act, 1863 ...	Repealed (E.) ...	58, s. 83, sch. 10 Part I.
c. 87 ...	Trustee Savings Bank Act, 1863.	Ss. 26-27 restricted ... S. 32 explained ...	39, s. 19(2). 39, s. 19(5).
c. 89 ...	Poor Removal Act, 1863	Repealed (E.) ...	29, s. 62 (3), sch. 7 Part I.
27 & 28 Vict.: c. 24 ...	Naval Agency and Distribution Act, 1864.	Applied ...	} 9, (12 & 13 Geo. 6), s. 2(2). 9, (12 & 13 Geo. 6, s. 9 (2).
c. 25 ...	Naval Prize Act, 1864 ...	Ss. 17, 19 excluded ... Ss. 42-44 repealed ...	
c. 39 ...	Union Assessment Committee Amendment Act, 1864.	Repealed except ss. 6 and 13 ( <i>prosp.</i> )	26, s. 147, sch. 2 Part II.
c. 47 ...	Penal Servitude Act, 1864	Repealed (E.) ( <i>prosp.</i> )	58, s. 83, sch. 10 Part I.
c. 96 ...	Sale of Gas (Scotland) Act, 1864.	Repealed with saving ( <i>prosp.</i> )	67, s. 76, sch. 4.
28 & 29 Vict.: c. 18 ...	Criminal Procedure Act, 1865.	S. 2 excluded ...	58, s. 42 (1).
c. 35 ...	Police Superannuation Act, 1865.	Repealed with saving ...	24, s. 3, sch. 1 Part I.
28 & 29 Vict.: c. 78 ...	Mortgage Debenture Act, 1865.	S. 3 saved in part ...	38, s. 459 (9) (a).
c. 122 ...	Clerical Subscription Act, 1865.	S. 3 amended ...	C.A.M. No. 1, s. 56 (1).
c. 126 ...	Prison Act, 1865 ...	Applied as modified ... Applied ( <i>prosp.</i> ) ... Ss. 37-39 amended ... S. 44 repealed ...	58, s. 48 (5). 58, s. 51. 58, s. 55. 58, s. 83, sch. 10 Part I.
29 & 30 Vict.: c. 78 ...	County Rate Act, 1866 ...	Repealed ...	26, s. 147, sch. 2 Part V.
c. 109 ...	Naval Discipline Act, 1866.	Act reprinted periodically as amended	

Session and Chap. or No. of Measure	Short title or Subject	How affected	Chapter of 1945 Act or number of Measure
30 & 31 Vict. : c. 80 ...	Valuation of Lands (Scotland) Amendment Act, 1867.	Ss. 3, 4, 9 repealed ...	26, s. 147, sch. 1 Part III.
c. 102 ...	Representation of the People Act, 1867.	S. 2 repealed in part ... S. 7 repealed ( <i>prosp.</i> ) ...  Ss. 37, 49 repealed ... S. 50 saved ... S. 57 repealed ... S. 61 repealed in part ...	65, s. 80, sch. 13 26, ss. 57 (2) 147, sch. 2 Part II  65, s. 80, sch. 13 65, ss. 20 (4), 80 65, s. 80, sch. 13
31 & 32 Vict. : c. 20 ...	Legitimacy Declaration (Ireland) Act, 1868 ...	Ss. 1-2 repealed in part	56, s. 31, sch. 1 Part I.
c. 37 ...	Documentary Evidence Act, 1868.	Applied ...	32, s. 6 (4).
c. 46 ...	Boundary Act, 1868 ...	Repealed ...	65, s. 80, sch. 13
c. 48 ...	Representation of the People (Scotland) Act, 1868.	Repealed except ss. 1, 2, 23, 28-29, 31-5, schs. E and F. S. 23 amended ...	65, s. 80, sch. 13 65, ss. 70(8)(4), 80
c. 49 ...	Representation of the People (Ireland) Act, 1868.	Repealed except s. 13 ... S. 13 saved ... S. 13 excluded ...	65, s. 80, sch. 13 65, ss. 20 (4), 80 65, ss. 44 (6), 80
c. 58 ...	Parliamentary Electors Registration Act, 1868.	Repealed ...	65, s. 80, sch. 13
c. 64 ...	Land Registers (Scotland) Act, 1868.	S. 6 amended ... S. 10 repealed ...  Ss. 20, 24 repealed ...	57, s. 3. 57, ss. 2 (6), 7, sch. Part II 57, s. 7, sch. Part II
c. 67 ...	Police Rate Act, 1868 ...	Repealed with saving ...	26, s. 147, sch. 1 Part IV.
c. 122 ...	Poor Law Amendment Act, 1868.	S. 28 repealed ( <i>prosp.</i> ) ...	26, s. 147, sch. 1 Part II.
c. 125 ...	Parliamentary Elections Act, 1868.	S. 3 repealed in part ... S. 28 amended ...  S. 44 repealed ...  Ss. 48-9 repealed ... S. 58 repealed in part ...	65, s. 80, sch. 13 65, ss. 74, 80, sch. 10, Pt. II, para. 2 (2). 65, ss. 45(3), 80, sch. 13. 65, s. 80, sch. 13 65, s. 80, sch. 13
32 & 33 Vict. : c. 18 ...	Lands Clauses Commission Expenses Act, 1869.	S. 2 repealed in part ss. 3-6 repealed.	65, s. 80, sch. 13 65, s. 80, sch. 13
c. 21 ...	Corrupt Practices Commission Expenses Act, 1869.	Incorporated in part (mods.).	58, s. 50 (3).
c. 41 ...	Poor Rate Assessment and Collection Act, 1869.	S. 3 amended ( <i>prosp.</i> ) ... Ss. 3-4 applied ( <i>prosp.</i> ) ... S. 13 repealed in part ( <i>prosp.</i> ); s. 17 repealed ( <i>prosp.</i> ). S. 18 repealed in part ( <i>prosp.</i> ).	26, s. 55 (2). 26, s. 66 (1).  26, s. 147, sch. 2 Part II.
c. 56 ...	Endowed Schools Act, 1869.	S. 5 substituted; s. 9 amended. S. 9 applied as modified S. 12 substituted ...	40, s. 11, sch. 1 Part II. 40, s. 2 (1). 40, s. 11, sch. 1 Part II.



Session and Chap. or No. of Measure	Short title or Subject	How affected	Chapter of 1948 Act or number of Measure
32 & 33 Vict.: c. 56 ...	Endowed Schools Act 1869.— <i>continued.</i>	S. 14 relaxed ... Ss. 15, 16 amended. ...	40, s. 2 (3) (4). 40, s. 11, sch. 1 Part II.
c. 67 ...	Valuation (Metropolis) Act, 1869.	S. 19 repealed in part. ...	40, s. 11, sch. 1, Part II, sch. 2.
		S. 55 saved ... S. 4 replaced ... Ss. 6-44 repealed ( <i>prosp.</i> )	40, s. 2 (4). 26, s. 74 (1). 26, s. 147, sch. 2, Part II.
		S. 45 repealed in part ( <i>prosp.</i> ). S. 46 amended ( <i>temp.</i> ) ... Ss. 46-50, 55-74, repealed ( <i>prosp.</i> ).	26, s. 147, sch. 2, Parts II, IV, V. 26, s. 72 (3). 26, s. 147, sch. 2, Part II.
33 & 34 Vict.: c. 23 ...	Forfeiture Act, 1870 ...	S. 2 repealed in part (E.) ( <i>prosp.</i> ) amended ( <i>prosp.</i> ) ... Ss. 6-30 repealed (E.) ( <i>prosp.</i> )	58, ss. 79, 83, schs. 9, 10, Part I. 58, s. 79, sch. 9. 58, ss. 70 (1), 83, sch. 10 Part I.
c. 57 ...	Gun Licence Act, 1870 ...	Saved (S.) ( <i>prosp.</i> ) ...	45, s. 53.
c. 70 ...	Gas and Water Works Facilities Act, 1870.	Repealed in part with saving ( <i>prosp.</i> )	67, s. 76, sch. 4.
c. 77 ...	Juries Act, 1870 ...	S. 8 repealed in part ...	56, s. 31, sch. 4 Part I.
34 & 35 Vict.: c. 31 ...	Trade Union Act, 1871 ...	S. 5 saved ...	38, s. 459 (9) (b).
c. 41 ...	Gasworks Clauses Act, 1871.	Repealed with saving ( <i>prosp.</i> )	67, s. 76, sch. 4.
c. 61 ...	Election Commissioners Expenses Act, 1871.	Repealed...	65, s. 80, sch. 13.
c. 112 ...	Prevention of Crimes Act, 1871.	Ss. 3-5 repealed... S. 6 extended ... S. 8 repealed ( <i>prosp.</i> ); s. 17 repealed in part (E.) ( <i>prosp.</i> )	58, s. 83, sch. 10 Part I. 58, s. 48 (7). 58, s. 83, sch. 10 Part I.
35 & 36 Vict.: c. 8 ...	Deans and Canons Resignation Act, 1872.	Explained and excluded	C.A.M. No. 1, s. 57 (1).
c. 33 ...	Ballot Act, 1872 ...	Applied in part ... Part I amended ... S. 1 repealed; s. 2 repealed in part. S. 3 extended ... S. 4 amended ... extended ... S. 7 repealed ... S. 8 applied (S.) ... extended ... S. 9 amended ... Ss. 10-11 extended ... repealed in part ... Ss. 13, 14 repealed ...	65, ss. 73 (1), 80. 65, ss. 12, 80, sch. 3 Part III, para. 9. 65, s. 80, sch. 13. 65, ss. 19 (3) (4), 80. 65, ss. 12, 80, sch. 3 Part III, para. 9 (4). 65, ss. 19 (1), 80. 65, s. 80, sch. 13. 65, s. 17 (6). 65, ss. 74, 80, sch. 10, para. 1 (1). 65, ss. 12, 80, sch. 3 Part III para. 9 (3). 65, ss. 74, 80, sch. 10 Part II para. 1 (1). 65, s. 80, sch. 13. 65, s. 80, sch. 13.

Session and Chap. or No. of Measure	Short title or Subject	How affected	Chapter of 1948 Act or number of Measure
35 & 36 Vict.: c. 33 ...	Ballot Act, 1872— <i>cont.</i>	Ss. 24, 26, 27 repealed in part; ss. 29, 31 repealed. Sch. I modified ...  applied in part ...  excluded in part ...  explained ...  amended ...  repealed in part ...  extended ...  Sch. 2 amended ...  repealed in part ... Sch. 3 repealed ... Repealed...	65, s. 80, sch. 13. 65, ss. 12, 80, sch. 3, Part IV para. 1. 65, ss. 12, 42 (6), 51 (2), 56 (4) (b), 80, sch. 3, Part II, para. 17. 65, ss. 12, 80, sch. 3 Part IV para. 2 (2). 65, ss. 12, 80, sch. 3 Part III, para. 9 (6), Part V para. 5 (1). 65, ss. 12, 74 (4), 80, sch. 3 Part III, paras. 7, 8 and Part IV, paras. 2 (2), 3 65, ss. 12, 80, sch. 3, Part III, para. 9 (3) (7), sch. 13. 65, ss. 12, 74, 80, schs. 3, Part II paras. 15 (2), 17 (2), Part III paras. 3, 9 (6), 10, Part II para. 1 (1), 15 (2), 17 (2). 65, ss. 12, 74 (4), 80, sch. 3, paras. 1 (2), 9. 65, s. 80, sch. 13.
c. 39 ...	Naturalization Act, 1872	Repealed...	56, s. 34, sch. 4 Part II.
c. 52 ...	Middlesex Grand Juries Act, 1872.	Repealed ( <i>prosp.</i> ) ...	58, s. 83, sch. 10 Part I.
c. 65 ...	Bastardy Laws Amendment Act, 1872.	S. 3 applied and extended applied ... S. 4 applied and extended applied ... S. 7 repealed ...	29, s. 44. 43, s. 26 (1). 29, s. 44. 43, s. 26 (3). 29, s. 62 (3), sch. 7 Part III.
36 & 37 Vict.: c. 9 ...	Bastardy Laws Amendment Act, 1873.	S. 5 repealed ...	29, s. 62 (3), sch. 7 Part III.
c. 87 ...	Endowed Schools Act, 1873.	Applied as modified ... Ss. 7, 8 amended ...	40, s. 2 (1). 40, s. 2 (4).
c. 89 ...	Gas and Water Works Facilities Act, 1870 Amendment Act, 1873.	Act repealed in part with saving ( <i>prosp.</i> )	67, s. 76, sch. 4.
37 & 38 Vict.: c. 54 ...	Rating Act, 1874 ...	S. 6 amended ...	26, s. 70, sch. 1.
c. 87 ...	Endowed Schools Act, 1874.	Applied (mods.)...	40, s. 2 (1).
c. 94 ...	Conveyancing (Scotland) Act, 1874.	S. 51 applied ( <i>temp.</i> ) ...	27, s. 3 (2).

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38 & 39 Vict. : e. 33 ...	Metropolis Management Act, 1875.	Ss. 2-4 repealed ( <i>prosp.</i> )	26, s. 147, sch. 2 Part II.
c. 45 ...	Sinking Fund Act, 1875	Ss. 4-5 extended ...	49, s. 80 (2).
c. 55 ...	Public Health Act, 1875	S. 69 amended and in part excluded. S. 161 repealed in part ( <i>prosp.</i> ), s. 162 repealed ( <i>prosp.</i> )	32, s. 4, sch. 3, para. 14. 67, s. 76, sch. 4.
c. 84 ...	Parliamentary Elections (Returning Officers) Act, 1875.	Repealed... ..	65, s. 80, sch. 13.
39 & 40 Vict. :			
c. 35 ...	Customs Tariff Act, 1876	Sch. repealed in part ...	49, ss. 11 (a), 82, sch. 11 Part I.
c. 36 ...	Customs Consolidation Act, 1876.	Extended ... .. S. 95 applied ... .. S. 95 repealed in part ...	37, s. 2 (3). 49, s. 4 (3). 49, s. 82, sch. 11 Part I.
c. 42 ...	Convict Prisons Returns Act, 1876.	Act repealed (E.) ( <i>prosp.</i> )	58, s. 83, sch. 10 Part I.
c. 49 ...	Burghs Gas Supply (Scotland) Act, 1876.	Act repealed with saving ( <i>prosp.</i> ).	67, s. 76, sch. 4.
c. 61 ...	Divided Parishes and Poor Law Amendment Act, 1876.	Ss. 19, 24, 42 repealed ...	29, s. 62 (3), sch. 7 Part I.
c. 75 ...	Rivers Pollution Prevention Act, 1876.	S. 6 applied in part and excluded in part ; s. 8 modified in part.	32, s. 4, sch. 3, para. 15.
40 & 41 Vict. :			
c. 2 ...	Treasury Bills Act, 1877	S. 6 excluded ... ..	18, s. 3 (2) ; 50, s. 2 (2).
c. 13 ...	Customs, Inland Revenue and Savings Banks Act, 1877.	S. 16 repealed ( <i>prosp.</i> ) ; s. 17 repealed in part ( <i>prosp.</i> )	39, s. 19 (4) (b), sch. 6 Part I.
c. 21 ...	Prison Act, 1877 ...	Applied ... .. S. 9 repealed in part ( <i>prosp.</i> ) S. 11 repealed in part ...	58, ss. 48 (5), 51, 58, s. 83, sch. 10, Part I.
		Ss. 13, 14 repealed ...	58, s. 83, sch. 10 Part I.
		Ss. 33-34 explained ...	58, s. 48 (6).
		S. 39 repealed ... ..	58, s. 83, sch. 10 Part I.
		S. 40 repealed ( <i>prosp.</i> ) ...	58, s. 83, sch. 10 Part I.
c. 55 ...	Public Record Office Act, 1887.	Applied ... ..	38, s. 427.
c. 59 ...	Colonial Stock Act, 1877	S. 16 extended ... .. excluded ... ..	1 (12 & 13 Geo. 6), s. 2 (1). 1 (12 & 13 Geo. 6.), s. 1 (2).
41 & 42 Vict. :			
c. 26 ...	Parliamentary and Municipal Registration Act, 1878.	Ss. 11-13 repealed ...	65, s. 80, sch. 13.
c. 41 ...	Parliamentary Elections Returning Officers' Expenses (Scotland) Act, 1878.	Ss. 4-5 repealed... ..	65, s. 80, sch. 13.

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41 & 42 Vict. : c. 49 ...	Weights and Measures Act, 1878.	S. 66 repealed with saving ( <i>prosp.</i> ) (E.S.).	67, s. 76, sch. 4.
c. 76 ...	Telegraph Act, 1878 ...	S. 7 applied in part as modified and extended.	17, s. 6, sch. para. 6 (1).
42 & 43 Vict. : c. 44 ...	Lord Clerk Register (Scotland) Act, 1879.	S. 8 repealed in part ( <i>prosp.</i> )	57, s. 7, sch. Part II.
c. 49 ...	Summary Jurisdiction Act, 1879.	S. 4 repealed in part ...	58, s. 83, sch. 10 Part I.
		S. 9 amended ...	58, s. 79, sch. 9.
		Ss. 10, 11 repealed in part	58, ss. 79, 83, schs. 9, 10, Part I.
		S. 17 applied ...	58, s. 28 (4), (5).
		amended ...	58, s. 79, sch. 9.
		S. 19 repealed in part ...	58, s. 79, sch. 9.
		S. 22 applied ...	58, s. 8 (4).
		S. 23 applied ...	58, s. 11 (1).
		S. 27 amended ...	58, s. 79, sch. 9.
		S. 29 extended ...	58, s. 19 (6).
		excluded in part ...	58, s. 25 (2).
		S. 31 amended ...	29, s. 62 (3) sch. 7 Part III; 58 ss. 79, 83, schs. 9, 10 Part I.
c. 55 ...	Prevention of Crime Act, 1879.	explained ... Repealed (E.) ( <i>prosp.</i> ) ...	58, s. 36 (3). 58, s. 83, sch. 10 Part I.
43 Vict. : c. 18 ...	Parliamentary Elections and Corrupt Practices Act, 1880.	Repealed... ..	65, s. 80, sch. 13
43 & 44 Vict. : c. 24 ...	Spirits Act, 1880 ...	S. 70 applied in part ...	49, s. 4 (3).
c. 35 ...	Wild Birds Protection Act, 1880.	S. 3 saved (S.) ( <i>prosp.</i> ) ...	45, s. 39 (3).
c. 42 ...	Employers' Liability Act, 1880.	Repealed (E.S.) ...	41, s. 1 (2).
c. 47 ...	Ground Game Act, 1880	S. 1 extended (S.) ( <i>prosp.</i> ) amended (S.) ( <i>prosp.</i> )	45, s. 48 (2). 45, s. 48 (1).
		S. 3 excluded in part (S.) ( <i>prosp.</i> )	45, s. 48 (4).
		S. 6 repealed (S.) ( <i>prosp.</i> )	45, ss. 50 (3), 87, sch. 10.
44 & 45 Vict. : c. 21 ...	Married Women's Property (Scotland) Act, 1881.	Saved ... ..	38, s. 217
c. 24 ...	Summary Jurisdiction (Process) Act, 1881.	S. 4 applied (E.S.) ...	58, s. 11 (5).
c. 58 ...	Army Act ... ..	Act reprinted periodically as amended	
c. 62 ...	Veterinary Surgeons Act, 1881.	Ss. 3, 5 applied in part S. 5 repealed in part ... Ss. 7, 8 repealed ... Ss. 7, 8 superseded ... Ss. 9, 10, 12 applied ... S. 17 superseded ... S. 18 repealed ...	52, s. 6 (6). 52, s. 25 (5). 52, s. 13. 52, ss. 14-18. 52, s. 6 (6). 52, s. 8. 52, s. 27 (2).

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& 46 Vict. : c. 9 ...	Documentary Evidence Act, 1882.	Applied ... ..	32, s. 6 (4).
c. 20 ...	Poor Rate Assessment and Collection Act, 1869 Amendment Act, 1882.	S. 4 repealed ( <i>prosp.</i> ) ...	26, s. 147, sch. 2 Part II.
c. 42 ...	Civil Imprisonment (Scotland) Act, 1882.	Applied ... ..	29, s. 44 (7) (c) ; 43, s. 26 (8).
c. 50 ...	Municipal Corporations Act, 1882.	S. 7 repealed in part ... Ss. 77-81 applied in part as modified. S. 81 repealed ... .. Ss. 82-84 applied in part as modified. S. 85 repealed ... .. Ss. 86-87 applied in part as modified. S. 87 extended ... .. S. 87 superseded in part Ss. 88-100 applied in part as modified. S. 100 restricted ... .. Ss. 101-104 applied in part as modified. S. 170 excluded ... .. Ss. 170, 171 repealed in part. S. 230 restricted ( <i>prosp.</i> ) S. 21 repealed ( <i>prosp.</i> )	65, s. 80, sch. 13. 65, s. 39 (3). 65, s. 80, Sch. 13. 65, s. 39 (3). 65, s. 80, sch. 13. 65, s. 39 (3). 65, ss. 45 (2), 80. 65, ss. 46 (2), 80. 65, s. 39 (3). 65, s. 40 (4). 65, s. 39 (3).. 65, s. 57, sch. 6, para. 2 (5). 65, s. 80, sch. 13. 65, ss. 54 (3), 80. 39, s. 19 (4) (b), sch. 6 Part I.
c. 72 ...	Revenue, Friendly Societies and National Debt Act, 1882.	Saved ... ..	38, s. 217 (2).
c. 75 ...	Married Women's Property Act, 1882.		
16 & 47 Vict. : c. 15 ...	Lands Clauses (Umpire) Act, 1883.	Incorporated ... ..	58, s. 50 (3).
c. 22 ...	Sea Fisheries Act, 1883	S. 12 applied as modified S. 14 applied (mod.) ...	51, s. 2 (5). 51, s. 2 (5) (b).
c. 32 ...	Greenwich Hospital Act, 1883.	S. 2 extended in part ...	25, s. 1 (4).
c. 47 ...	Provident Nominations and Small Intestacies Act, 1883.	S. 10 amended ... .. substituted in part repealed in part ...	39, s. 18 (3) (c). 39, s. 18, sch. 5. 39, ss. 18 (3), 25, sch. 6 Part II.
c. 51 ...	Corrupt and Illegal Practices Prevention Act, 1883.	Amended ... .. Excluded in part ... .. Extended in part ... .. Applied in part ... .. S. 4 amended ... .. S. 6 applied as modified amended ... .. S. 7 repealed in part ... .. S. 9 repealed in part ... .. S. 10 modified ... .. S. 14 saved in part ... .. S. 16 repealed in part ... ..	65, ss. 32 (1), 80. 65, ss. 32 (4), 80. 65, ss. 51, 53 (1), (2), 80. 65, s. 73 (1). 65, ss. 52 (2), 80. 65, ss. 50 (3), 80. 65, ss. 52 (1), 80. 65, ss. 43 (1) (a), 80, sch. 13. 65, s. 80, sch. 13. 65, ss. 33 (1) (a), 37 (3), 80. 65, s. 33 (3). 65, ss. 43 (1) (b), 80, sch. 13.

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46 & 47 Vict.: c. 51 ...	Corrupt and Illegal Practices Prevention Act, 1883— <i>cont.</i>	S. 17 amended ... repealed in part ...  S. 18 extended ... S. 20 extended ... explained ... S. 23 extended ...  S. 24 applied as modified (exc. London). excluded ... S. 25 extended ...  S. 26 applied (exc. London). amended ...  Ss. 27-35 applied as modified (exc. London).  S. 29 extended in part (exc. London). S. 33 extended ... restricted ... repealed in part ... S. 34 applied in part ... extended ...  S. 35 extended (exc. London). S. 38 amended ... S. 39 repealed in part ... S. 40 applied (exc. London). repealed in part ... S. 43 amended ... S. 45 amended ... Ss. 53, 58 repealed in part; s. 61 repealed; ss. 63, 64, 68, 69 repealed in part. Sch. 1 repealed in part... Sch. 2 substituted in part repealed in part ... extended ... Sch. 3 repealed in part ...	65, ss. 43 (2), 80. 65, ss. 43 (1) (c), 80, sch. 13. 65, s. 43 (5), 16. 65, s. 36 (1). 65, s. 36 (2). Ss. 74, 80, sch. 13. Part II, para. 1 (2). 65, ss. 38 (1), 44 (5), 56 (4) (b). 65, s. 44 (1). 65, ss. 74, 80, sch. 10 Part II, para. 1 (2). 65, ss. 38 (1), 59 (4) (b). 65, ss. 75, 80, sch. 10 Part I para. 2 (1). 65, ss. 38 (1), 73 (4) (b), 80. 65, ss. 51 (1) (b), 56 (4) (b) (2). 65, ss. 43 (3), 80. 65, ss. 32 (4), 80. 65, s. 80, sch. 13. 65, s. 51 (1) (c). 65, ss. 51 (1) (c), 74, 80, sch. 10 Part II, para. 1 (2). 65, ss. 42 (3), 59 (4) (b), 80. 65, ss. 52 (5), 80. 65, s. 80, sch. 13. 65, ss. 42 (11), 59 (4) (b), 80. 65, s. 80, sch. 13. 65, s. 50 (5). 65, ss. 50 (1), 80. 65, s. 80, sch. 13. 65, ss. 32 (1), 80, sch. 13. 65, s. 32 (3), sch. 9, Part II. 65, s. 80, sch. 13. 65, ss. 43 (3), 80. 65, s. 80, sch. 13.
47 & 48 Vict.: c. 5 ...	Valuation (Metropolis) Amendment Act, 1884.	Repealed ( <i>prosp.</i> ) ...	26, s. 147, sch. 2 Part II.
c. 31 ...	Colonial Prisoners Removal Act, 1884.	Continued as modified ... Saved ( <i>temp.</i> ) ...	27, s. 3 (3), sch. 2. 27, s. 3 (2).
c. 51 ...	Prison Act, 1884 ...	Ss. 8, 10 modified in part Applied ...	27, s. 3 (2), sch. 2. 58, ss. 48 (5), 51

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7 & 48 Vict. : c. 64 ...	Criminal Lunatics Act, 1884.	Applied ( <i>prosp.</i> )... .. Ss. 2 in part, 6, 7, 8 in part, 10, 16 substituted ( <i>prosp.</i> ).	58, s. 64 (3). 58, s. 79, sch. 9.
c. 70	Municipal Elections (Corrupt and Illegal Practices) Act, 1884.	Act applied in part as modified. S. 3 amended ... .. S. 4 repealed in part ...  S. 5 expanded (exc. London). applied in part as modified (exc. London). restricted (exc. London) S. 6 repealed in part ... modified in part (exc. London). S. 12 repealed in part ... S. 13 amended ... .. repealed in part ... .. S. 14 modified (exc. London). applied ... .. construed ... .. S. 16 amended ... .. repealed in part ... .. S. 17 modified (exc. London). S. 18 repealed ... .. S. 19 modified in part (exc. London). S. 20 extended ... ..  S. 21 applied as modified extended ... .. repealed in part ... .. applied (mod.) ... ..  S. 24 repealed in part ... S. 25 applied (exc. London). amended and substituted in part. S. 26 modified in part (exc. London). S. 28 (6) amended ... .. S. 30 repealed in part ... S. 34 repealed in part (exc. London); s. 37 repealed; sch. 3 repealed in part; sch. 4 repealed.	65, s. 39 (3). 65, ss. 52 (2), 75, 80, sch. 12. 65, ss. 43 (1) (a), 75, 80, schs. 12, 13. 65, ss. 40 (2), 56 (2) (c). 65, ss. 38 (3) (c), 56 (4). 65, ss. 38 (3) (d), 56 (4) (b). 65, s. 80, sch. 13. 65, ss. 38 (3), 56 (4) (b). 65, s. 80, sch. 13. 65, ss. 43 (2), 80. 65, s. 80, sch. 13. 65, ss. 38 (3) (a), 56 (4) (b). 65, s. 43 (6). 65, s. 43 (6). 65, ss. 40 (1), 80. 65, s. 80, sch. 13. 65, ss. 38 (3) (a), 56 (4) (b), 80. 65, s. 80, sch. 13. 65, ss. 38 (3) (a), 56 (4) (b), 80. 65, ss. 74, 80, sch. 10 Part II, para. 1 (2). 65, ss. 39 (1), 56 (4) (b) (i). 65, ss. 43 (3), 51 (1) (c), 80. 65, s. 80, sch. 13. 65, ss. 39 (1), 56 (4) (b). 65, s. 80, sch. 13. 65, ss. 42 (11), 56 (4) (6), 80. 65, ss. 38 (3) (b), 56 (4) (b), 80. 65, ss. 38 (3) (a), 56 (4) (b). 65, s. 50 (5). 65, s. 80, sch. 13. 65, s. 80, sch. 13.
48 & 49 Vict. : c. 10 ...	Elections (Hours of Poll) Act, 1885.	Repealed ... ..	65, s. 80, sch. 13.
c. 15 ...	Registration Act, 1885...	Repealed ... ..	65, s. 80, sch. 13.

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48 & 49 Vict. : c. 17 ...	Parliamentary Registration (Ireland) Act, 1885.	Repealed ... ..	65, s. 80, sch. 13
c. 23 ...	Redistribution of Seats Act, 1885.	Repealed ... ..	65, s. 80, sch. 13
c. 69 ...	Criminal Law Amendment Act, 1885.	S. 4 repealed in part (E.S.)	58, ss. 81, 83, sch. 10 Part II.
c. 70 ...	Sea Fisheries (Scotland) Amendment Act, 1885.	S. 4 restricted ... ..	51, s. 1 (1).
49 & 50 Vict. : c. 15	Sporting Lands Rating (Scotland) Act, 1886.	Ss. 2, 3 repealed in part ; s. 5 repealed. S. 7 repealed in part.	} 29, s. 62 (3), sch. 7 Part III.
c. 20 ...	Burial of Drowned Persons Act, 1886.	Repealed ... ..	
c. 27 ...	Guardianship of Infants Act, 1886.	S. 5 as amended extended	43, s. 53.
c. 51 ...	Poor Law Loans and Relief (Scotland) Act, 1886.	Repealed ... ..	29, s. 62 (3), sch. 7 Part II.
50 & 51 Vict. : c. 9 ...	Police Disabilities Removal Act, 1887.	Repealed ... ..	65, s. 80, sch. 13
c. 16 ...	National Debt and Local Loans Act, 1887.	Applied ... .. S. 5 repealed ( <i>prosp.</i> ) ...	48, s. 1 (2). 39, s. 19 (4) (b), sch. 6 Part I.
c. 35 ...	Criminal Procedure (Scotland) Act, 1887.	Ss. 28-29 excluded in part	38, s. 443 (6).
c. 55 ...	Sheriffs Act, 1887 ...	Restricted ... ..  S. 5 extended ... ..  S. 31 repealed in part ...	65, s. 74, sch. 10 Part II, para. 4. 65, ss. 57, 80, sch. 6, para. 1 (5). 65, s. 80, sch. 13.
51 & 52 Vict. : c. 41	Local Government Act, 1888.	S. 3 repealed in part ( <i>prosp.</i> ) S. 14 excluded in part ...  s. 34 repealed in part ( <i>prosp.</i> ) S. 39 repealed in part ( <i>prosp.</i> ) S. 42 repealed in part ( <i>prosp.</i> ) S. 44 repealed ( <i>prosp.</i> ) S. 83 amended ... .. S. 2 restricted ... .. S. 6 extended ... ..	67, s. 76, sch. 4 32, s. 4, sch. 3 para. 16. 67, s. 76, sch. 4 67, s. 74, sch. 4 } 26, s. 147, sch. 2 Part II. 58, s. 79, sch. 9 51, s. 1 (1). 51, s. 1 (2).
c. 54 ...	Sea Fisheries Regulation Act, 1888.	S. 2 restricted ... .. S. 6 extended ... ..	51, s. 1 (1). 51, s. 1 (2).
52 & 53 Vict. : c. 7	Customs and Inland Revenue Act, 1889.	S. 11 extended ... ..	49, s. 76.
c. 21 ...	Weights and Measures Act, 1889.	S. 15 repealed ( <i>prosp.</i> ) ...	67, s. 76, sch. 4
c. 23 ...	Herring Fishery (Scotland) Act, 1889.	S. 6 restricted ... ..	51, s. 1 (1).
c. 27 ...	Advertising Stations Rating Act, 1889.	Ss. 3, 4 excluded ( <i>prosp.</i> )	26, s. 56



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: & 53 Vict. : c. 40 ...	Welsh Intermediate Education Act, 1889.	Repealed ... ..	40, ss. 2, 11, sch. 2.
c. 49 ...	Arbitration Act, 1889 ...	Applied ... .. Excluded in part ... .. Excluded except as applied by rules Excluded ... .. Excluded with saving ... ..	26, s. 50 (2). 32, s. 29 (6). 43, s. 30 (6). 63, s. 77 (1). 67, ss. 61 (2), 64 (2).
c. 50 ...	Local Government (Scotland) Act, 1889.	S. 11 repealed in part ( <i>prosp.</i> )	67, s. 64 (2).
c. 63 ...	Interpretation Act, 1889	S. 11 saved ... .. Ss. 15, 17 repealed in part S. 26 applied (S.) ... .. excluded ... .. S. 38 excluded in part ... .. S. 2 amended ... ..	C.A.M. No. 1, s. 52 (6). 67, s. 76, sch. 4. 65, s. 74 (1). 65, s. 80, sch. 13. 45, s. 83 (3). 64, s. 33. 63, s. 100 (8) (12). 65, ss. 52 (7), 80.
c. 69 ...	Public Bodies Corrupt Practices Act, 1889.	S. 2 amended ... ..	67, s. 76, sch. 4.
53 & 54 Vict. : c. 5 ...	Lunacy Act, 1890 ...	Applied as modified ... .. Extended in part ... .. Excluded ... .. S. 16 applied ( <i>temp.</i> ) ... ..  S. 162 extended ... .. S. 207 (6) explained ... .. S. 2 applied ( <i>retrosp.</i> ) ... ..	58, s. 24 (1). 58, s. 26. 58, s. 26 (6). 29, s. 62 (1), sch. 6, para. 7 (2). 58, s. 62 (6). 58, s. 26 (6). 61, s. 3 (2).
c. 8 ...	Customs and Inland Revenue Act, 1890.	S. 2 applied ( <i>retrosp.</i> ) ... ..	61, s. 3 (2).
c. 37 ...	Foreign Jurisdiction Act, 1890.	S. 5 extended ... ..	38, s. 122.
c. 55 ...	Elections (Scotland) (Corrupt and Illegal Practices) Act, 1890.	Act extended ... .. S. 4 amended ... ..  Ss. 5, 6, 8 repealed in part  S. 9 applied in part as modified. excluded in part and restricted. extended ... .. S. 10 modified in part ... ..  S. 16 repealed in part ... ..  S. 17 amended, repealed in part.  S. 18 modified ... .. extended ... .. S. 20 amended ... ..  repealed in part ... .. S. 21 modified ... ..  S. 22 repealed ... .. S. 23 modified ... ..	44, ss. 9 (2), 10. 65, ss. 43 (3), 80. 65, ss. 52 (2), 75, 80, sch. 12. 65, ss. 43 (1) (a), 75, 80, schs. 12, 13. 65, s. 38 (3) (c). 65, s. 38 (3) (d). 65, ss. 40 (2), 80. 65, ss. 38 (3) (a), 75, 80, sch. 12. 65, ss. 43 (1) (b), 75, 80, schs. 12, 13. 65, ss. 43 (1) (c), (2), 75, 80, schs. 12, 13. 65, s. 38 (3) (a). 65, s. 43 (5) (6). 65, ss. 40 (1), 75, 80, sch. 12. 65, s. 80, sch. 13. 65, ss. 38 (3) (a), 80. 65, s. 80, sch. 13. 65, ss. 38 (3) (a), 56 (4) (b), 80.

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53 & 54 Vict. : c. 55	Elections (Scotland) (Corrupt and Illegal Practices) Act, 1890— <i>cont.</i>	S. 24 extended ... .. S. 25 repealed ... .. S. 28 amended ... .. S. 29 repealed in part ... .. S. 30 extended in part ... .. S. 30 superseded in part... .. S. 32 amended ... .. applied ... .. S. 38 modified in part S. 47 modified in part ... .. S. 51 repealed; sch. I repealed in part.	65, ss. 74, 80 sch. 10 Part I para. 1 (2). 65, s. 80, sch. 13 65, ss. 52 (5), 80 65, s. 80, sch. 13 65, s. 45 (2). 65, ss. 46 (2), 80 65, ss. 38 (3) (1), 75, 80, sch. 12 65, ss. 42 (11), 80 65, ss. 38 (3) (4), 80. 65, s. 40 (4). 65, s. 80, sch. 13
54 & 55 Vict. : c. 17 ...	Charitable Trusts (Recovery) Act, 1891.	Powers transferable to Ministry of Education by O. in C.	40, s. 1 (1).
c. 24 ...	Public Accounts and Charges Act, 1891.	S. 2 extended ... ..	50, s. 3, sch. B
c. 39 ...	Stamp Act, 1891 ...	S. 12 applied ... .. S. 122 extended... .. Sch. I repealed in part... ..	38, s. 52 (2). 38, s. 52 (2). 49, ss. 75, 80, sch. 11 Part I.
c. 49 ...	Returning Officers (Scotland) Act, 1891.	Ss. 2, 5 repealed in part	65, s. 80, sch. 13
c. 65 ...	Lunacy Act, 1891 ...	Applied ... ..	58, s. 24 (1).
c. 69 ...	Penal Servitude Act, 1891	Excluded ... .. Ss. 2-6 repealed (E.) ( <i>prosp.</i> ). S. 8 extended (E.) ... .. S. 10 repealed (E.) ( <i>prosp.</i> )	58, s. 26 (6). 58, s. 83, sch. 10 Part I. 58, s. 48 (7). 58, s. 83, sch. 10 Part I.
55 & 56 Vict. : c. 6 ...	Colonial Probates Act, 1892.	S. 2 saved ( <i>temp.</i> ) ... ..	27, s. 3 (3), sch. 1
c. 32 ...	Clergy Discipline Act, 1892.	S. 1 repealed in part ( <i>prosp.</i> ).	58, s. 83, sch. 10 Part I.
c. 35 ...	Colonial Stock Act, 1892	Excluded ... ..	1 (12 & 13 Geo. 6) s. 1 (1).
c. 55 ...	Burgh Police (Scotland) Act, 1892.	S. 99 repealed in part with saving ( <i>prosp.</i> ); ss. 102, 103 repealed with saving ( <i>prosp.</i> ). S. 514 repealed ... ..	67, s. 76, sch. 4 58, s. 83, sch. 10 Part II.
56 & 57 Vict. : c. 6 ...	Police Disabilities Removal Act, 1893.	Repealed... ..	65, s. 80, sch. 13
c. 39 ...	Industrial and Provident Societies Act, 1893.	S. 28 amended ... .. S. 39 explained ... .. S. 49 repealed in part ... ..	39, s. 18, sch. 5 39, s. 19 (5). 39, ss. 21, 25, sch. 6 Part II.
c. 52 ...	Burghs Gas Supply (Scotland) Act, 1893.	S. 72 amended ... .. Repealed with saving ( <i>prosp.</i> ).	39, s. 20 (1). 67, s. 76, sch. 4
c. 61 ...	Public Authorities Protection Act, 1893	Excluded ... ..	67, s. 14 (1).

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7 & 58 Vict. : c. 12 ... c. 35 ...	Indian Railways Act, 1894 Charitable Trusts (Places of Religious Worship) Amendment Act, 1894.	Saved ... .. Powers transferable to Min. of Education by O. in C.	38, s. 65 (1) (g). 40, s. 1 (1).
c. 36 ...	Valuation of Lands (Scotland) Acts, Amendment Act, 1894.	S. 2 repealed in part ...	26, s. 147, sch. 2 Part III.
c. 47 ...	Building Societies Act, 1894.	S. 16 explained ... ..	39, s. 19 (5).
c. 58 ...	Local Government (Scotland) Act, 1894.	Ss. 30, 54 repealed in part	29, s. 62 (3), sch. 7 Part III.
c. 60 ...	Merchant Shipping Act, 1894.	S. 1 repealed in part ...  S. 79 applied in part as modified ( <i>prosp.</i> ) S. 84 applied in part as modified ( <i>prosp.</i> ) S. 105 repealed in part (E. S.) Ss. 106, 107 repealed (E.S.) S. 126 excluded ( <i>prosp.</i> ) S. 185 repealed (E. S.) ...  S. 210 excluded ( <i>prosp.</i> ) S. 393 repealed in part (E. S.) S. 503 repealed in part ( <i>prosp.</i> ) S. 684 applied ... .. Sch. 6 excluded ( <i>prosp.</i> )	56, s. 31, sch. 4 Part I. 44, ss. 4 (1), 10. 44, ss. 4 (2), 10. 29, s. 62 (3) sch. 7 Part III. 29, s. 62 (3), sch. 7 Part III. 44, ss. 5 (6), 10. 29, s. 62 (3), sch. 7 Part III. 44, ss. 4 (3), 10. 29, s. 62 (3), sch. 7 Part III. 44, ss. 4 (3), 10. 51, s. 2 (4). 44, ss. 4 (3), 10.
58 & 59 Vict. : c. 9 ... c. 40 ... c. 42 ...	Documentary Evidence Act, 1895. Corrupt and Illegal Practices Prevention Act, 1895. Sea Fisheries Regulation (Scotland) Act, 1895.	Applied in part ... .. S. 3 extended in part ( <i>prosp.</i> ). S. 8 restricted ... ..	32, s. 6 (4). 65, s. 51 (1) (d). 51, s. 1 (1).
59 & 60 Vict. : c. 25 ...	Friendly Societies Act, 1896.	Extended in part ... .. S. 8 amended ( <i>prosp.</i> ) ... .. amended ... .. S. 26 amended ... .. excluded in part ... .. S. 30 repealed in part ... .. amended ... .. S. 41 amended ( <i>prosp.</i> ) ... .. Ss. 43, 44 repealed in part.  S. 44 explained ... .. S. 52 repealed in part ... ..  S. 57 amended ... .. S. 58 amended ... .. repealed in part ... ..	39, s. 16 (1), (4). 39, ss. 5 (2) (3). 39, s. 4, sch. 2. 39, s. 20 (1). 39, s. 14. 39, ss. 14 (4), 25, sch. 6 Part II. 39, s. 20. 39, s. 5 (1) (3). 39, ss. 17 (2), 19 (4) (b), 25, sch. 6 Part II. 39, s. 19 (5). 39, ss. 19, 25, sch. 6, Parts I and II. 39, s. 18 (3) (a). 39, s. 18 (1). 39, ss. 18 (3), 25, sch. 6 Part II.

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59 & 60 Vict. : c. 25 ...	Friendly Societies Act, 1896— <i>cont.</i>	S. 59 substituted ... S. 60 amended ... S. 62 superseded ... Ss. 63-66 repealed with saving. S. 63 repealed in part ... S. 68 repealed in part ...	39, s. 18 (2) sch. 5. 39, s. 18 (1). 39, s. 6 (1). 39, s. 6 (2). 39, s. 25, sch. 6 Part II. 39, ss. 21, 25, sch. 6 Part II.
c. 45 ...	Stannaries Court (Abolition) Act, 1896.	Saved ...	38, s. 218 (5).
c. 55 ...	Quarter Sessions (London) Act, 1896.	Extended ...	58, ss. 36 (6) (1), 37 (5) (c).
60 & 61 Vict. : c. 18 ...	Juries Detention Act, 1897.	Repealed... ..	58, s. 83, sch. 10 Part I.
c. 31 ...	Cleansing of Persons Act, 1897.	S. 1 repealed in part (S.)	29, s. 62 (3), sch. 7 Part III.
c. 38 ...	Public Health (Scotland) Act, 1897.	Ss. 69, 70 repealed in part	29, s. 62 (3), sch. 7 Part III.
c. 53 ...	Congested Districts (Scotland) Act, 1897.	Applied and explained ...	45, s. 79.
61 & 62 Vict. : c. 21 ...	Poor Law (Scotland) Act, 1898.	Repealed ...	29, s. 62 (3), sch. 7 Part II.
c. 34 ...	Rivers Pollution Prevention (Border Councils) Act, 1898.	S. 1 amended ( <i>prosp.</i> ) ...	32, s. 37.
c. 36 ...	Criminal Evidence Act, 1898.	S. 2 excluded ...	58, s. 42 (2).
c. 41 ...	Prison Act, 1898 ...	S. 3 extended ... Applicable ... Applied ( <i>prosp.</i> ) ... S. 1 repealed ( <i>prosp.</i> ) ... Ss. 2-3 repealed ... Ss. 4-6, 7 in part, 8, 11, 14 in part repealed ( <i>prosp.</i> )	58, s. 42 (1). 58, s. 48 (5). 58, s. 51. 58, s. 83, sch. 10 Part I. 58, s. 83, sch. 10 Part I. 58, s. 83, sch. 10 Part I.
c. 48 ...	Benefices Act, 1898 ...	Sch. excluded ...	C.A.M. No. 1 s. 59 (2).
c. 60 ...	Inebriates Act, 1898 ...	S. 25 repealed in part (E. S.)	29, s. 62 (3), sch. 7 Part III.
62 & 63 Vict. : c. 14 ...	London Government Act, 1899.	S. 11 repealed in part ...	65, s. 80, sch. 13.
63 & 64 Vict. : c. 23 ...	Poor Removal Act, 1900 Town Councils (Scotland) Act, 1900.	Repealed ... S. 8 repealed in part ( <i>prosp.</i> )	29, s. 62 (3), sch. 7 Part I. 67, s. 76, sch. 4.
1 Edw. 7 : c. 7 ...	Finance Act, 1901 ...	S. 10 applied in part ( <i>mod.</i> )	49, s. 24 (2).
3 Edw. 7 : c. 6 ...	Naval Forces Act, 1903	S. 1 applied in part ... S. 2 repealed ... S. 3 applied ... excluded in part ...	25, s. 1 (2). 25, s. 1 (6). 25, s. 1 (2). 26, s. 132 (11).

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3 Edw. 7 : c. 25 ...	Licensing (Scotland) Act, 1903.	Ss. 5-6, 17 amended ... S. 40 saved ... amended ...	65, ss. 65, 80, sch. 7. 26, s. 132 (11). 65, ss. 65, 80, sch. 7.
c. 33 ...	Burgh Police (Scotland) Act, 1903.	S. 44 repealed in part ...	26, ss. 132 (8), 147, sch. 2, Part V.
c. 46 ...	Revenue Act, 1903 ...	S. 16 amended ( <i>prosp.</i> ) ...	39, s. 19 (4) (b), sch. 6 Part I.
4 Edw. 7 : c. 24 ...	Wireless Telegraphy Act, 1904.	Temporary Act ; see s. 6. Continued.	3 (12 & 13 Geo. 6) s. 1 (1), sch. Part I.
6 Edw. 7 : c. 21 ...	Ground Game (Amendment) Act, 1906.	Repealed (S.) ( <i>prosp.</i> ) ...	45, ss. 48 (5), 87, sch. 10.
c. 47 ...	Trade Disputes Act, 1906	S. 4 excluded ...	66, s. 11 (4).
c. 48 ...	Merchant Shipping Act, 1906.	S. 27 applied ( <i>prosp.</i> ) ... S. 34 extended ( <i>prosp.</i> ) S. 58 excluded ( <i>prosp.</i> ) S. 64 excluded ( <i>prosp.</i> )	44, ss. 6 (1), 10. 44, ss. 7, 10. 44, ss. 5 (6), 10. 44, ss. 4 (3), 10.
c. 55 ...	Public Trustee Act, 1906	S. 2 repealed in part ( <i>prosp.</i> )	58, s. 83, sch. 10 Part I.
7 Edw. 7 : c. 9 ...	Territorial and Reserve Forces Act, 1907.	S. 23 excluded in part ...	64, s. 26 (5).
c. 17 ...	Probation of Offenders Act, 1907.	Repealed (E.) ( <i>prosp.</i> ) ...	58, s. 83, sch. 10 Part I.
c. 23 ...	Criminal Appeal Act, 1907	Applied ... Amended ... S. 4 explained in part ... S. 7 repealed in part ... S. 13 amended ... saved in part ... S. 14 repealed in part ; amended ... Ss. 17, 19 amended ... S. 19 explained ... S. 20 repealed in part ( <i>prosp.</i> )	58, ss. 20 (5) (d), 29 (3) (d). 58, s. 38. 58, s. 38 (3). 58, s. 83, sch. 10 Part I. 58, s. 79, sch. 9. 58, s. 44 (2). 58, s. 83, sch. 10 Part I. 58, ss. 38 (1), 79, sch. 9. 58, s. 79, sch. 9. 58, s. 38 (6). 58, s. 83, sch. 10 Part I.
c. 51 ...	Sheriff Courts (Scotland) Act, 1907.	S. 12 repealed in part ... S. 21 repealed in part ...	10, (12 & 13 Geo. 6.), s. 5, sch. 65, ss. 17 (8), 80, sch. 13.
c. 53 ...	Public Health Acts, Amendment Act, 1907.	S. 76 repealed in part with saving.	26, ss. 132 (8), 147, sch. 2, Part V.
8 Edw. 7 : c. 15 ...	Costs in Criminal Cases Act, 1908.	Applied ... Extended ... S. 1 amended ... extended ...	58, ss. 20 (5) (c), 24 (3), 26 (5), 29 (3) (c). 58, s. 44 (7). 58, s. 79, sch. 9. 58, s. 44.

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8 Edw. 7 : c. 39 ...	Endowed Schools (Masters) Act, 1908.	Applied as modified ...	40, s. 2 (1).
c. 47 ...	Lunacy Act, 1908 ...	Applied as modified ... Excluded ...	58, s. 24 (1). 58, s. 26 (6).
c. 59 ...	Prevention of Crime Act, 1908.	S. 1 extended ...	29, s. 49.
c. 65 ...	Summary Jurisdiction (Scotland) Act, 1908.	Repealed so far as unrepealed (E.). S. 4 repealed in part ...	58, s. 83, sch. 10 Part I. 29, s. 62 (3), sch. 7 Part III.
c. 66 ...	Public Meeting Act, 1908	S. 1 amended ...	65, ss. 40 (3), 80.
9 Edw. 7 : c. 7 ...	Labour Exchange Act, 1909.	Repealed with saving ...	46, s. 21 (2), sch. 2.
c. 40 ...	Police Act, 1909 ...	S.2 repealed with saving	26, s. 147, sch. : Part IV.
c. 49 ...	Assurance Companies Act, 1909.	Saved in part ... Saved ... S. 7 saved in part ...	38, s. 433 (6). 38, s. 459 (9). 38, s. 127 (4).
10 Edw. 7 & 1 Geo. 5.	Licensing (Consolidation) Act, 1910.	S. 35 repealed in part ...	58, ss. 79, 83, sch. 10 Part I.
1 & 2 Geo. 5 : c. 6 ...	Perjury Act, 1911 ...	Saved ...	38, s. 438, proviso (b).
c. 7 ...	Municipal Elections (Corrupt and Illegal Practices) Act, 1911.	S. 1 extended in part ... modified in part (ex. London).	65, s. 51 (1) (d). 65, ss. 38 (3) (d), 56 (4) (b), 80.
c. 26 ...	Telephone Transfer Act, 1911.	S. 5 extended ...	16, s. 1 (4).
c. 27 ...	Protection of Animals Act, 1911.	S. 14 amended ...	58, s. 79, sch. 9.
c. 28 ...	Official Secrets Act, 1911	S. 10 repealed in part ...	58, s. 83, sch. 10 Part I.
c. 49 ...	Small Landholders (Scotland) Act, 1911 ...	Applied (Land Court) ... S. 3 amended ... S. 5 repealed in part ... S. 8 amended ...	45, s. 72. 45, s. 70 (1). 45, s. 87, sch. 10. 45, s. 66 (1).
2 & 3 Geo. 5 : c. 14 ...	Protection of Animals (Scotland) Act, 1912.	S. 7 excluded in part ( <i>prosp.</i> )	45, s. 49.
c. 20 ...	Criminal Law Amendment Act, 1912.	S. 3 repealed (E. S.) ... S. 7 repealed in part (E. S.).	58, ss. 81, 83, sch. 10 Part II. 58, ss. 81, 83, sch. 10 Part II.
3 & 4 Geo. 5 : c. 6 ...	Extension of Polling Hours Act, 1913.	Repealed... ..	65, s. 80, sch. 13.
c. 20 ...	Bankruptcy (Scotland) Act, 1913.	Ss. 45-62 applied ... Ss. 96, 105 applied ... Ss. 108-113, 116 applied S. 118 extended... S. 153 applied as modified.	38, s. 318 (a). 38, s. 318 (b). 38, s. 327 (1) (c). 64, s. 56. 38, s. 344.
c. 27 ...	Forgery Act, 1913 ...	S. 12 repealed in part ( <i>prosp.</i> ) (E.).	58, s. 83, sch. 10 Part I.

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& 4 Geo. 5 : c. 28 ...	Mental Deficiency Act, 1913.	Excluded ... S. 1 (1) (c) amended ... S. 2 repealed in part ... S. 2 (1) (b) (iii) amended ( <i>prosp.</i> ) S. 2 (1) (b) (v) amended Ss. 4, 9 amended ... S. 16 excluded in part ... S. 25 repealed in part ( <i>prosp.</i> ) S. 30 repealed in part ...	58, s. 26 (6). 40, s. 11, sch. 1 Part II. 29, s. 62 (3), sch. 7 Part III. 58, s. 79, sch. 9. 40, s. 11, sch. 1 Part II. 58, s. 79, sch. 9. 58, s. 64 (3). 58, s. 83, sch. 10 Part I. 29, s. 62 (3), sch. 7, Part III.
c. 31 ...	Industrial and Provident Societies (Amendment) Act, 1913.	S. 44 amended ( <i>prosp.</i> )... S. 2 amended ... S. 6 amended ...	58, s. 79, sch. 9. 39, s. 20 (1). 39, s. 18, sch. 5.
c. 33 ...	Temperance (Scotland) Act, 1913.	Excluded .. S. 3 amended ...	26, s. 132 (11). 65, ss. 65, 80, sch. 7.
c. 38 ...	Mental Deficiency and Lunacy (Scotland) Act, 1913.	Ss. 3, 15 repealed in part	29, s. 62 (3), sch. 7, Part III.
4 & 5 Geo. 5 : c. 12 ...	Aliens Restriction Act, 1914.	S. 1 amended ...	56, s. 3 (3).
c. 17 ...	British Nationality and Status of Aliens Act, 1914.	Ss. 1-16 repealed with saving. Ss. 17-18 repealed in part Ss. 19-26 repealed with saving. S. 27 repealed in part with saving. S. 28 repealed in part ... Schs. 1-2 repealed with saving. S. 1 repealed in part with saving.	56, s. 34, sch. 4 Part II. 56, s. 34, sch. 4 Part II. 56, s. 34, sch. 4 Part II. 56, s. 34, sch. 4 Part II. 56, s. 34, sch. 4 Part II. 56, s. 34, sch. 4 Part II. 24, s. 3, sch. 1 Part I.
c. 34 ...	Police Reservists (Allow- ances) Act, 1914.	Powers transferable to Min. of Education by O. in C.	40, s. 1 (1).
c. 56 ...	Charitable Trusts Act, 1914.	S. 3 amended (E.) ...	58, s. 79, sch. 9.
c. 58 ...	Criminal Justice Adminis- tration Act, 1914.	S. 4 amended (E.)( <i>prosp.</i> ) Ss. 7-9 repealed (E.) ( <i>prosp.</i> ) Ss. 10-11 repealed (E.) S. 15 repealed (E.) ... S. 16 repealed (E.) ( <i>prosp.</i> ) S. 17 repealed in part (E.)	58, s. 79, sch. 9. 58, s. 83, sch. 10 Part I. 58, s. 83, sch. 10 Part I. 58, ss. 79, 83, schs. 9, 10, Part I. 58, s. 83, sch. 10 Part I. 58, s. 83, sch. 10 Part I.

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4 & 5 Geo. 5: c. 58	Criminal Justice Administration Act, 1914— <i>cont.</i>	Ss. 26, 36 repealed (E.) ( <i>prosp.</i> )	58, s. 83, sch. 10 Part I.
c. 59 ...	Bankruptcy Act, 1914 ...	S. 37 repealed in part (E.) ( <i>prosp.</i> )	58, s. 83, sch. 10 Part I.
c. 80 ...	Police Constables (Naval and Military Service) Act, 1914.	S. 33 extended ... S. 153 applied ... Repealed with saving ...	64, s. 48. 38, s. 343 (2). 24, s. 3, sch. 1 Part I.
5 & 6 Geo. 5: c. 90 ...	Indictments Act, 1915...	S. 4 repealed in part ...	58, ss. 81, 82, 83, sch. 10.
6 & 7 Geo. 5: c. 11 ...	Finance (New Duties) Act, 1916.	Ss. 4, 6 repealed ...	49, ss. 13, 82 sch. 11 Part I.
c. 24 ...	Finance Act, 1916 ...	Ss. 7, 9 repealed ...	49, ss. 13, 82, sch. 11 Part I.
c. 25 ...	Gas (Standard of Caloric Power) Act, 1916.	Repealed with saving ( <i>prosp.</i> ).	67, s. 76, sch. 4
c. 31 ...	Police, Factories, etc. (Miscellaneous Provisions) Act, 1916.	S. 12 repealed (E.) ...	58, s. 83, sch. 10 Part I.
c. 38 ...	Small Holding Colonies Act, 1916.	Applied (S.) ...	45, s. 64.
c. 50 ...	Larceny Act, 1916 ...	S. 2 repealed in part (E.)	58, s. 83, sch. 10 Part I.
		Ss. 16-17, 23, 29, 33-34, 37 repealed in part (E.).	58, s. 83, sch. 10 Part I.
		S. 37 repealed in part (E.) ( <i>prosp.</i> ).	58, s. 83, sch. 10 Part I.
		repealed in part (E.)	58, s. 83, sch. 10 Part I.
c. 68 ...	New Ministries and Secretaries Act, 1916. Air Force Act, 1917 ...	Sch. repealed in part ... <i>Act reprinted periodically as amended</i>	46, s. 21, sch. 2.
7 & 8 Geo. 5: c. 64 ...	Representation of the People Act, 1918.	Repealed, except ss. 19, 21 in part, 42, 43 and sch. 6 in part.	65, s. 80, sch. 13.
c. 65 ...	Redistribution of Seats (Ireland) Act, 1918.	Repealed... ..	65, s. 80, sch. 13.
8 & 9 Geo. 5: c. 13 ...	Horsebreeding Act, 1918	Extended, except ss. 2 (2), 4 ( <i>prosp.</i> ). S. 1 repealed ( <i>prosp.</i> ) ... S. 2 amended ( <i>prosp.</i> ) ...	35, s. 5 (5). 35, s. 13, sch. 35, ss. 2 (5), 3 (1), 4, 5, 6 (2), 8 (1), 13 and sch. 35, s. 13, sch. 35, s. 8 (3) (a). 35, s. 3 (3). 35, s. 5 (5). 35, s. 13, sch. 35, s. 13, sch. 35, ss. 6 (2), 13, sch.
		S. 3 repealed in part ( <i>prosp.</i> ). applied in part ( <i>prosp.</i> )	35, s. 13, sch.
		S. 4 applied ( <i>prosp.</i> ) ... excluded ( <i>prosp.</i> ) ... amended ( <i>prosp.</i> ) ...	35, s. 8 (3) (a). 35, s. 3 (3). 35, s. 5 (5). 35, s. 13, sch.
		S. 5 repealed in part ( <i>prosp.</i> ).	35, s. 13, sch.
		S. 6 amended ( <i>prosp.</i> ) ...	35, ss. 6 (2), 13, sch.



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19 Geo. 5 : 13 ...	Horsebreeding Act, 1918 —cont.	S. 8 repealed in part ( <i>prosp.</i> ). S. 10 repealed in part ( <i>prosp.</i> ). S. 11 extended in part ( <i>prosp.</i> ). repealed in part ( <i>prosp.</i> ) S. 13 repealed in part ( <i>prosp.</i> )	35, s. 13, sch. 35, s. 13, sch. 35, s. 12 (1). 35, ss. 12 (2), 13 (5), sch. 35, s. 13, sch.
26 ...	Small Holding Colonies (Amendment) Act, 1918.	Applied (S.) ... ..	45, s. 64.
38 ...	British Nationality and Status of Aliens Act, 1918.	Repealed with saving ...	56, s. 34, sch. 4, Part II.
40 ...	Income Tax Act, 1918...	S. 32 amended in part ... excluded in part ... repealed in part ...  S. 34 amended ... ..  S. 39 amended ... .. S. 105 applied as modified. extended and applied. S. 149 applied ... .. S. 222 applied ... .. Sch. I amended... ..  extended in part ... applied in part as modified.	49, s. 29. 49, s. 29 (6) (a). 49, ss. 29 (1), (6), (c), 82, sch. 11 Part II. 49, s. 82, sch. 11 Part II. 49, s. 36. 49, s. 39 (1). 49, s. 43 (1). 49, s. 60 (7). 49, s. 55 (5). 49, s. 82, sch. 11 Part II. 49, s. 34 (3). 49, s. 39 (1).
45 ...	Burghs Gas Supply (Scotland) Amendment Act, 1918.	Repealed with saving ( <i>prosp.</i> ).	67, s. 76, sch. 4.
50 ...	Representation of the People (Amendment) Act, 1918.	Repealed ... ..	65, s. 80, sch. 13.
10 Geo. 5 : 8 ...	Representation of the People (Returning Officers' Expenses) Act, 1919.	Repealed ... ..	65, s. 80, sch. 13.
20 ...	Scottish Board of Health Act, 1919.	S. 4 repealed in part ...	29, s. 62 (3), sch. 7 Part III.
46 ...	Police Act, 1919 ...	S. 4 repealed in part ...  S. 5 repealed with saving  S. 7 repealed with saving  S. 14 repealed in part ...	24, s. 3, sch. 1 Part I. 24, s. 3, sch. 1 Part I. 26, s. 147, sch. 2 Part IV. 24, s. 3, sch. 1 Part I.
57 ...	Acquisition of Land (Assessment of Compensation) Act, 1919.	S. 5 excluded in part (S.) ( <i>prosp.</i> ).	45, s. 31 (3).

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9 & 10 Geo. 5: c. 92 ...	Aliens Restriction (Amendment) Act, 1919.	Amended ... S. 1 continued ...	56, s. 3 (3). 3 (12 & 13 Geo. 6) s. 1 (1), sch. Part I.
c. 97 ...	Land Settlement (Scotland) Act, 1919.	Part I applied ...	45, s. 64.
10 & 11 Geo. 5: c. 17 ...	Increase of Rent and Mortgage Interest (Restrictions) Act, 1920.	Excluded ...	63, s. 95, sch. 7.
c. 18 ...	Finance Act, 1920 ...	S. 3 amended ( <i>retrosp.</i> )... S. 18 amended ... Sch. 1 amended ( <i>retrosp.</i> ) Sch. 2 amended ( <i>temp.</i> ).	49, s. 3 sch. 3. 49, s. 27 (3). 45, s. 3, sch. 3. 49, s. 18 (1) (2).
c. 20 ...	Veterinary Surgeons Act, (1881) Amendment Act, 1920.	S. 2 repealed ... S. 4 superseded ...	52, s. 25 (5). 52, s. 8.
c. 23 ...	War Pensions Act, 1920	S. 7 repealed in part ... (E.)	58, s. 83, sch. 10 Part I.
c. 26 ...	Sheriffs (Ireland) Act, 1920.	S. 2 repealed in part ...	65, s. 80, sch. 13.
c. 28 ...	Gas Regulation Act, 1920	Repealed with saving ( <i>prosp.</i> )	67, s. 76, sch. 4.
c. 35 ...	Representation of the People (No. 2) Act, 1920.	Repealed ...	65, s. 80, sch. 13
c. 49 ...	Blind Persons Act, 1920	Repealed (E. S.) ...	29, s. 62 (3), sch. 7 Part III.
c. 67 ...	Government of Ireland Act, 1920.	Excluded ... S. 4 saved in part ... S. 6 excluded ... amended ... S. 19 repealed ... S. 63 saved ... S. 71 repealed ... Sch. 5 repealed in part ...	39, s. 17 (3): 49, s. 77 (5). 52, s. 30. 52, s. 30. 29, s. 67 (1). 65, s. 80, sch. 13. 64, s. 57 (2). 65, s. 80, sch. 13. 65, s. 80, sch. 13.
c. 72 ...	Roads Act, 1920 ...	S. 13 excluded in part ( <i>temp.</i> )	34, s. 5 (2).
c. 81 ...	Administration of Justice Act, 1920.	Part II saved ( <i>temp.</i> ) ...	27, s. 3 (3) sch. 2.
11 & 12 Geo. 5: c. 31 ...	Police Pensions Act, 1921	Repealed (except ss. 10 ( <i>temp.</i> ), 22 (2), 30 in part, 35 (1) and sch. 3) with saving. S. 10 saved ( <i>temp.</i> ) ... S. 14 repealed in part ... S. 22 continued in part ...	24, ss. 3, 4 (3), sch. 1 Part I and S.Is. Nos. 1530 r. 63, 1531 r. 66. S.I. No. 1531 r. 66. 24, ss. 3 (1) (d), (4), sch. 1 Part I. 29, s. 62 (3), sch. 7 Part III. S.I. No. 1531 r. 66.
c. 32 ...	Finance Act, 1921 ...	S. 30 repealed in part ...	49, s. 82, sch. 17 Part II.

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11 & 12 Geo. 5 : c. 34 ...	Representation of the People Act, 1921.	Repealed ... ..	65, s. 80, sch. 13.
c. 39 ...	Admiralty Pensions Act, 1921.	S. 2 repealed in part (E.)	58, s. 83, sch. 10 Part I.
c. 42 ...	Licensing Act, 1921 ...	S. 21 amended ... ..	65, ss. 65, 80, sch. 7.
c. 47 ...	Safeguarding of Industries Act, 1921.	Continued to 19th August, 1951.	49, s. 8.
c. 48 ...	Corn Production Acts (Repeal) Act, 1921.	Sch. applied in part as modified (S.) ( <i>prosp.</i> )	45, s. 51.
c. 64 ...	Poor Law Emergency Provisions (Scotland), Act, 1921.	Repealed ... ..	29, s. 62 (3), sch. 7 Part II.
12 & 13 Geo. 5 : c. 11 ...	Juries Act, 1922 ...	Modified ... ..	65, ss. 74, 80, sch. 10, Part II, para. 7 (2).
		S. 2 modified ... ..	65, s. 74, sch. 10, Part II para. 7 (2) (c).
c. 12 ...	Representation of the People Act, 1922.	Repealed ... ..	65, s. 80, sch. 13.
c. 17 ...	Finance Act, 1922 ...	S. 21 extended ... ..	49, s. 59 (1).
c. 31 ...	Universities (Scotland) Act, 1922.	S. 2 repealed in part ...	c. 65, s. 80, sch. 13.
c. 41 ...	Representation of the People (No. 2) Act, 1922.	Repealed... ..	65, s. 80, sch. 13.
c. 44 ...	British Nationality and Status of Aliens Act, 1922.	Repealed with saving ...	56, s. 34, sch. 4 Part II.
c. 51 ...	Allotments Act, 1922 ...	Saved ... ..	63, s. 100 (10).
c. 60 ...	Lunacy Act, 1922 ...	Applied as modified ...	58, s. 24 (1).
		Excluded ... ..	58, s. 26 (6).
13 & 14 Geo. 5 : c. 6 ...	Local Authorities (Emergency Provisions) Act, 1923.	Repealed so far as unrepealed.	29, s. 62 (3), sch. 7 Part II.
c. 8 ...	Industrial Assurance Act, 1923.	Extended ... ..	39, s. 16 (2) (3).
		S. 3 amended ... ..	39, ss. 1, 2, 4, sch. 2.
		S. 4 repealed in part with saving repealed in part ...	39, s. 6 (2).
		S. 8 modified ( <i>prosp.</i> ) ...	39, s. 25, sch. 6 Part II.
		S. 9 repealed ... ..	39, s. 11 (1) (3) (4).
		S. 9 repealed ... ..	39, ss. 10 (4), 25, sch. 6 Part II.
		S. 15 amended ... ..	39, s. 20 (1).
		S. 16 applied ... ..	39, s. 13 (3).
		S. 20 amended ( <i>prosp.</i> )... ..	39, ss. 1, 2, 4, sch. 2.
		excluded in part ...	39, s. 9 (2).
		S. 21 repealed ( <i>prosp.</i> )	39, ss. 12 (1), 25, sch. 6 Part II.
		S. 28 repealed ... ..	39, ss. 22, 25, sch. 6 Part II.
		S. 32 repealed in part ...	39, s. 25, sch. 6 Part II.

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13 & 14 Geo. 5 : c. 8 ...	Industrial Insurance Act, 1923— <i>cont.</i>	Sch. 1 extended ( <i>prosp.</i> ) repealed in part...	39, s. 11 (1) (2) (4). 39, ss. 10 (4), 22, 25, sch. 9, Part II.
		Sch. 3 repealed ( <i>prosp.</i> )...	39, s. 25, sch. 9, Part II.
c. 9 ...	Agricultural Holdings Act, 1923.	Repealed with saving ...	63, ss. 98-100, sch. 8.
c. 10 ...	Agricultural Holdings (Scotland) Act, 1923.	Applied in part... ..	45, ss. 29 (7), 32 (7), 33 (8).
		Saved in part ... ..	45, s. 22 (1) (2).
		S. 1 amended ... .. repealed in part ... ..	45, s. 24, schs. 9, 10. 45, s. 87, schs. 9, 10.
		S. 3 repealed in part ... .. amended ... ..	45, ss. 24, 87, sch. 9, para. 2 (b), sch. 10.
		S. 4 repealed ... ..	45, s. 24, sch. 9
		S. 4 repealed ... .. S. 5 amended ... .. repealed in part ... ..	45, s. 87, sch. 10. 45, s. 24, sch. 9 45, ss. 24, 87, schs. 9, 10.
		S. 6 repealed ... ..	45, ss. 22 (7), 87, sch. 10.
		S. 7 repealed ... ..	45, s. 87, sch. 10.
		S. 9 amended ... .. S. 10 repealed; s. 11 repealed in part.	45, s. 24, sch. 9, para. 4. 45, ss. 4 (7), 24, 87, schs. 9, 10.
		S. 11 amended ... ..	45, s. 24, sch. 9
		Ss. 12-14 repealed ... .. S. 15 saved ( <i>prosp.</i> ) ... .. amended ... .. applied ( <i>prosp.</i> ) ... ..	45, ss. 5 (8), 87, sch. 10. 45, s. 22 (1) (2). 45, s. 22 (7). 45, ss. 29 (7), 32 (7), 33 (8).
		repealed in part ... .. Ss. 16, 17 saved ( <i>prosp.</i> )	45, ss. 22 (7), 87, sch. 10. 45, s. 22 (1) (2).
		S. 17 amended ... ..	45, s. 23 (1).
		repealed in part ... ..	45, s. 87, sch. 10.
		Ss. 18, 19 saved ( <i>prosp.</i> )	45, s. 22 (1) (2).
		S. 19 repealed in part ... ..	45, s. 87, sch. 10.
		S. 20 saved ( <i>prosp.</i> ) ... ..	45, s. 22 (1) (2).
		S. 21 amended ... ..	45, s. 24, sch. 9.
		S. 22 repealed ... .. S. 23 amended ... ..	45, ss. 24, 87, schs. 9, 10. 45, s. 24, sch. 9, para. 8.
		S. 24 repealed; s. 25 in part repealed.	45, ss. 24, 87, schs. 9, 10.
		S. 26 amended ... ..	45, ss. 6, 24, sch.
		S. 27 repealed ... ..	9, para. 10.
		S. 28 amended ... ..	45, s. 87, sch. 10.
		repealed in part ... ..	45, s. 24, sch. 9, para. 11.
		S. 29 amended ... ..	45, ss. 24, 87, sch. 9, para. 11, sch. 10.
		S. 29 amended ... ..	45, s. 24, sch. 9.

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13 & 14 Geo. 5 : c. 10 ...	Agricultural Holdings (Scotland) Act, 1923— <i>cont.</i>	S. 30 extended in part amended... ..	45, s. 24, sch. 9, para. 13 (a). 45, s. 24, sch. 9, para. 13 (b) (c).
		S. 32 extended ... ..	45, s. 19.
		S. 33 amended ... ..	45, s. 24, sch. 9.
		Ss. 33, 34 repealed in part	45, s. 87, sch. 10.
		S. 35 restricted in part, amended and explained.	45, s. 24, sch. 9, para. 16.
		S. 37 applied ... ..	45, s. 13.
		amended ... ..	45, s. 24, sch. 9, para. 17.
		S. 39 repealed in part ...	45, ss. 24, 87, schs. 9, 10.
		S. 40 amended ... ..	45, s. 24, sch. 9.
		extended ... ..	45, s. 25 (2).
		S. 41 repealed ... ..	45, ss. 24, 87, schs. 9, 10.
		Ss. 44, 45 repealed ... ..	45, s. 87, sch. 10.
		S. 46 excluded ... ..	45, s. 22 (6).
		explained ... ..	45, ss. 20 (3), 32 (6).
		S. 49 amended ... ..	45, s. 24, sch. 9.
		repealed in part ... ..	45, ss. 24, 87, schs. 9, 10.
		Sch. 1 substituted ... ..	45, s. 2 (1), sch. 1.
		excluded ... ..	45, s. 1 (1).
		Sch. 2 amended... ..	45, ss. 24, 84, sch. 9.
c. 13 ...	Rent Restrictions (Notices of Increase) Act, 1923.	Sch. 3 amended... ..	45, s. 24, sch. 9.
		Excluded (E.) ... ..	63, s. 95, sch. 7.
c. 16 ...	Salmon and Freshwater Fisheries Act, 1923.	Part IV restricted ... ..	32, s. 4, sch. 3, para. 8.
		Part V applied ... ..	32, s. 4, sch. 3, para. 7.
		Part VI applied... ..	32, s. 4, sch. 3, para. 7.
		Part VIII extended ... ..	32, s. 4, sch. 3, para. 11.
		S. 38 amended ... ..	32, s. 4, sch. 3, para. 7; 43, s. 2 (c).
		saved ... ..	32, s. 13 (3).
		S. 39 extended ... ..	32, s. 4, sch. 3 para. 8.
		S. 41 excluded ... ..	32, s. 4, sch. 3 para. 8.
		S. 43 excluded ... ..	32, s. 4, sch. 3 para. 10.
		S. 44 applied ... ..	32, s. 4, sch. 3 para. 9.
		Ss. 45-53 excluded ... ..	32, s. 4, sch. 3 para. 10.
		Ss. 55-58 excluded in part	32, s. 4, sch. 3 para. 10.
		S. 59 explained in part...	32, s. 34 (2).
		S. 60 excluded ... ..	32, s. 4, sch. 3 para. 10.
		S. 64 extended in part ...	32, s. 4, sch. 3 para. 11.

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13 & 14 Geo. 5 : c. 16 ...	Salmon and Freshwater Fisheries Act, 1923— <i>cont.</i>	S. 65 excluded in part ... S. 66 excluded ... S. 67 excluded in part ... S. 68 excluded ... S. 81 excluded in part ... S. 84 repealed ... S. 85 repealed in part ... S. 88 excluded ... Sch. 2 extended... Sch. 3 excluded ... Sch. 4 repealed ...	32, s. 4, sch. 3 para. 10. 32, s. 4, sch. 3 para. 10. 32, s. 4, sch. 3 para. 11. 32, s. 4, sch. 3 para. 10. 32, s. 4, sch. 3 para. 12. 32, s. 37 (4). 32, s. 37 (4). 32, s. 4, sch. 3 para. 10. 32, s. 4, sch. 3 para. 8. 32, s. 4, sch. 3 para. 10. 32, s. 37 (4).
c. 18 ...	War Memorials (Local Authorities' Powers) Act, 1923.	Extended (S.) ... S. 1 amended and extended.	26, s. 133 (3). 26, s. 133 (1) (2).
c. 23 ...	Bastardy Act, 1923 ...	S. 3 repealed ...	29, s. 62 (3), sch. 7 Part III.
c. 25 ...	Agriculture (Amendment) Act, 1923.	Repealed (with savings) (E.).	63, ss. 98-100, sch. 8.
c. 32 ...	Rent and Mortgage Interest Restrictions Act, 1923.	Excluded ...	63, s. 95, sch. 7.
14 & 15 Geo. 5 : c. 9 ...	Poor Law Emergency Provisions Continuance (Scotland) Act, 1924.	Repealed... ..	29, s. 62 (3), sch. 7 Part II.
c. 11 ...	Friendly Societies Act, 1924.	S. 2 (1) (substituting s. 62 of 59 & 60 V. c. 25) superseded.	39, s. 6 (2).
c. 18 ...	Prevention of Eviction Act, 1924.	Excluded ...	63, s. 95, sch. 7.
c. 21 ...	Finance Act, 1924 ...	S. 10 repealed ... S. 18 extended ( <i>temp.</i> ), amended ( <i>temp.</i> ) ...	49, s. 82, sch. 11 Part I. 34, s. 5 (3) (c). 49, s. 18 (3).
c. 37 ...	Agricultural Wages (Regulation) Act, 1924.	Repealed... ..	47, s. 20, sch. 5.
15 & 16 Geo. 5 : c. 18 ...	Settled Land Act, 1925	Applied ... ..	C.A.M. No. 1, s. 39 (1) (A). 63, s. 81 (1).
c. 19 ...	Trustee Act, 1925 ...	Sch. 3 extended ... S. 2 excluded in part ...	C.A.M. No. 1, s. 40 (1).
c. 20 ...	Law of Property Act, 1925.	S. 7 repealed in part (E.) ( <i>prosp.</i> ). S. 99 excluded in part ... S. 140 repealed in part with saving.	58, s. 83, sch. 10 Part I. 63, s. 95, sch. 7. 63, ss. 98-100, sch. 8.
c. 21 ...	Land Registration Act, 1925.	S. 167 saved ... Applied ... ..	63, s. 85 (b). 67, s. 21 (4).

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15 & 16 Geo. 5: c. 22 ...	Land Charges Act, 1925	S. 10 amended ... applied ...	63, s. 95, sch. 7. 67, s. 21 (4).
c. 27 ...	Charitable Trusts Act, 1925.	S. 15 applied in part ... Powers transferable to Min. of Education by O. in C.	17, s. 14 (4). 40, s. 1 (1).
c. 35 ...	Poor Law Emergency Provisions Continuance (Scotland) Act, 1925.	Repealed...	29, s. 62 (3), sch. 7 Part II.
c. 36 ...	Finance Act, 1925 ...	S. 15 amended ...	49, s. 27 (2).
c. 45 ...	Guardianship of Infants Act, 1925.	S. 4 amended ... S. 7 repealed in part ...	43, s. 50. 43, s. 60, sch. 4 Part I.
c. 49 ...	Supreme Court of Judicature (Consolidation) Act, 1925.	S. 68 amended ... S. 99 extended ... S. 188 repealed in part...	20, s. 1. 58, s. 37 (4). 56, s. 31, sch. 4 Part I.
c. 59 ...	Teachers (Superannuation) Act, 1925.	Extended ... S. 3 amended ( <i>retrosp.</i> )... S. 14 extended ( <i>retrosp.</i> ). S. 21 amended and explained.	33, s. 12 (1). 33, s. 8 (1). 33, s. 12 (2) (3). 33, s. 9 (1) (2).
c. 71 ...	Public Health Act, 1925	S. 56 repealed with saving	26, ss. 132 (8), 147, sch. 2 Part V.
		S. 70 repealed in part with saving.	26, ss. 132 (8), 147, sch. 2, Part V.
c. 86 ...	Criminal Justice Act, 1925.	Ss. 1-10 repealed ( <i>prosp.</i> ). S. 12 amended ... repealed in part (E.) ( <i>prosp.</i> ). S. 24 extended ... repealed in part. ...	58, s. 83, sch. 10 Part I. 58, s. 79, sch. 9. 58, s. 83, sch. 10 Part I. 58, s. 29 (1) 58, ss. 79, 83, schs. 9, 10, Part I.
		amended ...	58, s. 79, sch. 9.
		Ss. 25, 46 repealed (E.) ( <i>prosp.</i> ). Sch. 2 amended...	58, s. 83, sch. 10 Part I. 58, s. 79, sch. 9.
c. 90 ...	Rating and Valuation Act, 1925.	S. 1 repealed in part ( <i>prosp.</i> ). S. 5 repealed ( <i>prosp.</i> ) ...	} 26, s. 147, sch. 2 Part II.
		S. 6 extended (London) ( <i>prosp.</i> ). S. 9 extended as modified (London). applied as modified (Met. Police). excluded ...	
		S. 11 amended ( <i>retrosp.</i> ) repealed in part ( <i>prosp.</i> ). applied ( <i>prosp.</i> ) ...	26, s. 54 (2). 26, s. 120 (1) (2). 26, s. 121 (4). 26, s. 121 (7). 26, s. 122. 26, s. 147, sch. 2 Part II. 26, s. 66 (1).
		S. 14 repealed ( <i>prosp.</i> ) ... S. 15 extended (London) ( <i>prosp.</i> ).	26, s. 147, sch. 2 Part II. 26, s. 54 (2).

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15 & 16 Geo. 5 : c. 90	Rating and Valuation Act, 1925— <i>cont.</i>	Ss. 16-19, 23, 25-47, 57 repealed ( <i>prosp.</i> ); ss. 24, 53-5, 64 repealed in part ( <i>prosp.</i> ). S. 59 extended (London) ( <i>prosp.</i> ). S. 60 extended and applied (London). S. 64 extended (London) ( <i>prosp.</i> ). repealed in part with saving. Schs. 1, 4, 5 repealed ( <i>prosp.</i> ).	26, ss. 70, 147, schs. 1, 2 Part II. 26, s. 63 (1). 26, s. 61 (2) (a). 26, s. 65. 26, s. 147, sch. 2 Part IV. 26, s. 147, sch. 2 Part II.
16 & 17 Geo. 5 : c. 9	Economy (Miscellaneous Provisions) Act, 1926.	Part III repealed ... Part V extended ... S. 13 applied in part as modified. S. 14 applied ... Sch. 3 repealed ...	65, s. 80, sch. 13. 38, s. 210 (5). 38, s. 170 (5).
c. 11	Law of Property (Amendment) Act, 1926.	S. 2 repealed with saving	63, ss. 98-100, sch. 8.
c. 13	Criminal Justice (Amendment) Act, 1926.	S. 4 applied ...	17, s. 14 (3).
c. 22	Finance Act, 1926	Repealed (E.) ( <i>prosp.</i> ) ...	58, s. 83, sch. 10 Part I.
c. 22	Finance Act, 1926	S. 7 extended in part ...	49, s. 7.
c. 29	Adoption of Children Act, 1926.	Ss. 34, 35 amended ...	49, s. 82, sch. 11 Part II.
c. 29	Adoption of Children Act, 1926.	S. 5 explained ...	39, s. 23 (3).
c. 34	Police Pensions Act, 1926.	Repealed with savings ...	24, s. 3, sch. 1 Part I.
c. 58	Penal Servitude Act, 1926	Repealed (E.) ( <i>prosp.</i> ) ...	58, s. 13, sch. 10 Part I.
c. 60	Legitimacy Act, 1926	S. 2 repealed in part ...	56, s. 34, sch. 4 Part II.
c. 62	Palestine and East Africa Loans Act, 1926.	Title repealed in part ...	27, s. 3 (1), sch. 1.
c. 62	Palestine and East Africa Loans Act, 1926.	S. 1 repealed in part ...	27, s. 3 (1) (2), sch. 1.
c. 62	Palestine and East Africa Loans Act, 1926.	S. 2 repealed in part ...	27, s. 3 (1), sch. 1.
C.A.M. No. 6	Clergy Pensions Measure, 1926.	Sch. 1 repealed ...	27, s. 3 (1), sch. 1.
C.A.M. No. 6	Clergy Pensions Measure, 1926.	Repealed...	C.A.M. No. 1, s. 63, sch. 8.
17 & 18 Geo. 5 : c. 3	Poor Law Emergency Provisions (Scotland) Act, 1927.	Repealed...	29, s. 62 (3), sch. 7 Part II.
c. 10	Finance Act, 1927	S. 6 amended ( <i>retrosp.</i> )	49, s. 5 (1), sch. 5.
c. 10	Finance Act, 1927	S. 36 applied in part ...	49, s. 61 (2).
c. 10	Finance Act, 1927	S. 40 amended ...	49, ss. 28 (1) (2), 29 (1) (4).
c. 10	Finance Act, 1927	S. 55 applied as modified ( <i>retrosp.</i> ).	49, s. 73 (1).
c. 23	Crown Lands Act, 1927	S. 15 applied ...	63, s. 87 (3).
c. 29	Cinematograph Films Act, 1927.	Repealed ...	23, s. 9, sch. 1, Part II.
c. 33	Mental Deficiency Act, 1927.	S. 5 amended ...	58, s. 79, sch. 9.



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17 & 18 Geo. 5 : C.A.M. No. 2	Clergy Pensions (Amendment) Measure, 1927.	Repealed... ..	C.A.M. No. 1, s. 63, sch. 8.
18 & 19 Geo. 5 : c. 8	Rating and Valuation Act, 1928.	S. 2 applied (mod.) ( <i>prosp.</i> ) Ss. 3, 4 repealed in part ( <i>prosp.</i> ).	26, s. 83 (1). 26, s. 147, sch. 2 Part V.
c. 12	Representation of the People (Equal Franchise) Act, 1928.	Repealed... ..	65, s. 80, sch. 13.
c. 17	Finance Act, 1928	S. 32 repealed in part ...	27, s. 3 (1), sch. 1.
c. 25	Representation of the People (Reading University) Act, 1928.	Repealed... ..	65, s. 80, sch. 13.
c. 34	Reorganisation of Offices (Scotland) Act, 1928.	S. 5 repealed ... ..	57, s. 7, sch. Part II.
c. 44	Rating and Valuation (Apportionment) Act, 1928.	S. 7 amended ... .. Excluded ... ..	57, s. 1 (2). 26, s. 35 (3).
C.A.M. No. 3	Clergy Pensions (Amendment) Measure, 1928.	S. 1 repealed in part ( <i>prosp.</i> ) S. 7 explained ... .. repealed in part ( <i>prosp.</i> )	26, s. 147, sch. 2 Part II. 26, s. 123. 26, s. 147, sch. 2 Part II.
C.A.M. No. 3	Clergy Pensions (Amendment) Measure, 1928.	Sch. 2 repealed in part ( <i>prosp.</i> ) Repealed... ..	26, s. 147, sch. 2 Part II. C.A.M. No. 1, s. 63, sch. 8.
19 & 20 Geo. 5 : c. 17	Local Government Act, 1929.	Part I repealed with saving. S. 15 repealed ( <i>prosp.</i> ); s. 18 repealed in part ( <i>prosp.</i> ). S. 70 repealed ... .. S. 72 saved ... .. S. 80 applied ... .. Ss. 86-92 repealed ... .. Ss. 94-100 repealed ... .. S. 100 restricted ( <i>retrosp.</i> ) excluded in part ... .. S. 102 repealed ... .. Ss. 103, 104 repealed; s. 105 repealed in part; ss. 106-112 repealed; s. 131 repealed in part; s. 135 repealed. Sch. 3 extended ... .. Schs. 4 and 5 repealed ... .. Sch. 10 repealed in part with saving. Sch. 11 amended ... .. repealed in part ... ..	29, s. 62 (3), sch. 7 Part III. 26, s. 147, sch. 2 Part II. 26, s. 147, sch. 2 Part II. 26, s. 75 (1), proviso. 65, s. 22 (3) (c). 26, s. 147, sch. 2 Part I. 26, s. 147, sch. 2 Part I. 26, s. 10 (5). 26, s. 10 (5). 29, ss. 30 (3), 62 (3), sch. 7 Part III. 26, s. 147, sch. 2 Part I. 35, s. 1 (4). 26, s. 147, sch. 2 Part I. 26, s. 147, sch. 2 Parts I and IV. 63, ss. 98-100, sch. 8. 26, s. 104 (1). 26, s. 147, sch. 2 Part III.

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19 & 20 Geo. 5 : c. 23 ...	Companies Act, 1929 ...	Repealed ( <i>with savings</i> )	38, s. 459, sch. 17, Part I.
c. 24 ...	Gas Undertakings Act, 1929.	Repealed with saving ( <i>prosp.</i> )	67, s. 76, sch. 4.
c. 25 ...	Local Government (Scotland) Act, 1929.	S. 32 repealed ... .. S. 48 applied ... .. amended ... .. S. 52 repealed in part ... Ss. 53-63 repealed. ... .. S. 64 repealed ... .. Ss. 65-71, 73, 78 repealed Sch. 6 repealed in part ... Schs. 7, 8 repealed ... ..	29, s. 62 (3), sch. 7 Part III. 45, s. 11 (2). 45, s. 24, sch. 9. 45, s. 87, sch. 10. 26, s. 147, sch. 2 Part I. 29, ss. 30 (3), 62(3) sch. 7 Part II. 26, s. 147, sch. 2 Part I. 45, s. 87, sch. 10. 26, s. 147, sch. 2 Part I.
c. 27 ...	Savings Banks Acts, 1929	S. 17 repealed in part ( <i>prosp.</i> )	39, s. 19 (4) (b), sch. 6 Part I.
c. 28 ...	Industrial Assurance and Friendly Societies Act, 1929.	S. 1 amended ... .. S. 3 repealed in part ( <i>prosp.</i> ) ... ..	39, ss. 1, 2, sch. 2. 39, ss. 12 (1), 25, sch. 6 Part II.
c. 29 ...	Government Annuities Act, 1929.	S. 39 amended ... .. S. 52 repealed in part ...	39, s. 6 (3). 39, s. 25, sch. 6 Part II.
20 & 21 Geo. 5 : c. 17 ...	Poor Law Act, 1930 ...	Repealed ... ..	29, s. 62 (3), sch. 7 Part I.
c. 23 ...	Mental Treatment Act, 1930.	Applied as modified ... Excluded ... .. S. 1 applied ... ..	58, s. 24 (1). 58, s. 26 (6). 58, s. 4 (2) (a).
c. 24 ...	Railways (Valuation for Rating) Act, 1930.	Ss. 1-21 repealed ; s. 22 repealed in part ; s. 23 repealed, s. 24 repealed in part ; schs. 1-4 repealed.	26, s. 147, sch. 2 Part III.
c. 28 ...	Finance Act, 1930 ...	S. 14 amended ... .. S. 32 repealed ( <i>prosp.</i> ) ...	49, s. 82, sch. 11 Part II. 26, s. 147, sch. 2 Part II.
c. 32 ...	Poor Prisoners Defence Act, 1930.	Applied as modified ...	58, ss. 20 (5) (b), 29 (3) (b).
c. 33 ...	Illegitimate Children (Scotland) Act, 1930.	S. 4 repealed ... ..	29, s. 62 (3), sch. 7 Part III.
c. 37 ...	Adoption of Children Act, 1930.	S. 5 explained ... ..	39, s. 23 (3).
c. 43 ...	Road Traffic Act, 1930 ...	S. 4 excluded in part ( <i>temp.</i> ). S. 6 extended in part ( <i>temp.</i> )	34, s. 5 (5). 34, s. 5 (4) (a).
c. 44 ...	Land Drainage Act, 1930	Pt. II. modified ... .. S. 1 modified ... .. excluded in part ...	32, s. 4 sch. 3, para. 1. 32, s. 4, sch. 3 para. 1. 32, s. 4, sch. 3 para. 2.

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20 & 21 Geo. 5 : c. 44 ...	Land Drainage Act, 1930 — <i>cont.</i>	S. 2 excluded in part ... S. 3 excluded in part ... S. 4 applied in part ... Ss. 5, 12, 15, 20, 22 excluded in part. S. 23 applied ... Ss. 43, 45-49 excluded in part. S. 55 extended ... Ss. 56, 71-73, 75 excluded in part. S. 76 saved ... applied ... S. 78 excluded in part ... applied ... S. 79 applied ... Ss. 79-80 excluded in part. applied ... Sch. 1 excluded in part repealed in part with saving.	32, s. 4, sch. 3 para. 2. 32, s. 4, sch. 3 para. 2. 32, s. 4, sch. 3 para. 3. 32, s. 4, sch. 3 para. 2. 32, s. 4, sch. 3 para. 4. 32, s. 4, sch. 3 para. 2. 32, s. 9 (4). 32, s. 4, sch. 3 para. 2. 32, s. 13 (3). 32, s. 4, sch. 3 para. 4. 32, s. 4, sch. 3 para. 2. 32, s. 9 (10). 32, s. 9 (10). 32, s. 4, sch. 3 para. 2. 32, s. 9 (10). 32, s. 4, sch. 3 para. 2. 26, s. 147, sch. 2 Part V.
c. 45 ... C.A.M. No. 6	Criminal Appeal (Northern Ireland) Act, 1930. Clergy Pensions (Older Incumbents) Measure, 1930.	S. 19 repealed in part ( <i>prosp.</i> ). S. 10, sch. 2 repealed ...	58, ss. 81, 83, sch. 10 Part III. C.A.M. No. 1, s. 62.
21 & 22 Geo. 5 : c. 21 ...	Palestine and East Africa Loans (Amendment) Act, 1931.	Title, ss. 1, 2 repealed in part.	27, s. 3 (1) sch. 1.
c. 30 ...	Probation of Offenders (Scotland) Act, 1931.	S. 4 applied ... S. 8 applied in part as modified; excluded in part.	58, s. 9 (1) (b). 58, s. 9 (4).
c. 41 ...	Agricultural Land (Utilisation) Act, 1931.	Ss. 1-4 repealed; s. 24 repealed in part; sch. 1 repealed (S.).	45, s. 87, sch. 10.
c. 42 ...	Agricultural Marketing Act, 1931.	S. 19 applied in part (S.) amended ...	45, s. 11 (2). 45, s. 24, sch. 9.
c. 44 ...	Small Landholders and Agricultural Holdings (Scotland) Act, 1931.	Applied in part ... Applied in part as modified. S. 27 repealed ... S. 28 repealed in part ... S. 29 applied in part ... amended ... S. 30 repealed ... S. 31 repealed ... S. 34 amended ...	45, ss. 20 (3), 32 (6). 45, s. 72. 45, s. 87, sch. 10. 45, s. 87, sch. 10. 45, ss. 20 (3), 32 (6). 45, s. 24, sch. 9. 45, s. 87, sch. 10. 45, s. 87, sch. 10. 45, s. 24, sch. 9, para. 28.

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21 & 22 Geo 5 : c. 44 ...	Small Landholders and Agricultural Holdings (Scotland) Act, 1931 <i>—cont.</i>	S. 35 applied in part ... amended ... repealed in part ...	45, ss. 20 (3), 32 (6). 45, s. 24, sch. 9, para. 29. 45, ss. 24, 87, sch. 10.
c. 45 ...	Local Government (Clerks) Act, 1931.	S. 3 amended ...	58, s. 79, sch. 9.
22 & 23 Geo. 5 : c. 8 ...	Import Duties Act, 1932	S. 19 applied ...	49, ss. 8 (3), 9 (4).
c. 12 ...	Destructive Imported Animals Act, 1932.	S. 4 repealed ...	45, s. 87, sch. 10.
c. 33 ...	Rating and Valuation (No. 2) Act, 1932.	Repealed ( <i>prosp.</i> ) *	26, s. 147, sch. 2 Part II.
c. 36 ...	Carriage by Air Act, 1932	Sch. 1 restricted in part (E. S.).	41, s. 2 (5).
c. 40 ...	Gas Undertakings Act, 1932.	Repealed with saving ( <i>prosp.</i> ).	67, s. 76, sch. 4.
c. 53 ...	Ottawa Agreements Act, 1932.	Sch. 2 repealed in part... extended in part ...	49, ss. 11 (b), 82, sch. 11 Part I. 49, s. 10 (3).
23 & 24 Geo. 5 : c. 4 ...	Evidence (Foreign, Dominion and Colonial Documents) Act, 1933.	S. 2 repealed ...	56, s. 34, sch. 4 Part II.
c. 8 ...	Local Government (General Exchequer Contributions) Act, 1933.	Repealed...	26, s. 147, sch. 2 Part I.
c. 9 ...	Assurance Companies (Winding up) Act, 1933.	Saved ... S. 2 amended ...	38, s. 459 (9). 38, s. 456, sch. 16 para. 1 (a).
c. 12 ...	Children and Young Persons Act, 1933.	Part IV applied as modified. Part V amended ... S. 18 amended ...  S. 33 repealed ...  S. 35 repealed in part ...  S. 48 amended ( <i>prosp.</i> ) ... repealed in part ...  S. 52 repealed with saving  S. 53 amended ... repealed in part ...  S. 54 amended ... excluded ... S. 55 saved in part ... S. 58 amended ... repealed in part ...  S. 59 repealed in part  amended ... Ss. 62-64 extended ... S. 66 repealed in part ( <i>prosp.</i> )	43, ss. 26 (5), 38 (1). 43, s. 28. 40, s. 11, sch. 1 Part II. 58, s. 83, sch. 10 Part I. 29, s. 62 (3), sch. 7 Part III. 58, s. 79, sch. 9. 58, ss. 79, 83, sch. 10 Part I. 58, ss. 81, 83, sch. 10 Part I. 58, s. 16. 58, s. 83, sch. 10 Part I. 58, s. 79, sch. 9. 58, s. 18 (4). 58, s. 11 (1). 58, s. 79, sch. 9. 58, ss. 79, 83, schs. 9, 10 Part I. 58, s. 83, sch. 10 Part I. 58, s. 79, sch. 9. 58, s. 74 (1). 58, s. 83, sch. 10 Part I.

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23 & 24 Geo. 5 : c. 12 ...	Children and Young Persons Act, 1933— <i>cont.</i>	<p>S. 67 extended ... ..</p> <p>S. 70 amended ... .. amended (<i>prosp.</i>) repealed in part ... ..</p> <p>S. 71 applied ... .. amended ... .. applied ... ..</p> <p>S. 72 repealed in part ... ..</p> <p>Ss. 73-74 applied ... .. applied as modified ... ..</p> <p>S. 76 amended ... ..</p> <p>S. 77 amended (<i>prosp.</i>) S. 78 amended (<i>prosp.</i>) S. 79 applicable by rules S. 82 amended ... .. repealed in part ... ..</p> <p>S. 84 applied ... .. applied in part as modified excluded in part ... .. amended ... .. extended ... .. repealed in part ... ..</p> <p>S. 85 amended ... ..</p> <p>S. 86 applied ... .. amended ... ..</p> <p>S. 87 applied as modified repealed in part ... ..</p> <p>S. 88 applied as modified applied in part ... .. repealed in part ... ..</p> <p>S. 89 repealed in part ... ..</p> <p>S. 90 repealed in part ... .. amended ... .. amended (<i>prosp.</i>) ... ..</p> <p>S. 92 extended ... ..</p> <p>S. 95 repealed ... ..</p> <p>S. 96 repealed in part ... .. amended ... ..</p> <p>S. 97 amended ... ..</p> <p>S. 98 repealed in part amended ... ..</p> <p>S. 102 amended ... .. repealed in part ... ..</p> <p>S. 103 extended ... ..</p> <p>S. 104 excluded ... .. repealed in part ... ..</p> <p>S. 106 applicable by rules</p>	<p>58, s. 75 (1). 43, s. 60, sch. 3. 58, s. 79, sch. 9. 43, s. 60, sch. 4 Part I. 58, ss. 71 (3), 72 (2). 58, s. 71 (1) 58, s. 71 (3). 29, s. 62 (3), sch. 7 Part III. 41, s. 11 (1). 58, s. 72 (2). 43, s. 5 (1). 58, s. 79, sch. 9. 58, s. 79, sch. 9. 58, s. 49 (2). 43, s. 60, sch. 3. 58, s. 79, sch. 3. 58, s. 83, sch. 9 Part I. 40, s. 6 (3) (a). 43, sch. 2 para. 4 (1) (2). 43, s. 60, sch. 3. 43, s. 60, sch. 3. 58, s. 74 (1). 43, s. 60, sch. 4 Part I. 43, s. 60, sch. 3. 43, ss. 23 (1), 24 (1). 43, s. 60, sch. 3. 43, s. 23 (1). 43, ss. 25, 60, sch. 4 Part I. 43, s. 23 (1) (3). 43, s. 26 (6). 43, s. 60, sch. 4 Part I. 29, s. 62 (3), sch. 7 Part III. 43, s. 60, sch. 4 Part I. 43, s. 60, sch. 3. 58, s. 79, sch. 9. 43, s. 27. 43, ss. 29 (9), 60, sch. 4 Part II. 29, s. 62 (3), sch. 7 Part III. 43, s. 60, sch. 3. 43, s. 60, sch. 3. 29, s. 62 (3), sch. 7 Part III. 43, s. 60, sch. 3. 43, s. 60, sch. 3. 43, s. 60, sch. 3. 43, s. 60, sch. 3. 43, s. 60, sch. 4 Part II. 43, s. 54 (1). 43, s. 47 (2). 43, s. 60, sch. 4 Part I. 58, s. 49 (2).</p>

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23 & 24 Geo. 5: c. 12 ...	Children and Young Persons Act, 1933— <i>cont.</i>	S. 107 repealed in part amended ... .. Sch. 3 repealed in part ( <i>prosp.</i> ) Sch. 4 extended in part repealed in part ...	29, s. 62 (3), sch. 7 Part III. 43, s. 60, sch. 3. 58, s. 83, sch. 10 Part I. 33, s. 14. 58, s. 83, sch. 10 Part I.
c. 14 ...	London Passenger Transport Act, 1933.	S. 92 repealed ... ..	26, s. 147, sch. 2 Part III
c. 19 ...	Finance Act, 1933 ...	S. 9 excluded in part ... extended in part ... S. 31 amended ... ..	} 49, s. 9 (2). 49, s. 82, sch. 11 Part II.
c. 20 ...	False Oaths (Scotland) Act, 1933.	Saved ... ..	
c. 25 ...	Pharmacy and Poisons Act, 1933.	Ss. 19, 20, 23, 25, 29 amended.	38, s. 438 <i>provisio</i> (b). 52, s. 23, sch. 2.
c. 33 ...	Metropolitan Police Act, 1933.	S. 2 repealed with saving S. 4 repealed in part with savings.	24, s. 3, sch. 1 Part I. 24, ss. 3, 6, 9, sch. 1 Part I, sch. 2.
c. 36 ...	Administration of Justice (Miscellaneous Provisions) Act, 1933.	S. 1 repealed in part ... Sch. 2 repealed in part ...	58, ss. 31 (3), 83, sch. 10 Part I. 58, s. 83, sch. 10 Part I.
c. 38 ...	Summary Jurisdiction (Appeals) Act, 1933.	S. 2 amended ... .. repealed in part ( <i>prosp.</i> ) S. 3 repealed in part ... S. 7 amended ... .. S. 9 repealed in part ...	58, s. 79, sch. 9. 58, s. 83, sch. 10 Part I. 58, s. 83, sch. 10 Part I. 58, ss. 34, 79, sch. 9. 29, s. 62 (3), sch. 7 Part III.
c. 40 ...	Isle of Man (Customs) Act, 1933.	S. 4 excluded in part ... Sch. 3 repealed in part...	61, s. 5 (2). 61, ss. 6, 8, sch. 4
c. 41 ...	Administration of Justice (Scotland) Act, 1933.	S. 4 repealed in part ... restricted in part ... extended ... .. applied in part ...	10, s. 5, sch. 10 38, ss. 206 (5), 277 (2), sch. 10 Part I. 38, s. 220 (2). 38, s. 277 (2), sch. 10 Part II.
c. 45 ...	Sea Fishing Industry, 1933.	S. 3 amended and extended.	51, s. 1 (1).
c. 49 ...	British Nationality and Status of Aliens Act, 1933.	Repealed (with saving).	56, s. 34, sch. 4 Part II.
c. 51 ...	Local Government Act, 1933.	S. 9 repealed ... .. S. 23 repealed in part ... S. 35 amended ... .. S. 40 repealed in part ... S. 50 amended ... .. S. 51 repealed ... .. S. 54 repealed in part ...	65, s. 80, sch. 13. 65, s. 80, sch. 13. 65, s. 57, sch. 6 para. 3. 65, s. 80, sch. 13. 65, s. 57, sch. 6 para. 3. 65, ss. 60, 80, sch. 13. 65, ss. 39 (1), 80, sch. 13.

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23 & 24 Geo. 5: c. 51 ...	Local Government Act, 1933— <i>cont.</i>	S. 59 repealed in part ...	29, s. 62 (3), sch. 7 Part III.
		S. 67 amended ...	65, s. 57, sch. 6 para. 4 (1).
		S. 70 repealed in part ... applied in part ...	65, s. 80, sch. 13. 65, ss. 29 (4), 75, sch. 12.
		S. 76 amended ...	26, s. 131 (2) (3).
		repealed in part ...	26, s. 131 (3).
		extended ...	26, s. 131 (4).
		S. 79 repealed ...	65, ss. 31 (4), 80, sch. 13.
		S. 82 repealed ...	65, ss. 48 (3), 80, sch. 13.
		S. 86 amended ...	26, s. 128.
		S. 91 saved ...	43, s. 40 (4).
		S. 99 applied in part ...	65, s. 74, sch. 10 Part II, para. 6
		Ss. 105, 106 applied in part.	43, s. 41 (6).
		S. 118 repealed in part	29, s. 62 (3) sch. 7 Part III.
		S. 123 extended...	26, s. 131 (4).
		S. 151 applied ( <i>temp.</i> ) ...	29, s. 62 (1), sch. 6 para. 13.
		S. 152 repealed in part	26, s. 147, sch. 2 Part I.
		S. 154 repealed ...	65, s. 80, sch. 13.
		S. 157 applied ...	40, s. 10 (2).
		S. 193 amended...	26, s. 114 (5).
		Ss. 198-200 applied as modified.	32, s. 11 (4).
		Ss. 202-3 applied as modified.	32, s. 11 (4).
		S. 207 applied in part as modified.	32, s. 11 (4).
		Ss. 208-14 applied as modified (river boards)	32, s. 11 (4).
		S. 238 restricted ...	65, s. 76 (2).
		S. 267 repealed in part...	26, ss. 113 (3), 147, sch. 2, Part V.
		S. 290 applied in part ...	{ 37, s. 9 (4). 67, s. 73.
		S. 293 saved ...	29, sch. 3 Part II, para. 11.
		S. 294 repealed with saving.	26, ss. 113 (2), 147, sch. 2, Part V.
		S. 295 extended ...	65, ss. 74, 80, sch. 10, para. 1 (3).
		excluded ...	65, sch. 4 Part II.
		Sch. 2 restricted ...	65, s. 28, sch. 4 Part II.
		extended ...	65, ss. 28, 58 (2) sch. 4 Parts I, II.
		amended ...	65, ss. 27, 28, 44 (6) sch. 4, Parts I, II.

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23 & 24 Geo. 5: c. 51 ...	Local Government Act, 1933— <i>cont.</i>	Sch. 2 applied in part ... Schs. 2, 3 repealed in part Sch. 3 amended ... Sch. 5 repealed ...	65, s. 28, sch. 4 Part I. 65, s. 80, sch. 13 65, s. 57, sch. 6, para. 3. 26, s. 147, sch. 2 Part I.
24 & 25 Geo. 5: c. 14 ...	Arbitration Act, 1934 ...	Applied ... Excluded ... Excluded with saving ... Excluded ... Excluded with saving ...  Applied in part ... Excluded ...  S. 18 repealed with saving  S. 19 proviso repealed with saving.	26, s. 50 (2). 32, s. 29 (6). 43, s. 30 (6). 63, s. 77 (1). 67, ss. 61 (2), 64 (2). 67, s. 64 (2). C.A.M. No. 1, s. 52 (6). 63, ss. 98-100, sch. 8. 63, ss. 98-100, sch. 8.
c. 23 ...	Workmen's Compensation (Coal Mines) Act, 1934.	S. 3 repealed in part ...	38, s. 459, sch. 17, Part I.
c. 26 ...	Licensing (Permitted Hours) Act, 1934.	S. 2 amended ...	65, ss. 65, 80, sch. 7.
c. 28 ...	Gas Undertakings Act, 1934.	Act repealed with saving ( <i>prosp.</i> ) S. 3 saved in part	67, s. 76, sch. 4. 38, s. 53 (6).
c. 29 ...	Unemployment Act, 1934	Repealed...  S. 35, sch. 7 saved in part ( <i>temp.</i> ).	29, s. 62 (3), sch. 7 Part III. 29, sch. 6, para. 2 (1) (2).
c. 30 ...	Cotton Manufacturing Industry (Temporary Provisions) Act, 1934.	Ss. 1, 2 continued ...	3 (12 & 13 Geo. 6), s. 1 (1), sch. Part I.
c. 31 ...	Debts Clearing Offices and Import Restrictions Act, 1934.	S. 7 excluded in part ...	2 (12 & 13 Geo. 6), s. 1 (1).
c. 32 ...	Finance Act, 1934 ...	S. 6 amended ... repealed in part ...  S. 21 saved ... Repealed... ..	49, s. 6 (1). 49, ss. 10 (1), 82, sch. 11 Part I. 49, s. 31 (1) (d). 27, s. 3 (1), sch. 1.
c. 33 ...	Palestine Loan Act, 1934.	S. 1 continued ...	3 (12 & 13 Geo. 6), s. 1 (1), sch. Part I.
c. 50 ...	Road Traffic Act, 1934...	Repealed... ..	29, s. 62 (3), sch. 7 Part II.
c. 52 ...	Poor Law (Scotland) Act, 1934.	S. 88 applied in part as modified ( <i>prosp.</i> ).	26, s. 49 (4).
c. 53 ...	County Courts Act, 1934	Repealed... ..	29, s. 62 (3), sch. 7 Part I.
c. 59 ...	Poor Law Act, 1934 ...	Repealed... ..	29, s. 62 (3), sch. 7 Part I.
25 & 26 Geo. 5: c. 8 ...	Unemployment Insurance Act, 1935.	Ss. 1-60 repealed ... S. 20 repealed in part ...  S. 61 repealed in part ... Ss. 62-75 repealed ... S. 76 excluded ...	46, s. 21, sch. 2. 38, s. 459, sch. 17. 46, s. 21, sch. 2. 46, s. 21, sch. 2. 46, s. 3 (5).



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25 & 26 Geo 5 : c. 8	Unemployment Insurance Act, 1935— <i>cont.</i>	S. 77 repealed ... .. Ss. 79-80 repealed in part Ss. 81-82 repealed with saving S. 83 repealed in part ... Ss. 84-103 repealed ... Ss. 104-105 repealed in part Ss. 106-112 repealed ... S. 113 repealed in part... Ss. 114-116 repealed ... Schs. 1-7 repealed ...	46, s. 21, sch. 2. 46, s. 21, sch. 2. 46, s. 21 (1) (3), sch. 2. 46, s. 21, sch. 2. 46, s. 21, sch. 2. 46, s. 21, sch. 2. 46, s. 21, sch. 2. 46, s. 21, sch. 2. 46, s. 21, sch. 2. 46, s. 21, sch. 2.
c. 9	... Herring Industry Act, 1935.	S. 2 extended ... .. repealed in part ... .. S. 3 applied as modified... S. 5 repealed ... .. S. 15 applied in part ... .. Sch. 2 applied as modified and amended.	51, ss. 7, 10. 51, s. 7 (9). 51, s. 7 (5). 51, s. 7 (9). 51, s. 11 (2). 51, s. 7 (10).
c. 23	... Superannuation Act, 1935	S. 9 repealed with saving	33, s. 2 (6).
c. 24	... Finance Act, 1935	S. 8 repealed in part ...	49, ss. 10 (2), 82, sch. 11 Part I.
c. 31	... Diseases of Animals Act, 1935.	S. 19 amended ... .. S. 13 amended ... ..	49, s. 27 (1). 52, s. 23, sch. 2.
c. 43	... Salmon and Freshwater Fisheries Act, 1935.	S. 2 excluded in part ...	32, s. 4, sch. 3, para. 8.
c. 45	... Assurance Companies (Winding up) Act, 1935.	Saved ... .. S. 1 amended ... ..	38, s. 459 (9). 38, s. 456 (16), para. 1 (a).
c. 46	... Money Payments (Justices Procedure) Act, 1935.	S. 4 amended ... ..	58, s. 79, sch. 9.
26 Geo. 5 & 1 Edw. 8 : c. 16	... Coinage Offences Act, 1936.	S. 12 repealed in part ( <i>prosp.</i> ) (E.).	58, s. 83, sch. 10 Part I.
c. 31	... Old Age Pensions Act, 1936.	S. 3 repealed in part amended <sup>1</sup> S. 6 excluded ... .. S. 8 amended ... .. S. 9 repealed in part ... S. 10 repealed ... .. S. 12 amended ... .. extended ... .. Ss. 12-13 repealed in part	29, s. 46, sch. 4 para. 2 (1) (2), sch. 7 Part III. 29, s. 46, sch. 4, para. 3. 29, s. 46 (3). 29, s. 46, sch. 4, sch. 7 Part III. 29, s. 46, sch. 4 para. 1 (4), sch. 7 Part III. 29, s. 46, sch. 4 para. 5. 29, s. 46 (2). 29, s. 46 sch. 4, paras. 6, 7, sch. 7, Part III.
c. 32	... National Health Insurance Act, 1936.	Sch. 1 amended ... .. S. 177 repealed in part...	29, s. 46 (1). 38, s. 459, sch. 17, Part I.

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26 Geo. 5 & 1 Edw. 8 : c. 48 ...	Health Resorts and Watering Places Act, 1936.	S. 1 amended ... ..	26, s. 137 (1).
c. 49 ...	Public Health Act, 1936	Part VII extended ... .. excluded ... ..	43, s. 35. 43, s. 37 (2), (3).
		S. 116 extended in part	22, s. 12 (1).
		S. 127 excluded in part	22, s. 12 (2).
		S. 206 extended in part	43, s. 37 (1).
		Ss. 207, 211 amended ... ..	43, s. 60, sch. 3.
		S. 218 repealed ... ..	43, s. 60, sch. 4 Part I.
		S. 219 extended ... .. explained ... ..	43, s. 37 (2). 43, s. 37 (6).
		amended ... ..	43, s. 60, sch. 3.
		S. 220 repealed in part... .. amended ... ..	29, s. 62, sch. 7 Part III. 43, s. 60, sch. 3.
		S. 226 repealed in part ... ..	26, ss. 132 (8). 147, sch. 2 Part V.
		Ss. 300-302 applied as modified.	53, s. 6 (5).
		applied and extended to London ( <i>prosp.</i> )	29, s. 38 (5).
		Ss. 322, 324-5 excluded...	43, s. 42 (2).
c. 50 ...	Public Health (London) Act, 1936.	Part XIII extended ... ..	43, s. 35.
		excluded ... ..	43, s. 37 (3).
		amended ... ..	43, ss. 38, 60, sch. 3.
		S. 172 repealed in part... ..	26, ss. 132 (8), 147 sch. 2 Part V.
		S. 224 repealed ... ..	29, s. 62, sch. 7 Part III.
		S. 257 amended ... .. extended in part ... ..	43, s. 60, sch. 3. 43, s. 37 (1).
		S. 260 amended ... ..	43, s. 60, sch. 3.
		S. 271 explained ... ..	43, s. 37 (6).
		S. 272 amended ... ..	43, s. 60, sch. 3.
		S. 304 repealed in part... .. amended ... ..	29, s. 62, sch. 7 Part III. 43, s. 60, sch. 3.
c. 51 ...	Housing Act, 1936 ...	S. 115 repealed in part with saving	26, s. 147, sch. 2 Part V.
C.A.M. No. 1	Clergy Pensions (Amendment) Measure, 1936.	S. 129 amended ... ..	26, s. 126 (3).
C.A.M. No. 3	Clergy Pensions (Widows and Dependents) Measure, 1936.	Repealed... ..	C.A.M. No. 1, s. 63, sch. 8.
		Repealed... ..	C.A.M. No. 1, s. 63, sch. 8.
1 Edw. 8 & 1 Geo. 6 :			
c. 2 ...	Railway Freight Rebates Act, 1936.	Sch. repealed in part ... ..	26, s. 147, sch. 2 Part III.
c. 12 ...	Firearms Act, 1937 ...	S. 21 amended ( <i>prosp.</i> ) ... .. amended (E.) ( <i>prosp.</i> ) repealed in part (E.) ( <i>prosp.</i> )	58, s. 79, sch. 9. 58, s. 79, sch. 9. 58, ss. 79, 83, schs. 9, 10 Part I.
		S. 25 amended (E.) ( <i>prosp.</i> ) repealed in part (E.) ( <i>prosp.</i> )	58, s. 79, sch. 9. 58, s. 83, sch. 10 Part I.

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1 Edw. 8 & 1 Geo. 6 : c. 22 ...	Local Government (Financial Provisions) Act, 1937.	Repealed... ..	26, ss. 1, 147, sch. 2 Part I.
c. 29 ...	Local Government (Financial Provisions) (Scotland) Act, 1937.	S. 7 restricted ... .. Repealed... ..	26, s. 10 (5). 26, s. 147, sch. 2 Part I.
c. 32 ...	Civil List Act, 1937 ...	S. 8 amended ... ..	14, s. 4.
c. 33 ...	Diseases of Fish Act, 1937.	Ss. 2-4 extended ... ..	32, s. 4, sch. 3 para. 7.
c. 36 ...	Local Government (Members' Travelling Expenses) Act, 1937.	Repealed with saving ... ..	26, ss. 113 (2), 147, sch. 2 Part V.
c. 37 ...	Children and Young Persons (Scotland) Act, 1937.	Part I extended... .. excluded ... .. Part V applied ... .. Part VI amended ... .. S. 1 amended ... .. extended in part ... .. S. 4 amended ... .. S. 11 repealed in part ... .. explained ... .. amended ... .. S. 23 repealed in part ... .. S. 43 repealed in part ... .. amended ... .. S. 61 applied in part ... .. S. 66 applied ... .. Ss. 66-67, 74 amended S. 74 repealed in part ... .. S. 76 repealed in part ... .. S. 80 amended ... .. S. 81 saved ... .. S. 86 amended ... .. S. 88 amended ; excluded applied in part as modified. repealed in part ... .. S. 89 amended ... .. S. 90 applied ... .. amended ... .. S. 91 applied as modified amended ... .. repealed in part ... .. S. 92 applied as modified repealed in part ... .. S. 93 amended ... .. repealed in part ... ..	43, s. 35. 43, s. 37 (3). 43, s. 26 (8) (b). 43, s. 28. 43, s. 60, sch. 3. 43, s. 37 (1). 43, s. 60, sch. 3. 29, s. 62, sch. 7 Part III. 43, s. 37 (6). 43, s. 60, sch. 3. 43, s. 60, sch. 4 Part I. 29, s. 62, sch. 7 Part III. 43, s. 60, schs. 3, 4 Part I. 43, sch. 2 para. 3 (1). 43, s. 60, sch. 2 para. 3 (1). 43, s. 60, sch. 3. 43, s. 60, sch. 4 Part I. 29, s. 62, sch. 7 Part III. 43, s. 5 (1) (2). 43, s. 40 (5) proviso. 43, s. 60, sch. 3. 43, s. 60, sch. 3. 43, sch. 2 para. 4 (1). 43, s. 60, sch. 4, Part I. 43, s. 60, sch. 3. 43 ss. 23 (1), 24 (1). 43, s. 60, sch. 3. 43, s. 23 (1). 43, s. 60, sch. 3. 43, ss. 25, 60, sch. 4 Part I. 43, s. 23 (1). 43, s. 60, sch. 4 Part I. 43, s. 60, sch. 3. 29, s. 62, sch. 7, Part III.

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I Edw. 8 & I Geo. 6: c. 37 ...	Children and Young Persons (Scotland) Act, 1937— <i>cont.</i>	S. 94 explained ... amended ... repealed in part ...  S. 96 extended ... S. 99 repealed ...  S. 100 repealed; ss. 101-102 repealed in part S. 103 repealed ...  S. 106 repealed in part  S. 107 repealed in part...  S. 110 repealed in part ... excluded ... amended ...  Sch. 2 extended ... S. 4 amended ... S. 10 repealed in part ...	43, s. 60 sch. 2, para. 6 (3). 43, s. 60, sch. 3. 43, s. 60, sch. 2, para. 6(3), sch. 4 Part I. 43, s. 27. 43, ss. 29 (9), 60, sch. 4 Part II. 29, sch. 7 Part III. 43, s. 60, sch. 4 Part I. 29, s. 62, sch. 7 Part III. 43, s. 60, sch. 4 Part I. 29, s. 62, sch. 7 Part III. 43, s. 47 (2). 43, ss. 28, 60, sch. 3. 33, s. 14. 26, s. 132 (9). 26, ss. 132 (8), 147, sch. 2 Part V.
c. 46 ...	Physical Training and Recreation Act, 1937.	S. 3 excluded in part ... S. 7 amended ... S. 22 excluded in part ... extended in part ... Sch. 5 repealed in part ...	49, s. 9 (2). 49, s. 19 (2) (3). 49, s. 69 (2) (4). 49, s. 69 (4). 38, s. 459, sch. 17, Part I.
c. 54 ...	Finance Act, 1937 ...	S. 7 repealed ( <i>prosp.</i> ) ...	58, s. 83, sch. 10 Part I.
c. 58 ...	Summary Procedure (Domestic Proceedings) Act, 1937.	S. 3 excluded ...	61, s. 5 (2).
c. 64 ...	Isle of Man (Customs) Act, 1937.	Saved ... Ss. 3, 4, 5, 7 amended ...  S. 11 extended ... S. 27 amended ... repealed in part ... S. 28 extended ... S. 33 repealed in part ... S. 40 amended ...  S. 42 amended ...  S. 43 amended ... extended ...  S. 44 substituted ( <i>prosp.</i> ) S. 60 amended ...  S. 62 extended ... S. 77 excluded ... S. 94 extended ... S. 95 amended ...	37, s. 5 (7). 55, s. 8 (1) (2), sch. 2. 55, s. 3. 55, s. 11 (3). 55, s. 16, sch. 3. 55, s. 11 (4). 55, s. 16, sch. 3. 55, ss. 4 (1), 16, schs. 1, 3. 55, s. 8 (1) (2), sch. 2. 55, s. 8 (3). 55, s. 8 (1) (2), sch. 2. 55, ss. 6, 16 (3). 55, s. 12 (1), sch. 1. 55, s. 12 (2). 55, s. 13 (1). 55, s. 13 (1). 55, s. 13 (2).
c. 67 ...	Factories Act, 1937 ...		

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1 Edw. 8 & 1 Geo. 6: c. 67 ...	Factories Act, 1937— <i>cont.</i>	S. 99 repealed in part ... applied as modified ... extended ... S. 102 repealed in part... amended ... S. 105 applied as modified extended ... extended with saving S. 106 extended ... Ss. 107, 108 extended ... S. 113 amended ... S. 123 extended ...  S. 126 amended ... repealed in part ... S. 130 amended ...  S. 137 explained ... amended (S.) ... S. 156 repealed in part ...	55, s. 16, sch. 3. 55, s. 1 (2). 55, ss. 1 (3), 7. 55, s. 16, sch. 3. 55, s. 14 (1). 55, s. 2. 55, s. 14 (2). 55, s. 2. 55, ss. 2, 14 (3) 55, ss. 2, 14 (4). 55, s. 5 (1). 55, ss. 5 (4), 9 (1), (2). 55, s. 7 (1), (3). 55, s. 16, sch. 3. 55, s. 10 (1), sch. 1. 55, s. 10 (2). 55, s. 10 (3). 55, s. 16, sch. 3.
c. 68 ...	Local Government Super-annuation Act, 1937.	S. 3 continued in part ... S. 8 extended ... extended ... S. 10 applied (mods.) ... S. 13 applied (mods.) ... applied (mods.) ( <i>retrosp.</i> ). S. 27 amended ... S. 29 amended ( <i>retrosp.</i> ) applied (mods.) ... Ss. 29, 40 applied in part (mods.) Sch. 1 extended in part Sch. 2 amended ... extended ...	32, s. 29 (2). 65, ss. 72 (3), 80. 33, s. 6 (4) (5). 33, s. 6 (3) (a). 33, s. 6 (3) (b). 33, s. 1, Sch. Part I, paras. 4, 6. 65, ss. 72 (2), 80. 33, s. 1, sch. Part I, paras. 4, 6. 33, s. 6 (3) (c) (d).  32, s. 29 (1). 65, ss. 72 (2), 80. 26, s. 47 (1).
c. 69 ...	Local Government Super-annuation (Scotland) Act, 1937.	S. 10 applied in part (mods.). S. 13 applied (mods.) ( <i>retrosp.</i> ). applied (mods.) ... S. 24 applied (mods.) ( <i>retrosp.</i> ) ... applied in part (mods.) S. 34 applied in part (mods.).	33, s. 6 (3) (a) (b). 33, s. 1, sch. Part I, paras. 4, 6, 7. 33, s. 6 (3) (b) (6). 33, s. 1, sch. Part I, paras. 4, 6, 7. 33, s. 6 (3) (c), (6). 33, s. 6 (3) (d), (6).
c. 70 ...	Agriculture Act, 1937 ...	S. 5 repealed (E.) with savings. S. 20 amended ... S. 21 amended ... S. 27 extended ...	63, ss. 98–100, sch. 8. 35, s. 1 (1). 35, s. 1 (3). 35, s. 1 (4).
1 & 2 Geo. 6: c. 6 ...	Air Raid Precautions Act, 1937.	Saved (E.S.) ...  S. 8 repealed (E.S.) with saving.	5 (12 & 13 Geo. 6) s. 6 (1). 5 (12 & 13 Geo. 6), s. 11, sch.

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1 & 2 Geo. 6 c. 11 ...	Blind Persons Act, 1938	Ss. 2-4 repealed ...	29, s. 62, schs. 6, para. 17 (2), 7 Part III.
c. 12 ...	Population (Statistics) Act, 1938.	S. 5 repealed in part ...	29, s. 62, sch. 7 Part III.
c. 17 ...	Cinematograph Films Act, 1938.	Temporary Act: see s. 7 (4). Continued.	3, s. 1 (1), sch. Part I.
		Ss. 1-7 repealed...	23, s. 9, sch. 1 Part II.
		S. 8 amended ...	23, s. 9, sch. 1 Part I.
		S. 9 extended ...	23, s. 5.
		amended ...	23, s. 9, sch. 1 Part I.
		excluded in part ...	23, s. 5 (5).
		Ss. 10-13 amended ...	23, s. 9, sch. 1 Part I.
		Ss. 14-16 repealed ...	23, s. 9, sch. 1 Part II.
		Ss. 17, 18 amended ...	23, s. 9, sch. 1 Part I.
		S. 20 amended ...	23, s. 9, sch. 1 Part I.
		repealed in part ...	23, s. 9, sch. 1 Part II.
		Ss. 21-26 amended ...	23, s. 9, sch. 1 Part I.
		S. 26 repealed in part ...	23, s. 9, sch. 1 Part II.
		Ss. 29-30, 33, 34-36 amended	23, s. 9, sch. 1 Part I.
		S. 34 repealed in part ...	23, s. 9, sch. 1 Part II.
		S. 37 repealed in part ...	23, s. 9, sch. 1 Part II.
		S. 37-44 amended ...	23, s. 9, sch. 1 Part I.
		Ss. 44, 45 repealed in part	23, s. 9, sch. 1 Part II.
		S. 45 amended ...	23, s. 9, sch. 1 Part I.
		S. 46 amended ...	23, s. 9, sch. 1 Part I.
		Schs. 1 and 3 repealed ...	23, s. 9, sch. 1 Part II.
c. 19 ...	Rating and Valuation (Postponement of Valuations) Act, 1938.	Repealed ( <i>prosp.</i> ) ...	26, s. 147, sch. 2 Part II.
c. 21 ...	Dogs Amendment Act, 1938.	S. 1 amended ... repealed in part (E.)	58, s. 79, sch. 9, ss. 79, 83, schs. 9, 10, Part I.
c. 23 ...	Poor Law (Amendment) Act, 1938.	Repealed... ...	29, s. 62 (3), sch. 7 Part I.
c. 26 ...	Increase of Rent and Mortgage Interest (Restrictions) Act, 1938.	Excluded ...	63, s. 95, sch. 7
c. 30 ...	Sea Fish Industry Act, 1938.	S. 38 repealed in part ...	51, s. 1 (1).

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1 & 2 Geo. 6 c. 38 ...	Housing (Agricultural Population) (Scotland) Act, 1938.	S. 4 applied as modified... excluded ... .. amended ... .. S. 7 applicable by regulations. Ss. 8, 9 extended ...	45, s. 78 (1) (2) (6). 45, s. 78 (3) (6). 45, s. 78 (1) (2) (6). 45, s. 77 (3) (d). 45, s. 78 (4) (6).
c. 40 ...	Children and Young Persons Act, 1938.	S. 4 substituted ( <i>prosp.</i> ) S. 6 applied in part ... amended ( <i>prosp.</i> ) ...	58, s. 79, sch. 9. 58, s. 49 (5). 58, s. 79, sch. 9.
c. 44 ...	Road Haulage Wages Act, 1938.	Ss. 1-3 repealed... ..  Ss. 4, 6 amended ... ..  Ss. 10, 13, 15 repealed in part. S. 15 amended ... ..  S. 16 repealed in part ;  Schs. 1, 2 repealed ... ..  Sch. 3 repealed in part	7 (12 & 13 Geo. 6) ss. 1 (1) (c), 8, sch. 3. 7, (12 & 13 Geo. 6), s. 1 (1) (c), sch. 1. 7, (12 & 13 Geo. 6) s. 8, sch. 3. 7, (12 & 13 Geo. 6) s. 1, sch. 1. 7, (12 & 13 Geo. 6) s. 8, sch. 3. 7, (12 & 13 Geo. 6) s. 8, sch. 3. 7, (12 & 13 Geo. 6) s. 8, sch. 3.
c. 46 ...	Finance Act, 1938 ...	S. 42 excluded in part ( <i>retrosp.</i> ).	49, s. 69 (1), (5).
c. 63 ...	Administration of Justice (Miscellaneous Provisions) Act, 1938.	S. 4 repealed in part ( <i>prosp.</i> ).	26, s. 147, sch. 2 Part II.
c. 65 ...	Rating and Valuation (Air-Raid Works) Act, 1938.	S. 11 repealed in part ... S. 1 repealed in part ( <i>prosp.</i> ).	58, sch. 10 Part I. 26, s. 147, sch. 2 Part II.
c. 70 ...	Holidays with Pay Act, 1938.	Repealed in part ... .. Ss. 1-3, 5 repealed in part repealed in part (E.).	7 (12 & 13 Geo. 6) s. 1 (1) (c). 7 (12 & 13 Geo. 6) s. 8, sch. 3. 47, s. 20, sch. 5.
2 & 3 Geo. 6. c. 5 ...	Export Guarantees Act, 1939.	S. 2 repealed in part ...	54, s. 1, sch.
c. 16 ...	Prevention of Fraud Act, 1939.	Ss. 2, 13 amended ...	38, s. 456, sch. 16 para. 2 (1) (2) (3).
c. 21 ...	Limitation Act, 1939 ...	Ss. 2, 3 amended ... .. S. 21 excluded ... ..	67, s. 14 (2). 67, s. 14 (1).
c. 26 ...	Charities (Fuel Allotments) Act, 1939.	Powers transferable to Min. of Education by O. in C.	40, s. 1.
c. 27 ...	Adoption of Children (Regulation) Act, 1939.	S. 7 applied as modified ( <i>temp.</i> ). extended ... .. excluded ... .. amended ... .. S. 15 repealed in part ...	43, sch. 2 para. 11 (1). 43, s. 35. 43, s. 37 (4). 43, s. 60, sch. 3. 43, s. 60, sch. 4 Part I.
c. 29 ...	Unemployment Insurance Act, 1939.	S. 16 amended ... .. Repealed... ..	43, s. 60, sch. 3. 46, s. 21, sch. 2.
c. 31	Civil Defence Act, 1939...	Saved (E.S.) ... ..	5 (12 & 13 Geo. 6), s. 6 (1).

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2 & 3 Geo. 6 c. 38 ...	Ministry of Supply Act, 1939	S. 2 applied in part ...	37, s. 1 (2).
c. 40 ...	London Government Act, 1939.	<p>S. 10 repealed ... ..</p> <p>S. 11 repealed in part ... ..</p> <p>S. 24 repealed ... ..</p> <p>Ss. 33, 34 repealed in part ... ..</p> <p>S. 42 amended ... ..</p> <p>S. 45 repealed in part ... .. applied in part ... ..</p> <p>S. 46 repealed in part ... ..</p> <p>S. 50 repealed in part ... ..</p> <p>S. 52 extended ... .. amended. ... ..</p> <p>S. 53 repealed ... ..</p> <p>S. 56 repealed ... ..</p> <p>S. 60 amended ... ..</p> <p>S. 66 repealed in part (<i>prosp.</i>) ... ..</p> <p>S. 68 repealed in part (<i>prosp.</i>) ... ..</p> <p>S. 75 applied ... ..</p> <p>S. 85 repealed in part ... ..</p> <p>S. 97 applied ... ..</p> <p>S. 117 repealed in part... ..</p> <p>S. 163 repealed with saving. ... ..</p> <p>S. 166 repealed in part... ..</p> <p>S. 196 saved ... ..</p> <p>S. 197 extended ... ..</p> <p>Sch. 2 excluded ... ..</p> <p>restricted ... ..</p> <p>extended in part... ..</p> <p>amended ... ..</p> <p>explained ... ..</p> <p>Schs. 2, 3, repealed in part. ... ..</p>	<p>65, s. 80, sch. 13.</p> <p>65, s. 80, sch. 13.</p> <p>65, s. 80, sch. 13.</p> <p>29, s. 62, sch. 7 Part III.</p> <p>65, ss. 57, 80, sch. 6 para. 4 (1).</p> <p>65, s. 80, sch. 13.</p> <p>65, ss. 29 (4), 75, sch. 12.</p> <p>65, s. 80, sch. 13.</p> <p>65, s. 80, sch. 13.</p> <p>26, s. 131 (4) (5).</p> <p>26, s. 131 (2) (3) (5).</p> <p>65, ss. 31 (4), 80, sch. 13.</p> <p>65, s. 80, sch. 13.</p> <p>26, s. 128.</p> <p>26, s. 147, sch. 2 Part II.</p> <p>26, s. 147, sch. 2 Part II.</p> <p>43, s. 41 (6).</p> <p>29, s. 62, sch. 7 Part III.</p> <p>40, s. 10 (2).</p> <p>26, s. 147, sch. 2 Part V.</p> <p>26, ss. 113 (2), 147, sch. 2 Part V.</p> <p>29, s. 62, sch. 7 Part III.</p> <p>29, sch. 3 Part II para. 11.</p> <p>65, ss. 74, 75, 80, sch. 10 Part II, paras. 1 (3), 12.</p> <p>65, ss. 28, 75, sch. 4 Part II.</p> <p>65, ss. 28, 75, sch. 4 Part II.</p> <p>65, ss. 28, 58 (2), 75, sch. 4 Parts I, II, sch. 12.</p> <p>65, ss. 28, 44 (6), 75, sch. 4 Parts I, II, sch. 12.</p> <p>65, ss. 28, 75, sch. 4 Part II, sch. 12.</p> <p>65, s. 80, sch. 13.</p>
c. 41 ...	Finance Act, 1939 ...	<p>S. 7 repealed in part ... ..</p> <p>S. 19 extended ... ..</p>	<p>49, s. 82, sch. 11 Part I.</p> <p>49, s. 38 (2).</p>



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2 & 3 Geo. 6: c. 48 ...	Agricultural Development Act, 1939.	S. 30 repealed in part with saving.	63, ss. 98-100, sch. 8.
c. 49 ...	House of Commons Members' Fund Act, 1939.	S. 1 amended ... extended in part ... S. 3 repealed in part ... amended ... Sch. 1 amended ...	36, s. 1 (1). 36, s. 3 (1). 36, s. 5 (1). 36, s. 6. 36, ss. 1 (2), 2 (1) (2) (3), 3.
c. 50 ...	Prevention of Violence (Temporary Provisions) Act, 1939.	extended ... excluded in part ... Temporary Act: see s. 5 (2). Continued.	36, s. 3 (1). 36, s. 4 (2). 3, s. 1 (1), sch. Part I.
c. 57 ...	War Risks Insurance Act, 1939.	S. 1 saved in part ... S. 5 repealed ...	38, s. 434 (2). 38, s. 459, sch. 17 Part I.
c. 71 ...	Rent and Mortgage Interest Restrictions Act, 1939.	Excluded ... S. 7 applied (mods.) ( <i>prosp.</i> ).	63, s. 95, sch. 7. 26, s. 75 (6).
c. 75 ...	Compensation (Defence) Act, 1939.	S. 2 modified in part ... amended ... S. 3 excluded ( <i>retrosp.</i> ) amended ( <i>prosp.</i> ) ... applied and restricted ( <i>prosp.</i> ) S. 10 applied ...	17, ss. 7-11. 17, ss. 7 (2), 10, 11 (1). 17, ss. 11 (2), 13 (2) (4). 17, ss. 11 (2), 13 (2) (4). 17, s. 13 (5). 17, s. 13 (4) (5).
c. 81 ...	National Service (Armed Forces) Act, 1939.	Excluded ... Repealed with saving for s. 21 (2). Repealed... ..	21, s. 4. 64, s. 60, sch. 6. 29, sch. 7 Part III.
c. 93 ...	Unemployment Assistance (Emergency Powers) Act, 1939.		
c. 94 ...	Local Government Staffs (War Service) Act, 1939.	S. 4 amended ( <i>retrosp.</i> )...	33, s. 1 (5), sch. Pt. I, paras. 1, 2, 3 and 6.
c. 95 ...	Teachers Superannuation (War Service) Act, 1939.	Amended ( <i>retrosp.</i> ) ... S. 1 extended ( <i>retrosp.</i> )... S. 2 amended ( <i>retrosp.</i> )... S. 7A added ( <i>retrosp.</i> ) ... S. 11 amended in part ( <i>retrosp.</i> )	33, sch. Pt. II. 33, s. 12 (2) (3). 33, s. 1, sch. Part II, paras. 1 (1), 6. 33, s. 1, sch. Part II, paras. 2 and 6. 33, s. 1 (5), sch. Part II, paras. 5 and 6.
c. 96 ...	Education (Scotland) (War Service Superannuation) Act, 1939.	S. 1 extended ( <i>retrosp.</i> )... S. 7 amended ( <i>retrosp.</i> )...	33, s. 12 (2) (3). 33, s. 1, sch. Part III, para. 1.
c. 103 ...	Police and Firemen (War Service) Act, 1939.	Ss. 2-3 repealed in part with saving. S. 4 amended ... Ss. 5-6 repealed in part with saving. S. 10 amended ... S. 11 repealed in part with saving.	24, s. 3, sch. 1 Part I. 24, sch. 1. 24, s. 3, sch. 1 Part I. 24, s. 3, sch. 1. 24, s. 3, sch. 1 Part I.

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2 & 3 Geo. 6 : c. 103	Police and Firemen (War Service) Act, 1939— <i>cont.</i>	S. 13 repealed in part ...	24, s. 3, sch. 1 Part I.
c. 109 ...	Finance (No. 2) Act, 1939.	S. 14 repealed in part with saving. S. 1 amended in part ( <i>retrosp.</i> ). S. 3 amended in part ( <i>retrosp.</i> ). Sch. 1 replaced ( <i>retrosp.</i> ) Sch. 3 replaced ( <i>retrosp.</i> )	24, s. 3, sch. 1 Part I. 49, s. 2, sch. 2. 49, s. 4, sch. 4. 49, s. 2, sch. 2. 49, s. 4, sch. 4.
c. 117 ...	National Loans Act, 1939.	Applied ... ..	15, s. 17 (3); 60, s. 11 (2).
3 & 4 Geo. 6 : c. 7 ...	Trade Boards and Road Haulage Wages (Emergency Provisions) Act, 1940.	S. 2 repealed in part ...	7, s. 8, sch. 3.
c. 12 ...	Rating and Valuation (Postponement of Valuations) Act, 1940.	Repealed ( <i>prosp.</i> ) ...	26, s. 147, sch. 2 Part II.
c. 13 ...	Old Age and Widows' Pensions Act, 1940.	S. 16 repealed ... ..	26, s. 147, sch. 2 Part I.
c. 14 ...	Agriculture (Miscellaneous War Provisions) Act, 1940.	Repealed exc. ss. 18 and 21. S. 15 repealed in part with saving. S. 18 excluded ... .. S. 26 saved (E.) ... .. S. 29 repealed in part (S.) amended (S.) ... .. extended in part (S.)	29, sch. 7 Part III. 63, ss. 98-100, sch. 8. 32, s. 4, sch. 3 para. 5. 63, s. 100 (10) (a). 45, ss. 74, 87, sch. 10. 45, s. 74. 45, s. 74 (2).
c. 26 ...	Superannuation Schemes (War Service) Act, 1940.	Applied ... ..	33, ss. 1 (6), 4 (1) (2).
c. 29 ...	Finance Act, 1940 ...	S. 54 saved in part ...	38, s. 459 (9) (i).
c. 31 ...	War Charities Act, 1940	Act applied as modified S. 14 repealed in part ...	29, s. 41 (1) (3). 29, sch. 7 Part III.
c. 44 ...	Unemployment Insurance Act, 1940.	Repealed... ..	29, sch. 7 Part III.
c. 48 ...	Finance (No. 2) Act, 1940	S. 9 excluded in part ... S. 19 repealed ... .. S. 20 repealed ... .. S. 28 repealed ... .. Sch. 7 repealed ... ..	49, s. 29 (1), (6) (a) (b). 49, s. 82, sch. 11 Part I. 49, s. 82, sch. 11 Part I. 49, s. 82, sch. 11 Pt. I. 49, s. 82, sch. 11 Part I.
c. 50 ...	Agriculture (Miscellaneous War Provisions) (No. 2) Act, 1940.	S. 1 repealed in part with saving. S. 4 amended ... ..	63, ss. 98-100, sch. 8. 35, s. 1 (1) (3).
4 & 5 Geo. 6 : c. 11 ...	Determination of Needs Act, 1941.	Repealed... ..	29, sch. 7 Part III.
c. 15 ...	National Service Act, 1941.	Repealed... ..	64, s. 60, sch. 6.

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4 & 5 Geo. 6 c. 30 ...	Finance Act, 1941 ...	S. 10 amended ... ..	49, s. 82, sch. 11 Pt. II.
		S. 11 repealed ... ..	49, s. 82, sch. 11 Part II.
c. 33 ...	Local Government (Financial Provisions) Act, 1941.	Repealed... ..	26, s. 147, sch. 2 Part I.
c. 45 ...	Local Government (Financial Provisions) (Scotland) Act, 1941.	Repealed... ..	26, s. 147, sch. 2 Part I.
c. 50 ...	Agriculture (Miscellaneous Provisions) Act, 1941.	Ss. 9, 10 extended (S.) ...	45, s. 58.
5 & 6 Geo. 6: c. 4 ...	National Service (No. 2) Act, 1941.	Repealed... ..	64, s. 60, sch. 6.
c. 21 ...	Finance Act, 1942 ...	Ss. 17-18 repealed in part	49, s. 82, sch. 11 Part I.
		S. 20 repealed in part ...	38, s. 459, sch. 17 Part I.
		S. 28 repealed ... ..	49, s. 82, sch. 11 Part II.
		Schs. 7-8 repealed ... ..	49, s. 82, sch. 11 Part I.
6 & 7 Geo. 6: c. 3 ...	National Service Act, 1942.	Repealed... ..	64, s. 60, sch. 6.
c. 14 ...	British Nationality and Status of Aliens Act, 1943.	Repealed with saving ...	56, s. 34, sch. 4 Part II.
c. 16 ...	Agriculture (Miscellaneous Provisions) Act, 1943.	S. 7 repealed in part ...	26, s. 147, sch. 2 Part V.
		S. 9 repealed (S.) ... ..	45, s. 87, sch. 10.
		S. 15 saved (E.) ... ..	63, s. 100 (10) (b).
		S. 16 explained (S.) ... ..	45, s. 58.
		S. 19 repealed in part (S.)	45, s. 87, sch. 10.
c. 22 ...	Housing (Agricultural Population) (Scotland) Act, 1943.	S. 1 repealed in part ...	45, ss. 75 (5) (6), 87, sch. 10.
c. 27 ...	Pensions and Determination of Needs Act, 1943.	Repealed except ss. 5 in part, 9 and sch. 2.	29, sch. 7 Part III.
c. 28 ...	Finance Act, 1943 ...	S. 6 amended ... ..	49, s. 16 (1), sch. 7.
		S. 12 applied in part ...	49, sch. 6, para. 6 (1).
c. 32 ...	Hydro-Electric Development (Scotland) Act, 1943.	Sch. 4 amended ( <i>prosp.</i> )	26, s. 107.
c. 35 ...	Foreign Service Act, 1943	S. 6 applied in part ...	38, s. 351 (3).
c. 37 ...	Isle of Man (Customs) Act, 1943.	Repealed... ..	61, s. 8, sch. 4.
c. 40 ...	Law Reform (Frustrated Contracts) Act, 1943.	Applied ... ..	67, ss. 22 (6), 36 (5).
c. 44 ...	Rent of Furnished Houses Control (Scotland) Act, 1943.	Temporary Act: see s. 10 (2). Continued.	3, s. 1 (2), sch. Part II.

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6 & 7 Geo. 6 ; c. 48 ...	Parliament (Elections and Meeting) Act, 1943.	Part II saved in part ... Ss. 1-25 repealed ... S. 27 explained in part...  amended ...  repealed in part ... S. 28 repealed ; ss. 30-31, 33, repealed in part. Schs. 1-2, 4, 6 repealed	65, s. 17 (1) (a). 65, s. 80, sch. 13. 65, ss. 74, 80, sch. 10 Part II, para. 2 (4). 65, ss. 74, 80, sch. 10, Part II, para. 2 (3). 65, s. 80, sch. 13. 65, s. 80, sch. 13. 65, s. 80, sch. 13.
7 & 8 Geo. 6 : c. 15 ...	Reinstatement in Civil Employment Act, 1944.	S. 8 virtually repealed ; substituted.  S. 10 virtually repealed ; substituted.  S. 16 saved in part ... S. 18 repealed in part and amended.	64, s. 59 (3). 64, ss. 41 (5), 59 (3) (b). 64, s. 59 (3). 64, ss. 43 (4), 59 (3) (b). 64, s. 60 (3). 38, s. 459, sch. 17.
c. 21 ...	Pensions (Increase) Act, 1944.	S. 4 extended ...	33, s. 13 (2).
c. 22 ...	Police and Firemen (War Service) Act, 1944.	Sch. 1 repealed in part with saving. Ss. 1-3 repealed in part with saving. S. 4 repealed in part ...  S. 4 may be amended by regulations. Ss. 5-6 repealed in part with saving.	24, s. 3, sch. 1 Part I. 24, s. 3, sch. 1 Part I. 24, s. 3, sch. 1 Part I. 24, s. 3, sch. 1 Part III. 24, s. 3, sch. 1 Part I.
c. 23 ...	Finance Act, 1944 ...	Sch. 2 amended ...	49, s. 82, sch. 11 Part I.
c. 24 ...	Parliamentary Electors (War Time Registration) Act, 1944.	Repealed... ..	65, s. 80, sch. 13.
c. 31 ...	Education Act, 1944 ...	S. 2 repealed in part ... S. 8 amended ... restricted ... S. 10 amended ( <i>retrosp.</i> ) S. 13 excluded ( <i>retrosp.</i> ) S. 33 amended ...  S. 36 restricted ... Ss. 37, 39 amended ... S. 40 amended ...  S. 41 restricted ... Ss. 48, 50 amended ...  S. 51 repealed ... S. 52 repealed in part... S. 53 amended ...  repealed in part ... Ss. 55-57 amended ...  S. 57 applied ...	40, s. 11, sch. 2. 40, s. 3 (2). 40, s. 4 (2). 40, s. 7 (1), (3). 40, s. 7 (2), (3). 40, s. 11, sch. 1 Part I. 40, s. 4 (2). 40, s. 9. 40, s. 11, sch. 1 Part I. 64, s. 28. 40, s. 11, sch. 1 Part I. 40, s. 11, sch. 2. 40, s. 11, sch. 1 Part I. 40, s. 11, sch. 2. 40, s. 11, sch. 1 Part I. 40, s. 8.

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7 & 8 Geo. 6 : c. 31 ...	Education Act, 1944— <i>cont.</i>	S. 78 repealed in part ... S. 80 extended in part... repealed in part ...  S. 90 amended ... .. S. 95 excluded ... .. S. 106 substituted S. 107 extended ... .. S. 114 repealed in part... S. 116 amended ... ..	40, s. 11, sch. 2. 40, s. 4 (6). 40, ss. 4 (4) (5), 11, sch. 2. 40, s. 10 (1). 40, s. 9 (2). 40, s. 6 (7). 40, s. 13. 40, s. 11, sch. 2. 40, s. 11, sch. 1. Part I, sch. 2.
c. 32 ...	Herring Industry Act, 1944.	S. 120 repealed in part ...  Schs. 3-4 amended ... ..  Sch. 8 amended ... ..  Extended ... .. S. 2 applied as modified... S. 3 repealed in part with saving. S. 4 repealed in part ... .. S. 5 excluded and amended.	58, s. 83, sch. 10 Part I. 40, s. 11, sch. 1 Part I. 40, s. 11, sch. 1 Part II. 51, s. 7 (6). 51, s. 7 (5). 51, s. 5 (3). 51, s. 6 (1). 51, ss. 5 (4), 6 (2).
c. 41 ...	House of Commons (Redistribution of Seats) Act, 1944.	S. 4 repealed in part ... S. 5 saved ... .. extended ... .. S. 6 repealed ... .. Sch. 3 repealed in part...	65, s. 80, sch. 13. 65, s. 1 (1). 65, ss. 59 (3), 80. 65, s. 80, sch. 13. 65, s. 80, sch. 13.
c. 47 ...	Town and Country Plan- ning Act, 1944.	Ss. 25-27 schs. 1, 4 ap- plied as modified.	17, s. 4 (3).
8 & 9 Geo. 6 : c. 5 ...	Representation of the People Act, 1945.	Parts I, III and IV re- pealed. S. 33 repealed in part ... Ss. 35-37 repealed ... .. S. 38 repealed in part ... S. 39 repealed ... .. Schs. 1, 2 and 4 repealed	65, s. 80, sch. 13. 65, s. 80, sch. 13. 65, s. 80, sch. 13. 65, s. 80, sch. 13. 65, s. 80, sch. 13.
c. 9 ...	Export Guarantees Act, 1945.	S. 1 repealed in part ...  S. 2 and sch. repealed in part.	54, s. 1, sch. 54, s. 1, sch.
c. 13 ...	Finance (No. 2) Act, 1945	Sch. 1 repealed ... ..	49, s. 82, sch. 2 Part I.
c. 14 ...	Teachers (Superannua- tion) Act, 1945.	S. 2 repealed in part ... extended ( <i>retrosp.</i> )... S. 3 amended ( <i>prosp.</i> ) ... S. 5 applied as modified S. 9 extended ( <i>retrosp.</i> )...  excluded ( <i>retrosp.</i> )...	33, s. 12 (4). 33, s. 12 (2) (3). 33, s. 10. 33, s. 8 (3). 33, s. 1, sch. Part II, para. 3 (1). 33, s. 1, sch. Part II, para. 3 (2).

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8 & 9 Geo. 6: c. 17 ...	Wages Councils Act, 1945	S. 5 repealed in part ... applied ... S. 6 repealed in part ... extended ... amended ... S. 8 amended ... S. 10 amended ... S. 11 extended in part ...	7, ss. 5 (3), 8, sch. 3. 7, s. 3 (2). 7, ss. 5 (3), 8, sch. 3. 7, s. 3 (1). 7, ss. 3 (2), 4. 7, s. 3 (3). 7, s. 6 (1) (2) (3). 7, s. 1, sch. 2 para. 4.
c. 18 ...	Local Authorities Loans Act, 1945.	Applied ...	32, s. 11 (6).
c. 24 ...	Finance Act, 1945 ...	S. 17 extended in part ... S. 2 amended ...	7, s. 2 (1). 49, s. 21 (2).
c. 32 ...	Income Tax Act, 1945 ...	S. 34 amended ... S. 59 applied in part as modified ( <i>retrosp.</i> ).	49, s. 82, sch. II Part II. 49, s. 34 (2).
c. 33 ...	Town and Country Planning (Scotland) Act, 1945.	Ss. 24-26 applied as modified.	17, s. 18 (3) (d).
c. 34 ...	Hydro-Electric Undertakings (Valuation for Rating) (Scotland) Act, 1945.	Repealed...	26, s. 147, sch. 2 Part III.
c. 41 ...	Family Allowances Act, 1945.	Restricted ... S. 11 repealed in part ... explained ... amended ... S. 26 repealed in part ...	29, ss. 13, 14. 43, s. 60, sch. 4 Part I. 43, s. 52 (3). 43, s. 52 (1) (2). 43, s. 60, sch. 4 Part I.
c. 42 ...	Water Act, 1945 ...	S. 9 extended ... repealed in part ... S. 12 amended ... S. 14 amended ... extended ... saved ... S. 16 amended ... S. 23 extended ... excluded in part ... amended and repealed in part. S. 24 extended in part ... S. 26 extended in part ... S. 33 extended in part ... amended ... S. 37 extended ... S. 42 repealed in part and amended. S. 48 applied ... S. 59 amended ... Sch. 1 modified ... applied ...	22, ss. 2 (2)-(5), 3 and sch. 3 22, s. 14 (5). 22, s. 4 (1). 22, s. 5 (1) (4). 22, s. 5 (2) (3). 22, s. 8 (7). 22, s. 6. 22, ss. 2 (1) (3)-(5), 3, 4 (2) (3), sch. 22, ss. 4 (4), 13 (2). 22, s. 14 (7) (a) (b). 22, s. 13 (1). 22, s. 2 (5). 22, s. 14 (3). 22, s. 14 (2). 22, s. 14 (4). 22, s. 7 (1) (2). 22, s. 8 (2). 22, s. 1. 22, s. 3 and sch. 4 (3) (a) (b).

Session and Chap. or No. of Measure	Short title or Subject	How affected	Chapter of 1948 Act or number of Measure
8 & 9 Geo. 6 : c. 42 ...	Water Act, 1945— <i>cont.</i>	Sch. 2 repealed in part Sch. 3 applicable in part by regulation. applied in part ... explained in part extended in part applied in part ( <i>retrosp.</i> ). amended ... saved ...	22, s. 14 (5). 17, s. 15 (4) (c). 22, ss. 8 (6), 10 (3). 22, s. 10 (1) (4). 22, s. 10 (2) (3). 22, s. 10 (4). 22, s. 11 (1) (2) (3) (4). 67, sch. 3, para. 32 (3).
c. 43 ...	Requisitioned Land and War Works Act, 1945.	Part IV saved ... Part VIII applied ... S. 6 amended ... S. 7 applied in part as modified. S. 8 amended ( <i>retrosp.</i> )... applied in part ... S. 11 amended ... S. 13 extended ... S. 14 repealed in part ... S. 15 applied and extended. restricted in part S. 16 extended ... may be excluded by regulation. S. 17 amended ( <i>retrosp.</i> ) S. 20 extended ... S. 21 extended ... S. 29 repealed in part ... S. 30 extended in part... Ss. 33, 34 given permanent effect. S. 35 extended ... Ss. 40-41 extended ... S. 41 applied ... S. 52 extended ... S. 54 restricted ... S. 59 extended in part ... Applied ...	17, s. 6, sch. para. 6 (3). 17, s. 5. 17, s. 2. 17, s. 4 (2). 17, s. 6, sch. para. 1. 17, s. 15 (1), proviso (i). 17, s. 6, sch. para. 2. 17, s. 6, sch. paras. 3, 4. 17, s. 6, sch. para. 5. 17, s. 3 (1) (2). 17, s. 6, sch. para. 6 (1). 17, s. 3 (2). 17, s. 15 (4) (c). 17, s. 6, sch. para. 1. 17, s. 3 (2). 17, ss. 3 (2), 6, sch. para. 7. 17, s. 6, sch. para. 8. 17, s. 12 (1). 17, s. 1 (3). 17, s. 1 (2). 17, s. 1 (2). 17, s. 4 (1) (2). 17, s. 6, sch. para. 10 (1). 17, s. 10 (5). 17, s. 3 (2). C.A.M. No. 1, s. 9 (2) proviso (ii).
C.A.M. No. 2	Episcopal Pensions Measure, 1945.	Applied ...	C.A.M. No. 1, s. 9 (2) proviso (ii).
9 & 10 Geo. 6 : c. 10 ...	Supplies and Services (Transitional Powers) Act, 1945.	S. 5 extended in part ... repealed in part ...	17, s. 1 (1). 17, s. 1 (1).
c. 11 ...	Inshore Fishing Industry Act, 1945.	S. 1 amended ...	51, s. 3.

Session and Chap. or No. of Measure	Short title or Subject	How affected	Chapter of 1948 Act or number of Measure
9 & 10 Geo. 6 : c. 12 ...	Civil Defence (Suspension of Powers) Act, 1945.	Ss. 1-3 repealed in part (E. S.).	5, s. 11, sch.
c. 13 ...	Finance (No. 2) Act, 1945	S. 1 repealed ...	49, s. 82, sch. II Part I.
c. 17 ...	Police (Overseas Service) Act, 1945.	S. 2 amended ... S. 1 saved in part ...  repealed in part with saving. S. 2 repealed in part with saving. extended in part ...	29, s. 41 (4). 24, s. 1 (5), proviso. 24, s. 3, sch. I Part I. 24, s. 3, sch. I Part I. 24, s. 3, sch. I Part III.
c. 21 ...	Elections and Jurors Act, 1945.	Repealed... ..	65, s. 80, sch. 13.
c. 24 ...	Local Government (Financial Provisions) Act, 1946.	Repealed... ..	26, s. 147, sch. : Part I.
c. 25 ...	Local Government (Financial Provisions) (Scotland) Act, 1946.	Repealed... ..	26, s. 147, sch. 2 Part I.
c. 28 ...	Assurance Companies Act, 1946.	Saved ... .. S. 7 extended in part ...	38, s. 459 (9). 38, s. 456, sch. 16.
c. 34 ...	Furnished Houses (Rent Control) Act, 1946.	Temporary Act : see s. 13 (3). Continued.	3, s. 1 (2), sch. Part II.
c. 36 ...	Statutory Instruments Act, 1946.	Applied ... ..  S. 2 applied ... .. S. 4 explained and modified.	38, s. 365 (5); 55, s. 15 (3). 36, s. 3 (3). 59, ss. 1 (2), 2.
c. 38 ...	National Service (Release of Conscientious Objectors) Act, 1946.	Excluded ... ..	21, s. 4.
c. 42 ...	Water (Scotland) Act, 1946.	S. 55 applied in part as modified. S. 70 applicable (by regulation). Sch. 3 applicable in part (by regulation).	45, s. 18 (2). 17, s. 18 (3) (c). 17, s. 18 (3) (c).
c. 46 ...	Police Act, 1946 ...	S. 11 repealed in part with saving. S. 15 saved ... .. Sch. 2 repealed in part with saving. Sch. 3 repealed in part with saving.	24, s. 3, sch. I Part I. 5, s. 4 (5). 24, s. 3, sch. I Part I. 24, s. 3, sch. I Part I.
c. 48 ...	Housing (Financial and Miscellaneous Provisions) Act, 1946.	S. 8 (2) (3) repealed with saving. S. 16 extended ... ..	26, s. 147, sch. 2 Part V. 29, s. 28 (7).
c. 49 ...	Acquisition of Land (Authorisation Procedure) Act, 1946.	Extended ... .. Applied ... ..  Applied as modified (E.) Applied as modified (except s. 2). Applied except s. 2 ... S. 1 incorporated ...	22, s. 13 (1). 29, s. 58; 43- s. 56 (2). 58, s. 50 (2). 67, s. 11. 32, s. 13 (2). 22, s. 3, sch.



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9 & 10 Geo. 6: c. 49	Acquisition of Land (Authorisation Procedure Act, 1946— <i>cont.</i>	S. 2 excluded ... ..  S. 8 extended ... ..  Sch. I applied in part ...  Sch. I applied in part as modified. Sch. 2 applied in part as modified.	32, s. 13 (2). 43, s. 56 (3). 58, s. 50 (2), proviso. 22, s. 13 (1) sch., para. 8 (2). 22, s. 3, sch., para. 5. 22, s. 3, sch. para. 7. 22, s. 3, sch.
c. 50	Education Act, 1946 ...	S. 6 excluded ... .. S. 8 excluded ... .. S. 9 repealed ... .. S. 11 repealed with saving	58, s. 71 (2). 58, s. 18 (5). 40, s. 11, sch. 2. 26, ss. 113 (2), 147, sch. 2 Part V.
c. 54	Housing (Financial Provisions) (Scotland) Act, 1946.	S. 14 extended ... ..	29, s. 28 (7) (8).
c. 58	Borrowing (Control and Guarantees) Act, 1946.	S. 1 applied ... ..	32, s. 11 (6).
c. 61	Railways (Valuation for Rating) Act, 1946.	Repealed ... ..	26, s. 147, sch. 2 Part III.
c. 62	National Insurance (Industrial Injuries) Act, 1946.	Saved ... .. Restricted ... .. S. 14 amended ... .. S. 29 amended ... .. S. 31 repealed ... ..	24, s. 1 (6). 29, ss. 13, 14. 42, s. 1 (2) (a). 42, s. 1 (3). 29, sch. 7 Part III.
c. 64	Finance Act, 1946 ...	S. 71 (1), sch. 9 repealed  S. 15 repealed; s. 16 repealed in part. S. 23 repealed with saving  S. 37 amended ( <i>retrosp.</i> ) S. 52 applied ... .. Sch. 3 repealed; sch. 5 repealed in part.	38, s. 459, sch. 17, Part I. 49, s. 82, sch. 11 Part I. 49, s. 82, sch. IV Part I. 49, s. 78. 67, s. 13 (2). 49, s. 82, sch. 11 Part I.
c. 67	National Insurance Act, 1946.	S. 37 amended ( <i>retrosp.</i> ) S. 52 applied ... .. Sch. 3 repealed; sch. 5 repealed in part.  Saved ... .. Restricted ... .. Part II applied in part ... S. 22 extended in part ... S. 30 repealed in part ...  S. 43 applied ... .. S. 55 repealed in part ...  S. 68 repealed in part ...  S. 69 saved in part ... .. Sch. 11 repealed in part	49, s. 78. 67, s. 13 (2). 49, s. 82, sch. 11 Part I. 24, s. 1 (6). 29, ss. 13, 14. 46, s. 11. 29, s. 50 (5). 29, sch. 7 Part III. 29, s. 14 (3). 38, s. 459, sch. 17 Part I. 29, sch. 7 Part III; 46, s. 21, sch. 2. 46, s. 21 (5). 67, s. 58 (6). 29, sch. 7 Part III; 46, s. 21, sch. 2.

Session and Chap. or No. of Measure	Short title or Subject	How affected	Chapter of 1948 Act or number of Measure
9 & 10 Geo. 6 : c. 67	National Insurance Act, 1946— <i>cont.</i>	Sch. 12 repealed in part Sch. 12 repealed ...	29, sch. 7 Part III. 46, s. 21, sch. 2.
c. 71 ...	Police (Scotland) Act, 1946.	S. 7 repealed in part with saving. S. 11 saved ... Schs. 1, 3 repealed in part with saving.	24, s. 3, sch. 1 Part I. 5, s. 6 (b). 24, s. 3, sch. 1 Part I.
c. 72 ...	Education (Scotland) Act, 1946.	Part VI restricted ... S. 101 applied ... S. 135 repealed with saving.	26, s. 118 (8). 33, s. 15 (3). 46, s. 21 (1) (4), sch. 2.
c. 73 ...	Hill Farming Act, 1946.	S. 9 amended (S.) ... repealed in part (S.)  extended (S.) ... excluded (S.) ... substituted (E. & W.)	45, s. 24, sch. 9 45, ss. 24, 87, schs. 9 and 10 45, s. 11 (4) (c). 45, s. 11 (5). 63, s. 95, sch. 7
c. 75 ...	Public Works Loans (No. 2) Act, 1946.	S. 2 applied ...	48, s. 2.
c. 81 ...	National Health Service Act, 1946.	Saved ... Excluded ... Part III applied and excluded. S. 6 restricted ( <i>temp.</i> ) ... S. 22 amended ... S. 27 extended ... S. 50 repealed in part ...  S. 53 amended ... S. 54 extended ( <i>temp.</i> ) ... S. 67 applied in part ... S. 68 extended ( <i>temp.</i> ) ...  Sch. 10 repealed in part	29, s. 62 (1), sch. 6 para. 6 (3). 29, s. 29 (6). 29, ss. 21 (7), 29 (6). 29, s. 62 (1), sch. 6 para. 7 (1). 43, s. 60, schs. 3 and 4 Part I. 29, s. 47 (10). 29, s. 62, schs. 6 para. 7 (3), 7 Part III. 26, s. 147, sch. 2 Part I. 29, s. 62 (1), sch. 6 para. 7 (5). 58, s. 62 (4). 29, s. 62 (1), sch. 6 para. 7 (4). 43, s. 60, sch. 4 Part I.
C.A.M. No. 2	Clergy Pensions (Supplementary Pensions) Measure, 1946.	Repealed ...	C.A.M. No. 1, s. 63, sch. 8.
10 & 11 Geo. 6 : c. 5 ...	Greenwich Hospital Act, 1947.	S. 2 extended ...	25, s. 1 (4).
c. 7 ...	Pensions (Increase) Act, 1947.	S. 2 repealed in part with saving.	24, s. 3, sch. 1 Part I.
c. 10 ...	House of Commons (Redistribution of Seats) Act, 1947.	S. 1 repealed in part ... Sch. repealed ...	65, s. 80, sch. 13. 65, s. 80, sch. 13.
c. 14 ...	Exchange Control Act, 1947.	S. 8 saved in part ...	38, s. 459 (9) (d).
c. 15 ...	Agricultural Wages (Regulation) Act, 1947.	Repealed (E.) ...	47, s. 20, sch. 5.

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10 & 11 Geo. 6: c. 19 ...	Polish Resettlement Act, 1947.	S. 2, sch. repealed in part (E. & S.)	29, sch. 7 Part III.
c. 27 ...	National Health Service (Scotland) Act, 1947.	Part III applied ... excluded ... S. 6 saved in part ... S. 16 extended ... S. 50 repealed in part ... S. 53 amended ... repealed in part ... S. 67 extended ( <i>temp.</i> ) ...	29, s. 21 (7). 29, s. 29 (6). 29, s. 62 (1), sch. 6 para. 6 (3). 29, s. 47 (10). 29, sch. 7, Part III. 26, s. 23. 26, s. 147, sch. 2 Part I. 29, s. 62 (1), sch. 6 para. 9 (3) (c).
c. 29 ...	Penicillin Act, 1947 ...	Ss. 1, 5 amended ...	52, s. 23, sch. 2.
c. 31 ...	National Service Act, 1947.	Excluded ... Repealed ... Ss. 3, 4 amended ... S. 24 extended ... Sch. 1 amended (E.) ( <i>prosp.</i> )	21, s. 4. 64, s. 60, sch. 6. 25, s. 1 (3). 25, s. 1 (3). 58, s. 79, sch. 9.
c. 35 ...	Finance Act, 1947 ...	Part IV extended ( <i>retrosp.</i> ) S. 4 extended in part ... Ss. 10-12 repealed ... S. 24 amended ( <i>retrosp.</i> ) S. 29 excluded ( <i>retrosp.</i> ) S. 36 excluded in part ... amended ( <i>retrosp.</i> ) applied in part ... S. 63 repealed in part with saving. applied in part ( <i>retrosp.</i> ) S. 67 repealed in part ... Sch. 1 replaced ( <i>retrosp.</i> ) Sch. 3 repealed ... Sch. 4 repealed in part ... applied in part as modified. Schs. 5 and 6 repealed ... Sch. 7 excluded ( <i>retrosp.</i> ) Temporary Act: see s. 2 (2). Continued.	49, ss. 69 (6), 70 (2). 49, s. 1 (7). 49, s. 82, sch. 11 Part I. 49, s. 33. 49, s. 35. 49, s. 69 (2) (b). 49, s. 70 (1). 49, s. 71 (2). 49, s. 82, sch. 11 Part I. 49, s. 71 (3). 49, s. 82, sch. 11 Part II. 49, s. 1, sch. 1. 49, s. 82, sch. 11 Part I. 49, s. 82, sch. 11 Part I. 49, s. 20 (5). 49, s. 82, sch. 11 Part I. 49, s. 35 3, s. 1 (1), sch. Part I. 33, s. 13 (1). 58, s. 83, sch. 10 Part I. 17, s. 1 (2). 29, s. 58 (4). 43, s. 56 (4). 45, s. 63.
c. 36 ...	Education (Exemptions) (Scotland) Act, 1947.	S. 1 excluded in part and applied. S. 2 and sch. repealed in part ( <i>prosp.</i> )	58, s. 83, sch. 10 Part I.
c. 38 ...	Probation Officers (Superannuation) Act, 1947.	Sch. 5 repealed in part ...	17, s. 1 (2).
c. 41 ...	Fire Services Act, 1947	Applied ...	29, s. 58 (4).
c. 42 ...	Acquisition of Land (Authorisation Procedure) (Scotland) Act, 1947.	Applied except s. 2 ... Applied as modified ...	43, s. 56 (4). 45, s. 63.
c. 43 ...	Local Government (Scotland) Act, 1947.	S. 4 amended and repealed in part. S. 5 amended ...	65, ss. 65, 80, sch. 7. 65, ss. 65, 80, sch. 7.

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10 & 11 Geo. 6 : c. 43 ...	Local Government (Scotland) Act, 1947— <i>cont.</i>	<p>S. 12 amended ... ..</p> <p>S. 14 amended ... ..</p> <p>S. 17 amended ... ..</p> <p>S. 18 amended ... ..</p> <p>S. 22 repealed in part ... ..</p> <p>S. 27 amended ... ..</p> <p>S. 28 amended ... ..</p> <p>S. 30 amended ... ..</p> <p>S. 31 amended ... ..</p> <p>S. 40 amended and repealed in part.</p> <p>S. 41 amended ... ..</p> <p>S. 44 repealed in part ... ..</p> <p>S. 47 amended ... ..</p> <p>S. 59 repealed in part ... ..</p> <p>S. 61 repealed in part ... ..</p> <p>S. 61 repealed in part applied in part ... ..</p> <p>S. 67 repealed in part ... ..</p> <p>S. 67 amended ... ..</p> <p>Ss. 69-70 repealed ... ..</p> <p>S. 73 repealed in part ... ..</p> <p>S. 73 repealed in part ; amended.</p> <p>S. 74 repealed in part ... ..</p> <p>S. 82 applied in part ... ..</p> <p>S. 92 applied in part ... ..</p> <p>S. 105 repealed in part ... ..</p> <p>S. 107 repealed in part ... ..</p> <p>S. 109 excluded ... ..</p> <p>S. 111 repealed in part ... ..</p> <p>S. 115 excluded in part ... ..</p> <p>S. 119 applied as modified ... ..</p> <p>S. 120 excluded in part ... ..</p> <p>S. 121 applied as modified ... ..</p> <p>S. 140 repealed in part ... ..</p> <p>S. 142 amended ... ..</p> <p>S. 142 repealed (with saving).</p> <p>S. 145 repealed in part ... ..</p> <p>S. 191 amended ... ..</p> <p>S. 211 amended ... ..</p> <p>S. 338 repealed with saving.</p> <p>S. 355 applied in part ... ..</p>	<p>65, ss. 65, 80, sch. 7.</p> <p>65, s. 65, sch. 7.</p> <p>65, s. 65, sch. 7.</p> <p>65, s. 65, sch. 7.</p> <p>65, s. 80, sch. 13.</p> <p>65, s. 62 (7).</p> <p>65, s. 65, sch. 7.</p> <p>65, ss. 65, 80, sch. 7.</p> <p>65, ss. 65, 80, sch. 7.</p> <p>65, s. 65, sch. 7.</p> <p>65, s. 80, sch. 13.</p> <p>65, ss. 65, 80, sch. 7.</p> <p>65, s. 80, sch. 13.</p> <p>65, s. 80, sch. 13.</p> <p>65, ss. 29 (4), 75, sch. 12.</p> <p>65, s. 80, sch. 13.</p> <p>65, s. 44 (6) (7).</p> <p>65, s. 80, sch. 13.</p> <p>29, sch. 7 Part III.</p> <p>26, s. 131 (2) (3) (6).</p> <p>26, ss. 132 (8), 147, sch. 2 Part V.</p> <p>43, s. 41 (6).</p> <p>43, s. 41 (6).</p> <p>29, sch. 7 Part III.</p> <p>29, sch. 7 Part III.</p> <p>46, s. 19 (4).</p> <p>29, sch. 7 Part III.</p> <p>46, s. 19 (4).</p> <p>43, s. 40 (5).</p> <p>29, sch. 3 Part III para. 13.</p> <p>43, s. 40 (5).</p> <p>29, sch. 7 Part III.</p> <p>26, s. 26.</p> <p>26, s. 147, sch. 2 Part I.</p> <p>65, s. 80, sch. 13.</p> <p>26, s. 137 (2).</p> <p>26, s. 139.</p> <p>26, ss. 118 (8), 147, sch. 2 Part V.</p> <p>37, s. 13 (b).</p> <p>67, s. 73 (2).</p>

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10 & 11 Geo. 6: c. 43 ...	Local Government (Scotland) Act, 1947— <i>cont.</i>	S. 363 saved ... ..	29, sch. 3 Part II, para. 11 and Part III para. 12.
		S. 366 excluded ...	65, ss. 28, 75 sch. 4 Part II, sch. 12.
		S. 379 repealed in part ...	29, sch. 7 Part III.
		Sch. 2 amended ...	65, ss. 28, 44 (6), 62 (8), 65, 75, 80, schs. 4, 7.
		extended in part	65, ss. 28, 75, sch. 4 Parts I and II, sch. 12.
		repealed in part	65, ss. 62 (8), 80, sch. 13.
		Sch. 3 amended ...	65, ss. 65, 80, sch. 7.
		Sch. 12 repealed with saving.	26, s. 147, sch. 2 Part V.
c. 47 ...	Companies Act, 1947 ...	Ss. 1-57, repealed ...	38, s. 459, sch. 17 Part I.
		S. 58 amended ... ..	38, s. 456, sch. 16 para. 4.
		Ss. 59-90 repealed ...	38, s. 459, sch. 17 Part I.
		S. 91 repealed in part ...	38, s. 459, sch. 17 Part I.
		repealed with saving	38, s. 459, sch. 17, Part II.
		S. 92 repealed in part ...	38, s. 459, sch. 17 Part I.
		repealed with saving	38, s. 459, sch. 17 Part II.
		Ss. 93-98 repealed ...	38, s. 459, sch. 17 Part I.
		S. 99 repealed with saving	38, s. 459, sch. 17 Part II.
		Ss. 100-114 repealed ; s. 115 repealed in part	38, s. 459, sch. 17 Part I.
		S. 115 amended ...	38, s. 456, sch. 16 para. 5.
		S. 117 amended ...	38, s. 456, sch. 16 para. 6.
		Ss. 118-121 repealed ; ss. 122, 123 repealed in part ; schs. 1-8 repealed ; sch. 9 repealed in part.	38, s. 459, sch. 17 Part I.
c. 48 ...	Agriculture Act, 1947 ...	Part II saved ... ..	63, s. 100 (10) (c).
		Part V saved ... ..	63, s. 100 (10) (c).
		S. 10 applied ... ..	63, s. 94 (2).
		S. 11 applied ... ..	63, s. 94 (2).
		S. 17 excluded in part ...	63, s. 8 (3) (iii).
		Ss. 22-31 repealed with saving.	63, ss. 98-100, sch. 8.
		S. 32, repealed in part with saving	63, ss. 98-100, sch. 8.
		Ss. 33-45 repealed with saving	63, ss. 98-100, sch. 8.
		S. 46 repealed in part with saving	63, ss. 98-100, sch. 8.

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10 & 11 Geo. 6 : c. 48	Agriculture Act, 1947— <i>cont.</i>	S. 87 repealed in part with saving. S. 103 repealed in part ...	63, ss. 98-100, sch. 8. 45, ss. 75 (5), 87, sch. 10.
c. 49	Transport Act, 1947 ...	Sch. 2 repealed in part with saving; schs. 3-7 repealed with saving. S. 34 repealed ...	63, ss. 98-100, sch. 8. 26, s. 147, sch. 2 Part III.
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TO THE

## PUBLIC GENERAL ACTS

AND

## CHURCH ASSEMBLY MEASURES OF 1948.

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