Majesty by Warrant under Her Royal Sign Manual from among persons who have held judicial office under the Crown, or hold legal qualifications, and the Secretary of State will have power to appoint persons similarly qualified to be Assistant Judges.

2. The provisions of the previous Order concerning the administration of deceased estates are repealed since appropriate provisions have now been made by Queen's Regulation.

3. Certain of the Indian Acts applied by the First Schedule and certain of the Miscellaneous Provisions in the Third Schedule of the previous Order have been replaced by Queen's Regulations and are therefore omitted from the Schedules to this Order.

4. The opportunity has been taken of making certain minor amendments which have been shown to be necessary or desirable.

RATING AND VALUATION

1959 No. 526

The British Transport Commission (Payments for Rating Authorities) Regulations, 1959

Made - - - -	23*rd March*, 1959
Laid before Parliament	26*th March*, 1959
Coming into Operation	31*st March*, 1959

The Minister of Housing and Local Government, in exercise of his powers under section 110 of the Local Government Act, 1948(a), and of all other powers enabling him in that behalf, hereby makes the following regulations :—

Citation, commencement and application

1. These regulations may be cited as the British Transport Commission (Payments for Rating Authorities) Regulations, 1959, and shall come into operation on the 31st day of March, 1959.

2. Regulations 3 to 7 shall apply in relation to the payments to be made by the Commission under Part V of the Act for the year 1959–60 and any subsequent year.

Interpretation

3.—(1) The Interpretation Act, 1889(b), applies to the interpretation of these regulations as it applies to the interpretation of an Act of Parliament.

(2) In these regulations—

" the Act " means the Local Government Act, 1948 ;

" the Minister " means the Minister of Housing and Local Government ;

" the Commission " means the British Transport Commission ; and

" year " means a period of twelve months beginning with the 1st day of April.

(a) 11 & 12 Geo. 6. c. 26. (b) 52 & 53 Vict. c. 63.

Estimates and conclusive calculations of amounts to be paid by the Commission

4.—(1) The Minister shall, before the beginning of each year, estimate, upon the best information available, and notify to the Commission the amount to be paid by them for that year, and may make and notify to the Commission such further estimates of the said amount, taking into account information not previously available, as he may think fit.

(2) As soon as practicable after he has received what appears to him to be sufficient information for the purpose the Minister shall make a conclusive calculation of the said amount and notify the result thereof to the Commission.

(3) The estimate made by the Minister in January, 1959, of the amount to be paid by the Commission for the year 1959–60 shall have effect as if it had been made under paragraph (1) of this regulation.

Payments by the Commission

5. The Commission shall pay to the Minister, not later than the 27th day of June in any year a sum equivalent to one-half of the amount last notified to them under the last preceding regulation for the year, and not later than the 28th day of December in the year a sum equivalent to the difference between the sum so paid and the amount then last notified to them under the last preceding regulation for the year. Any such payment shall be subject to adjustment on any subsequent notification to the Commission under the last preceding regulation, and any such adjustment shall be effected by means of deductions from or additions to any sum payable by the Commission in accordance with this regulation, or otherwise as the Minister may determine.

Estimates and conclusive calculations of amounts to be paid to rating authorities

6.—(1) The Minister shall, before the beginning of each year, estimate, upon the best information available, and notify to each rating authority the amount to be paid to them for that year in accordance with section 100 of the Act, and may make and notify to the authority such further estimates of the said amount, taking into account information not previously available, as he may think fit.

(2) In making any estimate provided for in the last preceding paragraph the Minister shall have regard to—

(*a*) the amount payable for the year by the Commission as last estimated and notified under regulation 4 ; and

(*b*) any sums which he estimates will fall to be defrayed out of such amount in pursuance of any direction given by him under section 88 of the Act with respect to any sum payable by him by way of compensation to any officer or servant of the Railway Assessment Authority or the Anglo-Scottish Railways Assessment Authority.

(3) As soon as practicable after he has received what appears to him to be sufficient information for the purpose the Minister shall make and notify to the rating authority a conclusive calculation of the amount described in paragraph (1) of this regulation.

(4) The said calculation shall be made by reference to—

(*a*) the amount payable for the year by the Commission as conclusively calculated under paragraph (2) of regulation 4 ; and

(*b*) any sums falling to be defrayed out of such amount in pursuance of any such direction as is described in sub-paragraph (*b*) of paragraph (2) of this regulation.

(5) The estimates made by the Minister in January, 1959, of the amounts to be paid to rating authorities for the year 1959–60 shall have effect as if they had been made under paragraph (1) of this regulation.

Payments to rating authorities

7. The Minister shall pay to each rating authority, as soon as practicable after receipt of the sum first mentioned in regulation 5 a sum equivalent to one-half of the amount last notified to them under the last preceding regulation for the year, and as soon as practicable after receipt of the sum secondly mentioned in the said regulation 5 a sum equivalent to the difference between the sum paid to the rating authority as aforesaid and the amount then last notified to them under the last preceding regulation for the year. Any such payment shall be subject to adjustment on any subsequent notification to the rating authority, and any such adjustment shall be effected by means of deductions from or additions to any sum payable to the rating authority in accordance with this regulation, or otherwise as the Minister may determine.

Non-application of existing regulations

8. The Local Government (Grants and Payments) Regulations, 1949(a), in so far as they apply to the payments to be made by the Commission, shall not apply to the payments to be so made for the year 1959–60 or any subsequent year.

Given under the official seal of the Minister of Housing and Local Government this twenty-third day of March, nineteen hundred and fifty-nine.

(L.S.) *Henry Brooke,*
Minister of Housing and Local Government.

EXPLANATORY NOTE

(This Note is not part of the Regulations, but is intended to indicate their general purport.)

These Regulations, which replace existing ones, taking into account provisions of the Local Government Act, 1958, provide for estimates and conclusive calculations, times of payments, etc., in relation to the payments to be made by the British Transport Commission, under Part V of the Local Government Act, 1948, for the benefit of rating authorities, for 1959–60 and subsequent years.

(a) S.I. 1949/2401 (1949 I, p. 2453).